



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—Monday, December 9, 2013

The House met at noon and was called to order by the Speaker pro tempore (Mr. DENHAM).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
December 9, 2013.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair would now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 1 minute p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOLF) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:
Dear Lord, we give You thanks for giving us another day.

At the beginning of a new workweek, we use this moment to be reminded of Your presence and to tap the resources needed by the Members of this people's

House to do their work as well as it can be done.

May they be led by Your Spirit in the decisions they make. May they possess Your power as they steady themselves amid the pressures of persistent problems. May their faith in You deliver them from tensions that tear the House apart and from worries that might wear them out.

All this day and through the week, may they do their best to find solutions to pressing issues facing our Nation. Please hasten the day when justice and love shall dwell in the hearts of all peoples and rule the affairs of the nations of Earth.

May all that is done this day be for Your greater honor and glory.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Ms. ROYBAL-ALLARD) come forward and lead the House in the Pledge of Allegiance.

Ms. ROYBAL-ALLARD led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

THE GPS ACT

(Mr. CHAFFETZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHAFFETZ. Mr. Speaker, one of the big questions that stands before the Nation is: Are we going to give up all of our liberties in the name of security? And I think not.

Technology is great. It is supposed to make our lives better and simpler, more efficient, more effective. It is fun, it is innovative, and it is leading the world. But at the same time, we have got to make sure that these technologies are not overused, not only by our Federal Government officials in law enforcement, but also by others who would do us harm, who have surreptitiously maybe converted that technology to do something a little bit more pervasive and a little more perverse.

It is for that reason that Senator WYDEN, my colleague in the United States Senate, and I have introduced what is called H.R. 1312, the geolocation, or GPS Act, as we refer to it, to put some limits and curtail those that want to follow us without our own knowledge.

We believe that you should have to have a probable cause warrant in order to track somebody's geolocation. I want that for my own kids. I want that for me. I want to make sure that that technology is safe and secure.

So I encourage my colleagues, Mr. Speaker, to look at H.R. 1312, the GPS Act, to deal with these new inventions and technology in a reasonable way.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 4 minutes p.m.), the House stood in recess.

□ 1659

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MEADOWS) at 4 o'clock and 59 minutes p.m.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

KILAH DAVENPORT CHILD
PROTECTION ACT OF 2013

Mr. COLLINS of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3627), to require the Attorney General to report on State law penalties for certain child abusers, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3627

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Kilah Davenport Child Protection Act of 2013”.

SEC. 2. ATTORNEY GENERAL REPORT.

Not later than 180 days after the date of enactment of this Act, and again 3 years thereafter, the Attorney General shall publish and submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the United States Senate a report on the penalties for violations of laws prohibiting child abuse in each of the 50 States, the District of Columbia, and each territory of the United States, including whether the laws of that State, District, or territory provides for enhanced penalties when the victim has suffered serious bodily injury, or permanent or protracted loss or impairment of any mental or emotional function.

SEC. 3. EXPANSION OF PREDICATE FOR INCREASED PENALTIES FOR CERTAIN DOMESTIC ASSAULTS.

Section 117(a)(1) of title 18, United States Code, is amended by inserting “, or against a child of or in the care of the person committing the domestic assault” after “intimate partner”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. COLLINS) and the gentleman from New York (Mr. JEFFRIES) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 3627, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

The bill under consideration today, the Kilah Davenport Child Protection Act of 2013, is named after a young girl from North Carolina who was brutally beaten by her stepfather last year. Her stepfather was charged with felony child abuse and awaits trial. Kilah, who was only 3 years old at the time of the attack, will face a lifetime of brain damage and paralysis at the hands of someone who was supposed to love and protect her.

Stories like Kilah’s are absolutely tragic, but they are not uncommon across our country. Approximately 3.5 million cases of child abuse involving 6 million children are reported every year in the United States. In my own State of Georgia, there were over 37,000 reports of child abuse and neglect with over 15,000 substantiated incidents of abuse in 2009 alone. And the rates of child abuse are even higher in Indian Country, where Indian children experience child abuse at a significantly higher rate than the rest of the population.

Adding to those and these tragedies is the fact that child abuse cases are not always reported and oftentimes not prosecuted with the same vigor as other crimes. Studies have found that charges are less likely to be filed against perpetrators in child abuse cases than most other felonies, and these cases have lower incarceration rates than other crimes.

H.R. 3627, introduced by Mr. PITTENGER of North Carolina, will help draw attention to how child abuse cases are handled across the country by requiring the Judiciary Department to issue reports on the criminal penalties for child abuse in the 50 States, the District of Columbia, and the U.S. territories.

This report focused on State statutes because most child abuse cases are handled at the State level. However, there are parts of the country where the Federal Government has an increased law enforcement role, such as including in Indian Country. H.R. 3627 helps to strengthen the Federal response to child abuse and other forms of domestic violence in Indian Country and the special maritime and territorial jurisdiction by amending 18 U.S.C., section 117 to allow prior convictions for the abuse of a child to trigger the offense of domestic assault by a habitual offender. This is a small but important change to the statute that will permit the Federal Government to prosecute more violent offenders.

I commend the gentleman from North Carolina (Mr. PITTENGER) for drawing attention to the terrible crime of child abuse and encourage my colleagues to support this legislation.

With that, I reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield myself such time as I may consume.

Today we rise to consider H.R. 3627, the Kilah Davenport Child Protection

Act of 2013. This legislation is part of the continuing effort to stamp out the scourge of child abuse in our society.

According to the organization Childhelp, each year there are more than 3 million reports of child abuse in the United States. At least 6 million children are impacted on an annual basis. Every day an average of four to seven children die in this great country as a result of child abuse and neglect, and more than 78 percent of reported child fatalities resulting from abuse and neglect were caused by one or more of the victim’s parents.

We must do everything in our power to change this sad reality. Our effort, of course, must be comprehensive and should include both robust criminal justice enforcement and parental education and prevention efforts. In other words, our approach should be balanced. Those who abuse children must understand that the consequences connected to their criminal behavior will be significant.

We must also aggressively take steps to prevent child victimization before it occurs. In doing so, we can mitigate the severe trauma of child abuse and simultaneously channel precious taxpayer resources away from the criminal justice system.

H.R. 3627 requires the Attorney General to issue a report regarding the penalties for violations of laws prohibiting child abuse in the 50 States, the District of Columbia, and U.S. territories. This report must consider, of course, whether those laws provide enhanced penalties when the victim has suffered serious bodily injury or permanent or protracted loss or impairment of any mental or emotional function, as occurred in this tragic case referred to in North Carolina. This reporting requirement is a good step toward helping Congress accurately evaluate the statutory landscape in the child abuse context and govern in a more informed fashion.

In addition, the legislation permits prior convictions for assault, sexual abuse, or serious violent felonies to be used to trigger additional penalties for habitual domestic abusers on Native American reservations and in special maritime and territorial jurisdictions. This trigger will better protect potential child abuse victims from repeat offenders.

For the above-referenced reasons, I urge my colleagues to support this legislation, and I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, at this time, I yield as much time as he may consume to the gentleman from North Carolina (Mr. PITTENGER), the author of this legislation, the gentleman who has a great passion for this issue.

Mr. PITTENGER. Thank you, Mr. COLLINS.

Mr. Speaker, I rise on behalf of precious Kilah Davenport, a sweet little

girl at the age of 3 years old, who was taken by her caregiver and bashed her head against the wall. As a result, Kilah has suffered irreparable damage to the extent that at this point she is immobile, she is paralyzed and has suffered severe brain damage.

You can see pictures right here of Kilah, a young girl, and then the next day the condition that she is in. She has made some progress. Her family is encouraged. They assist her 24/7. It has changed their lives.

But to the credit of the Davenport family, they wanted what occurred to their child to make sure that that never happened again. They focused their intention and their efforts, their commitment, to passing a law in North Carolina where I live. Now we have a statute that gives a minimum sentence of 10 years to anyone who is convicted of this type of egregious child abuse. Prior to this time, the minimum sentence for such an abuse was 4 years, maximum 6 years. This type of severe cruelty warrants a measure of sentencing commensurate with what has been enacted.

So I congratulate my colleagues, whom I served with at one time in the North Carolina Senate and the House—Senator Tarte, Senator Tucker, and Senator Curtis; and House members Horn and Arp—for the leadership that they gave in North Carolina and provided what will be, I truly believe, a role model for the rest of the country because, Mr. Speaker, the purpose of the Kilah Davenport Child Protection Act is to give a basis for other States, appealing to them through their attorney generals, to issue these reports, the first one in 6 months, the next one 3 years following, of their current statutes on child abuse in their sentencing.

We have found in many States that there are very minimum and lax sentences. In the South, there is one State that a year and a day could be the maximum sentence; one State in the Northeast is 7 years; one State out west, 5 years is the max sentence. This shouldn't be. We feel like there are many States who once they understand how limited the scope is of their sentencing that they would want to change it.

And yes, Mr. Speaker, I do believe that these types of bills are better addressed in our States. I believe that other States will take the proper action as North Carolina did. As I consulted with law enforcement and with judges who handle child abuse daily, that is why I introduced H.R. 3627, which is bipartisan legislation that will address this severe need to make sure that children in the future are not harmed in the same way.

This bill will ensure that those who suffer serious bodily injury, mental and emotional disparity and function, would be addressed with the types of sentencing that would warrant the type of crime committed.

I believe, Mr. Speaker, as we enact this bill, that we will see a tremendous impact throughout the country to prevent this type of scourge from occurring again. So I commit it to our Congress—I thank the great support of the Members—to make sure that this bill is enacted, and I thank Senator BURR for his leadership in the Senate.

Mr. JEFFRIES. Mr. Speaker, I have no additional speakers and am prepared to close.

Let me just simply say, I commend the gentleman from North Carolina for putting forth this measure in the House and helping to shepherd it hopefully into swift passage and then into law. I also commend the Davenport family for their courage, their strength, and their perseverance, and I wish them Godspeed as it relates to the recovery of their child moving forward.

I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, just in closing, again, it is good to be with my friend down here. Also, the bill that Mr. PITTEMBERG is bringing forward is also commonsense legislation I think that strengthens their home, strengthens their family, and addresses an issue such as child abuse and the real consequences the Davenport family are finding, but not just them, but many across our country.

With that, I urge all my colleagues to support this legislation, and I yield back the balance of my time.

Mr. HUDSON. Mr. Speaker, I rise today in support of a bill we are debating today, H.R. 3627, The Kilah Davenport Child Protection Act of 2013.

This commonsense bill will create an important study to examine the penalties that apply to child abusers across the country so that we can ensure we are doing everything possible to keep our children safe.

The motivation behind this significant legislation comes from one of my own constituents, Kilah Davenport. Kilah was abused when she was just three years old and suffers from severe mental and physical damage. I have had the pleasure of meeting young Kilah several times, and each time I'm moved by her strength and conviction. Not even old enough for kindergarten, Kilah is faced with an uphill battle of physical therapy and rehab. I will continue to pray that this innocent young girl makes a full recovery.

Mr. Speaker, child abuse and the safety of our children are not partisan issues. We must equip our states with the necessary tools to punish abusers to the fullest extent of the law. I am committed to ensuring that the federal government empowers the states to strengthen child abuse laws and ensure the safety of the most innocent in our society.

This bill guarantees that our states can address the serious problem of child abuse and makes certain that those who choose to harm a child are dealt with in a swift and severe manner. I support this bill, and I encourage my colleagues to do the same.

Mr. SCOTT of Virginia. Mr. Speaker, we all agree that child abuse is a horrific problem, and the abuse of Kilah Davenport is a tragedy.

We must take appropriate steps to try to prevent such future tragedies.

Child abuse is a widespread problem. In 2011, approximately 681,000 children were victims of maltreatment, and approximately 3.3 million children received preventative services from Child Protective Services agencies in the United States. Furthermore, nearly five children die every day in America from abuse and neglect, and more than 78 percent of reported child fatalities as a result of abuse and neglect were caused by one or more of the child victim's parents.

In addition to harming children directly, child abuse contributes to future crime.

Children who experience child abuse and neglect are about 9 times more likely to become involved in criminal activity. We should therefore get serious about reducing child abuse by enacting the type of meaningful legislation proven to actually reduce child abuse—and save money in the process—like nurse family partnerships.

Nurse family partnerships are an evidence-based community health program that provide home visits from registered nurses to low-income, first-time moms from pregnancy until the child turns two years old. In medical and scientific journals, nurse family partnerships are most often cited as the most effective intervention to prevent child abuse and neglect.

The approach of H.R. 3627 is to allow sentences of up to 10 years for those convicted for the third time for domestic abuse which, with this bill, will include child abuse. But it only applies to those offenses committed in national parks, military bases, Indian country, and on other federal land.

So of all of the cases of child abuse committed nationally, this bill unfortunately reaches only a negligible portion of the cases—those committed on federal land by people with two prior offenses.

Moreover, I am concerned that by increasing the penalties for third offenses, this bill implies that federal judges don't know what to do with a defendant convicted for a third time of these heinous offenses.

As I have described, child abuse is a serious problem, and in order to determine the appropriateness of expanding federal laws, we should have had a hearing on this issue, which we did not. We have received no evidence suggesting that federal judges impose such sentences on these third-time offenders that they keep getting out of prison and committing child abuse again.

The reason the bill before us today can only apply to federal lands is because we do not have jurisdiction over local crimes. The issue of child abuse is traditionally a matter for the states, and therefore this issue might have been best, first considered by the over-criminalization task force.

If our goal is to actually reduce the ravages of child abuse, we should not limit our efforts to the negligible number of prosecutable cases involving third offenses on federal lands.

I say prosecutable because most child abuse is not reported at all, and many cases that are reported are difficult to prosecute because family members may be unwilling to testify against one another. In fact, we have received no evidence that this bill would have

even applied to the Kilah Davenport case, which does not appear to have occurred on federal land or have been committed by a third-time offender.

We need to focus federal efforts on supporting programs which will prevent these crimes from happening in the first place.

H.R. 3627 does, however, include a worthwhile provision that requires the Attorney General to issue a report outlining the child abuse laws in the 50 states. The states can then review their statutes to see how they compare to other states and decide if their state laws need to be amended.

I agree with the desire to do more to protect our children from such tragic victimization, and we should work together to reduce child abuse. However, I think there are better ways to do it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. COLLINS) that the House suspend the rules and pass the bill, H.R. 3627.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE, HOUSE OF REPRESENTATIVES

Washington, DC, December 9, 2013.

Hon. JOHN BOEHNER,
*Speaker of the House, House of Representatives,
The Capitol, Washington, DC.*

DEAR MR. SPEAKER: On December 4, 2013, pursuant to section 3307 of title 40, United States Code, the Committee on Transportation and Infrastructure met in open session to consider resolutions to authorize five

lease prospectuses included in the General Services Administration's (GSA) FY2011 and FY2014 Capital Investment and Leasing Programs (CILP).

Our Committee continues to work to cut waste and the cost of federal property and leases. The resolutions approved by the Committee will save the taxpayer \$12.9 million annually or \$193.6 million over the terms of the Leases. These resolutions ensure savings through lower rents and shrinking the space requirements of agencies. With these resolutions, the total savings for GSA prospectuses approved by the Committee this year is over \$668 million.

One of the resolutions approved on December 4 is for a lease replacement for the Nuclear Regulatory Commission (NRC) in Rockville, Maryland. This was an outstanding lease prospectus submitted as part of the FY2011 CILP. While other agencies agreed to reduce their space footprint and reduce costs, NRC had not done so. After working with the NRC and GSA, the Committee brokered an agreement that will put 1,100 additional employees into NRC's buildings by having space backfilled by the Food and Drug Administration (FDA). As a result, FDA has agreed to relinquish four leases that will save the taxpayer \$145.8 million. Letters from the NRC and FDA acknowledging this agreement are enclosed.

I have also enclosed copies of the five resolutions adopted by the Committee on Transportation and Infrastructure on December 4, 2013.

Sincerely,

BILL SHUSTER,
Chairman.

Enclosures

COMMITTEE RESOLUTION
LEASE—NUCLEAR REGULATORY COMMISSION,
SUBURBAN MARYLAND

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 348,000 rentable square feet of space, including 20 parking spaces, for the Nuclear Regulatory Commission, currently located at Two White Flint, 11545 Rockville Pike, Bethesda, Maryland, at a proposed total annual cost of \$11,832,000 for a lease term of up to 15 years, for which a prospectus and overall Housing Strategy amending such prospectus is attached to and included in this resolution.

Approval of this prospectus and overall Housing Strategy constitutes authority to

execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Food and Drug Administration, currently occupying four locations under leases expiring between 2014 and 2016 in Bethesda and Rockville, MD, backfill no less than 186,313 usable square feet in the building known as Three White Flint North at an annual rental rate of not more than \$7,825,146.

Provided that, the Nuclear Regulatory Commission shall be responsible for the rental costs for Three White Flint North which exceed the rental rate paid by the Food and Drug Administration, or any subsequent backfill tenant, for the term of the lease for Three White Flint North.

Provided that, the Administrator of General Services and the Chairman of the Nuclear Regulatory Commission and the Commissioner of the Food and Drug Administration agree to apply an overall utilization rate of 200 and 170 square feet or less per person, respectively,

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 200 square feet or higher per person for the Nuclear Regulatory Commission and 170 for the Food and Drug Administration.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

PBS

**PROSPECTUS – LEASE
NUCLEAR REGULATORY COMMISSION
SUBURBAN MARYLAND**

Prospectus Number: PMD-04-WA11
Congressional District: 8

Project Summary

The General Services Administration (GSA) proposes a replacement lease of up to 348,000 rentable square feet (rsf) for the Nuclear Regulatory Commission (NRC) currently located at Two White Flint, 11545 Rockville Pike in Bethesda, MD. GSA will consider all market based opportunities including an unevaluated renewal option during the procurement.

Description

Occupants:	NRC
Delineated Area:	Suburban Maryland
Lease Type:	Replacement
Justification:	Expiring Lease (12/14/2013)
Expansion Space:	None
Number of Parking Spaces ¹ :	20 official government vehicles
Scoring:	Operating Lease
Proposed Maximum Leasing Authority:	15 years
Maximum Rentable Square Feet:	348,000 rsf
Current Total Annual Cost:	\$9,756,987
Proposed Total Annual Cost: ²	\$11,832,000
Maximum Proposed Rental Rate ³ :	\$34.00 per rentable square foot

Energy Performance

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement.

¹ NRC security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, under an operating agreement with the lessor, or as part of the Government's leasehold interest in the building(s).

² Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

³ This estimate is for fiscal year 2014 and may be escalated by 1.7 percent annually to the effective date of the lease to account for inflation.

GSAPBS

PROSPECTUS – LEASE
NUCLEAR REGULATORY COMMISSION
SUBURBAN MARYLAND

Prospectus Number: PMD-04-WA11
Congressional District: 8

Authorization

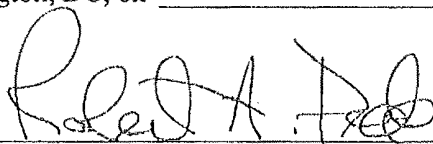
- Approval of this prospectus by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works will constitute authority to lease space in a facility that will yield the required rentable area.
- Approval of this prospectus will constitute authority to provide an interim lease, if necessary, prior to the execution of the new lease.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

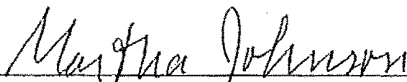
Submitted at Washington, DC, on December 21, 2010

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

Suburban, MD
PMD-04-WA11

Housing Plan
Nuclear Regulatory Commission

May 2010

Locations	Current					Proposed				
	Personnel		Usable Square Feet (USF)			Personnel		Usable Square Feet (USF)		
	Office	Total	Office	Storage	Special	Office	Total	Office	Storage	Special
2 White Flint	1,491	1,491	268,057	2,147	25,530	1,491	1,491	268,057	2,147	25,530
New Lease	-	-	-	-	-	-	-	-	-	-
Total	1,491	1,491	268,057	2,147	25,530	1,491	1,491	268,057	2,147	25,530

Special Space	USF
ADP	15,085
Auditorium	5,801
Food Service	2,535
Health Unit	1,403
Laboratory	706
Total	25,530

Utilization	Current	Proposed
Rate	140	140

Current UR excludes 38,973 USF of office support space
Proposed UR excludes 38,973 USF of office support space

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

GSAPBS

**HOUSING STRATEGY – LEASE
NUCLEAR REGULATORY COMMISSION
SUBURBAN MARYLAND**

Congressional District: 8

Project Summary

The General Services Administration (GSA) proposes an overall housing strategy for the Nuclear Regulatory Commission (NRC) currently in space located at One, Two, and Three White Flint North (1,2, and 3 WFN), in Bethesda, MD. 1WFN is government owned, 2WFN is occupied under a lease that expires on December 14, 2013, and 3WFN is occupied under a lease that expires on November 2, 2027. Prospectus PMD-04-WA11, seeking approval for a 15-year replacement lease for 2WFN, was approved by the Senate Committee on Environment and Public Works on July 13, 2011. Approval of this prospectus by the House Committee on Transportation and Infrastructure is pending the submission and approval of an overall housing strategy for NRC at the White Flint Campus and the identification of another Federal tenant agency that can backfill space made available by improving NRC's space utilization efficiency. Continued occupancy of government-owned 1WFN is assumed; this housing strategy focuses on the leased 2WFN and 3WFN.

GSA has identified elements of the Food and Drug Administration (FDA), currently occupying four locations under leases expiring between 2014 and 2016 in Bethesda and Rockville, MD, for proposed backfill of space in 3WFN. FDA views this proposal as an opportunity to consolidate its occupancies, improve its utilization of space, and increase its operational efficiency.

Description

Occupants:	NRC, FDA
Delineated Area:	2WFN (Suburban Maryland Replacement Lease) 3WFN (Bethesda, Maryland Existing Lease)
Justification:	Expiring Lease 2WFN (12/14/2013) Continued Occupancy 3WFN (11/2/2027)
Expansion Space:	None
Maximum Rentable Square Feet:	348,000 RSF 2WFN 358,440 RSF 3WFN

Issues and Proposed Solutions

NRC's diminished space requirements are insufficient to justify full occupancy of both 2WFN and 3WFN. Any solution involves improving NRC's space utilization and identifying a backfill tenant to occupy space vacated by NRC. Minimizing the number of NRC personnel to be moved within and between 2WFN and 3WFN reduces the time and cost of space realignment as well as disruption to NRC's operations. GSA has considered the alternatives of backfilling 2WFN or 3WFN and concluded that backfilling 2WFN is not a viable alternative. Backfilling space in

GSA

PBS

**HOUSING STRATEGY – LEASE
NUCLEAR REGULATORY COMMISSION
SUBURBAN MARYLAND**

Congressional District: 8

2WFN would require moving approximately 2,000 NRC personnel, largely from 2WFN to 3WFN but also within each building to accommodate necessary space realignments. The estimated cost of relocating NRC from 2WFN to 3WFN is approximately \$38 million.

Backfilling space in 3WFN would require moving less than 600 NRC personnel, largely to relocate NRC personnel from upper floors to lower floors in 3WFN to accommodate the backfill tenant and to improve space utilization in 3WFN. Some NRC personnel, currently occupying space in 3WFN, would be moved to currently vacant workspace in 2WFN, improving the overall space utilization in that building. The estimated cost of this alternative is approximately \$11.6 million and would require two years to complete.

GSA has evaluated potential candidates for backfill of space at 2WFN, based on current location, size of requirement, and expiration dates of current leases. No Federal agency expressed a willingness to relocate to 2WFN, and none would even consider the possibility without significant renovations to 20-year old space. Renovating and backfilling space in 2WFN would expose the government to an estimated \$23 million in addition to the estimated \$38 million for space realignment and move costs for NRC, and would require four years to complete the entire process.

FDA has expressed a strong interest in backfilling 3WFN and a willingness to occupy space at this location without significant modifications, resulting in a significantly lower cost for this alternative. FDA tenancy at 3WFN improves its geographical proximity to the other FDA-occupied leased locations and provides direct Metrorail access, not currently available to three of the four locations included in the proposed consolidation at 3WFN.

GSAPBS

**HOUSING STRATEGY – LEASE
NUCLEAR REGULATORY COMMISSION
SUBURBAN MARYLAND**

Congressional District: 8

Cost of Alternatives**Backfill 2WFN**

NRC relocates from 2WFN to 3WFN,
with partial continued NRC occupancy of 2WFN: \$38 million

Renovation and replication costs for another Federal
tenant agency to backfill 2WFN space: \$23 million

TOTAL \$61 million

Backfill 3WFN

NRC personnel relocate to lower floors of 3WFN
and to 2WFN; FDA backfills space in 3WFN vacated
by NRC: \$11.6 million

Recommendation

Backfill space vacated by NRC in 3WFN with FDA elements from other identified leased locations. Proceed with competitive procurement of a replacement lease for 2WFN based on approval of Prospectus PMD-04-WA11 by the House Committee on Transportation and Infrastructure and its prior approval by the Senate Committee on Environment and Public Works.

Fall 2013

Scenario Evaluation - 2WFN and 3WFN

	SCENARIO A NRC Fully Occupies 3WFN Other Agency Backfills 2WFN	SCENARIO B NRC Fully Occupies 2WFN FDA Backfills 3WFN
1WFN - NRC (USF)	275,369	275,369
2WFN - NRC (USF)	112,539	295,734
2WFN - Other Agency (USF) ¹	183,195	0
3WFN - NRC (USF)	321,976	135,663
3WFN - FDA (USF) ²	0	186,313
Personnel Moves	2,000	572
Completion Date	2018 (4 Years)	2016 (2 Years)

NON-LEASING COSTS	SCENARIO A	SCENARIO B	ACCOUNT	COMMENT
NRC				
2WFN Lease Extension	\$7,348,113	\$3,674,056	NRC	Scenario A assumes extension of 4 years at 20% Premium. Scenario B assumes extension of 2 years at 20% Premium
NRC TI - in 2WFN ³	\$8,102,808			Scenario A: 112,539 usf * (\$110-38) psf
NRC TI - in 3WFN ⁴	\$2,924,900	\$1,756,550		In Scenario A: \$2,924,900 = \$8,498 usf * \$50 psf. In Scenario B: \$1,756,550 = 35,131 usf * \$50 psf
NRC Planning Studies	\$1,200,000	\$900,000	NRC	Rounded estimate from NRC
NRC Physical Moves (\$1,200 pp) ⁵	\$2,400,000	\$686,400	NRC	\$1,200 pp estimate from NRC.
NRC Furniture Costs (\$5,000 pp) ⁶	\$10,000,000	\$2,860,000	NRC	\$5,000 pp estimate from NRC.
NRC IT Costs (\$3,000 pp) ⁷	\$6,000,000	\$1,716,000	NRC	\$3,000 pp estimate from NRC.
SUBTOTAL - NRC	\$37,975,821	\$11,593,006		
Backfill Agency				
Agency TI - in 2WFN ³	\$13,200,000	n/a		Scenario A: 183,195 usf * (\$110-38) psf
Agency TI - in 3WFN	n/a	\$0		Scenario B: FDA does not require TI for move into 3WFN.
Planning Studies (8% of TI Costs)	\$1,056,000	\$0	Other Agency	Not required for FDA move into 3WFN.
Furniture Costs (\$5,000 pp)	\$5,388,100	\$0	Other Agency	FDA will use furniture already in place in 3WFN.
IT Costs (\$3,000 pp)	\$3,232,900	\$0	Other Agency	FDA will use IT already in place in 3WFN.
SUBTOTAL - Backfill Agency	\$22,877,000	\$0		
TOTAL NON LEASING COSTS	\$60,852,821	\$11,593,006		

Footnotes on second page.

Fall 2013

Scenario Evaluation - 2WFN and 3WFN

Footnotes

- (1) To date, GSA's search for willing federal tenant to occupy 2WFN (other than NRC) has yielded no meaningful results.
- (2) FDA is interested moving out of 4 leases expiring between 2014 - 2016 and backfilling the top 8 floors of 3WFN. They would reuse the existing furniture already installed in the space and occupy the space at an 145 usf/person overall utilization rate.
- (3) TI costs in 2WFN are estimated to be \$110 psf to complete more extensive renovation than 3WFN, as 2WFN is a much older building. It is assumed that Lessor will provide work letter to complete TI in 2WFN at \$38 psf, yielding a \$72 psf cost for the government.
- (4) TI costs in 3WFN are estimated to be \$50 psf to partially reconfigure space for NRC.
- (5) 2WFN has significantly more seats (>400) and personnel than 3WFN, which makes it less costly for 2WFN to absorb NRC personnel.
- (6) Furniture costs based primarily on the labor needed to breakdown, relocate, and reassemble existing furniture. Other elements contributing to this unit cost include furniture loss and storage fees.
- (7) IT costs based primarily on the labor costs needed to breakdown, relocate, and reinstall existing IT equipment (including vertical drops, phone systems, etc.).

Fall 2013

FDA Backfill Scenario into 3WFN

Leased Locations	Personnel			CURRENT				PROPOSED			
	Office	Total		Office	Storage	Special	Total	Office	Storage	Special	Total
NRC - Two White Flint North (2WFN)	1,083	1,083		214,592	1,638	79,504	295,734	214,592	1,638	79,504	295,734
NRC - Three White Flint North (3WFN)	1,184	1,184		248,468		73,508	321,976	98,154		37,509	135,663
FDA - Three White Flint North (3WFN)	0	0									186,313
FDA - 1350 Piccard Drive	403	403					89,402				0
FDA - 2094 Gaither Road	394	394					49,758				0
FDA - 2098 Gaither Road	260	260					45,160				0
FDA - 7700 Wisconsin Ave	228	228					47,133				0
FDA - Current Total	1,285	1,285					231,453				0
Total	3,552	3,552					849,163				617,710

Utilization Rate (UR) ² - Office		
	Current	Proposed
NRC-2WFN	155	103
NRC-3WFN	164	120

Utilization Rate (UR) - Overall		
	Current	Proposed
NRC-2WFN	273	182
NRC-3WFN	272	213
FDA	180	145

Utilization Rate (UR) - 2WFN & 3WFN		
	Current	Proposed
Portfolio	272	174

NOTES:

¹ Usable Square Feet is the portion of a building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.² Utilization Rate = (Office USF minus Support Space) divided by Personnel.³ 546 NRC Employees will relocate to Two White Flint North (2WFN).



CHAIRMAN

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 2, 2013

The Honorable Bill Shuster
Chairman, Committee on Transportation
and Infrastructure
United States House of Representatives
Washington, DC 20515

Dear Chairman Shuster:

The following is being provided in response to discussions held on November 25, 2013, between staff representatives of the House Transportation and Infrastructure Committee, the Nuclear Regulatory Commission (NRC), General Services Administration (GSA), and Food and Drug Administration (FDA) concerning disposition of Government leased space at 11601 Landsdown Street (3WFN). This discussion was driven in part by a pending December 14, 2013, expiration of the lease for the Two White Flint North Building and associated prospectus.

The NRC is consolidating its headquarters operation into a single three-building campus after years of housing our staff in leased satellite space dispersed throughout Montgomery County, Maryland. After construction of 3WFN was well underway, economic factors and revised business plans of NRC applicants resulted in the need for fewer NRC staff. Concurrently, the Government instituted new guidelines for utilization of real estate and for "freezing" the Federal footprint. In light of these changed circumstances, and soon after arriving at the NRC nearly 18 months ago, I directed the agency to reassess its housing requirements and associated cost profile, with the goal of reducing our facility requirements. The NRC worked collaboratively with GSA to complete this assessment and consider alternatives for addressing any resultant excess capacity. Due to security and associated cost concerns, the NRC's approach is to find a Federal agency backfill tenant for space in 3WFN.

The NRC is sending this letter of intent to provide assurances to the Committee concerning planned actions to right size NRC's footprint. These actions achieve the least cost to taxpayers, the least disruption to the agency's safety mission, the least up-front cost for the agency and the Government, least cost to NRC stakeholders, and comply with *Freeze the Footprint* guidelines. Specifically, NRC will:

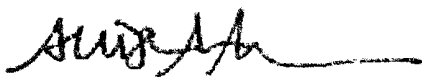
- Fully occupy 11555 Rockville Pike (1WFN) and 11545 Rockville Pike (2WFN) or equivalent procured space and occupy a portion of 3WFN (approximately 136,000 usable square feet).
- Achieve a 200 square feet all-in utilization rate at the White Flint Campus.

-2-

- NRC will be financially responsible for the full rent and all other associated costs under the 3WFN lease until the space is backfilled, as documented in the occupancy agreement. When the space is backfilled, NRC's rent obligations for the space that is backfilled will be limited to the difference between the lease contract rental rate and all other costs associated with the lease and the backfill tenant's rent.

Be assured that the NRC is committed to a cost-effective, right-sizing solution that complies with *Freeze the Footprint* guidance without adversely impacting the agency's regulatory effectiveness, efficiency, and emergency response capability.

Sincerely,



Allison M. Macfarlane

cc: Representative Nick J. Rahall
Representative Lou J. Barletta
Representative André Carson



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration
Silver Spring MD 20993

December 2, 2013

The Honorable Bill Shuster
Chairman
Committee on Transportation and Infrastructure
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your interest in the Food and Drug Administration (FDA) leasing facility space at Three White Flint North in North Bethesda, MD.

FDA has consistently been working to consolidate space, improve utilization, and save money. FDA is replacing and centralizing existing geographically disparate facilities in the DC Metro area with new, state-of-the-art laboratories, office buildings, and support facilities into one location on the 130-acre White Oak Campus, as part of GSA's 660-acre Federal Research Center. By FY 2017, FDA is projected to house approximately 9,000 of 12,700 employees at the White Oak Campus as per the most recently approved 2009 Master Plan. FDA must therefore remain, in part, in off-Campus leased locations for the foreseeable future.

The General Services Administration (GSA) has identified an opportunity for interim consolidation of some FDA elements at Three White Flint North until additional occupancy at the White Oak Campus is possible. FDA intends to occupy Three White Flint North at the HHS policy rate of 170 USF/person for a minimum of 5 years. As part of this agreement, GSA has provided an exemption to FDA to allow FDA to vacate current buildings with 120 days' notice. Other details of the agreement are provided in the attached draft Occupancy Agreements between FDA and GSA.

Thank you, again, for your interest in this important matter. Please let us know if you have further questions. The same letter has been sent to Subcommittee Chairman Barletta and Ranking Members Rahall and Carson.

Sincerely,

Walter S. Harris, MBA, PMP
Deputy Commissioner for Operations and
Chief Operating Officer

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF HOMELAND SECURITY,
CUSTOMS AND BORDER PROTECTION, WASH-
INGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 109,000 rentable square feet of space for the Department of Homeland Security, Customs and Border Protection, currently located at 1400 L Street, NW, Washington, DC, at a proposed total annual cost of \$5,450,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all

tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 167 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 167 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
CUSTOMS AND BORDER PROTECTION
WASHINGTON, DC**

Prospectus Number: PDC-05-WA14

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 109,000 rentable square feet (rsf) of space for the Department of Homeland Security (DHS), Customs and Border Protection (CBP), currently housed under two leases at 1400 L Street, NW, Washington, DC. Two CBP support units, the Office of Trade Relations (OTR) and the Office of Human Resources Management (HRM), occupy the entire building.

This proposed lease will improve CBP's office utilization rate from 106 to 80 USF per person, and its overall utilization rate from 221 to 167 USF per person. The space reduction will result in CBP's housing its current personnel in 31,560 RSF less than the RSF total of its current occupancy.

Description

Occupant:	DHS / CBP
Lease Type	Replacement
Current Rentable Square Feet (RSF)	140,560 (Current RSF/USF = 1.17)
Proposed Maximum RSF:	109,000 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF:	31,560 RSF Reduction
Current Usable Square Feet/Person:	221
Proposed Usable Square Feet/Person:	167
Proposed Maximum Lease Term:	15 years
Expiration Dates of Current Lease(s):	8/31/2015
Delineated Area:	Washington, DC CEA
Number of Official Parking Spaces:	None
Scoring:	Operating Lease
Maximum Proposed Rental Rate ¹ :	\$50.00 / RSF
Proposed Total Annual Cost ² :	\$5,450,000
Current Total Annual Cost:	\$5,253,341 (Lease effective 9/1/05)

¹ This estimate is for fiscal year 2015 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

² Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
CUSTOMS AND BORDER PROTECTION
WASHINGTON, DC**

Prospectus Number: PDC-05-WA14

Background

CBP is one of DHS's largest and most complex components, with a mission of keeping terrorists and their weapons out of the U.S., and securing and facilitating trade and travel, while enforcing hundreds of U.S. regulations, including immigration and drug laws. OTR is responsible for ensuring that accurate, timely, and consistent information is provided to the international trade community on CBP policy, as established by the agency.

Justification

The current leases at 1400 L Street, NW, Washington, DC, expire on August 31, 2015 and DHS / CBP requires continued housing to carry out its mission.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
CUSTOMS AND BORDER PROTECTION
WASHINGTON, DC**

Prospectus Number: PDC-05-WA14

Certification of Need

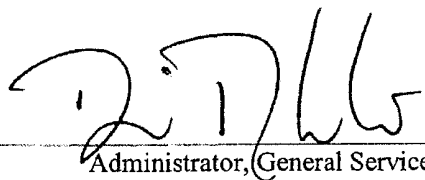
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 30, 2013

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

PDC-05-WA14
Washington, DC

Housing Plan
Department of Homeland Security

April 2013

Locations	CURRENT			PROPOSED		
	Personnel	Usable Square Feet (USF) ¹		Personnel	Usable Square Feet (USF) ¹	
	Office	Total		Office	Total	
1400 L Street, NW, Washington, DC	546	546	74,469			
Proposed Lease, Washington, DC			10,202			
Total	546	546	74,469	546	546	90,940
			10,202	546	546	90,940

Office Utilization Rate (UR) ²		
Rate	Current	Proposed
	106	80

UR=average amount of office space per person
Current UR excludes 16,383 usf of office support space
Proposed UR excludes 12,319 usf of office support space

Overall UR ³		
Rate	Current	Proposed
	221	167

R/U Factor ⁴			
	Total USF	RSF/USF	Max RSF
Current	120,611	1.17	140,560
Proposed	90,940	1.20	109,000

Special Space		USF
Conference/Training		13,810
LAN/Telecom		3,960
File Room		3,990
Food Service		1,980
Health Unit		3,600
Supply/Conv		2,262
Lactation Room		120
Total		29,722

NOTES:

¹USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

²Calculation excludes Judiciary, Congress and agencies with less than 10 people

³USF/Person = housing plan total USF divided by total personnel

⁴R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 86,000 rentable square feet of space for four Department of Housing and Urban Development components currently located at 550 12th Street SW, Washington, DC, at a proposed total annual cost of \$4,300,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all

tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 183 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 183 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC**

Prospectus Number: PDC-01-WA14

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 86,000 rentable square feet (rsf) of space for the Department of Housing and Urban Development (HUD) in Washington, DC. HUD is currently located at 550 12th Street, SW, Washington, DC under a lease that expires on April 25, 2014. This location houses five HUD components: Real Estate Assessment Center (REAC); HUD's Inspector General (IG); Public and Indian Housing (PIH); Grants Management Center (GMC); and Government National Mortgage Administration (GNMA). The prospectus addresses the requirements of four of these components: REAC, IG, PIH, and GMC. The fifth component, GNMA, will be moved by HUD to a separate location in a below prospectus lease action.

The office utilization rate for the four HUD components will improve from 128 USF to 127 USF per person and the overall utilization rate from 185 USF to 183 USF per person.

Description

Occupant:	HUD
Lease Type	Replacement
Current Rentable Square Feet:	78,006 (Current RSF/USF = 1.09)
Proposed Maximum RSF:	86,000 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF ¹ :	None
Current Usable Square Feet/Person:	185
Proposed Usable Square Feet/Person:	183
Proposed Maximum Lease Term:	15 years
Expiration Dates of Current Lease(s):	4/25/2014
Delineated Area:	Washington, DC CEA
Number of Official Parking Spaces:	None
Scoring:	Operating Lease
Maximum Proposed Rental Rate ² :	\$50.00

¹ The RSF/USF at the current location is approximately 1.11. However to maximize competition a RSF/USF ratio of 1.20 is used for the proposed maximum RSF indicated in this prospectus.

² This estimate is for fiscal year 2014 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC**

Prospectus Number: PDC-01-WA14

Proposed Total Annual Cost ³ :	\$4,300,000
Current Total Annual Cost:	\$3,464,308

Background

HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. HUD is working to strengthen the housing market to bolster the economy and protect consumers; meet the need for quality affordable rental homes; utilize housing as a platform for improving quality of life; and build inclusive and sustainable communities free from discrimination.

Justification

The current lease for HUD at 550 12th Street, SW, Washington, DC expires on April 25, 2014 and HUD requires continued housing to carry out its mission. This prospectus seeks approval to house the following four components of HUD: REAC, IG, PIH, and GMC.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

³ Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC**

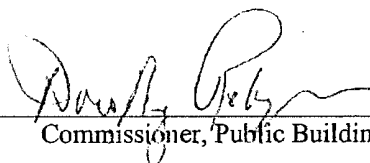
Prospectus Number: PDC-01-WA14

Certification of Need

The proposed project is the best solution to meet a validated Government need.

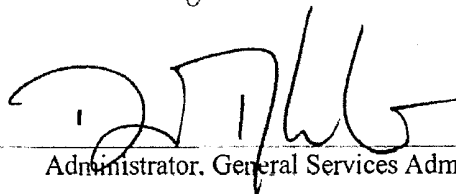
Submitted at Washington, DC, on September 30, 2013

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

PDC-01-WA14
Washington, DC

Housing Plan
Department of Housing and Urban Development

April 2013

Locations	CURRENT			PROPOSED		
	Personnel	Usable Square Feet (USF) ¹		Personnel	Usable Square Feet (USF) ¹	
	Office	Total		Office	Total	
550 12th St SW, Washington, DC	386	386	600	390	390	71,300
Proposed Lease, Washington, DC	386	386	600	390	390	71,300
Total						

Special Space			USF
Health Unit			150
Food Service Area			1,000
Computer Room			1,050
Conference/Training			4,700
Filing Room			500
Total			7,400

Office Utilization Rate (UR) ²		
Rate	Current	Proposed
	128	127

UR=average amount of office space per person
Current UR excludes 13,926 usf of office support space
Proposed UR excludes 13,926 usf of office support space

Overall UR ³		
Rate	Current	Proposed
	185	183

R/U Factor ⁴			
	Total USF	RSF/USF	Max RSF
Current	71,300	1.09	78,006
Proposed	71,300	1.20	85,000

NOTES:

¹USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

²Calculation excludes Judiciary, Congress and agencies with less than 10 people

³USF/Person = housing plan total USF divided by total personnel

⁴R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF JUSTICE, FEDERAL BUREAU OF INVESTIGATION, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 157,000 rentable square feet of space for the Federal Bureau of Investigation, currently located at 1025 F Street, NW, Washington, DC, at a proposed total annual cost of \$7,850,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 186 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 186 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, DC**

Prospectus Number: PDC-04-WA14

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 157,000 rentable square feet of space for the Federal Bureau of Investigation (FBI), currently housed at 1025 F Street, NW in Washington, DC. The proposed lease would replace three existing leases, which expire on January 17, May 31, and November 24, 2015. It is anticipated that the missions associated with this space will eventually relocate to the FBI Headquarters Consolidation project, if approved by Congress. GSA will attempt to negotiate a flexible lease term to coincide with the delivery of the FBI Headquarters Consolidation project in an effort to minimize vacancy risk.

The office utilization rate for FBI will improve from 110 USF to 109 USF per person and the overall utilization rate will remain 186 USF per person.

Description

Occupant:	DOJ-FBI
Lease Type	Replacement
Current Rentable Square Feet (RSF)	151,910 (Current RSF/USF = 1.16)
Proposed Maximum RSF:	157,000 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF ¹ :	None
Current Usable Square Feet/Person:	186
Proposed Usable Square Feet/Person:	186
Proposed Maximum Lease Term:	15 years
Expiration Dates of Current Lease(s):	1/17/2015, 5/31/2015, 11/24/2015
Delineated Area:	Washington, DC CEA
Number of Official Parking Spaces:	None
Scoring:	Operating Lease
Maximum Proposed Rental Rate ² :	\$50.00
Proposed Total Annual Cost ³ :	\$7,850,000
Current Total Annual Cost:	\$6,097,322 (lease effective 1/18/05)

¹ The RSF/USF at the current location is approximately 1.16, however to maximize competition a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

² This estimate is for fiscal year 2016 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

³ Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, DC**

Prospectus Number: PDC-04-WA14

Background

The mission of the FBI is to protect and defend the United States against terrorism and foreign intelligence threats, to uphold and enforce the criminal laws of the United States, and to provide leadership to federal, state, municipal, and international agencies and partners.

Justification

This proposed lease would replace the three expiring leases. FBI requires continued housing to carry out its mission until execution of the FBI HQ Consolidation project.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSAPBS

**PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, DC**

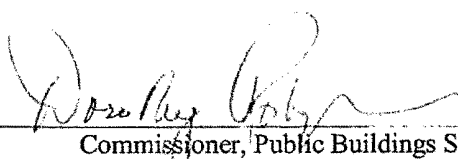
Prospectus Number: PDC-04-WA14

Certification of Need

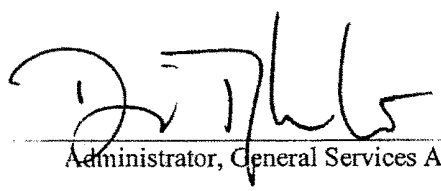
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 30, 2013

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

PDC-04-WA14
Washington, DC

Housing Plan
Department of Justice

April 2013

Locations	CURRENT			PROPOSED		
	Personnel	Usable Square Feet (USF) ¹		Personnel	Usable Square Feet (USF)	
		Office	Storage		Office	Storage
1025 F Street NW, Washington, DC	705	99,287	4,797	705	98,430	5,654
Proposed Lease, Washington, DC	705	99,287	4,797	705	98,430	5,654
Total	705	198,574	9,594	705	196,860	11,308

Office Utilization Rate (UR) ²	
Current	110
Proposed	109

UR=average amount of office space per person
Current UR excludes 21,843 usf of office support space
Proposed UR excludes 21,655 usf of office support space

Overall UR	
Current	186
Proposed	186

R/U Factor ⁴			
Total USF	RSF/USF	Max RSF	
Current	130,871	1.16	151,910
Proposed	130,871	1.20	157,000

Special Space		USF
Conference/Training		11,441
Copy/Print		2,616
Break room/Food Service		3,373
Centralized File Area		2,210
SCIF		878
Laboratory		130
Equipment Storage SCIF		510
Main Server Room		3,770
Main Telephone Room		780
AV Room		130
Shredder Room		169
Library		780
Total		26,787

NOTES:

¹ USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building

² Calculation excludes Judiciary, Congress and agencies with less than 10 people

³ USF/person = housing plan total USF divided by total personnel

⁴ R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF JUSTICE, UNITED STATES MARSHALS SERVICE, NORTHERN VIRGINIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 371,000 rentable square feet of space, including 118 parking spaces, for the Department of Justice, United States Marshals Service, currently located at multiple locations in Arlington, VA (1750 Crystal Drive, 1550 Crystal Drive, 1901 South Bell Street, 241 18th Street South and 210 12th Street South), at a proposed total annual cost of \$14,469,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 193 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 193 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option

that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
UNITED STATES MARSHALS SERVICE
NORTHERN VIRGINIA**

Prospectus Number: PVA-03-WA14
Congressional District: VA 8, 10, 11

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of up to 371,000 rentable square feet (RSF) of space for the Department of Justice (DOJ), United States Marshals Service (USMS) headquarters in Northern Virginia. USMS is currently housed in multiple locations in Arlington, VA (1750 Crystal Drive, 1550 Crystal Drive, 1901 South Bell Street, 241 18th Street South and 210 12th Street South).

The USMS will improve its office utilization rate from 148 usable square feet (USF) to 130 USF and its overall utilization rate from 220 USF to 193 USF per person. The end product of improved space utilization is the prospectus proposal to house current personnel in 41,238 RSF less than the total of current occupancies.

Description

Occupant:	DOJ-USMS
Lease Type	Replacement
Current Rentable Square Feet (RSF)	412,238 (Current RSF/USF = 1.17)
Proposed Maximum RSF:	371,000 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF ¹ :	41,238 RSF Reduction
Current Usable Square Feet/Person:	220
Proposed Usable Square Feet/Person:	193
Proposed Maximum Lease Term:	15 years
Expiration Dates of Current Lease(s):	1550 Crystal Drive - 3/16/2015 241 18 th Street - 4/14/2014, 12/31/2015, and 1/23/2019 1750 Crystal Drive - 12/31/2015 (3 leases) 1901 South Bell Street - 3/29/2019 201 12 th Street - 5/9/2021

¹ The RSF/USF at the current location is approximately 1.17, however to maximize competition a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
UNITED STATES MARSHALS SERVICE
NORTHERN VIRGINIA**

Prospectus Number: PVA-03-WA14
Congressional District: VA 8, 10, 11

Delineated Area:	Northern Virginia
Number of Official Parking Spaces ² :	118
Scoring:	Operating Lease
Maximum Proposed Rental Rate ³ :	\$39.00
Proposed Total Annual Cost ⁴ :	\$14,469,000
Current Total Annual Cost:	\$16,273,044

Acquisition Strategy

Although USMS has expressed a preference to be located in one building, that preference must be evaluated in the context of a competitive procurement that may result in one or more locations. GSA may issue a single, multiple award solicitation that will allow offerors to provide blocs of space able to meet these requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus.

Background

The USMS protects, defends and enforces the American justice system. Their mission includes providing federal judiciary security, apprehending fugitives, securing and transporting federal prisoners from arrest to incarceration, executing federal court orders, seizing and managing assets acquired through illegal means, and assuring the safety of endangered government witnesses and their families.

² The USMS security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, as a separate operating agreement with the lessor, or as part of the Government's leasehold interest in the building.

³ This estimate is for fiscal year 2016 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

⁴ Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF JUSTICE
UNITED STATES MARSHALS SERVICE
NORTHERN VIRGINIA**

Prospectus Number: PVA-03-WA14
Congressional District: VA 8, 10, 11

Justification

The current leases housing USMS headquarters operations in Arlington, VA expire between 4/14/2014 and 5/9/2021 and USMS requires continued housing to carry out its mission. The total space request reflects a reduced total space requirement for their headquarters functions. GSA will seek to extend leases expiring before 12/31/2015 to that date. In addition, GSA will exercise one early termination option and attempt to negotiate early termination of leases expiring after 12/31/2015.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSAPBS

**PROSPECTUS - LEASE
DEPARTMENT OF JUSTICE
UNITED STATES MARSHALS SERVICE
NORTHERN VIRGINIA**

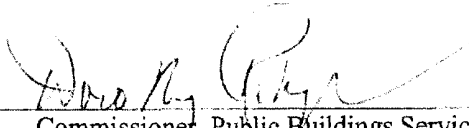
Prospectus Number: PVA-03-WA14
Congressional District: VA 8, 10, 11

Certification of Need

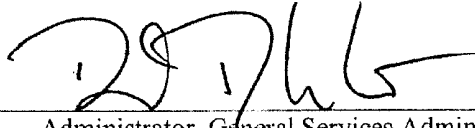
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 30, 2013

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

April 2013

**Housing Plan
Department of Justice**

PVA-03-WA14
Northern Virginia

Locations	CURRENT				PROPOSED			
	Personnel		Usable Square Feet (USF) ¹		Personnel		Usable Square Feet (USF) ¹	
	Office	Total	Office	Total	Office	Total	Office	Total
210 12th Street South, Arlington, VA	62	62	10,235	12,287				
241 18th Street South, Arlington, VA	493	493	88,486	95,601				
1501 South Bell Street, Arlington, VA	168	168	28,986	34,708				
1550 Crystal Drive, Arlington, VA	-	-	-	4,473				
1750 Crystal Drive, Arlington, VA	877	877	175,655	205,575				
Proposed Lease, Northern Virginia				29,149				
Total	1,600	1,600	303,362	352,644	1,600	1,600	267,618	308,423

Office Utilization Rate (UR) ²		
Rate	Current	Proposed
UR=average amount of office space per person	148	130

Current UR excludes 66,740 sq ft of office support space
Proposed UR excludes 58,876 sq ft of office support space

Overall UR ³		
Rate	Current	Proposed
	220	193

R/U Factor ⁴			
	Total USF	RSF/USF	Max RSF
Current	352,644	1.17	412,238
Proposed	308,423	1.20	371,000

NOTES:

¹USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

²Calculation excludes Judiciary, Congress and agencies with less than 10 people

³USF/Person = housing plan total USF divided by total personnel

⁴R/U Factor = Max RSF divided by total USF

Special Space		USF
Conference		8,164
ADP		4,023
File Room		6,062
Secure Storage		2,129
Printers Room		4,955
Library		430
SCIF		2,548
Publishing/Graphics		1,153
Interview Rooms		640
Mail Room		473
Emergency Ops		1,685
Control Room		200
Badge/ID/Fingerprint Room		527
Workrooms		1,992
Total		34,981

There was no objection.

□ 1715

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 9, 2013.

Hon. JOHN BOEHNER,
Speaker of the House,
Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act of Fiscal Year 2001 (22 U.S.C. 7002), amended by the Division P of the Consolidated Appropriations Resolution, 2003 (22 U.S.C. 6901), I am pleased to reappoint the following individuals to the United States-China Economic and Security Review Commission.

Ms. Carolyn Bartholomew, Washington, DC.

Mr. Jeffrey L. Fiedler, Great Falls, VA.

Thank you for your attention to these appointments.

Sincerely,

NANCY PELOSI,
Democratic Leader.

AGREEMENT ON SOCIAL SECURITY BETWEEN THE SWISS CONFED- ERATION AND THE UNITED STATES OF AMERICA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113- 75)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

Pursuant to section 233(e)(1) of the Social Security Act, as amended by the Social Security Amendments of 1977 (Public Law 95-216, 42 U.S.C. 433(e)(1)), I transmit herewith an Agreement on Social Security between the United States of America and the Swiss Confederation, signed at Bern on December 3, 2012, (the "U.S.-Swiss Agreement"). The Agreement consists of two instruments: a principal agreement and an administrative arrangement, and upon entry into force, will replace: the Agreement between the United States of America and the Swiss Confederation on Social Security with final protocol, signed July 18, 1979; the Administrative Agreement between the United States of America and the Swiss Confederation for the Implementation of the Agreement on Social Security of July 18, 1979, signed December 20, 1979; and the Supplementary Agreement between the two Contracting States, signed June 1, 1988.

The U.S.-Swiss Agreement is similar in objective to the social security

agreements already in force with most of the European Union member states, Australia, Canada, Chile, Japan, Norway, and the Republic of Korea. Such bilateral agreements provide for limited coordination between the United States and foreign social security systems to eliminate dual social security coverage and taxation and to help prevent the lost benefit protection that can occur when workers divide their careers between two countries. The principal updates encompassed in the Agreement include amendments to rules for entitlement to Swiss disability pensions paid to ensure equality of treatments between U.S. and Swiss nationals, updates to personal information confidentiality provisions, and modifications necessary to take into account changes in U.S. and Swiss laws since 1988.

The U.S.-Swiss Agreement contains all provisions mandated by section 233 of the Social Security Act and other provisions that I deem appropriate to carry out the purposes of section 233, pursuant to section 233(c)(4) of the Social Security Act.

I also transmit, for the information of the Congress, a report prepared by the Social Security Administration explaining the key points of the U.S.-Swiss Agreement, along with a paragraph-by-paragraph explanation of the provisions of the principal agreement and administrative arrangement. Annexed to this report is the report required by section 233(e)(1) of the Social Security Act on the number of individuals affected by the Agreement and the effect of the Agreement on the estimated income and expenditures of the U.S. Social Security program. The Department of State and the Social Security Administration have recommended the U.S.-Swiss Agreement and related documents to me.

I commend the U.S.-Swiss Agreement on Social Security and related documents.

BARACK OBAMA.
THE WHITE HOUSE, December 9, 2013.

HOUR OF MEETING ON TOMORROW

Mr. PITTINGER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon tomorrow for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

ADJOURNMENT

Mr. PITTINGER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 19 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tues-

day, December 10, 2013, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4020. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Bovine Spongiform Encephalopathy; Importation of Bovines and Bovine Products [Docket No.: APHIS-2008-0010] (RIN: 0579-AC68) received December 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4021. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Unallowable Fringe Benefit Costs (DFARS Case 2012-D038) (RIN: 0750-AH76) received December 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4022. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Preparation of Letter of Offer and Acceptance (DFARS Case 2012-D048) (RIN: 0750-AH84) received December 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4023. A letter from the Counsel, Legal Division, Bureau for Consumer Financial Protection, transmitting the Bureau's final rule — Ability-to-Repay and Qualified Mortgage Standards Under the Truth in Lending Act (Regulation Z) [Docket No.: CFPB-2013-0002] (RIN: 3170-AA34) received December 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4024. A letter from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Homeownership Counseling Organizations Lists Interpretive Rule (RIN: 3170-AA37) received December 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4025. A letter from the Acting Director, Directorate of Standards and Guidance, Department of Labor, transmitting the Department's final rule — Record Requirements in the Mechanical Power Presses Standard [Docket No.: OSHA-2013-0010] (RIN: 1218-AC80) received December 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4026. A letter from the Secretary, Department of Health and Human Services, transmitting Third Annual Report to Congress on FDA Foreign Offices Provisions of the FDA Food Safety and Modernization Act, pursuant to 21 U.S.C. 393 Public Law 111-353, section 201(b); to the Committee on Energy and Commerce.

4027. A letter from the Director, Regulation Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Turtles Intrastate and Interstate Requirements; Confirmation of Effective Date [Docket No.: FDA-2013-N-0639] received November 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4028. A letter from the Secretary, Department of Health and Human Services, transmitting a Report to Congress: The Centers

for Medicare & Medicaid Services' Evaluation of Community-based Wellness and Prevention Programs under Section 4202(b) of the Affordable Care Act; to the Committee on Energy and Commerce.

4029. A letter from the Director, Regulations Policy and Management, Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Ophthalmic Devices; Classification of the Scleral Plug [Docket No.: FDA-2012-N-1238] received November 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4030. A letter from the Director, Regulations Policy and Management, Staff, Department of Health and Human Services, transmitting the Administration's final rule — Amendments to General Regulations of the Food and Drug Administration; Technical Amendments [Docket No.: FDA-2010-N-0560] received November 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4031. A letter from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Rates for Interstate Inmate Calling Services [WC Docket No.: 12-375] received November 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4032. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — NRC Personnel Security Program, Management Directive 12.3 received November 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4033. A letter from the Deputy Assistant Administrator for Regulatory Programs, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Pacific Coast Groundfish Fishery Management Plan; Commercial, Limited Entry Pacific Coast Groundfish Fishery; Program Improvement and Enhancement [Docket No.: 130528511-3935-02] (RIN: 0648-BD31) received December 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4034. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Takes of Marine Mammals Incidental to Specified Activities; U.S. Navy Training and Testing Activities in the Atlantic Fleet Training and Testing Study Area [Docket No.: 130109022-3936-02] (RIN: 0648-BC53) received November 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4035. A letter from the Director, Regulation Policy and Management, Department of Veterans Affairs, transmitting the Department's final rule — Copayment for Extended Care Services (RIN: 2900-AO59) received December 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4036. A letter from the National Adjutant, Chief Executive Officer, Disabled American Veterans, transmitting the 2013 National Convention Proceedings Of The Disabled American Veterans, pursuant to 36 U.S.C. 90i and 44 U.S.C. 1332; (H. Doc. No. 113—76); to the Committee on Veterans' Affairs and ordered to be printed.

4037. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Au-

thority for Voluntary Withholding on Other Payments [TD 9646] (RIN: 1545-BL93) received December 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 3521. A bill to authorize Department of Veterans Affairs major medical facility leases, and for other purposes (Rept. 113—284). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on Judiciary. H.R. 1447. A bill to encourage States to report the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes (Rept. 113—285). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 3627. A bill to require the Attorney General to report on State law penalties for certain child abusers, and for other purposes (Rept. 113—286). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GUTHRIE (for himself, Ms. MATSUI, Mr. WAXMAN, Mr. WALDEN, and Ms. ESHOO):

H.R. 3674. A bill to amend the National Telecommunications and Information Administration Organization Act to provide incentives for the reallocation of Federal Government spectrum for commercial use, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALDEN (for himself and Mr. KINZINGER of Illinois):

H.R. 3675. A bill to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission; to the Committee on Energy and Commerce.

By Mr. SHUSTER:

H.R. 3676. A bill to establish a prohibition on certain cell phone voice communications during passenger flights, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. UPTON (for himself, Mr. WAXMAN, Mr. TERRY, Mr. GENE GREEN of Texas, and Mr. BILIRAKIS):

H.R. 3677. A bill to amend the Energy Independence and Security Act of 2007 to improve United States-Israel energy cooperation, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consider-

ation of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENYART (for himself, Mr. SHIMKUS, Mr. SCHOCK, Mr. KINZINGER of Illinois, Mr. RUSH, Mr. ROSKAM, Ms. SCHAKOWSKY, Mr. GUTIÉRREZ, Mrs. BUSTOS, Mr. SCHNEIDER, Mr. RODNEY DAVIS of Illinois, Mr. QUIGLEY, Mr. LIPINSKI, Mr. FOSTER, Mr. DANNY K. DAVIS of Illinois, Ms. DUCKWORTH, Ms. KELLY of Illinois, and Mr. HULTGREN):

H.R. 3678. A bill to redesignate the lock and dam located in Modoc, Illinois, commonly known as the Kaskaskia Lock and Dam, as the "Jerry F. Costello Lock and Dam", and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GARDNER (for himself and Mr. COFFMAN):

H.R. 3679. A bill to amend the Patient Protection and Affordable Care Act to prohibition on payment of bonuses and pay increases for executives of a State Exchange funded through Federal grants, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. CAROLYN B. MALONEY of New York (for herself and Mr. SCHOCK):

H.R. 3680. A bill to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer; to the Committee on Financial Services.

By Mr. PAULSEN (for himself, Mr. MATHESON, Mr. SHIMKUS, and Mr. BARROW of Georgia):

H.R. 3681. A bill to amend title XVIII of the Social Security Act to promote health care technology innovation and access to medical devices and services for which patients choose to self-pay under the Medicare program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALZ (for himself, Mr. PETERSON, Mr. KLINE, Mr. ELLISON, Mr. PAULSEN, Ms. MCCOLLUM, Mrs. BACHMANN, and Mr. NOLAN):

H.R. 3682. A bill to designate the community based outpatient clinic of the Department of Veterans Affairs located at 1961 Premier Drive in Mankato, Minnesota, as the "Lyle C. Pearson Community Based Outpatient Clinic"; to the Committee on Veterans' Affairs.

By Ms. BASS (for herself, Mr. ROYCE, Mr. ENGEL, Mr. SMITH of New Jersey, and Ms. FUDGE):

H. Res. 434. A resolution honoring the life, accomplishments, and legacy of Nelson Mandela and expressing condolences on his passing; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GUTHRIE:

H.R. 3674.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. WALDEN:

H.R. 3675.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. SHUSTER:

H.R. 3676.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 3 (related to regulation of Commerce among the several States).

By Mr. UPTON:

H.R. 3677.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ENYART:

H.R. 3678.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to Congress under Article I, Section 8, Clause 17 of the United States Constitution.

By Mr. GARDNER:

H.R. 3679.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 3680.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. "The Congress shall have Power . . . to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;"

By Mr. PAULSEN:

H.R. 3681.

Congress has the power to enact this legislation pursuant to the following:

Article I; Section 8

By Mr. WALZ:

H.R. 3682.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. ROSS.

H.R. 184: Mr. ENYART and Ms. KELLY of Illinois.

H.R. 574: Mr. MCGOVERN.

H.R. 594: Mr. CÁRDENAS.

H.R. 721: Mr. CRAMER, Mr. SCHNEIDER, and Mr. CROWLEY.

H.R. 765: Ms. DEGETTE.

H.R. 800: Mr. SCHNEIDER and Mr. PAULSEN.

H.R. 897: Ms. DEGETTE.

H.R. 940: Mr. SHUSTER.

H.R. 961: Mr. MCDERMOTT.

H.R. 1010: Mr. O'ROURKE.

H.R. 1091: Mr. BRIDENSTINE.

H.R. 1146: Mr. KILDEE, Mrs. KIRKPATRICK, and Mr. SHIMKUS.

H.R. 1150: Mr. LOWENTHAL and Mr. ISRAEL.

H.R. 1250: Mr. WEBSTER of Florida.

H.R. 1263: Mr. TIERNEY, Ms. TSONGAS, Mr. MURPHY of Florida, Mrs. NAPOLITANO, and Mr. JOHNSON of Georgia.

H.R. 1429: Mr. ISRAEL.

H.R. 1518: Mrs. CHRISTENSEN, Mr. DAVID SCOTT of Georgia, Mr. RUSH, Mr. MCINTYRE, Mr. KILDEE, and Mr. KENNEDY.

H.R. 1528: Mr. ENGEL, Mr. MCKINLEY, Mr. LYNCH, and Mr. SENSENBRENNER.

H.R. 1588: Mr. NADLER.

H.R. 1645: Ms. DEGETTE.

H.R. 1717: Mr. TIERNEY and Mr. SEAN PATRICK MALONEY of New York.

H.R. 1750: Mr. GARRETT and Mr. ROSS.

H.R. 1801: Mr. WELCH.

H.R. 1821: Ms. BORDALLO.

H.R. 1869: Mr. MEADOWS.

H.R. 1918: Mr. THOMPSON of Pennsylvania and Mr. ROSS.

H.R. 2085: Mr. GARDNER.

H.R. 2134: Mr. FRELINGHUYSEN.

H.R. 2283: Mr. LYNCH, Mr. POSEY, Mr. ROSS, Mr. GRIFFITH of Virginia, Ms. FRANKEL of Florida, Mr. HONDA, and Mr. KEATING.

H.R. 2288: Ms. SCHAKOWSKY, Ms. LINDA T. SÁNCHEZ of California, and Mr. HOLT.

H.R. 2300: Mr. THOMPSON of Pennsylvania and Mr. GOODLATTE.

H.R. 2328: Mr. SALMON.

H.R. 2364: Ms. DEGETTE.

H.R. 2376: Mr. DOYLE.

H.R. 2413: Ms. BONAMICI.

H.R. 2415: Mrs. MCMORRIS RODGERS.

H.R. 2484: Mr. CASSIDY.

H.R. 2495: Mr. WELCH and Ms. BONAMICI.

H.R. 2502: Mr. MCGOVERN, Mr. MICHAUD, Mrs. NAPOLITANO, Mr. PAYNE, Mr. O'ROURKE, and Mr. SCOTT of Virginia.

H.R. 2504: Mr. NOLAN, Mr. GARAMENDI, Mr. RUIZ, Mrs. KIRKPATRICK, Mr. LATHAM, and Mr. KILDEE.

H.R. 2548: Mr. KEATING.

H.R. 2560: Mr. LOWENTHAL.

H.R. 2591: Ms. FRANKEL of Florida.

H.R. 2594: Mr. HANNA.

H.R. 2663: Mr. POLIS, Mr. CONYERS, Mr. RUIZ, Mr. MATHESON, Mr. ROKITA, and Mr. FORBES.

H.R. 2697: Ms. KAPTUR.

H.R. 2726: Mr. SALMON.

H.R. 2810: Mr. BEN RAY LUJÁN of New Mexico, Mr. RUSH, and Mr. YODER.

H.R. 2831: Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. SLAUGHTER.

H.R. 2835: Mr. JONES.

H.R. 2866: Mrs. NEGRETE McLEOD, Mr. VARGAS, and Ms. JACKSON LEE.

H.R. 2906: Mr. YOUNG of Alaska and Mr. COLLINS of New York.

H.R. 2921: Mr. HECK of Washington.

H.R. 2945: Ms. SHEA-PORTER and Mr. LOWENTHAL.

H.R. 2997: Mr. BRIDENSTINE.

H.R. 2998: Mr. SWALWELL of California and Mr. LYNCH.

H.R. 3040: Mr. LOWENTHAL and Mr. BRADY of Pennsylvania.

H.R. 3043: Mr. BENISHEK.

H.R. 3077: Mr. SESSIONS.

H.R. 3118: Mr. PAYNE and Mr. DOYLE.

H.R. 3143: Mr. JONES and Mr. COHEN.

H.R. 3180: Mr. HONDA.

H.R. 3212: Mrs. WALORSKI, Ms. LORETTA SANCHEZ of California, Ms. MENG, Mr. KINZINGER of Illinois, and Mr. RADEL.

H.R. 3299: Mr. MCKINLEY, Mr. CONAWAY, Mrs. BACHMANN, and Mr. BARLETTA.

H.R. 3318: Mr. NADLER, Mr. PAYNE, and Mr. JOHNSON of Georgia.

H.R. 3323: Mr. ROKITA and Mr. COHEN.

H.R. 3344: Ms. BASS.

H.R. 3349: Mr. ROHRBACHER.

H.R. 3364: Mr. CARSON of Indiana.

H.R. 3367: Mr. PETERS of California.

H.R. 3370: Mr. TONKO and Mr. THOMPSON of California.

H.R. 3382: Mr. FARENTHOLD and Ms. FUDGE.

H.R. 3404: Mr. SMITH of Washington, Mr. HIMES, Mr. LOWENTHAL and Mr. COURTNEY.

H.R. 3407: Mr. COHEN.

H.R. 3408: Mr. SOUTHERLAND, Mr. YOHO, Mr. NUGENT, and Mr. BOUSTANY.

H.R. 3461: Mr. LANGEVIN, Mr. LYNCH, Mr. YARMUTH, Mr. LOEBACK, Mr. LOWENTHAL, Mr. COHEN, and Mr. ANDREWS.

H.R. 3464: Mr. WALDEN.

H.R. 3486: Mr. MILLER of Florida, Mr. LABRADOR, Mr. LANKFORD, and Mr. SCALISE.

H.R. 3490: Mr. SMITH of Missouri, Mr. CARTWRIGHT, Ms. TSONGAS, Mr. THOMPSON of Pennsylvania, Mr. COHEN, Mr. LOEBACK, and Mr. LOWENTHAL.

H.R. 3494: Ms. SCHAKOWSKY, Mr. COHEN, Mr. POLIS, Mr. MCGOVERN, and Mr. MICHAUD.

H.R. 3521: Mr. CASSIDY.

H.R. 3527: Mr. BURGESS.

H.R. 3530: Mr. POCAN.

H.R. 3541: Mr. CARTER.

H.R. 3546: Mr. FOSTER, Mr. BISHOP of New York, Mr. PIERLUISI, Mr. O'ROURKE, Mr. GRIJALVA, Mr. CONYERS, Mr. HINOJOSA, Mr. GEORGE MILLER of California, Mr. RUSH, Mr. DINGELL, Mr. SIRES, Mr. PETERS of Michigan, Mr. HONDA, and Mr. DELANEY.

H.R. 3549: Mr. TERRY.

H.R. 3555: Mr. HUFFMAN.

H.R. 3558: Mr. BARROW of Georgia.

H.R. 3578: Mr. POMPEO, Mr. GERLACH, Mr. LONG, and Mr. LOWENTHAL.

H. Res. 72: Mr. HUFFMAN.

H. Res. 247: Mr. CICILLINE.

H. Res. 276: Mr. KILMER, Ms. BONAMICI, and Ms. TSONGAS.

H. Res. 281: Mr. DUFFY, Mrs. NEGRETE McLEOD, Mr. NOLAN, and Mr. FATTAH.

H. Res. 284: Mrs. BLACKBURN.

H. Res. 422: Mr. COOPER, Mr. SHERMAN, and Ms. LORETTA SANCHEZ of California.

H. Res. 431: Mr. LAMBORN.

SENATE—Monday, December 9, 2013

The Senate met at 2 p.m. and was called to order by the Honorable CHRISTOPHER MURPHY, a Senator from the State of Connecticut.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, we thank You for the life and legacy of the man called Madiba Nelson Mandela, and for the exemplary footprints he left in the sands of time. Inspired by his great life, may our lawmakers deal fairly and wisely with the great issues of our time.

Lord, help our Senators to remain tethered to a firm faith in You, committing their lives and our country to Your will. May they demonstrate their faith daily, remembering that faith without action is not real. Empower them to work together for the peace and prosperity of America, as they seek spiritual moorings in today's turbulent times.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 9, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER MURPHY, a Senator from the State of Connecticut, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. MURPHY thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

WORKFORCE INVESTMENT ACT OF 2013—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 243, S. 1356.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to Calendar No. 243, S. 1356, a bill to amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will be in morning business until 4 o'clock this afternoon. At 4 p.m. the Senate will resume consideration of S. 1197, the National Defense Authorization Act. At 5 p.m. the Senate will proceed to executive session to consider the nomination of Patricia Millett to be U.S. circuit judge for the D.C. Circuit postcloture. At 5:30 p.m. then, the Senate will vote on confirmation of the Millett nomination.

MEASURES PLACED ON THE CALENDAR—S. 1774, S. 1775, H.R. 1965, AND H.R. 2728

Mr. REID. Mr. President, I think there are four bills—and the clerk can help both of us—at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bills by title for the second time.

The bill clerk read as follows:

A bill (S. 1774) to reauthorize the Undetectable Firearms Act of 1988 for 1 year.

A bill (S. 1775) to improve the sexual assault prevention and response programs and activities of the Department of Defense, and for other purposes.

A bill (H.R. 1965) to streamline and ensure onshore energy permitting, provide for onshore leasing certainty, and give certainty to oil shale development for American energy security, economic development, and job creation, and for other purposes.

A bill (H.R. 2728) to recognize States' authority to regulate oil and gas operations and promote American energy security, development, and job creation.

Mr. REID. Mr. President, I object to any further proceedings with respect to these bills en bloc.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be placed on the calendar.

THE NEXT TWO WEEKS

Mr. REID. Mr. President, welcome back. I hope the Acting President pro tempore and staff and all the other Senators had a wonderful Thanksgiving. It was a very good Thanks-

giving for us. We had all of our children and all of our grandchildren, except one; she had to work. She lives in New York now.

This week the U.S. Senate begins a short 2-week work period, and I hope it is only 2 weeks. But it could bleed over the weekend before Christmas. I know I come to the floor and say a lot of times that we are going to have to work weekends, but we may really have to work the next couple weekends. We have had a wonderful 2-week break. It was important for all of us.

REMEMBERING NELSON MANDELA

But before I discuss the business before this body, I mourn—as we all mourn—the loss but I also celebrate the life of South Africa's great emancipator Nelson Mandela. He once said: "Difficulties break some men but make others." His dedication to peace and justice was forged in the fire of adversity—27 years in prison, among other things.

But while he endured great hardship for the cause of universal suffrage, his capacity for forgiveness was as boundless as his dedication to democracy, freedom, and equality.

He leaves a legacy that is so significant. It will inspire current and future leaders for generations to come.

SCHEDULE

Mr. President, now as to our schedule. This week, as South Africa mourns the founder of its democracy, the Senate must continue its work in our democracy.

I suggest to my colleagues that the Senate, as I have indicated, will work long nights—I think we are going to come in earlier than we normally do—and possibly weekends to complete the workload we have before the holidays.

During this next work period—the one we are now engaged in—we must complete work on the National Defense Authorization Act. It is my understanding that the two bodies, the two committees, have come up with something. I hope we get a message from the House soon, and I hope we can dispose of this very quickly.

We must address the issue of additional sanctions against Iran. We must pass an agriculture jobs conference report. We must ensure seniors on Medicare can keep their doctors by adjusting physician payments. We must consider a large number of nominations. And we must complete a budget agreement that protects our economy and ensures our government can continue the work of the people.

I am not going to talk about each of these individually other than that I

think it is so shortsighted what the Republicans are doing regarding the famous SGR or physician payments for Medicare. There is money to take care of this problem—a number of different sources—not the least of which are the overseas contingency funds. We had money set aside for the wars in Iraq and Afghanistan. They are being phased out. There is still almost \$1 trillion left. I cannot understand why the Republicans refuse to use that money. No one except the Republicans opposes closing these tax loopholes—and not Republicans around the country. It is only the Republicans in Congress who oppose them, not Republicans around the country. These loopholes are so big you could drive the biggest vehicle in the world through them. But we are where we are.

Despite the costly Republican government shutdown this fall, last week's jobs report proved that the American economy continues to gain steam. Private sector businesses have added more than 8 million jobs over the last 45 consecutive months.

If Republicans had not insisted on shortsighted, draconian cuts that forced layoffs of tens of thousands of teachers, firefighters, and police officers, the economy would be growing even faster than it is today. The Acting President pro tempore knows—we all know—that we need an infrastructure program. For every \$1 billion we spend as a government on infrastructure—roads, bridges, dams, highways, water and sewer systems—we create almost 50,000 high-paying jobs.

Despite last week's good economic news, Congress can and must do even more to create jobs for the millions of Americans who are still looking for work.

As to unemployment compensation, we need these extended benefits. There are 1.5 million people in America who have been out of work for more than 26 weeks. We must replace the meat-ax cuts that have happened with the sequestration with smart savings, reducing the deficit by closing wasteful tax loopholes, and making job-creating investments that spur economic growth.

As we close out this year, I hope Republicans and Democrats can put aside our differences and work together to produce results for the middle class.

The Acting President pro tempore served in the House. I served in the House. I am fortunate to serve here in the Senate. When I first came to this body, Democrats had to focus on what they thought the foundation of democracy was. Republicans did the same. They thought they knew the right thing to do. But, you know, we could never get what we wanted. Each side could not get what it thought was the way it should be. So what did we do? We worked together and came up with compromises to move legislation forward. Let's get back to where we were.

That is what this body needs. So I hope we can put aside our differences and work together like we used to.

It is also time for Republicans to work with us—instead of against us—to make the landmark health reform law more workable.

I remind my Republican colleagues that the Affordable Care Act is the law and has been the law of the land for 4 years, and it was upheld by the Supreme Court.

As Democrats have predicted for months, enrollment in Affordable Care Act exchanges is picking up speed as we approach the New Year. As Americans learn more about the benefits of this law, more and more of them are logging on to shop for affordable, quality insurance through the State and national exchanges. The rollout of the national Affordable Care Act Web site was rocky, to say the least, when it came out.

Congress had to make crucial improvements to other landmark programs, such as Social Security and Medicare, when they were first enacted as well. These big legislative deals can have some wrinkles in them. It does not mean Social Security is bad. It does not mean Medicare is bad. It means they are hard to get started. It is just the same for ObamaCare.

But now, I repeat, many of the major problems with the health care site have been fixed, hundreds of thousands of Americans are logging on every day to research plans they think could work for them and sign up for insurance they know they need.

States that embraced the Affordable Care Act—such as Kentucky and Washington—have also reported successes with their exchanges. And thanks to the health care law, in a few short weeks no one can ever again be denied insurance just because they have a pre-existing condition—because they are a cancer survivor, because they live with diabetes, because they had acne growing up or because they are a woman.

Because of this landmark law, insurance companies can no longer cancel your policy when you get sick, charge you more, I repeat, because you are a woman, or set an arbitrary limit on the care you receive.

Millions of seniors have saved billions of dollars on medicine because of the Affordable Care Act. Why? Because it closed the gap in prescription drug coverage, the so-called doughnut hole.

Millions of young people have stayed on their parents' health plans. And 17 million Americans will qualify for tax credits to purchase the coverage they need and the coverage they deserve.

There are still problems with the Affordable Care Act and ways we can make it better if we work together. But we cannot improve the law without help from some reasonable Republicans. It time for my Republican colleagues to give up their fantasy of re-

pealing a law that is already benefiting tens of millions of Americans and start working with us to make the Affordable Care Act succeed instead.

RESERVATION OF LEADER TIME

Mr. REID. Mr. President, will the Chair announce the business of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 4 o'clock p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MINIMUM WAGE

Mr. BROWN. Mr. President, 75 years ago President Roosevelt signed the Fair Labor Standards Act written, in part, by Senator Hugo Black of Alabama. He actually sat at this desk as he was writing the minimum wage law and some of the Fair Labor Standards Act legislation in the 1930s.

This legislation ensured that American workers would receive a minimum wage and work reasonable hours. We know what that has done for families in this country. We also know that the minimum wage hasn't even been close to keeping up with the cost of living and with inflation. We also know a number of other facts about the minimum wage.

The minimum wage is \$7.25 an hour. Many minimum wage workers are working and making \$7.25, \$8 or \$9—less than what we want to raise the minimum wage to so all would get a raise. We know that many of those workers work in the fast food industry.

The CEO of a fast food corporation makes about \$8.7 million or \$8 million a year, while his employees average something around \$19,000 a year.

I am not one of those who says they have to work a million hours to get to the \$8 million a year. To put into perspective what has happened with wages, as wages for CEOs and top management have gone up, we have seen the productivity of workers go up. We know that wages for those workers have simply not kept up, not only for minimum-wage workers but for workers overall.

Since the 1970s, and especially since 2000, profits have gone up, productivity has gone up, executive salaries have gone up dramatically, yet workers wages have been stagnant. There is no better example of that than the minimum wage. The minimum wage was raised my first year in the Senate.

My first speech on the Senate floor was with Senator Barack Obama sitting in the Presiding Officer's chair. Senator Kennedy and Senator Byrd were on the floor that day talking about and debating increasing the minimum wage.

We did that in a bipartisan way in 2007. The bill was signed by President Bush. That is good news.

The bad news is there was no cost-of-living adjustment. There was no escalation so that the wage would keep up with inflation. There has not been a minimum wage increase since then.

Here is another fact about the minimum wage. For tipped workers, those who work in diners—in many cases those who work pushing wheelchairs at airports don't work for the airlines. They work for a subcontracting company that pays subminimum wage.

Valets and people who are in positions in hotels where they might get tipped, their minimum wage is only \$2.13 an hour. A woman working the floors of a diner, a man who is pushing a wheelchair or driving a cart in an airport, their minimum wage is only \$2.13 an hour. Some are paid more than that, but some of them are paid as little as \$2, \$3 or \$4 an hour, supposedly expecting that tips will make up the difference and get them to the minimum wage or above.

The assistant majority leader, who has joined me on the floor, has been working with Senator HARKIN and several others of us on legislation for the new minimum wage increase. We want to increase the minimum wage \$2.10 an hour, 90 cents at the President's signature, then another 90 cents, and another 90 cents. We also want to increase the tipped minimum wage—not increased for 22 years—to lock it in at 70 percent of the real minimum wage.

As the real minimum wage increases by the year 2016 under our legislation, and a worker's minimum wage would then be \$10.10 an hour, a subminimum wage of a tipped employee in an airport or restaurant would then be \$7 and a few cents an hour. Both of those wages, the tipped minimum wage and a minimum wage, will have a cost-of-living adjustment so we don't have to come back every 6 years and have a big political fight to raise the minimum wage. It shouldn't be a big political fight because clearly people in this country overwhelmingly—Democrats, independents, and Republicans—think the minimum wage should be increased.

It will not only be the tipped employee or the minimum wage worker at a fast-food restaurant who gets a raise

from what is now \$7.50 or \$8 an hour or even \$9 an hour. As the minimum wage goes up, so will the wages for many of low-income, slightly above minimum wage workers.

In a fast food restaurant where perhaps the night manager may make a couple of dollars more an hour than the line workers who are at the counter—although the night manager does plenty of that too—the night manager might make a couple of dollars above or \$3 above minimum wage. There we raise the minimum wage, thus raising everybody's wage. Then the night manager's wage will increase too.

The opponents to the minimum wage—and it is amazing to me that people can sit in this institution, with the good salaries that we make as Members of the Senate and Members of the House in both parties, with good benefits, good health insurance, decent pensions paid for by taxpayers, and oppose the minimum wage. It equally amazes me that they can oppose extending unemployment benefits. In my State alone—and I know in the assistant majority leader's State of Illinois and in the Presiding Officer's State, for a significant number of people, over 120,000, in my State alone, their Christmas present will be that unemployment benefits have stopped for them, have been eliminated, unless Congress acts. That is why it is so important, not only to enact a minimum wage in the weeks ahead but that we extend unemployment benefits for those workers who are looking for jobs.

These aren't people who don't want to work. These are people looking for jobs. They have to look for jobs in order to qualify. It is not a lot of money. It is 40 or 50 percent typically of their wage, of what they used to make.

There aren't enough jobs in this country. There aren't enough jobs in Connecticut, Illinois, and Ohio that they can find jobs, and then we take the unemployment benefits away.

No. 1, think of what it means to that family and, No. 2, as the assistant majority leader knows, this helps our economy. When people are receiving unemployment benefits, they are spending it. They are spending it in Toledo at the grocery store. They are spending it in Cleveland at the hardware store. They are spending it in Dayton at the auto repair shop to fix their car, so they can go out, get a job, and go to work. All of those are reasons why extending the minimum wage and extending unemployment insurance is so important.

One further point before yielding to the assistant majority leader from Illinois, unemployment is not called welfare, it is unemployment insurance. People pay in when they are working. They hope they are going to pay in for a long time and that they are not going to lose their jobs. But if they lose their

jobs, they collect their insurance. They paid in. That is what insurance is. If things aren't working right, one gets unemployment benefits, unemployment insurance, social insurance. This is why this is so important.

I yield to the Senator from Illinois.

Mr. DURBIN. Will the Senator from Ohio yield for a question through the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. I ask of the Senator from Ohio if he recalls that it was not that long ago the issues that we are discussing were marginally bipartisan issues. When it came to raising the minimum wage periodically, Senator Ted Kennedy, who used to sit back at that desk, led the effort. It would turn out to be a bipartisan vote to increase the minimum wage.

Over the years, that reflected a bipartisan consensus that if one is working for a living in America, they ought to be able to get by or at least have a little bit put away for their future.

We are finding more and more that people working for a minimum wage cannot get by. I listened to public radio over the break. There was a lady on there who works in the hospitality industry, I believe, and explained she was on food stamps. She said she had a small family and made \$7.25 an hour. With her children she still qualified for SNAP, the food stamp program.

I did a quick calculation in my mind—I believe this is correct—and she was making somewhere in the range of \$14,000 to \$15,000 a year at \$7.25 an hour, the minimum wage in many parts of the United States. She still qualified for a helping hand to feed her children.

This is not a lazy person. This is a person who gets up and goes to work. My guess is it is not an easy job. She is making \$7.25 but still needs a helping hand.

I find it interesting that issues that used to be bipartisan to help people such as her, working people, have now become too partisan. We should have a bipartisan consensus that regularly we increase the minimum wage in America to keep up with the cost of living. I hope we all agree that if we have a working mom, who is doing her best, and needs a helping hand to feed her children, food stamps should be available to her.

Of the 47 million Americans receiving food stamps, 22 million of the 47 million are children, 1 million are veterans, and 9 million are elderly and disabled. Three-fourths of the recipients of food stamps fall into those categories: children, veterans, the elderly, and the disabled. Yet we are up against a battle on the farm bill about whether we are going to make deep cuts in food stamps. It seems to me this is counterproductive. We should be helping working families—those who struggle paycheck to paycheck—to get by, to at least feed their children.

Going back to the point made by the Senator from Ohio, when we look across the board at the vulnerability of working families, it is wages, food on the table, and many times it turns out to be health insurance. The number one reason for bankruptcy in America today is the failure of people to be able to pay their medical bills.

What we are trying to do with the Affordable Care Act is to say to everyone in my State, the 1.8 million uninsured people in Illinois, we will give them a chance—possibly for the first time in their lives—to have health insurance so they won't go broke when they get sick. To me, when we start putting it together, it is the paycheck, the food, the health care, and the housing.

In a country such as ours that wants to build the next middle class, to me this is the bedrock of what we need to provide to working families. It seems we have fallen far away from that goal of trying to provide for working families. It has become too partisan.

I was on a talk show with the Senator from Ohio who shares the State with Senator BROWN, and he gave the classic argument against raising the minimum wage: It is a job killer. He said: If we raise the wage 50 cents, \$1 an hour, whatever it is, there will be fewer jobs.

It turns out that history and the economic analyses prove him wrong. That is the argument that has been made against increasing the minimum wage since Franklin Roosevelt first increased it back in the 1930s.

I ask the Senator from Ohio, when we take a look at the vulnerability of working families in America and those who have lost their jobs trying to find another, the basics that we are talking about give them a fighting chance to survive, to help raise their families, and maybe to send their kids to school for a better education and for a better future. Failing to do that does just the opposite.

Last week fast food workers across the country led a 1-day strike to bring attention to low-wage workers who can't make a living on their current wages. In Chicago, some 200 workers took to the street in protest.

This is only one part of a much larger discussion in recent days about growing economic disparities in this country and the plight of low-wage workers. In November, Pope Francis stated, "While earnings of a minority are growing, so too is the gap separating the majority from the prosperity enjoyed by those happy few."

Only last week President Obama echoed these concerns in his address focused specifically on income inequality. In a speech at the Center for American Progress, the President noted that more than half of all Americans at some point in their lives will experience poverty.

The week before Thanksgiving, a Walmart in Ohio was running a food

drive to help the hungry have a happy Thanksgiving. That kind of generosity and empathy is commendable. What is noteworthy, though, is that the food drive was specifically to support Walmart associates—their own employees—in need.

It reminded me of an effort McDonalds launched earlier this year to help their employees create a budget.

According to that budget, the only way to make ends meet for someone making the minimum wage and working 40 hours a week at McDonalds would be to work a second job.

Washington Post's Wonkblog analyzed the chart and found that a worker making the minimum wage would have to work 75 hours a week to have the after-tax income in the McDonalds sample budget.

But low wages are not a problem just in the fast food industry or other historically low-wage fields; it is catching up to other traditional jobs that used to be able to support a family.

There may be fewer better examples of this than in the banking sector.

The banking industry last year posted \$141.3 billion in profits.

The median executive pay—\$552,000.

And yet a recent report found that 39 percent of bank tellers in New York are enrolled in some form of public assistance.

Low wage work is just not enough to get by.

Working 40 hours per week at \$7.25 per hour translates to \$15,080 per year.

That's about \$400 less than the Federal poverty level guidelines for a family of two.

If we accept the McDonald's sample budget, a worker making the minimum wage would have to work 75 hours a week to have the after-tax income necessary to make ends meet. Working 75 hours a week at minimum wage—with no vacation days and limited benefits, if any—one can make \$24,720 a year, after tax.

I want to say that it is not possible, but the reality is that many people do it. Yet how do people raise a family working that many hours?

One way people get by is they are forced to turn to government assistance programs like the Supplemental Nutrition Assistance Program, SNAP, Low-Income Heating and Energy Assistance, LIHEAP, the Children's Health Insurance Program, CHIP, the Emergency Food Assistance program, TEFAP, Temporary Assistance to Needy Families, TANF, Section 8 housing assistance, and, yes, the Affordable Care Act.

According to a recent UC Berkeley study, undertaken in partnership with the University of Illinois, 52 percent of families of fast-food workers are enrolled in one or more public assistance programs. Subsidizing low wage employment through these programs costs the Federal Government \$3.9 billion annually.

Instead of trying to find solutions to ensure full time work is adequate to support a family, many of my colleagues are attacking the very public assistance programs that allow working families at minimum wage jobs to get by.

For many of these working families, SNAP is the first place to turn.

At a time when almost 15 percent of households have trouble keeping food on the table, SNAP has helped 47 million Americans buy groceries. In Illinois, more than 2 million people—that is in one in seven residents—rely on SNAP benefits to buy the food they need.

In my lifetime, Walmart transitioned to also selling food. Walmart now accounts for nearly 30 percent of all groceries sold in the United States. Yet after working at a grocery store all day, imagine having to turn to your SNAP benefits to be able to take your own groceries home with you or after working at the grocery store all day, a person must turn to their local food bank.

This is the reality for working people. I wish to stress—working people.

The House Republican solution for this is in its farm bill, where it cut \$40 billion from SNAP. The House bill gets its "savings" by kicking 3.8 million people out of the program. That includes children, single mothers, unemployed veterans, and Americans who get temporary help from SNAP to make ends meet while they look for work.

This is unacceptable. If a farm bill conference agreement were to reach the floor including the House language, I would vote against it without a second thought.

But it doesn't stop with SNAP.

One of biggest challenges for low-income workers is that they are living paycheck-to-paycheck, making sacrifices simply to keep the heat on—with no savings for emergencies, and most low-income workers have no healthcare coverage. With no savings and no health care. When someone in the family is too sick to ignore it, the emergency room is the only real option.

With the Affordable Care Act, many of these workers and their families can now afford health care, either through the expansion of Medicaid or, in the very near future through a private plan in the exchanges, using Federal subsidies. According to the CBO, 12 million people in America are newly eligible for Medicaid. Another 23 million people will be able to buy private health insurance.

How are Republican proposing to help these working families? They want to repeal the Affordable Care Act.

Go back to no coverage. Apparently, these families don't work hard enough to deserve it.

We have to protect these programs, but we need to do more than that.

More and more working families are being forced to rely on government assistance programs because their work does not support a living wage.

If working should be a requirement for receiving public assistance, I would take it a step further and propose that if someone is working full time, they shouldn't need public assistance.

Since 1967, the Federal minimum wage has increased from \$1.40 to \$7.25. While at first glance this seems like significant progress, when adjusted to current dollars the value of the minimum wage has actually declined by 12.1 percent.

Had the minimum wage kept pace with inflation, it would be \$10.74 an hour today. If the minimum wage were increased to \$10.10, more than 30 million workers would receive a raise, and 88 percent of those workers are adults.

If the minimum wage were \$10.10, a full-time worker being paid minimum wage would go from making \$15,080 a year to \$21,000. That can be the difference between getting by and living in poverty.

Workers in America, full-time workers, are falling behind.

Attacking or cutting programs that working poor or needy rely on will not solve the problem. It only ignores it.

In the coming weeks I hope my colleagues will join me in supporting policies that provide all Americans with the opportunity to improve their lives. Full-time, low-wage workers should not have to live in poverty.

I would ask the Senator from Ohio if he would include in this the Affordable Care Act.

Mr. BROWN. That is right. First, the points that the assistant majority leader was making about the bipartisanship has been exactly right. What is most—not discouraging but perhaps the most disappointing part of this is even as recently as 2007, when President Bush signed this bill—it was my first month or two in the Senate when we passed it. It was a big bipartisan vote in the House. I don't remember exactly the numbers in the Senate. Many Republicans joined. I believe almost every Democrat or maybe every Democrat—but it was gladly signed by the Republican President of the United States.

From the time of the minimum wage, when Senator Hugo Black sat at this desk and helped to write the minimum wage law and President Roosevelt signed the bill, for all of these decades the minimum wage in fits and starts has kept up with inflation—most of the time—until the 1980s. It has been signed on by people from both parties; the same with the extension of unemployment benefits that we discussed, this extension of unemployment benefits, social insurance. They pay in when they don't need it. When they need it, they can take money out of the social insurance fund and receive un-

employment benefits if they can't find a job.

These are very tough times. Some of my colleagues, I don't think, understand sometimes how tough a time it is for so many families.

The President of the United States, the last President from Illinois before this one, Abraham Lincoln, used to talk about getting out of the White House and going out and getting his public opinion bath that he needed to hear from the public.

I know Senator DURBIN does that throughout his State of Illinois. I know Senator MURPHY of Connecticut, the Presiding Officer, does the same.

We go out and listen to people. We are talking to somebody making \$8 or \$9 an hour, and this minimum increase will increase their pay. They probably don't have insurance because they can't afford it. They are probably eligible for the SNAP program because of their low income, and so it is the least we can do.

These are people who work as hard as we do. We have jobs we get a lot out of. We are well paid, we have good benefits, and we also have wonderful opportunities to serve the public. So many people in these jobs are barely making it. They work jobs where they are on their feet all day. The woman in the diner is making \$3 or \$4 an hour and hoping people will tip her to get her up to \$7 or \$8 or \$9 an hour. She is working every bit as hard as my colleagues and I work. Yet she has so little to show for it.

This is an opportunity for us, as people who care about this country and care about the people who live in this country—people who are doing such hard work cleaning hotel rooms, cleaning our schools, making sure our schools are clean and the trash is taken out, people who are serving our food—for the people in these kinds of jobs—home care workers who are barely making it—the least we can do is make sure the minimum wage gets them somewhat close to a decent lifestyle and standard of living and that we do better, if they are laid off, with unemployment insurance and that they get a chance with the Affordable Care Act so they can buy affordable health insurance because they will get some help and they can draw on food stamps if they are eligible, if they need them on these low wages.

There is no reason we can't, in the Christmas spirit, if you will, do what has been done on a bipartisan basis during my lifetime and that of my colleague Senator DURBIN, where both parties would step up and do it.

Mr. DURBIN. Mr. President, if my colleague will yield, through the Chair, for one last point, he raised something that brought to my mind a recent story I read about the new Pope, Pope Francis. What an extraordinary man, this Catholic. I am amazed at this man,

his humility and his popularity with Catholics and non-Catholics alike, those of different faiths and those of no faith. They say that of an evening he will take off his papal garb and put a simple suit on and go out into the streets of Rome with a friend and meet with poor people and talk to them. I can't even envision in my mind what that must be like, but it sure tells me a lot about him, and I think it is a reminder to all of us of two things: When he gives a message to the world about income inequality, it is not a political message to the United States or one country; it is a more basic message about the values in life whatever your religious beliefs or whether you have a religious belief.

When he takes off the papal garb and goes out as an ordinary person, I hope it is a reminder to all of us that we need to keep in touch with the very people we represent, some of whom are not wealthy enough to have a lobbyist or to be politically articulate during a campaign but deserve our representation just as much.

Mr. BROWN. I thank my colleague.

Pope Francis I, as he integrated these kinds of things into his life, he exhorted his parish priests—similar to Lincoln saying “I need my public opinion bath”—to smell like the flock and to get among people and talk to them and learn from them, to smell like the flock, to be one of them. I am not Catholic. I know my friend from Illinois is Roman Catholic. But this Pope has really brought us to a different level. He has called upon our better angels, if you will.

Before yielding to Senator DURBIN for his remarks, I have one more point to make about the minimum wage. The belief among many is that the minimum wage is for a bunch of teenagers. That is simply not true. Most minimum wage earners in this country are not teenagers; most of them are supporting themselves and in many cases supporting a spouse or a family or someone in their family who is disabled or a close friend. This is a wage people really depend on to get along. It is not just spending money for a high school kid; families depend on this.

That is why it is so important that in the next few weeks we raise the minimum wage; tie this subminimum wage, tipped wage, to that increase and index it for inflation so we don't have to do this every 3 or 4 years just to keep up with inflation.

I yield the floor.

The ACTING PRESIDENT pro tempore. The assistant majority leader.

REMEMBERING PRESIDENT NELSON MANDELA

Mr. DURBIN. Mr. President, I would like to join my colleagues and people all around the world in expressing my

condolences to the people of South Africa on the passing of their great leader Nelson Mandela.

Nelson Mandela ended his extraordinary autobiography, entitled "Long Walk to Freedom," with these words:

I have walked that long road to freedom. I have tried not to falter; I have made missteps along the way. But I have discovered the secret that after climbing a great hill, one only finds that there are many more hills to climb. I have taken a moment here to rest, to steal a view of the glorious vista that surrounds me, to look back on the distance I have come. But I can rest only for a moment, for with freedom comes responsibilities, and I dare not linger, for my long walk is not yet ended.

Sadly, President Nelson Mandela's long walk and his noble life are indeed now ended, but his influence on the world will endure for a long time to come. As the editorial cartoonist for the Washington Post put it, Nelson Mandela was "larger than life—and death."

Through enormous strength of character and a determination unlike many people in this world, Nelson Mandela helped his beloved South Africa to end the vicious system of apartheid and begin a new walk toward multiracial democracy. His dream, he often said, was that South Africa would become "a rainbow nation at peace with itself and with the world."

Nelson Mandela astonished the world with his capacity to forgive—even to forgive those who jailed him and persecuted his family. There was an interview on television I saw yesterday morning on ABC in which Nelson Mandela spoke about his imprisonment shortly after he had been released. He had spent 27 years in prison, part of it on Robben Island, which I have had the opportunity to visit, to actually stand in Nelson Mandela's tiny cell. It is an island off of Capetown. The waters around it are shark infested so the prisoners won't try to escape from that island. They can just barely make out the land mass away from that island, but they are separated—separated on this piece of land in the middle of this ocean. There Nelson Mandela lived for almost 25 years. He lived in this cell, many times in isolation. He labored in a quarry nearby, which we visited. The sunlight bouncing off of the rocks in that quarry virtually blinded him for the rest of his life. He wore sunglasses and begged photographers not to use flashbulbs the rest of his life because of the damage that had been done to his eyes.

The prisoners on Robben Island—many of them sharing his political philosophy and opposing apartheid—tried to create a university atmosphere where they taught one another all they could remember and all they knew. They devoured information from the outside world in an effort to try to keep in touch with what was going on.

In this interview, as he was released from his imprisonment, Nelson

Mandela was asked by the interviewer about his warden and his guards at the prison. He talked about the deep emotional ties they developed, how this guard he came to know—I believe his name was Gregory—was a real gentleman, in the words of Nelson Mandela, and how, when Mandela was finally released, there was a moment of emotion as they knew they would part after all these years of such a close relationship. I recall that story because so many times when I have given commencement addresses I have used as an example Nelson Mandela's decision, when elected President of South Africa, to invite that guard from his prison to be there as one of his honored guests at his inauguration as President of South Africa. That, to me, speaks volumes.

Nelson Mandela taught us powerful lessons about justice, tolerance, and reconciliation. As the first democratically elected President of South Africa, Mandela was the father of a new nation. Like George Washington, the father of our Nation, he chose consciously, deliberately, to walk away from power. In doing so, he reminded us that the peaceful, orderly transition of power is one of the hallmarks of a real democracy.

The prestigious Ibrahim Prize for Achievement in African Leadership was created in 2007 to recognize African leaders who served their people by voluntarily stepping down from power, as President Mandela did. Sadly, this year, for the second year in a row, the award committee couldn't identify one African leader who met that standard. Leaders in neighboring Zimbabwe, as well as Syria, Egypt, Venezuela, Cuba, and so many other nations torn by conflict and manipulated divisions, would do well to ponder this measure of Nelson Mandela's greatness.

One of the great honors of my life was meeting President Mandela when he came to Washington in September 1998, near the end of his Presidency, to receive the Congressional Gold Medal. The Congressional Gold Medal is the highest honor this Congress can bestow on a civilian. President Mandela noted that he was humbled to be the first African to ever receive it.

In his brief remarks at the Gold Medal ceremony, President Mandela thanked the American people and Congress for our help in bringing an end to the odious system of apartheid through congressionally imposed economic sanctions and other measures. These are Nelson Mandela's words:

If today the people of South Africa are free at last to address their basic needs; if the countries of southern Africa have the opportunity to realize the potential for development through cooperation; if Africa can devote all her energies and resources to her reconstruction; then it is not least because the American people identified with and lent their support to the struggle to end apartheid, including critically through action by this Congress.

I remember that battle. I remember that debate. I was brand new to the U.S. House of Representatives, just a few years in service, and the debate came up as to whether the United States would continue to impose sanctions on the apartheid racist Government of South Africa. I sat on the floor, convinced that we should do so, and listened to the critics of that policy. Many of them came to the floor and said things I couldn't believe. They characterized Nelson Mandela as nothing more than a Communist who should never be trusted to lead that country. I thought to myself, he might have had a flirtation with communism at some point in his life, but this man is speaking to the basic principles that are consistent with America's values and principles.

I found it interesting last week, after Nelson Mandela died, to read the editorial in the Wall Street Journal about Nelson Mandela. I commend it to people to understand where that thinking came from, that belief that the United States should not be involved in trying to strike down the apartheid form of government. If you will read that editorial about Nelson Mandela's death, you will find the following names mentioned: Carl Marx, Lenin—I am trying to recall who else. I think Che Guevara was mentioned, as well as communism. Stalin was mentioned in there. In just a few sentences about Nelson Mandela, the Wall Street Journal editors decided to put all those names in there as touchstones and reference points to his life. It is an indication of how people can get it just plain wrong even at the highest levels of journalism in the United States, as they did in the debate in Congress.

We passed the sanctions legislation in—I believe the year was 1985 or 1986. We sent it to President Reagan, and he vetoed it. We overrode President Reagan's veto so that the sanctions went forward to condemn apartheid and do what we could to change it in South Africa 30 years ago.

I can recall that because a Congressman at the time, Howard Wolpe of Michigan, was the chairman of the Africa subcommittee. He came to me one day as a new Member of the House and said: I want to do a congressional delegation trip to Africa. Would you like to go?

I said: I would be honored. I have never been there, and I would like to go.

We put our itinerary together, included South Africa, and then, when we applied for visas, that apartheid government denied visas to all the Members of Congress who had voted for sanctions, which included Chairman Wolpe and myself, and so the trip never took place. It took several years, a change in government, and the arrival of Nelson Mandela to see a welcoming South Africa and visas issued to Members of Congress who wished to visit.

President Mandela asked the American Congress and the people to continue to walk with the people of South Africa to help them develop their economy and strengthen their democracy. As I have said, I have traveled to the countries in Africa. I have seen the progress that can occur when governments are accountable to their people and really serve democracy. This Congress can pay a truly fitting tribute to President Mandela's life by heeding the request he made to us to help Africa, to help South Africa strengthen its economies in ways that will benefit not only that continent but the United States of America.

I mentioned earlier the parallels between President Washington and President Mandela. Nelson Mandela was also his nation's Abraham Lincoln. I do not exaggerate. I will close with a story.

We all know the words of President Lincoln's majestic second inaugural address, which took place right outside those doors. It was in 1865. As he looked forward to the end of the Civil War, he turned to this war-torn nation that had lost so many in this battle that had gone on for years, and he said:

With malice toward none; with charity for all; with firmness in the right as God gives us to see the right, let us strive on to finish the work we are on.

A friend would later note that Lincoln's features when he gave that address were "haggard with care, tempest tossed and weather beaten." But with the nightmare of the Civil War almost over, Washington, DC, was poised for a joyous celebration of victory.

For the first time, African-American troops marched down the streets in the inaugural parade after President Lincoln gave that address, and Blacks mingled with the inaugural crowd right outside here on the Capitol lawn.

It was a rainy, overcast day when Lincoln gave his second inaugural address. But a friend of his noted: Just as President Lincoln stepped forward to take the oath of office, the Sun, which had been obscured by rain clouds, burst forth in splendor. President Lincoln saw it. The next day the President asked a friend: Did you notice that sunburst? It made my heart jump.

The skies were also overcast the day Nelson Mandela received the Congressional Gold Medal here in Washington. On that day, the dark bronze bust of Martin Luther King, Jr., had been moved from one side of the Rotunda so that Lincoln and Dr. Martin Luther King appeared to preside together over the ceremony awarding the Congressional Gold Medal to Nelson Mandela. As President Mandela started to speak, rays of sunlight began to pour into the Rotunda. They illuminated the base of the statues first and then rose gradually until, by the time President Mandela finished speaking, both Lincoln and King were bathed in bright sunlight. With a little imagination,

you could almost hear Lincoln say: Did you notice that sunburst? It made my heart jump.

Like Lincoln, President Mandela now belongs to the ages. And while our hearts are heavy today with President Mandela's passing, the world can take inspiration from the lessons he taught us while he walked among us.

REMEMBERING DU QUOIN MAYOR JOHN REDNOUR, SR.

As we mourn the passing of Nelson Mandela, the great noble leader who changed history, we also take a moment to recall other leaders closer to home. One of those leaders, and a friend of mine, had his memorial service this week. His name was not well known to many outside of southern Illinois, but he was a good man and a good friend, and he worked throughout his life to create opportunities and a sense of community. His name was John Rednour, although almost everybody skipped the first name and called him Rednour. He passed away on December 1, at age 78. He had just retired as mayor of Du Quoin, IL, a small town in southern Illinois, where he presided as mayor for a remarkable 24 years. During his tenure, he prided himself on balancing the budget and investing in the city's future. He did it year after year.

Amazingly, public service was his third career. John Rednour began his working life as an ironworker—a member of the United Ironworkers. He also worked as a shoemaker. In 1970, he moved to Du Quoin with his wife Wanda and three kids. In the early 1980s, he began his second career, when he brought together local shareholders and took control of a struggling local bank. He converted it into one of the soundest, most profitable banks in southern Illinois. But it was John Rednour's third career—his work as mayor of Du Quoin—that really distinguished his public service. As a mayor, he was a fiscal conservative. But he was also a person who believed in giving people a chance.

John Rednour was a proud Democrat. In fact, he was the former chairman of the Illinois Democratic Party. He rode on Air Force One with President Jimmy Carter and had good relationships with Presidents including President Obama. The politicians whose careers he helped launch or advance could have filled a stadium. But he knew there were things more important than party politics. He always made it a habit to meet with new Du Quoin city council members and offered the same advice: Do what is good for Du Quoin. Do what is right for the people. That is certainly good advice for any officeholder.

Over the years, my wife Loretta and I were fortunate to be visitors at John Rednour's home at their annual State fair parties for the Du Quoin State fair. We always appreciated seeing that

great crowd at the social event of southern Illinois for the year, and then staying overnight and waking up in the morning as Wanda, his wife, made her famous Texas pancakes. We loved them. And people gathered from all over the community as Wanda kept making the pancakes.

John's funeral last week was attended by the Governor of our State, Pat Quinn, Members of Congress, including current Congressman BILL ENYART, former Congressmen Glenn Poshard, Jerry Costello, and Ken Gray, and many other elected officials.

The anecdote that best captured the spirit of John Rednour was offered in eulogy by his grandson. He said he once asked his grandfather why he gave money to homeless people every time he saw them. John Rednour replied: Because it's the right thing to do. Simple as that, it was the right thing to do.

Carl Sandburg, another son of Illinois, wrote a poem called "Prayers of Steel." It is a prayer of a working person asking for a useful life. John Rednour was an ironworker. These words about a steelworker apply to him as well:

Lay me on an anvil, O God.
Beat me and hammer me into a crowbar.
Let me pry loose old walls.
Let me lift and loosen old foundations.
Lay me on an anvil, O God.
Beat me and hammer me into a steel spike.
Drive me into the girders that hold a skyscraper together.
Take red-hot rivets and fasten me into the central girders.
Let me be the great nail holding a skyscraper through blue nights into white stars.

John Rednour must have prayed those words, or something like them, often. And God must have heard them, because John Rednour achieved much good in his life—a leader of workers, a businessman, a banker, a mayor, a husband, father, grandfather, great-grandfather, and a friend to legions.

For decades, John Rednour was the great nail that held his community together and helped move it forward. His contributions will enable his beloved Du Quoin to continue to reach for the stars for years to come.

THE MINIMUM WAGE

Mr. President, last week fast-food workers across the country led a 1-day strike to bring attention to low-wage workers who can't make a living on their current wages. In Chicago, 200 workers took to the streets.

But this is only one part of a much larger debate, a debate in recent days about the growing economic disparities in the United States of America and the struggles of low-wage workers.

In November, Pope Francis stated:

While the earnings of a minority are growing exponentially, so too is the gap separating the majority from the prosperity enjoyed by those happy few.

Just last week, President Obama echoed those concerns in an address on

income inequality. He spoke at the Center for American Progress, and he noted that more than half of all Americans at some point in their lives will experience poverty.

The week before Thanksgiving, a Walmart in Ohio was running a food drive to help the hungry have a happy Thanksgiving. That kind of generosity and empathy is commendable. What was noteworthy, though, is the food drive was specifically to support their associates—their own employees. It reminded me of an effort McDonald's launched earlier this year to help their employees create a budget. According to that budget, the only way to make ends meet for someone making minimum wage and working 40 hours at McDonald's was to take a second job.

Washington Post's Wonkblog analyzed the chart and found that a worker making minimum wage would have to work 75 hours a week to have the aftertax income this company thought was basic to a family budget.

Low wages aren't a problem just in the fast-food industry, and I don't want to pick on Walmart and McDonald's. It is catching up in many other traditional jobs that used to be able to support a family.

There may be fewer better examples of this than in the banking sector. The banking industry in America last year posted \$141.3 billion in profits. The median executive pay in the banking industry in America is \$552,000 a year. Yet a recent report found that 39 percent of bank tellers in the State of New York are on public assistance.

Low-wage work is just not enough to get by. Working 40 hours a week at \$7.25 translates into \$15,080 a year. That is about \$400 less than the Federal poverty level guidelines for a family of two.

If you accept the sample budget we have talked about, a worker making the minimum wage would have to work 75 hours a week to have the aftertax income necessary to make ends meet. Working 75 hours a week at a minimum wage with few or no vacation days and limited benefits, if any, you can make \$24,720 a year after taxes. I want to say it is not impossible to do that, but the reality is many people actually have to do it. How do you raise a family working 75 hours a week? When do you have time to sit down with your kids and even read a book?

One way people get by is they are forced to turn to government assistance programs such as the Supplemental Nutrition Assistance Program, the SNAP program, historically known as food stamps, or the LIHEAP program, Low Income Heating and Energy Assistance Program, which helps to pay for heating and cooling bills; the Children's Health Insurance Program, the CHIP program, which provides health insurance for the children of the poorest families; the Emergency Food

Assistance Program, TEFAP; the Temporary Assistance to Needy Families program, TANF; the section 8 housing program; and, yes, the Affordable Care Act, which is providing for the first time health insurance for some of the working poor who have never had insurance as a benefit at any time in their lives.

According to a recent study at the University of California-Berkeley undertaken in partnership with the University of Illinois, 52 percent of families of fast-food workers are on public assistance. Thirty-nine percent of the bank tellers in New York, 52 percent of the families of fast-food workers are on public assistance.

Subsidizing low-wage employment through these programs costs the Federal Government \$3.9 billion annually. Think about what that means. It means that working families across America paying their taxes are not only sustaining this government, they are sustaining the low-wage workers in their communities who cannot survive without a helping hand from a government program that keeps food on the table or may provide health insurance.

Instead of trying to find solutions to ensure full-time work so it is adequate to support a family, many of my colleagues are now attacking these programs. The House Republicans oppose the farm bill primarily because they want to make deep cuts in the food stamp program for families barely getting by and feeding their children. That strikes me as wrong. We are too good a Nation.

If we are going to have a political fight over saving money and cutting spending, for goodness sake, let's not start first with the children, the elderly, the disabled, and the veterans who are receiving food stamps. That, to me, defines the politics and the values of some Members of Congress.

SNAP is the first place many people turn when they struggle, this food stamp program. At a time when almost 15 percent of households in America have trouble keeping food on the table, SNAP helps 47 million Americans buy their groceries. In Illinois, more than 2 million people—about one in seven of our residents—rely on food stamp benefits. In my lifetime, we have seen many companies that are selling food across America now finding they are selling a large part to those who are coming in with food stamps.

After working at a grocery store all day, imagine having to turn to your SNAP benefits to buy the groceries you need to take home to feed your family; or, after working at a grocery store all day, you go to your local food bank. I have visited quite a few of those. I am sure the Presiding Officer has too. What is amazing going to a food bank is the people who are there. They are not the people you might expect. Some of them are elderly people on Social

Security, barely getting by. They need that food bank, twice a month sometimes, to have enough food on the table to live for another month.

There are also a lot of people who work for a living in those food banks. I remember going to central Illinois and visiting one of those food bank warehouses. I saw a well-dressed young lady there who I thought was on the staff. I learned later she was a single mom with two kids. She had a part-time job that didn't pay very well. She qualified for food stamps and also went to the food bank with some frequency. But she wanted to come and thank me, because the food stamp program now allowed her to use her food stamp benefits at farmers markets so she could take her kids out to buy fresh fruits and vegetables at that time of year. For her it was a great side trip for the kids to meet the farmers and learn a little more about life here. She thought getting them the food was secondary to that experience for which she wanted to come and thank me.

The farm bill conference needs to reach an agreement which will not penalize the poorest people in America—not penalize the children, the veterans, the elderly, and the disabled who count on food stamps.

One of the biggest challenges we face is to make sure our workers all across America have a minimum wage they can get by on, have food stamps, if necessary, but also have access to health insurance. That is where the Affordable Care Act comes in. Now 1.8 million Illinoisans have no health insurance. Many are going to have their first chance to be covered by health insurance because of the Affordable Care Act. According to the Congressional Budget Office, 12 million people in America are going to be eligible for Medicaid, and 23 million will for the first time buy private health insurance, and they won't be discriminated against because someone in the family has a preexisting condition. They will not be caught in a situation where there are limits on the amount of coverage these policies offer. They are going to have opportunities for preventive care and regular wellness checkups. For many of them it is going to be the first time in their lives they have ever had this luxury and peace of mind.

We have to protect these programs and we have to do more. More and more working families make it clear that the Federal minimum wage needs to be increased. Since 1967 it has gone up \$1.40 to \$7.25. This may seem like significant progress, but when you adjust it to current dollars, the value of the minimum wage has actually declined over that period by 12 percent. Had the minimum wage kept up with inflation, it would be \$10.74 today, not \$7.25.

If the minimum wage is increased to \$10.10—which I support and we want to

bring it to the floor for a vote—more than 30 million American workers will get a raise. What will they do with that money? They will go shopping, of course. They live paycheck to paycheck. A little more money means shoes, clothes, food, the basics in life. When they go shopping and create more economic activity, it creates even more jobs.

Workers in America—full-time workers, hard-working Americans—are falling behind through no fault of their own. Attacking or cutting programs that help these struggling families is just wrong. We have to work together to help them.

In the coming weeks I hope my colleagues on both sides of the aisle will restore the bipartisan tradition of supporting working families. I urge my colleagues to support an increase in the minimum wage and to resist these efforts to make deep cuts in the food stamp, or SNAP, program.

I yield the floor. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. REID. This is an announcement to all the Senators. Due to the myriad of problems with the weather, there are Senators who are still stranded and trying to get here, so we are going to have to put off the votes this afternoon. We will not have votes this afternoon. We will have votes in the morning.

I ask unanimous consent that the previous order with respect to the vote on the confirmation of the Millett nomination be modified so the vote will follow leader remarks on Tuesday, December 10. Also, there will be no morning business tomorrow morning. Following leader remarks, we will go right to the business of the day.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I apologize to everyone for the late notice, but we have been trying to scramble around to see if we could have enough participation tonight. Most people have been able to get here, but some of them—certainly it is not their fault—tried to get here last night and still are not here. I am sorry for the late notice, but that is where we are.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. COONS). The Senator from Connecticut.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. I ask unanimous consent to speak in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNDETECTABLE FIREARMS ACT

Mr. MURPHY. Mr. President, we are about to hit the 1-year mark since the tragic shooting in Sandy Hook, CT, which took the lives of 20 little boys and girls, 6- and 7-year-olds, and 6 of their educators who cared for them.

It should be a source of great embarrassment to the Senate and the House of Representatives that we have not moved the ball forward 1 inch when it comes to the issue of protecting the thousands of people all across this country who are killed by guns every year. This is the case even while 90 percent of Americans agree that people should have proof that they are not a criminal before they buy a gun and that there is really no reason why we should allow military-style weapons to get into the hands of ordinary Americans. We should be embarrassed by the fact that we are not doing more to try to stem the scourge of gun violence that plagues our Nation today. But we should be even more embarrassed if this week we cannot pass a commonsense extension and update to the Undetectable Firearms Act, a bipartisan piece of legislation that has been on the books since 1988. Most people in this country have no idea it exists because up until this week it has been so noncontroversial.

In an effort to explain to my colleagues a little bit about why this is so important, I wish to take my colleagues back 60 years to World War II. In World War II the allies developed a very small firearm called the Liberator. The Liberator was capable of only firing one shot. It was a very small, little gun. The idea was that we would get this out to the resistance movement in Europe and they would be able to conceal this very small firearm so they could get close enough to a German soldier, use the one bullet in the gun to kill the soldier, and then take his weapon. That program never went very far.

Fast forward to 70 years later, to a University of Texas student who came up with a design for a new undetectable firearm—a plastic gun that can be reproduced on what is now known as the 3D printer—named the Liberator. It is very similar to the gun that was developed by the resistance movement during World War II. Witness also the fact that once he posted the plans for that plastic undetectable gun online, those plans were downloaded 100,000 times in short order across this country before the Department of State used its authority to take down those plans.

I don't know exactly what the designs for this gun were, but it can be used in the exact same way the original Liberator gun was used. It is a plastic gun which is undetectable by imaging equipment, by metal detectors. It can be used to get into a very secure place such as, let's say, a government building. The ones being designed today, such as the one the young guy in Texas put online, can't fire more than a couple of bullets, but it can fire enough bullets to injure a law enforcement officer or a security officer, take their gun, and do even more damage.

So we have two problems today when it comes to this new issue of undetectable plastic guns:

First, the law passed in 1988 that bans the manufacture, possession, or sale of undetectable firearms—firearms that can't be picked up with a metal detector, that can essentially move into secure locations without being identified—expires today. If we don't pass an extension, tomorrow it will be legal in this country to create an undetectable firearm.

The second problem is this new technology that is pretty widely available, already called 3D printing, has made it very easy to make firearms that comply with the existing law but are still potentially undetectable.

Why is that? Because to be a legal weapon, you have to have a certain amount of the weapon be metal so it can be picked up by a metal detector or an x ray machine. But because we can now make very creatively constructed weapons with 3-D printers, that piece of metal can be easily removed before it goes through a metal detector and still be used without the metal on the other side of the detection unit, thus essentially erasing the benefit of having a metal component if the metal component can just be stripped out.

It is a pretty simple update we have to make here. All we have to say is that the metal piece of the gun has to be integral to the firing mechanism of the gun so that if you take the metal out to get it through a metal detector it does not work on the other end. But we are having a hard time getting that commonsense update—just recognizing the advancement of technology—passed in the Senate and in the House of Representatives.

So we have these two problems: one, the underlying bill—which is still really good law even without the update—is expiring. We have to pass it here. Second, we need this update to be taken care of.

This is not science fiction anymore. The threat of undetectable firearms has always been around and that is why in 1988 both parties got together to pass it. It has been extended since then. But it is no longer science fiction that somebody can make a gun in their basement basically obliterating the utility of all of our Nation's firearms

laws and use it to perpetrate great evil throughout this country.

Mr. President, 3-D printers cost only about \$2,000 today. Most futurists are pretty certain that in maybe a decade or more most Americans will have access to this technology. Just like the photocopier and the personal computer seemed out of reach at some point for most middle-class Americans, maybe today the 3-D printer is, but in a decade or more it might be another household appliance that sits right next to your computer printer.

Second, we know how dangerous plastic guns are because people have tested this premise. One investigative journalist in Israel took a plastic gun into the Israeli Parliament—got through the serious security that surrounds that building, got into the Parliament, and sat 10 rows behind Benjamin Netanyahu with a plastic gun in his possession. So this is not science fiction. It is not just a perceived or imagined threat. This is real, this is now, and we have to do something about it.

One of the things that has happened in the wake of Sandy Hook is that schools have invested in enormous amounts of security. I am somebody who does not believe ultimately that is the way you keep schools safe. But to the extent that schools have put in more metal detectors, have put in more security platforms around their entryways and exit ways, it does not do any good if somebody can walk through that school, who wants to do great damage within it, with a plastic firearm that will be legal in this country in one way, shape, or form if we do not pass an updated version of this bill right now this week.

It is time we recognize the future is here, plastic guns are real. As we approach the 1-year anniversary of the most horrific school shooting this country has ever seen, it is time for us to do what we have many times before: reauthorize and update the Undetectable Firearms Act.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1197, which the clerk will read.

The bill clerk read as follows:

A bill (S. 1197) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Reid (for Levin/Inhofe) amendment No. 2123, to increase to \$5,000,000,000 the ceiling on the general transfer authority of the Department of Defense.

Reid (for Levin/Inhofe) amendment No. 2124 (to amendment No. 2123), of a perfecting nature.

Reid motion to recommit the bill to the Committee on Armed Services, with instructions, Reid amendment No. 2305, to change the enactment date.

Reid amendment No. 2306 (to (the instructions) amendment No. 2305), of a perfecting nature.

Reid amendment No. 2307 (to amendment No. 2306), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, before we left for the Thanksgiving break, Senator INHOFE and I said we would come to the Senate floor today to update Members on the status of the National Defense Authorization Act for Fiscal Year 2014.

Before the break we spent a week on the Senate floor trying to bring more amendments up and to have them debated and voted on, but we were unable to do so. We tried to reach agreement to limit consideration to defense-related amendments, but we were unable to do that. We tried to get consent to vote on two sexual assault amendments—the Gillibrand amendment and the McCaskill amendment—that had been fully debated, but we could not get that consent. We tried to get consent to lock in additional amendments for votes and to move a package of cleared amendments, but we were unable to do so.

At this point, the House of Representatives will be adjourning for the year at the end of this week, and there is simply no way we can debate and vote on those amendments to the pending bill, get cloture, pass the bill, go to conference with the House, get a conference report written, and have it adopted by the House of Representatives all before the House goes out of session this Friday. There simply is no way all of those events can take place to get a defense bill passed.

So Senator INHOFE and I believe it is our responsibility to the Armed Services Committee, to the Senate, to our men and women in uniform, and to the country to do everything we can to enact a defense authorization bill. For this reason, we are taking the same approach we took when we were unable to finish the bill and go to conference with the House in 2008 and 2010. What we did is we sat down with our counterparts on the House side—in this case, chairman BUCK McKEON and ranking member ADAM SMITH of the House Armed Services Committee—and we set our staffs to work to come up with a bill that would have a chance of getting passed by both Houses.

The four of us have reached agreement on a bill that we hope will be

passed by the House before it recesses this Friday and, if it does, then be considered by the Senate next week.

We worked hard to blend the bill that was overwhelmingly voted out of the Senate Armed Services Committee with the bill that was overwhelmingly approved by the House of Representatives. We have worked, as we always do, on the SAS Committee on a bipartisan basis.

We took into consideration as many proposed Senate amendments as we could. We focused on amendments that had been cleared on the Senate side when the bill was being debated in the Senate. We approached these amendments and others in much the same manner as we did provisions that were in the bill, working to come up with language, wherever possible, that could be accepted on the Democratic and Republican sides in both the Senate and the House.

The bill we have come up with is not a Democratic bill or a Republican bill. It is a bipartisan defense bill, one that serves the interests of our men and women in uniform and preserves the important principle of congressional oversight over the Pentagon. Here are some examples of what will be in the bill that will be considered by the House later this week and then hopefully by the Senate next week.

The bill will extend the authority of the Department of Defense to pay combat pay and hardship duty pay for our troops. The bill, relative to Guantanamo, includes that part of the Senate language easing restrictions on overseas transfers of Gitmo detainees, but it retains the House prohibitions on transferring detainees to the United States.

Although we were unable to consider the Gillibrand and McCaskill amendments on the Senate floor or in the bill itself that will be forthcoming, the bill includes more than 20 other provisions to address the problem of sexual assault in the military that were in the Senate bill that came to the floor out of the committee and that were in the House of Representatives bill as well.

These provisions include the following: They provide a special victims' counsel for survivors of sexual assault, make retaliation for reporting a sexual assault a crime under the Uniform Code of Military Justice. The provisions require commanders to immediately refer all allegations of sexual assault to professional criminal investigators. They would end the commanders' ability to modify findings and convictions for sexual assaults, and would require higher level review of any decision not to prosecute allegations of sexual assault.

The bill will do the following that will be hopefully coming here next week: Make the Article 32 process more like a grand jury proceeding. Under the UCMJ, the Uniform Code of Military

Justice, currently the proceeding that is taken under Article 32 is more like a discovery proceeding rather than a grand jury proceeding, and it has created all kinds of problems, including for victims of sexual assault who would have to appear and be subject to cross-examination by the defense.

This bill will extend supplemental impact aid to help local school districts educate military children. The bill will extend existing military land withdrawals in a number of places that would otherwise expire, leaving the military without critical testing and training capabilities. The bill includes a new land withdrawal to enable the Marine Corps to expand its training area at 29 Palms.

The bill provides needed funding authority for the destruction of the Syrian chemical weapons stockpile and for efforts of the Jordanian Armed Forces to secure that country's border with Syria.

Earlier today GEN Martin Dempsey, the Chairman of the Joint Chiefs of Staff, wrote a letter to the leadership of the Senate and the House of Representatives in which he strongly urges completion of action on the National Defense Authorization Act this year. General Dempsey's letter provides a long list of essential authorities that will lapse if this bill is not enacted. This is just one paragraph from his letter:

The authorities contained [in the National Defense Authorization Act] are critical to the Nation's defense and urgently needed to ensure we all keep faith with the men and women, military and civilian, selflessly serving in our Armed Forces.

Mr. President, I ask unanimous consent that General Dempsey's letter, with that attachment, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CHAIRMAN OF THE JOINT
CHIEFS OF STAFF,
Washington, DC, December 9, 2013.

Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC.

As we enter the final weeks of December, I write to urge you to complete the National Defense Authorization Act this year. The authorities contained therein are critical to the Nation's defense and urgently needed to ensure we all keep faith with the men and women, military and civilian, selflessly serving in our Armed Forces. Allowing the Bill to slip to January adds yet more uncertainty to the force and further complicates the duty of our commanders who face shifting global threats. I also fear that delay may put the entire Bill at risk, protracting this uncertainty and impacting our global influence. For your reference, enclosed is a list summarizing expiring authorities.

I deeply appreciate congressional efforts to achieve a budget deal and subsequent appropriations. Your efforts to provide the Joint Chiefs the Time, Certainty, and Flexibility in both our budget and authorities will help ensure we keep our Nation safe from coercion.

I appreciate your continued concern for and support of our men and women in uniform

Sincerely,

MARTIN E. DEMPSEY,
General, U.S. Army.

LIST OF EXPIRING AUTHORITIES

Title	Expiration
Authority Issues:	
Afghanistan Security Forces Fund	9/30/2013
Authority for Joint Task Forces to Provide Support to Law Enforcement Agencies Conducting Counter-Terrorism Activities	9/30/2013
Authority for Reimbursement of Certain Coalition Nations for Support Provided to United States Military Operations	9/30/2013
Authority to Provide Additional Support for Counter-drug Activities of Other Countries	9/30/2013
Authority to Support Unified Counter-drug and Counter-terrorism Campaign in Colombia	9/30/2013
Commanders Emergency Response Program in Afghanistan	9/30/2013
Authority to Establish a Program to Develop and Carry Out Infrastructure Projects in Afghanistan	9/30/2013
Logistical Support for Coalition Forces Supporting Operations in Afghanistan	9/30/2013
Pakistan Counterinsurgency Fund (DoS)	9/30/2013
Task Force on Business and Stability Operations in Afghanistan and Economic Transition Plan and Economic Strategy for Afghanistan	9/30/2013
Enhancement of Authorities Relating to DoD Regional Centers for Security Studies	9/30/2013
Authority to Support Operations and Activities of the Office of Security Cooperation in Iraq	9/30/2013
Ford Class Carrier Construction Authority	9/30/2013
North Atlantic Treaty Organization Security Investment Program	9/30/2013
Reintegration Activities in Afghanistan	12/31/2013
Military Special Pays and Bonuses	12/31/2013
Expiring Bonus and Special Pay Authorities provided by P.L. 112-239, sections 611-615 (National Defense Authorization Act for Fiscal Year 2013)—	12/31/2013
Travel and Transportation Allowances	12/31/2013
Authority to Waive Annual Limitation on Premium Pay and Aggregate Limitation on Pay for Federal Civilian Employees Working Overseas	12/31/2013
Non-Conventional Assisted Recovery Capabilities	9/30/2013
Support of Foreign Forces Participating in Operations to Disarm the Lord's Resistance Army	9/30/2013
Authority to Provide FAA War Risk Insurance to GRAF Carriers	12/31/2013
Authority to Provide Temporary Increase in Rates of Basic Allowance for Housing Under Certain Circumstances	12/31/2013
Acquisition Issues:	
New Starts, Production Increases, Multiyear Procurements	Various
80/20 Rule	N/A
General Transfer Authority & Special Transfer Authority	N/A
AP of Virginia Class	10/1/2013

Mr. LEVIN. We have not failed to pass a National Defense Authorization Act for 52 years even when, as I mentioned, in a couple cases in recent years the final bill was the result of a process like we have had to follow with this year's authorization bill.

This is not the best way to proceed, but our troops and their families and our Nation's security deserve a defense bill, and this is the only practical way to get a defense bill done this year. There is no other way, because, as I indicated before, the House of Representatives is—we could not get a bill done before the end of this week if we brought back the bill that was pending before Thanksgiving. There is no way we can do it. And the experience in the week before the Thanksgiving recess demonstrated pretty clearly there is no way we could get a defense bill, such as the one that was pending, passed in this body before the end of this week.

The problem is that the House of Representatives is done at the end of this week. If we use the pending bill that was previously pending as the vehicle, we cannot possibly get to a con-

ference, get an agreement on a conference, get a conference report, go back to the House of Representatives, and then get a conference report here, because the House of Representatives is done on Friday.

This is the only path to a bill. We have not missed in 52 years, and the reason we do not miss is our troops and their families and the national security of this country. That is why we have not failed. We cannot fail this year. The only practical way to avoid failure is if we follow the course which Senator INHOFE and I are now proposing to this body. Again, it is not the preferred course. It just happens to be the only course.

I thank Senator INHOFE and all the members of our committee for the way they have worked on this bill for now almost a whole year and for the final product, which I believe will have the full committee support or at least almost all of us. There were only three members of our committee who did not vote for the bill that came to the floor before.

I yield the floor.
The PRESIDING OFFICER (Mr. KING). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first of all, let me express my appreciation for not just since this last Monday—a week ago today—when we met and put together a negotiated settlement, a negotiated bill, but all year long, in the previous year, Senator LEVIN has been very good to work with. We did our best to get a bill. We passed our bill out of committee months ago—months ago—and the problem has been here.

I am critical of the leadership of the Senate and a lot of the people who wanted amendments. I have to say this: On the Republican side, we agreed, finally, to cut it down to 25 amendments, which I think is very reasonable, and we were denied that. I could be critical. It does not do any good to be critical of the majority right now because we are where we are now.

The chairman has stated that looking at December we only have between now and Friday at 11 o'clock. That is it; the House is gone. They have already made that decision. They have made the announcement. It is going to happen. So mechanically, if we are all going to embrace and love each other and not disagree with anything, it still could not be done. There is no way in the world we can have a defense authorization bill this year except to do the negotiated bill we got together on.

By the way, when people say they want to wait until January, keep in mind that on December 31 the services will no longer be authorized to pay hazardous pay to the troops serving in hostile-fire areas. After December 31 the services will no longer be authorized to offer 37 specific special and incentive pays, including enlistment and reenlistment bonuses.

These people in service, those who have been in service, we know they approach them when it is getting close to the time they are going to get out. They say: These are the benefits that are going to be there if you will reenlist. It is absolutely necessary that they have that information. All of a sudden, we are pulling the rug out from under them, after they had anticipated what their reenlistment would be.

Those things stop December 31. If you say: Well, we will come back in January and do it, I can show you this calendar right here. We start on January 6, and we are going to be in the CR on January 15. There is no way they are going to pay any attention to Defense authorization during that time period. There is not the time to do it.

I will not be redundant and repeat what the chairman talked about that would not happen.

Gitmo is controversial. However, the provisions in the Fiscal Year 2013 NDAA which prohibit the transfer of Gitmo detainees to the United States have expired. The prohibitions, which are currently in effect, which prevent the transfer of detainees to the United States are provisions which were included in an Appropriations Act. That Act, which has been extended due to the CR, is set to expire in January. Therefore, it is important to enact the FY'14 NDAA since our bill will extend these prohibitions for all of 2014. Of course, we also passed prohibitions on construction and modifying facilities in the United States. However, all of these prohibitions could come to an end if we do not have this bill.

Now, we have covered this. I appreciate the fact—and I want to repeat what the chairman said—that we actually had and cleared and considered some 87 amendments. In this bill we got 79 of the amendments; that is, Democratic and Republican amendments. So we have done this in the areas where we are supposed to be accomplishing it.

I looked at some of the things in military construction. We will have to stop work on any major projects that are currently under construction. I mean, they could be partway through a project. For example, the bill contains \$136 million to continue construction for the replacement of a command center for the U.S. Strategic Command at Offutt Air Force Base in Nebraska. If this amount is not authorized for appropriations, DOD will have to stop work halfway through construction, leading to a contract claim, lost time, maybe even lawsuits, but certainly extra work. I can say the same about areas in Maryland, Kentucky, Washington, Texas, and New York. If we look at the construction of aircraft carriers, without the congressional action we have in this bill to update the statutory cap on construction of the CVN-78—the USS *Ford*, the first air-

craft carrier of the *Ford* class—the Navy will be forced to cease construction of the CVN-78 when it is already 75 percent complete, denying our Nation this critical asset after we have already spent \$12 billion on it. We are talking about huge amounts of money. We are talk about defending the United States of America.

I hate to think we got here the way we did. We should not have had to do that. There is some blame to go around on both sides, but nonetheless we have been unable to do it the way we have done it in the past.

I will tell you something that is kind of interesting. We did a study. We found that in the last 30 years we have never gone into January before. Never. Not once.

The two times we went in were after a veto of the bill, and then after that we immediately overrode the veto and we were home free. So this has not happened before. For people to say that it has and that it is not unusual to go into January, factually that is just not true.

So we have special operations, and we have land use agreements. This is a big one that will ensure special operations forces have sufficient access to training ranges. The SEALs, the Navy SEALs—I think many of us have been to the Chocolate Mountain Aerial Gunnery Range in California, which serves an indispensable role in training the Navy SEALs for deployment. Failure to adopt the NDAA agreement we are talking about now will result in sending Navy SEALs to combat with insufficient training, undermining mission effectiveness and increasing the risk of losing lives.

So we have every reason to be concerned about this. We have only one way that we are going to be able to get a defense authorization bill. If we do not do it, this will be the first year in 52 years that we have not had one. So that is how serious this is. I do not like the way it was done, but I can like the end product.

I think the chairman mentioned the sexual assault discussion we have had. We had the Gillibrand amendment, and we had the McCaskill amendment. We did not get a chance to talk about those. But we actually have 27 specific reforms to support victims and encourage sexual assault reporting, expanding it and so forth. So we have done a lot.

I do not think anyone can argue that we would in any way be better off not having an authorization bill or just lumping it together and putting it on a clean CR. That is not any way to do business. It does not accomplish any of what I just mentioned and that the chairman mentioned as progress in this bill.

With that, I am happy to join the chairman of the committee in a bipartisan way to help try to defend America. The first thing we need to do is to pass our negotiated bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to engage in a colloquy with the chairman and ranking member if necessary as we discuss this legislation—

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Or lack of legislation, which may be unique in the history of the Senate in that for 51 years this body has passed a defense authorization bill, gone to conference between the two Houses, and sent a bill to the President's desk—legislation that I think most Americans would agree is our first priority, and that is to defend the security of this Nation.

I guess one of the questions I have for the distinguished chairman of the committee, and obviously the ranking member, is that by us not acting on this bill before the end of the year, is it not true, I would ask Chairman LEVIN, that we have already done some damage to the military and our readiness? Is it not also true that in the years that Senator LEVIN and I and Senator INHOFE have been together in the Armed Services Committee, we have never tried to do an authorization bill in a week? There are too many issues that are worthy of debate and votes on the part of this body. So is it not true, I would ask Senator LEVIN, that if we fail to take up this legislation, we will be embarking into unknown and uncharted waters because then we will be leaving it, isn't it true, to various appropriations bills or continuing resolutions or a patchwork kind of addressing what I would argue—and I do not know how anyone could dispute—is the most important obligation the Congress of the United States has; that is, to authorize the provisions in law that are necessary to defend this Nation? I would ask the Senator from Michigan those questions.

Mr. LEVIN. The point of the Senator from Arizona is extremely well taken. There is, relevant to his point, a list of expiring authorities which we have just received from the Chairman of the Joint Chiefs, General Dempsey. I put that letter in the Record; we got it literally a few hours ago—listing some of the expiring authorities, including a number that the Senator mentioned and—

Mr. MCCAIN. Would the chairman mention a couple of those?

Mr. LEVIN. Special pay and bonuses, combat pay, travel and transportation allowances, nonconventional assisted recovery capability, the authorities to do MILCON, which were mentioned by the Senator from Oklahoma. It is a long list. There will be a real chasm if we don't do this this year. You cannot just say: Well, it will go to next year. Senator INHOFE pointed out, I believe, that in one or two cases where it actually did get signed in the year after the

bill was passed, it was because there was a veto by a President and the veto override took place, I believe, in the weeks after January.

But these expiring authorities are very serious. We are going to tell men and women in combat that there is a gap in their combat pay? We don't know for sure that it will ever be filled. This is what General Dempsey mentioned in his letter. He said: Allowing the bill to slip to January adds yet more uncertainty to the force and further complicates the duty of our commanders who face shifting global threats. I also fear that delay may put the entire bill at risk, protracting this uncertainty and impacting our global influence.

Then he gave us a list of the expiring authorities.

So the Senator from Arizona raises a very critical issue. Now, it is not desirable for us to pass a bill as we have. But with the help of the Senator from Arizona when he was the ranking member, we were able, on two occasions, in a situation where there were objections to amendments being offered on the Senate floor—I will not go into all the details, but 2 of the last 5 years we were put in a position where we could not get the usual course followed, where the bill had a full amendment process on the Senate floor—it had some, as this bill has, but not enough time. Then we ran into that wall, and we were able to work out a bipartisan resolution to present to the Senate, sort of a virtual conference report—not technically a conference report but a bill, a fresh bill, a new bill which merged and blended the bill that passed the Senate Armed Services Committee in those 2 years with the bill that passed the House of Representatives. We then on a bipartisan basis presented those two bills to the Senate, and they were passed.

Mr. INHOFE. Let me mention a couple of others to the Senator from Arizona. His specific question is, What expires on December 31? In addition to the hazard pay that was articulated by the chairman, we also have the reenlistment bonus. I think any of us who have served in the military remember that as you get close to your date of discharge, you make a plan for the future as to what you are going to do in terms of reenlistment. It is all based on assumptions of reenlistment bonuses. If all of a sudden they disappear, you could not have that. What is that going to do to our forces? Impact Aid. Impact aid is something people do not really think about unless they happen to be in an area that has a lot of military activity where people have been taken off the tax rolls. On January 1, impact aid would end.

So, yes, there is a lot of concern over this. We talked for a long time about what will happen with this bill in terms of military construction that is

partially done or the building of various platforms. But what would actually happen as of January 1 would be really a crisis if we were to have to stop these things.

Mr. MCCAIN. I should have stated at the beginning that I am very proud of the leadership that both Senator INHOFE and Senator LEVIN have provided to the Armed Services Committee.

I serve on a number of committees and have served on a number of committees in my time in the Senate. The bipartisanship and cooperative legislating that is exemplified by both Senators makes me proud and makes me believe there is still some hope for bipartisanship in the Senate. Their leadership has been vital in putting together an authorization bill which is, as we have described, incredibly important.

I ask both of my colleagues, I am hearing—especially now from this side of the aisle—it is OK if we let this go over into January. After all, we only have another week. We have the farm bill, we have the budget agreement, et cetera. The House, the other side of the Capitol, is going out of session.

Why isn't it OK to wait until January? We will be back early in January and work on this legislation then.

I am sure I know the answer, but I ask of the chairman if that isn't nearly as easy as it sounds, even if, contrary to custom in January, we would do anything legislatively.

Mr. LEVIN. The Senator points out the reality, which is what is likely to happen in January. There is another reality that what will happen in January is it will be very difficult to get to this bill because of the crushing business of CRs and other crushing business in January, even if we meet in January.

The shortest answer I could give to my friend from Arizona is the following: I am in combat. I am in combat somewhere in the world and I am going to read: Combat pay stops on December 31.

There are dozens of these kinds of authorizations that are listed in General Dempsey's letter, dozens of them, that just stop on December 31. Take only that one. Think about that and what kind of an impression we are giving to our men and women who are in combat, in harm's way, when they read: Combat pay stops.

Yes, maybe it will be extended in January or in February, but that is actually unsatisfactory. It will be outrageous for us not to pass this bill.

Mr. MCCAIN. Does the Senator from Oklahoma have a response?

Mr. INHOFE. Yes. I wish to note that the average time it takes to debate on the floor and to pass the NDAA is 9 days. That is the average over the last 10 years.

As I look at the calendar for January, we return on January 6 and we

have the CR on January 15. We are going to be spending that time on the CR. Then, of course, we will be faced with the debt ceiling. I don't see that is going to happen. I think it is going to happen in some other way, but it is not going to happen in these reforms.

I very much appreciate the Senator from Arizona calling this to attention, that we can't wait until January. It is not going to work. We know it is going to expire December 31. We also know it can't happen in January because there flat isn't time.

Mr. MCCAIN. I don't know if my colleagues wish to respond, but I wish to make two comments: One is that I am deeply disappointed—deeply, deeply disappointed—in the majority leader for not taking up this legislation much earlier. The majority controls the calendar. That is one of the key elements of the majority winning elections and majority in the Senate.

For us to wait since June, when we passed the bill out of the Armed Services Committee, until only a short time ago and then only allowing a few days is a grave disservice—not so much to the Members of the Senate—and a lack of prioritization of the importance of this legislation.

I am deeply disappointed the majority leader of the Senate, because of his manipulation of the calendar, has put us in this position.

Having said that, I spent time—as I know the Senator from Oklahoma and the Senator from Michigan, our distinguished chairman—in the company of the men and women who serve. One of our obligations, as members of the Armed Services Committee, is to spend time with the military. I know the Senator from Oklahoma and the chairman do as well.

Their morale isn't good. They have seen sequestration take place, across-the-board cuts that have been done with a meat ax and not a scalpel.

All three of us would agree there are enormous savings that could be enacted in our Nation's Defense Department. We haven't even received an audit of the Defense Department. Year after year we demand that an audit be conducted by the Department of Defense by a certain year, and it has never happened.

We are not apologists. In fact, I believe the chairman and the ranking member have been zealous in their efforts to reduce waste, mismanagement, and duplication in the Armed Services and the Defense Department through their work on the Armed Services Committee.

The morale of our men and women who are serving is being harmed. It is not something that shows up in dollars and cents, but it does show up over time.

I say to the Senator from Michigan it does show up over time in their willingness to remain in the military. I

was recently in Fort Campbell, KY, with the Senator from Tennessee, Mr. ALEXANDER. We had an excellent briefing from the colonels, the generals, and the chief master sergeants of the U.S. Army.

Their unanimous view was that they believe we in the Congress of the United States are not taking care of them. They have always looked to us to provide them with the pay, the benefits, the housing, the equipment, and the training that is necessary to do their job.

They don't believe we are doing that anymore. They believe, when we enact sequestration with a meat-ax cut across the board—don't ask me about it. Ask General Odierno and the Chiefs who testified before the Armed Services Committee about the devastating effect of cuts to readiness, training, acquisition and, most of all, on the morale of the men and women who are serving. They literally don't know, some of them, what they are going to be doing the next day. The next day they don't know if they will be able to fly their airplanes, run their tanks or have the exercises that have been planned for months and even years. They don't know because we are almost day-to-day trying to apportion funds that are remaining in the most efficient and beneficial way.

I stand before my colleagues in the Senate and the two leaders in the authorization committee, and I am embarrassed—embarrassed—and a bit ashamed that we have done this to these good men and women who are willing to put their lives in harm's way to defend us. We can't even pass a bill that authorizes what they need to defend this Nation. It is shameful.

I wish to thank the chairman and ranking member for the hard work they have done on this legislation and the thousands of hours they have spent on behalf of defending this Nation and the men and women who serve it.

I yield the floor.

Mr. LEVIN. I thank the Senator from Arizona for everything he has been doing for so many decades for this country, including our committee. It is invaluable. We are going to get this bill passed. That is our determination.

It will be a shock to every American if we are unable to pass the Defense authorization bill. It will be totally intolerable. I know Senator INHOFE and I will help Senator MCCAIN and others get this bill done this year.

I yield the floor.

Mr. INHOFE. One last comment I wish to make is people listen to us speak on the floor and do not understand the full impact. I carry this card with me. The very top military person in the country, the Chairman of the Joint Chiefs of Staff, General Dempsey, told our committee: We are putting our military on a path where the force is so degraded and so unready that it would be immoral to use force.

He is the No. 1 Chief. The No. 2 Chief is Admiral Winnefeld, who stated that "there could be for the first time in my career instances where we may be asked to respond to a crisis and we will have to say that we cannot."

We can't correct all of that with this bill, but we can keep it from getting worse and get back and do what we have done over the last 52 years and pass the NDAA bill.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF PATRICIA ANN MILLETT TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Patricia Ann Millett, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided and controlled in the usual form.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I know we are not voting on this nomination today. I think it will be tomorrow. But I do not think there will be time to make remarks tomorrow, so I am expressing not only my opposition to the nominee being confirmed but also the bigger issue of whether or not there should even be any additional judges put on the D.C. Circuit.

Approximately 6 months ago, on June 4, 2013, the President simultaneously nominated three people for the D.C. Circuit. Everyone knew then, just as they know now, that these judges are not needed. The D.C. Circuit has the lowest caseload in the country by far, based on the standards that the Democrats established just a few years ago when a Republican was in the White House. In fact, the caseload on the D.C. Circuit is so low that on April 10, 2013, approximately 2 months prior to these nominations, I introduced legislation together with every Republican member of the committee to eliminate one seat of the D.C. Circuit and move two others to different circuits where they had bigger caseloads

and needed additional help. That would be the sensible way to address this issue. Don't spend \$1 million in taxpayers' money, per year, per judge, on judgeships that are not needed.

That is common sense, especially when the judges currently on the court say—and I quote one of them—in a letter:

If any more judges were added now there wouldn't be enough work to go around.

Don't waste \$3 million a year. Instead, simply move the seats to where they are needed, where there is a much bigger caseload. That would be the sensible and the good government approach.

But being sensible and good stewards of taxpayer dollars is not what the other side had in mind when they hatched this scheme. Far from it. No, the administration's move here was clear from the very beginning. They knew they could not pass their liberal agenda through a divided Congress. The American people had already rejected that agenda at the ballot box. But the administration still runs the Federal agencies, and through the agencies the administration can ignore the will of the American people and continue to pursue a job-killing agenda.

It doesn't matter that the American people do not want their government to pass cap-and-trade fee increases. The administration will simply force it upon the American people anyway through the Environmental Protection Agency.

It doesn't matter that the employer mandate penalty under ObamaCare does not apply to the 34 States that have not created insurance exchanges. The administration forced the employer mandate upon the American people anyway through an IRS regulation.

This has been the plan of the administration. It cannot get its liberal agenda through the Congress, but it has saddled the American people with its job-crushing agenda anyway through agency regulation.

But there is a catch to this scheme, a very big catch. Agency decisions are reviewed by the Federal judiciary. That happens to be our very independent third branch of government. So for this scheme to work, the White House needed to stack the D.C. Circuit with judges who were rubberstamps for its agenda.

As a result, the administration decided to ram their agenda through the agencies and simultaneously stack the D.C. Circuit with judges they believe would rubberstamp that agenda. That is why, on the very same day the President made these three nominations, I said:

It's hard to imagine the rationale for nominating three judges at once for this court given the many vacant emergency seats across the country, unless your goal is

to pack the court to advance a certain policy agenda.

During the last few months we have debated this issue, and throughout the debate the other side has tried their best to obscure the objective. They have manipulated caseload statistics in an effort to deny the obvious: Judges are not needed and will not have enough work to go around as is.

They twisted the words of the administrative office of the U.S. Courts. They claimed that the Chief Justice of the United States believes these judgeships are needed, when of course statistics show that is not remotely close to being true. They even stooped so low as to accuse Republicans of gender bias. But no matter how the other side manipulated the data or tried to conceal their agenda, they could not overcome the simple and basic facts everyone knew to be true; that is, that under the standard established by the Democrats under the Bush administration, these judgeships are not needed and should not be confirmed.

As a result, when the Senate considered these nominations, it denied consent. The other side lost the debate. Under normal circumstances, that would have been the end of this matter but not this time. This time there is a Democrat in the White House, not a Bush in the White House, and a Republican minority in the Senate.

The caseload statistics that carried the day in 2006 when we had a Republican majority in this body no longer matter to today's Democratic majority. This time apparently there are only three Members of the majority who care more for the Senate as an institution than they do for their party or short-term political gain. Of course, the biggest difference is that this time what is at stake is a radical agenda and the other side's effort to remove any meaningful check and balance on that agenda.

In short, it is ObamaCare. In short, it is climate change regulation, and the method for doing it is Presidential rule by fiat. The other side decided they were no longer willing to play by the rules they established and pioneered in 2006 when we had a Republican President and a Republican majority in the Senate. They lost the debate, so a couple weeks ago they changed the rules of the game in the middle of the fourth quarter. They triggered the so-called nuclear option because salvaging ObamaCare and insulating cap-and-trade fee increases from meaningful judicial review were just two important ideological battles that this administration wanted to get done one way or the other.

But, as I said, the end game for this scheme has been clear ever since it was formulated. So I wasn't surprised to read media accounts confirming the reasons the Democrats broke the Senate rules in order to get these nominees confirmed.

For instance, on November 23, The Hill newspaper ran an article with this headline: "Filibuster change clears path for Obama climate regs crack-down." The Hill newspaper had this to say:

Green groups might be the biggest winners from Senate Democrats' decision to gut the minority party's filibuster rights on nominations. Their top priority—President Obama's second-term changes on climate change—is likely to have a better shot at surviving challenges once Obama's nominees are confirmed for the crucial U.S. Court of Appeals for the District of Columbia.

The Washington Post wrote:

Democrats say the shift in the court will be especially important given that Obama's legislative proposals have little chance to prevail in the GOP controlled House. . . . The most contentious issues likely to face the appeals court are climate change regulations being pursued by the EPA. . . . The measures represent Obama's most ambitious effort to combat climate change in his second term—coal-fired power plants are a key source of emissions—at a time when such proposals have no chance of passage in Congress.

The same Washington Post article acknowledged the importance of removing the judicial check on ObamaCare.

The court is expected to hear a series of other legal challenges as well, including lawsuits related to elements of the Affordable Care Act, the Consumer Financial Protection Bureau and new air-quality standards.

Here is how one liberal environmental media outlet described the change:

When the Senate Democrats blew up the filibuster Thursday, they didn't just rewrite some rules. They struck a mortal blow to a tradition that has blockaded effective action on climate change.

According to media reports, it was these same liberal interest groups that pressured the majority leader to break the rules in order to change the rules. According to The Hill newspaper:

[The] Sierra Club was part of a coalition of liberal groups and unions that pressured Senate Majority Leader HARRY REID to limit the use of the filibuster through a majority vote.

So if there was any doubt whatsoever about why the other side took such drastic action—changing the very historic process of the Senate—there should not be any doubt any longer. The other side could no longer stand up to the more extreme wing of their party. Under pressure from those interest groups, the other side willy-nilly tossed aside some 225 years of Senate history and tradition.

What is more, by joining the majority leader and voting to break the rules, every Senator who did so empowered the President to install judges whose appointments are specifically designed to rubberstamp the President's regulatory agenda. No one is going to be able to hide from this vote. Not only is this a power grab, it is much more than that. It is the erosion

of a constitutional principle which has been established since 1787—and stated very clearly in the Federalist Papers—why the separation of powers is so important to our government. It was to make sure that no one person has all the power. The White House is so committed to a policy agenda that the American people don't want that it co-opted the majority of the Senate in its scheme to remove a meaningful judicial check on the executive branch of government and their agenda.

This is about a White House trying to rig the game so it can impose its cap-and-trade fee increases on the American people even though the American people don't support it. This is about a last-ditch effort to salvage ObamaCare and regulations, such as the IRS rule imposing the employer mandate penalty in 34 States, which is in direct conflict with the statute. How will they do it? By installing judges the White House believes will rubberstamp their edict.

I urge my colleagues to stand up to this White House, stand up to the radical liberal interest groups. Don't cast your vote for cap-and-trade fee increases and for judges that will rubberstamp that and don't cast another vote for ObamaCare. Instead, vote against this nomination. It is not needed.

I yield the floor.

Mr. DURBIN. Mr. President, I rise in support of the nomination of Patricia Millett to serve on the D.C. Circuit, the second most important court in the nation. Ms. Millett, who is currently in private practice, is recognized as one of the leading appellate lawyers in the country. She has argued 32 cases before the Supreme Court and dozens more in other appellate courts.

Ms. Millett served in the Solicitor General's office under both Democratic and Republican presidents. Seven former Solicitors General including prominent Republicans Paul Clement, Ted Olson and Ken Starr—sent a letter in support of Ms. Millett saying she "has a brilliant mind, a gift for clear, persuasive writing, and a genuine zeal for the rule of law. Equally important, she is unfailingly fair-minded."

At her hearing before the Senate Judiciary Committee, no Senator questioned Ms. Millett's qualifications or fitness for the Federal bench. She is simply an outstanding nominee. Ms. Millett is also a proud product of Illinois. She grew up in Marine, a small town in the southern part of the state. Her mother was a nurse and her father was a history professor at Southern Illinois University—Edwardsville.

Ms. Millett graduated summa cum laude from the University of Illinois and magna cum laude from Harvard Law School. She clerked for 2 years for Judge Thomas Tang on the Ninth Circuit Court of Appeals.

She is part of a military family. Her husband Robert King served in the

Navy and was deployed as part of Operation Iraqi Freedom.

Ms. Millett also comes highly recommended by distinguished members of the Illinois legal community.

I received a letter from Patrick Fitzgerald, the former U.S. Attorney for the Northern District of Illinois, expressing "strong support" for Ms. Millett's nomination and urging "prompt consideration of her candidacy on the merits."

I also received a letter from 28 prominent attorneys including former Illinois Governor James Thompson, a Republican, and current Illinois State Bar Association president Paula Holderman.

They expressed their strong support for Ms. Millett, saying that "she embodies the evenhandedness, impartiality, and objectivity required for the federal judiciary, as evidenced by her more than 10 years of service in the Solicitor General's office in both the Clinton and Bush Administrations."

The bottom line is that Ms. Millett is an outstanding nominee with broad support from across the ideological spectrum. There is no question that she is well-qualified to serve on the bench, and she will serve with distinction.

I urge my colleagues to support her nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

MORNING BUSINESS

Mr. NELSON. Mr. President, there are some good things that are going on, and I wish to talk about that.

First, I ask unanimous consent that the Senate be in a period of morning business until 6:15 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE GOOD NEWS

Mr. NELSON. Mr. President, there are some tough times around here, but I usually look for the good news. There is good news. Would anyone have believed 6 months ago that most of the chemical weapons in Syria would be dismantled at this point? In our wildest expectations we could not have expected that. But for the technicalities and specifics of the inspection, that clearly appears to have occurred or is well on its way to occurring.

We have had 43 straight months of private sector job growth in the economy. When Bear Stearns and Lehman Brothers went down, we were in a financial death spiral. Little by little we are coming out of it. Of course, the news just announced last Friday on the jobs report gives another indication that the economy is beginning to take

hold, and we see that in the confidence that is being expressed. We see that in the real estate market, and we certainly see that in the financial markets in New York.

Let me give you another piece of good news that most people would not think about. There has been the discovery of a former Martian lake. As we reach out into the cosmos to try to find any indication of life, scientists are now thinking that this Martian lake might have harbored life billions of years ago—about the time some of the scientists suggest that small microcosm of life might have started on this planet. If this proves out, we are going to Mars not just with robots. Eventually, in the 2030s, we will go with humans, and when we get there, we will find out if that is true. If it is true, was there life that developed? If there was life that developed, was it civilized? If it was civilized, what happened and what can we learn from that that might help us as a civilized life? So I see good signs.

I see the good signs of Senator Kerry as our Secretary of State and what he is doing in trying to bring the parties together in the Middle East. So instead of everything being doom and gloom, I see good things.

EXTENDING THE UNDETECTABLE FIREARMS ACT OF 1988

Mr. NELSON. Senator SCHUMER and I are here for another reason. We don't want to make a mistake. For some number of years, there has been on the books a law which will expire at midnight tonight that has protected us from weapons going through detectors that are not made of metal which the detectors can't detect. Of course, not only are we talking about government buildings and other secure facilities, but clearly we are talking about airports as well.

So now computer technology has advanced to the point, ever since we had that old law, that a person can actually, with a computer, through 3D processing, laying down plastic layer upon plastic layer, create a weapon that cannot be detected with most of the detectors we have today. That old law needs to be updated, but apparently there are those who do not want it updated. So, as a last gasp, we are appealing to the Senate, before the stroke of midnight tonight when this law will be erased, to continue the old law that will at least go after the plastic-type weapons, plastic guns, of which their manufacture—it is required that they have some part of metal in them in order to detect them. But the technology has surpassed that. They can now manufacture them with 3D printing to have no metal parts and they will still shoot a bullet. That is what we are going to have to update. So with the simple click of a mouse,

things are changed and it makes it practically invisible to metal detectors and other screening devices.

I thank the senior Senator from New York, who has taken the lead on this issue. He has recognized this problem. He has asked me to join him.

The House of Representatives last week passed similar legislation to not do what we ought to do to update the law but to continue the current ban on such weapons for another 10 years. They obviously pose a very serious threat to our national security as well as to Americans' personal security, and we need to do everything we can to keep them out of the hands of people who want to do harm to others.

Mr. President, I am looking forward to the comments of the senior Senator from New York.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I would like to wait for Senator GRASSLEY—here he is. I will speak for a minute and then propound my unanimous consent request, and then Senator GRASSLEY will propound his request, I presume.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I wish to thank my good colleague from Florida who has been a great partner on this very important issue. He outlined it well. I will just speak for a few minutes on this subject.

The bottom line is very simple. There are bad people who always want to evade the law, and there are good people—most Americans, the vast majority—who want to protect the law. Our job is to prevent the bad people without hurting the good people. We will have different views on the issue of gun control as to where to draw that line, but it seems to me on this issue there should be no dispute whatsoever. As the Senator from Florida outlined, there is new technology that for the first time will allow guns to be made that function without metal. That presents a serious danger—some might even say a mortal danger—to our safety because if a person can pass a gun through a metal detector with the very purpose to stop guns from getting into delicate areas, such as airports, sports stadiums, courts, and schools, it can create real havoc. To allow plastic guns that can fire one bullet, two bullets, three bullets, four bullets into these places creates real danger for our citizenry.

There were some wise people back in 1988, even before these guns could be developed, who passed a law that said we should not allow them to exist. It was a good law. The trouble is, as my colleague from Florida has outlined, technology has advanced, so not only are these guns real, but they can be made so that the law that exists and expires tonight can be evaded.

If one were to add an easily removable piece of metal to one of these plastic guns, walk with it, with that metal on it—legal under present law—take it off as a person puts the gun through a metal detector, so it is all plastic, and then quietly insert it back on the gun after it goes through a metal detector, one would have a gun on both sides of the metal detector that is legal under present law, the law that expires tonight, and a person can then evade the very purpose that we have metal detectors at our airports, sports stadiums, and other places—to prevent guns from being smuggled in.

So what we would ideally like to do, the Senator from Florida and I, is say that those types of guns, as well as guns that are purely plastic, should be illegal and that a gun must have some metal in it that can't be removed easily—and those guns would be legal, but those guns wouldn't be smuggled through metal detectors.

Now, years ago, it seemed as though this was all fiction. I remember that in the movie "In the Line of Fire," John Malkovich, seeking to kill the President, takes months to make a gun out of plastic. It was science fiction. But in the last few years that science fiction has become a reality. Three-D printers—a technology overall that is miraculous—can create a trachea for a baby so the baby can live. Three-D printers can create car parts at a much cheaper price. But they can also create plastic guns. Technology allows them to be sold for \$1,000 or a little more than \$1,000, so just about anyone can get one, certainly a terrorist intent on doing evil. So the ban takes on new urgency.

Today there is good news and bad news. The good news is that the House of Representatives has passed a bill to extend that ban for 10 years. The bad news is that the dangerous loophole I mentioned is still in the bill. Under existing law—the law that expires tonight—one can make one of these undetectable guns perfectly legal by simply attaching a metal handle at the last moment when you want to slip it somewhere where it could be very dangerous and then remove the metal part and make the gun invisible to the metal detector. All the Senator from Florida and I wish to do is simply require that the metal piece be permanently affixed to the gun. Any gun without a permanent metal piece would be illegal—a simple fix that will save lots of lives. Unfortunately, the House bill that passed keeps the present loophole in the law.

I haven't heard any argument against our amendment other than: Nose in the camel's tent; this will allow people to do other bad things. But I haven't heard one specific argument against our closing the loophole in the law the way we want to do it. Unfortunately, from what I am told,

there will be an objection to that and we will just pass a 10-year extension. That is better than nothing, but it doesn't get us across the finish line. The House bill is a step in the right direction, certainly better than letting the law expire, but it still has a glaring loophole in it.

So I hope we can pass a bill that not only extends the current ban but closes the loophole that allows for the manufacture of guns that can evade detection by simply removing a piece of metal. It is a simple fix to the existing statute that won't interrupt any lawful commerce in arms. One can be the most fervent believer in the Second Amendment, and the amendment we propose does not interfere with anyone's right to have a gun—none. All we do is keep the legislative language up to speed with technological developments.

In conclusion, a few years ago these undetectable plastic guns were science fiction. Now they are frighteningly real. That is why we have to extend the ban and hopefully close the loophole.

I again thank my colleague Senator NELSON, as well as my colleague in the House, Congressman ISRAEL, and so many others who have joined us in this, including Senator MURPHY, Senator WHITEHOUSE, and Senator SCHATZ, who have been partners in trying to get this done.

Now I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3626, which is at the desk; that the Nelson-Schumer, et al. amendment, which is also at the desk, be agreed to; the bill, as amended, be read three times and passed; and that the motions to reconsider be made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is this objection?

Mr. GRASSLEY. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3626, which was received from the House. I ask unanimous consent that the bill be read a third time and passed and that the motion to reconsider be made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is this objection?

Without objection, it is so ordered.

The bill (H.R. 3626) was read the third time and passed.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I don't think I find fault with anything Senator SCHUMER said, except as a matter of timing and when to consider those things. Before making any changes to current law, Congress needs

to gain an understanding of printed gun manufacturing technology and its relation to permanent metal parts. There are other technical issues that should be resolved before any legislation passes that reflects scientific and manufacturing process realities.

Today is the day the current plastic gun ban expires. The House had already passed a 10-year extension on a bipartisan vote. The only way to be sure the current ban remains on the books is to pass the House bill, which the Senate just did. Since the Democrats wish to extend current law, there are no current circumstances that demanded immediate changes to the law.

Every previous extension of the bill has occurred on a bipartisan basis and has lasted for at least 5 years so that Congress does not need to constantly revisit it. Before Thanksgiving, my colleague, the Senator from New York, offered only a 1-year extension. Ten years is much better, and the 1-year extension proposal contained none of the substantive provisions the Senator from New York offered with mere hours to go before current law expires.

After the Senate passes the House bill—which we did—Congress then has a responsibility to review the issue, hold hearings and obtain expert testimony, and consider alternative legislation, including what the Senator from New York has suggested. The date of expiration of the current ban has been set for many years. If anybody in the Senate is so concerned about what they consider to be a loophole in the law, this obviously should have been done through hearings and the introduction of legislation long ago. We did not even see the language of the proposed amendment I objected to until this afternoon. Dropping a bill at the eleventh hour without any investigation into the technological situation demonstrates that their real objectives were things other than just getting an extension.

Under current law, "the Attorney General shall ensure that rules and regulations adopted pursuant to this paragraph do not impair the manufacture of prototype firearms or the development of new technology." That is a quote from the proposed language that I objected to—or that is in present law, but the amendment of the Senator from New York strikes that language. It seems to me that the Justice Department's regulations should not impair new technology or firearm manufacturing, so I don't know why that change should have been suggested. I am willing to listen to anybody's arguments to the contrary, but that is the way I see it, and I am glad we have taken the action we have.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from New York.

Mr. SCHUMER. Madam President, I thank my colleague from Iowa. Obviously, I disagree. I think we should be

closing this loophole. The language may have been available this afternoon, but the concept was out there for weeks and weeks, if not longer. But I appreciate his language, and he said he did not object to any specifics that I have mentioned here.

So I look forward. We are going to work hard with the Senator from Iowa and others, with whom I disagree on interpretations of the Second Amendment in general, to try and come to an agreement here to close a loophole that we do not think touches any Second Amendment rights in any way at all. If we can work together over the next few months, weeks, with hearings and other things, and convince our colleagues that we have no intent other than to close this loophole and make sure the very law the Senator from Iowa wished to renew is simply made whole, given the new technology and the loophole is closed, I look forward to that opportunity.

So I appreciate my colleague's remarks. I wish we had passed this amendment. I think it would have made the bill better, stronger, with fewer loopholes, but that does not mean we cannot try to do that over the next several months. I appreciate the opportunity to do so with my friend, the only other "Charles E." in the Senate.

Mr. DURBIN. Madam President, undetectable plastic guns used to be a hypothetical security threat. But now the threat is real.

3-D printer technology has evolved to the point where a person can make a functioning plastic handgun in a matter of hours. These guns are lethal, and the technology used to make them is getting better—and cheaper—every day.

It is a serious concern that the plastic in these guns does not set off walk-through metal detectors. Many of our buildings are protected by these walk-through detectors—courthouses, schools, government buildings, sports arenas, concert venues, and more.

The Undetectable Firearms Act sensibly bans guns that are not detectable by these types of metal detectors. It is essential that we reauthorize this important law.

I am glad the House of Representatives passed an extension of this law last week. It is important that we not let this law expire.

But it is also important for Congress to update this law to close a potentially dangerous loophole.

Under the current law, a plastic gun can be legal if the gun owner simply clips a piece of metal onto the gun, even if the metal is unnecessary to the functionality of the gun. This is a problem because the person could simply unclip the metal from the gun to pass through a metal detector and then have a fully-functioning gun inside a secure location.

We need to close this loophole and make sure that the functional components of guns are detectable by walk-through metal detectors.

I do not mean to be alarmist about the risk that these plastic guns pose, but the risks are real.

Earlier this year the Jerusalem Post reported that an Israeli journalist tried to prove this point by bringing a plastic gun to a press conference at the Israeli Knesset. He got the gun through security, and he filmed himself pointing the gun at Prime Minister Netanyahu.

Fortunately the gun was unloaded and the journalist had no intent to harm anyone. But we should take steps to protect against the risks of these undetectable guns before a tragedy occurs.

I will support efforts to extend the current law, but I also urge my colleagues to work to close this loophole as quickly as possible.

Mr. MARKEY. Madam President, I thank Senator SCHUMER and Senator NELSON for their work on the extension of the Undetectable Firearms Act.

Plastic guns printed from 3D printers are one thing: dangerous. They have no place in our society. These 3D-printed guns can be used to dodge security checks the way Tom Brady dodges opposing defenses. Members of the law enforcement community, police men and women, the ATF, TSA, FBI, and Secret Service all support this legislation because it will make our communities safer. I share their concerns and the concerns of so many of my constituents in Massachusetts. I come here today to express my support for this bill because the safety of our children and communities must be our top priority. No parent, student, or traveler should be worried that a plastic 3D gun could be left undetected and find its way into an airplane, a train, or a classroom.

I am pleased we are passing this legislation today, but we must all remember that this is the bare minimum. Passing this legislation keeps plastic guns from becoming legal, but it does not crack down on the torrents of assault weapons filling our streets or ensure that all gun sales must include a background check. Neither does it close the loophole that allows a plastic gun with a single piece of removable metal to evade the ban.

Even after this bill passes, we must continue to fight for commonsense gun safety regulations. In 1994, I worked with my colleagues and now-Vice President BIDEN to enact tougher gun control laws that helped remove dangerous Chinese assault weapons from our streets. At the time, it seemed like an insurmountable task, but we got those weapons of war off our streets. Today we face a challenge that seems similarly insurmountable. So I hope that in the coming days and weeks the

Senate and Congress acts in a bipartisan manner to curb the epidemic of gun violence in our country. I will work with any Member of this Chamber, on either side of the aisle, to enact comprehensive gun control legislation that will keep our neighborhoods, our communities, our cities, and our public safe. I look forward to working with my colleagues to ensure that we finally put tough gun safety laws on the books and get these dangerous weapons off our streets and out of our neighborhoods.

Thank you.

Mr. LEAHY. Madam President, on December 3, 2013, the House of Representatives passed a 10-year reauthorization of the Undetectable Firearms Act. This law prohibits firearms that are undetectable by widely deployed security screening technologies such as x-ray and metal detectors. These are the standard technologies used by law enforcement officials to protect the public in State and Federal government buildings, courthouses, airports, and a host of other public spaces and events and these are the same technologies that protect the public and elected officials in the Capitol and congressional office buildings, where so many congressional staff and members of the public work and participate in the democratic process in an open and accessible environment. It is not difficult to appreciate why lethal weapons capable of evading such detection cause significant concern for the law enforcement community. This law has been the widely supported policy of Congress since 1988, when the legislation was signed by President Reagan. Ten years ago, Senator HATCH and I came together to reauthorize this law in 2003.

While today's legislation is an important step to reauthorize this law, we have more work to do. Law enforcement experts have urged Congress to make modest changes necessary to close a loophole that allows an individual who makes a firearm using 3D printing technology to easily evade the reach of the current law. I support those changes in order to better protect the public and update the current law in a responsible way.

Unfortunately, these recommendations have been met by Republican objections. As the expiration of this law has crept closer and the issue has gained the greater attention of law enforcement officials and Members of Congress, I worked in the Senate to find bipartisan support for a reauthorization of the law that would include these needed updates. I was disappointed that no Republican senator was willing to engage in a joint effort to responsibly update the law.

Today, a functioning, all-plastic, undetectable gun manufactured in the home using publicly available technology is not theoretical; it is reality.

Unfortunately, the legislation we pass today fails to provide law enforcement officials with the best tools possible to keep pace with current and rapidly developing technology. This reauthorization does give Congress time to consider necessary updates to the law that law enforcement experts believe are critical to close the loopholes that have been exposed by emerging technologies.

I hope that as we go forward, Members of Congress on both sides of the aisle will closely examine the improvements we need to make to this law and will act responsibly in addressing them. Given this law's long history of bipartisan support, we should work together to carefully consider the recommendations that law enforcement experts have made to make this law better.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Madam President, I too thank Senator GRASSLEY for arranging so we could proceed with the current law. I have found Senator GRASSLEY to be someone who will listen, who will deliberate, and who will try to do what he thinks is in the best interests of the people, in this particular case, the security interests of the people. I would ask Senator GRASSLEY to consider, as we meet about this over the course of the next several weeks or months, since we both fly in to Washington, DC—and if you are on flights like this Senator is, there may be a good chance there is an air marshal on that flight because the flight is so sensitive coming in to a city where you are only seconds—if an airplane aborts a landing, you are only within seconds of that airplane being near some of the centers of the U.S. Government, such as the Capitol, such as the White House, such as the Supreme Court. If a person were able to sneak a plastic gun through, then it seems to me that poses a much greater threat to the security interests of this country and its people.

If it is, in fact, legal to have a gun where you can remove that piece of metal and someone has been able to sneak that through the metal detectors at the place of origin of that person's flight, then it seems to me we are asking for trouble. In the great tradition of the Second Amendment of protecting people and letting them have their rights to guns, this is an aberration of that right that we need to duly consider and protect against.

I thank Senator GRASSLEY for coming here and extending the law today.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

EXTENSION OF MORNING BUSINESS

Mrs. SHAHEEN. Madam President, I ask unanimous consent that the Sen-

ate be in a period of morning business until 7 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Tennessee.

ORDER OF PROCEDURE

Mr. ALEXANDER. Madam President, I intend to speak for more than 10 minutes when I get the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Certainly I do not have any objection to that.

Mr. ALEXANDER. Madam President, I ask unanimous consent that I be allowed to speak for as much time as I may require after Senator REID does what he wants to do on the floor tonight, which would not interfere with the Senator from New Hampshire going ahead at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. I thank the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Thank you, Madam President and Senator ALEXANDER.

PASSING A BUDGET

Mrs. SHAHEEN. Madam President, I come to the floor this evening to talk about the importance of Congress doing its job and passing a budget. We need a budget that is going to provide certainty for our economy, that will eliminate reckless spending cuts, and that will foster job creation.

We hear this week that Senate Budget Committee Chair PATTY MURRAY and House Budget Committee Chair PAUL RYAN may be close to just such an agreement. I think that is very good news because we need a budget deal so we can put an end to the manufactured crises that have hurt too many families and businesses in New Hampshire and across this country.

I know I speak for so many of us here in the Senate when I say our primary focus really should be on continuing to put in place an environment that creates jobs, that lays a foundation for economic growth. And that is one of the things that getting a budget deal would help do.

We have recently seen some signs of progress in the economy. The jobs report on Friday was positive with over 200,000 private-sector jobs added in November, and we have now had 45 straight months of private-sector job growth. But we all know we are not out of the woods yet. We have a lot more work to do, and we need to build on the momentum that is there to get more people back to work.

When I travel around New Hampshire, my constituents tell me they are very frustrated with the gridlock in Washington, and what they want is for

us to come together here in Congress, to agree on a budget, and to take action that supports economic growth.

Granite Staters are absolutely right. With a potential budget agreement, we have an opportunity to eliminate some of the uncertainty in our economy, to eliminate some of those harmful cuts that are part of sequestration—the automatic budget cuts—and to finally set some priorities that will help us create jobs.

Sadly, too much in the past few months has had the Congress moving from one manufactured crisis on the budget to another. It has cost the economy severely. It has hurt job creation. As economist Mark Zandi recently noted: “As long as lawmakers stay deadlocked over the direction of the federal budget, the economic recovery will not gain momentum.”

So I am very hopeful we can reach a deal that will provide the Appropriations Committee with a roadmap for the rest of 2014 and 2015.

I have heard from a lot of small businesses in New Hampshire that one of the challenges they are currently facing post government shutdown—and certainly for so many small businesses and families, they were hurt by that government shutdown, which cost the economy about \$24 billion, and they are now looking at what the potential impact in the future will be from sequestration. Those spending cuts have halted Federal contracts, in many cases, for small businesses. They have caused uncertainty that is affecting job creation and hiring.

One of the New Hampshire business owners with whom I met recently said: “You hear about how CEOs are hesitant to hire—this is why”—this uncertainty around sequestration, around what we are going to do about a budget for the country.

These indiscriminate cuts from sequestration have not just hurt job creation. They have also affected programs that are critical to families in New Hampshire and across the country.

One of those programs I had a chance to visit last week is the Meals on Wheels Program. I helped deliver meals in Rockingham County. The Presiding Officer knows Rockingham County very well. It is just across the boarder from Massachusetts, which she represents. I had really ambivalent feelings about delivering those meals to seniors because on the one hand people were so appreciative and we got to help people who needed those hot meals, but on the other hand what I heard from those seniors was the effect that sequestration and spending cuts were having on the program. Those spending cuts have slashed \$81,000 from Rockingham Nutrition's Meals on Wheels budget. According to Debra Perou, the agency's executive director, Rockingham Nutrition is delivering 17,000 fewer

meals as a result of those cuts. She told me it was a very tough day when they had to try to figure out who was going to get cut from getting those meals on wheels.

The seniors with whom I met in Salem told me they were frustrated that nothing was happening to eliminate those reckless spending cuts.

I met a former engineer from Raytheon, Larry Somes and his wife Lillian. Lillian not only has dementia developing, but she has macular degeneration. It has made it difficult for her to cook. Larry's pension from Raytheon does not go as far as it did 25 years ago when he retired. He said: "Congress isn't doing anything [to help]."

Well, Larry is not alone, sadly. In Salem, 25 percent of Meals on Wheels recipients are older than 85. For these seniors—who are unable to cook for themselves—Meals on Wheels makes it possible for them to keep their housing and independence.

One of the things the seniors did this fall was to do a campaign where the program asked all of the seniors who received Meals on Wheels if they would write a message about how they felt about the program on a paper plate and send it to their elected officials so we would know what they are thinking. So I brought some of those messages, and they are short so they will not take much time to read. But I think it is important to read some of these messages so all of us have a chance to hear how our seniors are feeling.

This one is not signed, but it says:

Seniors need Meals on Wheels to keep them in their homes and healthy. Put yourself in their position. Do you like to eat? Do you want to be in your home?

Thank you Meals on Wheels. I am crippled and walk with a walker. I can't cook much anymore. I'm a diabetic so I have to eat, eat right. Thanks to everyone who cooks and delivers. God bless you.

Keep Meals on Wheels. The homebound people are in need and look forward to getting a healthy meal and seeing someone every day.

That is the other aspect that is so important about Meals on Wheels. It is not just about delivering that hot meal. It is about making sure someone is checking in on our older Americans who are living alone, who sometimes do not see people because they are housebound. These messages are telling about how important this program is.

As Maria and Bill say:

As this plate is empty, so will my wife's meals be. She has a serious medical problem and needs these meals. Think of this when you sit in your dining room tonight to have your meal. Thank you for your help keeping these meals coming.

Then from Denise, she says:

Please don't take my food away. I need it.

That says it all.

The work Rockingham Christian and Meals On Wheels does is critical for seniors in that part of New Hampshire.

They are joined by nine other Meals On Wheels Programs around New Hampshire. They serve thousands of people throughout the State. Last year alone Meals On Wheels delivered more than 1.2 million meals to 11,596 people in New Hampshire. The services are critical not only for improving the lives of seniors but also for reducing health care spending. The yearly cost of Meals On Wheels for a single senior is equivalent to the cost of 9 days in a nursing home or 1 or 2 days in the hospital. This is not a program that is important to seniors because it keeps them healthy and keeps them in their homes; this is a program that is cost-effective because if we are not able to keep seniors in their homes with something to eat, they are going to wind up in nursing homes and they are going to wind up in hospitals.

Programs such as Meals On Wheels are not where we should be cutting. We should focus on wasteful and duplicative programs, not those with a proven track record of success. That is why a budget agreement is so critical. This year the Senate Appropriations Committee passed a bill that provided full funding for Meals On Wheels, but without a budget agreement, we have not been able to restore cuts to this very vital program.

We all know sequestration was designed to never go into effect. It was designed to be so harmful and reckless that we in Congress would find a better, smarter way to reduce our deficit. But because of sequestration, too many families and small businesses in New Hampshire have felt firsthand the dramatic effects of us failing to do our job. With the potential budget agreement coming from Senator MURRAY and Congressman RYAN, we will have an opportunity to reduce these impacts, to finally get to work replacing the harmful cuts from sequestration with a responsible plan that will grow our economy and create jobs.

Finally, it is my hope that a budget agreement will also include an extension of unemployment benefits for the millions of Americans who lost their jobs through no fault of their own. In New Hampshire, our unemployment rate is lower than the national average and has been consistently throughout this recession, but that does not help if you are in a household where the breadwinners are unemployed. That household has a 100-percent unemployment rate. So despite the significant progress for our economy since the recession, the unemployment rate remains unacceptably high. For millions of Americans, finding a job remains very difficult in this market. Unemployment benefits remain a vital lifeline while they seek new work. So if we do nothing before the end of this year, about 1.3 million Americans will lose their extended unemployment benefits starting in January. Millions more will

exhaust their benefits over the course of 2014. In New Hampshire, an estimated 8,500 individuals will be affected.

Failing to extend these benefits will not only hurt these families, but it will also affect our economic recovery because failing to extend unemployment for these Americans would result in 240,000 fewer jobs created in 2014. To put that into perspective, the recent jobs report showed that our economy gained 200,000 jobs in the month of November. Failing to extend unemployment benefits would be the equivalent of sacrificing an entire month of job creation.

At this fragile point in our economic recovery, we should not be letting this critical program expire for these Americans. I hope we can reach an agreement. I hope that agreement will begin to roll back those cuts from sequestration, will extend unemployment benefits for those families who really need them, and that we can get this done in a timely fashion so that the government continues to operate.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

UNANIMOUS CONSENT REQUESTS— EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 44, 144, 189, 303, 334, 356, 358, 359, 361, 362, 367, 371, 372, 378, 379, 380, 387, 388, 390, 391, 403, 404, 406, 407, 408, 409, 410, 412, 413, 414, 415, 416, 417, 418, 420, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, and 452; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid on the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Tennessee.

Mr. ALEXANDER. Reserving my right, and I will make my remarks on this matter after the majority leader has completed his business today, I would note that on the last day we were here, November 21, there were

only 16 nominations on the Executive Calendar that had been there more than 3 weeks, only 8 more than 9 weeks, and the Republicans were ready to confirm more than 40 who had been there only a few weeks. The Democratic majority changed the rules of the Senate in a way that creates a Senate without rules. Until I understand better how a Senator is supposed to operate in a Senate without rules, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Madam President, I am not going to respond in any detail to my friend, and he is my friend. There is no way of explaining how the Republicans could arbitrarily refuse to nominate four of the most qualified people, frankly, because they turned down one woman twice for the D.C. Circuit. This is, some say, a court more important than the U.S. Supreme Court. The Republicans, without any question about their integrity, their education, their experience, said no. Why? Because they don't want President Obama to have these people in this important court. They want to keep the court with the majority of Republicans. That is wrong. It is wrong, and there were many reasons we did what we did, but it was the right thing for the country and it is the right thing for democracy.

I ask unanimous consent that the Senate proceed to consider the following nominations: Calendar Nos. 330, 347, 348, 349, 350, 382, 383, 384, 385, 386, 434, 435, 436, and 437; that the nominations be confirmed; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Tennessee.

Mr. ALEXANDER. Reserving my right to object, again I will make my comments after the majority leader has completed his business, but all Senate Republicans wanted with the D.C. Circuit judges was to do what Democratic Senators insisted on doing in 2006, transferring judges from a court where they are not needed to courts where they are needed.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. That explanation is as flat as a bottle of beer that has been open for 6 months.

NOMINATION OF CHAI RACHEL FELDBLUM TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Mr. REID. I move to proceed to consider Senate Calendar No. 378.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Chai Rachel Feldblum, of the District of Columbia, to be a member of the Equal Employment Opportunity Commission.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Chai Rachel Feldblum, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

LEGISLATIVE SESSION

Mr. REID. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF ELIZABETH A. WOLFORD TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NEW YORK

Mr. REID. I move to proceed to executive session to consider Calendar No. 330.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The clerk will report the nomination.

The bill clerk read the nomination of Elizabeth A. Wolford, of New York, to be United States District Judge for the Western District of New York.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Elizabeth A. Wolford, of New York, to be United States District Judge for the Western District of New York.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

LEGISLATIVE SESSION

Mr. REID. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF LANDYA B. MCCAFFERTY TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW HAMPSHIRE

Mr. REID. I move to proceed to executive session to consider Calendar No. 347.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The clerk will report the nomination.

The bill clerk read the nomination of Landya B. McCafferty, of New Hampshire, to be United States District Judge for the District of New Hampshire.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Landya B. McCafferty, of New Hampshire, to be United States District Judge for the District of New Hampshire.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF PATRICIA M. WALD TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

Mr. REID. I now move to proceed to executive session to consider Calendar No. 361.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination. The bill clerk read the nomination of Patricia M. Wald, of the District of Columbia, to be a Member of the Privacy and Civil Liberties Oversight Board.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Patricia M. Wald, of the District of Columbia, to be a Member of the Privacy and Civil Liberties Oversight Board.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF BRIAN MORRIS TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MONTANA

Mr. REID. I ask unanimous consent to proceed to executive session to consider Calendar No. 348.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination. The bill clerk read the nomination of Brian Morris, of Montana, to be United States District Judge for the District of Montana.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Brian Morris, of Montana, to be United States District Judge for the District of Montana.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Michael F. Bennet, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin.

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF SUSAN P. WATTERS TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MONTANA

Mr. REID. I now move to proceed to executive session to consider Calendar No. 349.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination. The bill clerk read the nomination of Susan P. Watters, of Montana, to be United States District Judge for the District of Montana.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Susan P. Watters, of Montana, to be United States District Judge for the District of Montana.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF DEBORAH LEE JAMES TO BE SECRETARY OF THE AIR FORCE

Mr. REID. I move to proceed to executive session to consider Calendar No. 358.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination. The bill clerk read the nomination of Deborah Lee James, of Virginia, to be Secretary of the Air Force.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Deborah Lee James, of Virginia, to be Secretary of the Air Force.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

LEGISLATIVE SESSION

Mr. REID. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF HEATHER ANNE HIGGINBOTTOM TO BE DEPUTY SECRETARY OF STATE FOR MANAGEMENT AND RESOURCES

The PRESIDING OFFICER. I move to executive session to consider Calendar No. 444.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination. The bill clerk read the nomination of Heather Anne Higginbottom, of the District of Columbia, to be Deputy Secretary of State for Management and Resources.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Heather Anne Higginbottom, of the District of Columbia, to be Deputy Secretary of State for Management and Resources.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

LEGISLATIVE SESSION

Mr. REID. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

ANNE W. PATTERSON TO BE AN ASSISTANT SECRETARY OF STATE (NEAR EASTERN AFFAIRS)

Mr. REID. I move to proceed to executive session to consider Calendar No. 406.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination.

The bill clerk read the nomination of Anne W. Patterson, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Ambassador, to be an Assistant Secretary of State (Near Eastern Affairs).

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Anne W. Patterson, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Ambassador, to be an Assistant Secretary of State (Near Eastern Affairs).

Harry Reid, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Benjamin L. Cardin, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Ber-

nard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Michael F. Bennet.

LEGISLATIVE SESSION

Mr. REID. I ask unanimous consent to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

JEH CHARLES JOHNSON TO BE SECRETARY OF HOMELAND SECURITY

Mr. REID. I move to proceed to consider calendar No. 450.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination.

The bill clerk read the nomination of Jeh Charles Johnson, of New Jersey, to be Secretary of Homeland Security.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Jeh Charles Johnson, of New Jersey, to be Secretary of Homeland Security.

Harry Reid, Sherrod Brown, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

LEGISLATIVE SESSION

Mr. REID. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

ADDITIONAL STATEMENTS

TRIBUTE TO MAJOR TOBY M. WILLIFORD

• Mr. BEGICH. Madam President, I wish to pay tribute to MAJ Toby M. Williford for his exceptional dedication to duty and service to the U.S. Army and to the United States of America. Toby has served for the last 2 years as a congressional budget liaison for the Secretary of the Army and will soon depart for his next duty assignment.

A native of Hobbs, NM, Toby earned his commission from Tarleton State

University in 2003. Major Williford's assignments have been diverse and include 24 months of combat experience. While a lieutenant, he served in F Company, 1-66 Armor Battalion and Headquarters and Headquarters Company 4th Forward Support Battalion as a platoon leader, executive officer, and support operations officer, both state-side and in combat during Operation Iraqi Freedom. After promotion to captain, Toby served in the 17th Combat Support Sustainment Battalion as commander of the 539th Transportation Company and deployed to Kuwait for his second combat tour.

After returning from his second deployment, Toby began his studies as an Army congressional fellow, earning a master's of professional studies in legislative affairs from the George Washington University. He was then assigned as a congressional fellow in my office in 2011. Toby was subsequently assigned as a congressional budget liaison officer in the office of the Assistant Secretary of the Army for Financial Management and Comptroller with responsibility for the ammunition and missile procurement portfolios. Toby advised the Army's senior leaders, fostering and strengthening the relationship between Congress and the U.S. Army.

Major Williford's leadership throughout his career has positively impacted his peers and superiors, soldiers and civilians alike. As a congressional budget liaison officer, he worked directly with the House and Senate Appropriations Committees to educate and inform Representatives, Senators, and staff about the diverse and important ammunition and missile procurement initiatives of the U.S. Army.

On behalf of a grateful nation, I join my colleagues today in recognizing and commending MAJ Toby M. Williford for over a decade of active service to his country in the U.S. Army. We wish Toby, his wife Amanda, and their four children, Addison, Aubrey, Tate, and Alyssa, all the best as they continue their journey of service to our great Nation.●

WITNESSES TO HUNGER

• Mr. CASEY. Madam President, I stand today to recognize the 5-year anniversary of Witnesses to Hunger. Launched in 2008, Witnesses to Hunger is a research and advocacy project founded by the Center for Hunger-Free Communities at Drexel University in Philadelphia, PA.

In 2008, Dr. Mariana Chilton provided cameras to 42 single-parent women in Philadelphia, simply asking that they use them to take pictures to tell us about their lives and their children. These women, seeing the opportunity to spread awareness and create change, accepted Dr. Chilton's challenge and started documenting the poverty and

hunger that they face on a daily basis. Their photographs provide a window into the lives of mothers who understand the challenges of raising a family on a limited income.

Since inception this project has grown, expanding throughout Pennsylvania and the country. Over the last 5 years, the Witnesses have grown by more than 29 participants. By encouraging advocacy and community engagement, Witnesses to Hunger has empowered mothers in cities across the country by uniting their voices. Living it each day, these remarkable mothers understand the trials of hunger and raising a family more than anyone else. These powerful photographs serve to start a dialogue and bring much needed attention to the issues that impact their lives daily.

Photography is an opportunity for these women to share their lives with others. I had the privilege of bringing the Witnesses to Hunger's exhibit to Capitol Hill in Washington DC, the State Capital in Harrisburg, PA and to several other cities within the Commonwealth. I am humbled to have played a small part in sharing the stories of their lives. These women have begun a movement that has inspired countless others and will inspire many more yet to come. They inspire me and challenge me to do more in the Senate. I am incredibly grateful for the guidance they provide. We need more projects like Witnesses to Hunger to continue to raise awareness of the struggles that everyday mothers go through to raise a family in communities across the country.●

TRIBUTE TO PATRICIA E. GRANT

● Mr. INHOFE. Madam President, I wish to honor the life of Patricia E. Grant, a Hall of Fame golfer, a commended veteran, and a woman some have called "the type of American our country needs to look up to."

Born March 12, 1921, her family moved to Cushing, OK, where Pat won the Oklahoma State High School Golf Championship as a 13-year old freshman, repeating the win three times before her high school graduation. While attending Oklahoma Baptist University, where she received a scholarship in exchange for teaching golf to fellow students, Pat won the Women's Oklahoma Golf Association State Amateur Championship four times and was the first female to be inducted into the OBU Athletic Hall of Fame. In 1946, she became the only person in history to win the contest 5 years in a row, and even went on to a sixth win in 1949. Ultimately, Pat won golf tournaments all over the world and was inducted into the Women's Oklahoma Golf Hall of Fame in April 2010.

When World War II broke out, Pat enlisted in the U.S. Army, alongside her sister Mary Margaret. Pat held

many assignments across the globe, including that of assisting the chief legal counsel during the Nuremberg Trials. She received 23 letters of commendation while in the Army, and retired after 22 years of active duty with the rank of Lieutenant Colonel, one of only 60 women to attain the rank at the time.

Not quite ready for retirement, Pat earned her law degree in 1966 and practiced family law in Texas for 30 years. She was named Woman of the Year by the Texas Federation of Business and Professional Women's Clubs in 1972 as a result of her service.

After retiring for good in 1995, Pat remained active, playing golf into her 70s, learning how to belly dance, and piloting an ultralight aircraft every Saturday morning. She passed away November 26, 2013, greatly loved by friends and family.

Mr. President, I ask that you join me today in celebrating the life of Pat Grant.●

AGREEMENT ON SOCIAL SECURITY BETWEEN THE UNITED STATES AND THE SWISS CONFEDERATION, CONSISTING OF A PRINCIPAL AGREEMENT AND AN ADMINISTRATIVE AGREEMENT—PM 25

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with accompanying reports and papers; which was referred to the Committee on Finance:

To the Congress of the United States:

Pursuant to section 233(e)(1) of the Social Security Act, as amended by the Social Security Amendments of 1977 (Public Law 95-216, 42 U.S.C. 433(e)(1)), I transmit herewith an Agreement on Social Security between the United States of America and the Swiss Confederation, signed at Bern on December 3, 2012, (the "U.S.-Swiss Agreement"). The Agreement consists of two instruments: a principal agreement and an administrative arrangement, and upon entry into force, will replace: the Agreement between the United States of America and the Swiss Confederation on Social Security with final protocol, signed July 18, 1979; the Administrative Agreement between the United States of America and the Swiss Confederation for the Implementation of the Agreement on Social Security of July 18, 1979, signed December 20, 1979; and the Supplementary Agreement between the two Contracting States, signed June 1, 1988.

The U.S.-Swiss Agreement is similar in objective to the social security agreements already in force with most of the European Union member states, Australia, Canada, Chile, Japan, Norway, and the Republic of Korea. Such bilateral agreements provide for lim-

ited coordination between the United States and foreign social security systems to eliminate dual social security coverage and taxation and to help prevent the lost benefit protection that can occur when workers divide their careers between two countries. The principal updates encompassed in the Agreement include amendments to rules for entitlement to Swiss disability pensions paid to ensure equality of treatments between U.S. and Swiss nationals, updates to personal information confidentiality provisions, and modifications necessary to take into account changes in U.S. and Swiss laws since 1988.

The U.S.-Swiss Agreement contains all provisions mandated by section 233 of the Social Security Act and other provisions that I deem appropriate to carry out the purposes of section 233, pursuant to section 233(c)(4) of the Social Security Act.

I also transmit, for the information of the Congress, a report prepared by the Social Security Administration explaining the key points of the U.S.-Swiss Agreement, along with a paragraph-by-paragraph explanation of the provisions of the principal agreement and administrative arrangement. Annexed to this report is the report required by section 233(e)(1) of the Social Security Act on the number of individuals affected by the Agreement and the effect of the Agreement on the estimated income and expenditures of the U.S. Social Security program. The Department of State and the Social Security Administration have recommended the U.S.-Swiss Agreement and related documents to me.

I commend the U.S.-Swiss Agreement on Social Security and related documents.

BARACK OBAMA.
THE WHITE HOUSE, December 9, 2013.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on November 22, 2013, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House agreed to the following concurrent resolution, without amendment:

S. Con. Res. 28. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

The message also announced that pursuant to 46 U.S.C. 2501, and the order of the House of January 3, 2013, the Speaker appoints the following Member of the House of Representatives to the National Historical Publications and Records Commission: Mr. BARR of Kentucky.

The message further announced that pursuant to 46 U.S.C. 51312(b), and the

order of the House of January 3, 2013, the Speaker appoints the following Member of the House of Representatives to the Board of Visitors to the United States Merchant Marine Academy: Mr. KING of New York.

MESSAGES FROM THE HOUSE

At 2:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 255. An act to amend certain definitions contained in the Provo River Project Transfer Act for purposes of clarifying certain property descriptions, and for other purposes.

H.R. 1095. An act to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed money recovered at airport security checkpoints to nonprofit organizations that provide places of rest and recuperation at airports for members of the Armed Forces and their families, and for other purposes.

H.R. 1105. An act to amend the Investment Advisers Act of 1940 to provide a registration exemption for private equity fund advisers, and for other purposes.

H.R. 1204. An act to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes.

H.R. 1241. An act to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes.

H.R. 1846. An act to amend the Act establishing the Lower East Side Tenement National Historic Site, and for other purposes.

H.R. 1900. An act to provide for the timely consideration of all licenses, permits, and approvals required under Federal law with respect to the siting, construction, expansion, or operation of any natural gas pipeline projects.

H.R. 1963. An act to amend the Water Conservation and Utilization Act to authorize the development of non-Federal hydropower and issuance of leases of power privileges at projects constructed pursuant to the authority of the Water Conservation and Utilization Act, and for other purposes.

H.R. 2388. An act to take certain Federal lands located in El Dorado County, California, into trust for the benefit of the Shingle Springs Band of Miwok Indians, and for other purposes.

H.R. 2650. An act to allow the Fond du Lac Band of Lake Superior Chippewa in the State of Minnesota to lease or transfer certain land.

H.R. 2719. An act to require the Transportation Security Administration to implement best practices and improve transparency with regard to technology acquisition programs, and for other purposes.

H.R. 3309. An act to amend title 35, United States Code, and the Leahy-Smith America Invents Act to make improvements and technical corrections, and for other purposes.

H.R. 3547. An act to extend the application of certain space launch liability provisions through 2014.

H.R. 3588. An act to amend the Safe Drinking Water Act to exempt fire hydrants from

the prohibition on the use of lead pipes, fittings, fixtures, solder, and flux.

H.R. 3626. An act to extend the Undetectable Firearms Act of 1988 for 10 years.

ENROLLED BILL SIGNED

At 6:27 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker pro tempore (Mr. DENHAM) has signed the following enrolled bill:

H.R. 3626. An act to extend the Undetectable Firearms Act of 1988 for 10 years.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. MURPHY).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1095. An act to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed money recovered at airport security checkpoints to nonprofit organizations that provide places of rest and recuperation at airports for members of the Armed Forces and their families, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1105. An act to amend the Investment Advisers Act of 1940 to provide a registration exemption for private equity fund advisers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1204. An act to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1241. An act to facilitate a land exchange involving certain National Forest System lands in the Inyo National Forest, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1846. An act to amend the Act establishing the Lower East Side Tenement National Historic Site, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1900. An act to provide for the timely consideration of all licenses, permits, and approvals required under Federal law with respect to the siting, construction, expansion, or operation of any natural gas pipeline projects; to the Committee on Commerce, Science, and Transportation.

H.R. 1963. An act to amend the Water Conservation and Utilization Act to authorize the development of non-Federal hydropower and issuance of leases of power privileges at projects constructed pursuant to the authority of the Water Conservation and Utilization Act, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2388. An act to take certain Federal lands located in El Dorado County, California, into trust for the benefit of the Shingle Springs Band of Miwok Indians, and for other purposes; to the Committee on Indian Affairs.

H.R. 2650. An act to allow the Fond du Lac Band of Lake Superior Chippewa in the State of Minnesota to lease or transfer certain land; to the Committee on Indian Affairs.

H.R. 2719. An act to require the Transportation Security Administration to implement best practices and improve transparency with regard to technology acquisition programs, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 3309. An act to amend title 35, United States Code, and the Leahy-Smith America Invents Act to make improvements and technical corrections, and for other purposes; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1774. A bill to reauthorize the Undetectable Firearms Act of 1988 for 1 year.

S. 1775. A bill to improve the sexual assault prevention and response programs and activities of the Department of Defense, and for other purposes.

H.R. 1965. An act to streamline and ensure onshore energy permitting, provide for onshore leasing certainty, and give certainty to oil shale development for American energy security, economic development, and job creation, and for other purposes.

H.R. 2728. An act to recognize States' authority to regulate oil and gas operations and promote American energy security, development, and job creation.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 255. An act to amend certain definitions contained in the Provo River Project Transfer Act for purposes of clarifying certain property descriptions, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3694. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Ocean Dumping; Sabine-Neches Waterway (SNW) Ocean Dredged Material Disposal Site Designation" (FRL No. 9903-26-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Environment and Public Works.

EC-3695. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Octadecanoic Acid, 12-Hydroxy-, Homopolymer, Ester with 2-Methyloxirane Polymer with Oxirane Monobutyl Ether; Tolerance Exemption" (FRL No. 9903-18) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Environment and Public Works.

EC-3696. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; New York; Determination of Clean Data for the 1987 PM10 Standard for the New York County

Area'' (FRL No. 9903-24-Region 2) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Environment and Public Works.

EC-3697. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Florida; General Requirements and Gasoline Vapor Control; Correcting Amendment" (FRL No. 9903-23-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Environment and Public Works.

EC-3698. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Arizona State Implementation Plan, Maricopa County Area" (FRL No. 9838-6) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Environment and Public Works.

EC-3699. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Tennessee; Revisions to the Knox County Portion of the Tennessee State Implementation Plan" (FRL No. 9903-17-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Environment and Public Works.

EC-3700. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; Transportation Conformity and Conformity of General Federal Actions" (FRL No. 9903-21-Region 1) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Environment and Public Works.

EC-3701. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Electronic Reporting Under the Toxic Substances Control Act" (FRL No. 9394-6) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Environment and Public Works.

EC-3702. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "West Virginia: Final Authorization of State Hazardous Waste Management Program Revisions" (FRL No. 9903-08-Region 3) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Environment and Public Works.

EC-3703. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Georgia; Redesignation of the Atlanta 1997 8-Hour Ozone Moderate Nonattainment Area to Attainment" (FRL No. 9903-32-Region 4) received in the Office of the President of the

Senate on November 19, 2013; to the Committee on Environment and Public Works.

EC-3704. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; North Carolina; Redesignation of the Charlotte; 1997 8-Hour Ozone Moderate Nonattainment Area to Attainment" (FRL No. 9903-37-Region 4) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Environment and Public Works.

EC-3705. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri; Restriction of Emission of Sulfur Compounds and Emissions Banking and Trading" (FRL No. 9903-14-Region 7) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Environment and Public Works.

EC-3706. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Rescission of Federal Implementation Plan; Wyoming; Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule Revisions" (FRL No. 9902-13-Region 8) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Environment and Public Works.

EC-3707. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Illinois" (FRL No. 9902-26-Region 5) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Environment and Public Works.

EC-3708. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2013 Revisions to the Greenhouse Gas Reporting Rule and Final Confidentiality Determinations for New or Substantially Revised Data Elements" (FRL No. 9902-95-OAR) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Environment and Public Works.

EC-3709. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Florida; Approval of Revision to the State Implementation Plan" (FRL No. 9902-98-Region 4) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Environment and Public Works.

EC-3710. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Mississippi; Transportation Conformity SIP—Memorandum of Agreement" (FRL No. 9902-58-Region 4) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Environment and Public Works.

EC-3711. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Montana; Revisions to the Administrative Rules of Montana—Air Quality, Subchapter 7, Subchapter 16 and subchapter 17" (FRL No. 9817-4) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Environment and Public Works.

EC-3712. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; Ohio NO_x SIP Call Rule Revision" (FRL No. 9901-38-Region 5) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Environment and Public Works.

EC-3713. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Control of Air Pollution by Permits for New Construction or Modification; Permits for Specific Designated Facilities" (FRL No. 9903-00-Region 6) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Environment and Public Works.

EC-3714. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; Ohio SO₂ Air Quality Rule Revisions" (FRL No. 9902-03-Region 5) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Environment and Public Works.

EC-3715. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife; Notice of 12-Month Finding on a Petition to List the Sperm Whale (*Physeter macrocephalus*) as an Endangered or Threatened Distinct Population Segment (DPS) in the Gulf of Mexico" (RIN0648-XA983) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Environment and Public Works.

EC-3716. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "NRC Personnel Security Program" (Management Directive 12.3) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Environment and Public Works.

EC-3717. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Health Insurance Provider Fees" (RIN1545-BL20) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Finance.

EC-3718. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Proposed Revision of Procedures for Requesting Competent Authority Assistance Under Tax Treaties" (Notice 2013-78) received during adjournment of

the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Finance.

EC-3719. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Proposed Revision of Procedures for Advance Pricing Agreements" (Notice 2013-79) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Finance.

EC-3720. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Information Reporting of Mortgage Insurance Premiums" (RIN1545-BL48) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Finance.

EC-3721. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rules Relating to Additional Medicare Tax" (RIN1545-BK54) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Finance.

EC-3722. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Authority for Voluntary Withholding on Other Payments" (RIN1545-BL93) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Environment and Public Works.

EC-3723. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2014 Section 1274A CPI Adjustments" (Rev. Rul. 2013-23) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Finance.

EC-3724. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Inclusion of Income of Section 9010 Fee Collected from Customers" (Rev. Rul. 2013-27) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Finance.

EC-3725. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Qualified 2- or 3-Wheeled Plug-In Electric Vehicle Credit Under Section 30D(g)" (Notice 2013-67) received during adjournment of the Senate in the Office of the President of the Senate on November 21, 2013; to the Committee on Finance.

EC-3726. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Modifications of Certain Derivative Contracts" (RIN1545-BK13) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Finance.

EC-3727. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Final Rules under the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008; Technical Amendment to External Review for Multi-State Plan Program" (RIN1545-BI70) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Finance.

EC-3728. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Reduction or Suspension of Safe Harbor Contributions" (RIN1545-BI64) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Finance.

EC-3729. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Modification of 'Use-or-Lose' Rule for Health Flexible Spending Arrangements (FSAs) and Clarification Regarding 2013-2014 Non-Calendar Year Salary Reduction Elections under Section 125 Cafeteria Plans" (Notice 2013-71) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Finance.

EC-3730. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Unpaid Losses Discount Factors and Payment Patterns for 2013" (Notice 2013-79) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Finance.

EC-3731. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Salvage Discount Factors and Payment Patterns for 2013" (Rev. Proc. 2013-37) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Finance.

EC-3732. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2014 Limitations Adjusted as Provided in Section 415(d), etc." (Notice 2013-73) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Finance.

EC-3733. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2013-75) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Finance.

EC-3734. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—December 2013" (Rev. Rul. 2013-26) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Finance.

EC-3735. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant

to law, the report of a rule entitled "Medicaid Program; Disproportionate Share Hospital Allotments and Institutions for Mental Diseases Disproportionate Share Hospital Limits for Fiscal Year 2012, and Preliminary Fiscal Year 2013 Disproportionate Share Hospital Allotments and Limits" (RIN0938-AR91) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Finance.

EC-3736. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; End-Stage Renal Disease Prospective Payment System, Quality Incentive Program, and Durable Medical Equipment, Prosthetics, Orthotics, and Supplies" (RIN0938-AR55) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Finance.

EC-3737. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs: Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs" (RIN0938-AR54) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Finance.

EC-3738. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Extension of Expiration Date for Mental Disorders Body System Listings" (RIN0960-AH49) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Finance.

EC-3739. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to an evaluation of community-based prevention and wellness programs; to the Committee on Finance.

EC-3740. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; Home Health Prospective Payment System Rate Update for Calendar Year 2014, Home Health Quality Reporting Requirements, and Cost Allocation of Home Health Survey Expenses" (RIN0938-AR52) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Finance.

EC-3741. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Revisions to Payment Policies under the Physician Fee Schedule, Clinical Laboratory Fee Schedule and Other Revisions to Part B for Calendar Year 2014" (RIN0938-AR56) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SANDERS, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 944. A bill to amend title 38, United States Code, to require courses of education provided by public institutions of higher education that are approved for purposes of the All-Volunteer Force Educational Assistance Program and Post-9/11 Educational Assistance to charge veterans tuition and fees at the in-State tuition rate, and for other purposes (Rept. No. 113-123).

By Mr. MENENDEZ, from the Committee on Foreign Relations, with amendments:

S. 1386. A bill to provide for enhanced embassy security, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. SANDERS for the Committee on Veterans' Affairs.

*Constance B. Tobias, of Maryland, to be Chairman of the Board of Veterans' Appeals for a term of six years.

*Linda A. Schwartz, of Connecticut, to be Assistant Secretary of Veterans Affairs.

*Sloan D. Gibson, of the District of Columbia, to be Deputy Secretary of Veterans Affairs.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BURR:

S. 1778. A bill to require the Attorney General to report on State law penalties for certain child abusers, and for other purposes; to the Committee on the Judiciary.

By Mr. TOOMEY (for himself, Mr. SCHUMER, Mr. PORTMAN, and Mr. CASEY):

S. 1779. A bill to amend the Safe Drinking Water Act to exempt fire hydrants from the prohibition on the use of lead pipes, fittings, fixtures, solder, and flux; to the Committee on Environment and Public Works.

By Mr. ENZI (for himself and Mr. MURPHY):

S. 1780. A bill to clarify that funding for the standard setting body designated pursuant to section 19(b) of the Securities Act of 1933, the Securities Investor Protection Corporation, and the Public Company Accounting Oversight Board is not subject to the sequester; to the Committee on the Budget.

By Mr. VITTER (for himself, Mr. INHOFE, and Mr. CRAPO):

S. 1781. A bill to amend the Clean Air Act to clarify the definition of accidental release, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SANDERS:

S. 1782. A bill to provide for health care for every American and to control the cost and enhance the quality of the health care system; to the Committee on Finance.

By Mr. CORNYN (for himself, Mr. LEE, Mr. HATCH, and Mr. GRASSLEY):

S. 1783. A bill to enhance public safety by improving the effectiveness and efficiency of the Federal prison system with offender risk and needs assessment, individual risk reduction incentives and rewards, and risk and recidivism reduction; to the Committee on the Judiciary.

By Mr. WYDEN:

S. 1784. A bill to improve timber management on Oregon and California Railroad and Coos Bay Wagon Road grant land, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON (for himself and Mr. RUBIO):

S. Res. 312. A resolution calling on the government of Iran to fulfill their promises of assistance in this case of Robert Levinson, one of the longest held United States civilians in our Nation's history; to the Committee on Foreign Relations.

By Ms. LANDRIEU (for herself, Mr. RISCH, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BOOZMAN, Mrs. BOXER, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CHAMBLISS, Mr. COONS, Mr. CRAPO, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mrs. HAGAN, Mr. HATCH, Ms. HEITKAMP, Ms. HIRONO, Mr. HOEVEN, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Mr. LEVIN, Mr. MANCHIN, Mr. MENENDEZ, Mrs. MURRAY, Mr. PORTMAN, Mr. PRYOR, Mr. ROBERTS, Mr. RUBIO, Mr. SCHATZ, Mr. SCOTT, Mrs. SHAHEEN, Mr. TESTER, Mr. THUNE, Mr. UDALL of New Mexico, Mr. WARNER, Mr. WHITEHOUSE, and Ms. AYOTTE):

S. Res. 313. A resolution designating November 30, 2013, as "Small Business Saturday" and supporting efforts to increase awareness of the value of locally owned small business; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 226

At the request of Mr. TESTER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 226, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 264

At the request of Ms. STABENOW, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 264, a bill to expand access to community mental health centers and improve the quality of mental health care for all Americans.

S. 313

At the request of Mr. CASEY, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 313, a bill to amend the Internal Revenue Code of 1986 to pro-

vide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 411

At the request of Mr. ROCKEFELLER, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 749

At the request of Mr. CASEY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 749, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 857

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 857, a bill to amend the Family and Medical Leave Act of 1993 to permit leave to care for a same-sex spouse, domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition.

S. 932

At the request of Mr. BEGICH, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 932, a bill to amend title 38, United States Code, to provide for advance appropriations for certain discretionary accounts of the Department of Veterans Affairs.

S. 951

At the request of Mr. ENZI, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 951, a bill to amend the Mineral Leasing Act to require the Secretary of the Interior to convey to a State all right, title, and interest in and to a percentage of the amount of royalties and other amounts required to be paid to the State under that Act with respect to public land and deposits in the State, and for other purposes.

S. 972

At the request of Mr. COBURN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 972, a bill to prohibit the Secretary of Health and Human Services replacing ICD-9 with ICD-10 in implementing the HIPAA code set standards.

S. 1085

At the request of Ms. COLLINS, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1085, a bill to amend the Internal Revenue Code of 1986 to provide tax incentives for small businesses.

S. 1116

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1116, a bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes.

S. 1149

At the request of Mr. NELSON, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 1149, a bill to reauthorize the ban on undetectable firearms, and to extend the ban to undetectable firearm receivers and undetectable ammunition magazines.

S. 1187

At the request of Ms. STABENOW, the names of the Senator from New York (Mr. SCHUMER) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 1187, a bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt.

S. 1302

At the request of Mr. HARKIN, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Virginia (Mr. WARNER) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1302, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide for cooperative and small employer charity pension plans.

S. 1332

At the request of Ms. COLLINS, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1332, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 1406

At the request of Ms. AYOTTE, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1406, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1456

At the request of Ms. AYOTTE, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Colorado (Mr. UDALL), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 1456, a bill to award the Congressional Gold Medal to Shimon Peres.

S. 1462

At the request of Mr. THUNE, the name of the Senator from Alaska (Mr.

BEGICH) was added as a cosponsor of S. 1462, a bill to extend the positive train control system implementation deadline, and for other purposes.

S. 1500

At the request of Mr. CORNYN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1500, a bill to declare the November 5, 2009, attack at Fort Hood, Texas, a terrorist attack, and to ensure that the victims of the attack and their families receive the same honors and benefits as those Americans who have been killed or wounded in a combat zone overseas and their families.

S. 1618

At the request of Ms. COLLINS, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1618, a bill to enhance the Office of Personnel Management background check system for the granting, denial, or revocation of security clearances or access to classified information of employees and contractors of the Federal Government.

S. 1690

At the request of Mr. LEAHY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1690, a bill to reauthorize the Second Chance Act of 2007.

S. 1706

At the request of Mr. BROWN, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 1706, a bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to issue prospective guidance clarifying the employment status of individuals for purposes of employment taxes and to prevent retroactive assessments with respect to such clarifications.

S. 1712

At the request of Mr. HATCH, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1712, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1719

At the request of Mrs. MURRAY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1719, a bill to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

S. 1728

At the request of Mr. CORNYN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1728, a bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to improve ballot accessibility to uniformed services voters and overseas voters, and for other purposes.

S. 1735

At the request of Mr. ALEXANDER, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Missouri (Mr. BLUNT) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1735, a bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to exclude from the definition of health insurance coverage certain medical stop-loss insurance obtained by certain plan sponsors of group health plans.

S. 1740

At the request of Ms. LANDRIEU, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 1740, a bill to authorize Department of Veterans Affairs major medical facility leases, and for other purposes.

S. 1749

At the request of Mr. SCHATZ, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1749, a bill to improve master plans for major military installations.

S. 1753

At the request of Mr. NELSON, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1753, a bill to extend Government liability, subject to appropriation, for certain third-party claims arising from commercial space launches.

S. 1756

At the request of Mr. BLUNT, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1756, a bill to amend section 403 of the Federal Food, Drug and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants, similar retail food establishments, and vending machines.

S. 1759

At the request of Mr. SANDERS, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1759, a bill to reauthorize the teaching health center program.

S. RES. 299

At the request of Mr. SCHUMER, the names of the Senator from Nevada (Mr. REID), the Senator from Washington (Mrs. MURRAY), the Senator from Massachusetts (Mr. MARKEY), the Senator from Hawaii (Mr. SCHATZ), the Senator from Nevada (Mr. HELLER), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Illinois (Mr. KIRK), the Senator from Delaware (Mr. COONS), the Senator from Virginia (Mr. WARNER), the Senator from Oregon (Mr. WYDEN), the Senator from Maryland (Mr. CARDIN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Ohio (Mr.

BROWN), the Senator from New Jersey (Mr. BOOKER), the Senator from Illinois (Mr. DURBIN), the Senator from Colorado (Mr. BENNET), the Senator from Utah (Mr. HATCH), the Senator from Iowa (Mr. HARKIN), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from California (Mrs. BOXER) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. Res. 299, a resolution congratulating the American Jewish Joint Distribution Committee on the celebration of its 100th anniversary and commending its significant contribution to empower and revitalize developing communities around the world.

AMENDMENT NO. 2142

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of amendment No. 2142 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2144

At the request of Ms. MURKOWSKI, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 2144 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2176

At the request of Mr. RISCH, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 2176 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2343

At the request of Mr. MERKLEY, the names of the Senator from Ohio (Mr. BROWN), the Senator from Washington (Mrs. MURRAY) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of amendment No. 2343 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2418

At the request of Ms. COLLINS, the name of the Senator from Ohio (Mr.

PORTMAN) was added as a cosponsor of amendment No. 2418 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2419

At the request of Mr. UDALL of New Mexico, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of amendment No. 2419 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2499

At the request of Mr. BEGICH, his name was added as a cosponsor of amendment No. 2499 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself, Mr. LEE, Mr. HATCH, and Mr. GRASSLEY):

S. 1783. A bill to enhance public safety by improving the effectiveness and efficiency of the Federal prison system with offender risk and needs assessment, individual risk reduction incentives and rewards, and risk and recidivism reduction; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1783

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Prison Reform Act of 2013".

SEC. 2. PURPOSES.

The purposes of the Act are to—

- (1) increase public safety by improving the effectiveness and efficiency of the Federal prison system, and to reduce the recidivism rates of Federal offenders;
- (2) establish offender risk and needs assessment as the cornerstone of a more effective and efficient Federal prison system;
- (3) implement a validated post-sentencing risk and needs assessment system that relies on dynamic risk factors to provide Federal

prison officials with guidelines to address the individual criminogenic needs of Federal offenders, manage limited resources, and enhance public safety;

(4) enhance existing recidivism reduction programs and increase prison jobs and other productive activities by incentivizing Federal prisoners to reduce their individual risk of recidivism by successfully completing such programs, and by successfully maintaining such jobs and activities over time;

(5) reward all Federal prisoners who successfully complete evidence-based intervention and treatment programs, and maintain prison jobs and other productive activities, with the ability to earn and accrue time credits and additional privileges;

(6) reward Federal prisoners who successfully reduce their individual risk of recidivism by providing them with the ability to transfer into prerelease custody when they are reassessed as low risk and have earned sufficient time credits;

(7) expand the implementation of evidence-based intervention and treatment programs designed to reduce recidivism, including educational and vocational training programs, prison jobs, and other productive activities, to ensure that all Federal prisoners have access to them during their entire terms of incarceration;

(8) perform regular outcome evaluations of programs and interventions to assure that they are evidence-based and to suggest changes and enhancements based on the results; and

(9) assist the Department of Justice in addressing the underlying cost structure of the Federal prison system and ensure that the Department can continue to run our prisons safely and securely without compromising the scope or quality of the Department's many other critical law enforcement missions.

SEC. 3. DUTIES OF THE ATTORNEY GENERAL.

(a) IN GENERAL.—The Attorney General shall carry out this section in consultation with—

- (1) the Director of the Bureau of Prisons;
- (2) the Director of the Administrative Office of the United States Courts;
- (3) the Assistant Director for the Office of Probation and Pretrial Services;
- (4) the Chair of the United States Sentencing Commission;
- (5) the Director of the National Institute of Justice; and
- (6) the inspector general of the Department of Justice.

(b) DUTIES.—The Attorney General shall, in accordance with subsection (c)—

(1) develop an offender risk and needs assessment system in accordance with section 3621A of title 18, United States Code, as added by section 4 of this Act;

(2) develop recommendations regarding recidivism reduction programs and productive activities in accordance with section 5;

(3) conduct ongoing research and data analysis to determine—

(A) the best practices regarding the use of offender risk and needs assessment tools;

(B) the best available risk and needs assessment tools and the level to which they rely on dynamic risk factors that could be addressed and changed over time, and on measures of risk of recidivism, individual needs, and responsivity to recidivism reduction programs;

(C) the most effective and efficient uses of such tools in conjunction with recidivism reduction programs, productive activities, incentives, and rewards; and

(D) which recidivism reduction programs are the most effective—

(i) for prisoners classified at different recidivism risk levels; and

(ii) for addressing the specific needs of individual prisoners;

(4) on a biennial basis, review the system required under paragraph (1) and the recommendations required under paragraph (2), using the research conducted under paragraph (3), to determine whether any revisions or updates should be made, and if so, make such revisions or updates;

(5) hold periodic meetings with the officials listed in subsection (a) at intervals to be determined by the Attorney General; and

(6) report to Congress in accordance with section 6.

(c) **METHODS.**—In carrying out the duties under subsection (b), the Attorney General shall—

(1) consult relevant interested individuals and entities; and

(2) make decisions using data that is based on the best available statistical and empirical evidence.

SEC. 4. POST-SENTENCING RISK AND NEEDS ASSESSMENT SYSTEM.

(a) **IN GENERAL.**—Subchapter C of chapter 229 of title 18, United States Code, is amended by inserting after section 3621 the following:

“§ 3621A. Post-sentencing risk and needs assessment system

“(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this section, the Attorney General shall develop and release for use by the Bureau of Prisons an offender risk and needs assessment system, to be known as the ‘Post-Sentencing Risk and Needs Assessment System’, which shall provide risk and needs assessment tools (developed under subsection (b)) in order to—

“(1) classify the recidivism risk level of all prisoners as low, moderate, or high as part of the intake process, and ensure that low-risk prisoners are grouped with low-risk prisoners in all housing and assignment decisions;

“(2) assign covered prisoners to appropriate recidivism reduction programs or productive activities based on that classification, the specific criminogenic needs of the covered prisoner, and in accordance with subsection (c);

“(3) reassess the recidivism risk level of covered prisoners periodically using an appropriate reassessment tool, and reassign the covered prisoner to appropriate recidivism reduction programs or productive activities based on the revised classification, the specific criminogenic needs of the covered prisoner, and the successful completion of recidivism reduction programs in accordance with subsection (d); and

“(4) determine when a covered prisoner who has been classified as having a low recidivism risk level is qualified and eligible to transfer to prerelease custody in accordance with subsection (d).

“(b) **RISK AND NEEDS ASSESSMENT TOOLS.**—

“(1) **IN GENERAL.**—The Attorney General shall—

“(A) adapt the Federal Post Conviction Risk Assessment Tool developed and utilized by the Administrative Office of the United States Courts in order to develop suitable risk and needs assessment tools to be used under the System described under subsection (a) by using the research and data analysis required under section 3(b)(3) of the Federal Prison Reform Act of 2013 (in accordance with the methods required under section 3(c) of the Federal Prison Reform Act of 2013) to make the most effective and efficient tools to accomplish the assessments, assignments and reassessments described in paragraphs (1) through (4) of subsection (a); and

“(B) ensure that the risk and needs assessment tool to be used in the reassessments described in subsection (a)(3) measures indicators of progress and improvement, and of regression, including newly-acquired skills, attitude, and behavior changes over time.

“(2) **USE OF EXISTING RISK AND NEEDS ASSESSMENT TOOLS PERMITTED.**—In carrying out this subsection, the Attorney General may determine that—

“(A) other existing risk and needs assessment tools are sufficiently effective and efficient for the purpose of accomplishing the assessments and reassessments described in paragraphs (1) through (4) of subsection (a); and

“(B) the tools described in subparagraph (A) shall be used under the System instead of developing new tools.

“(3) **VALIDATION ON PRISONERS.**—In carrying out this subsection, the Attorney General shall statistically validate any tools that are selected for use under the System on the Federal prison population, or ensure that the tools have been so validated.

“(c) **ASSIGNMENT OF RECIDIVISM REDUCTION PROGRAMS OR PRODUCTIVE ACTIVITIES.**—The System shall provide guidance on the kind and amount of recidivism reduction programming or productive activities assigned for each classification of prisoner and shall provide—

“(1) that, after the end of the phase-in period described in section 3621(h)(3), the higher the risk level of a covered prisoner, the more recidivism reduction programming the covered prisoner shall participate in, according to the covered prisoner’s specific criminogenic needs;

“(2) that low, moderate, and high risk covered prisoners may be separated during programming in accordance with practices for effective recidivism reduction;

“(3) information on best practices concerning the tailoring of recidivism reduction programs to the specific criminogenic needs of each covered prisoner so as to best lower each covered prisoner’s risk of recidivating;

“(4) that a covered prisoner who has been classified as low risk and without need of recidivism reduction programming shall participate in productive activities, including prison jobs, in order to remain classified as low risk;

“(5) that a covered prisoner who successfully completes all recidivism reduction programming to which the covered prisoner was assigned shall participate in productive activities, including a prison job; and

“(6) that each covered prisoner shall participate in and successfully complete recidivism reduction programming or productive activities, including prison jobs, throughout the entire term of incarceration of the covered prisoner.

“(d) **RECIDIVISM REDUCTION PROGRAM AND PRODUCTIVE ACTIVITY INCENTIVES AND REWARDS.**—The System shall provide the following incentives and rewards to covered prisoners that have successfully completed recidivism reduction programs and successfully completed productive activities:

“(1) **FAMILY PHONE AND VISITATION PRIVILEGES.**—A covered prisoner who has successfully completed a recidivism reduction program or a productive activity shall receive, for use with family (including extended family), close friends, mentors, and religious leaders—

“(A) up to 30 minutes per day, and up to 900 minutes per month that the covered prisoner is permitted to use the phone; and

“(B) additional time for visitation at the penal or correctional facility in which the

covered prisoner is imprisoned, as determined by the person in charge of the penal or correctional facility.

“(2) **TIME CREDITS.**—

“(A) **IN GENERAL.**—A covered prisoner who has successfully completed a recidivism reduction program or productive activity shall receive time credits as follows:

“(i) **LOW RISK.**—A covered prisoner who has been classified as having a low risk of recidivism shall earn 30 days of time credits for each period of 30 days during which the covered prisoner has participated in a recidivism reduction program or productive activity that the covered prisoner has successfully completed.

“(ii) **MODERATE RISK.**—A covered prisoner who has been classified as having a moderate risk of recidivism shall earn 15 days of time credits for each period of 30 days during which the covered prisoner has participated in a recidivism reduction program or productive activity that the covered prisoner has successfully completed.

“(iii) **HIGH RISK.**—A covered prisoner who has been classified as having a high risk of recidivism shall earn 8 days of time credits for each period of 30 days during which the covered prisoner has participated in a recidivism reduction program or productive activity that the covered prisoner has successfully completed.

“(B) **AVAILABILITY.**—A covered prisoner may not receive time credits under this paragraph for a recidivism reduction program or productive activity that the covered prisoner has successfully completed—

“(i) before the date of the enactment of this section; or

“(ii) during official detention before the date on which the covered prisoner’s sentence commences under section 3585(a).

“(C) **PRERELEASE CUSTODY.**—

“(i) **IN GENERAL.**—A covered prisoner who is classified as having a low risk of recidivism, who has earned time credits in an amount that is equal to the remainder of the covered prisoner’s imposed term of imprisonment, and who the person in charge of the penal or correctional facility in which the covered prisoner is imprisoned determines is otherwise qualified for prerelease custody, shall be eligible to be transferred into prerelease custody in accordance with section 3624(c)(3).

“(ii) **GUIDELINES.**—The System shall include guidelines, for use by the Bureau of Prisons and the Office of Probation and Pretrial Services, for prisoners placed in halfway houses or home confinement under section 3624(c)(3), for different levels of supervision, requirements and consequences based on the prisoner’s conduct, including electronic monitoring, work, community service, crime victim restoration activities, sanctions and a return to prison with a reassessment of recidivism risk level under the System as a result of certain behavior, which shall be consistent with a structured sanctions model that consistently and swiftly punishes violations and uses mild sanctions in order to improve compliance and success rates and reduce recidivism rates.

“(D) **INELIGIBLE PRISONERS.**—A covered prisoner shall be ineligible to receive time credits under this section if the covered prisoner—

“(i) has been convicted of any Federal crime of terrorism, as that term is defined under section 2332b(g)(5);

“(ii) is detained on any charge related to a Federal crime of terrorism, as that term is defined under section 2332b(g)(5);

“(iii) has been convicted of a Federal crime under section 276(a) of the Immigration and

Nationality Act (8 U.S.C. 1326(a)), relating to the reentry of a removed alien, but only if the alien is described in paragraph (1) or (2) of subsection (b) of that section;

“(iv) has been convicted of any Federal crime of violence, as that term is defined under section 16;

“(v) has been convicted of any Federal sex crime, as that term is defined under section 3509;

“(vi) has been convicted of any Federal crime involving child exploitation, as that term is defined under section 2 of the PROTECT Our Children Act of 2008 (42 U.S.C. 17601); or

“(vii) has been convicted of more than 2 Federal crimes arising from more than 1 course of conduct.

“(3) RISK REASSESSMENTS AND LEVEL ADJUSTMENT.—A covered prisoner who has successfully completed recidivism reduction programming or successfully completed productive activities shall receive periodic risk reassessments with an appropriate reassessment tool (with high and moderate risk level covered prisoners receiving more frequent risk reassessments), and if the reassessment shows that the covered prisoner’s risk level or specific needs have changed, the Bureau of Prisons shall update the covered prisoner’s risk level or information regarding the covered prisoner’s specific needs and reassign the covered prisoner to appropriate recidivism reduction programs or productive activities based on such changes, and provide the applicable time credits to the covered prisoner.

“(4) RELATION TO OTHER INCENTIVE PROGRAMS.—The incentives described in this subsection shall be in addition to any other rewards or incentives for which a covered prisoner may be eligible, except that a covered prisoner shall not be eligible for the time credits described in (2) if that covered prisoner has accrued time credits under another provision of law based solely upon participation in, or successful completion of, such program.

“(e) PENALTIES.—The System shall provide guidelines for the Bureau of Prisons to reduce rewards earned under subsection (d) for covered prisoners who violate the rules of the penal or correctional facility in which the covered prisoner is imprisoned, a recidivism reduction program, or a productive activity, which shall provide—

“(1) general levels of violations and resulting reward reductions;

“(2) that any reward reduction that includes the forfeiture of time credits shall be limited to time credits that a covered prisoner earned as of the date of the covered prisoner’s rule violation, and not applicable to any subsequent credits that the covered prisoner may earn; and

“(3) guidelines for the Bureau of Prisons to establish a procedure to restore time credits that a covered prisoner forfeited as a result of a rule violation based on the covered prisoner’s individual progress after the date of the rule violation.

“(f) BUREAU OF PRISONS TRAINING.—The Attorney General shall develop training protocols and programs for Bureau of Prisons officials and employees responsible for administering the System, which shall include—

“(1) initial training to educate employees and officials on how to use the System in an appropriate and consistent manner, as well as the reasons for using the System;

“(2) continuing education; and

“(3) periodic training updates.

“(g) QUALITY ASSURANCE.—In order to ensure that the Bureau of Prisons is using the

System in an appropriate and consistent manner, the Attorney General shall monitor and assess the use of the System, which shall include conducting periodic audits of Bureau of Prisons facilities regarding the use of the System, and shall ensure the development of risk and needs indicators and measurement processes that are both reliable and valid.

“(h) DETERMINATIONS AND CLASSIFICATIONS UNREVIEWABLE.—There shall be no right of review, right of appeal, cognizable property interest, or cause of action, either administrative or judicial, arising from any determination or classification made by any Federal agency or employee while implementing or administering the System, or any rules or regulations promulgated under this section.

“(i) DEFINITIONS.—In this section:

“(1) COVERED PRISONER.—The term ‘covered prisoner’ means a prisoner who is not ineligible to receive time credits under this section pursuant to subsection (d)(2)(D).

“(2) PRISONER.—The term ‘prisoner’ means a person who has been sentenced to a term of imprisonment pursuant to a conviction for a Federal criminal offense.

“(3) PRODUCTIVE ACTIVITY.—The term ‘productive activity’—

“(A) means a group or individual activity, including participation in a job as part of a prison work program, that is designed to allow prisoners classified as having a low risk of recidivism to remain productive and thereby maintain a low risk classification; and

“(B) may include the delivery of the activities described in paragraph (4)(C) to other prisoners.

“(4) RECIDIVISM REDUCTION PROGRAM.—The term ‘recidivism reduction program’ means a group or individual activity that—

“(A) has been shown by empirical evidence to reduce recidivism;

“(B) is designed to help prisoners succeed in their communities upon release from prison; and

“(C) may include—

“(i) classes on social learning and life skills;

“(ii) classes on morals or ethics;

“(iii) academic classes;

“(iv) cognitive behavioral treatment;

“(v) mentoring;

“(vi) substance abuse treatment;

“(vii) vocational training;

“(viii) faith-based classes or services;

“(ix) victim-impact classes, victim-offender dialogue, or other restorative justice programs; and

“(x) a prison job.

“(5) RISK AND NEEDS ASSESSMENT TOOL.—The term ‘risk and needs assessment tool’ means an objective and statistically validated method through which information is collected and evaluated to determine—

“(A) the level of risk that a prisoner will recidivate upon release from prison; and

“(B) the recidivism reduction programs that will best minimize or reduce the risk that a particular prisoner will recidivate upon release from prison.

“(6) SUCCESSFULLY COMPLETED.—The term ‘successfully completed’—

“(A) means that—

“(i) as determined by the person in charge of the penal or correctional facility of the Bureau of Prisons in which the covered prisoner is imprisoned, that the covered prisoner—

“(I) regularly attended the recidivism reduction program or productive activity;

“(II) actively engaged and participated in the recidivism reduction program or productive activity;

“(III) completed all assignments or tasks in a manner that has allowed the covered prisoner to realize the criminogenic benefits of the recidivism reduction program or productive activity;

“(IV) did not regularly engage in disruptive behavior that seriously undermined the administration of a recidivism reduction program or productive activity; and

“(V) satisfied the requirements of subclauses (I) through (IV) for a time period that has allowed the covered prisoner to realize the criminogenic benefits of the recidivism reduction program or productive activity; and

“(ii) the covered prisoner satisfied the requirements of subparagraph (A) for a time period of not less than 30 days; and

“(B) shall not be construed to mean that the covered prisoner is no longer participating in the particular recidivism reduction program or productive activity, if—

“(i) the covered prisoner has satisfied the requirements of clause (i) and (ii) of subparagraph (A); and

“(ii) the recidivism reduction program or productive activity will continue to help the covered prisoner to further reduce risk level of the covered prisoner, or maintain the risk level of the covered prisoner.

“(7) SYSTEM.—The term ‘System’ means the Post-Sentencing Risk and Needs Assessment System established under subsection (a).

“(8) TIME CREDIT.—The term ‘time credit’ means the equivalent of 1 day of a prisoner’s sentence, such that a prisoner shall be eligible for 1 day of prerelease custody for each credit earned.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter C of chapter 229 of title 18, United States Code, is amended by inserting after the item relating to section 3621 the following:

“3621A. Post-sentencing risk and needs assessment system.”.

SEC. 5. RECIDIVISM REDUCTION PROGRAM AND PRODUCTIVE ACTIVITY RECOMMENDATIONS.

The Attorney General shall—

(1) review the effectiveness of recidivism reduction programs and productive activities, including prison jobs, that exist as of the date of the enactment of this Act in facilities operated by the Bureau of Prisons;

(2) review available information regarding the effectiveness of recidivism reduction programs and productive activities, including prison jobs, that exist in State-operated prisons throughout the United States, provided that the Attorney General shall make no rule or regulation requiring any State government to provide information for, or participate in, such review;

(3) conduct or fund research to evaluate established programs offered through organizations that do not rely on Federal funding in order to demonstrate the effectiveness of such programs in reducing recidivism;

(4) identify the most effective recidivism reduction programs that are evidence-based;

(5) survey all Federal agencies to determine which products purchased by the agencies could be manufactured by prisoners participating in a prison work program without reducing job opportunities for workers in the United States who are not in the custody of the Bureau of Prisons; and

(6) make recommendations to the Bureau of Prisons regarding—

(A) replication of the most effective recidivism reduction programs that are evidence-based;

(B) the expansion of effective, evidence-based recidivism reduction programming capacity;

(C) the expansion of productive activities, including prison jobs; and

(D) the addition of any new effective programs and activities that the Attorney General finds, using the methods described in section 3(c), would help to reduce recidivism.

SEC. 6. REPORTS.

(a) ANNUAL REPORTS.—Not later than January 1, 2015, and every January 1 thereafter, the Attorney General, in consultation with the inspector general of the Department of Justice, shall submit to the appropriate committees of Congress a report that contains the following:

(1) A summary of the activities and accomplishments of the Attorney General in carrying out this Act and the amendments made by this Act.

(2) An assessment of the status and use of the System by the Bureau of Prisons, including the number of prisoners classified at each risk level under the System at each facility of the Bureau of Prisons.

(3) A summary and assessment of the types and effectiveness of the recidivism reduction programs and productive activities in facilities operated by the Bureau of Prisons, including—

(A) evidence about which programs and activities have been shown to reduce recidivism;

(B) the capacity of each program and activity at each facility, including the number of prisoners along with the risk level of each prisoner enrolled in each program and activity; and

(C) identification of any problems or shortages in capacity of such programs and activities, and how these should be remedied.

(4) An assessment of the Bureau of Prisons' compliance with section 3621(h) of title 18, United States Code, as added by section 7 of this Act.

(5) An assessment of progress made toward carrying out the purposes of this Act, including any savings associated with—

(A) the transfer of low risk prisoners into prerelease custody under this Act and the amendments made by this Act; and

(B) any decrease in recidivism that may be attributed to the implementation of the System or the increase in recidivism reduction programs and productive activities required by this Act and the amendments made by this Act.

(b) PRISON WORK PROGRAMS REPORT.—Not later than 180 days after the date of enactment of this Act, the Attorney General, in consultation with the Director of the Bureau of Prisons, shall submit to the appropriate committees of Congress a report on the status of prison work programs at facilities operated by the Bureau of Prisons, including—

(1) a strategy to expand the availability of such programs without reducing job opportunities for workers in the United States who are not in the custody of the Bureau of Prisons;

(2) an assessment of the feasibility of expanding such programs, consistent with the strategy required under paragraph (1), so that, not later than 5 years after the date of enactment of this Act, not less than 75 percent of eligible low-risk offenders have the opportunity to participate in a prison work program for not less than 20 hours per week; and

(3) a detailed discussion of legal authorities that would be useful or necessary to achieve the goals in paragraphs (1) and (2).

(c) SAVINGS REPORTS.—Not later than 180 days after the date of enactment of this Act,

and every year thereafter, the Attorney General shall submit to the appropriate committees of Congress a report containing—

(1) an analysis of current and projected savings associated with this Act and the amendments made by this Act; and

(2) a strategy to reinvest a portion of such savings into expansions of recidivism reduction programs and productive activities, including prison work programs, by the Bureau of Prisons.

SEC. 7. USE OF SYSTEM AND RECOMMENDATIONS BY BUREAU OF PRISONS.

(a) IMPLEMENTATION OF SYSTEM GENERALLY.—Section 3621 of title 18, United States Code, is amended by adding at the end the following:

“(h) POST-SENTENCING RISK AND NEEDS ASSESSMENT SYSTEM.—

“(1) DEFINITIONS.—In this section, the terms ‘covered prisoner’, ‘prisoner’, ‘productive activity’, ‘recidivism reduction program’, ‘risk and needs assessment tool’, ‘successfully completed’, ‘System’, and ‘time credit’ have the meanings given such terms in section 3621A.

“(2) IMPLEMENTATION.—Not later than 180 days after the Attorney General develops and releases the System, the Bureau of Prisons shall—

“(A) implement the System and complete a risk and needs assessment for each prisoner, regardless of the prisoner’s length of imposed term of imprisonment; and

“(B) expand the effective recidivism reduction programs and productive activities offered by the Bureau of Prisons and add any new recidivism reduction program or productive activity necessary to effectively implement the System, in accordance with the recommendations made by the Attorney General under section 5 of the Federal Prison Reform Act of 2013 and with paragraph (3).

“(3) PHASE-IN.—In order to carry out paragraph (2), so that every covered prisoner has the opportunity to complete the kind and amount of recidivism reduction programming the covered prisoner is assigned or participate in productive activities in order to effectively implement the System and that is recommended by the Attorney General, the Bureau of Prisons shall, subject to the availability of appropriations, develop and operate such recidivism reduction programs and productive activities—

“(A) for not less than 20 percent of covered prisoners by the date that is 1 year after the date on which the Bureau of Prisons completes a risk and needs assessment for each prisoner under paragraph (2)(A);

“(B) for not less than 40 percent of covered prisoners by the date that is 2 years after the date on which the Bureau of Prisons completes a risk and needs assessment for each prisoner under paragraph (2)(A);

“(C) for not less than 60 percent of covered prisoners by the date that is 3 years after the date on which the Bureau of Prisons completes a risk and needs assessment for each prisoner under paragraph (2)(A);

“(D) for not less than 80 percent of covered prisoners by the date that is 4 years after the date on which the Bureau of Prisons completes a risk and needs assessment for each prisoner under paragraph (2)(A); and

“(E) for all covered prisoners by the date that is 5 years after the date on which the Bureau of Prisons completes a risk and needs assessment for each prisoner under paragraph (1)(A) and thereafter.

“(4) PRIORITY DURING PHASE-IN.—During the phase-in period described in paragraph (3), the priority for such programs and activities shall be accorded based on, in order, the following:

“(A) RECIDIVISM RISK LEVEL.—The recidivism risk level of covered prisoners (as determined using a risk and needs assessment tool under the system), with low risk covered prisoners receiving first priority, moderate risk covered prisoners receiving second priority, and high risk covered prisoners receiving last priority.

“(B) RELEASE DATE.—Within each such risk level, a covered prisoner’s proximity to release date.

“(5) PRELIMINARY EXPANSION OF RECIDIVISM REDUCTION PROGRAMS AND AUTHORITY TO USE INCENTIVES.—On and after the date of enactment of the Federal Prison Reform Act of 2013, the Bureau of Prisons may—

“(A) expand any recidivism reduction program or productive activity in effect at a facility of the Bureau of Prisons as of such date; and

“(B) offer to a covered prisoner who has successfully completed such programming and activities the incentives and rewards described in—

“(i) section 3621A(d)(1); and

“(ii) section 3621A(d)(2)(A), except a covered prisoner may receive up to 30 days of time credits for each period of 30 days during which the covered prisoner participated in a recidivism reduction program or productive activity that the covered prisoner successfully completed, with the amount of time credits to be determined by the person in charge of the penal or correctional facility in which the covered prisoner is imprisoned.

“(6) RECIDIVISM REDUCTION PARTNERSHIPS.—Not later than 180 days after the date of enactment of this subsection, the Attorney General shall issue regulations requiring the person in charge of each penal or correctional facility of the Bureau of Prisons to expand the availability of recidivism reduction programming and productive activities by entering into partnerships with each of the following:

“(A) Nonprofit organizations, including faith-based and community-based organizations, that will deliver recidivism reduction programming in the facility, on a paid or volunteer basis.

“(B) Institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001) that will deliver academic classes in the facility, on a paid or volunteer basis.

“(C) Private entities that will, on a volunteer basis—

“(i) deliver vocational training and certifications in the facility;

“(ii) provide equipment to facilitate vocational training or employment opportunities for prisoners;

“(iii) employ prisoners; or

“(iv) assist prisoners in prerelease custody or supervised release in finding employment.

“(7) PENALTIES.—Effective on January 1, 2015, and every January 1 thereafter, if the most recent report submitted by the Attorney General under section 6(a) of the Federal Prison Reform Act of 2013 indicates that the Bureau of Prisons has failed to implement the System or complete a risk and needs assessment for each prisoner, or has failed to expand the recidivism reduction programs and productive activities offered by the Bureau of Prisons and add any new recidivism reduction programs and productive activities necessary to effectively implement the System, in accordance with paragraphs (2) through (6), the amount available for the then current fiscal year for salaries and expenses for the Central Office (Headquarters) of the Bureau of Prisons shall be reduced to the amount equal to 95 percent of the

amount available for such salaries and expenses for the most recent fiscal year (including any reduction under this paragraph).’.

(b) PRERELEASE CUSTODY.—

(1) IN GENERAL.—Section 3624(c) of title 18, United States Code, is amended—

(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively; and

(B) by inserting after paragraph (2) the following:

“(3) PRISONERS WITH A LOW RISK OF RECIDIVATING.—

“(A) DEFINITIONS.—In this paragraph—

“(i) the term ‘qualified prisoner’ means a prisoner who has—

“(I) been classified under the System as having a low risk of recidivating;

“(II) earned time credits in an amount that is equal to the remainder of the prisoner’s imposed term of imprisonment; and

“(III) been classified by the person in charge of the penal or correctional facility of the Bureau of Prisons in which the prisoner is imprisoned as otherwise qualified to be transferred into prerelease custody; and

“(ii) the terms ‘prisoner’, ‘System’, and ‘time credit’ have the meanings given such terms in section 3621A.

“(B) RECOMMENDATION.—The person in charge of the penal or correctional facility of the Bureau of Prisons in which a qualified prisoner is imprisoned shall submit a recommendation, with a statement of the rationale and all supporting documentation, including the qualified prisoner’s full behavioral record, that the qualified prisoner be transferred into prerelease custody to the United States district court in which the qualified prisoner was convicted, and a judge for such court shall, not later than 60 days after the submission of the recommendation, approve or deny such recommendation.

“(C) STANDARD.—A judge may only deny a recommendation to transfer a qualified prisoner into prerelease custody under this paragraph if the judge finds by a preponderance of the evidence that the qualified prisoner should not be transferred into prerelease custody based only on evidence of the actions of the qualified prisoner after the conviction of the qualified prisoner, including the behavioral record of the qualified prisoner, and not based on evidence from the underlying conviction.

“(D) FAILURE TO RULE.—The failure of a judge to approve or deny a recommendation to transfer at the end of the 60 day period described in subparagraph (B) shall be deemed as an approval of such recommendation.

“(E) APPROVAL.—If a recommendation relating to a qualified prisoner is approved under subparagraph (B) or deemed approved under subparagraph (D)—

“(i) the qualified prisoner shall be placed in a halfway house or sent to home confinement, if that qualified prisoner will be able to stay in a residence approved by the person in charge of the penal or correctional facility of the Bureau of Prisons in which a qualified prisoner is imprisoned; and

“(ii) the time limits under paragraphs (1) and (2) shall not apply.

“(F) SUPERVISION.—

“(i) IN GENERAL.—The Director of the Bureau of Prisons, in conjunction with the Assistant Director for the Office of Probation and Pretrial Services, shall ensure that a qualified prisoner placed in home confinement under subparagraph (E) shall be supervised by probation officers and remain in home confinement until the qualified prisoner has served not less than 85 percent of

the imposed term of imprisonment of the qualified prisoner.

“(ii) HOME CONFINEMENT SUPERVISION SYSTEM.—The Assistant Director for the Office of Probation and Pretrial Services shall implement a home confinement supervision system for all qualified prisoners placed in prerelease custody pursuant to transfers awarded under this paragraph that shall—

“(I) use the most cost-effective electronic monitoring systems available, which shall be procured using a competitive bidding process;

“(II) be adapted to the best practices of State criminal justice systems using electronically monitored home confinement as an alternative to incarceration;

“(III) allow probation officers to continuously monitor the locational status of each qualified prisoner placed in home confinement pursuant to a transfer awarded under this paragraph; and

“(IV) not exceed a cost, including administrative expenses, of \$16 per day per qualified prisoner in home confinement pursuant to a transfer awarded under this paragraph.

“(G) LEVEL OF SUPERVISION.—The person in charge of the penal or correctional facility of the Bureau of Prisons in which a qualified prisoner is imprisoned or a probation officer shall use the guidelines developed by the Attorney General under section 3621A(d)(2)(C) to determine the level of supervision and consequences for certain actions for a qualified prisoner transferred into prerelease custody under this paragraph.

“(H) MENTORING SERVICES.—Any person that provided mentoring services to a qualified prisoner placed in a halfway house or in home confinement while the qualified prisoner was in a penal or correctional facility of the Bureau of Prisons shall be permitted to continue such services after the qualified prisoner has been transferred into prerelease custody, unless the person in charge of the penal or correctional facility of the Bureau of Prisons demonstrates, in a written document submitted to the person, that such services would be a significant security risk to the qualified prisoner, persons who provide such services, or any other person.

“(I) DETERMINATIONS AND CLASSIFICATIONS UNREVIEWABLE.—There shall be no right of review, right of appeal, cognizable property interest, or cause of action, either administrative or judicial, arising from any determination or classification made under this paragraph, or any rules or regulations promulgated under this paragraph.”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall—

(A) take effect on the date of enactment of this Act; and

(B) apply on and after the date on which the Attorney General implements the System.

SEC. 8. DEFINITIONS.

In this Act:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on the Judiciary and the Subcommittee on Commerce, Justice, Science, and Related Agencies of the Committee on Appropriations of the Senate; and

(B) the Committee on the Judiciary and the Subcommittee on Commerce, Justice, Science, and Related Agencies of the Committee on Appropriations of the House of Representatives.

(2) COVERED PRISONER.—The term “covered prisoner” means a prisoner who is not ineligible to receive time credits under section

3621A of title 18, United States Code pursuant to subsection (d)(2)(D) of such section.

(3) PRISONER.—The term “prisoner” means a person who has been sentenced to a term of imprisonment pursuant to a conviction for a Federal criminal offense.

(4) PRODUCTIVE ACTIVITY.—The term “productive activity”—

(A) means a group or individual activity, including participation in a job as part of a prison work program, that is designed to allow prisoners classified as having a low risk of recidivism to remain productive and thereby maintain a low risk classification; and

(B) may include the delivery of the activities described in paragraph (5)(C) to other prisoners.

(5) RECIDIVISM REDUCTION PROGRAM.—The term “recidivism reduction program” means a group or individual activity that—

(A) has been shown by empirical evidence to reduce recidivism;

(B) is designed to help prisoners succeed in their communities upon release from prison; and

(C) may include—

(i) classes on social learning and life skills;

(ii) classes on morals or ethics;

(iii) academic classes;

(iv) cognitive behavioral treatment;

(v) mentoring;

(vi) substance abuse treatment;

(vii) vocational training;

(viii) faith-based classes or services;

(ix) victim-impact classes, victim-offender dialogue, or other restorative justice programs; and

(x) a prison job.

(6) RISK AND NEEDS ASSESSMENT TOOL.—The term “risk and needs assessment tool” means an objective and statistically validated method through which information is collected and evaluated to determine—

(A) the level of risk that a prisoner will recidivate upon release from prison; and

(B) the recidivism reduction programs that will best minimize or reduce the risk that a particular prisoner will recidivate upon release from prison.

(7) SUCCESSFULLY COMPLETED.—The term “successfully completed”—

(A) means that—

(i) as determined by the person in charge of the penal or correctional facility of the Bureau of Prisons in which the covered prisoner is imprisoned, that the covered prisoner—

(I) regularly attended the recidivism reduction program or productive activity;

(II) actively engaged and participated in the recidivism reduction program or productive activity;

(III) completed all assignments or tasks in a manner that has allowed the covered prisoner to realize the criminogenic benefits of the recidivism reduction program or productive activity;

(IV) did not regularly engage in disruptive behavior that seriously undermined the administration of a recidivism reduction program or productive activity; and

(V) satisfied the requirements of subclauses (I) through (IV) for a time period that has allowed the covered prisoner to realize the criminogenic benefits of the recidivism reduction program or productive activity; and

(ii) the covered prisoner satisfied the requirements of subparagraph (A) for a time period of not less than 30 days; and

(B) shall not be construed to mean that the covered prisoner is no longer participating in the particular recidivism reduction program or productive activity, if—

(i) the covered prisoner has satisfied the requirements of clause (i) and (ii) of subparagraph (A); and

(ii) the recidivism reduction program or productive activity will continue to help the covered prisoner to further reduce risk level of the covered prisoner, or maintain the risk level of the covered prisoner.

(8) **SYSTEM.**—The term “System” means the Post-Sentencing Risk and Needs Assessment System established under section 3621A of title 18, United States Code, as added by section 4 of this Act.

(9) **TIME CREDIT.**—The term “time credit” means the equivalent of 1 day of a prisoner’s sentence, such that a prisoner shall be eligible for 1 day of prerelease custody for each credit earned.

By Mr. WYDEN:

S. 1784. A bill to improve timber management on Oregon and California Railroad and Coos Bay Wagon Road grant land, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today I rise to introduce a bill to end the gridlock on the Oregon and California, O&C, lands and secure a new future. I recently unveiled my legislation in Oregon alongside Governor Kitzhaber, premier forest scientists, and a cross-section of supporters from timber, county, collaborative group and environmental interests. With the introduction of this bill, I look forward to working with supporters and interested parties, as well as the entire Oregon delegation, to end decades of uncertainty and broken forest policy with a science-driven solution.

The 2.1 million acres of O&C grant lands have a history known too well by Oregonians. After the Oregon and California Railroad violated the terms of its land grant, Congress revested the lands to federal ownership in 1916. In 1937, Congress directed how the Department of the Interior was to manage these lands and laid out a formula for distributing timber receipts to the 18 Oregon counties with O&C lands. The high logging harvests of the 1980s made way for the spotted owl timber wars, and today the lands are ground zero for the battle between those seeking to halt logging in the Northwest and those seeking to return to the unsustainable logging levels of a by-gone era.

My bill ends the O&C gridlock by using science to guide management of the O&C lands while upholding bedrock federal environmental laws. This bill provides the jobs that Oregonians need, certainty of timber supply that timber companies require, and continued environmental protections that our treasures deserve. It is legislation that I believe can pass both houses of Congress and be signed by the President.

The first step the bill takes is to divide the O&C lands—with roughly half set aside for forestry emphasis and the other half for conservation emphasis—to put a stop to the uncertainty and

conflicting priorities that have contributed to Federal management failure on these lands and produce wins on both sides of the historic timber conflict. The forestry emphasis lands will employ proven forestry practices, known as “ecological forestry,” to mimic natural processes and create healthier, more diverse forests. Modeling using Bureau of Land Management analysis confirms that ecological forestry will roughly double the harvest on O&C lands compared to the last 10 years, meaning more jobs for rural Oregon.

On the conservation side, my bill protects nearly a million acres of land, while designating wilderness lands, wild and scenic rivers, and other special areas. It creates 87,000 acres of wilderness and 165 miles of wild and scenic rivers. In all, it will permanently conserve nearly a million acres of O&C lands, which would be the single biggest increase in Oregon’s conservation lands in decades. That includes special areas protected for recreation, which is an increasingly important part of our rural economy, and is responsible for 141,000 jobs in Oregon alone. Perhaps the most important conservation win in the bill is the first-ever legislative protection for old growth trees and stands on O&C lands.

This strategy of dividing the lands into conservation and timber emphasis and protecting old growth takes the most controversial harvests off the table. Timber harvests and thinning projects must protect water quality, highly erodible land, wetlands, endangered or threatened species, and tribal cultural sites. Mills and timber companies that rely on federal forests will have new certainty of a sustainable yield from the harvested lands. This bill upholds the Endangered Species Act and other bedrock environmental laws while providing expedited procedures and strict timelines for legal and environmental reviews. Two large scale environmental impact statements—one each for moist and dry forests—will study 10 years of work in the woods, rather than a single project. Anyone with concerns will have a chance to sue over those studies, but once the environmental review is approved, any timber sale consistent with the 10-year study can go ahead, without triggering a new legal stumbling block or procedural boulder that brings everything to a stop.

Above all, forest policy should be dictated by science, not lawyers. The forestry principles used in this bill are based on the work of Drs. Norm Johnson and Jerry Franklin, two respected Northwest forestry scientists, and built off of forestry approaches used around the globe. The bill also establishes the first ever legislative protections for O&C streams thanks in large part to the work of one of the Northwest’s foremost water resources experts, Dr.

Gordon Reeves. The Northwest Forest Plan’s stream protections are extended to key watersheds and four drinking water emphasis areas, with additional lands designated for conservation, to protect drinking water. Science also guides how the agency can treat trees near streams and a scientific committee will evaluate stream buffers and reserves in areas dedicated to timber harvests, increasing or decreasing the boundaries as needed to address the ecological importance of streams. This acknowledges that one size does not fit all.

The bill also creates new tools to reduce fire danger in the dry forests of Southern Oregon. In areas that have grown prone to catastrophic fires, this bill reduces tree density and provides new tools for treating forest lands near residences. For the first time, county governments will have the flexibility to reduce fire danger within a quarter mile of homes, and private landowners can more easily protect against fire within 100 feet of their own homes.

The O&C solution that I present today will indeed secure a new future for the O&C lands. Management will be based on science, not lawyers. Counties will be able to count on dependable forest revenues. Communities will have steady jobs, and mill’s timber to process, in place of a struggle to survive. My bill certainly doesn’t provide everything all sides want, but it can get everyone what they need. I look forward to working with Congressmen DEFAZIO, WALDEN and SCHRADER and our colleagues in the Senate and House of Representatives to pass an O&C solution into law.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 312—CALLING ON THE GOVERNMENT OF IRAN TO FULFILL THEIR PROMISES OF ASSISTANCE IN THIS CASE OF ROBERT LEVINSON, ONE OF THE LONGEST HELD UNITED STATES CIVILIANS IN OUR NATION’S HISTORY

Mr. NELSON (for himself and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 312

Whereas United States citizen Robert Levinson is a retired agent of the Federal Bureau of Investigation (FBI), a resident of Coral Springs, Florida, the husband of Christine Levinson, and father of their 7 children;

Whereas Robert Levinson traveled from Dubai to Kish Island, Iran, on March 8, 2007;

Whereas, after traveling to Kish Island and checking into the Hotel Maryam, Robert Levinson disappeared on March 9, 2007;

Whereas, in December 2007, Robert Levinson’s wife, Christine, traveled to Kish Island to retrace Mr. Levinson’s steps and met with officials of the Government of Iran who pledged to help in the investigation;

Whereas, for more than 6 years, the United States Government has continually pressed the Government of Iran to provide any information on the whereabouts of Robert Levinson and to help ensure his prompt and safe return to his family;

Whereas officials of the Government of Iran promised their continued assistance to the relatives of Robert Levinson during the visit of the family to the Islamic Republic of Iran in December 2007;

Whereas, in November 2010, the Levinson family received a video of Mr. Levinson in captivity, representing the first proof of life since his disappearance and providing some initial indications that he was being held somewhere in southwest Asia;

Whereas, in April 2011, the Levinson family received a series of pictures of Mr. Levinson, which provided further indications that he was being held somewhere in southwest Asia;

Whereas Secretary John Kerry stated on August 28, 2013, "The United States respectfully asks the Government of the Islamic Republic of Iran to work cooperatively with us in our efforts to help U.S. citizen Robert Levinson.";

Whereas, on September 28, 2013, during the first direct phone conversation between the leaders of the United States and Iran since 1979, President Barack Obama raised the case of Robert Levinson to President of Iran Hassan Rouhani and urged the President of Iran to help locate Mr. Levinson and reunite him with his family;

Whereas November 26, 2013, marked the 2,455th day since Mr. Levinson's disappearance, making him one of the longest held United States civilians in our Nation's history; and

Whereas the FBI has announced a \$1,000,000 reward for information leading to Mr. Levinson's safe return: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that Robert Levinson is one of the longest held United States civilians in our Nation's history;

(2) notes recent pledges by newly appointed officials of the Government of Iran to provide their Government's assistance in the case of Robert Levinson;

(3) urges the Government of Iran, as a humanitarian gesture, to intensify its cooperation on the case of Robert Levinson and to immediately share the results of its investigation into the disappearance of Robert Levinson with the United States Government;

(4) urges the President and the allies of the United States to continue to raise with officials of the Government of Iran the case of Robert Levinson at every opportunity, notwithstanding other serious disagreements the United States Government has had with the Government of Iran on a broad array of issues, including human rights, the nuclear program of Iran, the Middle East peace process, regional stability, and international terrorism; and

(5) expresses sympathy to the family of Robert Levinson for their anguish and expresses hope that their ordeal can be brought to an end in the near future.

SENATE RESOLUTION 313—DESIGNATING NOVEMBER 30, 2013, AS "SMALL BUSINESS SATURDAY" AND SUPPORTING EFFORTS TO INCREASE AWARENESS OF THE VALUE OF LOCALLY OWNED SMALL BUSINESS

Ms. LANDRIEU (for herself, Mr. RISCH, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BOOZMAN, Mrs. BOXER, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CHAMBLISS, Mr. COONS, Mr. CRAPO, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mrs. HAGAN, Mr. HATCH, Ms. HETTKAMP, Ms. HIRONO, Mr. HOEVEN, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Mr. LEVIN, Mr. MANCHIN, Mr. MENENDEZ, Mrs. MURRAY, Mr. PORTMAN, Mr. PRYOR, Mr. ROBERTS, Mr. RUBIO, Mr. SCHATZ, Mr. SCOTT, Mrs. SHAHEEN, Mr. TESTER, Mr. THUNE, Mr. UDALL of New Mexico, Mr. WARNER, Mr. WHITEHOUSE, and Ms. AYOTTE) submitted the following resolution; which was referred to the Committee on the Judiciary.:

S. RES. 313

Whereas small businesses represent 99.7 percent of all businesses having employees (commonly referred to as "employer firms");

Whereas small businesses employ over 49 percent of the employees in the private sector;

Whereas small businesses pay over 42 percent of the total payroll of the employees in the private sector;

Whereas small businesses are responsible for more than 50 percent of the private, non-farm product of the gross domestic product;

Whereas small businesses generated 64 percent of net new jobs created between 1993 and 2011;

Whereas 87 percent of consumers in the United States agree that the success of small businesses is critical to the overall economic health of the United States;

Whereas 93 percent of consumers in the United States agree that it is important to support the small businesses in their community; and

Whereas November 30, 2013 would be an appropriate date to designate as "Small Business Saturday": Now, therefore, be it

Resolved, That the Senate—

(1) designates November 30, 2013 as "Small Business Saturday"; and

(2) supports efforts to—

(A) encourage consumers to shop locally; and

(B) increase awareness of the value of locally owned small businesses and the impact of locally owned small businesses on the economy of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2543. Mr. NELSON (for himself, Mr. SCHUMER, Mr. MARKEY, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. MENENDEZ, Mr. SCHATZ, Mr. MURPHY, Mrs. BOXER, Mrs. FEINSTEIN, Mrs. GILLIBRAND, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill H.R. 3626, to extend the Undetectable Firearms Act of 1988 for 10 years; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2543. Mr. NELSON (for himself, Mr. SCHUMER, Mr. MARKEY, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. MENENDEZ, Mr. SCHATZ, Mr. MURPHY, Mrs. BOXER, Mrs. FEINSTEIN, Mrs. GILLIBRAND, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill H.R. 3626, to extend the Undetectable Firearms Act of 1988 for 10 years; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Undetectable Firearms Reauthorization Act of 2013".

SEC. 2. AMENDMENTS TO PROHIBITION ON UNDETECTABLE FIREARMS.

(a) EXTENSION OF SUNSET PROVISION.—Section 2(f)(2) of the Undetectable Firearms Act of 1988 (Public Law 100-649; 18 U.S.C. 922 note) is amended in the matter preceding subparagraph (A) by striking "25" and inserting "35".

(b) OTHER AMENDMENTS.—Section 922(p) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking "grips, stocks, and magazines" and inserting "all parts other than major components"; and

(B) in subparagraph (B), by striking "when subjected to inspection by the types of x-ray machines commonly used at airports, does not generate" and inserting the following: "if subjected to inspection by the types of detection devices commonly used at airports for security screening, would not generate";

(2) in paragraph (2)—

(A) by striking subparagraph (B) and inserting the following:

"(B) the term 'major component', with respect to a firearm—

"(i) means the slide or cylinder, or the frame or receiver of the firearm; and

"(ii) in the case of a rifle or shotgun, includes the barrel of the firearm; and"; and

(B) by striking subparagraph (C) and the proviso that follows and inserting the following:

"(C) the term 'Security Exemplar' means an object, to be fabricated at the direction of the Attorney General, that is—

"(i) constructed of 3.7 ounces of material type 17-4 PH stainless steel in a shape resembling a handgun; and

"(ii) suitable for testing and calibrating metal detectors.";

(3) in paragraph (3)—

(A) in the first sentence, by inserting after "of a firearm" the following: ", including a prototype,"; and

(B) by striking the second sentence; and

(4) in paragraph (5), by striking "shall not apply to any firearm which" and all that follows and inserting the following: "shall not apply to—

"(A) any firearm received by, in the possession of, or under the control of the United States; or

"(B) the manufacture, importation, possession, transfer, receipt, shipment, or delivery of a firearm by a licensed manufacturer or licensed importer pursuant to an existing contract with the United States.".

NOTICES OF HEARINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. SCHUMER. Mr. President, I wish to announce that the Committee on

Rules and Administration will meet on Wednesday, December 11, 2013, at 10 a.m. to hear testimony on the nomination of Thomas Hicks and Myrna Perez to be members of the Election Assistance Commission.

For further information regarding this hearing, please contact Lynden Armstrong at the Rules and Administration Committee, (202) 224-6352.

COMMITTEE ON INDIAN AFFAIRS

Ms. CANTWELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on Wednesday, December 11, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a nomination hearing to consider the President's nomination of Vincent G. Logan, to be Special Trustee, Office of Special Trustee for American Indians, Department of the Interior, and an Oversight Hearing to receive testimony on Implementation of the Department of the Interior's Land Buy-Back Program.

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

ORDERS FOR TUESDAY, DECEMBER 10, 2013

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, December 10; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to executive session to consider the Millett nomination under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Senators then should expect the first vote tomorrow at 10:15 a.m.

ORDER FOR ADJOURNMENT

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order, following the remarks of approximately one-half hour of Senator LAMAR ALEXANDER.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I wonder if I might ask the majority leader a question.

Mr. REID. Of course.

Mr. ALEXANDER. If I may ask it through the Chair, as I understand it,

there are a total of 13 district judges on the calendar, and the majority leader is the only one in the Chamber who has the right to bring a judge from the calendar to the floor.

If I heard him correctly, he filed cloture on four district judges. The way I understand the Senate procedure is that means we have an intervening day tomorrow and we can start voting on Wednesday.

Because we changed the rules at the majority leader's request to make it easier to confirm district judges, there is only, in effect, 1 hour of debate on each district judge, 2 hours equally divided. Then, if Democrats decide they don't want to use their hour, we could use our hour if we wanted to—and that there never has been in the history of the Senate a district judge denied his or her seat by a filibuster, not President Obama, not anyone else.

If that is the case, why doesn't the majority leader bring up all the district judges? Let's bring up all 14 of them, bring them to the floor, have 1 hour of debate on each one? Why don't we do that?

Mr. REID. We tried to do that. The distinguished Senator from Tennessee objected.

The truth is that the Senate has gotten out of whack. If there was a controversy with one of these judges, then you could have some reason to stall. In years past, we have done it by unanimous consent. I think it is unfortunate that this Senate has come to this, but that is where we are.

We could approve 14 of these by my friend not objecting to them. He is on the record as saying he doesn't think there should be judges who are objected to; district court judges should be filibustered.

But here is the situation. During the entire time we have been a country, there have been 23 district court judges filibustered, in the entire time we have been a country. Twenty of them have been during the Obama administration.

So this is a game Republicans have played to do everything they can to make Obama a failed President, and they are not doing it. He is a very successful President and has a long list of things he has done in spite of the Republicans.

So I don't know the point my friend is trying to make, but let's approve all these. They are all going to get approved anyway. So what we are going to do is go through this process.

I saw my friend, the Senator from Arkansas, come through here. He helped, along with this Senator whose idea it was, from Tennessee—because Senator Frist was the leader and he backed off that and I understand why—where we had this nuclear option come up before, the Constitutional option, and there was an agreement made by my Republican colleagues that they would not filibuster a judge unless

there were extraordinary circumstances. Does anyone understand—does anyone not understand why the whole country is upset about this?

Extraordinary circumstances? Look at these circuit court judges. It is outrageous that they do not like them just because they do not like them. Their qualifications are superb. Their educational backgrounds? They went to the best law schools in America. They all have good work records. But they objected to them.

My friend, for whom I have great admiration, the senior Senator from the State of Tennessee, has a stellar record. He has been Governor of a State, he has been a Cabinet Secretary, and he has been a very fine Senator. But in his heart he knows that what is going on here in the Senate has been wrong. He may criticize the majority leader for working to change the rules here, but they have been changed before, and they are going to be changed again.

It simply is not working. Who can complain about a majority vote? Who can complain about that? Someone talks about this filibuster as if it is something engraven someplace along with the Ten Commandments, but it is not. It is not in the Constitution. It is something we have developed here in the Senate. It originally came about to help get legislation passed. But my friends, the Republicans, the last number of years have used it to defeat legislation.

These nominations should have been approved. We should not have had to go through all this and we will not have to in the future.

The PRESIDING OFFICER. The Senator from Tennessee.

CHANGING SENATE RULES

Mr. ALEXANDER. Madam President, I appreciate the courtesy of the majority leader in allowing me to ask him a question. I have more to say about this whole subject. But let me go back to my point. There are 13 district judges on the calendar. On November 21, when we last met, there were 13 district judges. There is only one person in this Chamber who can bring a judge from the calendar to the floor for confirmation. That is the majority leader. Why did he not bring them all up? Why didn't he move them? Because under our rules all he has to do is make a motion that so-and-so district judge be confirmed. If he files cloture, we have to wait 1 day, and then we have 2 hours of debate.

Never in the history of the country, according to the Congressional Research Service, has a district judge been denied his or her seat because of a failed cloture vote, because of a filibuster. I know this from personal experience because a judge named McConnell from Rhode Island was nominated

by President Obama at the recommendation of the Rhode Island Senators, and there were a number on this side who said we should filibuster the judge.

I thought not. I argued to all of the Republicans that we never had done that in history and we ought not to do it, we ought not to start it. So what has happened? I believe, with all due respect, the majority leader is manufacturing a crisis. There is no crisis with those 13 district judges. He is the one who could bring them up. He could have done it on Thursday, November 21st, the day he changed the rules. Friday would be the intervening day. The maximum amount of debate the Democrats could require on each judge would be 1 hour, if they yield back their hour. So in 13 hours, before midnight tonight, they could all be district judges. They were sitting on the calendar waiting for the majority leader to move.

The same is true with the sub-Cabinet members. But let's just stay with the district judges for a minute. I know I am right about this because I have sat down with the Senate historian. I sat down with the Congressional Research Service. I said, has there ever been a President's nominee for a Federal district judge who has not been confirmed because of a failed cloture vote? The answer is zero—not for President Obama, not for President Bush, not for President Clinton, not for any President.

Because Senator REID, the distinguished majority leader, believed that the district judges were moving too slowly through the Senate, we changed the rules this past year. We said that with district judges, once there is a cloture vote—and remember, no judge has ever been denied his seat because of a cloture vote. Once there is a cloture vote, there can only be 2 hours of debate, one for the minority and one for the majority. So this is a manufactured crisis. That is what was done in order to do what the Democratic majority did on November 21, which is the most stunning development in the history of the Senate in terms of a rules change, and I intend to talk about that tonight. I want to go through some very specific facts—not speeches, not something made up, but facts.

I am glad that the majority leader moved four district judges but every one of the other nine might ask, Mr. Majority Leader, why did you not move my name? Why are you leaving me out? Because you could move it on Monday, wait a day, and on Wednesday you could confirm every single one of the judges there?

The reason was because the majority leader wanted to make it look like there was a problem here so he could do as Senator LEVIN said we did on November 21—in effect create a Senate without rules—over the objection of 48 Senators the Democratic majority es-

tablished a precedent that the Senate can change the rules any time it wants to for any reason it wants to. So I want to speak a little bit tonight about how I and other Senators are expected to serve in a Senate with no rules.

Yesterday was a pretty exciting day in the National Football League. There were a lot of close games. The Ravens and the Vikings scored 5 touchdowns in 2 minutes and 1 second. In Pittsburgh, Miami was ahead when the Steelers Anthony Brown raced into the end zone after a series of lateral passes. It was one of those things where it is the last play of the game and they start playing, passing to each other. It rarely works. Every now and then it does, and it appeared to in this case because Brown was the last one with the ball. He got into the end zone before time expired, but the officials ruled he had stepped out of bounds before scoring.

What if Pittsburgh had said yesterday: Wait a minute, we are the home team. We will change the rules and say if you go step out of bounds only once as you are running toward the end zone with lateral passes on the last play of the game then you score, so Pittsburgh wins the game?

Or what if they had said: We are the home team. We will just add 5 minutes and see if we can win the game in that 5 minutes? They would have been happy in Pittsburgh yesterday but maybe not for long.

But what happens when Miami becomes the home team and Pittsburgh goes to Miami to play and Miami changes the rules in the middle of the game so Miami can win? What would happen to the game of professional football if the home team could change the rules in the middle of the game to get the result it wanted? The National Football League knows. They spend a lot of time on rules. They know if there is no integrity for the rules there is no integrity for the game, and pretty soon the fans do not watch the game because the game has no integrity.

That is why the NFL goes to such great lengths about its rules. There are officials all over the field. They are standing, you know, right in the middle of the play. There is an instant review of every call they make. When they make a call they huddle to see if they interpreted the rule right. If a coach doesn't like it, he has an opportunity to challenge the ruling. There is someone up in a box who looks at that and reviews it. Today, Monday morning in New York, in the National Football League office, senior retired officials get together and they review every single call and every single no-call that was made yesterday in every league game. They grade every single official based on those calls, and rarely does anyone get 100 percent. The NFL is in a constant review of the rules because if there is no integrity to the rules, they know there is no integrity to the game, and there will be no fans.

I say this because on Thursday, the last day we were here, November 21, before Senators went home for Thanksgiving, the Democratic majority destroyed the rules of the Senate. With all of the Republican Members opposed and 3 Democratic Members opposed, the Senate voted 52 to 48 to invoke the so-called nuclear option, allowing a majority of Senators present and voting—so not necessarily 51—to approve Presidential nominees except for Supreme Court Justices. For those positions they eliminated the filibuster, which required 60 votes to proceed to an up or down majority vote.

That is what Senator REID went through a few minutes ago. He was saying that we will move for cloture, we will have an intervening day, and then we will have a cloture vote. Before Thursday, before November 21, that took 60 votes. Although, as I said, in the case of Federal district judges it had never been used to deny a seat. But now it only takes a majority of those present and voting. This was the most dangerous restructuring of Senate rules since Thomas Jefferson wrote the rules because it creates a perpetual opportunity for what Alexis de Tocqueville called, when he traveled our country in the 1830s, one of the greatest threats to our democracy, and that is the tyranny of the majority.

This stunning rules change by the Senate majority can best be described as ObamaCare 2. One of the things that Americans really didn't like about the new health care law, ObamaCare, was that it was passed in the dead of night by a purely partisan vote during a snowstorm. It showed that those who had the votes could do whatever they wanted no matter what the minority thought, and we can see the results: millions of Americans having their policies canceled. Next year, tens of millions will—those who get their insurance through employers. This is another example of that kind of power play. This time the goal was to help the administration and the Democratic majority advance its radical agenda, unchecked through the courts and the executive agencies.

As the Senator from Michigan, Senator LEVIN said—quoting a former Republican Senator, Senator Vandenberg—Senator LEVIN is a Democrat—said on that Thursday, “If a majority of the Senate can change its rules at any time, there are no rules.”

“If a majority of the Senate can change its rules at any time, there are no rules.”

Similar to the Pittsburgh game, if the home team can change its rules at any time there are no rules to the game. Every child knows that there have to be rules to the game. So I have this question: How am I and how are other Senators supposed to serve in a Senate with no rules? How is this different from what could have happened

in Pittsburgh if they changed the rules in the middle of the game? Or if the Red Sox, finding themselves behind in the ninth inning, added a few innings just to make sure they beat the Cardinals in the World Series. In the Senate, future majorities could do whatever they want, end the filibuster for legislation, removing any obstacle to the tyranny of the majority. Just as if there were no integrity of the rules of football and there would be no integrity of the game and there would be no fans, if there were no integrity to the rules of the Senate, there is no integrity for the Senate and no respect for this part of our system of government.

I think I was not overstating it when I said this is the most dangerous change to the rules since Thomas Jefferson wrote them. When he did write the rules, he had this to say about why we have rules. His words are in the Senate rules book that every single one of us has and hopefully have read at least the beginning parts of. This is worth reading. It is entitled "The Importance of Adhering to Rules."

Remember the argument here is not about the filibuster, it is about how the rules were changed. The Importance of Adhering to Rules. I am going to read a little bit of this. According to Thomas Jefferson, when he wrote the Senate rules:

Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say, "it was a maxim he had often heard, when he was a young man, from old and experienced members, that nothing tended to throw power more into the hand of administration and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding: that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority; and that they were in many instances a shelter, and a protection to the minority, against the attempts of power.

This is Thomas Jefferson writing about the importance of rules when he wrote the Senate rules.

Continuing:

So far the maxim is certainly true, and is founded in good sense, that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power, are the forms and rules of proceeding which have been adopted as they were found necessary from time to time, and are become the law of the House; by a strict adherence to which, the weaker party can only be protected from those irregularities and abuses which these forms were intended to check, and which the wantonness of power is but too often apt to suggest to large and successful majorities.

I would think a majority that claims to protect the rights of minorities would be interested in these words of Jefferson and especially in the following words:

And whether these forms be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceeding in business, not subject to the caprice of the Speaker, or captiousness of the members. It is very material that order, decency and regularity be preserved in a dignified public body.

That was Thomas Jefferson on the importance of Senate rules when he wrote them at the beginning of our country. The majority has set a precedent that destroys those rules—that destroys the integrity of the rules because a Senate in which a majority can change the rules at any time for any reason is a Senate with no rules. That is why it is not too much to say that the Democratic majority has created a perpetual opportunity for the tyranny of the majority. The majority can do anything it wants any time it wants.

In this case, what it wanted to do was stack the Federal court that hears most of the challenges to its radical regulatory agenda with judges who believe in that agenda. Who knows what the next power play will be. First it was ObamaCare, then ObamaCare 2, the change of the rules. What we do know is that this majority has set an unprecedented precedent. They have set the precedent to do whatever they want to do anytime they want to do it. They have created a Senate without rules.

Now let's talk a little bit about what the justification might be for such a stunning action because there are so many words thrown around that don't represent facts at all that—somehow—I wonder about this. For example, the Democrats complain that their radical action was warranted because the Senate is broken. I agree with that. I will explain in a few moments why I think so. Their reason is that President Obama's appointees have been unfairly denied seats by failed cloture votes or filibusters. The charge was—and you heard the majority leader a few minutes ago—things have gotten so bad that this Republican majority has treated President Obama unfairly by denying his nominees their seats by failed cloture votes or filibusters. The Democrats have gotten themselves in a room and convinced each other that this is true, but it is flat out not true.

According to the Congressional Research Service—and I have researched this for several months and asked them this question: Has there ever been any Supreme Court nominee, by any President, who has been denied his or her seat by a filibuster? The answer is no. It is zero. Now, there is one possible exception. Abe Fortas was nominated by President Lyndon Johnson as Chief Justice. The nomination was in trouble on both sides of the aisle, and to help his friend Abe Fortas save face, President Johnson engineered a cloture vote in 1968. I think the vote was 45 to 43. They called that a win to help "Abe

save face." But certainly President Obama's nominees have not been denied their seats by a failed cloture vote, and neither have any other Presidents.

Have there ever been any Cabinet members of President Obama or any other President who have been denied their seats by a failed cloture vote or by a filibuster? According to the Congressional Research Service, the answer is no. The number is zero. There have been no Cabinet members who have been denied their seats in the Obama administration by a failed cloture vote.

Have there ever been any Federal district judges denied their seats by a failed cloture vote for President Obama or any other President? The answer is zero. Except for perhaps Fortas, there has never been a Supreme Court Justice, Cabinet member, or Federal district judge nomination in the history of President Obama—and never in the history of this country has a President's nomination been denied by a filibuster. Interesting.

Then why did we go to this stunning radical move on November 21? Well, maybe it was because of sub-Cabinet members. How many of those have been denied their seats by a filibuster, according to the Congressional Research Service? Two of President Obama's, three of President George W. Bush's, and two of President Clinton's. That is a total of seven in the history of the Senate when a filibuster has said to a sub-Cabinet member that we are going to deny them their seat because of a filibuster or a failed cloture vote. So President Obama has been treated about exactly the same as his last two predecessors.

In all of those I just mentioned, among Cabinet members, district judges, Supreme Court Justices, and sub-Cabinet members, we only found two Obama nominees who have been denied their seats by a failed cloture vote. Now, that is a fact. That is not a piece of Republican propaganda. That comes from the Congressional Research Service.

Why is there a fuss about this? Well, maybe it is because of the Federal circuit judges. Well, let's talk about that. As for appeals court judges, Republican filibusters have blocked five. Why did that happen? That happened as a result of what happened in 2003, the year I came to the Senate. Then, Democrats got together and said: We think President Bush's nominees are too conservative, so for the first time in the history of the Senate we are going to block 10 of President Bush's nominees basically because they are too conservative. I knew some of those judges. I used to clerk on the Fifth Circuit Court of Appeals for Judge John Minor Wisdom. I knew the respect he had for Judge Pryor. I knew Mr. Pickering, who had really been a pioneer for civil

rights in the State of Mississippi in the 1960s and 1970s when it was hard to do that.

The truth is that the majority of Democrats said: We are going to block 10 of the Bush judges. It has never been done before, but we are going to do it with a cloture vote.

Well, as you can guess, everyone on the Republican side—and the majority then—got very excited. The majority leader, Senator Frist, said: We are going to change the rules and do something that Senator Lott—a majority leader at one time—said was the nuclear option.

There was great consternation. In 2006 Senator REID said—and he recounts this very well in his book—“to do so would be the end of the Senate.”

I made two speeches. I suggested that, well, this is a terrible thing to do. A President ought to have an up-or-down vote on his circuit judges. So why don't we see if we can't get a few Republicans and a few Democrats and just take it out of the hands of the leaders and agree we will only use the filibuster on circuit judges in extraordinary circumstances, which was the result. I said at the time that I would never vote for a filibuster on a circuit judge. I adjusted my view to be the same as the Senate precedent that came out of the Gang of 14. Of the 10 Bush judges, 5 were not confirmed and 5 were confirmed. In 2003 the Democratic Senators for the first time in history refused to confirm five Presidential nominees for the Federal court of appeals by a cloture vote—by a filibuster—and the expected happened. Over time, the Republicans now have blocked five nominations. So Republicans and Democrats are even.

When you start something, things have a way of coming back around. What the Democrats said was fair to do in 2003 and 2004 the Republicans now say is fair to do. If the Democrats think the Republican nominees are too conservative, they will block five of them. If we think President Obama's nominees are too liberal, then we will block five of them. We put in the trash heap the tradition that we will never use the filibuster on Federal courts of appeals judges.

The majority leader and others have said: Well, that is not the only problem. The problem is that President Obama has had to wait too long to get his judges confirmed.

Again, that is not true either. This is another case where the Democrats apparently have gotten themselves in a room and convinced themselves that something that isn't true is true. According to the Congressional Research Service, President Obama's second-term Cabinet nominees have been confirmed at about the same pace as President Bush's Cabinet nominees and President Clinton's Cabinet nominees.

The other day I heard the majority leader use the example of the distin-

guished Secretary of Defense and a former Member of this body, Senator Hagel, as an example of delay. Well, let me comment on that, if I may. Senator Hagel's nomination was reported to the Senate floor. The day after it was reported by the Armed Services Committee, the majority leader filed cloture and called that a filibuster.

Now, many Republican Senators—I watched the Senator from Arizona and the Senator from South Carolina and others say on the floor to the majority leader: That is premature. You are cutting off debate before we have had a chance to consider the Secretary of Defense of this country. If you will allow us more time—at that time we were going into the Presidents Day recess for a week—we will cut off debate the day we come back and then we will have an up-or-down vote.

But, no, the majority leader and the White House said: Ram it through.

They insisted on a vote, the vote was turned down, and he called that a filibuster. I call it cutting off debate—cutting off debate prematurely. Why in the world wouldn't you allow a Secretary of Defense to be on the floor for more than 1 day before you cut off the debate prematurely and call it a filibuster?

The majority leader said: Well, we could be attacked.

I think he must have forgotten we had a perfectly adequate Secretary of Defense in place—Leon Panetta—until the next one was confirmed, and he was going to be confirmed because the majority had the majority of votes to do that and a Cabinet member has never been denied his or her seat because of a cloture vote.

I want to keep coming back to that. A Cabinet member has never been denied confirmation because of a failed cloture vote. A Cabinet member will be confirmed after a while—after you have questions. But in that case, they filed cloture after 1 day.

Now, in my case, 20 years ago when President Bush nominated me as the Education Secretary, there was a Democratic Senate. I was announced in December, nominated in January, and it was March before some of the Democratic Senators saw fit to give me a vote, and I was confirmed by unanimous consent. During that time I tried to get ready for our education program. It gave me some time to work. When President Reagan nominated Ed Meese to be the Attorney General, it took a year before the Senate confirmed Ed Meese, but he was confirmed. There have been some Cabinet members who have withdrawn their names because they have become embarrassed or for some other reason.

If the question is whether a failed cloture vote has ever been used to deny a Cabinet member his or her seat, the answer is no. In the case of Secretary Hagel, I would think 1 day is not quite

long enough to file a motion to cut off debate and claim it is a filibuster.

What about judges? Has the Senate been slow on judges? This year the Senate has confirmed 36 of the President's second-term nominees to circuit and district courts compared with 14 for President Bush as of November 21st in his second term in 2005. These things are never exact because there are vacancies for a variety of reasons. That is a pretty big difference. It is very hard to argue that it is unfair. But the majority leader did argue successfully that the minority was holding up district judges in order to negotiate for other points. He did that the second time a bipartisan group of us sat down to talk about how to change the Senate rules so we could move along better. So what the Senate agreed to do earlier this year was to change the rules to make it easier to confirm district judges.

Here is the procedure: Remember, first they have to be on the calendar. How do they get on the calendar? A committee majority puts them on the calendar. What party has the majority in the Judiciary Committee? The Judiciary Committee majority is Democratic. That puts them on the calendar. So Democrats put them on the calendar. Only the majority leader can take them off the calendar, and when he does that, he has no motion to proceed; he just takes them right off just like he did tonight. If he wants to, he can just bring them up and ask unanimous consent that they be approved, which they often are.

I am told by the Republican leader's office that when the majority leader rammed the rules change through on November 21, there were about 40 or so noncontroversial—so-called—nominees who were about to be confirmed, including many district judges. But tonight the majority leader has selected 4 of the 13 district judges who are on the calendar and made a big show out of the fact that we are going to take an intervening day tomorrow and then we are going to vote on them, I guess, beginning on Wednesday. Under the rules change he asked for, the debate on each one of those can only be 2 hours, and it is divided evenly, which means the Democrats have an hour and the Republicans have an hour. If the Democrats want to speed things up, they can give their hour back. On a noncontroversial judge, Republicans normally wouldn't say anything, except a word or two of praise. But let's say the Republicans are upset by the rules changes and we are going to say we will take that whole hour. The Democrats could say 2 or 3 minutes of praise for the district judge and we could confirm those four in 4 hours. That is half a day's work.

The question I asked the majority leader was, What about the other nine? What about the other nine district

judges who are sitting on this calendar, put there by the Democratic majority of the Judiciary Committee, and only one person in the Senate can bring them up for a vote, and he didn't bring them up. Why doesn't he bring them up? He could bring them up today. Tomorrow would be the intervening day and we could vote on Wednesday and vote on them all. He could have brought every single district judge up Thursday before recess, when he turned the Senate into a place that has no rules; Friday would have been the intervening day, and we could have been voting all day today, and by the time we went home for supper, every district judge would be confirmed because of the earlier rules change that limited post-cloture debate on district judges to 2 hours. The only reason I can see to go through all of this is to manufacture a crisis to make the American people think that somehow the minority is abusing its privileges.

I read the Executive Calendar on November 21 very carefully. Remember, this is the document that is on every Senator's desk. A nominee has to be on here in order to be confirmed. If a person is an executive nominee, the only person who can bring it up is the majority leader. It is the same with legislation. So legislative matters require a motion of consent. There were only 16 on the calendar who had been there 3 weeks and only 8 more who had been there more than 9 weeks, and 2 of the 8 were being held up by Democratic Senators. That is hardly a crisis.

Finally, let me address the claim the majority leader didn't take seriously; that is, Republicans have unfairly blocked the President from filling vacancies on the U.S. Court of Appeals for the D.C. Circuit. Remember, I pointed out the Democrats started this by saying that if President Bush nominates judges that are too conservative, we will block them, so the Republicans now have blocked an equal number of President Obama's judges. But that is not the primary reason for blocking them. The primary reason is stated in a letter written on July 27, 2006, to the chairman of the Judiciary Committee, a Republican, Senator Specter, from all of the Democratic members of the Judiciary Committee. President Bush had nominated someone for this same court, the District of Columbia Federal Circuit Court, and this is what the Democratic Senators said in 2006:

We believe that Mr. Keisler should under no circumstances be considered—much less confirmed—by this Committee before we first address the very need for that judgeship, receive and review necessary information about the nominee, and deal with the genuine judicial emergencies identified by the Judicial Conference.

In other words, what the Democrats were saying—and it included a number of the most distinguished Members of this body—the chairman Senator LEAHY, Senator SCHUMER, Senator

Feingold, Senator FEINSTEIN, Senator Kohl, Senator Kennedy, Senator DURBIN, Senator BIDEN—they were saying that this court, the D.C. court, is an important court, but it doesn't need any more judges. Before we add any more judges to a court that is underworked, we ought to consider transferring those judgeships to courts that are overworked.

That argument had been made since at least 2001 by Senator GRASSLEY from Iowa, and finally, with some bipartisan cooperation in 2007, he achieved some success. With President Bush's agreement, the Republican President, he agreed with the Democratic Senators that the D.C. Circuit should under no circumstances—those are their words in their letter—have more judges. They reduced by one the number of judges, and they transferred a judge to the Ninth Circuit, which was overworked.

So what Republicans have said about the three judges whom the President has nominated to the D.C. Circuit is, before we consider any of them, consider Senator GRASSLEY's bill. Do in 2013 what you said we should do in 2006 and 2007 and which we did in a bipartisan way.

So how can this be dismissed when Republicans are asking to do in 2013 exactly what the Democrats successfully insisted on in 2006, which is to transfer judges from the courts where they are not needed to the courts where they are needed. In fact, the D.C. Circuit has a lower caseload by comparison today than it did in 2007 when, by a bipartisan agreement, it was considered underworked. The Democrats didn't think it was unfair then to insist that we not appoint more judges to a court that was underworked. It must be they are trying to manufacture a crisis now.

So if there is no good reason to change the rules in such a dramatic way as the majority did on November 21, why would the majority leader insist on cramming through in a power play a rules change that in 2006 he said would be the end of the Senate? Because the vote was not about the filibuster. All of that is pretext. The vote was about allowing the majority to do whatever it wants to do any time it wants to do it.

One of the things the American people detest about ObamaCare, as I said earlier, is that it was crammed through in the middle of the night in a partisan power play and we can see the results. Unlike the civil rights bill which had broad bipartisan support—I can remember Senator Dirksen and President Johnson working together on it when it required 67 votes in the Senate, and because it achieved that consensus, Senator Russell, the great opponent of the bill, went home to Georgia and said: It is the law of the land and we should now support it.

When we cram a big social change—or any big change—through the Con-

gress, we are going to get the kind of result we get with ObamaCare today: millions of people losing their policies, tens of millions will next year, great concern, Web site not working. That is what we get when we cram things through in a partisan way, and the Democrats have done it again.

So if the filibuster was not the problem, then why is the Senate not functioning better? Why are we so low in public opinion polls? Frankly, it is because of the Senate leadership. I have had the privilege over the years of watching the Senate. I came here for the first time in 1967 as an aide to Senator Howard Baker, the future majority leader of the Senate. I watched Senator Mansfield and Senator Dirksen. I watched Senator Byrd and Senator Baker. I watched Senator Daschle, Senator Lott, Senator Frist. I wasn't in the Senate all of that time—I have only been here since 2003—but I have seen it over that time up close. All of them could operate this body very well under the rules we had until Thursday of 2 weeks ago, until November 21.

I was at the Rules Committee meeting when Senator Byrd, former majority leader and acknowledged as the great historian of the Senate, came. He could barely speak, but he had one last message for the Senate and it was: Don't change the filibuster. He called it the necessary fence against the excesses of the executive and the popular will. That was what Senator Byrd said. He also said that under the rules we had until November 21, a majority leader could operate the Senate if he wanted to.

The current majority leader seems to be unable to do that, and we saw an example of it here tonight. He brings up 4 district judges, while there are 13 on the calendar. He could have brought them up on November 21 and we could have been voting on all of them today. He could bring them all up today and we could vote on all of them Wednesday, but he is parceling them out as if there were a crisis somewhere. Why is he doing that? I don't see why he is doing that. It is not the way to make the Senate function. It is not what Senator Byrd would do. It is not what Senator Baker would do. I saw them come in and open the Senate to amendments, put a bill on the floor, ask for amendments. Here came 300 amendments. Ask for unanimous consent to cut off amendments. They got unanimous consent because nobody could think of any other amendments, and then Senator Byrd would say—and Senator Baker did as well—all right, let's start voting, and vote, vote, vote, vote. Then we could get to about Wednesday or Thursday and Senators would think, well, maybe my amendment is not so important, and by Friday, when it was clear the majority leader was going to finish the bill that week, they would drop the amendments, and we got it done.

So the Senate wasn't a perfect place—things were still bumpy. There was Senator Metzenbaum sitting in the front row objecting. There was Senator Williams before him, Senator Allen before him, exercising their rights, but the majority leaders were able to work with that. The Senate worked on Mondays and Fridays, it worked at night, and the threat of that usually caused people who were trying to not show a proper amount of restraint and use of their privileges to back down.

Instead, what the current majority leader does—and we heard him to-night—is complain about obstructionism when there isn't any, certainly not on nominations. I am not going to say Senators on both sides of the aisle haven't abused their privileges and slowed down the Senate. But he complains about obstructionism when, in fact, he has become the obstructionist in chief by making it more difficult for those of us who are elected from our States to represent the people who have a right to be heard. Seventy-seven times this majority leader has cut off amendments in a body whose whole purpose is to amend, debate, and vote. I call it a gag rule, with the majority cutting off the right of American voices to be heard on the Senate floor. There have been 114 times when he has filed a motion to cut off debate on the same day he has introduced a bill, and he calls that a filibuster. I call it a gag rule. He has bypassed Senate committees in an unprecedented way: 76 times in the last 7 years.

He set himself up as the king of the Senate: May I offer an amendment on Iran, a Senator might ask. No. May I offer an amendment on Egypt? No. How about an amendment on ObamaCare? No. What about a bill on the National Labor Relations Board? No. Can we work on appropriations bills? No. Only one person is deciding what happens here when, in fact, the history of the Senate has been a place of virtually unlimited debate on virtually any amendment. That has been the history of the Senate. It is different than the House of Representatives. It has been different than any other body in the world. It operates by unanimous consent, and it requires restraint which hasn't always been exercised, but majority leaders who have been effective have found their way to deal with that.

I have spent the last 3 years doing my best to help make this place function. I cannot say where this rules change on November 21 will lead, but it is heading in a dangerous direction—a direction that is dangerous for the Senate and dangerous for our country.

This is a country that prizes the rule of law. Other countries around the world that do not have it wish they did, they wish they had a country with the rule of law. So in a country that prizes the rule of law, we now have a Senate without any rules because the Senate

majority has decided, for the first time, that a majority can change the rules at any time, for any reason it wants, which makes this a body without rules.

In a country that yearns for solutions on Iran, on health care, on our debt crisis, we have a king of the Senate saying: No amendments, no debate. I will make all the decisions.

I know of only one cure for this dangerous trend, and that is one word, an election—the election of six new Republican Senators so power plays such as ObamaCare and the November 21 rules change will be ended and the Senate will again be alive with bills, amendments, and debates, reflecting the will of the American people on the important issues of our time.

I ask unanimous consent to have printed in the RECORD the letter from the year 2006 from the Democratic Senators on the Judiciary Committee saying there should be no new judges added to the D.C. Court of Appeals because it is underworked.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, July 27, 2006.

Hon. ARLEN SPECTER,
Chairman, Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN SPECTER: We write to request that you postpone next week's proposed confirmation hearing for Peter Keisler, only recently nominated to the D.C. Circuit, Court of Appeals. For the reasons set forth below, we believe that Mr. Keisler should under no circumstances be considered—much less confirmed—by this Committee before we first address the very need for that judgeship, receive and review necessary information about the nominee, and—deal with the genuine judicial emergencies identified by the Judicial Conference.

First, the Committee should, before turning to the nomination itself, hold a hearing on the necessity of filling the 11th seat on the D.C. Circuit, to which Mr. Keisler has been nominated. There has long been concern—much of it expressed by Republican Members—that the D.C. Circuit's workload does not warrant more than 10 active judges. As you may recall, in years past, a number of Senators, including several who still sit on this Committee, have vehemently opposed the filling of the 11th and 12th seats on that court:

Senator Sessions: “[The eleventh] judgeship, more than any other judgeship in America, is not needed.” (1997)

Senator Grassley: “I can confidently conclude that the D.C. Circuit does not need 12 judges or even 11 judges.” (1997)

Senator Kyl: “If . . . another vacancy occurs, thereby opening up the 11th seat again, I plan to vote against filling the seat—and, of course, the 12th seat—unless there is a significant increase in the caseload or some other extraordinary circumstance.” (1997)

More recently, at a hearing on the D.C. Circuit, Senator Sessions, citing the Chief Judge of the D.C. Circuit, reaffirmed his view that there was no need to fill the 11th seat: “I thought ten was too many . . . I will oppose going above ten unless the caseload is up.” (2002)

In addition, these and other Senators expressed great reluctance to spend the estimated \$1 million per year in taxpayer funds to finance a judgeship that could not be justified based on the workload. Indeed, Senator Sessions even suggested that filling the 11th seat would be “an unjust burden on the taxpayers of America.”

Since these emphatic objections were raised in 1997, by every relevant benchmark, the caseload for that circuit has only dropped further. According to the Administrative Office of the United States Courts, the Circuit's caseload, as measured by written decisions per active judge, has declined 17 percent since 1997; as measured by number of appeals resolved on the merits per active judge, it declined by 21 percent; and as measured by total number of appeals filed, it declined by 10 percent. Accordingly, before we rush to consider Mr. Keisler's nomination, we should look closely—as we did in 2002—at whether there is even a need for this seat to be filled and at what expense to the taxpayer.

Second, given how quickly the Keisler hearing was scheduled (he was nominated only 28 days ago), the American Bar Association has not yet even completed its evaluation of this nominee. We should not be scheduling hearings for nominees before the Committee has received their ABA ratings. Moreover, in connection with the most recent judicial nominees who, like Mr. Keisler, served in past administrations, Senators appropriately sought and received publicly available documents relevant to their government service. Everyone, we believe, benefited from the review of that material, which assisted Senators in fulfilling their responsibilities of advice and consent. Similarly, the Committee should have the benefit of publicly available information relevant to Mr. Keisler's tenure in the Reagan Administration, some of which may take some time to procure from, among other places, the Reagan Library. As Senator Frist said in an interview on Tuesday, “[T]he D.C. Circuit . . . after the Supreme Court is the next court in terms of hierarchy, in terms of responsibility, interpretation, and in terms of prioritization.” We should therefore perform our due diligence before awarding a lifetime appointment to this uniquely important court.

Finally, given the questionable need to fill the 11th seat, we believe that Mr. Keisler should not jump ahead of those who have been nominated for vacant seats identified as judicial emergencies by the non-partisan Judicial Conference. Indeed, every other Circuit Court nominee awaiting a hearing in the Committee, save one, has been selected for a vacancy that has been deemed a “judicial emergency.” We should turn to those nominees first; emergency vacancies should clearly take priority over a possibly superfluous one.

Given the singular importance of the D.C. Circuit, we should not proceed hastily and without full information. Only after we reassess the need to fill this seat, perform reasonable due diligence on the nominee, and tend to actual judicial emergencies, should we hold a hearing on Mr. Keisler's nomination.

We thank you for your consideration of this unanimous request of Democratic Senators.

Sincerely,

PATRICK LEAHY.
Russell D. Feingold.
DIANNE FEINSTEIN.
Herb Kohl.

December 9, 2013

CONGRESSIONAL RECORD—SENATE, Vol. 159, Pt. 13

18329

CHARLES SCHUMER.
Edward M. Kennedy.
RICHARD DURBIN.
JOSEPH R. BIDEN, Jr.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Thereupon, the Senate, at 7:46 p.m.,
adjourned until Tuesday, December 10,
2013, at 10 a.m.

The PRESIDING OFFICER. The Sen-
ate stands adjourned until 10 a.m. to-
morrow.

Mr. ALEXANDER. I yield the floor.

EXTENSIONS OF REMARKS

IN TRIBUTE TO HIS EXCELLENCY NELSON MANDELA

HON. ENI F. H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to honor the life of former South African President and anti-apartheid leader Nelson Mandela who passed away on December 5, 2013 at his home in Johannesburg, South Africa.

Today I count myself as one of millions who was inspired by Nelson Mandela's courage and compassion. Mandela was the prisoner who became President. But he was also the statesman who sacrificed his own freedom for the freedom of others and never ceased to be a servant.

Nelson Mandela, affectionately known by his Xhosa clan name "Madiba," was also known as "Tata," the father of a nation. Indeed he was also a father to the world who taught us the fortitude of spirit that comes from forgiveness; a revolutionary who embodied the ministry of reconciliation among his people. In being a faithful brother to the broken and defeated, he became a beacon of light in the midst of darkness.

Nelson Mandela also displayed rare leadership by changing the world through the hearts of men. He fought for human rights through his conviction and faith in the capacity of the human heart to do the right thing. The faith he had—that human beings, communities, and countries can change for the better—leads us forward today as we press towards unity in our families, equality in our communities, and peace among nations.

My heart is also with the people of South Africa at this time and I especially send my deepest sympathy to Mandela's family and his wife, Graca Machel. Thank you for sharing him with all of us.

In a time when there is so much distrust in government throughout the world, we can honor a politician and a peacemaker who taught us the virtue of patience and perseverance. Though we have lost him in this world, we gain the responsibility of carrying on the virtues he displayed. I believe "Madiba" is looking upon us now and reminding us as he once said, "We must use time wisely and forever realize that the time is always ripe to do right."

May God Bless the memory of Nelson Mandela, who will always be a hero to me.

HONORING FRANCES SPURLIN FOR HER SERVICE TO ALABAMA'S SECOND CONGRESSIONAL DISTRICT

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mrs. ROBY. Mr. Speaker, I have the distinct privilege of recognizing a valued member of my staff, Frances Spurlin, who will retire on December 31, 2013, after 27 years of faithful and exemplary service to the United States House of Representatives and Alabama's Second Congressional District.

For almost three decades, Frances has worked as a constituent services representative in Southeast Alabama. She began her Congressional career in 1985 when Representative Bill Dickinson opened a district office in Opp, Alabama. Frances continued her service when Representative Terry Everett assumed office in 1993—and I was honored to have her join my staff when I was sworn into office in 2011.

From veterans to small business owners and from farmers to local and state elected officials, residents of the Second District have benefited from Frances' effective work and compassionate manner. With many cases being time sensitive, Frances never hesitated to go above and beyond to help our constituents cut through bureaucracy and work toward an equitable solution. No matter how big or small, Frances treated each case with diligence, thoughtfulness, and care.

Frances has also served as a mentor to other Congressional staff through the years, instilling her commitment to casework in those she has trained. She has set the example of how to represent a Congressional office with grace, character and ability. I can confidently say that the constituents of Alabama's Second District have been well served by the work of Frances Spurlin.

As she enters retirement, I join my staff and so many others in Southeast Alabama in thanking Frances for her 27 years of public service. To Frances, her husband Gordon, and their family, I wish them health and happiness in the years ahead.

IN TRIBUTE TO JOHN C. WHITE

HON. DAVID SCHWEIKERT

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. SCHWEIKERT. Mr. Speaker, I rise today to recognize Mr. John C. White for his dedicated service as the Chairman of the Board of the Universal Technical Institute, Inc. We are in sincere gratitude for the vision,

guidance, and leadership you have provided to UTI for your thirty seven years of service.

RECOGNIZING MISS EMMA STROM AS THE FLORIDA CLASS 2A STATE CHAMPION IN THE 100- YARD BACKSTROKE

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. MILLER of Florida. Mr. Speaker, I am proud to recognize and congratulate Miss Emma Strom on her extraordinary achievement in high school swimming. Emma, a junior at Choctawhatchee High School in Fort Walton Beach, Florida, swam her career-best time of 55.83 to win the Florida title Class 2A state championship in the 100-yard backstroke.

From a young age, Emma displayed a great talent for swimming and was blessed with having the support of her family to share her passion for aquatics. Her parents as well as her siblings, Amelia, Alex, and Olivia, are all involved in the swimming community. Mr. Strom has coached swimming for years, while Mrs. Strom is a certified swim meet official. Emma's sister, Amelia, who is also a student at Choctawhatchee High School, participated in the state meet and was able to share in Emma's moment of victory.

In addition to her commitment and passion for swimming, Emma possesses an excellent academic record and is highly involved both at Choctawhatchee High, as well as, in the greater community. As a participant in the Advanced Placement Program, Emma maintains a 4.46 weighted GPA and is active in several academic and community service clubs in addition to her rigorous swim training schedule. Her passion for swimming is also exemplified by her involvement in the community team, Coast Aquatics, as well as, her time coaching young swimmers at Meigs Middle School in Shalimar, Florida. Emma also serves her parish, St. Mary's Catholic Church in Fort Walton Beach, as an altar server.

Mr. Speaker, on behalf of the United States Congress, I am proud to recognize Miss Emma Strom on her swimming state championship. Her hard work and dedication shines through in everything she does. My wife Vicki and I wish her all the best for continued success both athletically and academically.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING VOLUNTEERS FROM OREGON VETERANS TREATMENT COURTS

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. WALDEN. Mr. Speaker, on behalf of my colleague Rep. KURT SCHRADER and myself, I rise today to convey our deepest appreciation to the team members of both the Klamath County and the Marion County Veterans Treatment Courts on visiting the nation's capital this week. These Oregonians are here to attend the inaugural "Vet Con," or Veterans Treatment Court Conference, the first ever gathering of veterans court team members from across the nation. The conference is being put on by Justice for Vets, a professional service division of the National Association of Drug Court Professionals, with the goal of providing in-depth training to the nearly 200 vet courts across the nation.

Key to the operation of a veterans treatment court is the collaborative partnership of the judicial system, the U.S. Department of Veterans Affairs, the county Veterans Service Office, veterans service organizations, community agencies and volunteers. These community members partner in a treatment team which convenes before each court session to review cases and develop problem solving recommendations. This coordinated response addresses an array of issues from community protection and restitution to offender rehabilitation. Weekly court appearances afford close judicial supervision of the veteran defendant's progress. The court hands out encouragement and sanctions as warranted.

Mr. Speaker, it may seem a bit lengthy, but we think it is important that we recognize each of the team members in order to honor the hard work of holding veterans accountable while guiding their progress in a treatment court setting.

We are very proud of the work done for veterans in the Marion County Circuit Court. Back in 2010, the Honorable Joseph V. Ochoa perceived that many of the veterans in the criminal justice system had a certain nexus between their crime and their military service. Judge Ochoa sought to create a protocol to handle these veteran criminal defendants with the goal of obtaining treatment services for these veterans through the Veterans Administration.

Judge Joseph Ochoa decided to retire after 16 years on the Marion County Circuit Court and in the later months of 2011 handed over the dream of building a veterans' treatment court to the Honorable Vance D. Day. Judge Ochoa has remained active in the building of Marion County Veterans Treatment Court and has set aside his title as a judge and committed to serve as one of the defense attorneys in the treatment court. Joe Ochoa is a member of the team participating in the in-depth training this week at the Vet Con.

I have known Judge Vance Day since my first year in the Oregon House of Representatives. Vance and I have worked on numerous projects together for the betterment of Oregonians over the years. Judge Day is a collabora-

tive leader who is well known in his work with World War II veterans. Leading an exceptional team of professionals, Judge Day launched the Marion County Veterans Treatment Court in October of 2012. Just recently, Judge Day's Vet Court team competed for and was awarded a three year federal grant from the Bureau of Justice Assistance. As a result of this funding, and the broad base of community support for the vet court, Judge Day believes that his team can grow the program to service sixty veterans at any given time. Judge Day is a principled and visionary leader—a true Oregon pioneer in every sense of the word.

We also want to recognize The Honorable Tracy Prall. Judge Prall has served on the Marion County Circuit Court since 2003. Judge Prall grew up in Keizer, Oregon and hails from a family of veterans. Her father and uncle served in the Vietnam War, and her maternal grandfather lost his right arm over North Africa in the early days of World War II while serving as a navigator on a B-17 Flying Fortress. Judge Prall's family service in the military extends back to the Revolution through her ancestor Captain Samuel Newell, a Virginia patriot. Judge Prall is part of the team being trained this week and serves as the judicial officer who steps in for Judge Day when he is unable to preside over the Marion County Veterans Treatment Court.

E'lan Lambert is the Court Coordinator for the Marion County Veterans Treatment Court. We have been told that E'lan is a navy veteran who served in the Vietnam era and has been involved in veteran's issues for years, even starting a non-profit organization, Partnership for Veterans at Risk, some years ago.

The Mentor Coordinator for the Marion County Veterans Treatment Court is Steve Koyen. Also a navy veteran of the Vietnam era, we understand that Mr. Koyen has a wealth of knowledge and experience he brings to this volunteer position. Mr. Koyen is nearly done with his Mentor Bootcamp at the Vet Con, and as I said before, the mentor aspect of these courts is such an important part of their success. Mr. Koyen should be given a "shout out" for the fine volunteer work he is doing.

Deputy District Attorney Bryan Orrio is the prosecutor on the Marion County team and he is here attending the Vet Con, as well. We understand that Marion County District Attorney Walt Beglau selected Mr. Orrio not only because of his skill and experience as a prosecutor, but for his passion for veterans and the heritage they represent. Without the support of District Attorneys like Ed Caleb and Walt Beglau, veterans courts like Klamath and Marion County would not be free to thrive and grow. Mr. Orrio is one of those hard working Oregonians laboring to ensure our legal system keeps us safe, but fairly dispenses justice.

Attorney Tom Sermak is also in attendance at the "Vet Con" conference this week. Mr. Sermak is the Executive Director of the Marion County Public Defender's Office and serve on the vet court team as one of the defense attorneys. We're told that Mr. Sermak has a long and distinguished history as a public defender in what is most typically a very adversarial system. Mr. Sermak's dedication to this new type of court—a non-adversarial, collaborative

court—demonstrates his commitment to seeking justice for all through whatever creative means possible.

The final member of the Marion County team attending the Vet Con is Austin Herman. Mr. Herman is the team's Parole and Probation Officer. It is Austin who does the daily contact and visits with the veteran defendants. We're told he is an affable and highly competent law enforcement officer who deeply cares for the program and the veterans it serves. Sheriff Jason Myers should be commended for his support for the court, but even more so for assigning Austin Herman to the team.

Mr. Speaker, we are ever so grateful and proud to be associated with the patriots in Klamath and Marion County circuit courts who have established veterans treatment programs of such high quality. Judge Day told me recently that "our soldiers are victors, not victims. They fought and bled for the liberties we enjoy. It is our task to fight for their freedom now—freedom from mental and physical pain, freedom to return home healthy, freedom to enjoy the legacy of their sacrifice." We could not agree more.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. GRAVES of Missouri. Mr. Speaker, on Wednesday, December 4, I missed a series of rollcall votes. Had I been present, I would have voted "yea" on Nos. 618, 619, and 622. I would have voted "nay" on Nos. 620 and 621.

PERSONAL EXPLANATION

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mrs. BACHMANN. Mr. Speaker, on November 20, 2013, during rollcall 593 on H. Res. 420—Providing for consideration of the bill (H.R. 1900) to provide for the timely consideration of all licenses, permits, and approvals required under Federal law with respect to the siting, construction, expansion, or operation of any natural gas pipeline projects, and for other purposes, the vote was incorrectly recorded as "no." I intended to vote "yes."

HONORING CYNTHIA LEIGHTON

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. HOYER. Mr. Speaker, I rise to recognize the long and influential career of Ms. Cynthia Leighton.

For twenty years, I have had the distinct honor of serving as co-chair of the Congressional Fire Services Caucus. During this time

I have met so many dedicated men and women from outside the traditional ranks of the fire service who are passionate about the health and safety of our Nation's firefighters and first responders. Cynthia Leighton is among those individuals, and truly strives to assist and protect those who keep our communities safe and secure.

As a fire service liaison from Motorola and Motorola Solutions for the past twenty-eight years, Cynthia has been the company's go-to person on issues facing first responders, always willing and able to hear concerns, answer questions, and provide assistance—whether the inquiry comes from a local firefighter or a national fire organization, such as the Congressional Fire Services Institute or the National Fallen Firefighters Foundation. Each year at both the annual National Fire and Emergency Services Dinner and the National Fallen Firefighters Memorial Service, she is often behind the scenes making sure that the event organizers have the proper resources they needed for a successful program.

Going above and beyond her job description at Motorola, Cynthia has demonstrated an enormous capacity for helping others and doing whatever she can to support the work of our first responders. On behalf of the Congressional Fire Services Caucus, I thank Cynthia for her dedication and outstanding contributions to the safety of our Nation's firefighters. I wish her the best in all her future endeavors.

ATTORNEY GENERAL ERIC HOLDER'S FAILURE TO CONFRONT BACKPAGE.COM

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. WOLF. Mr. Speaker, I submit a letter I sent last week to Attorney General Eric Holder, my fourth this year on the topic (I also submit the previous four), pressing him and the Department of Justice to prioritize combatting sex trafficking on the Internet. I specifically highlighted the Web site Backpage.com, which time and again has been proven to be a conduit for the buying and selling of human beings, including minors.

My letter was prompted by a Washington Post article, which I also submit for the RECORD, which details the exploitation of a young local girl on Backpage.com.

Attorney General Holder has failed to shut down or even publicly shame Backpage.com, one of the major vehicles for trafficking in this country. Enough is enough. I am not going to drop this issue until every mother and father in this nation has the peace of mind that our government is doing everything it can to confront this criminal enterprise. Backpage.com is profiting from the sexual exploitation of minors. This must not be permitted to continue.

DECEMBER 6, 2013.

Hon. ERIC H. HOLDER, Jr.,
Attorney General, Department of Justice,
Washington, DC.

DEAR ATTORNEY GENERAL HOLDER: The lead article in the Metro section of today's

Washington Post provided yet another sad account of a young girl being sexually trafficked on the Web site Backpage.com. What makes it even more tragic is that the alleged pimp is a D.C. police officer. Enclosed is a copy of the article. I marked the reference to Backpage.com.

For five years, I have been asking you and your department to deal with this problem. You have given a lot of speeches, but have you ever even publicly called out Backpage.com for its critical role in facilitating sex trafficking?

When are you and your department going to get serious about solving this problem? How many more young girls are going to become victims before the department deals with this?

From now on, I'm going to hold you personally accountable for each victim trafficked on that Web site—each someone's daughter, sister, or mother. I'm asking you—not as attorney general but as a father—to use your remaining time in office to find a way to end Backpage.com's trafficking of young girls and women.

Best wishes,

Sincerely,

FRANK R. WOLF,
Member of Congress.

[From the Washington Post, Dec. 6, 2013]

POLICE SEARCH OFFICER'S HOME

(By Peter Hermann, Ann Marimow and Clarence Williams)

Authorities are investigating whether a veteran D.C. police officer was running a prostitution ring out of his Southeast Washington apartment where they found a 16-year-old girl who had been reported missing, according to documents unsealed in federal court.

The officer, who has been on the force for 24 years, had not been arrested as of Thursday evening, but he was put on paid administrative leave as police continued their investigation. The teenager told police that the officer took nude photos of her and arranged for her to have sex for money, the court papers say.

News of the allegation broke publicly as another D.C. police officer was in U.S. District Court facing a federal charge of producing child pornography: Marc L. Washington, 32, was arrested Monday on allegations that he took pictures of a semi-nude 15-year-old who had run away from home.

Authorities said it does not appear that the cases are related, but the specter of having two officers from the 7th District station house in Southeast investigated on crimes linked to sexual abuse of minors has shaken the 4,000-member department. D.C. Police Chief Cathy L. Lanier said the department "is very concerned about the recent allegations of egregious conduct."

Lanier acknowledged that the cases could make the force look bad, but she said that "misguided actions of a few in no way reflects on the professionalism, dedication and integrity of the department."

The Washington Post is not naming the 47-year-old officer because he has not been charged with a crime and was not identified in the search warrant application, filed in U.S. District Court. Efforts to reach him were not successful.

It was unclear how investigators came to focus on the officer and the apartment on Stanton Road. The court documents state only that detectives investigating a family's report of a missing 16-year-old girl learned that she might be at the officer's residence.

Police went to the apartment Tuesday night and the officer answered the door after

repeated knocks, according to court papers. He let them in, and they reported that they immediately smelled marijuana. Detectives were told that two females were in a bedroom; one was the missing teen, the court documents stated, and the other was an 18-year-old.

Officers stayed at the apartment through the night and most of Wednesday, and after getting a search warrant, they confiscated nine pairs of shoes, one bra, two boxes of condoms, computers and cellphones. The court documents stated that they also took a mirror with names written on it and that the 16-year-old told police that the names were of women who had worked as prostitutes.

A high-ranking D.C. police official said authorities were sorting through conflicting statements and trying to determine precisely what was happening in the apartment. How the officer met the girl was not described in documents made public thus far.

According to court documents, the girl told police that she had gone to the officer's apartment at least twice and that the officer took nude photos of her wearing sparkly, high-heeled shoes and showed them to a potential customer. The man liked the photos and was scheduled to meet her and pay \$80 for sex, the girl told police. Of that, she said, \$20 was to go to the officer. The girl said that the officer was to pay for her hairstyle, shoes and new clothes and that her working name would be "Juicy." It was not clear whether the girl met the customer.

The girl said that six other women worked out of the apartment and that advertisements were posted on the Internet site backpage.com, the documents said.

In U.S. District Court on Thursday, authorities were dealing with the separate case involving Marc Washington. Magistrate Judge John M. Facciola said he wanted to release the officer to stay with his father in Waldorf, Md., and be put on electronic monitoring. But Facciola issued a 24-hour stay on the order to give prosecutors a chance to appeal.

"It is despicable for anyone to do this," Facciola said of the alleged conduct. "For a police officer to do this is beyond anyone's imagination."

But with Washington's gun and badge no longer in his possession, the judge said it "reduces substantially" the possibility of the officer being able to abuse his previous position of authority. The arresting officer told the judge that Washington's police powers had been revoked and that he was in the process of being suspended without pay.

The officer's attorney, Michelle Peterson, told the judge that her client "understands the serious nature of the charges, but they are just that—charges."

Assistant U.S. Attorney Ari Redbord said that investigators recovered dozens of photos from Washington's camera, including images of two semi-nude females who appeared to be minors, and that they think there may be other victims.

"He committed this crime on duty, in uniform and with a firearm," Redbord said in arguing for Washington to remain in custody. "He picked the most vulnerable of victims in our community."

OCTOBER 23, 2013.

Hon. ERIC H. HOLDER, Jr.,
Attorney General, Department of Justice,
Washington, DC.

DEAR ATTORNEY GENERAL HOLDER: I write to share with you a letter I sent today to President Obama urging that either he or

you make a major policy address in the next 30 days publicly calling out Web sites like Backpage.com, which time and again feature prominently in court cases involving the horrific sexual exploitation of American children. This issue is as timely as it has ever been given a recent Washington Post article which revealed that Northern Virginia gangs have concluded that trafficking young girls is actually more profitable than traditional criminal enterprises like drugs or weapons sales—in part because prostituted minors can be bought and sold multiple times. Not surprisingly the gangs use the Web to advertise services.

As you know, this is an issue about which I have long been deeply troubled. I had a productive meeting with several Department of Justice employees today regarding the most effective means by which to tackle this insidious criminal activity.

I recognize there are no easy answers, but as I stated in my letter to the president, I believe it is critical that we embrace a holistic approach, which includes public education, demand reduction and, importantly as it relates to Backpage.com, public shame.

Best wishes,

Sincerely,

FRANK R. WOLF,
Member of Congress.

JULY 30, 2013.

Hon. ERIC H. HOLDER, Jr.,
Attorney General, Department of Justice,
Washington, DC.

DEAR ATTORNEY GENERAL HOLDER: Many Americans were undoubtedly heartened to learn yesterday that authorities rescued 105 children from 76 different cities across this nation who had been forced into prostitution, and arrested 150 pimps who were intimately involved in the exploitation of these minors—children ranging in age from 13 to 17. But I suspect that just as many Americans were shocked to learn of the scope and reach of human trafficking in our own back yard. For under the Trafficking Victims Protection Act any minor used in a commercial sex act is a victim of human trafficking.

I applaud the impressive work of the FBI; its local, state, and federal law enforcement partners, including the Fairfax County Police Department and the Loudoun County Sheriff's Office, and the National Center for Missing and Exploited Children (NCMEC). As you know, I have long supported efforts locally and in the annual Commerce-Justice-Science (CJS) appropriations bill to elevate this issue as a law enforcement priority. In fact the CJS bill which recently passed the House Appropriations Committee included language instructing U.S. Attorneys to maintain their human trafficking task forces and undertake proactive investigations of persons or entities facilitating trafficking in persons through the use of classified advertising on the Internet. The bill also directs the U.S. Attorney General to submit a comprehensive report on all DOJ anti-trafficking activities, including legislative proposals that may advance any efforts, no later than 60 days after the bill is signed into law.

While the details of this campaign, Operation Cross Country, are still emerging, not unsurprisingly, Backpage.com featured prominently in the announcement of the crack-down. In fact, a CNN story this morning cited the assistant director of the FBI's criminal investigative division, as saying, "This seventh iteration of Operation Cross Country also was the most successful, with a 30% to 40% increase in 'identifying both victims and pimps' compared with previous op-

erations." The story continued, "He credited the success in part to an expansion of the probe to websites such as www.backpage.com, which he called a forum 'where pimps and exploiters gather.'"

An NBC news story following the raid reported, "Search for 'Backpage.com' on the FBI's main website and up pops eight whole pages of press releases and public announcements naming the classified advertising site as a tool for sex criminals, particularly those selling children, sex and prostitution." Case after case shows that as long as web sites like Backpage.com operate with impunity, impervious to public shame, law enforcement will simply be playing catch up.

In that vein, just last week, an overwhelming majority of state and territorial attorneys general sent a letter to the chair and ranking members of the U.S. Senate Committee on Commerce, Science, and Transportation and House Committee on Energy and Commerce. The letter indicated that "Federal enforcement alone has proven insufficient to stem the growth of internet-facilitated child sex trafficking," and pleaded that, "Those on the front lines of the battle against the sexual exploitation of children—state and local law enforcement—must be granted the authority to investigate and prosecute those who facilitate these horrible crimes."

I couldn't agree more, which is why in April 2012, well over a year ago, I wrote you a letter making clear that classified Internet advertising was the latest front in the battle against sexual exploitation and trafficking of minors. Specifically I wrote, "... if DOJ is of the mind that there are insufficient laws on the books to prosecute this activity, I respectfully request a broader, legal analysis and recommendations to Congress of legislative initiatives that may be undertaken to fully equip law enforcement to tackle this problem." This was the first of several letters I've written on the topic.

On June 8 2012, I wrote, "... I continue to believe that unless there is the very real prospect of criminal liability that Backpage.com will fail to change ... I recognize that these are complex legal questions but surely we can agree that this is not a complex issue. Children ought not to be bought and sold online. Those who facilitate and enable this practice should have to face consequences. I welcome the best legal analysis the Department can provide in how to ensure that this happens."

And again, on March 27, 2013 I wrote you, this time including a series of recommendations provided by NCMEC that Backpage.com and similar Web sites used for trafficking could voluntarily adopt to reduce the sexual exploitation of children online. I urged you, as the nation's chief law enforcement officer, to press Backpage.com to immediately adopt these practices and said that if they fail to do so you should "... take legal action against Backpage.com."

These last two letters have gone unanswered. The legal analysis has never been provided and the exploitation of innocents continues.

Human trafficking has rightly been deemed the slavery issue of our time. It isn't simply an international tragedy, it's a national and local outrage. For years, the back of my office door featured a giant picture of William Wilberforce—the remarkable abolitionist, and man of faith, who labored tirelessly for decades to ban the slave trade in the British Empire. Wilberforce was part of a broader transatlantic abolition movement dating back to the 1700s. He served as an in-

spiration for the abolitionist cause on our own shores, laying the foundation for the likes of Frederick Douglass, Harriet Beecher Stowe and even Abraham Lincoln, who 150 years ago this year issued the Emancipation Proclamation.

Wilberforce, famously said, "Having heard all this, you may choose to look the other way, but you can never again say that you do not know." We know that our nation's children are at risk of horrific exploitation that almost defies imagination. We know how pimps and johns use specific Web sites to profit from and prey on their vulnerability. Will you continue to look the other way?

Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

MARCH 27, 2013.

Hon. ERIC H. HOLDER, Jr.,
Attorney General, Department of Justice,
Washington, DC.

DEAR MR. ATTORNEY GENERAL: As you know I have long been outraged that Web sites like Backpage.com, which in case after case have been found to be a conduit for the buying and selling of human beings, including children, to the tune of millions of dollars in profits a year, appear to do so with impunity from federal prosecutors.

Just recently, Joshua Jacques Dumas, plead guilty to "running a commercial sex business that prostituted multiple juvenile girls in Herndon, Virginia, and other locations throughout Virginia, Maryland, North and South Carolina, Georgia and Florida." To his great credit, the office of U.S. Attorney for the Eastern District of Virginia, Neil MacBride, brought the case against Dumas. The "statement of facts" that Dumas agreed to before entering his guilty plea is a grotesque account of abuse, manipulation and exploitation and much of it took place in and around my congressional district. These crimes were made possible with Backpage.com. The FBI press release announcing the guilty plea specifically mentioned the website: "Daily, the enterprise posted multiple advertisements on Backpage.com, and sometimes within minutes customers would call."

I have repeatedly requested that the Department of Justice provide an analysis of whether there are sufficient laws on the books to prosecute the type of activity that Backpage.com engages in, and, if not, that the department provide a broader legal analysis and recommendations to Congress of legislative initiatives that may be undertaken to fully equip law enforcement to tackle this problem. To date this request has gone unanswered. Meanwhile, as the National Center for Missing and Exploited Children (NCMEC) pointed out in a recent letter to me, "children are still being sold for sex on this site [Backpage]."

I recognize that complex legal questions are involved in this discussion, but surely the safety and security of America's most vulnerable, our children, warrants such a discussion. I have enclosed the letter I received from NCMEC as I believe it provides invaluable information about critical next steps that the department could take to challenge Backpage.com.

Specifically NCMEC provides four recommendations for practices that Backpage.com and similar Web sites used for trafficking could immediately and voluntarily adopt to reduce the sexual exploitation of children online, including:

"Prohibiting payment sources that mask the customer's identity—such as gift cards, prepaid credit cards and using another's credit card. These payment sources hamper law enforcement's ability to investigate these ads.

"Verifying and knowing its customers. Verifying the identity and age of the person submitting the ad as well as the person depicted in any images in the ad. These are ways to verify this information either in person or online when the ad is purchased. Other classified ad sites have implemented verification processes including database checks and review of government issued identification.

"Consistently blocking or removing postings believed to involve minors being sold for sex.

"Preventing ads with previously flagged images from being posted and refusing to post ads from customers who are believed to have posted suspicious ads in the past."

I urge you, as the nation's chief law enforcement authority, to press Backpage.com to immediately adopt these recommendations. And if they fail to voluntarily adopt these recommendations, I implore you to take legal action against Backpage.com.

Despite mounting public pressure, Backpage.com seems impervious to criticism and even shame. I am increasingly convinced that they will only respond to the very real prospect of criminal or civil liability. Sites like Backpage.com have historically hid behind the Communications Decency Act (CDA) which, as NCMEC points out, "Provides immunity to Internet communication service providers, such as website operators, for publishing content by third parties." But importantly, the CDA does not prevent federal prosecutions of sexual crimes against children.

On January 10, the Kansas City Star reported that the Eighth Circuit Court of appeals "decided for the first time that a federal anti-slavery law applies to both the consumers as well as the sellers of sex with children." Specifically the court found, "The unambiguous text . . . makes no distinction between suppliers and purchasers of commercial sex acts with children, and the defendants have failed to persuade us Congress intended a supplier-only limitation or a purchaser exception."

The anti-trafficking movement has recognized this as a landmark ruling which closes an important loophole in the fight against trafficking through criminal deterrence, and raises the priority of prosecution of demand. However, this victory will be short-lived if Backpage.com and related online classified sites operate without fear of repercussion, fostering an atmosphere of demand which results in the continued trafficking of women and children for sex.

This is a grave injustice—a blot on our collective national conscience which demands action. Will you allow this exploitation to continue on your watch?

Sincerely,

FRANK R. WOLF,
Member of Congress.

CONGRATULATING AHN MIRA AND SEAN RYAN HALPIN ON THEIR WEDDING IN SEOUL, KOREA

HON. ENI F. H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to recognize the wedding ceremony of Ms. Ahn Mira and Mr. Sean Ryan Halpin held earlier this fall, on September 14, 2013, in Seoul, Republic of Korea. The couple met during Sean Halpin's current service as a first lieutenant with the Special Operations Command—Korea (SOCKOR), United States Forces Korea.

Ms. Ahn is from the distinguished Ahn family of Haeju City, South Hwanghae-do Province, currently in North Korea. The Ahn clan of Hwanghae-do is remembered historically for their several family members who took leading roles in the independence movement during Korea's colonial occupation.

Ms. Ahn's paternal grandfather came to the port of Pusan, in South Korea as a refugee during the Korean War. Her family currently resides in the port city of Incheon where her father, Ahn Jaeman, is the principal of the top-rated East Incheon Middle School and her mother, Kim Kyunghee, is the devoted mother of two daughters.

Sean Halpin is from a family that has served the United States for more than a century. His paternal great-great-grandfather, Captain Patrick Foley, an immigrant from County Kerry, Ireland, served in the 23rd Regiment Illinois Volunteer Infantry ("the Irish Brigade"), fought under General Philip Sheridan in the last major Civil War battle, the siege of Petersburg, and was present at Appomattox Court House for the final surrender.

His paternal great-grandfather, Dr. Thomas P. Foley, of Chicago, Illinois, served as a medical officer with the United States Army during the First World War. His grandfather, Thomas J. Halpin, was a captain serving with the 88th Infantry during the liberation of Rome in the Second World War. His father, Dennis P. Halpin, served with the United States Peace Corps in Korea, the U.S. Department of State, and the U.S. House of Representatives as a professional staff member of the Committee on Foreign Affairs. Sean's loving mother, Mina Chuok (née Pak) Halpin, is originally from Pusan, Korea.

For historical purposes, I submit this statement to be part of the CONGRESSIONAL RECORD in recognition of the union of Ahn Mira and Sean Ryan Halpin, and of the distinguished service provided by their families to their respective countries.

IN RECOGNITION OF CORPORAL DONNY DAUGHENBAUGH, U.S. MARINE CORPS (RET.)

HON. RANDY K. WEBER, SR.

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. WEBER of Texas. Mr. Speaker, I rise today to offer my support and deepest thanks

for a fine young man and outstanding soldier from my congressional district—Corporal Donny Daughenbaugh, U.S. Marine Corps (Ret.).

Corporal Daughenbaugh was hit with a bullet in the face, and miraculously survived the injury. After a long and grueling rehabilitation, he has made it his life's mission to give back to veterans facing similar situations. He is now the Assistant Vice President and National Spokesperson for the Coalition to Salute America's Heroes. A 501(c)(3), non-profit, non-partisan organization, it was established in 2004 to provide severely wounded veterans of the wars in Iraq and Afghanistan, and their families, with emergency financial assistance and other support services to help them recover from injuries and rebuild their lives. The Coalition has also provided several grants to various programs benefiting veterans in Texas, which is home to approximately 1.7 million veterans.

On December 9–13, the Coalition will host "The 7th Annual Road to Recovery Conference and Tribute" in Orlando, Florida to help hundreds of military veterans and their families adjust to civilian life. Although he may never fully recover from his injury, Corporal Daughenbaugh has been able to inspire others through his story of resilience. The bullet lodged in his brain is a constant reminder of his service to our nation as a proud member of the U.S. Marine Corps.

Together with Coalition CEO David Walker, Corporal Daughenbaugh is rebuilding an organization that rebuilds lives. In just one year, they have transformed an organization with a righteous mission into a leading national organization that gives hope to veterans.

Their mission: ensuring our war-weary nation does not lose sight of its obligations to those protecting our freedoms. The Coalition is addressing a serious challenge facing our nation: helping thousands of returning veterans reintegrate into American society by creating a safety net that would help returning veterans avoid the high rates of unemployment (averaging 17.9 percent nationwide), suicide (24 per day), divorce (60 percent), etc. Unfortunately, these true American heroes often receive little or no support from the nation for which they sacrificed so much. Because of a shortage of funding and an interminable bureaucratic backlog at the Veterans Administration, they wait for roughly a year, on average, to receive disability pay and benefits. Thousands never receive the proper care for PTSD, because it still remains a largely misunderstood condition.

The Coalition is an organization standing in the gap—and their work is already producing impressive results through public and private partnerships across the nation. One of these successful endeavors is with a Dallas-based international restaurant chain, Bennigan's, and their "Wall of Heroes" initiative. Through the promotion, Bennigan's customers are invited to purchase a drink, write a note, and upload a picture in honor of anyone currently serving or those who have served in the U.S. Armed Forces.

Corporal Daughenbaugh also has been a guest of honor at multiple "Happy Hour with a Hero" events sponsored by Bennigan's—and his story has also been featured on their Wall of Heroes site.

America has been a nation at war for the longest period of time in our history—bringing a new set of challenges, not only our military fighting force, but to a generation of young veterans. Many are facing unprecedented physical and psychological trauma while transitioning back to civilian careers. Over 1 million veterans are expected to make that transition this year. Through his work with the Coalition to Salute America's Heroes, Corporal Daughenbaugh is inspiring thousands of young veterans who are on a road to recovery from their injuries. I applaud his work and dedication. He is indeed a true American hero.

RECOGNIZING PMI WASHINGTON,
D.C., ON ITS 2013 LEADERSHIP
AWARD

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to congratulate and recognize the Project Management Institution's Washington, D.C., Chapter for its commitment to leadership and advocacy on behalf of the project management profession. PMI Washington, D.C., is the recipient of the 2013 PMI Chapter Award for Leadership, Planning & Operations. This award is given in recognition of PMIWDC's focus on business and operational planning, including the chapter's outstanding website. In addition to the chapter's achievements, this year also marks its 35th anniversary.

PMI is the world's largest nonprofit membership association for project management professionals. PMI's resources and research empower more than 265 chapters worldwide and 700,000 members, credential holders, and volunteers to further enhance and develop their careers. PMI's worldwide advocacy for project management is reinforced by its globally recognized standards and certification program and extensive academic and research programs. PMIWDC has nearly 11,000 members and remains the fastest-growing and largest PMI chapter in the world.

The PMIWDC Chapter has made significant organizational advances by having both a Governance Board for strategic planning and an Operations Board for directing the organization. Additionally, the chapter has developed advanced policies and processes to ensure continuity through changing leadership. PMIWDC has been praised for providing expanded management development and providing a path for volunteer members to advance into roles with greater responsibility. The chapter is also recognized for its outreach efforts to local high school and college students to recruit and advance the project management profession. PMIWDC serves as an exemplary model for the PMI Global values of professionalism, volunteerism, community, and engagement.

Mr. Speaker, I would like to extend my congratulations and ask that my colleagues join me in commending PMI's Washington, D.C., Chapter for its leadership and outreach in the community.

TRIBUTE IN HONOR OF MICHAEL
T. BURNS

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Ms. ESHOO. Mr. Speaker, I rise today to honor Michael T. Burns, who is retiring as the General Manager of the Santa Clara Valley Transportation Authority after eight years of highly distinguished service to the users and employees of our public transit system.

Michael Burns has been an outstanding leader of the VTA. He's been a dependable steward of public funds. He has improved efficiency and transit services, secured federal grants, and completed major capital projects. Under his leadership, VTA opened its first express lanes and developed a partnership with Caltrans called the iTEAM to deliver highway projects in Silicon Valley more effectively. He initiated bus rapid transit on heavily traveled corridors, and promoted the use of the latest technological innovations. He has also fostered recognition of deserving employees and enhanced diversity in the workplace.

Mr. Speaker, I ask my colleagues to join me in honoring a thoroughbred professional, Michael T. Burns, on the occasion of his retirement from the Santa Clara Valley Transportation Authority. He has served with honor and distinction, and earned the respect of his fellow public servants and the entire community.

The shoes of Michael Burns will be difficult to fill, but he leaves the VTA on sound financial footing. I wish him every blessing in his well deserved retirement and salute him for a storied career in public service in the transportation sector. He has strengthened the Silicon Valley region and our country with his extraordinary leadership and our entire community is grateful to him.

THE ELECTION OF MR. WILLIAM J.
STANLEY III AS CHANCELLOR OF
THE COLLEGE OF FELLOWS OF
THE AMERICAN INSTITUTE OF
ARCHITECTS

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. LEWIS. Mr. Speaker, I rise today to congratulate my constituent, Mr. William J. Stanley III, on his election as Chancellor of the College of Fellows of the American Institute of Architects. Mr. Stanley was elected to the College of Fellows' highest position in July at the American Institute of Architects National Convention in Denver, Colorado, and he will be inaugurated on December 12, 2013.

The American Institute of Architects (AIA) is a professional organization for architects in the United States. It is comprised of more than 79,000 licensed architects and associated professionals. The AIA's most prestigious honor is the designation of a member as a Fellow of the American Institute of Architects. A jury of peers awards Fellowship to members who have made contributions of national signifi-

cance to the profession. Only about two percent of AIA members have been honored by appointment to the College of Fellows. Mr. Stanley's distinction not only recognizes his individual, architectural achievements but also elevates his significant, societal contributions.

Mr. Stanley is the founder and principal for design of the firm Stanley, Love-Stanley, P.C. In 1972, he became the first African-American graduate of Georgia Tech's College of Architecture. He began his private architectural practice in 1977 with Ivenue Love-Stanley, also an AIA Fellow and his wife of 35 years.

Literally, Mr. Speaker, you can find his legacy and beautiful innovative designs throughout Metro Atlanta, across the country, and around the world. His amazing work has been featured in numerous books and periodicals, and he has more than 40 award-winning projects to his credit. His designs in Atlanta include the Olympic Aquatic Center for the 1996 Centennial Olympic Games, the historic Fulton County Courthouse, Ebenezer Baptist Church, the John Hope Hall Science Research Facility at Morehouse College, the Reynolds Cottage at Spelman College, the Thomas Cole Research Center at Clark Atlanta University, the Catholic Center at Atlanta University Center, B.E.S.T. Academy at Benjamin S. Carson All Male Middle and High School, and the Nanotechnology Research Center at Georgia Tech. Outside Atlanta, his handiwork includes the Health & Physical Education Complex at Fort Valley State University in Fort Valley, Georgia; the L.H.O. Spearman Technology Center at Texas Southern University in Houston, Texas; and the Wilberforce Institute in South Africa.

Mr. Stanley has served on the National Board of the American Institute of Architects, as the South Atlantic Regional Director, and as past President of AIA Georgia. In 1995, Mr. Stanley was awarded the Whitney M. Young, Jr. Citation, one of the AIA's highest honors, presented to the country's most socially-conscious architect. In 1999, the Georgia chapter of the AIA bestowed upon Mr. Stanley the Bernard Rothschild Medal, the chapter's highest award. In 2011, AIA Atlanta presented him with its Ivan Allen, Sr., Trophy for sustaining the highest ideals of the profession of architecture through his contributions of service to the Atlanta community. He has also lectured and served as a visiting critic and jury member throughout the United States, Europe, and Africa.

Throughout his career, Mr. Stanley has frequently found himself in positions on projects where he was the first or the only African American with leadership or design responsibility. Even today, he says, "the profession of architecture has very few persons of color among its ranks." Not only does Mr. Stanley's body of work inspire countless young architects of all backgrounds, but he has also broken down invisible barriers through his examples and actions. He is determined to open the door to generations of aspiring architects.

As Fellows, Mr. Stanley and Ms. Love-Stanley take their shared legacy to heart by mentoring countless young architects. Mr. Stanley has served in various leadership positions, affording him the opportunity to mentor young students of architecture academically and professionally, including two years as the President of the National Organization of Minority

Architects (NOMA). For the past 27 years, Stanley, Love-Stanley, P.C. has sponsored a scholarship award and internship for the most improved architecture students of African descent. Every day, they inspire young people of color in the AIA, NOMA, and the Metro Atlanta community in general.

Mr. Speaker, architecture holds a special place in my heart. As you know, I love art and history in any form, and architects work so hard and so long to become experts in countless fields—arts, science, math, construction to name a few—in order to design, create, save, and restore beautiful masterpieces for countless generations.

I cannot fully express my great appreciation of Mr. Stanley and Ms. Love-Stanley's service and dedication to Metro Atlanta, nor how deeply proud I am of Mr. William J. Stanley III, FAIA, NOMA, for receiving this well-deserved honor.

INTRODUCTION OF BREAST CANCER AWARENESS COMMEMORATIVE COIN ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, last month we recognized Breast Cancer Awareness Month—acknowledging the toll the disease takes on individuals and families, and the importance of continued research and awareness efforts. Since 1989, thanks to earlier detection, increased understanding, and improved treatment, the death rates for breast cancer have continued to decrease. Yet breast cancer remains the second leading cause of cancer death in women, with one in 36 women dying from the disease. While breast cancer used to be considered a disease of aging, recent trends show that more aggressive forms of the disease have been increasingly diagnosed in younger women. Just this year, it is estimated that 232,340 women will be diagnosed with and 39,620 women will die of cancer of the breast in the United States.

We need to do more to tackle this disease. Each year roughly \$16.5 billion is spent in the United States on breast cancer treatment, according to the National Cancer Institute estimates. While the federal government remains the largest funder of breast cancer research in the United States, in 2012, the National Cancer Institute reduced funding by almost \$30 million and the Department of Defense Breast Cancer Research Program grants decreased more than 22 percent from 2010 funding levels.

Additional private sector support will help us find a cure for breast cancer even faster. That is why my colleague Representative Aaron Schock and I are introducing the Breast Cancer Awareness Commemorative Coin Act. Additional private sector support will help us find a cure for breast cancer even faster. Proceeds from the sale of the coin will benefit the Breast Cancer Research Foundation and Susan G. Komen for the Cure. These two organizations have spent more than \$450 million and \$790

million, respectively, on research funding. But more needs to be done to find better treatments and a cure.

Our mothers, our sisters, our daughters, cannot afford to wait. I encourage you to support this new legislation.

COMMENDING UZBEKISTAN

HON. ENI F. H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. FALEOMAVAEGA. Mr. Speaker, as the Chair of the Congressional Central Asia Caucus, I rise today to commend Uzbekistan on its ongoing efforts to strengthen relations with the United States. In August 2012, Uzbekistan's legislature approved a foreign policy concept submitted by President Islam Karimov which is intended to strengthen the country's independence and sovereignty, ensure Uzbekistan's role in international affairs, create security and stability in Central Asia, and sets Uzbekistan on a path of joining the ranks of democratic countries.

The United States and Uzbekistan belong to a number of the same organizations, including the United Nations, Organization for Security and Cooperation in Europe, International Monetary Fund, and World Bank. Uzbekistan is a member of the North Atlantic Treaty Organization's Partnership for Peace and an observer to the World Trade Organization.

Home to more than half of the population of Central Asia and located at the center of regional trade and transport networks, Uzbekistan is a potential Central Asian regional power. For more than a decade, I have worked closely with the country and I am pleased by the developments that have occurred in such a short time since Uzbekistan gained independence at the end of 1991 with the breakup of the Soviet Union.

Uzbekistan has supported North Atlantic Treaty Organization (NATO) troops in Afghanistan through provision of electricity, development of rail infrastructures and the Northern Distribution Network. Uzbekistan was also one of the United States' main regional partners in the war on terrorism.

Under the leadership of President Karimov, our relationship with Uzbekistan has now developed beyond Afghanistan. The United States and Uzbekistan are cooperating on security, economic relations, political and civil society issues, agricultural development, transnational crime, and the threat of infectious disease. Although we have a ways to go, we are in the process of strengthening our bilateral relations.

This is why I am pleased to welcome President Karimov's delegation to the United States which is visiting Washington, D.C. from December 8–12, 2013. Uzbekistan's delegation is led by my good friend, Foreign Minister Abdulaziz Kamilov, who served previously as Uzbekistan's Ambassador to the United States. The delegation also includes my good friend, Senator Sodiq Safoyev, who served previously as Uzbekistan's Foreign Minister and also as Ambassador to the United States and State Advisor to the President.

Other members of Uzbekistan's delegation include the First Deputy Minister of Defense, First Deputy Minister of Justice, First Deputy Minister of Foreign Economic Relations, the Chairman and Vice-Chairman of the Committee on Science and Technology, the Chairman of the Committee on Democratic Institutions, the Head of America's Department, and a member of the National Security Council under the President of Uzbekistan. H.E. Bakhtiyar Gulyamov, Uzbekistan's Ambassador to the United States, will accompany the delegation.

While in Washington, the delegation will be hosted by Members of the U.S. Senate and U.S. House of Representatives. Having traveled to Samarkand in late August of this year, to Tashkent more than once, and in tribute to my long-standing friendship with Foreign Minister Kamilov and Senator Safoyev which spans nearly a decade, it was my sincere hope to personally host a Members Only meeting for them. But, in my absence, I thank my esteemed colleagues for doing so.

The people of Uzbekistan are, as President Kamilov said, "a creative people who deeply realize their identity, take pride of the fact that they live on the sacred land and are the descendants of great ancestors, capable to subdue any peaks." I agree.

And so, once more, it is my privilege to welcome Uzbekistan's distinguished delegation to Washington and extend my kindest regards and best wishes for a successful dialogue.

HONORING SCHIMPPFF'S CONFECTIONARY OF JEFFERSONVILLE, INDIANA

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. YOUNG of Indiana. Mr. Speaker, small mom-and-pop businesses are an integral part of local economies, especially in the State of Indiana. Schimpff's Confectionary, located in Jeffersonville, Indiana, is a prime example of a small, family-owned business that has maintained a tradition of community involvement and devotion to a quality product. Schimpff's is not only a vital part of the community, but also an important Jeffersonville landmark.

Schimpff's Confectionary is a world-class candy maker, confectionary store, and museum located within the Old Jeffersonville Historic District. This candy store is one of the oldest in the country. It has kept the same atmosphere throughout the years and continuously draws large crowds. In addition to selling candy, Schimpff's Confectionary gives tours to visitors of the shop, providing an interactive experience and insight into how the finest candy was and is made.

Schimpff's Confectionary contributes mightily to the town of Jeffersonville. Not only do they reliably provide delicious treats to the families of Southern Indiana and beyond, but they maintain local jobs, and their outstanding presence is a source of deep pride for the entire community. Residents of Jeffersonville have grown up with Schimpff's Confectionary, and the store has faithfully maintained its high

quality standards, and friendly atmosphere, since the day it opened. For these reasons and more, I am proud to recognize Schimpff's in this installment of the 9th District's Small Business Spotlight.

Although the Schimpff family had been making candy in Louisville, Kentucky, since 1850, the Jeffersonville store was established in 1891 by Gustave Schimpff, Sr. and Jr. The shop continues to be run by his family and is now run by the third generation of Schimpff's. Gustave's great-grandson, Warren Schimpff, continues the family legacy of exceptional candy making with his wife, Jill. Through their leadership and labor, Schimpff's has expanded their operations and developed a distinguished international reputation.

While Schimpff's has been based in Jeffersonville since 1891, the family has traveled to Sweden to participate in the Candy Championships, the international candy competition in Gränna. Jill and Warren Schimpff are the first Americans to have ever participated in this competition. While visiting Sweden, they met European candy makers, and learned some new and creative techniques to share with their many customers. Such initiatives have brought people from across the globe to Jeffersonville for the purpose of visiting their fine establishment.

The confectionary has gained its fair share of local and national attention as well, including recognition by "Louisville Business First" as one of the area's top twenty for-profit attractions. Additionally, the business has gained national media attention from the Food Network, the History Channel's "Modern Marvels," and American celebrity chef Paula Deen.

The Schimpff's dedication to customers and quality has sustained the family legacy, and is responsible for the longstanding success of their business. This confectionary has been a Jeffersonville treasure since its opening over 120 years ago, and it will continue to be a recognized landmark for years to come.

PERSONAL EXPLANATION

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. GERLACH. Mr. Speaker, unfortunately, on December 5, 2013, my vote on the House floor was not properly registered. Had my vote registered, I would have voted "yea" on rollcall 625.

HONORING THE LIFE AND DEDICATED SERVICE OF DR. WILLIAM WEST THOMPSON

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the life and dedicated service of Northwest Florida's beloved Dr. William West Thompson, who passed away on De-

cember 2, 2013. Throughout his long and distinguished career in medicine and public service, Dr. Thompson served as an inspiration to countless individuals and left a lasting impression on the Okaloosa County, Florida community. All those who have been blessed by his presence mourn the loss of a great man and unparalleled public servant.

Dr. Thompson, or "Dr. T" as he was fondly known, was born on April 6, 1921, in Hallsboro, North Carolina. Upon receiving his degrees from both Duke University and the Duke University School of Medicine in 1942 and 1947 respectively, he completed his medical training and residency at facilities across the country, including in New Jersey, Texas, Massachusetts, and Arkansas. Dr. T also served proudly in the United States Army for more than ten years in the Army Medical Corps rising to the level of Chief of a Pediatrics Unit.

In 1957, after practicing in Virginia for two years, he moved to Fort Walton Beach, Florida, where he continued practicing pediatrics. It was in Northwest Florida where Dr. T would spend the next decades of his life continuing to serve others in the community. Whether it was through house calls, late night hospital rounds, or nights spent with ailing patients, Dr. T's commitment to bettering the lives of those around him never wavered and was evidenced through his kindness and the unmatched quality of care he provided to his patients.

Dr. T also lent his time and efforts to a myriad of medical associations, including the Florida Medical Association, where he served as both as Chairman and Vice President; Okaloosa County Medical Society, where he served as the organization's first president; and Fort Walton Beach Medical Center, where he served as President and Chief of Pediatrics.

In addition to his dedicated service and passion in the medical field, Dr. T was highly involved in public service. He served not only as the team physician for local junior high and high schools, but also was president of the Chamber of Commerce from 1967 to 1968 and a member of the Okaloosa County School Board from 1984–1989. However, many remember him for his leadership as Mayor of Fort Walton Beach from 1965 to 1966.

Throughout his life, Dr. T served his Nation and community with the utmost integrity and humility. He was truly a man of compassion who possessed a passion for serving others. He will be remembered as a dedicated public official, wonderful physician, and a loving husband, father, brother, uncle, grandfather, great-grandfather, and great-great-grandfather. His contributions to Northwest Florida and our Nation were truly exceptional and his legacy will not be forgotten.

Mr. Speaker, on behalf of the United States Congress, I am privileged to honor the exemplary life of Dr. William Thompson. My wife Vicki joins me in our sincerest condolences and our prayers go out to his wife, Melba; son, Wes; daughters, Emilie, Helga, Kenya, Rhonda, and Karen; nephew, Roger; grandchildren, Robert, Britt, Kyle, Alex, Renee, Michael, Ryan, Kelly, Kaylyn, Avery, and Aspen; great-grandchildren, Katherine, Amber, Alexander, Zachary, Hunter, and Kai; great-great grandson Orion; sister, Hilda, and the entire

Thompson family and friends. He will truly be missed by all.

HONORING THE 125TH ANNIVERSARY OF LICK OBSERVATORY

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Ms. LOFGREN. Mr. Speaker, I rise to recognize the 125th Anniversary of the Lick Observatory.

On January 3, 1888 the Lick Observatory's great refracting telescope saw "first light." Its construction on top of Mt. Hamilton was made possible by a \$700,000 donation from James Lick. By many accounts the wealthiest man in California, Mr. Lick gave almost his entire fortune to advance science and public welfare. When finished, the "Lick Refractor" was the largest, most powerful refracting telescope in the world.

Today, it is assumed that an observatory should be built on a mountain. However, at the time most observatories were built in cities. It is easy to forget that when Mt. Hamilton was chosen as the build site, it was only speculation that the high altitude would reduce atmospheric interference, allowing for a clearer view of the night stars.

Having proven the theory correct, Lick Observatory set the standard for building observatories on top of mountains, at high altitude, and away from potential interfering light sources and pollution.

The Lick Refractor was a premier research telescope for nearly a century. Even now, this telescope is still used to wow visitors, to inspire scientific wonder, and as a teaching tool for local colleges and universities. While many scientific facilities of this age are no longer useful as tools of discovery, the Lick Observatory continues to upgrade its capabilities and produce ground breaking science.

The Adaptive Optics project uses a unique, deformable mirror to cancel out atmospheric interference. It is capable of achieving resolutions comparable to the space-based Hubble Telescope, but at a fraction of the cost.

The Lick Observatory also houses the Automated Planet Finder, with the goal of finding Earth-like planets located within 100 light years. In partnership with NASA, this fully automated telescope makes its own decisions on where to look in the night sky and is capable of determining whether an Earth-like planet has been discovered.

Even the 125 year old Lick Refractor is still occasionally put to use. In the fall of 2000, coupled with an automatic camera, it started photographing the star clusters in our galaxy. These photographs have provided valuable information for mapping these clusters' star members.

I wish to congratulate the Lick Observatory on its 125th anniversary, and commend not only its scientific achievements, but also its work in inspiring others to pursue the wonders of science.

HONORING SERGEANT JORGE
DELEON, U.S. ARMY (RETIRED)

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. SMITH of Texas. Mr. Speaker, today we honor Sergeant Jorge DeLeon, a brave soldier who resides in my congressional district, for his exceptional service to his country, community and fellow veterans.

Sergeant DeLeon joined the U.S. Army in 2001. During his fourth deployment to Afghanistan in April 2004, the Humvee he was driving ran over an anti-tank mine. Sergeant DeLeon lost his right leg and had his left leg severely injured as a result of the blast. He underwent a long recovery at Walter Reed Army Medical Center and now wears a computer-controlled prosthetic leg.

But Sergeant DeLeon's commitment to service did not end as a result of his battlefield injuries. Currently, he is employed by the Coalition to Salute America's Heroes (CSAH) as Director of the Family Support Network and CSAH Liaison to Brooke Army Medical Center. In addition, he serves as the National Spokesperson for CSAH to help to raise awareness for the organization. CSAH is committed to providing wounded veterans and their families support services to help them recover and rebuild their lives.

Sergeant DeLeon's personal bravery and ongoing efforts on behalf of his fellow veterans are commendable. I thank him for his dedicated service to our country.

CONGRATULATIONS TO THE PECK
PIRATES HIGH SCHOOL FOOT-
BALL TEAM, 8-PLAYER STATE
CHAMPIONSHIP

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mrs. MILLER of Michigan. Mr. Speaker, it is my distinct privilege today to recognize the Peck Pirates High School 8-Player Football Team. The Pirates had what can only be described as a perfect season. The young men that make up the Pirates 8-Player team displayed remarkable teamwork which drove their memorable season home to Sanilac County, keeping the 8-Player trophy in a Sanilac County School since the inception of the Michigan High School Athletic Association (MHSAA) 8-Player football sport in 2010.

The Pirates won the State Championship on November 22, 2013 with a decisive 67–32 win over Rapid River Rockets High School 8-Player Football Team, capping a perfect 13–0 season.

This championship game showcased the Pirates skills that carried them through the season. Their defense took charge executing key plays with tackles, sacks and a big interception before halftime. Their offense wasted little time getting points on the board, working together to complete drive after drive down the field. Both in defensive battle and offensively,

the Pirates kept constant pressure on their opponent and making their claim to the trophy clear.

The Pirates proved they had the skills, teamwork and fortitude to rise to the challenge and accomplish their ultimate goal—a State Championship! I am certain the community and the entire Thumb Region takes great pride in what these young individuals were able to achieve as a team.

Mr. Speaker, it is my pleasure to honor the hard work and sportsmanship displayed by all of the members of the Peck Pirates team. I also wish to take a moment and acknowledge all the efforts and support by the coaches and parents, the cheerleaders, the school band, the teachers and administrators, and all of the students, fans, and community members who came out this season to support the Pirates. Together they made up a winning support system which led to an unforgettable season.

In closing, Mr. Speaker, I want to offer my personal congratulations and best wishes. All the accolades, awards, and trophies are rightfully deserved. Enjoy being State Champions, Go Pirates!

PERSONAL EXPLANATION

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. WEBSTER of Florida. Mr. Speaker, on rollcall No. 621, had I been present, I would have voted "no."

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$17,227,010,669,351.91. We've added \$6,600,133,620,438.83 to our debt in 4 years. This is \$6.6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

REGARDING H. RES. 417

HON. ENI F. H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. FALEOMAVAEGA. Mr. Speaker, as Ranking Member of the Subcommittee on Asia and the Pacific—which has broad jurisdiction for U.S. foreign policy affecting the region, including India—I rise today to express my concerns about H. Res. 417 which purports to praise India's rich religious diversity and commitment to tolerance and equality while reaffirming the need to protect the rights and freedoms of religious minorities.

While I have the utmost respect for my colleagues who have introduced and co-sponsored this Resolution, I have a difference of opinion regarding the Resolution and its unintended consequences. The Resolution does little to praise India or strengthen U.S.-India relations but rather focuses on the 2002 Gujarat riots some 11 years after the fact.

Thanks, in part, to the efforts of Mr. Sanjay Puri, Chairman of USINPAC, who has mobilized the Indian-American community in opposition to the Resolution, I highly doubt H. Res. 417 will ever see Floor action. However, the timing of the Resolution is unfortunate as it unintentionally invokes the name of the U.S. House of Representatives for purposes of influencing India's upcoming elections.

For this reason, I feel the need to include my statement in the CONGRESSIONAL RECORD for historical purposes to clear up the misinformation put forward by H. Res. 417. As I said shortly after the riots and ever since, like every other Member of Congress committed to human rights I see eye to eye with the national and international community that what happened in Gujarat calls for justice and accountability. But India, like the United States, has an independent and transparent Judiciary and, after an investigation that has been ongoing for more than a decade, India's Supreme Court and its Special Investigation Team have not found any evidence against Chief Minister Narendra Modi. And so, just as the U.S. would expect India to accept the findings of the U.S. Supreme Court, I believe it is time for the U.S. to accept the findings of India's Supreme Court.

Some 8 years after the fact, H. Res. 417 also commends the U.S. government for exercising its authority in 2005 under the International Religious Freedom Act of 1998 to deny a U.S. visa to Chief Minister Narendra Modi on the grounds of religious freedom violations. However, technically speaking, no travel ban is in place. Chief Minister Modi was denied one visa in 2005. In September 2013, in response to a letter I sent to U.S. Secretary of State John Kerry, I was informed by the State Department that visa eligibility is determined by standards in the Immigration and Nationality Act (INA) based on information provided by the applicant or otherwise available at the time of application, and that "any future visa application put forward by Chief Minister Modi will be carefully considered and adjudicated in accordance with U.S. law." While I believe such a response by the State Department is grossly inadequate and an affront to U.S.-India relations because of its failure to unequivocally put this matter to rest, the underlying message is clear. No travel ban is in place.

Shri Narendra Modi may very well be India's next Prime Minister, and Resolutions like H. Res. 417 do little to help strengthen U.S.-India relations or protect and promote U.S. interests abroad, especially in the Asia Pacific region. For the record, Chief Minister Modi is a democratically elected leader. He has been elected three times by the majority of some 60 million constituents.

In India's upcoming 2014 elections, every voter should have the continued right to choose the candidate which emerges as the man of destiny, without undue influence from

the United States or any other government. This is why I commend USINPAC for working with key leaders in the U.S. House of Representatives to set the record straight about Slui Narendra Modi, and for encouraging Members of Congress to open immediate dialogue with the Chief Minister.

I thank Chairman ED ROYCE of the House Committee on Foreign Affairs for also voicing his objections to H. Res. 417. India is a multi-cultural and multi-religious Democracy, where the Leader of the Ruling party is of Italian heritage, the Prime Minister is a Sikh, and the Vice President is a Muslim in an 80 percent Hindu nation. As the world's largest and oldest democracies, our inherent values and substance bind India and the United States together. Therefore, it is my sincere hope that the U.S. House of Representatives will oppose any effort that seeks to tear us apart.

HONORING VOLUNTEERS FROM OREGON VETERANS TREATMENT COURTS

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, December 9, 2013

Mr. WALDEN. Mr. Speaker, I rise today to convey my deepest appreciation to the team members of both the Klamath County and the Marion County Veterans Treatment Courts on visiting the Nation's capital this week. These Oregonians are here to attend the inaugural "Vet Con," or Veterans Treatment Court Conference, the first ever gathering of veterans court team members from across the Nation. The conference is being put on by Justice for Vets, a professional service division of the National Association of Drug Court Professionals, with the goal of providing in-depth training to the nearly 200 veterans treatment courts across the Nation.

Key to the operation of a veterans treatment court is the collaborative partnership of the judicial system, the U.S. Department of Veterans Affairs, the county Veterans Service Office, veterans service organizations, community agencies and volunteers. These community members partner in a treatment team which convenes before each court session to review cases and develop problem solving recommendations. This coordinated response addresses an array of issues from community protection and restitution to offender rehabilitation. Weekly court appearances afford close judicial supervision of the veteran defendant's progress. The court hands out encouragement and sanctions as warranted.

I have had the honor of working with the Klamath County Veterans Treatment Court since it was started by Judge Marci Atkinson in November 2010. The development of the Klamath County Veterans Treatment Court began with discussions between Klamath County District Attorney Ed Caleb and Klamath County Veterans Service Officer Kathy Pierce. They formed an exceptional team to attend one of the first veterans court training seminars. Since then, Judge Atkinson and her team have built a very effective court utilizing best treatment practices to address the needs

of veteran defendants in the criminal justice system.

Only two members of the Klamath County Veterans Treatment Court were able to attend this week's "Vet Con" conference. Kathy Pierce, as I mentioned before, is the Klamath County Veterans Service Officer. Kathy has been such an important part of ensuring that veterans in Klamath County are linked up with the benefits they have earned. Kathy works very closely with my office to help veterans resolve issues with their claims and appeals.

Steve Tillson serves as the Klamath County Veterans Treatment Court Coordinator. Steve has a great deal of responsibility in keeping the court well run and organized.

Steve is here this week not only for the training, but is serving as a trainer for other coordinators. We are proud of the work that Steve and Kathy have accomplished over the last four years and we are grateful for their commitment to excellence demonstrated by their attendance at this week's Vet Con.

Kathy and Steve are both tireless advocates for those who have worn the Nation's uniform.

I am very grateful and proud to be associated with the patriots in Klamath and Marion County circuit courts who have established veterans treatment programs of such high quality. Judge Vance Day told me recently that "our soldiers are victors, not victims. They fought and bled for the liberties we enjoy. It is our task to fight for their freedom now—freedom from mental and physical pain, freedom to return home healthy, freedom to enjoy the legacy of their sacrifice." Mr. Speaker, I could not agree more.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, December 10, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 11

9 a.m.

Committee on Environment and Public Works

Subcommittee on Clean Air and Nuclear Safety

To hold an oversight hearing to examine domestic renewable fuels.

SD-406

9:30 a.m.

Committee on Homeland Security and Governmental Affairs

Business meeting to consider the nomination of Alejandro Nicholas Mayorkas, of the District of Columbia, to be Deputy Secretary of Homeland Security.

SD-342

10 a.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of Catherine Ann Novelli, of Virginia, to be an Under Secretary for Economic Growth, Energy, and the Environment, Alternate Governor of the International Bank for Reconstruction and Development, Alternate Governor of the Inter-American Development Bank, and Alternate Governor of the European Bank for Reconstruction and Development, Charles Hammerman Rivkin, of the District of Columbia, to be an Assistant Secretary for Economic and Business Affairs, Tina S. Kaidanow, of the District of Columbia, to be Coordinator for Counterterrorism, with the rank of Ambassador at Large, Puneet Talwar, of the District of Columbia, to be an Assistant Secretary for Political-Military Affairs, Michael A. Hammer, of the District of Columbia, to be Ambassador to the Republic of Chile, Kevin Whitaker, of Virginia, to be Ambassador to the Republic of Colombia, and Bruce Heyman, of Illinois, to be Ambassador to Canada, all of the Department of State.

SD-419

Committee on Rules and Administration

To hold hearings to examine the nominations of Thomas Hicks, of Virginia, and Myrna Perez, of Texas, both to be a Member of the Election Assistance Commission.

SR-301

Committee on Veterans' Affairs

To hold hearings to examine the Veterans Affairs (VA) claims system, focusing on a review of the Veterans Affairs' transformation progress.

SR-418

1 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine resolving crises in East Asia through a new system of collective security, focusing on the Helsinki process as a model.

SD-106

2 p.m.

Committee on Homeland Security and Governmental Affairs

Subcommittee on Financial and Contracting Oversight

To hold hearings to examine streamlining overseas trade and development agencies, focusing on a more efficient and effective government.

SD-342

Committee on the Judiciary

To hold hearings to examine continued oversight of the United States government surveillance authorities.

SD-226

2:30 p.m.

Committee on Finance

Subcommittee on International Trade, Customs, and Global Competitiveness

To hold hearings to examine the digital trade agenda.

SD-215

Committee on Indian Affairs

To hold hearings to examine the nomination of Vincent G. Logan, of New York,

to be Special Trustee, Office of Special Trustee for American Indians, Department of the Interior; to be immediately followed by an oversight hearing to examine implementation of the Department of the Interior's Land Buy-Back Program.

SD-628

3:30 p.m.

Committee on Banking, Housing, and Urban Affairs
Subcommittee on Economic Policy
To hold hearings to examine rebuilding American manufacturing.

SD-538

3:45 p.m.

Special Committee on Aging
To hold hearings to examine protecting seniors from medication labeling mistakes.

SD-562

DECEMBER 12

9:30 a.m.

Committee on Energy and Natural Resources

Business meeting to consider the nominations of Steven Croley, of Michigan, to be General Counsel, and Christopher Smith, of Texas, to be an Assistant Secretary for Fossil Energy, both of the Department of Energy, and Esther Puakela Kia'aina, of Hawaii, to be an Assistant Secretary of the Interior; to be immediately followed by a hearing to examine the nominations of Franklin M. Orr, Jr., of California, to be Under Secretary for Science, and Jonathan Elkind, of Maryland, to be an Assistant Secretary for International Affairs, both of the Department of Energy, and Rhea Sun Suh, of Colorado, to be Assistant Secretary for Fish and Wildlife, and Tommy Port Beaudreau, of Alaska, to be an Assistant Secretary, both of the Department of the Interior.

SD-366

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine assessing the P5+1 Interim Nuclear Agreement with Iran, focusing on Administration perspectives.

SD-538

Committee on Finance

Business meeting to consider an original bill to repeal the Sustainable Growth Rate system and to consider health care extenders.

SD-215

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine accreditation as quality assurance, focusing on

meeting the needs of 21st Century learning.

SD-430

Committee on the Judiciary

Business meeting to consider S. 619, to amend title 18, United States Code, to prevent unjust and irrational criminal punishments, S. 1410, to focus limited Federal resources on the most serious offenders, S. 1675, to reduce recidivism and increase public safety, S. 975, to provide for the inclusion of court-appointed guardianship improvement and oversight activities under the Elder Justice Act of 2009, and the nominations of John B. Owens, of California, and Michelle T. Friedland, of California, both to be a United States Circuit Judge for the Ninth Circuit, Nancy L. Moritz, of Kansas, to be United States Circuit Judge for the Tenth Circuit, Matthew Frederick Leitman, Judith Ellen Levy, Laurie J. Michelson, and Linda Vivienne Parker, all to be a United States District Judge for the Eastern District of Michigan, Christopher Reid Cooper, to be United States District Judge for the District of Columbia, Gerald Austin McHugh, Jr., and Edward G. Smith, both to be a United States District Judge for the Eastern District of Pennsylvania, M. Douglas Harpool, to be United States District Judge for the Western District of Missouri, Sheryl H. Lipman, to be United States District Judge for the Western District of Tennessee, Stanley Allen Bastian, to be United States District Judge for the Eastern District of Washington, Manish S. Shah, to be United States District Judge for the Northern District of Illinois, and Peter Joseph Kadzik, of New York, to be an Assistant Attorney General, Robert L. Hobbs, to be United States Marshal for the Eastern District of Texas, and Gary Blankinship, to be United States Marshal for the Southern District of Texas, all of the Department of Justice.

SD-226

10:30 a.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard

To hold hearings to examine forecasting success, focusing on achieving U.S. weather readiness for the long term.

SD-G50

11 a.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of Bathsheba Nell Crocker, of the District of Columbia, to be an Assistant Secretary for International Organization Affairs, Michael Anderson

Lawson, of California, for the rank of Ambassador during his tenure of service as Representative on the Council of the International Civil Aviation Organization, and Robert C. Barber, of Massachusetts, to be Ambassador to the Republic of Iceland, all of the Department of State.

SD-419

2:30 p.m.

Committee on Foreign Relations

To hold hearings to examine the nominations of Joseph William Westphal, of New York, to be Ambassador to the Kingdom of Saudi Arabia, Mark Gilbert, of the District of Columbia, to be Ambassador to New Zealand and to serve concurrently and without additional compensation as Ambassador to the Independent State of Samoa, George James Tsunis, of New York, to be Ambassador to the Kingdom of Norway, John L. Estrada, of Florida, to be Ambassador to the Republic of Trinidad and Tobago, and Luis G. Moreno, of Texas, to be Ambassador to Jamaica, all of the Department of State.

SD-419

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

DECEMBER 17

10 a.m.

Committee on the Judiciary

To hold hearings to examine protecting small businesses and promoting innovation by limiting patent troll abuse.

SD-226

10:30 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the Navy Yard tragedy, focusing on the physical security for Federal facilities.

SD-342

DECEMBER 18

2:15 p.m.

Special Committee on Aging

To hold hearings to examine the future of long-term care policy, focusing on continuing the conversation.

SD-562

2:30 p.m.

Committee on the Judiciary

To hold hearings to examine certain nominations.

SD-226

HOUSE OF REPRESENTATIVES—Tuesday, December 10, 2013

The House met at noon and was called to order by the Speaker.

MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

HONORING INTERNATIONAL HUMAN RIGHTS DAY

The SPEAKER. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, today, December 10, is International Human Rights Day. Sixty-five years ago in 1948 the first 58 members of the United Nations, fresh from the wounds and memories of World War II, adopted the Universal Declaration of Human Rights. They put aside profound disagreements about their political, economic, and social ideologies, their cultural and their religious differences.

Together they created a document remarkable for its breadth of human rights protections and outlined a bold vision of a world built on the premise that “all human beings are born free and equal in dignity and rights.” The Universal Declaration articulated mankind’s greatest aspirations to respect and protect the dignity of every person, regardless of his or her race, ethnicity, beliefs, or social standing.

The Universal Declaration became the cornerstone for developing international standards for the protection of human rights and helped inform the moral and legal basis for legislative action here in Congress. I am privileged to be the cochair of the bipartisan Tom Lantos Human Rights Commission, dedicated to promoting human rights and educating our congressional colleagues on the importance of standing up for human rights.

Through hearings and initiatives, we have focused on some of the most critical human rights challenges around the world. This year we began the Defending Freedoms Project, where Members of Congress can adopt prisoners of conscience. I congratulate those Mem-

bers who have adopted prisoners and boldly advocated for their release. I invite all my colleagues to join the Commission in its Defending Freedoms Project.

As my colleagues are aware, the U.S. Congress has a long history of standing up for the disenfranchised and the abused. It has stood on the side of immigrants and championed the rights of those whose governments forbid them to emigrate. It has worked on behalf of the disappeared and tortured in Chile and the gulags of the former Soviet Union. It has stood up for the rights of workers, journalists, and other human rights defenders. I hope this Congress and future Congresses will not abandon that history, but will continue to stand up for the rights of the disenfranchised, not just abroad but right here at home.

Along with my colleague FRANK WOLF, I am proud to carry on the tradition as the bipartisan sponsors of the Sergei Magnitsky Rule of Law Accountability Act, which Congress approved last year and the President signed into law. The Magnitsky Act responds to the ongoing pattern of brutality against those speaking out for truth and justice in Russia. It bans U.S. visas and freezes the assets of some of Russia’s gross violators of human rights, and affirms our commitment to safeguarding human rights and fighting impunity regardless of where such transgressions occur.

In an increasingly interconnected world, the Universal Declaration challenges us to place our commitment to human rights firmly and uncompromisingly at the center of our foreign policy. Too often we fail this test. For example, despite China’s relentless crackdown on the Tibetan people, we continue business as usual with China. The toll of this oppression on human dignity is seen in 19 self-immolations—Tibetans’ desperate protest against China’s policies and an appeal to the world for action.

The Universal Declaration also demands that we press our friends and allies when they are responsible for human rights abuses. In Bahrain, since the 2011 uprising, we have seen reports of torture, multiple cases of forced confession, and the unjust prosecution of medical personnel. Peaceful political and human rights leaders have been arbitrarily jailed to the detriment of political reform and stability. Instead of leveraging our good relations with Bahrain to achieve greater respect for human rights, we have chosen to renew military sales and abandon our past de-

mands for increased human rights protections.

Finally, International Human Rights Day reminds us to recommit to respecting human rights in our own Nation. We must eliminate torture in all our policies. We must work harder to prevent human trafficking on our own soil, and we must protect and advance such basic rights as access to adequate food, a fundamental human right under article 25 of the Universal Declaration. Forty-eight million Americans, including 16 million children, don’t have enough to eat in this country. Yet in September, we saw devastating cuts to our SNAP program, with maybe even more on the way in the final version of the farm bill. The Universal Declaration and our own American values demand that we do better.

With the passing of one of the greatest champions of human rights, Nelson Mandela, I would like to close with words he offered in this very Chamber to a joint meeting of Congress in 1990:

To deny any person their human rights is to challenge their very humanity. To impose on them a wretched life of hunger and deprivation is to dehumanize them.

As we remember Nelson Mandela, let us draw inspiration from his dedication to the principles enshrined in the Universal Declaration, and let us rise to the challenge of that document’s vision to respect, protect, and promote the human dignity of every person so that we might achieve a more peaceful, just, secure world.

A TRIBUTE TO PAT GRANT

The SPEAKER pro tempore (Mr. HUIZENGA of Michigan). The Chair recognizes the gentleman from Oklahoma (Mr. BRIDENSTINE) for 5 minutes.

Mr. BRIDENSTINE. Mr. Speaker, Pat Grant passed away on November 26, 2013.

Whether you called her “colonel,” “attorney” or “champ,” Pat Grant was one of the most extraordinary women you would ever hope to meet. She dominated women’s golf in Oklahoma during the 1930s and 1940s. In addition to her golf prowess, Grant served her country for 22 years in the United States Army. After the Army, Grant practiced law for 30 years.

It was said of Grant:

She was not only the perfect example of an athlete; she was the type of American our country needs to look up to.

People started noticing Grant when she won the Oklahoma State High School Golf Championship as a 13-year-

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

old freshman at Cushing High School. She would win it three times before graduating in 1938. Then it was on to Oklahoma Baptist University in Shawnee. There was no golf team at Oklahoma Baptist University at the time, but she was given a scholarship for teaching golf to other students. She graduated from OBU in 1942 and was the first woman to be inducted into the OBU Athletic Hall of Fame.

While at OBU and at the age of 18, Grant won the Oklahoma Women's State Amateur Championship in 1939. In 1940, at the Indian Hills Country Club in Tulsa, Grant won the State championship again. Her third straight championship came at the Southern Hills Country Club in Tulsa. During that championship, she set a new course record for women at Southern Hills and won the championship match 9 and 8. She held the trophy for the fourth straight year with a 7 and 6 win in Shawnee. The legend was beginning to take shape. Grant became known for hitting long, booming drives, some as long as 250 yards. It was rumored that sometimes she even talked to her golf ball.

There was no State championship in 1943, 1944 or 1945 because of World War II; but when play resumed in 1946, Grant won the State Amateur Championship again. With that victory, Grant became the only person in Oklahoma history to win the State championship 5 years in a row. That record still stands today.

When World War II broke out, Grant put aside her ambition of becoming a professional golfer so she could serve her country. "It seemed like the right thing to do," she said. "We were at war, and I didn't want to sit around here and do nothing," she said. Her career in the Army was as illustrious as her accomplishments on the golf course.

Grant and her sister, Mary Margaret, enlisted in the Army in 1942. Grant went into the Women's Army Corps, and Mary enlisted in the Army Nurse Corps. Grant was commissioned as a lieutenant in April 1943. While in the military, Grant held duty assignments all over the globe, including assisting the chief legal counsel during the Nuremberg Trials. Grant also served as the personal escort to Eleanor Roosevelt when the former First Lady toured Germany in 1948.

Grant received 23 letters of commendation while in the Army and won golf tournaments all over the world. "It was good publicity for the Army for me to be playing in all these golf tournaments," Grant said. "It was great for me because the Army was paying my way. That's what you call a 'win-win,'" she added.

In 1965, after 22 years of Active Duty, Grant retired from the Army with the rank of lieutenant colonel. She was one of only 60 women to attain such a rank

at that time. As if her life were not full enough, Grant landed in San Antonio to earn a law degree in 1966.

Just as she protected her country, Grant fought for rights and justice through her family law practice. Because of her service to others, Grant was named Woman of the Year by the Texas Federation of Business and Professional Women's Clubs in 1972. Retirement came for good in 1995. Grant moved to Cortez, Colorado. At the age of 90, she was still active and full of life. Grant flew an ultralight aircraft every Saturday morning when weather permitted.

"It has been a good trip," Grant recently said. "God has chosen a life of adventure for me. I wouldn't trade it."

Grant loved God, and she loved her neighbor, and she spent her life dedicated to family, friends, and country. She was inducted into the Women's Oklahoma Golf Hall of Fame in April of 2010. She passed away on November 26, 2013, at the age of 90. She was a great role model for all Americans.

FLUSHING REMONSTRANCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Ms. MENG) for 5 minutes.

Ms. MENG. Mr. Speaker, I rise today in support of my legislation, the Flushing Remonstrance Study Act, H.R. 3222.

This bill directs the Secretary of the Interior to conduct a special resource study of the Flushing Remonstrance and significant local resources. The Flushing Remonstrance is an important part of my local history, and I would like to take a few moments to discuss its origins and influence on our country.

The Quakers of the mid-17th century were prohibited from practicing their religious traditions in the New Netherland, which included parts of what is now New York State. In response, a group of local activists wrote the Remonstrance as a declaration against religious persecution. Although 356 years old, its intent still shines brightly in the ideals our Nation embraces today.

On December 27, 1657, 30 English citizens stood against oppression and asserted the rights of Quakers and other religious minorities to practice their religion.

They wrote:

We desire . . . not to judge lest we be judged, neither to condemn lest we be condemned, but rather let every man stand or fall to his own master.

This petition, known as the Flushing Remonstrance, made a forceful argument against judging and condemning others for what they believed. It was met with great opposition from the local government in what is known today as Flushing, Queens.

One of the greatest and most outspoken proponents of religious freedom

at the time was an English immigrant named John Bowne. At great risk to himself, John invited the Quakers to hold religious services in his own home. He was arrested for doing so, fined, and then banished to his homeland of Holland for his crimes. While in Holland, John Bowne appealed to the influential Dutch West India Company to return home. His pleas of justice were accepted. Because of Bowne's empathy and strong convictions for religious freedom, the company demanded that religious persecution end in the colony.

□ 1215

Bowne's story of personal courage should not be forgotten. Our Nation was founded upon the ideals that foster a tolerant society, the same ideals that Bowne practiced every time he opened his door to a Quaker seeking refuge from persecution. Bowne's home, which served as a symbol of religious freedom to so many, was converted into a museum in 1947 and listed on the National Register of Historic Places in 1977.

It is important that we continue to preserve and understand the historical significance of the Remonstrance, strengthening its ties to the Queens community and beyond. To help achieve this goal, I introduced the Flushing Remonstrance Study Act, which will help the Queens community connect to its rich past in possibly new and exciting ways. The Bowne House could benefit from further Federal study; and other associated locations, such as the Quaker Meeting House, should be considered for registry.

The story of the Flushing Remonstrance is not for New Yorkers alone. It is a precursor to a fundamental right to practice one's religion. It is a value in our First Amendment. I am proud to represent a district that tended to the early roots of religious freedom that have now grown into an unquestionable American right. I hope the Flushing Remonstrance Study Act and the December 27 anniversary will help us all remember the courage of John Bowne and the passion for religious freedom held by the authors of the Flushing Remonstrance.

PROTECTING MINNESOTA RATEPAYERS FROM WASHINGTON INACTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. PAULSEN) for 5 minutes.

Mr. PAULSEN. Mr. Speaker, recently, the D.C. Circuit Court ruled in favor of America's energy ratepayers.

For more than 30 years, the Department of Energy has assessed a special tax and a special assessment on my constituents and the residents of 40 other States around the country who receive their electricity from nuclear

power. Minnesotans have paid over \$400 million alone. The stated reason for this tax: to pay for the disposal of used fuels generated from nuclear energy. To date, the total amount collected is more than \$24 billion, but little of that money has even been spent.

Since 1987, the law of the land remains that Yucca Mountain is the site for geological storage of nuclear spent fuel. Unfortunately for ratepayers, partisanship and bickering in Washington have nearly halted the program from moving forward. In classic Washington fashion, even with all of this inaction, the tax has continued to be assessed and the moneys have continued to be collected.

Fortunately, this court action will bring an end to this, but just for now. I have long been an advocate of stopping these payments. The government is not doing what it promised to do with used fuel; yet millions of ratepayers are still being forced to foot the bill. Minnesotans and Americans should not be taxed for a service that the government is not providing.

Mr. Speaker, we should be expanding the development of nuclear energy. It is safe, it is clean, and it is renewable. Storing these used fuels is a critical piece of that effort, and we need a permanent solution, whether it is at Yucca Mountain or somewhere else.

It is reasonable and fair that if the administration is going to continue to drag its feet on a permanent storage site, as they have for several years now, then ratepayers and taxpayers should not be forced to fund inaction.

Mr. Speaker, I applaud the court's decision to protect Minnesota ratepayers and stopping these payments. In addition, it is time to get serious about the future of nuclear energy and moving forward with safe and proper storage facilities for the waste.

THE DO-NOTHING REPUBLICAN MAJORITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. TONKO) for 5 minutes.

Mr. TONKO. Mr. Speaker, well, here we go again. Our to-do list continues to pile up and Republican House leadership of this legislative body—if we can even use words like “leadership” and “legislative” to describe the House anymore—has officially cemented the first session of the 113th Congress as the “least productive of all time.”

We have not passed a budget, have not passed a farm bill, have not fixed the Voting Rights Act, or done anything in our charge to make the people's voices heard in their Nation's Capital. In fact, if recent reports in the D.C. newspapers are any indication, House leadership seems to be more concerned with planning fund-raisers in New York City than getting anything done here in Washington, D.C.

The leadership of the people's House has continued to govern by sound bites and passing messaging bills that go nowhere—even shutting down the government for more than 2 weeks in the process, a painful exercise and expensive exercise.

But we are about to call it a year and skip town with so much left undone. Our unemployment—or employment—rate is at its lowest point in 5 years. But imagine how much lower it would be today if we would work together and focus on jobs instead of attempting to repeal the Affordable Care Act since 2011;

Rolling back sequestration and replacing it with a responsible budget that cuts where we can and invests where we must;

Passing comprehensive immigration reform to expand the American Dream to our friends and neighbors who want so desperately to contribute to the greatest country on the planet;

Updating the Voting Rights Act so that everyone is able to fulfill their basic human right and duty of going to the polls;

Increasing the minimum wage to restore dignity to those who have been forced to work two, and sometimes three, jobs simply to put food on the table;

Passing a farm bill—something that needs to be done and used to be routine—and empowering our Nation's family farms to ensure that our national food supply remains secure and remains plentiful;

Focusing on the clear and present danger that climate change has brought to the Midwest and to our shores along the Gulf of Mexico and the Atlantic coast.

I could go on and on, but I only have 5 minutes.

Tax reform, certainly commonsense gun reform like expanding background checks, and passing ENDA.

The fact is that there are about 10 to 15 pieces of major legislation that would improve our country and the quality of life for Americans of every race, orientation, political party, and socioeconomic status. But they are not being pushed by this House.

Almost all of these bills, if given a simple up-or-down vote, would pass with a bipartisan majority; but House leadership continues to act in the interest of a few extremists in their own party instead of doing what is right for our American people.

I, like many of my Democratic colleagues, have signed onto a resolution introduced by my good friend LOUISE SLAUGHTER, which would prevent Congress from adjourning unless the House agrees to a budget by December 13.

I urge my colleagues on both sides of the aisle to support this resolution so that we stay in town until we perform at least one of our basic duties before leaving for the holidays. The American

people deserve so much more than what we have given them in the past year.

It is my hope that when we gavel in next year, we will do so with a renewed willingness to work together and focus on the top priority for Americans, which is, indeed, putting people back to work. The American public expects and deserves nothing less.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 22 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CHAFFETZ) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Almighty God of the Universe, we give You thanks for giving us another day.

We join the world this day to ask Your blessing upon all worldwide who mourn the death of Nelson Mandela.

One of the great figures of human history, and most certainly of our own era, Madiba joined a small fellowship of heroic people whose commitment, ultimately, to nonviolence and reconciliation changed our world.

As today marks the 20th anniversary of the Office of United Nations High Commissioner for Human Rights, we ask that You give all who inhabit the Earth the will to intensify our efforts to fulfill our collective responsibility to promote and protect the rights and dignity of all people everywhere and the wisdom to know how best to do so.

Bless us this day and every day, and may all that is done within the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Arizona (Mrs. KIRKPATRICK) come forward and lead the House in the Pledge of Allegiance.

Mrs. KIRKPATRICK led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain requests for fifteen 1-minute speeches on each side of the aisle.

AFFORDABLE CARE ACT STANDS ON A SAND FOUNDATION

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, even the White House's best ObamaCare damage control efforts, waivers, delays, penalty deadline, adjustments, and temporary fixes sadly leave the so-called Affordable Care Act's sand foundation untouched.

Math undergirding the entire law remains structurally unsound and threatens the broader insurance market in this country. That is a shame for each and every American.

As someone who wants to see greater access and affordability in health care, and more options for Americans in the individual insurance market, it is my hope that the country moves toward a competitive, patient-centered system like the one outlined by the House Republican Study Committee in the American Health Care Reform Act.

Something as transformative as health care policy should never be forced on the American people on an embarrassingly unstudied and purely partisan basis, the way President Obama chose to proceed with the Affordable Care Act.

VETERANS AFFAIRS MEDICAL FACILITY LEASES

(Mrs. KIRKPATRICK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KIRKPATRICK. Mr. Speaker, I rise today in favor of H.R. 3521, which authorizes medical facility leases for the Department of Veterans Affairs. I am a cosponsor of this bipartisan bill, and I am pleased that it allocates \$20 million for community-based outpatient clinics in my home State of Arizona.

The Phoenix VA Health Care System serves the majority of our veterans. More than 300,000 veterans reside in this service area. Having an additional facility will help these men and women access the care they deserve.

I thank my colleagues on both sides of the aisle for supporting this bill. Helping our veterans isn't a partisan issue; it is a national responsibility.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 9, 2013.

Hon. JOHN A. BOEHNER,
Speaker, U.S. Capitol, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 9, 2013 at 6:06 p.m.:

That the Senate passed without amendment H.R. 3626.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by Speaker pro tempore DENHAM on Monday, December 9, 2013:

H.R. 3626, to extend the Undetectable Firearms Act of 1988 for 10 years

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

DEPARTMENT OF VETERANS AFFAIRS MAJOR MEDICAL FACILITY LEASE AUTHORIZATION ACT OF 2013

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3521) to authorize Department of Veterans Affairs major medical facility leases, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3521

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Veterans Affairs Major Medical Facility Lease Authorization Act of 2013".

SEC. 2. AUTHORIZATION OF MAJOR MEDICAL FACILITY LEASES.

The Secretary of Veterans Affairs may carry out the following major medical facility leases at the locations specified, and in an amount for each lease not to exceed the amount shown for such location (not including any estimated cancellation costs):

(1) For a clinical research and pharmacy coordinating center, Albuquerque, New Mexico, an amount not to exceed \$9,560,000.

(2) For a community-based outpatient clinic, Brick, New Jersey, an amount not to exceed \$7,280,000.

(3) For a new primary care and dental clinic annex, Charleston, South Carolina, an amount not to exceed \$7,070,250.

(4) For the Cobb County community-based Outpatient Clinic, Cobb County, Georgia, an amount not to exceed \$6,409,000.

(5) For the Leeward Outpatient Healthcare Access Center, Honolulu, Hawaii, including a co-located clinic with the Department of Defense and the co-location of the Honolulu Regional Office of the Veterans Benefits Administration and the Kapolei Vet Center of the Department of Veterans Affairs, an amount not to exceed \$15,887,370.

(6) For a community-based outpatient clinic, Johnson County, Kansas, an amount not to exceed \$2,263,000.

(7) For a replacement community-based outpatient clinic, Lafayette, Louisiana, an amount not to exceed \$2,996,000.

(8) For a community-based outpatient clinic, Lake Charles, Louisiana, an amount not to exceed \$2,626,000.

(9) For outpatient clinic consolidation, New Port Richey, Florida, an amount not to exceed \$11,927,000.

(10) For an outpatient clinic, Ponce, Puerto Rico, an amount not to exceed \$11,535,000.

(11) For lease consolidation, San Antonio, Texas, an amount not to exceed \$19,426,000.

(12) For a community-based outpatient clinic, San Diego, California, an amount not to exceed \$11,946,100.

(13) For an outpatient clinic, Tyler, Texas, an amount not to exceed \$4,327,000.

(14) For the Errera Community Care Center, West Haven, Connecticut, an amount not to exceed \$4,883,000.

(15) For the Worcester community-based Outpatient Clinic, Worcester, Massachusetts, an amount not to exceed \$4,855,000.

(16) For the expansion of a community-based outpatient clinic, Cape Girardeau, Missouri, an amount not to exceed \$4,232,060.

(17) For a multispecialty clinic, Chattanooga, Tennessee, an amount not to exceed \$7,069,000.

(18) For the expansion of a community-based outpatient clinic, Chico, California, an amount not to exceed \$4,534,000.

(19) For a community-based outpatient clinic, Chula Vista, California, an amount not to exceed \$3,714,000.

(20) For a new research lease, Hines, Illinois, an amount not to exceed \$22,032,000.

(21) For a replacement research lease, Houston, Texas, an amount not to exceed \$6,142,000.

(22) For a community-based outpatient clinic, Lincoln, Nebraska, an amount not to exceed \$7,178,400.

(23) For a community-based outpatient clinic, Lubbock, Texas, an amount not to exceed \$8,554,000.

(24) For a community-based outpatient clinic consolidation, Myrtle Beach, South Carolina, an amount not to exceed \$8,022,000.

(25) For a community-based outpatient clinic, Phoenix, Arizona, an amount not to exceed \$20,757,000.

(26) For the expansion of a community-based outpatient clinic, Redding, California, an amount not to exceed \$8,154,000.

(27) For the expansion of a community-based outpatient clinic, Tulsa, Oklahoma, an amount not to exceed \$13,269,200.

SEC. 3. BUDGETARY TREATMENT OF DEPARTMENT OF VETERANS AFFAIRS MAJOR MEDICAL FACILITIES LEASES.

(a) FINDINGS.—Congress finds the following:

(1) Title 31, United States Code, requires the Department of Veterans Affairs to record the full cost of its contractual obligation against funds available at the time a contract is executed.

(2) Office of Management and Budget Circular A-11 provides guidance to agencies in meeting the statutory requirements under title 31, United States Code, with respect to leases.

(3) For operating leases, Office of Management and Budget Circular A-11 requires the Department of Veterans Affairs to record upfront budget authority in an “amount equal to total payments under the full term of the lease or [an] amount sufficient to cover first year lease payments plus cancellation costs”.

(b) REQUIREMENT FOR OBLIGATION OF FULL COST.—Subject to the availability of appropriations provided in advance, in exercising the authority of the Secretary of Veterans Affairs to enter into leases provided in this Act, the Secretary shall record, pursuant to section 1501 of title 31, United States Code, as the full cost of the contractual obligation at the time a contract is executed either—

(1) an amount equal to total payments under the full term of the lease; or

(2) if the lease specifies payments to be made in the event the lease is terminated before its full term, an amount sufficient to cover the first year lease payments plus the specified cancellation costs.

(c) TRANSPARENCY.—

(1) COMPLIANCE.—Subsection (b) of section 8104 of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(7) In the case of a prospectus proposing funding for a major medical facility lease, a detailed analysis of how the lease is expected to comply with Office of Management and Budget Circular A-11 and section 1341 of title 31 (commonly referred to as the ‘Anti-Deficiency Act’). Any such analysis shall include—

“(A) an analysis of the classification of the lease as a ‘lease-purchase’, ‘capital lease’, or ‘operating lease’ as those terms are defined in Office of Management and Budget Circular A-11;

“(B) an analysis of the obligation of budgetary resources associated with the lease; and

“(C) an analysis of the methodology used in determining the asset cost, fair market value, and cancellation costs of the lease.”.

(2) SUBMITTAL TO CONGRESS.—Such section 8104 is further amended by adding at the end the following new subsection:

“(h)(1) Not less than 30 days before entering into a major medical facility lease, the Secretary shall submit to the Committees on Veterans’ Affairs of the Senate and the House of Representatives—

“(A) notice of the Secretary’s intention to enter into the lease;

“(B) a copy of the proposed lease;

“(C) a description and analysis of any differences between the prospectus submitted pursuant to subsection (b) and the proposed lease; and

“(D) a scoring analysis demonstrating that the proposed lease fully complies with Office of Management and Budget Circular A-11.

“(2) Each committee described in paragraph (1) shall ensure that any information submitted to the committee under such

paragraph is treated by the committee with the same level of confidentiality as is required by law of the Secretary and subject to the same statutory penalties for unauthorized disclosure or use as the Secretary.

“(3) Not more than 30 days after entering into a major medical facility lease, the Secretary shall submit to each committee described in paragraph (1) a report on any material differences between the lease that was entered into and the proposed lease described under such paragraph, including how the lease that was entered into changes the previously submitted scoring analysis described in subparagraph (D) of such paragraph.”.

(d) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments made by this section, shall be construed to in any way relieve the Department of Veterans Affairs from any statutory or regulatory obligations or requirements existing prior to the enactment of this section and such amendments.

SEC. 4. BUDGETARY EFFECTS OF THIS ACT.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, as long as such statement has been submitted prior to the vote on passage of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from Maine (Mr. MICHAUD) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3521, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3521, the Department of Veterans Affairs Major Medical Facility Lease Authorization Act of 2013, as amended, would authorize 27 major medical facility leases requested by VA in the fiscal year 2013 and 2014 budget submissions.

It would also make a number of congressional findings and establish certain requirements for the budgetary treatment of such leases to ensure that the legislation itself meets both the spirit and the intent of the House CutGo rule.

As we all know, when the committee was considering legislation to authorize VA’s major medical facility leases last year, the Congressional Budget Office raised concerns about how to properly account for VA’s lease authorizations.

In response to CBO concerns, section 3 of the bill would require VA to record

an obligation at the time a contract is signed in an amount equal to either the total payment that would be made under its full term or an amount equal to the sum of the first annual lease payment and any specified cancellation costs.

For the last year, I have remained committed to working closely with VA, CBO, and our colleagues from both sides of the aisle and both sides of the Capitol to find a way forward for VA’s major medical facility lease program on behalf of the veterans of this country, especially those in the 27 communities that will be impacted by the leases included in this piece of legislation.

To that end, I am grateful for the hard work and the leadership of our ranking member, MIKE MICHAUD of Maine, and the other committee members in advancing this piece of legislation to the floor.

At this time, I urge all my colleagues to join me in supporting H.R. 3521, as amended, and I reserve the balance of my time.

Mr. MICHAUD. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 3521, the Department of Veterans Affairs Major Medical Facility Lease Authorization Act of 2013.

Mr. Speaker, this bill would authorize a number of major medical facility leases that will ensure veterans continue to receive care in safe, efficient, and modern clinics closer to home.

Last year, much to our disappointment, we were unable to pass a lease authorization bill. As a result, H.R. 3521 contains lease requests for fiscal years 2013 and 2014. Twenty-seven leases are included in this bill. From New Jersey to Hawaii, veterans can expect long awaited expansions to cramped community-based outpatient clinics, new clinical research space, and sorely needed replacement facilities.

This bill is a bipartisan bill and in the best interest of America’s veterans. I appreciate the efforts of my colleagues across the aisle, especially Chairman MILLER, for the collaborative effort that permitted this important legislation to move forward.

Mr. Speaker, I know you will agree with me that it is our obligation to ensure that our veterans are provided the best care possible in a timely and safe manner. I believe H.R. 3521, as amended, will do just that.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, at this time, I yield 2 minutes to the gentleman from Florida (Mr. BILIRAKIS), vice chairman of the full Committee on Veterans’ Affairs, somebody who has been a very strong supporter of veterans issue since the day he became a Member of this Congress.

Mr. BILIRAKIS. Mr. Speaker, I rise in support of H.R. 3521, and I urge all

my colleagues to support this important piece of legislation that will allow the VA to move forward with these 27 leases in order to better serve the veterans, our true American heroes, across the country.

The veterans in and around the Tampa Bay area will be particularly served by this legislation. The VA recently approved a plan that would take the currently strained five existing clinics that are spread out over a large area and consolidate them into a convenient one-stop facility. This would allow the VA to better meet the growing needs of the veterans community with diverse health status. However, because of the technical issues we are solving today, this project had not been able to move forward.

By passing this bill, the House will allow for not only the consolidation of our five medical clinics in my congressional district into one property, but for 26 other equally important projects to move forward across the country improving access for our heroes. This would not have been done, Mr. Speaker, without our great chairman here, Mr. MILLER, and our ranking member, Mr. MICHAUD, so thank you so very much. I know that our true American heroes, our veterans, appreciate it very much.

I urge passage of this bill.

□ 1415

Mr. MICHAUD. Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. BOUSTANY), who has been an advocate for this issue for quite some time and who has two of these facilities in his district.

Mr. BOUSTANY. I thank the chairman for yielding me this time.

Mr. Speaker, I rise in support of H.R. 3521. I want to applaud Chairman JEFF MILLER and the chairman of the Budget Committee, PAUL RYAN, and their respective staffs on the House Veterans' Affairs Committee and the Budget Committee for advancing this important bill and improving veterans' access to medical care.

I also appreciate the work that the two Senators from my home State, Senators LANDRIEU and VITTER, have been doing. They have pledged their support in the Senate, and we hope to get this done before the end of the year.

This last year, more than 66 Members of Congress signed our bipartisan, bicameral letter calling for progress on the 27 major medical facility leases proposed by the Department of Veterans Affairs during the past 2 years.

Among these leases are two clinics promised by VA Secretary Eric Shinseki to Lake Charles and Lafayette in my congressional district. Without congressional authorization of these clinics, more than 3,000 south

Louisiana veterans must travel in excess of 3 hours to receive medical care. A recent CBS Evening News story featured one of these wounded warriors in south Louisiana who goes without care because his family must miss work to drive him 3 hours. It is unacceptable.

The American people expect Congress to demonstrate that it can govern effectively in a bipartisan manner, and this is one way we can do it, by keeping our promise to our veterans.

The passage of this bill will improve medical access for more than 340,000 veterans in 22 States, and that's why I urge our House and Senate colleagues to send this bill to the President before the end of year.

Again, I thank the committee and Chairman MILLER for his fine work on this and for giving me the opportunity to speak.

Mr. MICHAUD. Mr. Speaker, once again I would urge my colleagues to support H.R. 3521, as amended.

I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, once again I encourage all Members to support this legislation.

I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, today, the House will consider H.R. 3521, the Department of Veterans Affairs Major Medical Facility Lease Authorization Act of 2013, as Amended. H.R. 3521 authorizes the Secretary of Veterans Affairs to carry out major medical facility leases at twenty-seven facilities requested by the Department of Veterans Affairs in their fiscal year 2013 and 2014 budget requests.

Since 1990, CBO has scored VA's major medical facility leases as operating leases and estimated the costs as being subject to appropriation (discretionary). In 2012, after receiving additional information from the Department of Veterans Affairs, CBO concluded that VA has been entering into capital leases, or binding obligations for the full period of the lease. In accordance with OMB Circular A-11 and the Anti-Deficiency Act, VA is required to obligate the budget authority upfront for the full amount of these obligations. This includes budgeting for both the estimated total payments expected to arise under the full term of the contract or, if the contract includes a cancellation clause, an amount sufficient to cover the lease payments for the first year plus an amount sufficient to cover the costs associated with termination of the contract. Up until this point, VA has not been properly budgeting for its leases according to the law.

CBO estimates that enacting this bill would provide contract authority of about \$1.4 billion over the ten-year period.

HBC has worked closely with both HVAC and CBO on this issue and has produced lease authorization language, in addition to report language, that we believe adequately addresses the legitimate issues CBO raised with respect to how VA was budgeting for leases.

HBC believes this language forces VA to comply with budgeting laws, specifically that VA may only enter into binding commitments on behalf of the U.S. Government once funds have been appropriated for the purpose of that

proposed commitment and that VA must then obligate the full cost of that commitment at the time it executes the lease. In addition, the language requires VA to submit to Congress a detailed analysis on how its leasing practices comply with these laws.

If the VA fails to faithfully execute the requirements in the bill and to comply with the longstanding laws governing obligations, we will revisit this issue in the context of future requests for leasing authority.

With these fiscal protections in place, I fully support H.R. 3521 moving forward to ensure continued access for our veterans to the highest quality medical care.

Mr. GINGREY of Georgia. Mr. Speaker, I rise today in support of H.R. 3521, the Department of Veterans Affairs Major Medical Facility Lease Authorization Act, introduced by my good friend and Chairman of the Veterans Affairs Committee, Mr. MILLER. This legislation authorizes the Secretary of Veterans Affairs to carry out major medical facility leases at twenty-seven facilities—including a facility in Cobb County, Georgia—that were requested by the Department of Veterans Affairs in their 2013 and 2014 budget submissions.

A change in Congressional Budget Office (CBO) accounting methods made the reauthorization of these leases very difficult, but this important legislation will allow authorization while increasing transparency.

This legislation, however, is about so much more than leases and definitional changes. This legislation is about ensuring the care of our veterans, and paying them the debt of gratitude we owe them.

The VA facility in Cobb County served 6,634 unique patients outpatients in Fiscal Year 2013, providing services in outpatient treatment, mental health, and lab work. These services are critical, provide convenience, and reduce driving time for veterans, many of whom would otherwise be forced to travel 70 miles or more round-trip to visit the overcrowded Atlanta VA Medical Center. With passage of the legislation before us today, the VA could authorize a lease for an expanded facility in Cobb County, one that would serve an estimated 64,000 veterans and provide more access to a greater variety of care. While mental health services, lab work, and outpatient treatment would still be provided, the expanded facility is intended to have the capability to provide eye care, physical and occupational therapy, radiology, and more.

Mr. Speaker, this legislation is a way forward for that facility and several more like it across the country. It seeks to expand access to care for veterans, not bureaucratic federal policies.

Our men and women in uniform—who put their lives on the line to protect our freedoms—deserve the best care that we can give them. They deserve quality care that is convenient and accessible. This legislation provides us with an opportunity today to show our veterans that we are committed to those goals. I urge my colleagues to join me in supporting H.R. 3521.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 3521, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MILLER of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

VA EXPIRING AUTHORITIES EXTENSION ACT OF 2013

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1402) to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to the United States Paralympics, Inc., as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1402

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “VA Expiring Authorities Extension Act of 2013”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. References to title 38, United States Code.
- Sec. 3. Scoring of budgetary effects.
- Sec. 4. Extension of authorization of appropriations for payment of a monthly assistance allowance to disabled veterans training or competing in large-scale adaptive sports programs.
- Sec. 5. Reauthorization and modification of adaptive sports assistance program.
- Sec. 6. Extension of authority to transport certain individuals to and from Department of Veterans Affairs facilities.
- Sec. 7. Extension of authority for operation of the Department of Veterans Affairs regional office in Manila, the Republic of the Philippines.
- Sec. 8. Extension of requirement to provide nursing home care to certain veterans with service-connected disabilities.
- Sec. 9. Extension of treatment and rehabilitation services for seriously mentally ill and homeless veterans.
- Sec. 10. Extension of authority to provide housing assistance for homeless veterans.
- Sec. 11. Extension of authority for the Advisory Committee on Homeless Veterans.
- Sec. 12. Extension of authority for the Veterans’ Advisory Commission on Education.

Sec. 13. Extension of requirements relating to vendee loans.

Sec. 14. Extension of authority for the performance of medical disabilities examinations by contract physicians.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 3. SCORING OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 4. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR PAYMENT OF A MONTHLY ASSISTANCE ALLOWANCE TO DISABLED VETERANS TRAINING OR COMPETING IN LARGE-SCALE ADAPTIVE SPORTS PROGRAMS.

(a) REAUTHORIZATION AND USE OF CERTAIN FUNDS.—Subsection (d)(4) of section 322 is amended by striking “through 2013” and all that follows and inserting “through 2015.”.

(b) COOPERATION WITH ORGANIZATION.—Subsection (b)(4) of such section is amended by striking “cooperate with the United States Olympic Committee” and all that follows through “its partners;” and inserting “cooperate with entities with significant experience in managing large-scale adaptive sports programs;”.

(c) APPLICABILITY TO COMMONWEALTHS AND TERRITORIES OF THE UNITED STATES.—Such section is further amended by redesignating subsection (e) as subsection (f) and inserting after subsection (d) the following new subsection (e):

“(e) APPLICABILITY TO COMMONWEALTHS AND TERRITORIES OF THE UNITED STATES.—The provisions of this subsection shall apply in the same manner and to the same degree as to the United States Olympic Committee to the Paralympic sport entities the Secretary considers appropriate to represent the interests of each of the following:

- “(1) American Samoa.
- “(2) Guam.
- “(3) Puerto Rico.
- “(4) The Northern Mariana Islands.
- “(5) The United States Virgin Islands.”.

SEC. 5. REAUTHORIZATION AND MODIFICATION OF ADAPTIVE SPORTS ASSISTANCE PROGRAM.

(a) REAUTHORIZATION.—Subsection (a) of section 521A is amended to read as follows:

“(a) ADAPTIVE SPORTS PROGRAM.—(1) The Secretary may carry out a program under which the Secretary may make grants to eligible entities for planning, developing, managing, and implementing programs to provide adaptive sports opportunities for disabled veterans and disabled members of the Armed Forces.

“(2) For purposes of this section, an eligible entity is an entity with significant experience in managing a large-scale adaptive sports program.”.

(b) ADDITIONAL APPLICATION REQUIREMENTS.—Subsection (c)(2)(A) of such section is amended—

(1) by striking “of all partnerships” and all that follows through the end and inserting “of—”; and

(2) by adding at the end the following new clauses:

“(i) all partnerships referred to in paragraph (3) at the national and local levels that will be participating in such activities and the amount of grant funds that the eligible entity proposes to make available for each of such partnerships;

“(ii) the anticipated personnel, travel, and administrative costs that will be paid for by the eligible entity using grant funds;

“(iii) the financial controls implemented by the eligible entity, including methods to track expenditures of grant funds;

“(iv) the performance metrics to be used by the eligible entity to evaluate the effectiveness of the activities to be carried out using grant funds; and

“(v) the anticipated personnel, travel, and administrative costs that will be paid for by grantees under this subsection using grant funds; and”.

(c) USE OF FUNDS FOR ADMINISTRATIVE EXPENSES.—Paragraph (4) of subsection (d) of such section is amended to read as follows:

“(4)(A) At the discretion of the Secretary, an eligible entity that receives a grant under this section may use a portion of the grant for the administrative expenses and personnel expenses of the eligible entity. The amount that may be used for such expenses may not exceed—

“(i) in the case of a grant made for adaptive sports opportunities taking place during fiscal year 2014, 10 percent of the total amount of the grant;

“(ii) in the case of a grant made for adaptive sports opportunities taking place during fiscal year 2015, 7.5 percent of the total amount of the grant; and

“(iii) in the case of a grant made for adaptive sports opportunities taking place during any subsequent fiscal year, 5 percent of the total amount of the grant.

“(B) For purposes of this paragraph, personnel expenses include any costs associated with an employee of the eligible entity other than reimbursement for time spent by such an employee directly providing coaching or training for disabled veterans or members of the Armed Forces.”.

(d) FUNDING.—Subsection (g) of such section is amended—

(1) by striking “There is” and inserting “(1) There is”;;

(2) by striking “through 2013” and all that follows and inserting “through 2015.”; and

(3) by adding at the end the following new paragraph:

“(2) Amounts appropriated pursuant to this subsection shall remain available without fiscal year limitation.”.

(e) REAUTHORIZATION.—Subsection (l) of such section is amended by striking “may not provide assistance under this section after December 31, 2013” and inserting “may only provide assistance under this section for adaptive sports opportunities occurring during fiscal years 2010 through 2016”.

(f) COMPTROLLER GENERAL REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the use of the grants, if any, awarded under section 521A of title 38, United States Code, as amended by this section, during the first program year that begins after the date of the enactment of this Act. Such report shall include each of the following:

(1) An assessment of how the Secretary of Veterans Affairs, eligible entities that received grants under such section, and grantees under subsection (c) of such section have

provided adaptive sports opportunities to veterans and members of the Armed Forces through grants awarded under such section.

(2) An assessment of how the Secretary oversees the use of funds provided under such section.

(3) A description of the benefit provided to veterans and members of the Armed Forces through programs and activities developed through grants awarded under such section.

(g) **TECHNICAL AND CONFORMING AMENDMENTS.**—Section 521A, as amended by this section, is further amended—

(1) in subsection (b)—

(A) in the first sentence, by striking “the United States Olympic Committee” and inserting “an eligible entity”; and

(B) in the second sentence, by striking “The United States Olympic Committee” and inserting “An eligible entity that receives a grant under this section”;

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “the United States Olympic Committee” the first time it appears and inserting “an eligible entity”; and

(ii) by striking “the United States Olympic Committee” the second time it appears and inserting “the eligible entity”; and

(B) in paragraphs (2) and (3), by striking “the United States Olympic Committee” each place it appears and inserting “the eligible entity”;

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by striking “The United States Olympic Committee” and inserting “An eligible entity that receives a grant under this section.”;

(ii) by striking “a grant under this section” and inserting “the grant”; and

(iii) by striking “the United States Olympic Committee” and inserting “the eligible entity”; and

(B) in paragraph (5), by striking “the United States Olympic Committee” and inserting “an eligible entity that receives a grant under this section”;

(4) in subsection (e)—

(A) by striking “the United States Olympic Committee” and inserting “an eligible entity”; and

(B) by striking “the integrated adaptive sports program” and inserting “the adapted sports opportunities funded by the grant”;

(5) in subsection (f), by striking “the integrated adaptive sports program” and inserting “adapted sports opportunities funded under this section”; and

(6) in subsection (j)—

(A) in paragraph (1)—

(i) by striking “the United States Olympic Committee” the first place it appears and inserting “an eligible entity”;

(ii) by striking “the United States Olympic Committee” the second place it appears and inserting “the eligible entity”;

(iii) by striking “the integrated adaptive sports program,” and inserting “the adapted sports opportunities funded by the grant.”; and

(iv) by striking “the integrated adaptive sports program.” and inserting “such opportunities and programs.”;

(B) by striking paragraph (3) and inserting the following new paragraph (3):

“‘(3) If an eligible entity that receives a grant under this section for any fiscal year does not submit the report required by paragraph (1) for such fiscal year, the entity shall not be eligible to receive a grant under this section for the subsequent fiscal year.’”; and

(7) by striking subsection (m).

(h) **CLERICAL AMENDMENTS.**—

(1) **SECTION HEADING.**—The heading of such section is amended to read as follows:

“§ 521A. Adaptive sports programs for disabled veterans and members of the Armed Forces”.

(2) **TABLE OF SECTIONS.**—The table of sections at the beginning of chapter 5 is amended by striking the item relating to section 521A and inserting the following new item:

“521A. Adaptive sports programs for disabled veterans and members of the Armed Forces.”.

(i) **IMPLEMENTATION.**—To ensure the uninterrupted provision of adaptive sports for disabled veterans and disabled members of the Armed Forces, any regulations that the Secretary of Veterans Affairs determines are necessary to implement the amendments made by this section may be promulgated by interim final rules to ensure the award of grants under section 521A of title 38, United States Code, as amended by this section, before the end of fiscal year 2014.

SEC. 6. EXTENSION OF AUTHORITY TO TRANS-PORT CERTAIN INDIVIDUALS TO AND FROM DEPARTMENT OF VETERANS AFFAIRS FACILITIES.

Section 111A(a)(2) is amended by striking “the date that is one year after the date of the enactment of this section” and inserting “December 31, 2014”.

SEC. 7. EXTENSION OF AUTHORITY FOR OPERATION OF THE DEPARTMENT OF VETERANS AFFAIRS REGIONAL OFFICE IN MANILA, THE REPUBLIC OF THE PHILIPPINES.

Section 315(b) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

SEC. 8. EXTENSION OF REQUIREMENT TO PROVIDE NURSING HOME CARE TO CERTAIN VETERANS WITH SERVICE-CONNECTED DISABILITIES.

Section 1710A(d) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

SEC. 9. EXTENSION OF TREATMENT AND REHABILITATION SERVICES FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.

(a) **GENERAL TREATMENT.**—Section 2031(b) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) **ADDITIONAL SERVICES AT CERTAIN LOCATIONS.**—Section 2033(d) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

SEC. 10. EXTENSION OF AUTHORITY TO PROVIDE HOUSING ASSISTANCE FOR HOMELESS VETERANS.

Section 2041(c) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

SEC. 11. EXTENSION OF AUTHORITY FOR THE ADVISORY COMMITTEE ON HOMELESS VETERANS.

Section 2066(d) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

SEC. 12. EXTENSION OF AUTHORITY FOR THE VETERANS’ ADVISORY COMMISSION ON EDUCATION.

Section 3692(c) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

SEC. 13. EXTENSION OF REQUIREMENTS RELATING TO VENDEE LOANS.

Section 3733(a)(7) is amended by striking “September 30, 2013” each place it appears and inserting “September 30, 2014”.

SEC. 14. EXTENSION OF AUTHORITY FOR THE PERFORMANCE OF MEDICAL DISABILITIES EXAMINATIONS BY CONTRACT PHYSICIANS.

Section 704(c) of the Veterans Benefits Act of 2003 (Public Law 108-183; 38 U.S.C. 5101

note) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from Maine (Mr. MICHAUD) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and add any extraneous materials they may have on H.R. 1402, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 1402, as amended, the VA Expiring Authorities Act of 2013. Mr. Speaker, to put it simply, this bill extends the legal authorization for several VA authorities. Without enactment of this bill before December 31, 2013, the authorization to run certain programs and exercise certain legal authorities would end. This would be very detrimental to veterans and their families.

For example, the bill extends VA’s authority to ensure that severely disabled veterans have priority access to nursing home care, to include those who require that level of care for service-connected disabilities. It also extends VA’s adaptive sports program, which is currently run through a partnership with the U.S. Paralympic committee. I have met with veterans who have benefited from this partnership and have seen firsthand the positive impact that the activities and events have had on them and their families.

H.R. 1402, as amended, would extend other legal authorities to help veterans, including the authorization for treatment and rehabilitative services for homeless and seriously mentally ill veterans, housing assistance for homeless veterans, authorization to permit the use of contract exam providers for disability claims, and several other important extensions.

I am pleased also to report that funding for these extensions was included in both the President’s budget request and appropriation bills passed by the House and pending in the Senate.

I thank my good friend and ranking member of the full committee, Mr. MICHAUD, for his assistance to bring this piece of legislation to the floor. And again, I want to thank all of my colleagues in the Senate for reaching an agreement with us on this language, especially the Senate VA chairman, Mr. SANDERS, and the ranking member, Mr. BURR of North Carolina.

Once again, I want to encourage all Members to support the bill.

I reserve the balance of my time.

Mr. MICHAUD. Mr. Speaker, I yield myself such time as I may consume.

I rise in full support of H.R. 1402, as amended, the VA Expiring Authorities Extension Act of 2013.

Mr. Speaker, this bill, as amended, would extend a number of critical programs administered by the VA. It is a bipartisan measure. I appreciate the highly collaborative efforts of the committee staffs and the cooperative efforts of our colleagues in the other body.

H.R. 1402, as amended, would extend the authorization of appropriations for the VA to provide monthly stipends to athletes competing in large-scale adaptive sports programs and extend the authority of the VA to provide grants to entities that plan and carry out adaptive sports programs. This bill represents a bipartisan and bicameral agreement to modify the existing program and to provide more stringent oversight of the program.

H.R. 1402, as amended, would also extend to the end of next year the authority of the VA to transport certain individuals to and from VA facilities, to operate the regional office in the Philippines, and to contract with non-VA physicians to conduct medical disability examinations.

H.R. 1402, as amended, would also extend the requirement that VA provide nursing home care to certain veterans, extend the authority to provide treatment and rehabilitation services for seriously mentally ill and homeless veterans, and extend the authority of the VA to provide housing assistance for homeless veterans.

Finally, this bill would extend the authority for two advisory committees—the Advisory Committee on Homeless Veterans and the Advisory Committee on Education—as well as extend the authority for requirements relating to the sale of vendee loans by the VA.

Mr. Speaker, we have passed many veterans bills out of the House this year. It is my hope that some of these bills will become law before the year is out. I look forward to working with our colleagues in the Senate to make sure that we get this bill passed. The job at hand today is to pass this extenders bill, send it over to the Senate for quick consideration, and get it to the President's desk before the end of the year before the authority to continue these vital programs lapses.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, one of the things that is necessary in order to bring a piece of legislation that has this many moving parts is somebody who has been involved very much in each of those pieces of legislation.

I yield such time as he may consume to the gentleman from Colorado (Mr.

COFFMAN), chairman of the Oversight and Investigations Subcommittee.

Mr. COFFMAN. Mr. Speaker, earlier this year I introduced, along with Representative MARK TAKANO, H.R. 1402, the Veteran Paralympics Act, and I am happy to see that this legislation is now poised to pass the House floor along with other important programs for veterans.

My portion of this legislation will extend this joint program, operated by the Department of Veterans Affairs and the Olympic Committee, that funds grants to adaptive sports programs for disabled veterans all across our country.

Paralympic programs are adaptive sports for physically disabled athletes, and research has shown that Paralympic sports and other forms of physical activity are an impactful aspect for the successful rehabilitation for these wounded warriors.

The Veterans Paralympics Act will ensure that disabled veterans in local communities throughout our country will continue to have opportunities for rehabilitation, stress relief, and higher achievement through adaptive sports. Currently, there are dozens of partnership organizations in Colorado and over 300 nationwide that are helping our veterans with their rehabilitation through adaptive sports.

During committee hearings, I discussed the Veterans Paralympics Act with Charlie Huebner, the U.S. Olympic Committee's Paralympics chief. He stated that this extension would help more than 16,000 disabled veterans in communities throughout America receive adaptive sports rehabilitation.

Mr. Huebner and I both emphatically agree that participation in adaptive sports and other athletic activities can help speed the rehabilitation process for disabled veterans, and this legislation, if passed, will ensure rehabilitative opportunities for disabled veterans in local communities throughout the country. I am proud to lead this effort to extend and support this important program.

Mr. MICHAUD. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. TAKANO).

Mr. TAKANO. Mr. Speaker, I thank the gentleman from Maine, the ranking member, for yielding me this time.

Mr. Speaker, I rise today to support the Veterans Paralympic Act, a bipartisan piece of legislation that would extend the funding for adaptive sport programs for disabled veterans.

Through the Department of Veterans Affairs and the U.S. Olympic Committee, this joint program has provided sports and other athletic activities that help speed up the rehabilitation process for our Nation's heroes. By extending the funding through 2018, and improving access to adaptive sports programs, this legislation would provide the greatest opportunity for reha-

bilitation through sports our veterans have ever had. The sacrifice of these heroes is immeasurable, and I believe that Congress should be doing all it can to help their rehabilitation process.

I thank the gentleman from Colorado (Mr. COFFMAN) for introducing this bill, and I look forward to its passage.

Mr. MICHAUD. Mr. Speaker, at this time I would like to yield 3 minutes to the gentleman from California (Mrs. NEGRETE MCLEOD).

Mrs. NEGRETE MCLEOD. Mr. Speaker, I rise in support of H.R. 1402 that extends VA housing programs for homeless veterans.

The California district which I represent is home to over 20,000 veterans. Like the Nation, homelessness among veterans is a serious problem in my district. It will take continued coordination between VA and local organizations to ensure that veterans are able to take advantage of housing assistance programs.

As a member of the House VA Subcommittee on Health, in August of this year I hosted a town hall with the VA and local organizations. Over 200 veterans attended and signed up for VA veterans benefits for the very first time. This is a great example of better coordination in helping our veterans.

Mr. MICHAUD. Mr. Speaker, I would like to once again thank Chairman MILLER for his collaborative effort in bringing both of these bills before the House today and his continued support to make sure that we do everything we can to pass legislation that will help our veterans. I also want to thank the staffs on both the majority and the minority side for working so well together to get these bills before the floor. I urge my colleagues to support H.R. 1402, as amended.

I yield back the balance of my time.

□ 1430

Mr. MILLER of Florida. Mr. Speaker, I, too, urge my colleagues to support H.R. 1402, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 1402, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MILLER of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess until approximately 4 p.m. today.

Accordingly (at 2 o'clock and 30 minutes p.m.), the House stood in recess.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CHAFFETZ) at 4 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 3521, by the yeas and nays;

H.R. 1402, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

DEPARTMENT OF VETERANS AFFAIRS MAJOR MEDICAL FACILITY LEASE AUTHORIZATION ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3521) to authorize Department of Veterans Affairs major medical facility leases, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 346, nays 1, not voting 84, as follows:

[Roll No. 630]

YEAS—346

Amash	Brownley (CA)	Collins (NY)
Andrews	Buchanan	Connolly
Bachmann	Bucshon	Cook
Bachus	Burgess	Cooper
Barber	Bustos	Costa
Barletta	Cantor	Cotton
Barr	Capito	Courtney
Barrow (GA)	Capps	Crowley
Barton	Capuano	Cuellar
Becerra	Cárdenas	Daines
Benishkek	Carney	Davis (CA)
Bentivolio	Carter	Davis, Danny
Bera (CA)	Cartwright	Davis, Rodney
Bilirakis	Cassidy	DeFazio
Bishop (NY)	Castor (FL)	DeGette
Bishop (UT)	Chabot	Delaney
Blackburn	Chaffetz	DeLauro
Bonamici	Chu	DeBene
Boustany	Cicilline	Denham
Brady (PA)	Clay	Dent
Braley (IA)	Cleaver	DeSantis
Bridenstine	Clyburn	DesJarlais
Brooks (AL)	Coffman	Deutch
Brooks (IN)	Cohen	Diaz-Balart
Broun (GA)	Cole	Dingell
Brown (FL)	Collins (GA)	Doggett

Duckworth	Lankford	Rogers (MI)
Duffy	Larson (CT)	Rohrabacher
Duncan (TN)	Latham	Rokita
Edwards	Latta	Rooney
Elmers	Levin	Ros-Lehtinen
Engel	LoBiondo	Roskam
Enyart	Loeb sack	Ross
Eshoo	Lofgren	Rothfus
Esty	Long	Roybal-Allard
Farenthold	Lowenthal	Royce
Farr	Lowey	Ruiz
Fattah	Lucas	Ruppersberger
Fincher	Luetkemeyer	Ryan (OH)
Fitzpatrick	Lujan Grisham	Ryan (WI)
Fleischmann	(NM)	Salmon
Fleming	Luján, Ben Ray	Sánchez, Linda
Flores	(NM)	T.
Forbes	Lummis	Sanchez, Loretta
Fortenberry	Lynch	Sanford
Foster	Maffei	Sarbanes
Fox	Maloney,	Scalise
Frankel (FL)	Carolyn	Schakowsky
Franks (AZ)	Maloney, Sean	Schiff
Frelinghuysen	Marchant	Schneider
Gabbard	Massie	Schrader
Gallego	Matheson	Schweikert
Garamendi	Matsui	Scott, Austin
Garcia	McAllister	Scott, David
Gardner	McCarthy (CA)	Sensenbrenner
Gerlach	McCaul	Serrano
Gibbs	McClintock	Sessions
Gibson	McCollum	Shea-Porter
Gingrey (GA)	McGovern	Sherman
Gohmert	McHenry	Shimkus
Goodlatte	McIntyre	Shuster
Gosar	McKeon	Simpson
Granger	McKinley	Sinema
Graves (GA)	McNerney	Sires
Graves (MO)	Meadows	Slaughter
Green, Gene	Meehan	Smith (MO)
Griffin (AR)	Meng	Smith (NE)
Griffith (VA)	Messer	Smith (NJ)
Grimm	Mica	Smith (TX)
Gutiérrez	Michaud	Southerland
Hahn	Miller (FL)	Speier
Hall	Miller (MI)	Stewart
Hanabusa	Miller, George	Stivers
Hanna	Moran	Stockman
Harper	Mullin	Stutzman
Hastings (FL)	Murphy (FL)	Swalwell (CA)
Heck (NV)	Murphy (PA)	Takano
Heck (WA)	Nadler	Terry
Hensarling	Napolitano	Thompson (CA)
Higgins	Negrete McLeod	Thompson (PA)
Himes	Neugebauer	Thornberry
Holding	Noem	Tiberi
Holt	Nolan	Tierney
Honda	Nunes	Tipton
Horsford	Nunnelee	Titus
Hoyer	O'Rourke	Tonko
Hudson	Olson	Tsongas
Huelskamp	Owens	Upton
Huffman	Palazzo	Valadao
Huizenga (MI)	Pallone	Van Hollen
Hurt	Pascarell	Vargas
Israel	Paulsen	Veasey
Issa	Pearce	Velázquez
Jeffries	Pelosi	Visclosky
Jenkins	Perlmutter	Wagner
Johnson (GA)	Perry	Walberg
Johnson (OH)	Peters (CA)	Walden
Johnson, E. B.	Peters (MI)	Walz
Jones	Peterson	Wasserman
Jordan	Petri	Schultz
Joyce	Pittenger	Weber (TX)
Keating	Pitts	Webster (FL)
Kelly (IL)	Pocan	Welch
Kelly (PA)	Poe (TX)	Wenstrup
Kennedy	Polis	Westmoreland
Kildee	Pompeo	Whitfield
Kilmer	Posey	Williams
Kind	Price (GA)	Wilson (SC)
King (IA)	Price (NC)	Wittman
Kingston	Quigley	Wolf
Kinzinger (IL)	Rahall	Womack
Kirkpatrick	Renacci	Woodall
Kline	Ribble	Yarmuth
Kuster	Rice (SC)	Yoder
LaMalfa	Roby	Yoho
Lamborn	Roe (TN)	Young (AK)
Lance	Rogers (AL)	Young (IN)

NAYS—1

Duncan (SC)

NOT VOTING—84

Aderholt	Green, Al	Neal
Amodei	Grijalva	Nugent
Bass	Guthrie	Pastor (AZ)
Beatty	Harris	Payne
Bishop (GA)	Hartzler	Pingree (ME)
Black	Hastings (WA)	Radel
Blumenauer	Herrera Beutler	Rangel
Brady (TX)	Hinojosa	Reed
Butterfield	Hultgren	Reichert
Calvert	Hunter	Richmond
Camp	Jackson Lee	Rigell
Campbell	Johnson, Sam	Rogers (KY)
Carson (IN)	Kaptur	Runyan
Castro (TX)	King (NY)	Rush
Clarke	Labrador	Schock
Coble	Langevin	Schwartz
Conaway	Larsen (WA)	Scott (VA)
Conyers	Lee (CA)	Sewell (AL)
Cramer	Lewis	Smith (WA)
Crawford	Lipinski	Thompson (MS)
Crenshaw	Marino	Turner
Culberson	McCarthy (NY)	Vela
Cummings	McDermott	Walorski
Doyle	McMorris	Waters
Ellison	Rodgers	Watt
Fudge	Meeks	Waxman
Garrett	Miller, Gary	Wilson (FL)
Gowdy	Moore	
Grayson	Mulvaney	

□ 1626

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. WILSON of Florida. Mr. Speaker, on rollcall No. 630, had I been present, I would have voted "yes."

VA EXPIRING AUTHORITIES EXTENSION ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1402) to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc., as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 353, nays 0, not voting 78, as follows:

[Roll No. 631]

YEAS—353

Aderholt	Barrow (GA)	Bishop (UT)
Amash	Barton	Blackburn
Andrews	Becerra	Bonamici
Bachmann	Benishkek	Boustany
Bachus	Bentivolio	Brady (PA)
Barber	Bera (CA)	Braley (IA)
Barletta	Bilirakis	Bridenstine
Barr	Bishop (NY)	Brooks (AL)

Brooks (IN)	Graves (MO)	Mica	Stutzman	Valadao	Wenstrup
Brown (GA)	Green, Gene	Michaud	Swalwell (CA)	Van Hollen	Westmoreland
Brown (FL)	Griffin (AR)	Miller (FL)	Takano	Vargas	Whitfield
Brownley (CA)	Griffith (VA)	Miller (MI)	Terry	Veasey	Williams
Buchanan	Grimm	Miller, George	Thompson (CA)	Velázquez	Wilson (FL)
Bucshon	Gutiérrez	Moran	Thompson (PA)	Visclosky	Wilson (SC)
Burgess	Hahn	Mullin	Thornberry	Wagner	Wittman
Bustos	Hall	Murphy (FL)	Tiberi	Walberg	Wolf
Cantor	Hanabusa	Murphy (PA)	Tierney	Walden	Womack
Capito	Hanna	Nadler	Tipton	Walz	Woodall
Capps	Harper	Napolitano	Titus	Wasserman	Yarmuth
Capuano	Hastings (FL)	Negrete McLeod	Tonko	Schultz	Yoder
Cárdenas	Heck (NV)	Neugebauer	Tsongas	Weber (TX)	Yoho
Carney	Heck (WA)	Noem	Turner	Webster (FL)	Young (AK)
Carter	Hensarling	Nolan	Upton	Weich	Young (IN)
Cartwright	Higgins	Nunes	NOT VOTING—78		
Cassidy	Himes	Nunnelee	Amodei	Grijalva	Neal
Castor (FL)	Holding	O'Rourke	Bass	Guthrie	Nugent
Chabot	Holt	Olson	Beatty	Harris	Pastor (AZ)
Chaffetz	Honda	Owens	Bishop (GA)	Hartzler	Payne
Chu	Horsford	Palazzo	Black	Hastings (WA)	Radel
Cicilline	Hoyer	Pallone	Blumenauer	Herrera Beutler	Rangel
Clay	Hudson	Pascarell	Brady (TX)	Hinojosa	Reed
Cleaver	Huelskamp	Paulsen	Butterfield	Hunter	Reichert
Clyburn	Huffman	Pearce	Calvert	Jackson Lee	Richmond
Coffman	Huizenga (MI)	Pelosi	Camp	Johnson, Sam	Rigell
Cohen	Hultgren	Perlmutter	Campbell	Kaptur	Rogers (KY)
Cole	Hurt	Perry	Carson (IN)	King (NY)	Runyan
Collins (GA)	Israel	Peters (CA)	Castro (TX)	Labrador	Rush
Collins (NY)	Issa	Peters (MI)	Clarke	Langevin	Sánchez, Linda
Connolly	Jeffries	Peterson	Coble	Larsen (WA)	T.
Cook	Jenkins	Petri	Conaway	Lee (CA)	Schock
Cooper	Johnson (GA)	Pingree (ME)	Conyers	Lewis	Schwartz
Costa	Johnson (OH)	Pittenger	Cramer	Lipinski	Scott (VA)
Cotton	Johnson, E. B.	Pitts	Crowford	Marino	Sewell (AL)
Courtney	Jones	Pocan	Crenshaw	McCarthy (NY)	Smith (WA)
Crowley	Jordan	Poe (TX)	Culberson	McDermott	Thompson (MS)
Cuellar	Joyce	Polis	Cummings	McMorris	Vela
Daines	Keating	Pompeo	Doyle	Rodgers	Walorski
Davis (CA)	Kelly (IL)	Posey	Price (GA)	Meeks	Walters
Davis, Danny	Kelly (PA)	Price (NC)	Quigley	Miller, Gary	Watt
Davis, Rodney	Kennedy	Rahall	Grayson	Moore	Waxman
DeFazio	Kildee	Renacci	Green, Al	Mulvaney	
DeGette	Kilmer	Ribble	□ 1633		
Delaney	Kind	Rice (SC)	So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.		
DeLauro	King (IA)	Roby	The result of the vote was announced as above recorded.		
DelBene	Kingston	Roe (TN)	The title of the bill was amended so as to read: "A bill to amend title 38, United States Code, to extend certain expiring provisions of law, and for other purposes."		
Denham	Kinzinger (IL)	Rogers (AL)	A motion to reconsider was laid on the table.		
Dent	Kirkpatrick	Rogers (MI)	PERSONAL EXPLANATION		
DeSantis	Kline	Rohrabacher	Mrs. McMORRIS RODGERS. Mr. Speaker, on rollcall No. 630 on H.R. 3521, on Motion to Suspend the Rules and Pass, "the Department of Veterans Affairs Major Medical Facility Lease Authorization Act of 2013, as amended", I am not recorded because I was absent due to the birth of my daughter. Had I been present, I would have voted "yea."		
DesJarlais	Kuster	Rokita	Mr. Speaker, on rollcall No. 631 on H.R. 1402, on Motion to Suspend the Rules and Pass, "VA Expiring Authorities Extension Act of 2013, as amended", I am not recorded because I was absent due to the birth of my daughter. Had I been present, I would have voted "yea."		
Deutch	LaMalfa	Rooney	POLICIES FOR ENERGY PRODUCTION		
Diaz-Balart	Lamborn	Ros-Lehtinen	(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)		
Dingell	Lance	Roskam	Mr. THOMPSON of Pennsylvania. Mr. Speaker, in October, natural gas		
Doggett	Lankford	Ross			
Duckworth	Larson (CT)	Rothfus			
Duffy	Latham	Roybal-Allard			
Duncan (SC)	Latta	Royce			
Duncan (TN)	Levin	Ruiz			
Edwards	LoBiondo	Ruppersberger			
Ellison	Loeb	Ryan (OH)			
Ellmers	Loeb	Ryan (WI)			
Engel	Lofgren	Salmon			
Eshoo	Long	Sanchez, Loretta			
Eshoo	Lowenthal	Sanford			
Esty	Lowey	Sarbanes			
Farenthold	Lucas	Scallise			
Farr	Luetkemeyer	Schakowsky			
Fattah	Lujan Grisham	Schiff			
Fincher	(NM)	Schneider			
Fitzpatrick	Luján, Ben Ray	Schrader			
Fleischmann	(NM)	Schweikert			
Fleming	Lumms	Scott, Austin			
Flores	Lynch	Scott, David			
Forbes	Maffei	Sensenbrenner			
Fortenberry	Maloney	Serrano			
Foster	Maloney, Sean	Sessions			
Fox	Marchant	Shea-Porter			
Frankel (FL)	Massie	Sherman			
Franks (AZ)	Matheson	Shimkus			
Frelinghuysen	Matsui	Shuster			
Gabbard	McAllister	Simpson			
Gallo	McCarthy (CA)	Sinema			
Garamendi	McCaul	Sires			
Garcia	McClintock	Slaughter			
Gardner	McCollum	Smith (MO)			
Garrett	McGovern	Smith (NE)			
Gerlach	McHenry	Smith (NJ)			
Gibbs	McIntyre	Smith (TX)			
Gibson	McKeon	Southerland			
Gingrey (GA)	McKinley	Speier			
Gohmert	McNerney	Stewart			
Goodlatte	Meadows	Stivers			
Gosar	Meehan	Stockman			
Granger	Meng				
Graves (GA)	Messer				

production in the Marcellus shale region reached 12 billion cubic feet a day. That is six times the production rate in 2009.

To put this in perspective, the Marcellus would rank eighth in the world in gas production if it was classified as its own country.

This month, the number will be exceeded yet again. According to the U.S. Energy Information Administration report released today, production in the Marcellus shale region is projected to exceed 13 billion feet per day this month. This means the Marcellus shale is expected to provide 18 percent of the total U.S. natural gas production this month.

This type of energy production creates American jobs, spurs economic growth, lowers energy prices, brings much-needed tax revenue to local and State governments, and begins us on a path to greater economic competitiveness.

Mr. Speaker, the Nation must continue to pursue policies that lower energy costs for American families and improve our energy security. If we follow the model built by States like Pennsylvania, and keep the Federal Government from over-regulating these industries, we can achieve these goals.

HONORING THE 65TH ANNIVERSARY OF HUMAN RIGHTS DAY AND THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

(Mr. LOWENTHAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOWENTHAL. Mr. Speaker, I rise in support of my newly introduced resolution, which honors today as the 65th anniversary of Human Rights Day and the Universal Declaration of Human Rights.

My resolution will shed much-needed light on the importance and protection of human rights in our global society so we can prevent acts of suppression against people like Nguyen Tien Trung of Vietnam, who has been unfairly jailed for democratic activism.

The Congress and the world must recognize that those that are denied basic human rights, such as freedom of speech, religion, or political expression are, therefore, denied an opportunity to be treated with respect and with dignity.

Mr. Speaker, I urge the adoption of my resolution, and I urge all Americans to observe the 65th anniversary of Human Rights Day.

HONORING THE LIVES OF STEVE BURGESS AND JAMES R. BURGESS, JR.

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to honor the life of Mr. Steve Burgess from Urbana, Illinois, who passed away on Friday, November 22 of this year. He was committed to seeing the postal facility at 302 East Green Street in Champaign, Illinois, renamed after his father, James R. Burgess, Jr.

James Burgess was the first African American elected to a countywide office in Champaign County and was appointed the U.S. Attorney for the Eastern District of Illinois.

Most importantly, though, Steve Burgess wanted to honor his father as a leader of the 761st Tank Battalion, the first African American armored unit to enter battle in World War II.

In April, I introduced H.R. 1707 to rename this post office after James Burgess. It is devastating to me that Steve Burgess was not able to fulfill his life's effort. I want to see a post office naming bill through completion, not only in James Burgess' honor, but in Steve Burgess' and his family's.

I want to offer my heartfelt thanks to Steve Burgess and his father for their lifetime of commitment to the Champaign-Urbana community.

RESERVOIRS AND CLIMATE CHANGE

(Mr. HUFFMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUFFMAN. Mr. Speaker, the weather outside is frightful; and if you listen to certain conservative media networks, you hear something not so delightful. You hear that, because it is snowing, there must not be climate change. This is unscientific, it is reductive; but that is what climate deniers say this time of year.

Well, Mr. Speaker, winter happens every year, and the fact that it is snowing simply means that it is snowing.

Instead of looking at December snowflakes, we should be looking at the science. Since 1970, not that long ago, winter temperatures have increased an average of .55 degrees per decade, reducing snowpacks and creating water shortages across the country.

If you want to look at something immediate, look at California, where we are experiencing the driest year on record, and that is why we need to start getting serious about our response to climate change.

We need to adopt new policies and adapt to the changes that are happening. And one place to start is how we operate our reservoirs. Instead of relying on old-school water manuals that are decades out of date, we should be using modern science and modern weather forecasting.

Our water supply, our food supply and our future will be impacted by climate change, so let's lead.

MEMORIALIZING HILTON "HANK" REYNOLDS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, during the month of December, we oftentimes take time to memorialize what happened on December 7, 1941. Unfortunately, the survivors of Pearl Harbor, we are losing them more and more each year.

Today I would like to memorialize a friend from the Shasta County area of Northern California, Hank Reynolds, who we lost just recently. He was a gentleman who faithfully turned out each year to memorialize Pearl Harbor on the courthouse steps in Redding, California.

He was, at one time, the chairman of the California Pearl Harbor Survivors Association and always was there with a sharp salute. Even though these gentlemen are in their late eighties and early nineties now, they always would turn out and encourage us, encourage the youth that day to memorialize and remember that.

Hank served on the USS *Detroit* and was right in the middle of it there, ships on either side of him being attacked. They were about to go out on leave that Sunday morning, and he returned back to his post and helped fight that battle that day.

So I will miss Hank. I really enjoyed his company and seeing him at those events. I know our country is greater for having had them serve for us at that time, and we memorialize them here today.

□ 1645

GENERAL MOTORS' COMEBACK

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, critics said it couldn't be done. They said the Federal Government "refinancing" of the American automobile industry couldn't work. Thankfully, for the economy of our country, they were wrong, wrong to denounce President Obama for his courageous decision to save America's auto sector. Yesterday, Treasury announced it was selling its last stake in General Motors, the same General Motors that critics derisively called "Government Motors."

Now the verdict is in: the automotive rescue was a huge success. Led by House Democrats, 237 out of 435 Members of this House voted to save America's auto industry. The President and Democrats made a bet on the auto communities, and it paid off with dividends.

Today, the auto sector supports one in 17 private sector jobs in this country and one in eight jobs in Ohio. The

workers at the Toledo Transmission Plant and the Parma Metal Center thank President Obama and the Members of Congress who were willing to take the heat and do the right thing. The U.S. auto industry is back thanks to the President's leadership and those 237 Members of this House.

Onward, USA.

JOBS

The SPEAKER pro tempore (Mr. BENTIVOLIO). Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, we come here about every week to talk about jobs in America. This last Friday, we held a jobs fair in my district in Fairfield, California, and it was a remarkable event. I have been around a long time. I have seen many, many things. As remarkable as it was, it was also one of the saddest events I have been to. I have been to a lot of funerals and a lot of tragedies over the years, but this one ranks very high.

I put this picture up here because this is a picture of the second hour after that job fair had begun. The line outside the building, where we had some 40 employers that were offering to hire people, stretched over 200 yards. The temperature was about 37, 38 degrees. It was one of those cold mornings, and these people were determined to get a job. They were willing to stand in that line for up to an hour and a half, some of them perhaps even 2 hours, just to have a shot, just to be able to talk to an employer, to have the opportunity to look face-to-face at an employer and say, "I want to work." The stories were incredible. I spent about an hour, maybe an hour and 20 minutes, talking to the men and women that were in this line.

I remember one gentleman who had served several tours in Afghanistan and Iraq. He said he was with the Army Rangers, said he had four Purple Hearts. He left the military and is now unemployed. In fact, in this line were 141 veterans, unemployed, looking for work. They have skills, know when to get up in the morning, know what it takes to go to work, to put in a full day or more—unemployed.

A young woman, fresh out of school, a child at home, she wanted to go to work. She had an associate's degree in social welfare programs, human relations, anything in that area. She said: I will take any job. I just want to go to work. I want to take care of my child.

Another woman, 50, 55, divorced, had an 18-year-old child. Her alimony is over: I have got to go to work. I have got to support myself.

The stories of life, the stories of America, the stories of 971 people that

stood in line just to have a shot at a job.

There are 435 of us in this room on a full day. We have a job. We are employed, and we have a good wage. We have a very good wage, and we have health care. And we are not doing our job. We are not doing the job that America sent us here for. America sent us here to put America back to work. That is our job. We are not living up to that.

Two years ago, the President of the United States put forth in his State of the Union message an American jobs plan, an American jobs plan to put people in this Nation back to work. It was complete: education, retraining, a research component for the next sector of this economy for the future, a transportation infrastructure sector, a way to finance it—2 years ago.

Mr. Speaker, 971 people were standing in the cold in Fairfield, California, just wanting a shot at a job; and here we are, 2 years after the President of the United States put forward a jobs plan for America, and it has not been done. The majority in this House has refused to bring up even one of those programs.

I am going to talk about those things tonight, those things that we can do here in America, that we can do so that when 971 of my constituents are willing to line up to get a job, they will have one. They will have that opportunity. They will have a shot at the future.

It is a disgrace that after 2 years with a complete plan that would put people back to work, the majority has refused to bring forward any part of that legislation. It is a disgrace. It is time for this country to go back to work. It is time for this House to go back to work to put Americans back on the job.

You want to deal with the deficit? Put people to work. They will become taxpayers. You want to deal with food stamps? You want to cut food stamps? Put people to work. Build the infrastructure. Put the teachers back in the classroom. But no, you are going to slash the benefits.

These people, searching for a job, know that unless this Congress—and I see our esteemed leadership and the Republicans leaving this House, this floor. These people want to go to work. They are losing, in the next 2 weeks, their unemployment benefits. What will become of them? What will become of those 971 people, including 141 veterans who have fought, who have been wounded? What is going to become of them?

Joining me today are my colleagues on the Democratic side. I would like to start with my colleague from Illinois, General BILL ENYART, who is now a Member of the House of Representatives.

BILL, please join us.

Mr. ENYART. Thank you, Mr. GARAMENDI.

I am privileged to represent the people of southwestern Illinois, that swath of the great State running along the Mississippi River from just north of St. Louis, from Alton, Illinois, all the way south to Cairo. And those 12 counties of southern Illinois, southwestern Illinois, were once an industrial powerhouse.

It was said four decades ago, five decades ago, if you wanted to work, go to East St. Louis, Illinois, and there will be a job for you there. There were jobs in the steel mills. There were jobs in the packing houses. There were jobs in the stove foundries in Belleville. There were jobs in the coal mines of southern Illinois. Those jobs are, by and large, gone today.

There are a few bright spots. U.S. Steel has a plant in Granite City that is still pouring steel. Alton Steel in Alton, Illinois, has reopened. A local entrepreneur bought it, and they are pouring steel in Alton again.

But, you know, those jobs in the packing houses are gone. The jobs in the aluminum industry, those jobs are gone. And that is why they call it the rust belt, because so many of those factories are closing and rusting away.

Technology has changed a lot of that, and we need to adapt to that technology. And to that end, the assistant minority leader, Mr. STENY HOYER, along with Mr. GARAMENDI and myself, introduced the JOBS Act. The JOBS Act is sitting here. It needs to be acted upon. We can't get the leadership to act upon it. But we introduced this JOBS Act, and we introduced it because there are really four priority areas that are central to achieving manufacturing growth in this country again:

First of all, we need to have a national manufacturing strategy. Other countries have it. We need to have one. We need to have a strategy that pushes our manufacturing;

Secondly, we need to promote the export of U.S.-made goods;

Thirdly, we need to encourage businesses to bring jobs and bring innovation back to the shores of our country; and

Lastly, we need to train and secure a 21st century workforce.

And that is really what the JOBS Act does. That act invests in our future. It invests in our infrastructure, our human infrastructure, the people who drive those machines and the people who drive our economy.

And it was interesting that Mr. GARAMENDI mentioned food stamps. I want to talk about food stamps for just a minute because far too many people in my district survive on food stamps.

Something like over 60 percent of the people on food stamps are children. It is not people who aren't working because they don't want to be working. Sixty percent are children who are in low-income families. And the bulk of

the adults who are on food stamps are working adults, and they are working in minimum wage jobs. They are working in fast-food restaurants. They are working in other minimum wage jobs. And you can't raise a family in southern Illinois on a minimum wage job.

We need to have jobs that pay a living wage with good health insurance, with good fringe benefits that provide a living wage for families. When you do that, what happens? You don't have people on food stamps. You don't have people on unemployment. You, instead, have people who are paying taxes. You have people who are spurring the economy. You have people who are buying new pickup trucks and new curtains for the living room and so on and so forth, and that generates an economy that generates good jobs.

Now, to talk about the JOBS Act that Mr. GARAMENDI, Mr. HOYER, and I introduced, what does it do? It is designed to support advanced manufacturing. Now, why do we want to support advanced manufacturing? We want to support advanced manufacturing because—there was an article in *The Wall Street Journal* just the other day. I have it right here, *The Wall Street Journal*, the journal of American business. Manufacturing jobs pay nearly 40 percent more than other jobs in our Nation's economy. That is why we need advanced manufacturing.

So our bill—Mr. GARAMENDI's bill, my bill, Mr. HOYER's bill—would amend the Workforce Investment Act to provide targeted investment to partnerships with community colleges, local workforce investment boards, and advanced manufacturing firms to design and implement education and training programs for current and prospective workers.

Now, currently, the Trade Adjustment Assistance Community College program does provide some funding for that type of thing; but, unfortunately, there is no assurance for investments in advanced manufacturing, and that is where we need to go in this Nation. What we need to do is to align the training opportunities for those advanced manufacturing firms, for their needs, for adaptability in the training of workers.

I toured the Anheuser-Busch brewery in St. Louis.

Mr. GARAMENDI. I have one of those in my district, too.

Mr. ENYART. I toured that brewery a couple of weeks ago, and the brewery manager told me that, in 1999, they had 3,500 hourly employees. And those were good jobs. Those are good jobs. Anybody can tell you that if you work union work, a brewery job working for Anheuser-Busch, that was a job you would have for your entire life. That would be a great career for a working man.

□ 1700

That would be a great career for a working man. Today, they are down

from 3,500 to 785 jobs. Now that is due largely due to improved technology, and they simply didn't need that many workers anymore. But that displacement of workers has happened throughout our economy, and it has happened in other areas of our economy, in addition to breweries.

So we need to grow the kind of advanced manufacturing jobs, and we need to have the workers who have the skill to move up so they are not working in those minimum-wage jobs and getting food stamps and Medicaid and those other government programs. Instead, we need people who are paying money in, and that is what our jobs bills does.

I know that Mr. GARAMENDI, Mr. HOYER, and I want that bill to come to a vote. We believe that bill would pass with a resounding bipartisan vote if simply the leadership would allow it to be brought to the floor for a vote.

Advanced manufacturing is growing in this country. It is increasing, but the problem is it is not growing fast enough.

When we look at our economy over the last 5 years since President Obama won election the first time, we lost 5 million jobs when he was first elected, virtually immediately, and we have been growing those jobs back at 200,000 a month, 200,000 a month, 195,000 a month. We need to grow them back faster, and we can do that with this JOBS Act.

With that, I yield back to my partner and friend here, Mr. GARAMENDI.

Mr. GARAMENDI. Thank you very much, General ENYART.

Joining us also is another Representative from the Midwest who has considerable experience here in the House of Representatives—Ohio, in this case—MARCY KAPTUR.

Welcome. I am delighted you are with us. You talked about making it in America and about American jobs many times, and we have shared this floor on that subject in the past.

Welcome.

Ms. KAPTUR. Congressman GARAMENDI, I would like to commend you for the leadership that you have shown on the jobs front here. Your coming from California, that vast, vast State, I think brings such a perspective to all of us. And Congressman ENYART comes from a rough and tumble region of Illinois. We in northern Ohio identify with your cause and are one with you in your cause.

If there is an ad in our district for a job—or for maybe 10, 20, or 30 jobs—thousands of people apply. It is incredible to see.

And you mentioned in your earlier remarks how many veterans are unemployed. About a week ago, at one of the food banks that I represent, 1,050 veterans showed up to get a bag of food to keep it together for another week.

If you look across this country, there are many whose glass is only half full,

and it is not for lack of effort or service to this country. It is still a lack of jobs.

During the Bush years, we hemorrhaged over 8 million jobs as a result of the recession. We have gained over 7 million of those now, but we still haven't come back to the 8 million, even though we have had 44 months of consecutive job creation, as Congressman ENYART mentioned, at about 200,000 a month. But that is not enough to employ all those who remain unemployed and those who are underemployed, those who literally have to apply for SNAP coupons to help their family afford food because they are not paid enough.

And what I see happening over the last quarter century is that even though those who have capital—big resources—and they invest money and they make a lot of money for their shareholders and themselves, the people that they hire are falling further and further behind. And they expect the government to compensate for low wages.

And so if we have SNAP coupons, there are millions of people who receive them who are working for minimum wage. They don't make a living wage.

If you look at health benefits, it used to be that you got your health insurance through your place of employment. But guess what, that is all turned upside down. Now the companies are saying, Let the government pay for it. We have to do this because they do not make access to health insurance as a part of the employment package that is offered to their employees. Some still do; but my goodness, how much has changed.

The same is true with retirement: defined benefit as opposed to defined contribution plans. People used to get a benefit in their retirement that the corporation provided. They just didn't hog everything to those at the top, but the pyramid has gotten very pointed; and the money flows up, and it isn't flowing down. We have an attrition in the middle class. Every single American knows it.

Now, if you look at the Congress and the very worthy legislation that you have introduced, I say to myself, What has happened here?

I read one magazine that said for the new Members that were elected—and it was quite a sizeable class—the average worth of those new Members was about a million and a half dollars.

Think about that. The pyramid we see in the corporate sector is reflected right in here. Fewer and fewer people are getting elected from the middle class. And I don't come from the middle class. I came from the working class. We looked up to the middle class. So I know what part of America I came from.

So many people here, honest to God, are good people, but they are so privi-

leged. They have myopia. They can't help it. They really can't identify with the struggle of ordinary families, and the other part of it is they look down because they have never walked in the shoes of those who have gotten an unemployment slip or a pink slip.

I remember when our dad came home with those. I used to have to sit by our dining room table and figure out how much would we spend on food, how much would that be worth, how long would he be unemployed. It was a very hard thing for our family. He actually had to sell his little store because he didn't have health insurance, and he went to work in a company on the line in a factory for one reason: to get health insurance for his family. Not for himself, but for his wife and two children.

There are so few here who actually have walked in those shoes.

So we do have a problem here. That same pyramid is operating.

If I could just finally mention the value-added investment in manufacturing. Manufacturing now comprises about 13 percent of our economy—the jobs—but it packs a much larger wallop for what it provides because it really does create something that didn't exist before. It isn't just shifting product around. It is actually creating something.

The decline in manufacturing as a percent of our total economy has declined so much in the last 25 years. We are now trying to pick it up, with the President's help; and we are seeing that in the automotive industry. Just this week, General Motors paid back and is flying on its own now again. All of us who supported that refinancing of General Motors are cheering and cheering and cheering wherever we can—certainly in the communities that we represent.

But I can remember when the other side didn't vote for it; and they would have killed all those jobs in our country, the community, the people that work in them.

So I say to the gentleman, I thank you so very much for standing up for job growth in this country. Thank you for standing up for manufacturing, because for every one of those jobs added, we create new wealth for our country, and we help America to come out of the slump in manufacturing that she has experienced over the last quarter century.

I just hope that in the new trade bills that come before us we will have jobs as our first priority and market opening abroad that keeps our products out.

Again, I want to thank the gentleman. I support your legislation and I support your efforts for investment to create wealth, whether it is infrastructure on the public side or whether it is infrastructure on the private side. Those are the jobs that really create the new wealth and expansion of jobs for America.

Mr. GARAMENDI. Representative KAPTUR, you have been at this for a long time. You come from an area in this Nation that in recent decades has been called the Rust Belt. I think that is not the situation, with your leadership.

We have seen a resurgence in American manufacturing; and 20, 25 years ago, we had just under 20 million Americans working in manufacturing with those middle-income jobs. This is the middle class. They were able to support their family, educate, get a boat, go on vacation, buy a house, provide the food, and take care of their family, just as you described.

And then we have seen in the last 20 years an enormous decline—from 20 million down to just under 11 million manufacturing jobs, and a lot of that decline had to do with American policies.

You mentioned trade programs. Clearly, that had a lot to do with offshoring tax policies that encouraged corporations to send jobs offshore rather than keeping jobs here. And there are other labor policies and the like that made it difficult for the American family to earn that living.

Our challenge is to reinvigorate the working American families' opportunity. And to address that, I will say that I heard a remarkable speech by a freshman. And it is not that I have been here so long. STEVE HORSFORD from Las Vegas gave a speech on the floor here about a week ago, talking about these issues and talking about the challenge that American families face. I asked him to join us. I was impressed by his grasp of the issue and the passion with which he spoke.

Representative HORSFORD, welcome to the one hour of what we call Make It in America, the American Jobs Program.

Mr. HORSFORD. Thank you to the gentleman from California (Mr. GARAMENDI) for yielding time. I appreciate your leadership, as well as the work that you and our whip, Mr. HOYER; General ENYART; the gentlelady from Ohio; the gentlelady from Maryland; and many of my other colleagues, who have been working for so long to bring the focus to jobs, job creation, and growing the economy in America.

We are here today to talk about the American Dream, and that is having a good job—a family-sustaining job that can provide for yourself and your loved ones. We are talking about expanding economic opportunity not just for a select few at the top, but for those who are in the middle class who are striving to become a part of it. We are talking about the basics of job creation.

And, yes, I am a freshman. I have been here for just under a year. I am amazed and quite humbly frustrated by the fact that in 1 year not one comprehensive jobs bill has been brought to this floor for a vote by the majority

on the other side; and yet we have example upon example of good job-creating legislation. The package of bills that is under the umbrella of the Make It in America proposal are good, commonsense proposals that would help every region of our country.

Now, I am from Nevada. At 9.3 percent, my State, though, has the highest unemployment in the country right now. It is nothing that we are proud of. It is stubbornly high, in large part because we experienced the hardest impact during the recession. When people aren't doing well in other regions of the country, they are not making money. That means they can't come to Nevada to spend money.

While our economy is largely dependent upon hospitality and the service industry, my district, which encompasses some 51,000 square miles throughout every corner of Nevada, has mining, agriculture, and four military installations, including many, many private small business contractors who are doing work at our Air Force bases and the Army depot. It has other small businesses who are ancillary to the hospitality industry. And so they have all been impacted by this decline in the economy, and so we have an unemployment rate that is currently at about 9.3 percent.

I am glad that my colleague from California showed those pictures from the job fair that you conducted. I want to commend you for doing that because it puts a face on these numbers. It is not about a percentage point here or there. It is about the faces of the people who are standing in line looking for work.

Right now in this body at this time it is incredibly important for us to focus on the lives of the people who are impacted because of this Congress's inability to get something done as important as jobs legislation for this country.

Now I would like to touch just on two major points, if I could. The first is the fact that, again, in my State, we have had a prolonged recession. So many of the people who have been unemployed have been unemployed for going on a year or longer. Some of them actually are from the construction sector, which was our number two industry in Nevada. But because of the burst in the housing market, the fact that we are not building as much in the commercial sector, the lion's share of the people who are unemployed actually come from the construction sector.

They also come from engineering companies. They also come from architecture companies. I have talked to small business owners who run architecture firms who have had to lay off more than 40 to 50 percent of their staff over the last few years.

□ 1715

These are good-paying jobs as well, jobs that provide good wages for families to provide for themselves.

But the points I want to make include the fact that on December 28, if this Congress doesn't do something in the next few days, some 20,000 individuals in Nevada who currently are receiving emergency unemployment compensation are at risk of losing that safety net, if this Congress fails to act.

Now, I don't see how in good conscience we as Members of Congress who, as you say, get paid a good wage—the best wage I have ever had as a poor person growing up in Nevada who has had to work two jobs virtually since I was 14, 15 years of age, to now be a Member of Congress, is a great honor. But I do not see how in good conscience we could leave here on Friday and fail to extend unemployment benefits for millions of Americans who need this safety net, especially at the holiday season.

Now, a lot of people who were standing in that line have children. They have families that are relying on them to put food on the table. There are people in my district who I have talked to who say that they are going to go without having a holiday this December because the only thing they can do is to provide enough money to keep a roof over their head, food on the table, and gas in the car so that they can keep looking for a job.

So I would encourage the leadership here to do everything that they can to allow us to vote to extend the unemployment emergency compensation that is set to expire on December 28; 20,000 Nevadans in my home State are relying on it, and I know millions of other Americans are as well.

Let me just close to my colleague from California by also offering one more suggestion of ways in which we can get America working again. I introduced legislation, Putting Our Veterans Back to Work Act of 2013.

One other interesting fact about Nevada, about a third of our constituents are veterans. These are people who have given their all to protect our country's freedom in a time of combat; and now all they ask for when they come home is an opportunity for a job, an opportunity for decent housing, for quality health care, access to education for themselves and their kids.

So, with my colleagues, I have introduced H.R. 3454, the Putting Our Veterans Back to Work Act. It renews our vow to hire our heroes by reauthorizing the transition, retraining, and employment services that have been created. It expands our vow to veteran small business owners to ensure that they have access to capital that they need for the veteran-owned small businesses that we are encouraging to grow.

It builds on our vow to hire heroes by basically committing additional resources through job training, the Workforce Investment Act system, to ensure that our veterans are given priority for hiring.

Finally, it ensures that our veterans are not being discriminated against in the workplace. So this is an important contribution I think to the Make It in America proposal, and I think it speaks to the other opportunities that we have here today to grow our economy.

I just want to close by saying to Mr. GARAMENDI that it is great that we can have a focus on what we can do in this Congress. Again, I have only been here a year, and it is frustrating to hear what we can't do: the fact that we haven't been able to pass comprehensive immigration reform or employment protections for individuals regardless of who they love, the fact that there are infrastructure bills that have been proposed by the Make It in America proposal that have bipartisan support so we can revitalize our country.

We can do great things if this body, if the Members on the other side who have refused to allow these bills to come to a vote, if they could meet us halfway. We can meet the needs of the American public. We can provide equal pay for equal work and make sure that women are paid the wages that they deserve. We can invest in education and make sure that our schools are adequately funded. We can replace the sequester and make sure that our kids have a head start at a bright future, and we can strengthen our social safety net for seniors and the poor and those who are in the middle class.

Mr. Speaker, there is no shortage of what we can do to increase opportunity, to grow the economy and to create jobs. This Congress just needs to show the willingness to work, to put the American people back to work.

I want to commend, again, my colleague, Mr. GARAMENDI, and the others who have spoken this evening for putting this issue front and center. This is the priority that the American people want us to focus on: jobs, jobs, jobs. Thank you.

Mr. GARAMENDI. Thank you so very much, Mr. HORSFORD. Thank you for your passion, for your knowledge, for your concern about your constituents, and particularly about those men and women that are from the military.

I also have two major Air Force bases in my district with a very large population of veterans, both young and old, from the various wars and conflicts of the past. And they need a shot. Your legislation ought to be the law. It simply should be the law of the land. We should put these people back to work. We showed the picture earlier of the people lined up; 147 of those were veterans. I think about 14 were actually hired that day and given a chance.

I often put this up when we have these opportunities to speak on the floor about jobs and putting men and women back to work, because this is kind of a compass that I like to use when I think about legislation, when I think about what we ought to be doing here.

Franklin Delano Roosevelt, FDR, talking about a New Deal, he said this:

A test of our progress is not whether we add more to the abundance of those who have much, it is whether we provide enough for those who have too little.

We need to think about that often here on the floor. The issues that we have talked about today—putting people back to working, the minimum wage, and unemployment insurance, and food stamps or the SNAP program—all speak to this fundamental test of America's moral compass. A test of our progress is not whether we add more to the abundance of those who have much. It is whether we provide enough for those who have too little.

December 28—Representative HORSFORD laid out that date—December 28, millions upon millions of Americans will lose their unemployment insurance, not because they are lazy, not because they don't want to work. These people, 971 of them last Friday in my district at my jobs fair, they want to go to work. Many of them will lose their unemployment insurance on December 28.

Joining us today is a remarkable woman, incredible background in caring about the people of America, working on a national program to make sure that women have a good shot. Incidentally, let me put this up there just before I introduce Representative EDWARDS. Today is a remarkable day for women. The new CEO of General Motors is a woman. She is not going to be on the unemployment line. She has spent 30-some years with General Motors, has visited the very, very top. I understand coming from the factory floor, all the way to the top. That is your story too, DONNA EDWARDS, incredible Representative from the State of Maryland. I think you wanted to talk to us about your citizens, your constituents.

Ms. EDWARDS. Mr. Speaker, I want to thank the gentleman from California because every week you are here talking about what we can do and what we should be doing to create jobs in this country.

Now, I have heard it said by some that there is nothing that the Congress can or should do to try to create jobs. Well, that is just a bunch of hooey. We know that the Federal Government, Mr. Speaker, has a lot of capacity to help spur private sector job creation, but we haven't done it in this Congress. We have had an opportunity, but we haven't done it in this Congress.

I thought as you put that quote up there by Franklin Roosevelt, when I think of all the memorials there are here in Washington, D.C.—and there are plenty of them, free to the public, paid by the taxpayers. One of my favorite is the FDR memorial, and the reason is because as you are walking through that memorial, you have

there, in bronze, replicas of people standing in line: standing in line waiting for assistance, standing in line waiting for a job.

When President Franklin Roosevelt saw what was happening in this country, try to come out of that Great Depression, he didn't say, oh, well, there is nothing we can do. Now, it is true, he did have some Members of Congress who were fighting him every step of the way, who didn't want to do what it would take to wholesale the Federal Government all in, investing in the American public, investing in job training, investing in rebuilding this country. Franklin Roosevelt knew the difference, and he pushed for that so that all of those people standing in that line would have jobs. And that is what I see when I go to the memorial.

Now, if you take the trail along from the FDR memorial, you can walk along the pathway and it brings you to the new Martin Luther King, Jr. Memorial—another great man who stood at the foot of the Lincoln Memorial, calling for us to put people to work for equality, right on the steps of the Lincoln Memorial.

Each man, including Lincoln, in their time calling on the Congress: do the right thing. Well, now, Mr. GARAMENDI, it is our time. It is our time to invest in our infrastructure that by all accounts is crumbling. And you know what, we don't even need experts to see that our roads, our bridges, our railways are crumbling. We don't need those experts because we can see that for ourselves. I see it when I drive over some of our bridges in Maryland. I see it across our roads. I see the crumbling bridges.

Now we wait. When a bridge does in fact fall, potentially injuring or even killing people, and certainly killing the economy around it, oh, we are all in. The Congress is right there, injecting the Federal resources that it takes, but why do we have to wait until a bridge falls for the Congress to do the right thing to invest in our infrastructure, knowing that every investment of a billion dollars creates 35,000 new jobs in the economy?

If we were doing what it would take just to keep up, we would be investing about \$200 billion. Think of the millions of jobs we could create by making those investments.

Mr. GARAMENDI. Excuse me for interrupting.

Ms. EDWARDS. Go right ahead.

Mr. GARAMENDI. You are talking about some really, really important issues here. Bridges falling down?

Ms. EDWARDS. Bridges falling down.

□ 1730

Mr. GARAMENDI. One of the reasons is this: this is the infrastructure investment from 2002 to 10 years later. That is about an \$85 billion reduction in infrastructure investment.

I wanted just to drive home the point that you have made about putting people to work and about what happens when you bring down the infrastructure investment. People are unemployed, construction workers and beyond.

Ms. EDWARDS. I thank the gentleman for pointing that out. Because what we can see is that with that decades-long disinvestment in our infrastructure, not only do we have new needs, but we have the old ones, the old repairs stacking up.

I am glad that you mentioned unemployment, because as the gentleman from Nevada mentioned, unemployment in so many areas is still up there. Now, across the country, I am proud to say that last week unemployment numbers were reported 7 percent—the lowest since November 2008, the lowest since when I first came into this Congress. In some ways, it has been despite us. I think the President, the administration, have done all of the things that they can do, the private sector that they can do.

But think if we had those infrastructure investments. We could tick off 2 more percentage points on unemployment with a robust investment in this Nation's infrastructure. That is about building for the future; that is about building for the 21st-century economy. Yet here we are—and as the gentleman from Nevada pointed out—unemployment benefits end for about 1.3 million people; 1.9 million Americans' unemployment will end December 28.

Now, here we are in Congress—and we have taken a lot of breaks this year without creating any jobs, and we are about to take another one, another really long one—and on December 28 some of our Members will be finishing up their holiday leftovers. Some people will be sitting with their children looking through their toys and the goodies that they have gotten over the holiday season, and then there will be 1.9 million Americans who will lose their unemployment benefits in the first half of 2014, 1.3 million who will lose those benefits on December 28, and we will be opening up gifts. That is an embarrassment; it is an absolute embarrassment.

So while we could be doing things that create jobs and opportunity for the American people, instead we are doing something that is actually going to cost jobs. Not extending unemployment benefits, not only is it bad for all of those people who will lose their benefits; it also is going to cost the economy another 200,000 jobs. So what we are doing in our inaction in Congress is actually counterproductive to putting the American people back to work.

Do you know what? I would like to say that it is the responsibility of all of us as Members of Congress; but the fact is, much to our chagrin, Democrats don't control the gavel in this House; the Republicans control it. And tomorrow,

and certainly within the next 72 hours before we leave town for vacation, Republicans could put a bill on the floor that would extend unemployment benefits that would expire on December 28 for the American people so that those unemployed persons can afford to have a Christmas, a holiday, for their families. But I don't see it in the offing. I can tell you this right now: if Democrats controlled that gavel, Mr. Speaker, we would be extending unemployment benefits, but we are not doing that.

I want to close very quickly and have a little bit of a dialogue, because I want to tell you what unemployment means. It means 37 percent of the unemployed workers in this country have been unemployed for more than 6 months. So it is true, our unemployment numbers have ticked down; but for 37 percent of those unemployed workers, it has been a long time. These are skilled workers. They are laborers who because the construction jobs are not quite up to par they are not working the way that they were. They are people who have scientific and technical skills. Because we are not making the kinds of investments we need in research and development, and I know that has been of particular importance to the gentleman, those workers are unemployed.

The gentleman put up the picture there of the people who were standing in line in his district at a job fair. Well, I held a job fair in my district. Over 2,000 people, 100 employers, job seekers, people who want to work, who are unemployed now but who want to work. What is the harm in providing unemployment benefits for those workers?

Now, I have heard some on the other side of the aisle say things like, well, if you provide unemployment benefits, then it will make people less likely to go out and find a job. Well, clearly that is somebody who has never received unemployment benefits. I had the misfortune of having to apply for unemployment at one point in my life. I didn't want to be unemployed, but I sure needed that benefit to get me to the point where I could then find a job.

That is what our job seekers do—1.3 million of them who will not have unemployment benefits come December 28, who will not be able to provide. Forget providing for a holiday or a Christmas celebration. How about putting food on the table?

And this, Mr. GARAMENDI, at the same time that there are some who are contemplating taking away \$40 billion from food stamps. So take away unemployment benefits, take away food stamps, the nutrition program that also supplies our food pantries, and then say, do you know what, unemployed Americans, you are on your own.

Well, that is not the kind of America, Mr. GARAMENDI, that you and I believe

in. We believe in the kind of America where as a Congress we make a decision about investing in our infrastructure, supporting research and development so that all of those innovators and creators out there can create more jobs, making sure that we have a manufacturing sector that really works in this country, and putting people back to work.

I will just close by saying I don't really get this. But I tell you what, the Grinch is in full force right now. The Grinch is out there saying, I am taking your unemployment, I am taking away your food stamps, I am not going to create any jobs. Do you know what? That is not good for America. But we are saying, Happy Holidays, and in 72 hours the Congress goes home and people who are on unemployment lose their benefits.

Mr. GARAMENDI. Congresswoman EDWARDS, thank you very much. I have known you for the almost 4 years that I have been here. The passion that you have for the American people is unmatched. Your willingness to stand for them has been seen in many pieces of legislation and votes and also on the floor of the House of Representatives. I thank you for that.

How correct you are. We are going to leave here Friday, probably around noontime. The question Americans ought to ask us is: So what have you done for America? Tell us what you have done, Congress, for America.

I will tell you what we want to do. We want to put people back to work. This ought not be America. This is the inside of the hall where we had the 40 employers that were looking to hire a few people. The outside of the hall, that was 200 yards in 35 degree weather, people standing there well over an hour, some an hour and a half, two hours, wanting to at least get a shot at a job.

Have we forgotten, have we forgotten about Franklin Delano Roosevelt's moral compass, the moral compass that we ought to be employing here? I am going to put up something. Ms. EDWARDS, if you will just stick around just a few moments.

America has gone back to work, at least some Americans have gone back to work. This is the recovery; this is the reduction in the unemployment. The moral compass of America. Are we doing more for those who have much or are we doing for those who have little?

This is the fact of the growth of the American economy, the creation of wealth, the creation of wealth in America. Billions of dollars. New wealth created. Where did it go? Where did that wealth go? Where did all the labor, all the hard work, all the men and women that got up in the morning and went to work, put in their 8 hours or 12 hours, their 40 hours a week or more, where did that labor, where did it go, what was the result of it?

Here it is. Here is the fact. The tale of two Americans: 95 percent of the wealth created in America from 2009 to 2012 went to the top 1 percent of Americans. So all those people out there, all the 99 percenters that worked day in and day out, that struggled for a job, that stood in line to get a job, what did they get? They got 5 percent of the new wealth of the wealth created in this Nation.

This is an indictment of the fundamental policies of this Nation. It wasn't always that way. During the Clinton period, the top 1 percent did very well. They got 45 percent of the wealth. The top 1 percent took 45 percent home. They did leave 55 percent for the 99 percent.

This isn't just happening because the Sun comes up in the morning and sets in the evening. This happens because of public policy, tax policy, employment policy, social welfare policies, food programs, unemployment programs, and the crash of the American economy caused by greed, Wall Street greed principally, and greed of others to be sure.

Keep in mind, America, this is our Nation today. Work hard? No, you may not get ahead. Keep in mind the moral compass of Franklin Delano Roosevelt:

The test of our progress is not whether we add more to the abundance of those who have much; it is rather whether we provide enough for those who have too little.

December 28 is coming. Today is the 10th of December. Eighteen days. Just after Christmas, 3 days after Christmas, days after the holidays, 1.7 million Americans are going to lose their unemployment insurance and, since the farm bill hasn't been brought to the floor, the question of what kind of cuts will be made in the farm programs specifically for the food programs.

It is not the loafers that are out there, although there are some. It is the men and women that stood in line waiting for a job in my district last Friday, stood in line at Representative EDWARDS' job fair here in Maryland in the past days, those people, unemployed, depending upon the supplemental food program, the senior citizens who are trying to make it with the meager benefits of Social Security. They are the ones that are receiving the supplemental food program, the food stamps. \$40 billion over the next 5 to 10 years taken away, away from farmers' income, yes, and away from the men and women that are hungry.

One more thing. I am going to put this up. I have seen this so many times. You want to take \$40 billion away from the children of America? Is that what our Republican leadership wants to do? This is the face of America's children right there. One out of every four children in this Nation wondering where their next meal is coming from. Jobs? Absolutely. Unemployment benefits? Essential, unless you want this to be

the American story. Food stamps? That is where he gets his food; that is where these American children are able to get their food during these hard times. They want to cut it. Where is the moral compass in that? Where is the fundamental moral compass when one out of four children in this Nation goes to bed hungry?

□ 1745

Where is the moral compass that takes 95 percent of the wealth created in this Nation and gives it to the 1 percent who have millions and, indeed, billions? Something is wrong here.

Ms. EDWARDS. Will the gentleman yield?

Mr. GARAMENDI. I yield to the gentleman.

Ms. EDWARDS. As the gentleman was speaking, I thought to myself: What could the American people do if they learned that on December 28 unemployment benefits will end for 1.3 million of their fellow Americans? Is there something they could do?

Well, I always thought when I wasn't in Congress that the one thing people can do to stop this atrocity so that we can fix it before we leave town in 72 hours, they can call their Members of Congress. They can use social media and reach out to their Members of Congress. That is what they can do because this should not be allowed to happen. We can create jobs so that, come the spring construction season, workers go back to work. But in the meantime, people can call their Member of Congress and say: Extend unemployment benefits, or don't go home for Christmas.

Mr. GARAMENDI. We will go home for Christmas, and how many hungry will there be? How many unemployed will there be? We have work to do.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON LEE (at the request of Ms. PELOSI) for today and December 11.

Mr. DOYLE (at the request of Ms. PELOSI) for today and December 11 on account of a death in the family.

Mr. RUSH (at the request of Ms. PELOSI) for today on account of attending to family acute medical care and hospitalization.

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

Mrs. MCMORRIS RODGERS (at the request of Mr. CANTOR) for today and the balance of the week on account of the birth of her daughter.

Mr. CONAWAY (at the request of Mr. CANTOR) for today on account of inclement weather.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore, Mr. DENHAM, on Monday, December 9, 2013.

H.R. 3626. An act to extend the Undetectable Firearms Act of 1988 for 10 years.

ADJOURNMENT

Mr. GARAMENDI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 47 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, December 11, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4038. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Food Additive Regulations; Incorporation by Reference of the Food chemicals Codex, 7th Edition [Docket No.: FDA-2010-F-0320] received December 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4039. A letter from the Under Secretary, Department of Defense, transmitting the fiscal year 2012 report entitled, "Operation and Financial Support of Military Museums"; to the Committee on Armed Services.

4040. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Final Priority; Rehabilitation Training: Rehabilitation Long-Term Training Program—Vocational Rehabilitation Counseling [CFDA Number: 84.129B] received November 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4041. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Program Integrity Issues [Docket ID: ED-2010-OPE-0004] (RIN: 1840-AD02) received November 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4042. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's "Major" final rule — Student Assistance General Provisions, Federal Perkins Loan Program, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program [Docket ID: ED-2013-OPE-0063] (RIN: 1840-AD12) received November 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4043. A letter from the Director, Regulations Policy and Management, Department of Health and Human Services, transmitting the Department's final rule — Advisory Committee; Veterinary Medicine Advisory Committee; Termination [Docket No.: FDA-2013-N-1380] received December 2, 2013, pursuant

to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4044. A letter from the Associate Bureau Chief, Federal Communications Commission, transmitting the Commission's final rule — Special Access for Price Cap Local Exchange Carriers; AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services WC [Docket No.: 05-25] [RM-10593] received November 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4045. A letter from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Communication of Operational Information Between Natural Gas Pipelines and Electric Transmission Operators [Docket No.: RM13-17-000; Order No. 787] received November 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4046. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule — Guides for Private Vocational and Distance Education Schools received November 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4047. A letter from the Assistant Administrator, Bureau for Legislative and Public Affairs, Agency for International Development, transmitting a formal response to the GAO report "Global Food Security: USAID is Improving Coordination but Needs to Require Systematic Assessments of Country-Level Risks"; to the Committee on Foreign Affairs.

4048. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-66, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4049. A letter from the Assistant Secretary, Department of Defense, transmitting a letter regarding a Memorandum of Understanding between the Department of Defense and Department of Foreign Affairs and International Trade of Canada; to the Committee on Foreign Affairs.

4050. A letter from the Administrator, Agency for International Development, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2013, through September 30, 2013, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

4051. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4052. A letter from the Senior Deputy Chairman, National Endowment for the Arts, transmitting the Semiannual Report of the Inspector General and the Semiannual Report on Final Action Resulting from Audit Reports, Inspection Reports, and Evaluation Reports for the period April 1, 2013 through September 30, 2013; to the Committee on Oversight and Government Reform.

4053. A letter from the Chair, Securities and Exchange Commission, transmitting the Semiannual Report of the Inspector General and a separate management report for the period April 1, 2013 through September 30, 2013, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

4054. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's quarterly report from the Office of Privacy and Civil Liberties for the third quarter of fiscal year 2013 April 1, 2013 — June 30, 2013; to the Committee on the Judiciary.

4055. A letter from the Administrator, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting the Corporation's annual financial audit and management report for the fiscal year 2013, in accordance with OMB Circular A-136; to the Committee on Transportation and Infrastructure.

4056. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Dividend Equivalents from Sources within the United States [TD 9648] (RIN: 1545-BK53) received December 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4057. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — User Fees for Processing Installment Agreements and Offers in Compromise [TD 9647] (RIN: 1545-BL37) received December 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4058. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Voluntary Withholding on Dividends and Other Distributions by Alaska Native Corporations [Notice 2013-77] received December 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4059. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 2013 Base Period T-Bill Rate (Rev. Rul. 2013-24) received December 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4060. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Rulings and Determination Letters (Rev. Proc. 2014-7) received December 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4061. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Net Investment Income Tax [TD 9644] (RIN: 1545-BK44) received December 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. UPTON (for himself, Mr. WAXMAN, Mr. TERRY, Mr. GENE GREEN of Texas, and Mr. BILIRAKIS):

H.R. 3683. A bill to amend the Energy Independence and Security Act of 2007 to improve United States-Israel energy cooperation, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committees on Energy and Commerce, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPITO (for herself, Mr. MCKINLEY, Mr. CRAMER, and Mr. LUETKEMEYER):

H.R. 3684. A bill to prohibit Federal funding of foreign travel by the Administrator of the Environmental Protection Agency until the Agency conducts public listening sessions on rulemaking targeting carbon dioxide emissions from existing power plants in each of the 15 States with the highest percentage of electricity generated by coal in 2012; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Agriculture, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARLETTA (for himself, Mr. MEEHAN, Mr. LOBIONDO, Mr. RUNYAN, Mr. FITZPATRICK, Mr. PERRY, Mr. THOMPSON of Pennsylvania, Mr. LANCE, Mr. JOYCE, Mr. SIMPSON, Mr. RENACCI, Mr. MEADOWS, Mr. GERLACH, Mr. JONES, Mr. BACHUS, Mrs. NOEM, Mrs. MILLER of Michigan, Mr. HUIZENGA of Michigan, Mr. GRIMM, Mr. AUSTIN SCOTT of Georgia, Mr. RODNEY DAVIS of Illinois, Mr. HANNA, Mr. MCKINLEY, Mrs. WALORSKI, Mr. FINCHER, Mr. COTTON, Mr. SHUSTER, Mr. GARDNER, Mr. PITTS, Mr. COLLINS of New York, Mr. MARINO, and Mr. BARR):

H.R. 3685. A bill to ensure that emergency services volunteers are not counted as full-time employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; to the Committee on Ways and Means.

By Mr. RODNEY DAVIS of Illinois (for himself, Mr. JOYCE, and Mr. GRAVES of Missouri):

H.R. 3686. A bill to require official White House meals and meals served at White House or Department of Agriculture cafeterias to be in compliance with the nutrition requirements for the school breakfast program and the school lunch program; to the Committee on Oversight and Government Reform, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISSA (for himself, Mr. THORNBERRY, Mr. CALVERT, Mr. BROUN of Georgia, Mr. COFFMAN, Mrs. BACHMANN, Mr. WEBER of Texas, Mr. LAMALFA, Mr. YOHO, Mrs. BLACKBURN, Mr. NUNNELEE, Mr. GOHMERT, Mr. KING of Iowa, Mr. POSEY, Mr. FLEMING, Mr. BENTIVOLIO, Mr. FRANKS of Arizona, and Mr. CONAWAY):

H.R. 3687. A bill to amend the National Historic Preservation Act to provide that if the head of the agency managing Federal property objects to the inclusion of certain property on the National Register or its designation as a National Historic Landmark for reasons of national security, the Federal property shall be neither included nor designated until the objection is withdrawn, and for other purposes; to the Committee on Natural Resources.

By Mr. JEFFRIES (for himself and Ms. MENG):

H.R. 3688. A bill to amend title 18, United States Code, to direct the Bureau of Prisons to provide certain voting information to Federal prisoners upon their release from prison; to the Committee on the Judiciary.

By Mr. JORDAN (for himself and Mr. BARROW of Georgia):

H.R. 3689. A bill to restore Second Amendment rights in the District of Columbia; to the Committee on Oversight and Government Reform.

By Mr. KENNEDY (for himself and Mr. HONDA):

H.R. 3690. A bill to increase the participation of women, girls, and underrepresented minorities in STEM fields, to encourage and support students from all economic backgrounds to pursue STEM career opportunities, and for other purposes; to the Committee on Education and the Workforce.

By Mr. KILDEE:

H.R. 3691. A bill to amend title 10, United States Code, to require additional disclosures when lending to military members and their dependents, and for other purposes; to the Committee on Armed Services.

By Mr. LOEBSACK:

H.R. 3692. A bill to authorize a competitive grant program to implement and evaluate digital learning in rural locales; to the Committee on Education and the Workforce.

By Mr. NOLAN (for himself, Mr. FARR, Ms. SLAUGHTER, Mr. CONYERS, Mr. GRIJALVA, Mr. WALZ, Ms. NORTON, Ms. MCCOLLUM, and Mr. LOEBSACK):

H. Con. Res. 70. Concurrent resolution recognizing the critical contributions international volunteers provide to the United States; to the Committee on Foreign Affairs.

By Mr. DEUTCH (for himself and Ms. ROS-LEHTINEN):

H. Res. 435. A resolution calling on the government of Iran to fulfill their promises of assistance in this case of Robert Levinson, one of the longest held United States civilians in our Nation's history; to the Committee on Foreign Affairs.

By Mr. LOWENTHAL (for himself, Ms. BASS, Mr. CÁRDENAS, Ms. CHU, Mr. CICILLINE, Mr. CONYERS, Mr. COSTA, Mr. CROWLEY, Mrs. DAVIS of California, Mr. DANNY K. DAVIS of Illinois, Mr. ELLISON, Ms. ESHOO, Mr. FARR, Mr. GARAMENDI, Mr. GUTIERREZ, Ms. HAHN, Mr. HINOJOSA, Mr. HONDA, Mr. HUFFMAN, Ms. JACKSON LEE, Mr. KEATING, Ms. LEE of California, Mr. LEVIN, Ms. LOFGREN, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MCNERNEY, Mrs. NAPOLITANO, Mrs. NEGRETE MCLEOD, Mr. PETERS of California, Mr. RUIZ, Ms. LORETTA SANCHEZ of California, Ms. LINDA T. SANCHEZ of California, Mr. SHERMAN, Ms. SPEIER, Mr. SWALWELL of California, Mr. THOMPSON of California, Mr. VARGAS, Mr. WAXMAN, and Ms. WILSON of Florida):

H. Res. 436. A resolution recognizing the 65th anniversary of the Universal Declaration of Human Rights and the celebration of "Human Rights Day"; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. UPTON:

H.R. 3683.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mrs. CAPITO:

H.R. 3684.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 9 Clause 7

No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law

By Mr. BARLETTA:

H.R. 3685.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. RODNEY DAVIS of Illinois:

H.R. 3686.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Clause

Article I, Section 8, Clause 18

The Congress shall have Power *** To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

Spending Authorization/General Welfare Clause

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ISSA:

H.R. 3687.

Congress has the power to enact this legislation pursuant to the following:

Because this bill affects the national security of the United States, in that it protects Federally-owned land dedicated to national security from regulatory encroachment, Congress has the power to enact this legislation pursuant to Article 1, Section 8, Clause 1 of the United States Constitution which empowers Congress "To . . . provide for the common defence [sic] and general Welfare of the United States." Article 1, Section 8, Clauses 11 through 16 which give Congress additional authorities to ensure the national security of the United States; and Article 1, Section 8, Clause 18, which empowers Congress "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. JEFFRIES:

H.R. 3688.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution related to general welfare of the United States.

By Mr. JORDAN:

H.R. 3689.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 17 of the United States Constitution.

By Mr. KENNEDY:

H.R. 3690.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and Clause 18 (relating to the power to make all laws

necessary and proper for carrying out the powers vested in Congress)

By Mr. KILDEE:

H.R. 3691.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. Art. I, §8.

By Mr. LOEBSACK:

H.R. 3692.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution which grants Congress the power to provide for the general Welfare of the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 7: Ms. BORDALLO.

H.R. 60: Ms. ROS-LEHTINEN.

H.R. 196: Mr. DUNCAN of South Carolina.

H.R. 494: Mr. PALLONE, Mr. COBLE, Mr. MAFFEI, and Mrs. CAPPAS.

H.R. 562: Mr. FOSTER.

H.R. 637: Mr. GRAYSON.

H.R. 685: Mr. CHAFFETZ, Mrs. BEATTY, and Mr. DEUTCH.

H.R. 713: Mr. GRIFFIN of Arkansas, Mr. THORNBERRY, Mr. VELA, Ms. SLAUGHTER, and Mr. CONAWAY.

H.R. 721: Mr. CASSIDY and Mr. KINGSTON.

H.R. 724: Mr. COSTA.

H.R. 792: Mr. STUTZMAN.

H.R. 855: Mr. LOBIONDO.

H.R. 915: Mr. BROOKS of Alabama.

H.R. 1209: Mr. MCCARTHY of California, Mr. SCOTT of Virginia, Mr. MARINO, Mr. SHUSTER, Mr. RANGEL, Ms. HERRERA BEUTLER, Mr. MCHENRY, Mr. RODNEY DAVIS of Illinois, Mr. DEUTCH, Mr. SIREN, Mrs. KIRKPATRICK, and Mr. DINGELL.

H.R. 1250: Mr. PETRI.

H.R. 1255: Mr. STEWART.

H.R. 1317: Mr. PETERS of California.

H.R. 1339: Mr. HANNA.

H.R. 1616: Mr. PRICE of North Carolina.

H.R. 1701: Mr. LAMBORN.

H.R. 1714: Mr. HONDA.

H.R. 1726: Mr. TIBERI.

H.R. 1787: Mr. SHIMKUS and Mr. BEN RAY LUJÁN of New Mexico.

H.R. 1812: Mr. VALADAO.

H.R. 1984: Mrs. ELLMERS.

H.R. 2012: Mr. CICILLINE.

H.R. 2027: Mr. STUTZMAN.

H.R. 2134: Mr. MASSIE.

H.R. 2223: Mr. ROGERS of Michigan.

H.R. 2309: Mr. VELA, Mr. LOWENTHAL, Mr. BRALEY of Iowa, and Mr. HIMES.

H.R. 2662: Ms. WILSON of Florida, Mr. LYNCH, Mr. COHEN, and Mr. LOWENTHAL.

H.R. 2697: Mr. COOK.

H.R. 2727: Mr. GOWDY.

H.R. 2780: Mrs. MCCARTHY of New York and Mr. HUFFMAN.

H.R. 2788: Ms. NORTON.

H.R. 2791: Mr. DENHAM.

H.R. 2835: Mr. GRIFFIN of Arkansas.

H.R. 2841: Mr. LOEBSACK.

H.R. 2866: Mr. HINOJOSA, Mr. FARR, Mr. FLEISCHMANN, and Mr. TIPTON.

H.R. 2909: Mr. BRADY of Pennsylvania, Mr. VISLOSKEY, and Ms. ESTY.

H.R. 2918: Mrs. KIRKPATRICK.

H.R. 2939: Ms. SLAUGHTER and Mr. SCHIFF.

H.R. 2989: Ms. DEGETTE.

H.R. 2994: Ms. MATSUI, Mr. CARTWRIGHT, Mr. RUPPERSBERGER, Ms. TITUS, Mr. DEUTCH, Mr. SCHOCK, Mr. BLUMENAUER, Mr. BARR, Mr. AUSTIN SCOTT of Georgia, Mr. GIBSON, Mr.

RENACCI, Mr. KING of New York, Mr. MILLER of Florida, Mr. GEORGE MILLER of California, Mr. SCHNEIDER, and Mr. TAKANO.

H.R. 3077: Mr. BUTTERFIELD.

H.R. 3211: Mr. ROSS and Mr. HECK of Nevada.

H.R. 3279: Mr. SHUSTER and Ms. BORDALLO.

H.R. 3330: Mrs. KIRKPATRICK.

H.R. 3333: Ms. SINEMA.

H.R. 3374: Mr. DEFazio.

H.R. 3397: Mr. HONDA, Mr. SERRANO, Mr. COHEN, and Mr. HIGGINS.

H.R. 3461: Ms. WILSON of Florida, Ms. LEE of California, and Mr. ISRAEL.

H.R. 3469: Mr. COHEN.

H.R. 3488: Mr. WEBSTER of Florida, Mr. FRELINGHUYSEN, Mr. WALDEN, Mr. ROSKAM, Mr. ROTHFUS, Mrs. KIRKPATRICK, Mr. PITTENGER, Mr. TONKO, Mr. COHEN, and Ms. JENKINS.

H.R. 3499: Mr. O'ROURKE, Mrs. NEGRETE McLEOD, and Mr. LOEBSACK.

H.R. 3505: Mr. ELLISON.

H.R. 3527: Mr. GENE GREEN of Texas.

H.R. 3530: Mr. COSTA, Mr. CÁRDENAS, and Mr. RODNEY DAVIS of Illinois.

H.R. 3531: Mrs. BEATTY, Mr. PERRY, Mr. FARR, Mr. JOYCE, and Mrs. BACHMANN.

H.R. 3539: Mr. NEUGEBAUER.

H.R. 3590: Mr. SIMPSON, Mr. GINGREY of Georgia, Mr. CRAWFORD, Ms. JENKINS, Mr. WALBERG, and Mr. BISHOP of Utah.

H.R. 3611: Mr. MULVANEY.

H.R. 3646: Mrs. CHRISTENSEN and Mr. MEEKS.

H.R. 3649: Mr. BRALEY of Iowa.

H. Con. Res. 16: Mr. SOUTHERLAND, Mr. ROSS, and Mr. BILIRAKIS.

H. Res. 30: Ms. KELLY of Illinois and Mr. SMITH of Missouri.

H. Res. 36: Mr. DIAZ-BALART.

H. Res. 281: Ms. MCCOLLUM.

H. Res. 284: Mr. TERRY.

H. Res. 302: Mr. ROHRABACHER.

H. Res. 411: Mr. NUGENT.

H. Res. 417: Mr. PITTENGER, Mr. KING of Iowa, Mr. DINGELL, and Mr. DUNCAN of South Carolina.

H. Res. 418: Ms. SCHAKOWSKY and Mr. KEATING.

H. Res. 423: Mr. HUFFMAN.

H. Res. 424: Ms. DELAURO, Ms. BROWNLEY of California, Mr. CONNOLLY, Ms. ESHOO, Mr. HUFFMAN, Mr. GARCIA, Ms. CASTOR of Florida, Mr. LANGEVIN, Ms. ESTY, Mr. THOMPSON of California, Mr. ENYART, Mr. GRIJALVA, Mr. ISRAEL, Ms. PINGREE of Maine, Mr. CUMMINGS, Ms. WILSON of Florida, Mr. BISHOP of New York, Ms. MATSUI, Ms. HANABUSA, Mr. RAHALL, Mr. ANDREWS, Ms. HAHN, Ms. WATERS, Mrs. NEGRETE McLEOD, Mr. NADLER, Mr. LOWENTHAL, Mr. SCOTT of Virginia, Mrs. LOWEY, Mr. GARAMENDI, Mr. WAXMAN, Mr. BLUMENAUER, Mr. COSTA, Mr. O'ROURKE, Mr. MURPHY of Florida, Mr. FOSTER, Mr. VARGAS, and Mr. COHEN.

SENATE—Tuesday, December 10, 2013

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, our souls thirst for You. Enable us to hear Your songs in the night and be vivified by Your spirit. Lord, forgive us when we forget how Your gracious hand has preserved our Nation, multiplying, enriching, and sustaining it. Use our lawmakers to keep America strong, reminding them that eternal vigilance is the price for freedom. Thank You for drawing us into the multitude of Your mercy, permitting us to experience abundant living, as we make a commitment to not deviate from the path of integrity.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

WORKFORCE INVESTMENT ACT OF 2013—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 243, S. 1356.

The PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 243, S. 1356, a bill to amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of Senator MCCONNELL, the Senate will proceed to executive session to consider the nomination of Patricia Millett to be U.S. circuit judge for the D.C. Circuit and immediately vote on confirmation of that nomination.

Senators should expect additional votes this morning with respect to re-

consideration of the cloture vote on the nomination of MEL WATT to be Director of the Federal Housing Finance Agency.

MILLETT AND WATT NOMINATIONS

Mr. President, this morning the Senate will consider the nomination of Patricia Millett to serve on the D.C. Circuit Court of Appeals, considered by many to be the second highest court in the land. We postponed this vote last night out of consideration for a number of Senators whose flights were delayed by bad weather. I thank my colleagues for their patience. And I am pleased that today Ms. Millett will finally get the fair, up-or-down vote she deserves.

Ms. Millett is exceedingly qualified for this position. She graduated at the top of her class from the University of Illinois at Urbana and attended Harvard Law School. Ms. Millett has argued more than 32 cases before the Supreme Court, including one while her husband was deployed overseas with the U.S. Navy. She also served as Assistant Solicitor General under both President Bill Clinton and President George Bush.

She enjoys bipartisan support from a variety of law enforcement officials, legal professionals, and military organizations. And it is my honor to help confirm a woman whom colleagues have called fair-minded, principled, and exceptionally gifted.

I will also move to reconsider the nomination of Congressman MEL WATT to serve as Administrator of the Federal Housing Finance Agency.

Congressman WATT graduated from the University of North Carolina at Chapel Hill and Yale Law School. He has represented North Carolina's 12th Congressional District since 1993 and served as chairman of the Congressional Black Caucus. And as a senior member of the House Financial Services Committee, Mr. WATT understands the mistakes that led to the housing crisis.

Yet last month Senate Republicans blocked Congressman WATT's nomination—the first time a sitting Member of Congress has been filibustered since 1843, since before the Civil War. They denied Congressman WATT even the courtesy of an up-or-down vote.

Congressman WATT proposed legislation to crack down on the worst abuses in mortgage lending and helped pass the Dodd-Frank bill to prevent predatory lending. By any measure, Congressman WATT is qualified to help struggling homeowners recover from the worst economic downturn in generations.

And at a moment when America still faces difficult economic times—and as

the housing market is finally beginning to recover—it is crucial the Senate confirm the most talented and dedicated individuals to serve in the executive branch of government.

It is critical that the Senate confirm Congressman WATT to lead the Federal Housing Finance Agency.

This week the Senate will also consider a number of other highly qualified judicial and executive branch nominees.

The 13 district court nominees on the calendar have been waiting an average of 56 days for a confirmation vote—almost twice as long as the average at this point in President Bush's second term.

One of these district court nominees, Elizabeth Wolford, has been waiting 130 days.

There are also 75 executive branch nominees currently ready to be confirmed by the Senate who have waited an average of 140 days for confirmation.

I want to remind my colleagues that, as always, there is an easy way and a hard way to process these nominations. And the more time the Senate wastes burning the hours and days between votes, the more likely the Senate will hold late-night and weekend votes this work period.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Republican leader is recognized.

REMEMBERING NELSON MANDELA

Mr. MCCONNELL. Mr. President, tens of thousands gathered today in Soweto to pay their last respects to a man who symbolized so much for so many, and it is not hard to see why. Politicians come and go, Presidents rise and fall, but Nelson Mandela was more than a politician, more than just a foreign leader. He was a symbol—a symbol of freedom and hope, not only for his own people but for all people. We also remember Nelson Mandela as a symbol of reconciliation, especially when he had every reason not to be. How many of us could spend so many years in confinement—away from people we love, with little to do but mull the circumstances of our incarceration—and emerge so forgiving toward our captors?

To me it was telling to see that one of the many people paying respects to Nelson Mandela this week was an Afrikaner named Christo Brand. The two men struck up an improbable but lasting friendship during Mandela's time on Robben Island. I say "improbable" because Brand was his jailer.

The story goes that years after his release from prison, President Mandela

was attending a ceremony and greeting Members of Parliament when he spotted Brand out across the room. Mandela lifted his arms and announced to everyone that this man had been his warden but he was also his friend. Then he asked Brand to join him in a group photo. "You must stand next to me," he insisted. "We belong together." I think that says it all.

Nelson Mandela could have followed the example of other leaders in the region; he could have led South Africa down the path of Zimbabwe, but he did not. He urged his country to embrace inclusion and freedom and democracy instead. He asked his countrymen to stand with him because he knew that, as he once said to Christo Brand, his people "belong together." So this morning the Senate joins the world in mourning the loss of Nelson Mandela. May his commitment to freedom and reconciliation continue to inspire.

ADVANCING AN AGENDA

Now, Mr. President, on to the business at hand.

I want to start out by saying that I think it was important for all of us to get back home and hear from our constituents over the past couple weeks. I talked with a lot of Kentuckians, and I can tell you there is a lot of anxiety and a lot of frustration out there. Folks are frustrated and upset by what is happening with their health care under ObamaCare, and they are outraged at the tactics and the outright deception—deception—that led to its passage.

It is now clear that the President knew perfectly well that a lot of folks would not be able to keep the plans they had and liked, despite the endless assurances to the contrary they heard from the President himself. Many are also starting to realize that the talking points they heard about their premiums and keeping their doctors were not worth the paper they were written on either.

The response they have gotten from the White House in the face of all this is just as bad. In the face of all the hardship and disruption this law is causing for literally millions of Americans, the White House is defiant. In the face of all of this, the President is trying to convince people that somehow we are the problem. According to the President, the problem is not the law. The problem is the people who are unhappy with it. The people who are unhappy with it, the President says, are the problem. This is exactly what folks are frustrated with—the idea that Washington knows best.

So we are going to keep fighting this fight. If anybody needed any proof that Big Government liberalism does not work, they have gotten a clinic over the past 2 months. It is clearer now than ever that we need to replace this law with commonsense, patient-centered reforms that will actually drive down costs and increase innovation.

The idea that making our health care system more like the Department of Motor Vehicles will somehow improve the final product has now been thoroughly discredited, and a thousand Presidential speeches are not going to change that.

But here is the larger story: ObamaCare is not an isolated case. It may be the most obvious example of this administration's determination to advance its agenda by any means possible, but it is one example of many.

The latest example was the administration's complicity in the power grab we saw last month in the Senate. News reports suggest that the President, who denounced this tactic when Republicans thought about it back in 2005, was actively lobbying for it ahead of the majority leader's fateful decision to pull the trigger.

So the President and the majority leader were for the protection of minority rights in the Senate until they were no longer in the minority. At that point, minority rights, the rules of the Senate, and the principle of a meaningful check on the Executive became an inconvenience—an inconvenience—that stood in the way of their desire for more power.

As I indicated last month, this was a pure power grab, plain and simple. If the majority party cannot be expected to follow the rules, then there are not any rules.

So this was a grave mistake, and it was a grave betrayal of trust, since some of the main players had previously vowed they would never do it, and then they did—just as the President had vowed that if you like your health care you could keep it. For the President and his enablers in Congress, the ends now clearly justify the means, and that is a very dangerous place for us to be.

So Republicans will continue to speak out against these offenses against our institutions and against the American people, who have a right to expect elected leaders to keep their commitments and respect the rules and our laws. The American people have a right to that.

The American people have given us divided government. The administration needs to accept that fact. They need to work with the government that the people have given them, not the one they wish they had. They need to stop viewing the rules that govern the rest of us as mere suggestions to follow as they wish, while the American people are left to suffer the consequences.

As I have indicated, we see the results of this mindset most powerfully with ObamaCare—a law that this administration was determined to force through—determined to force through—by hook or by crook, regardless of what half-truths it had to repeat to get there, regardless of which Senators it had to coax and cajole.

But the pattern did not end with the law's passage. The administration has repeatedly—repeatedly—invoked executive power to change whatever parts of the law prove inconvenient. Its friends begged for relief from the law, so they carved out special loopholes. Statutory deadlines became an irritation, so they waived them. "Incorrect promises" made to sell the law became an embarrassment, so they changed entire sections on the fly.

To many Washington Democrats, this is all fine—not because they necessarily want to circumvent the law, perhaps, but because they feel justified in doing so if that is what it takes to enact their agenda.

We have seen Democrats use this same approach with immigration policy, with welfare reform, with recess appointments. We have seen them use it to justify government-sanctioned harassment of entire groups of people over at the IRS.

Two weeks ago, we saw Washington Democrats take this ends-justifies-the-means approach to a whole new level entirely, by eliminating—eliminating—the right of the minority party to be heard in the Senate—something they themselves had warned against for years when they were in the minority, something the Vice President called "a naked power grab" when he was in the Senate.

Washington Democrats changed our democracy irrevocably—irrevocably. They did something they basically promised they would never do. And to what end? To what end? To pack the courts with judges they expect will rubberstamp the President's partisan agenda, to eliminate one of the last remaining obstacles standing between the President and the enactment of his agenda through executive fiat. In short, because they wanted power that the voters have denied them at the ballot box, they tried to get it another way.

So before we all vote this morning, I just want to make sure everybody understands what this vote is all about. Two weeks ago the President and his Democratic allies defied two centuries of tradition, their own prior statements, and—in the case of some Democratic leaders—their own public commitments about following the rules of the Senate.

They did this for one reason: to advance an agenda the American people do not want. It is an agenda that runs straight through the D.C. Circuit. So now they are putting their people in place, to quote one member of their leadership, "one way or another."

This vote is not about any one nominee. It is not about Patricia Millett. It is about an attitude on the left that says the ends justify the means—whatever it takes. They will do whatever it takes to get what they want. That is why we are here today, and that is why I will be opposing this nomination.

Washington Democrats, unfortunately, are focusing their energy on saying and doing anything—anything it takes—to circumvent the representatives of the people. But, ultimately—ultimately—they will be accountable to the American people, and the American people will have their say again very soon—sooner than many of our colleagues might hope.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. BOOKER). Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION

NOMINATION OF PATRICIA ANN MILLETT TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Patricia Ann Millett, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

Mr. LEAHY. Mr. President, today, the Senate will finally have the opportunity to vote on the confirmation of Patricia Millett to the U.S. Court of Appeals for the D.C. Circuit. Over the course of her 25-year legal career, Ms. Millett has risen through the ranks of government and private practice to earn a place among the best appellate practitioners in the country. She has argued 32 cases before the Supreme Court. She worked in the Justice Department under both Republican and Democratic administrations. She is unquestionably qualified and deserves to be confirmed without further delay so she can get to work for the American people.

Patricia Millett's career mirrors that of the last D.C. Circuit judge to occupy the very seat to which she is nominated—that of John Roberts, Jr. I voted for his confirmation to both the D.C. Circuit and later to the Supreme Court. I knew at the time of those votes that I would not agree with every decision he would make on the bench, but I voted for him because of his temperament and his excellent reputation as a lawyer. John Roberts was confirmed unanimously to the D.C. Circuit on the day the Judiciary Committee completed consideration of his nomination and reported it to the Senate—at a time when the caseload of the D.C. Circuit by any measure was lower than it is today. If only Senate Republicans had been willing to apply the same standard for Ms. Millett. Instead, they decided to filibuster her nomination even though they had promised to only filibuster nominations under “extraor-

dinary circumstances”. If those Senators had been true to their word, I do not believe we would have reached the tipping point on the use of the filibuster.

By refusing to allow a vote for any existing vacancy on the D.C. Circuit, Republicans took their determined obstruction to an unprecedented level. As the senior most Senator serving today, I approach changes to the tradition and history of the Senate with great reluctance. I have always believed in the Senate's unique protection of the minority party. I have held to my belief that the best traditions of the Senate would win out; that the 100 of us who stand in the shoes of more than 310 million Americans would do the right thing.

Now that the Senate has changed its precedents to overcome the escalating obstruction of some, I hope reasonable Republicans will join us in restoring the Senate's ability to fulfill its constitutional duties. I hope this will include a vote to confirm Patricia Millett to the D.C. Circuit.

Ms. Millett is a nominee with unquestionable integrity and character. She has engaged in significant community service and committed herself to pro bono work. She helps the neediest among us, volunteering through her church to prepare meals for the homeless and serving regularly as an overnight monitor at a local shelter.

Through her legal work, Ms. Millett has earned broad bipartisan support. This includes the support of Peter Keisler, Carter Phillips, Kenneth Starr, Theodore Olson, and Paul Clement, and a bipartisan group of 110 appellate practitioners, as well as 37 Deputy Solicitors General and Assistants to the Solicitor General from both Republican and Democratic administrations. She is supported by the national president of the National Fraternal Order of Police, Chuck Canterbury, and many others.

Patricia Millett's service to our Nation is not limited to her legal career or her humanitarianism. She is part of our Nation's storied military family, a family that we have called on repeatedly in the past decade. Her husband is a retired Navy reservist, and as a military spouse, Ms. Millett is part of our Nation's military fabric. She understands personally what we ask of our servicemembers and their families. At the height of Patricia Millett's legal career, her husband received orders to deploy in support of Operation Iraqi Freedom. For nearly a year, she balanced Supreme Court arguments and the demands of being a single parent all while reassuring her children that their father would return home safe.

But not only is Ms. Millett committed to her own military family, she has helped to secure employment protections for members of our National Guard and Reserve through her pro

bono legal work. In a case decided by the Supreme Court in 2011, Ms. Millett represented an Army Reservist who was fired, in part, because some of his co-workers did not like his military absences. The successful arguments that Ms. Millett helped craft have made it easier for all members of our Reserve and National Guard to protect their rights under the Uniformed Services Employment and Reemployment Rights Act.

Patricia Millett embodies what we ask our military families to do on behalf of their country. Military spouses juggle all the challenges that every American family faces—but often with the added pressure of deployments and extended separations. I want to thank all the military spouses who are in the Senate gallery today and those watching on C-SPAN who have worked tirelessly to support the nomination of “one of their own”. We should recognize, honor and support our military families not just through words, but through meaningful action. A vote to confirm Patricia Millett is that meaningful action.

Today the Senate finally has the opportunity to vote for the confirmation of Patricia Millett. I urge my fellow Senators to join me in supporting this outstanding nominee.

Mr. HATCH. Mr. President, over the past few months, here on the Senate floor, in the Judiciary Committee, and in op-eds in national publications, I have explained why the pending nominees to the U.S. Court of Appeals for the D.C. Circuit should not be confirmed. Neither those facts nor the conclusion they compel have changed and so I will vote against confirming the nominee before us.

The majority changed more than 200 years of Senate practice, taking away one of the few tools the minority has to participate in either the confirmation or legislative process. On nothing more than a party line vote, the majority deployed a premeditated parliamentary maneuver to prohibit the very filibusters that majority Senators once used.

Getting these three individuals on this particular court at this particular time is apparently so important that the majority is willing to change the very nature of this institution to do it. I believe the reason is the majority's belief that, as D.C. Circuit judges, these nominees will reliably support actions by the executive branch agencies that are driving much of President Obama's political agenda.

Democrats enthusiastically embraced the filibuster when they used it to block Republican nominees to positions in both the executive and judicial branches. They used the filibuster to defeat nominees to be Assistant Secretary of Defense, Undersecretary of Agriculture, and U.N. Ambassador. They used the filibuster to defeat

nominees to the Fifth Circuit, the Sixth Circuit, and the Ninth Circuit. They filibustered Miguel Estrada's nomination a record seven times to keep him off the D.C. Circuit. Three-quarters of all votes for judicial nominee filibusters in American history have been cast by Democrats. The majority leader alone voted to filibuster Republican judicial nominees no less than 26 times.

That was then, this is now. Simply turning on a political dime and opposing today what Democrats used so aggressively just a few years ago would be bad enough. But this radical institutional change is being justified by patently false claims. The majority leader claims as proof of "unprecedented obstruction" that there have been 168 nominee filibusters in American history, half of them during the Obama administration.

It turns out, Mr. President, that the majority leader is not even counting filibusters at all. He is counting cloture motions, which are nothing but requests to end debate on a matter pending before the Senate. A filibuster occurs only when that request to end debate is denied, when an attempt to end debate fails. Only 52 cloture votes on executive or judicial nominations have ever failed in American history, and only 19 nominees on whom cloture was filed were not confirmed. Looking at the Obama administration, only 14 cloture votes on nominations have failed and only six nominees have so far not been confirmed.

During the Obama administration, a much lower percentage of cloture motions on nominations have resulted in cloture votes, a much higher percentage of those cloture votes have passed, and a much higher percentage of nominees on whom cloture was filed have been confirmed. By what I have called filibuster fraud, the majority ends up claiming that confirmed nominees were obstructed and that ending debate is a filibuster. The truth is the opposite of what the majority claimed as the justification for ending nominee filibusters.

I regret that the President and the majority here in the Senate deliberately set up this political confrontation. I have explained in detail before how the D.C. Circuit's current level of eight active and six senior judges is sufficient to handle its caseload, which has been declining for years, while other circuits need more judges. I likely could support the nominee before us today had she been nominated to a seat that needed to be filled on a court that needed more judges.

Using false claims to justify radically changing the confirmation process in order to stack a court with judges who will rubberstamp the President's political agenda is wrong in so many ways. I hope there is time to undo the damage.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Patricia Ann Millett, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit?

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator from Texas (Mr. CRUZ), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Illinois (Mr. KIRK), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 38, as follows:

[Rollcall Vote No. 247 Ex.]

YEAS—56

Baldwin	Harkin	Murray
Baucus	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Boxer	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Collins	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murkowski	Wyden
Hagan	Murphy	

NAYS—38

Alexander	Fischer	Moran
Ayotte	Flake	Paul
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Corker	Johanns	Thune
Cornyn	Lee	Toomey
Crapo	McCain	Vitter
Enzi	McConnell	Wicker

NOT VOTING—6

Cochran	Cruz	Kirk
Coons	Johnson (WI)	Vitter

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

NOMINATION OF MELVIN L. WATT TO BE DIRECTOR OF THE FEDERAL HOUSING FINANCE AGENCY—MOTION TO PROCEED

Mr. REID. I move to proceed to reconsider the vote by which cloture was not invoked on the Watt nomination.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. HATCH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted "nay."

The PRESIDING OFFICER (Mr. SCHATZ). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 248 Ex.]

YEAS—54

Baldwin	Harkin	Murray
Baucus	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Boxer	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Donnelly	Markey	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murphy	Wyden

NAYS—42

Alexander	Enzi	Moran
Ayotte	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johanns	Thune
Corker	Lee	Toomey
Cornyn	McCain	Vitter
Crapo	McConnell	Wicker

NOT VOTING—4

Coons	Johnson (WI)
Cruz	Kirk

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I move to reconsider the vote by which cloture was not invoked on the Watt nomination.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. PORTMAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 249 Ex.]

YEAS—54

Baldwin	Harkin	Murray
Baucus	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Boxer	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Donnelly	Markey	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murphy	Wyden

NAYS—42

Alexander	Enzi	Moran
Ayotte	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johanns	Thune
Corker	Lee	Toomey
Cornyn	McCain	Vitter
Crapo	McConnell	Wicker

NOT VOTING—4

Coons	Johnson (WI)
Cruz	Kirk

The motion was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, what is the question now before the Senate?

The PRESIDING OFFICER. The question will be on the cloture vote upon reconsideration.

The Senate will be in order.

The Republican leader.

Mr. McCONNELL. Mr. President, I make a point of order that nominations are fully debatable under the rules of the Senate unless three-fifths of Senators chosen and sworn have voted to bring debate to a close.

The PRESIDING OFFICER. Under the precedent set by the Senate on November 21, 2013, cloture on nominations

other than those to the Supreme Court of the United States is invoked by a majority vote.

Mr. McCONNELL. Mr. President, I appeal the ruling of the Chair and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Shall the decision of the Chair stand as the judgment of the Senate?

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Illinois (Mr. KIRK), and the Senator from Wisconsin (Mr. JOHNSON).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted "nay."

The result was announced—yeas 51, nays 45, as follows:

[Rollcall Vote No. 250 Ex.]

YEAS—51

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Reed
Bennet	Heitkamp	Reid
Blumenthal	Hirono	Rockefeller
Booker	Johnson (SD)	Sanders
Boxer	Kaine	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Landrieu	Stabenow
Carper	Leahy	Tester
Casey	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden

NAYS—45

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Pryor
Burr	Heller	Risch
Chambliss	Hoeven	Roberts
Coats	Inhofe	Rubio
Coburn	Isakson	Scott
Cochran	Johanns	Sessions
Collins	Lee	Shelby
Corker	Levin	Thune
Cornyn	Manchin	Toomey
Crapo	McCain	Vitter
Enzi	McConnell	Wicker

NOT VOTING—4

Coons	Johnson (WI)
Cruz	Kirk

The PRESIDING OFFICER. The Senate sustains the decision of the Chair.

CLOTURE MOTION

Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Melvin L. Watt, of North Carolina, to be Director of the Federal Housing Finance Agency.

Harry Reid, Tim Johnson, Mark Begich, Patrick J. Leahy, Christopher A. Coons, Martin Heinrich, Patty Murray, Bernard Sanders, Jeanne Shaheen, Benjamin L. Cardin, Al Franken, Sherrod Brown, Tom Harkin, Jack Reed, Thomas R. Carper, Sheldon Whitehouse, Bill Nelson, Charles E. Schumer.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Melvin L. Watt, of North Carolina, to be Director of the Federal Housing Finance Agency for a term of 5 years, shall be brought to a close, upon reconsideration?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted "nay."

The yeas and nays resulted—yeas 57, nays 40, as follows:

[Rollcall Vote No. 251 Ex.]

YEAS—57

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Portman
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Booker	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Burr	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden

NAYS—40

Alexander	Fischer	Murkowski
Ayotte	Flake	Paul
Barrasso	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hatch	Rubio
Chambliss	Heller	Scott
Coats	Hoeven	Sessions
Coburn	Inhofe	Shelby
Cochran	Isakson	Thune
Collins	Johanns	Toomey
Corker	Lee	Vitter
Cornyn	McCain	Wicker
Crapo	McConnell	
Enzi	Moran	

NOT VOTING—3

Cruz	Johnson (WI)	Kirk
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The PRESIDING OFFICER (Ms. HEITKAMP). On this vote the yeas are 57, the nays are 40. Upon reconsideration, the motion is agreed to.

NOMINATION OF MELVIN L. WATT
TO BE DIRECTOR OF THE FED-
ERAL HOUSING FINANCE AGEN-
CY

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of MELVIN L. WATT, of North Carolina, to be Director of the Federal Housing Finance Agency for a term of 5 years.

The PRESIDING OFFICER. Pursuant to the provisions of S. Res. 15 of the 113th Congress, there will now be up to 8 hours of postcloture consideration of the nomination, equally divided and controlled in the usual form.

The Senator from Connecticut.

ORDER OF PROCEDURE

Mr. MURPHY. Madam President, I ask unanimous consent that the Senate recess from 12:30 p.m. to 2:15 p.m., and that the time during the recess count postcloture on the Watt nomination with the time equally divided in the usual form.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Idaho.

Mr. CRAPO. Madam President, I rise today to discuss the nomination of Representative WATT to lead the Federal Housing Finance Agency, or FHFA. Unfortunately, I cannot support this nomination, and I must urge my colleagues not to support it either.

I did not come to this decision lightly, and I regret we are placed in a situation where we cannot support a well-liked Member of Congress. However, by making a political appointment, the President has ignored the importance that the head of the FHFA be independent and viewed as nonpolitical. This is not a cabinet position, where the nominee is supposed to be an advocate for the President. Instead, this is an independent agency with a highly complex task impacting our entire economy, and it is for this reason many Senators noted the need to avoid politics and to emphasize the technical expertise needed to fill this position.

Regrettably, this did not occur, and we stand here today with the majority party apparently willing to confirm a political figure to this highly technical position. Worse yet, they appear to be ready to do it in a highly political manner that ignores decades of Senate rules and precedents.

Representative WATT has led a long and distinguished career in the House of Representatives and in legal practice. He is well liked by his colleagues, regardless of whether they see eye to eye with him on the issues, and he has a tremendously compelling personal story. My opposition to this nomination has nothing to do with Representative WATT from a personal perspective. To the contrary, there are many positions in government to which Representative WATT could have been easily confirmed.

In demonstration of that point, it is worth noting that most of the President's nominees that have come through the Banking Committee have been confirmed with strong bipartisan votes, often with unanimous consent. In fact, four nominees who appeared at a nomination hearing with Representative WATT were all approved by voice vote.

However, this position is distinctly unique within our government. Thus, our evaluation of any nominee requires additional scrutiny. The Director of the FHFA is conservator of Fannie Mae and Freddie Mac, which have operated under Federal control since they were taken over in 2008 because they didn't have enough capital to support expected losses.

Since that conservatorship began, we have seen the bill to the American taxpayers rise to nearly \$200 billion. The Housing and Economic Recovery Act, or HERA, established the FHFA and the rules of the conservatorship. It specifically grants the FHFA the power to operate Fannie and Freddie "with all the powers of the shareholders, the directors, and the officers," so long as they remain in conservatorship.

FHFA's conservatorship of Fannie and Freddie triggered those broad powers and the Director of the FHFA now stands alone as the regulator, the top executive, and the shareholder of Fannie Mae and Freddie Mac and their combined \$5 trillion of portfolio. Because of this immense power vested in the Director of the FHFA, it is a position that requires an in-depth knowledge of and experience with numerous aspects of the housing markets and mortgage industries.

The statute explicitly requires that, at a minimum, any nominee:

... have a demonstrated understanding of financial management or oversight, and have a demonstrated understanding of capital markets, including the mortgage securities markets and housing finance.

Additionally, to be successful, it is logical that any nominee should also have knowledge of and experience with investment portfolios, the operations of both public and private insurance and guarantees, and the management skills necessary to oversee the nearly 12,000 employees employed by both entities.

Since this position has virtually unchecked power to control two multi-trillion dollar companies, and because the companies control so much of our mortgage-backed securities market, the decisions of the FHFA Director will have tremendous impact on our housing market and, collaterally, on the global market.

If we are to give anyone this much power, we must know for certain that he has the experience to know how to make the right choices and, frankly, the political independence to make those choices, even if they are unpopular.

One reason this is so important is the impact on the taxpayer. Even a few basis points of losses could mean billions in the context of multitrillion dollar companies. That would be on top of the nearly \$200 billion the taxpayers have already shouldered.

With those unique risks in mind, the FHFA has taken great strides during the conservatorship to shore up the business practices of Fannie Mae and Freddie Mac. Underwriting standards have been tightened, portfolio holdings have been reduced, guarantee fees have been increased, and risk is being gradually transferred from the taxpayer to the private sector.

With these changes, the revenues of Fannie and Freddie have increased, their risks have decreased, and, for now, they have regained a certain amount of profitability. This current profitability creates its own set of challenges and questions. But one thing is certain: Any return to policies of the past, whether with social goals in mind or merely by mistake due to lack of technical experience, could expose the taxpayer to immense risk.

In addition to the risks associated with their current operations, the Director will also have a substantial impact on the prospects of the success of these reforms. While Congress and the White House will determine how to reform and strengthen our housing finance system, we need to be able to rely on the director of the FHFA for advice and guidance as we proceed. For this to work effectively, the FHFA Director will need to be seen as a technical expert who is not viewed as a political advocate for the President.

The Director of the FHFA must have the market experience to understand how any proposed changes would or would not work, how they would impact access to mortgages while protecting taxpayers from losses, and how they would affect our housing market and economy as a whole.

One example: There is a lot of interest in developing markets in a manner to ensure there is adequate private capital taking the first loss to protect the taxpayer, if there is to be some sort of government guarantee in the future. Some proposals call for the development of various private-sector risk-sharing mechanisms, including senior subordinated deal structures, credit-linked structures, and regulated bond guarantors.

Many are looking at what the FHFA has already begun working toward as a test for the viability of capital markets' risk-sharing transactions. These risk transfer deals—known within Freddie as the STACR deal, and within Fannie as the NMI and C-Deals—are important examples of how private capital can partake in this market at a higher level. They are also critical examples of why the FHFA Director must have a deep and sound understanding of

the demands of capital market investors.

In constructing and monitoring these deals, we need to know that decisions in how to balance the necessity of encouraging private markets with the protection of the taxpayers are being made based upon effective market analysis, absent the political preferences of one individual.

Another important aspect of the transition will be development of the common securitization platform. FHFA has noted that the GSEs' infrastructures are ineffective when it comes to adapting to market changes, issuing securities that attract private capital, aggregating data or lowering barriers to market entry. As such, there must be an updating and continued maintenance of the enterprises' securitization infrastructure.

This is an incredibly complex undertaking that will take years to develop, but it is an essential component of most reform proposals. Because of this, it is incredibly important the Director, on day one, has the technical expertise and the commitment to establish this potential utility similar to ones used in securities markets.

All of us are currently witnessing the consequences of political people leading technical platform development as we watch the continued failures of the rollout for ObamaCare. We cannot afford the same mistakes in the context of our \$5 trillion mortgage market.

The management of the current assets of Fannie and Freddie is another essential component of the Director's task, for many reasons, both currently and in the future. When Congress passed HERA authorizing the FHFA Director to appoint the agency conservator of the GSEs, it authorized FHFA to put the GSEs in a "sound and solvent condition," and to "preserve and conserve the assets of the properties" of the GSEs.

Congress very specifically intended that the assets of Fannie and Freddie be managed in such a way to maximize payments to the Treasury in exchange for bailing out the GSEs in 2008 and to maximize their value in whatever system is designed for the future. Acting Director DeMarco has done a commendable job fulfilling this task.

However, some believe that other statutory provisions trump this mandate and advocate using the GSEs in manners they believe would achieve other policy goals. Representative WATT noted at his confirmation that, if confirmed, he would decide whether there is sufficient capital to fund various social programs.

In order to ensure the taxpayers are made whole and to best position the secondary market for reform, we cannot afford the FHFA Director to make any decisions that do not first prioritize the preservation and conservation of taxpayer assets. So long as

Fannie Mae and Freddie Mac are in conservatorship, profits accumulated by the GSEs should not be used to fund social programs.

Additionally, we cannot return to any of the policies that contributed to the housing crisis, such as further pressing the GSEs' affordable housing goals. Decisions affecting social housing policy should be made through congressional action on housing financing reform.

One final yet incredibly important element of the unique qualifications is regulatory interaction. In a new housing finance system, the already complex web of regulatory interaction between various Federal banking regulators and Federal and State regulators becomes further muddled. State insurance regulators and State banking supervisors must communicate effectively with Federal counterparts.

As this system is being built, the FHFA must coordinate effectively with prudential banking regulators and the CFPB to make sure we are not bogging down our economy with duplicative regulation. To accomplish this the Director needs not only to have an understanding that is built of highly technical expertise, but this person must be seen by other regulators as acting without political intent.

For all of these reasons, and many more, the conservator must be an apolitical financial regulator with the technical expertise who will resist political pressure from all sides of the political spectrum.

Joseph Smith, the last nominee for this position, failed to win confirmation by the Senate because of concerns over whether he was independent enough. At the time of Representative WATT's nomination, the White House was fully aware that these concerns have only been heightened since then.

In the wake of repeated attempts by outside political groups and individuals to influence the decisions of the conservator and in view of the countless complex decisions—of which I have only mentioned a few—numerous Senators repeatedly called for a technocrat rather than a political figure. However, rather than acknowledging the unique aspects of this job, the White House chose to ignore calls to emphasize technical expertise and political independence in their search. As a result, their nominee failed to be confirmed by this body just a few weeks ago. Yet again the White House failed to accept the advice of the Senate.

Today, because of a historical rewrite of Senate rules, we are now facing another vote. Instead, this time the White House and the Democrats in the Senate chose to break the rules of this body so that they could push through Representative WATT and other nominees in partisan votes. I am disappointed with the White House and those in the Senate who supported this

rewrite of our rules, and at some time we will all likely be disappointed that these are the rules of this body moving forward. However, I continue to be opposed to this nomination and urge my colleagues to vote no today when the vote comes before us.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:31 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

The PRESIDING OFFICER. The majority leader is recognized.

NOMINATION OF MELVIN L. WATT TO BE DIRECTOR OF THE FEDERAL HOUSING FINANCE AGENCY—Continued

Mr. REID. On the matter now before the Senate, how much of the time that remains is controlled by the Democrats?

The PRESIDING OFFICER. There is 147 minutes.

Mr. REID. That is a little over 2 hours. How much time for the Republicans? The same?

The PRESIDING OFFICER. There is 130 minutes for the Republicans.

Mr. REID. Oh, I see. Why don't we yield back 130 minutes of our time. That would leave us 14 minutes or something like that?

The PRESIDING OFFICER. Seventeen minutes.

Mr. REID. That is far too much time. I yield back another 10 minutes.

The PRESIDING OFFICER. The majority leader's time is now set to 7 minutes.

The PRESIDING OFFICER. The Republican whip.

HEALTH CARE

Mr. CORNYN. Madam President, 4 years ago Members of both parties came to this Senate floor virtually every day to discuss the problems with America's health care system and offered suggestions for how we could remedy that.

I distinctly remember being here on Christmas Eve, 2009, at 7 in the morning and witnessing a party-line vote on ObamaCare. All of our Democratic friends voted for it, and all Republicans voted against it. I guess the most charitable thing I can say is that our Democratic friends actually thought it would work while Republicans were skeptics about this big government takeover of one-sixth of our national economy.

Well, 4 years later the cost of ObamaCare has become abundantly clear. I don't think it is an exaggeration to say that ObamaCare is the biggest case of consumer fraud ever perpetrated in this country. A law that

was supposed to expand coverage to those without it has instead caused millions of people with coverage to lose their coverage. A law that was supposed to improve patient access has instead resulted in smaller provider networks where people are restricted in terms of the doctors and hospitals they can see, making it much more likely that people will not be able to keep their doctors, should they want them. A law that was supposed to bend the cost curve down has instead caused individual and family premiums to skyrocket.

We have heard story after story that even if the premiums are lower, people, due to copays and deductibles, are finding themselves with thousands and thousands of dollars of deductibles they didn't previously have, meaning it is more money out of their pocket before the insurance actually kicks in.

We were told this was supposed to make Medicaid the safety net program for the most economically disadvantaged among us.

We were told that Medicare for seniors was supposed to make them stronger. Instead it has made them weaker.

A law that was supposed to help our economy has instead hurt our economy by discouraging full-time job creation, because if you have a full-time job your employer has to pay for the full ObamaCare pricetag. Due to ObamaCare businesses have been moving people from full-time work to part-time work.

A number of labor organization leaders went to the White House a few months ago and called the implementation of ObamaCare a nightmare. They said it made full-time work part-time work. It is worse than that.

ObamaCare has hampered medical innovation by taxing the very people who build medical devices here in America and is causing them to move those businesses offshore or simply cut down their hiring. It has placed costly new burdens on small businesses, the entities which produce as much as 70 percent of the new jobs in America. It is not the Fortune 500 companies that create the vast majority of jobs in America, it is the small mom-and-pop operations, the entrepreneurs who create those jobs, and that is who ObamaCare hits the hardest.

It is no wonder our economy continues to struggle. It is no wonder the labor participation rate—the number of people who are actually in the workforce—is at a 35-year low. People have given up looking for work, and that is an American tragedy.

As I stand here today, the broken promises of ObamaCare are causing enormous distress and financial hardship for people all across my State of Texas and all across America. It is undeniable that millions of Americans have lost their insurance because of

ObamaCare despite President Obama's almost daily recitation that if you like what you have, you can keep it. He was making that promise as late as 2012, and we knew it wasn't true. We knew it was not true—and he knew it wasn't true—as early as 2010 when we debated some restrictive grandfather regulations from the Department of Health and Human Services.

Senator ENZI, who was the ranking member of the Health, Education, Labor and Pensions Committee, tried to get it fixed, and again we saw a party-line vote. All of our Democratic friends said, no, let's not provide flexibility for the grandfather provisions. Let's maintain the rigid grandfather provisions which have now resulted in more than 5 million people getting notices telling them that even though they like the policies they have, they can no longer keep them. That is why I have said this is one of the biggest cases of consumer fraud ever perpetrated in the United States by virtue of its scope and the audacity with which these promises were made time and time again, which are demonstrably not true. They are false.

We know ObamaCare is leading to a dramatic spike in insurance premiums for many people who buy their insurance in the individual market. My colleagues will recall that during and after the 2008 Presidential election, President Obama repeatedly told Americans his health care plan would reduce their health care premiums for a family of four by about \$2,500. I don't know where he came up with that number, but it turned out to be just another broken promise.

According to the Kaiser Family Foundation, annual premiums for employer-based family health insurance increased by nearly \$3,000 between 2009 and 2013. In other words, the President was \$5,500 wrong. Rather than going down \$2,500, they went up \$3,000. For that matter, a recent study by the Manhattan Institute estimated that ObamaCare will drive up individual premiums by an average of 41 percent.

I don't know many hardworking American families who can afford a 41-percent increase in their health care costs as a result of a law promising that health care would be more affordable. The single biggest increase, according to this study, will be in the majority leader's home State of Nevada where individual premiums are projected to rise by an astounding 179 percent. The increases in New Mexico, Arkansas, and North Carolina are 142 percent—that would be New Mexico; 138 percent, that would be Arkansas; and 136 percent in North Carolina. What do each of these States have in common? They are represented by Senators who voted for this bill, perhaps believing what the President said would be true, but their constituents are having to pay the price.

Such premium increases are particularly burdensome for senior citizens and other folks on a fixed income. For example, recently in Copper Canyon, TX, one of my constituents wrote to me and said that because of ObamaCare, her monthly premiums were increasing by \$200, which is only \$27 less than her monthly Social Security income. In other words, it takes up almost the entire amount of her Social Security check for her to purchase this insurance. That is wrong.

In addition to premium hikes, many Americans entering the ObamaCare exchanges are facing higher deductibles. I mentioned that a moment ago. In a front-page story just yesterday in the Wall Street Journal, it was reported that many ObamaCare deductibles are so high that people with modest incomes may not be able to afford the portion of medical expenses that insurance doesn't cover. What is that all about? In fact, according to one study, the average deductible for the cheapest individual coverage on the Federal ObamaCare exchange is 42 percent higher than the average deductible for individual health insurance earlier this year, before most of ObamaCare kicked in—a 42-percent higher deductible. As we know, many of these deductibles we are hearing are in the \$4,000 and \$5,000 range for individuals and they are up to \$10,000 or more for married couples. I don't know many households in Texas or across America that can absorb \$10,000 in a deductible for their health insurance policy. Certainly that doesn't strike me as a success if the purpose is to cover health care costs and to prevent people from suffering economic hardship as a result. That strikes me as an epic failure. In other words, ObamaCare is making it significantly harder for many Americans to pay their bills, to buy groceries, and take care of their families.

Again, as I have said many times before, it didn't have to be this way. It didn't have to be this way. In 2009, polls demonstrated that the overwhelming majority of Americans who had health insurance liked what they had, and they were broadly satisfied with it. I assume that is why the President said: If you like what you have, you can keep it, because about 90 percent of the respondents said: We like what we have. So if you are the President trying to sell this so-called Affordable Care Act, you wouldn't want to scare that 90 percent of people into thinking they can't keep what they have even though they like it. So you misrepresent what you are selling. You tell people you can keep what you have and your premiums are going to go down and it is all going to be all right.

If we had focused on those people who either did not have coverage or who had inadequate coverage—obviously a smaller subset of Americans than the whole country—if we focused on them

and dealt with their challenges in purchasing health insurance, we could have done much better. There were millions more who had low-quality Medicaid coverage that many doctors refused to accept because, in my State, Medicaid pays a doctor about 50 cents on the dollar compared to private insurance. Many doctors said: Look. I want to see more Medicaid patients, but I simply can't afford to do it. I have to opt for higher paying private insurance patients. We know Medicare was facing a fast approaching bankruptcy date. What Congress could have done—what we should have done—is to enact sensible, narrowly drawn, targeted reforms, No. 1, aimed at improving the coverage options for each of these groups and strengthening and preserving Medicare and Medicaid. We needed to bring down the costs, not jack up the costs.

If we ask most people the biggest problem they have with their health insurance, they say it costs too much, and we have made it worse. It is worse, not better. To bring down the costs, we could have allowed people to buy health insurance across State lines. I know that doesn't sound like a panacea, but most States have captive insurance markets and many State legislatures, including the Texas legislature, have mandated coverage that many people simply don't want, but it adds to the cost of their health insurance. So I could have the choice to buy insurance across State lines if we enacted this reform. If I liked the insurance coverage of Wisconsin or Louisiana or somewhere else, and if that suited my needs, I could buy it there and we would have a true competitive market and people would compete based on quality and price, but we don't have that now.

What else could we have done? We could have expanded the use of tax-free health savings accounts paired with high deductible plans, such as the kind I talked to a number of my constituents in Austin, TX, about who are employed at Whole Foods. They cover roughly 80 percent of the out-of-pocket costs for health insurance through health savings accounts and high deductible insurance, and the employees—I think it is still the case; it was then—still vote on an annual basis for what kind of coverage they want. They vote for this type of coverage because they are satisfied with it and it gives them a sense of ownership, which is actually true, because the money put in a health savings account they get to keep and if they don't use it on their health care, then they get to save it, the same as with an IRA or something such as that. But it also changes the calculation. It makes people much smarter shoppers and it moves us further along to a system where people can shop for their health insurance and their health services as they do with

everything else and it will bring down costs and it will improve quality of service as a result of competition for that business.

We could have cracked down on frivolous medical malpractice lawsuits which cause defensive medicine. Just think about it. If a doctor is worried about losing everything they have worked a lifetime to achieve in terms of assets and their medical practice, the last thing they want to do is be subjected to a lottery-type lawsuit. So the easiest thing for those doctors to do—I know they don't do it on purpose—is make the decision to provide a test or a treatment based not so much on a patient's clinical situation but based on their desire to not be sued and to not be second-guessed 2 years later when somebody comes in and says you should have done this or that. So the temptation is to do everything and to run up the cost of health care coverage.

These are just a few examples. But by lowering costs across the board, these reforms—which I talked about and which the President and his political party rejected—could have helped people who already had coverage and we could have helped those who previously could not have afforded coverage. Some people—if I have heard it one time, I have heard it a thousand times—said we need ObamaCare because people with preexisting conditions couldn't get coverage. That is a serious concern. But we already have in place high-risk pools in the States, and if we needed to help those States provide coverage to people with those high-risk health conditions, we could have done it a whole lot cheaper and a whole lot more efficiently than creating this huge monstrosity, this huge bureaucracy, this huge expense known as ObamaCare.

We could have increased funding to the high-risk pools that were already operating in about three dozen States. The irony is that the people in the high-risk pool in Texas got a letter that said their coverage has been canceled effective December 31—the very people ObamaCare was supposed to help—your coverage is canceled because ObamaCare kicks in January 1. But because people were worried about their ability to get on the exchanges due to the Web site problems, the Texas legislature and the Texas Department of Insurance decided to extend the coverage of the high-risk health insurance pools in Texas so people wouldn't fall through the cracks because of this train wreck of a rollout of ObamaCare.

How about Medicaid. We hear a lot of discussion about Medicaid. I have already mentioned that Medicaid only reimburses doctors about half what a private insurance policy would, so a lot of doctors simply can't afford to see a new Medicaid patient. In Texas, only one doctor out of three will see a new Medicaid patient for that reason. It is

not because they don't want to; it is simply because they can't afford to do so. We could have made it a lot easier for States to bolster their Medicaid Program and deliver targeted policies that would allow them to manage Medicaid populations, for example; create a medical home, for example. But because of the redtape Washington refused to cut, Medicaid ends up in many instances being an appearance of coverage, but people can't find a doctor who will see them. What good is that? That is, to me, a sleight of hand and part of the reason I call this one of the biggest cases of consumer fraud in American history.

To help Medicare patients—who are, of course, our seniors—we could have increased private competition and patient choice by embracing the premium support model that was endorsed by 10 members of President Clinton's Medicare Commission back in 1999. That is not a partisan solution; it is one President Clinton's Medicare Commission embraced back in 1999.

The reforms I have just outlined would have given us a genuine national marketplace for individual health insurance. Unfortunately, our friends across the aisle and our President decided to take a different path with the Affordable Care Act or ObamaCare. Unfortunately, the folks who designed ObamaCare consciously chose to destroy the individual market and force millions of people to pay for Washington-mandated coverage they didn't need and they didn't want and at a price they can't afford. Rather than adopt measures to bring down the costs and coverage issues for a subset of the population, the roughly 10 percent who weren't among those 90 percent who said they like what they had, the President and his allies chose to wreck the existing health care system—to wreck it, to make it worse, not better.

As a result, they have made the cost problem worse. They have jeopardized physician access for millions of Americans who like their current health plans and wish to keep them. And, of course, now the administration is boasting that the Web site is mostly fixed. Indeed, by most objective reports, people are not experiencing the same sort of epic failure they did when they first tried to get into the Obama exchanges. But at this point the President and his allies have lost all credibility with regard to other aspects of ObamaCare, which I have mentioned. Fixing the Web site will not fix the underlying deficiencies of ObamaCare. These are not glitches. These were baked in the cake. These were designed. This is the way ObamaCare was created and was supposed to work, notwithstanding the fact that the American people had been sold a bill of goods to the contrary.

Indeed, the only way to solve America's biggest health care challenges is a

do-over, to replace ObamaCare with the sort of patient-centered reforms I mentioned a few moments ago. ObamaCare may be a complete disaster, but it is not too late for us to work together to fix what is broken and to start over.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Madam President, with less than 2 weeks remaining before the deadline for people who need to sign up for health insurance that starts for them to be insured on January 1, there is a significant amount of anger as well as anxiety across the country. The Web site where people are supposed to go to buy that insurance has been plagued with problems that everyone in the country seems to know about, and that has caused huge amounts of anxiety. I heard about it last week in Wyoming, I hear about it on Capitol Hill with staff members, and I hear it pretty much anywhere I go.

What people have been learning is that the problems with the Web site are actually just the tip of the iceberg. The Obama administration has been saying that it has been fixed, that the problems with this health care law are fine, that everything is good, that a majority of people are having good experiences. I remember listening to the President not long ago, sitting with Bill Clinton, saying: Easier to use than Amazon.

Well, that is not what the American people found. He also said: Cheaper than your cell phone bill. He said: You will be able to keep your doctor if you like them.

But the law continues to leave so many Americans struggling—struggling with higher costs, with greater confusion—and really with a lot less confidence in the administration. People all around the country are worrying about whether the administration even knows what it is doing.

So when I talk about the Web site being just the tip of the iceberg, people around the country are running into higher premiums, canceled coverage, finding out they cannot keep their doctor. They are running into fraud and identity theft issues and issues in terms of higher copays and out-of-pocket costs and deductibles.

People at home in Wyoming—and I went not just around communities in the State, traveling to a number of different communities, but I also went to my own medical office where I practiced as an orthopedic surgeon at Casper Orthopedics for 24 years—were telling me how worried they were about the higher costs they are seeing regarding paying for insurance for next year.

I got a letter from one man in Cody, WY. He talked about how the rates he

has been quoted are going to go up from about \$860 a month that he pays now for a family of four to \$2,400 a month—\$860 to \$2,400 a month. He said: “I’m not sure what planet they think I live on, but there is no way I can spend more than half of my monthly income on insurance.” Well, I hear the same thing from people all around Wyoming. People are having this same sticker shock all over the country.

We know that more than 4.7 million Americans in 32 States are being told they cannot keep the insurance they had. When we take a look at the map, we know we do not have the numbers yet on certain States, including the State of Wisconsin. We do not have Illinois. We do not have Ohio. We do not have Texas. We do not have Virginia. So we really do not know how many people have lost their coverage. But we know that at least 4.7 million Americans were told they cannot keep the insurance they had in spite of what the President may have promised them. Now what they have to do is buy new Washington-approved health coverage that really may not be the right coverage for them and may likely cost more than they were paying before. Millions of Americans are going to be forced to use money that in the past was used to pay rent or put their children through school or to invest in their communities or in a business or to help make repairs to their homes—now that money is going to go to pay for higher premiums as well as the incredibly high deductibles people are seeing related to the health care law.

It is interesting, looking through the papers—this was yesterday’s Wall Street Journal, Monday, December 9. Above the fold on the front page: “Deductibles Fuel New Worries of Health-Law Sticker Shock.” The article says:

The average individual deductible for what is called a bronze plan on the exchange—the lowest-priced coverage—is \$5,081 a year, according to a new report on insurance offerings in 34 of the 36 states that rely on the federally run online marketplace.

The Wall Street Journal reports:

That is 42% higher than the average deductible of \$3,589 for an individually purchased plan in 2013 before much of the federal law took effect.

So what people are seeing—and the Wall Street Journal reports above-the-fold on the first page—are higher deductibles by a lot.

It is not just the Wall Street Journal. In the New York Times yesterday, Robert Pear had an article: “On Health Exchanges, Premiums May Be Low, But Other Costs Can Be High.” It says:

... as consumers dig into the details—

Dig into the details—something this body never did. Members of that part of the body who voted for this health care law never did dig into the details.

It says:

... as consumers dig into the details, they are finding that the deductibles and other

out-of-pocket costs are often much higher than what is typical in employer-sponsored health plans—the plans many of these people have had in the past.

So what we are seeing are not just the higher costs, not just the higher deductibles, the higher copays; there is also a lot of confusion about the health care Web site itself, and I think that is only going to get worse. Ten weeks after the Web site launched, there is still an awful lot that is broken, including the parts that actually get people the insurance they think they signed up for.

A number of my staff have applied, and they believe they have signed up for health insurance. They are not sure. They have not yet gotten confirmation. And I know Members on Capitol Hill who have staff signing up are experiencing the same thing.

Last month one of the officials from the Department of Health and Human Services testified in the House of Representatives that as much as 40 percent of this Web site’s system still has not even been built yet. The Web site still has trouble transmitting information to the insurance companies once someone has chosen a plan.

The Web site was down again earlier today. It still has not figured out how to automatically pay the portion of premiums covered by any government subsidy.

There are still many, many security holes that can be exploited by con artists, by hackers. Certain branches of the government have been warning citizens to be cautious when going on the Web site because of the concerns about exploitation, people who are trying to use this in a fraudulent way.

And then you hear that the administration is bragging. It is really sad that almost 9 weeks after the Web site opened the administration is now bragging that it only has an error rate of 10 percent on one important step of the Web site. Madam President, 1 in 10 is their error rate. This is a President who said the Web site was going to be running like amazon.com. He said that 3 or 4 days before the Web site opened. Now, 9 weeks later, he is delighted that the error rate is still 1 out of 10. Does the President actually believe Amazon would accept a 10-percent error rate in their customers not being able to finish their purchases?

I believe all of these flaws and failures have led to a dramatic loss of confidence by the American people in their government. According to a new Gallup poll, 52 percent of Americans are in favor of scaling back the health care law or repealing it entirely. People continue to turn against the law for a number of reasons, and it is not just the Web site, it is the higher premiums, it is the canceled coverage, it is that they cannot keep their doctor, and it is fraud and identity theft, higher copays, higher deductibles, and confusion about what is going to go wrong

next because so many things the President and his administration have said—have looked into the camera and told the American people would be one way—turned out to be something very different. There have been so many changing stories coming out of the White House.

The President said: If you like your health insurance, you can keep your health insurance, and then he actually said “period,” with a punctuation mark, that that was it; no ifs, ands, or buts—just the period. People now know all across the country—those who voted for him, those who did not—what they all know is that what the President said was not true.

The President said: If you like your doctor, you can keep your doctor. Well, on Sunday one of the architects of ObamaCare went on FOX News and admitted also that was not true. This is Dr. Ezekiel Emanuel—the brother of Rahm Emanuel, the former Chief of Staff of the White House—who is a medicine professor. What he said was, if you like your doctor and you want to keep your doctor, you can pay more for insurance that includes your doctor. There are a lot of places where you cannot even buy insurance that will cover that doctor. This is not at all what the President promised.

It is interesting, even in the Financial Times yesterday, “Healthcare insurers cut costs by excluding top hospitals.” So you cannot even go to the hospitals. There is a picture here of the University of Texas MD Anderson Cancer Center. “Plan will not cover treatment at Houston cancer center.” So we have somebody who has lost their insurance who has been going to that cancer center where their doctors are—they are losing their insurance on January 1, knowing they cannot keep their doctor, they cannot keep their hospital. We see children’s hospitals around the country, people who are not going to be included in these exchanges. So children with leukemia, come January 1, are going to lose their doctor, lose their hospital. But that is what the President and that is what the Democrats in this body who voted for this health care law have given to the American people.

Just before Thanksgiving, the Obama administration announced it would have to delay a health insurance exchange that was supposed to let small businesses shop for insurance. I remember hearing speeches on this floor about small businesses being able to find affordable insurance. Well, it turns out, once again, the administration knew at least 6 weeks before that they were going to have to delay the program. Did they admit it to the American people? Did they tell the truth? No. They waited.

One broken promise after another, one statement after another that the administration knows is not true. So is

it a surprise, then, that the President of the United States is viewed as untruthful by a majority of the people of this country? It is a terrible situation for anyone to put their country in.

Back when we first started talking about the health care law, Republicans offered ideas on how to give people what they really wanted, which was reform that lowered costs and improved access to care. That is what people were concerned about. So many of the complaints we have heard around the country have had to do with the cost of care.

So President Obama and Democrats in Congress refused to listen, ignored all of the warning signs, and used raw majority power to force this bad law on all of the American people. I remember the vote in this body, Christmas Eve morning, voting on a health care law. We watched it crammed through on party-line votes.

Now Democrats in the Senate have decided to make another power play and have broken the rules of the Senate just a couple of weeks ago to change the rules of the Senate. They took a drastic and unwarranted step so that they could have the power once again to force more bad ideas like the Obama health care law onto the American people.

They say we do not need the 60 votes now; all we need is a simple majority. Let’s change the way the Senate has run for well over 100 years, because, once again, the Democrats say: We know better than the American people. We know better than you.

That is what the President said with his health care law. Now the American people are realizing what they knew all along. This is not what they wanted with health care reform. Regrettably it is what they are living with now, and they are seeing the higher premiums, the canceled coverage, losing their doctor, the fraud and identity theft, higher copays, and higher deductibles.

It is interesting; even today in the Washington Post, the front page above the fold said: “Under health law, insurers limiting drug coverage.” Costs may soar. It talks about many different ailments, including for those with HIV. That is a result of the health care law. If this health care law would not have passed, forced down the throats of the American people with the President telling one falsehood after another, deliberately designed to mislead the American people, you would never have seen a headline like this today.

If President Obama really wants to help the American people, he is going to sit down with the Republicans and talk about the real issues to reduce costs, to get rid of all of this confusion that he and the Democrats have caused and to restore people’s confidence in America, as well as in him.

There is a better way. Republicans agree we need to reform America’s

health care system. We think that those reforms could have been done without the kind of harm caused by the President’s health care law.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, once again I come to the floor to discuss the negative impacts ObamaCare is having on my constituents in South Dakota and to countless Americans across the Nation. Since this health care law was enacted in 2010, I have come to the floor on numerous occasions to discuss the number of promises the President made to the American people, promises that have been broken. My colleagues and I have highlighted the fact that the President’s promise, “if you like your health care plan, you can keep your health care plan—period,” simply isn’t true.

Reports indicate that more than 5 million Americans already have received cancellation notices from their insurance companies and much of the ObamaCare policy has not even been implemented yet. What is worse, the administration knew they would never live up to this promise. Instead of finding a permanent solution to the problem, they proposed a political solution.

Today I would like to highlight yet another broken promise made by the President that is resulting in sticker shock as many Americans purchase health insurance.

While campaigning for the Presidency, and in speeches leading up to the passage of ObamaCare, President Obama promised the American people that their premiums would decrease by up to \$2,500 per family. Instead, many families are facing sticker shock. Since enactment of ObamaCare, health care premiums have actually increased by more than \$2,500 per family—that according to the Kaiser Family Foundation annual survey. As a result, many American families are sitting around their kitchen table trying to figure out how they are going to shift their finances around to afford health care when they were promised their premiums were going to go down by \$2,500 per family.

As the President has said, this law is more than just a Web site. We agree with that; this law is more than just a Web site. This law is a series of broken promises that are resulting in higher premiums, higher deductibles, and higher out-of-pocket costs for middle-class families, money the families could be using to help pay off student loans, save for a house, or start a business. Those are now going to be used to

pay for government-approved health care.

Recent reports out this week by the New York Times and Wall Street Journal highlight the fact that deductibles and other costs under ObamaCare have surged. The Wall Street Journal reports that the average individual deductible for a bronze level plan on the exchanges is over \$5,000 a year. This means a policyholder would need to pay over \$5,000 in order for their insurer to start making payments.

One of my constituents recently informed me that her family's health insurance plan was cancelled and the new policy she was offered would double their deductible to \$5,000 per individual. She and her husband have three children. In addition to a higher deductible, this family faces higher premiums, higher copayments, and a higher out-of-pocket maximum. She goes on to say, "Please explain how this new coverage is considered 'affordable' under the Affordable Care Act?"

Another couple in my State of South Dakota informed me, in the form of an email, that their premiums were going up by \$400 a month and the deductibles were going up by \$1,400 on their policy. Their question was, What is the Federal Government doing? The gentleman says I feel like the Federal Government just stole \$5000 from me.

That is the frustration people across the country are feeling as a result of ObamaCare. The middle class is faced with higher costs, while their take-home pay and hours are being reduced.

As more and more Americans begin to formulate their family budget for 2014, they are going to learn that yet another promise by the President has been broken. Not only are they losing the plan they were promised they could keep, they are facing sticker shock over the increased cost of health care coverage. This flawed law will continue hitting middle-class Americans in their pocketbooks as the Nation's economy continues to struggle to regain its footing.

The flawed rollout of ObamaCare is no secret. We have all seen what were described as the countless glitches associated with the rollout. But to make matters worse, recent reports indicate that in October, one in four ObamaCare enrollees faced a glitch not many were aware of. This glitch, called an 834 error, has prevented insurers from receiving the proper information regarding people who believed they had successfully enrolled in a health care plan. In essence, 25 percent of the initial enrollees in ObamaCare, after persevering through the errors on a Web site that was not ready for prime time, may not have proper coverage come January 1 of 2014.

What is even more troubling is that the administration estimates that 10 percent of new enrollees will continue to face this problem. Here we are, 23

days before January 1, and those who worked through the headaches of healthcare.gov may or may not have coverage. Unfortunately, this administration continues to refuse to seriously address these problems.

Even though they have unilaterally delayed several portions of this law from taking effect and have previously failed to meet half of the requirements mandated by the law, the administration will not provide the same relief for the individual Americans as it has for big businesses.

This law is fundamentally broken and we need to start over. Rather than expand the government's role in providing health care, we need to enact policies that make the private insurance market more competitive to ensure that individuals and families have choices when it comes to their health care. Yet the unfortunate reality for middle-class families is that their premiums, their deductibles, their out-of-pocket costs under ObamaCare are not glitches, they are a harmful reality that is resulting in sticker shock for literally millions of Americans.

We can do better; we should do better. This is more than just a Web site. It is the substance of this law that was built upon a faulty foundation that is leading to canceled policies, higher premiums, higher deductibles, higher taxes, fewer jobs, and lower take-home pay for the American people. This is a direct shot at the heart of the American middle class.

The President last week got up and made a speech where he talked about income inequality. What he should have focused on is the best way to get rid of income inequality is to repeal this health care law because what is going to happen to middle-class families and middle-class Americans under this health care law is much higher costs, much lower take-home pay, many fewer jobs for them and for their children, and a lower standard of living and lower quality of life than they have enjoyed in the past. This will be the impact upon middle-class Americans as a result of this law.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Mr. President, I come to the floor to discuss what I call the Washington exemption from ObamaCare. One of the few real victories the American people had in the ObamaCare debate was we actually got an amendment included in the Senate

consideration of the bill that said much of Washington—all Members and all of our congressional staff—have to go to the ObamaCare exchanges for our health care, just like millions of other Americans. We had to get it there.

Unfortunately, I guess this was an example of what NANCY PELOSI said when she said we need to pass the bill in order to understand what is in it.

After the ObamaCare statute passed with that very clear and very specific provision in it, a lot of folks around here read it and said: Oh, you know what. How are we going to deal with this? A furious behind-the-scenes lobbying effort then began. It went on for months. It was to essentially get around that provision and the pain it would cause—the pain being subjecting Members of Congress and all of our staff to the same circumstance and experience as other Americans.

That ended with President Obama getting personally involved and the Obama administration issuing a special rule, and that rule is just an end run around the specific statutory provision. I think it is completely illegal for that reason, because it is in conflict with that statutory provision.

One of the key issues of that rule says—well, the statute says all official staff will go to the exchange, but we really don't mean that so we are going to leave it up to each individual Member to decide what staff are official and what staff will go to the exchange.

As a result, there is a huge loophole some Members are using to exempt much—in some cases even all—of their staff from going to the exchange.

As mandated clearly by the ObamaCare statute, we have to walk the walk of other Americans, and we have to share in that experience.

Sadly, according to press reports, the distinguished majority leader Mr. REID is one of those Members actively taking advantage of that loophole and exempting much of his staff. Because of that, I have written the majority leader today and asked him to answer some very important and straightforward questions about that situation.

In order to make my point, I will simply read the letter into the RECORD. It was sent to the distinguished majority leader in the last several hours.

Dear Majority Leader Reid.

It has been reported that you were the only Member of top Congressional leadership—House and Senate, Democrat and Republican—who has exempted some of your staff from having to procure their health insurance through the Obamacare Exchange as clearly required by the Obamacare statute.

Millions of Americans are losing the health care plans and doctors they wanted to keep and are facing dramatic premium increases, all as Washington enjoys a special exemption. Given this, I ask you to publicly and in writing answer the four important questions below regarding your office's exemptions. I will also be on the Senate floor to discuss this at approximately 4:15 pm today and invite you to join me there.

First, how did you designate each member of your staff, including your leadership staff, regarding their status as “official” (going to the Exchange) or “not official” (exempted from Exchange)? Did you delegate that designation to the Senate Disbursing Office, which would have the effect of exempting all of your leadership staff from going to the Exchange?

Second, if any of your staff is designated as “not official” (exempted from Exchange), are any of those staff members receiving official taxpayer-funded salaries, benefits, office space, office equipment, or any other taxpayer support?

Third, if any of your staff is designated as “not official” (exempted from Exchange), did any of these staff members assist you in drafting or passing Obamacare into law? If so, which staff members exactly?

Fourth, how are the above designations of yours consistent with the clear, unequivocal statement you made on September 12: “Let’s stop these really juvenile political games—the ones dealing with health care for Senators and House members and our staff. We are going to be part of exchanges, that’s what the law says and we’ll be part of that.”

I look forward to your clear, written responses to these important questions. I also look forward to having fair up-or-down votes on the Senate floor on my “Show Your Exemptions” and “No Washington Exemptions” proposals in the new year.

Sincerely, David Vitter.

This letter lays it out clearly. I think this is an important debate the American people care about. As I said in the letter, millions of Americans face real dislocation and pain under ObamaCare. They are losing—in millions upon millions of cases—the health care plan they wanted to keep and they were promised they could keep. They are losing their ability to see the doctor they love and were promised they could continue to see. That number in Louisiana alone is 93,000 families.

They face skyrocketing premiums in many cases. Yet, as all of that goes on, Washington enjoys this Washington exemption from ObamaCare. Some Members of Congress, in particular—apparently, according to press reports, that includes the majority leader Mr. REID—are using this end run around the clear language of the ObamaCare law and exempting much of their staff.

I think it is incumbent upon the distinguished majority leader to come clean and answer these four very legitimate, very straightforward questions in an open, transparent, written, and straightforward way.

I am sorry he could not join me on the floor right now to discuss this matter. I welcome that conversation at any point in the near future, and I certainly look forward to his written responses to these questions. I think the American people deserve that, at a very minimum.

I also think they deserve—at a very minimum—what I have been fighting for months: Fair up-or-down votes on my Show Your Exemptions proposal and No Washington Exemptions from ObamaCare proposal. The first is real simple. It simply mandates that every

Member disclose how they are handling their office. It is the same sort of question and goes to the same sort of information I am asking directly of Senator REID.

The No Washington Exemptions from ObamaCare ends the end run around—ends that special status, that special treatment for Congress and our official staff. It would also put them in the same category of having to go to the exchanges with no special treatment or subsidy. It would include the President, Vice President, White House staff, and political appointees.

Unfortunately, again, the majority leader has blocked all of my attempts to simply get a vote on these matters. I am not asking everyone to agree with me; it is a free country, but I think I deserve a vote. I think the American people deserve a debate and a vote, and so I will continue fighting for fair up-or-down votes on the Senate floor on both my disclosure proposal, Show Your Exemptions, and the ultimate fix, No Washington Exemptions from ObamaCare.

I will continue that work, and I look forward to the majority leader’s response to this letter.

I yield the floor.

Mr. DURBIN. Mr. President, the Senate has considered several well-qualified nominees this week. One of those is Congressman MEL WATT, the President’s nominee to be Director of the Federal Housing Finance Agency. Congressman WATT has the institutional knowledge, legislative experience, and vision to transform our housing market and ensure that the mortgage crisis doesn’t happen again.

Congressman WATT has vast experience working with the housing market. He practiced law for 22 years prior to his congressional career, executing countless real estate transactions. Since being elected to serve in North Carolina’s 12th District in 1993, Congressman WATT has fought tirelessly to restore integrity to our financial system.

He serves on the House Financial Services Committee, where he sponsored legislation that would eventually become part of the Dodd-Frank Wall Street Reform and Consumer Protection Act to ensure that mortgage applicants can, in fact, meet their mortgage obligations. What is more, he recognized that lenders were engaging in predatory practices when underwriting mortgage loans well before the foreclosure crisis.

Since 2004, he has advocated for legislation to combat predatory mortgage practices. He has also been working for 10 years toward reform of Fannie Mae and Freddie Mac. I share his goal, and I want the right person at the helm when Congress begins that process.

Before responsible reform can happen, we need to come to some consensus about what we want the sec-

ondary mortgage market to look like. Families should have access to traditional 30-year mortgages. And we don’t want to cut off access to capital for multifamily housing, which provides affordable housing for millions of families. Congressman WATT’s experience delving into these issues will be invaluable in his role as the new Director of FHFA.

The mortgage crisis that took our Nation’s economy to the brink in 2008 is still hurting American homeowners and our economy. About 15 percent of all borrowers—more than 7 million Americans—are still under water on their mortgages and high rates of foreclosure continue to plague communities across the country. The housing market still has a long way to go.

There is more that FHFA can do to help the housing market recover—from working with State and local governments to maintain vacant foreclosed properties held by Fannie and Freddie, to targeted principal reduction to help families stay in their homes. I look forward to working with Congressman MEL WATT to address the challenges still facing the housing market.

Time and again, some of my colleagues threaten to block confirmation of nominees to further sometimes unrelated agendas. Sometimes it is simply because President Obama nominated these individuals. I hope that my colleagues will carefully consider the struggling homeowners in their respective States as they do this.

FHFA has gone without a Director for more than 4 years. This important agency needs a Director that will stand up for homeowners and work with Congress to reform Fannie Mae and Freddie Mac.

FHFA deserves to be fully staffed so it can serve the best interests of taxpayers and homeowners. I urge my colleagues to support Congressman WATT’s confirmation and look forward to working with him as he becomes the new Director of the FHFA.

I yield the floor.

The PRESIDING OFFICER (Mr. DONNELLY). The question is, Will the Senate advise and consent to the nomination of MELVIN L. WATT, of North Carolina, to be Director of the Federal Housing Finance Agency for a term of 5 years?

Mr. SCHATZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second. There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Illinois (Mr. KIRK).

The result was announced—yeas 57, nays 41, as follows:

[Rollcall Vote No. 252 Ex.]

YEAS—57

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Portman
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Booker	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Burr	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden

NAYS—41

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Chambliss	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Lee	Vitter
Crapo	McCain	Wicker
Enzi	McConnell	

NOT VOTING—2

Cruz Kirk

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, that last vote took 30 minutes. We are not going to wait around for Senators to come. We are going to start cutting off votes—Democrats, Republicans, Independents, everybody. We cannot do this. We have a lot of work to do, so it is unfair to everyone who gets here on time. We are going to start cutting off the votes in 20 minutes. I advise the floor staff that in fact is the case. We are not to be waiting for people. It is wrong. It is unfair.

NOMINATION OF CORNELIA T. L. PILLARD TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT—MOTION TO PROCEED

Mr. REID. I now move to proceed to reconsider the vote by which cloture was not invoked on the Pillard nomination.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. THUNE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator

from Texas (Mr. CRUZ) and the Senator from Illinois (Mr. KIRK).

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 253 Ex.]

YEAS—54

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden

NAYS—44

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Collins	Johnson (WI)	Thune
Corker	Lee	Toomey
Cornyn	Manchin	Vitter
Crapo	McCain	Wicker
Enzi	McConnell	

NOT VOTING—2

Cruz Kirk

The motion was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I move to reconsider the vote by which cloture was not invoked on the Pillard nomination.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. SESSIONS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 254 Ex.]

YEAS—54

Baldwin	Coons	Kaine
Baucus	Donnelly	King
Begich	Durbin	Klobuchar
Bennet	Feinstein	Landrieu
Blumenthal	Franken	Leahy
Booker	Gillibrand	Levin
Boxer	Hagan	Markey
Brown	Harkin	McCaskill
Cantwell	Heinrich	Menendez
Cardin	Heitkamp	Merkley
Carper	Hirono	Mikulski
Casey	Johnson (SD)	Murphy

Murray	Sanders	Udall (CO)
Nelson	Schatz	Udall (NM)
Pryor	Schumer	Warner
Reed	Shaheen	Warren
Reid	Stabenow	Whitehouse
Rockefeller	Tester	Wyden

NAYS—44

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Collins	Johnson (WI)	Thune
Corker	Lee	Toomey
Cornyn	Manchin	Vitter
Crapo	McCain	Wicker
Enzi	McConnell	

NOT VOTING—2

Cruz Kirk

The motion was agreed to.

Mr. LEAHY. Mr. President, today, for the second time in a month, we are debating whether to allow a confirmation vote on the nomination of Nina Pillard to the U.S. Court of Appeals for the D.C. Circuit. Yesterday, we were finally able to vote on the nomination of Patricia Millett after many months of being filibustered by Senate Republicans. I am glad we are making more progress today on another exceptional nominee.

The D.C. Circuit is often considered to be the second most important court in the Nation and should be operating at full strength. Today we will take a step towards making this court operate at full strength for the American people.

In late November, a bipartisan majority of Senators voted in favor of moving to an up-or-down vote on Nina Pillard's nomination, but we fell short by three votes. The same efforts to remove the Republican blockade of this President's nominees to fill vacancies on the D.C. Circuit that allowed the Senate to confirm Patricia Millett earlier this week will similarly allow the Senate to move forward on Nina Pillard's nomination so she can be confirmed and get to work for the American people.

Nina Pillard is an accomplished litigator whose work includes nine Supreme Court oral arguments, and briefs in more than 25 Supreme Court cases. She drafted the Federal Government's brief in *United States v. Virginia*, which after a 7–1 decision by the Supreme Court made history by opening the Virginia Military Institute's doors to female students and expanded educational opportunity for women across the country. Since then, hundreds of women have had the opportunity to attend VMI and go on to serve our country.

Ms. Pillard has not only stood for equal opportunities for women but for men as well. In *Nevada v. Hibbs*, Ms. Pillard successfully represented a male employee of the State of Nevada who

was fired when he tried to take unpaid leave under the Family Medical Leave Act to care for his sick wife. In a 6–3 opinion authored by then-Chief Justice William Rehnquist, the Supreme Court ruled for her client, recognizing that the law protects both men and women in their caregiving roles within the family.

She has also worked at the Department of Justice as the Deputy Assistant Attorney General in the Office of Legal Counsel, an office that advises on the most complex constitutional issues facing the executive branch. And prior to that, Ms. Pillard litigated numerous civil rights cases as an assistant counsel at the NAACP Legal Defense & Educational Fund. At Georgetown Law, Ms. Pillard teaches advanced courses on constitutional law and civil procedure, and co-directs the law school's Supreme Court Institute.

She has earned the American Bar Association's highest possible ranking—Unanimously Well Qualified—to serve as a Federal appellate judge on the D.C. Circuit. She also has significant bipartisan support. Viet Dinh, the former Assistant Attorney General for the Office of Legal Policy under President George W. Bush, has written that “Based on our long and varied professional experience together, I know that Professor Pillard is exceptionally bright, a patient and unbiased listener, and a lawyer of great judgment and unquestioned integrity . . . Nina has always been fair, reasonable, and sensible in her judgments . . . She is a fair-minded thinker with enormous respect for the law and for the limited, and essential, role of the federal appellate judge—qualities that make her well prepared to take on the work of a DC Federal Judge.”

Former FBI Director and Chief Judge of the Western District of Texas William Sessions has written that her “rare combination of experience, both defending and advising government officials, and representing individuals seeking to vindicate their rights, would be especially valuable in informing her responsibilities as a judge.”

Nina Pillard has also received letters of support from 30 former members of the U.S. Armed Forces, including 8 retired generals; 25 former Federal prosecutors and other law enforcement officials; 40 Supreme Court practitioners, including Laurence Tribe and Carter Phillips, among many others.

Despite having filled nearly half of law school classrooms for the last 20 years, women are grossly underrepresented on our Federal courts. We need women on the Federal bench. A vote to end this filibuster is a vote to break yet another barrier and move in the historic direction of having our Federal appellate courts more accurately reflect the gender balance of the country.

I commend President Obama on his nominations of highly qualified women

such as Nina Pillard, Patricia Millett, Elena Kagan and Sonia Sotomayor. In each of these women, the Senate has had the opportunity to vote to confirm women practicing at the pinnacle of the legal profession. Once the Senate confirmed Justice Kagan, the highest court in the land had more women than ever before serving on its bench. With the confirmation and appointment of Nina Pillard, the same will be true for what many consider to be the second highest court in the land, the D.C. Circuit, because she will be the fifth active female judge on the court. Never before have five women jurists actively served on that court at one time. I look forward to that moment and to further increasing the diversity of our federal bench.

I urge my colleagues to vote in favor of ending the filibuster on this outstanding nominee. This Nation would be better off for Nina Pillard serving as a judge on the D.C. Circuit.

CLOTURE MOTION

The PRESIDING OFFICER. The question is on agreeing to the motion to invoke cloture on the Pillard nomination, upon reconsideration.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Cornelia T. L. Pillard, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

Harry Reid, Patrick J. Leahy, Richard J. Durbin, John D. Rockefeller IV, Benjamin L. Cardin, Jon Tester, Sheldon Whitehouse, Mark R. Warner, Patty Murray, Mazie Hirono, Angus S. King, Jr., Barbara Boxer, Jeanne Shaheen, Robert Menendez, Bill Nelson, Debbie Stabenow, Richard Blumenthal.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Cornelia T. L. Pillard, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit, shall be brought to a close, upon reconsideration?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Illinois (Mr. KIRK).

The yeas and nays resulted—yeas 56, nays 42, as follows:

[Rollcall Vote No. 255 Ex.]

YEAS—56

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Collins	Markey	Udall (CO)
Coons	McCaskill	Udall (NM)
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murkowski	Wyden
Gillibrand	Murphy	

NAYS—42

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Lee	Toomey
Crapo	Manchin	Vitter
Enzi	McCaIn	Wicker

NOT VOTING—2

Cruz
Kirk

The motion was agreed to.

NOMINATION OF CORNELIA T. L. PILLARD TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Cornelia T. L. Pillard, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

The PRESIDING OFFICER. The Senator from Rhode Island.

UNANIMOUS CONSENT REQUEST—S. 1797

Mr. REED. Mr. President, as in legislative session, I ask unanimous consent the Senate proceed to the immediate consideration of S. 1797, which was submitted earlier today; that the bill be read three times and passed; and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I want to reserve the right to object. I am certainly willing to let the good Senator make comments. But at this point I want to reserve the right to object.

The PRESIDING OFFICER. Is there objection?

Mr. HOEVEN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REED. Mr. President, first of all, I think it is appropriate to make some comments. I appreciate the Senator

from North Dakota being here and making his point. But we are at a juncture that within 2 weeks 1.3 million Americans will lose their Federal unemployment compensation insurance.

It will be a shock to them economically and particularly since it will be just a few days after the Christmas holiday. My legislation is very simple. I am seeking to extend for an additional year the unemployment compensation program that has been in place for several years. That will allow 1.3 million Americans to have some support as they face a very difficult economy.

We have asked, as Democrats, that this UI proposal be part of the budget negotiation. Our colleagues in the House of Representatives have made the same request. It appears that will not be the case. So we have to seek a stand-alone legislative vehicle. That is why I proposed the legislation as I have done today.

What we were trying to do, with the request that was just objected to, and what we have to do within 2 weeks is pass this legislation—so the upcoming expiration does not allow us the time for the procedural process of committee deliberation and markup, et cetera. What we have to do is try to avoid a huge economic shock to 1.3 million Americans immediately. There will be more after that. But as of December 28, if you are on unemployment insurance, Federal unemployment insurance, you lose it.

In my State, that is 4,900 people celebrating New Year's Day by losing their Federal unemployment insurance benefits; for families who are struggling just to keep their heads above water in a very difficult economy—who have seen their jobs disappear, who after years of dedicated work find themselves now looking at very difficult circumstances for employment, in my home State particularly, but not my home State alone—this is a very difficult burden to bear.

So we have to act. That is why we are here this evening, to ask for immediate consideration of my legislation to extend unemployment insurance, not further review, but immediate consideration.

I think it is important to point out that the average weekly benefit is about \$300 per week. This is not a program that people are using to enrich themselves by any means. This is basically keeping the heat on, keeping some food on the table, maybe keeping the rent paid. Also, this is a program that people only qualify for after working and establishing a work history.

So for all of these reasons, we are not talking about some lavish benefit that is a windfall to Americans. This is something that can keep families together. That is why I think we have to be willing, beginning this evening, to get this program extended through next year at least.

There is another aspect to this too. Unemployment insurance is one of the best countercyclical economic programs we have when it comes to Federal fiscal policy. The nonpartisan Congressional Budget Office estimates that with the expiration of UI, if we do not act, it will cost our economy next year 200,000 jobs. It will cost us jobs if we do not act. It will slow economic growth by about .2 percent is their estimate.

So not only is this sensible, in fact the decent thing to do for millions of families, it is the smart thing to do for our economy. Because if we do not do it, we are literally seeing, under very rational estimates, 200,000 jobs disappear. What is the one thing everybody claims we need to do in this country right now? Put more people back to work.

This extension has been scored at about \$26 billion for the year. Traditionally, we have treated unemployment insurance as an emergency expenditure. We have not offset it. That tradition has been abandoned recently and we have had to come up with offsets. But there are offsets. There are tax loopholes that should be closed. There are provisions that encourage companies to move jobs overseas that we can close and pay for this.

There are other provisions that would stop subsidizing significant multimillion dollar corporate benefits so American families can have a chance. These loopholes we have talked about—and many of my colleagues talked about—they should be closed anyway. But if it helps pay for unemployment insurance, that is not only good, that is something that would be a very positive step forward.

We need to extend these benefits not only for the individual families but for the overall economy. We have to start immediately. We are running out of time. We have just 2 weeks. Nothing is more important than getting people back to work. As I said, if we do not do this, we are going to see 200,000 jobs that are going to be forgone in the next year. So this is about jobs, as well as it is about keeping families together and keeping them able to provide for their basic needs.

It is progrowth. It is smart. I hope we can come together and do it. I hope again—I appreciate certainly the objection of the Senator from North Dakota. But I hope we can find a way to not object but to move forward together. The benefits cut across party lines. If you look at the States that are suffering the most—as we all know, the unemployment compensation program is a tiered program. It depends upon the level of unemployment in our States. But if you look at the States that are suffering the most, and unfortunately I am going to have to say Rhode Island is one of them. Nevada has the highest unemployment rate, 9.3. We are right behind them, 9.2 percent.

It has been 5 long years of unacceptable and elevated unemployment. It has come down from above 10 percent, but it is still much too high. But this is not a regional phenomenon. Illinois, 8.9 percent unemployment; Mississippi, 8.5 percent unemployment; Kentucky, 8.4 percent unemployment; North Carolina, 8 percent unemployment; Georgia, 8.1 percent unemployment; Arizona, 8.2 percent unemployment. These are tough numbers. It is not concentrated in one place; it is across this entire country. This is not a red issue or a blue issue. This is an American issue for workers who have worked and now cannot find jobs and need support. There is something else that is important to mention; that is, we have seen some progress on the jobs front. The last report showed we actually grew last month, 203,000 jobs. That is the good news. The bad news is despite this improvement, long-term unemployment remains high.

More than 4 million workers, 37 percent of those unemployed, were jobless for 27 weeks or longer in November. So what we are seeing is some short-term movement, but the longer term unemployment, the ones who qualify for the Federal benefits, they are still finding it virtually—very difficult, if not impossible, to find work.

That is exactly what this Federal program is designed to fix. Those long-term unemployed who are in an environment, in a State where the economy is not working as well as some other States. There are some States that are doing exceptionally well. I am glad for them. But there are more, as I said before, who are experiencing unacceptably high unemployment rates.

This program started to take shape in its most recent incarnation in June 2008, when President George W. Bush signed the program into law. When he did it, the unemployment rate was 5.6 percent and the average duration of unemployment was 17.1 weeks. So we are looking now at a situation that nationally and in many States is much higher than when we initiated this program back in 2008.

Now is not the time to stop, and in order to get this done, we have to move expeditiously. There is not time for elaborate hearings. There is not time for conferences with the House. The House is proposing to leave this Friday. We have to move immediately.

Today, our national unemployment rate is 7 percent. The duration of unemployment is 37.2 weeks. That is 7 percent compared to 5.6 and 37.2 weeks compared to 17.1 weeks. We still need this program to help the families of this Nation. We can't end it now. We have to move forward, particularly during this holiday season.

The reality—and finally to make this point—is that people will be looking at a new year coming with the knowledge

that what little benefit they are getting as they search for work—an average of \$300 a week—is gone. That is a tough reality, to look at your family on New Year's Day and understand that you don't have those resources.

So we have to act, and I hope we can.

With that, I yield the floor for my colleague and his comments.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I objected earlier, and I want to express my appreciation to the good Senator from Rhode Island. I understand his concerns, but I want to take a minute just to explain the objection that we have.

I don't think there is anyone in this Chamber who is indifferent to the plight of the long-term unemployed. However, this legislation falls under the jurisdiction of the Senate Finance Committee and, as of yet, the committee has not had the opportunity to consider it.

There are a number of concerns that Members on our side of the aisle have with the legislation, most notably the price tag. According to the CBO, a full 1-year extension of the Emergency Unemployment Compensation Program would cost \$25 billion for a single year. That is the cost of this bill, and the bill contains no offsets to cover that cost.

So the Senate Finance Committee needs to have an opportunity to consider this legislation to find a way to pay for it. In addition, the committee needs to have an opportunity to consider alternatives. Rather than simply providing additional benefits to the unemployed, hopefully we can come up with something that really helps them get back to work. Republicans are willing to consider such ideas and need to have an opportunity to do so through the committee process.

It is on that basis that I object to my colleague's unanimous consent request.

I thank the Chair for the time and the courtesy of my colleague.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I certainly respect my colleague from North Dakota for stating his principled position. I think we can both agree on one thing: We have to start moving very quickly because this reality is moving very rapidly on 1.3 million Americans. I hope we can move forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I too hope we can resolve the issue my colleagues were just discussing. It is an important one for the country. We are very blessed in Louisiana to have a relatively low unemployment rate because our economy is doing so well, in large measure because of extraordinary new technologies, which I think the Chair understands as well in Indiana, where they used to discover oil and

gas, and particularly natural gas in places and in ways we never thought possible. That is creating a real resurgence of manufacturing in our State, and that is benefiting not only us and our neighbors along the gulf coast, but it is benefiting States all over America.

The economic numbers, despite the great challenges we have here in the Congress on our budget, on paying down our debt, on reducing our annual deficit, on procedural measures and how to run the Senate and work more effectively on behalf of the people of all of our States, are really quite good in North Dakota, in South Dakota, in Texas, Louisiana, and other States. They are experiencing really very low numbers of unemployment because the jobs are plentiful. Our challenge is, just to comment briefly, on training the workforce we are going to need to fill all the jobs we have. These are very good-paying jobs, some starting at \$40,000 or \$60,000 a year—construction, welders—going up to \$125,000. Some are temporary, but many of them will be permanent.

So I hope we can resolve this unemployment issue, because, unfortunately, in Senator REED's State—the State of Rhode Island—and in 20 other States there is very high unemployment. In some States it might still be over 9 percent. They are chronically unemployed because of the competition of globalization and other factors. So I think we have to try to find a way to work together as a Nation. As I said, Louisiana is blessed to have relatively low unemployment, but we have a big job skills training gap we are working on in our State.

VETERANS AFFAIRS MAJOR MEDICAL FACILITY
LEASE AUTHORIZATION ACT OF 2013

Mr. President, I want to actually talk a few minutes this evening about a very important bill the House just passed by an extraordinary vote of 346 to 1. My colleague, Congressman BOUSTANY in the House, was the lead sponsor, and I want to really congratulate him for his extraordinary work on this particular bill. It is something he and I have worked together on across party lines. He is a Republican and I am a Democrat, but we worked very closely together to get this entire bill passed not only for the benefit of Louisiana—which is shaded here on this chart as one of the States that would benefit—but we can see here how many other States between 2013 and 2017 will be affected positively by the passage of this bill.

The bill is the Veterans Affairs Major Medical Facility Lease Authorization Act. That is a mouthful, but it takes important action. It basically uses the guidance of the Office of Management and Budget—we received a letter from them at my request—and formulates a piece of legislation that will allow the Veterans Administration to build clin-

ics the way they have been building clinics for our veterans—who really need the highest and best quality care—using a lease arrangement.

The reason we had to pass this bill—and I will be working with Senator VITTER and many others to ask unanimous consent at the proper time for this bill to pass through the Senate—is because about 6 years ago there was an administrative ruling that basically stopped the ability of the Veterans Affairs Department to be able to build these very needed veterans clinics by using a lease.

Internally, the administration just decided to score it differently. That threw lots of sand into the gears, and those gears have been stuck for 6 years. In our State, veterans in Lafayette and in Lake Charles have been waiting and waiting and waiting. We had some added complications, which the Veterans Administration has taken the blame for, in that the bid process that was used initially for one of our clinics was defective and they had to throw it out.

But the end of this sad story is that a great bill passed the House of Representatives, literally just a few hours ago, and I wanted to come to the floor to say how proud I am of Congressman BOUSTANY and his dogged pursuit of justice. The district of Congressman BOUSTANY is in the part of the State where these two clinics will be built, in Lafayette and Lake Charles, so I worked closely with him, as has Senator VITTER, to make sure we brought some clarity and focus to this issue in order to move forward. As the bill moved through to help us with our problem, it turns out it is also going to help many other States that are scheduled for veterans clinics.

I also want to thank Congressman MILLER of Florida, who is the chair of the VA committee. He worked very closely with Congressman BOUSTANY. Also I want to thank BERNIE SANDERS, our Senator from Vermont who chairs our committee here. Senator SANDERS—whose desk is right here, next to mine—has been very supportive of this effort. While I am not going to ask unanimous consent at this moment, he and I have had a discussion earlier today about how strongly he supports this effort and how much he wants to help us get this done.

There are 27 clinics in 22 States. This process—or nightmare, I should say—began in Louisiana about 6 years ago. Four years ago the ruling was made, but our legislation that was passed in the House will override that and basically set us on a course that is both fiscally responsible and so important to our veterans. We must honor the promises we made to them that we would provide clinics close enough so they could access them and so they are not driving hundreds of miles for regular care. We can be very smart in the way

we design these leases so it will be a benefit to the taxpayer, a benefit to the veterans and it will really meet our obligation to them.

So again, the bill just passed the House, and tomorrow I will be asking unanimous consent, along with Senator VITTER, to move this bill, to get it to the President's desk and get it signed so that veterans who have been waiting—particularly in our State—for so long will have something extra special to celebrate this Christmas holiday.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDING SENATOR MURRAY

Mr. REID. Mr. President, a couple years ago I surprised everyone—but I didn't surprise myself—when I selected PATTY MURRAY as chair of the super-committee. At the time PATTY was chairman of the Veterans' Affairs Committee, she was a member of the Budget Committee, and I thought she would do a remarkably good job because I had such faith in her integrity, her temperament, her wisdom, and her ability to get things done.

The country should be so pleased with the work she was able to do on a bipartisan basis with PAUL RYAN. It is really a kind of unconventional pair working together to come up with a budget that we can work on for 2 years. We have numbers now. I am very pleased that budget negotiators MURRAY and RYAN have come up with an agreement today that will roll back the painful arbitrary cuts of sequester and prevent another costly government shutdown. I again commend Budget Committee chairman PATTY MURRAY for making this possible. But it is also fair—and I hope this doesn't get him in trouble in the House—to say that Chairman RYAN also worked hard. It was a compromise. We didn't get what we wanted, they didn't get what they wanted, but that is what legislation is all about—working together. "Compromise" is not a bad word.

We believed all along that Congress should set sound fiscal policy through the regular order of the budget process and not through hostage-taking or crisis-making. We will have a lot more to say about this in the days to come, but this is a good day for our country.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed now to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERNATIONAL HUMAN RIGHTS DAY

Mr. CARDIN. Mr. President, I rise today in recognition of International Human Rights Day. Sixty-five years ago, on December 10, 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights, which serves as a foundation for human rights initiatives internationally, and is an enduring guide for human rights advocates around the globe.

On this annual celebration of International Human Rights Day we all mourn with heavy hearts the loss of Nelson Mandela, a man who devoted his life to promoting human rights, freedom, and harmony.

Humanity has lost one of its greatest leaders with the passing of Madiba, or "father," as he was lovingly called. My prayers go out to his family and all the people of South Africa. He was a personal hero of mine, and of those who work to uphold human rights around the world. He led his nation not only in overcoming the divisions of racism, but in reconciling and healing. Throughout his life Nelson Mandela never stopped fighting for the oppressed, speaking out for the voiceless, and given hope to the hopeless. One of the greatest leaders may have left this world but the lessons he taught us about human dignity, sacrifice, perseverance, and perhaps the most powerful lesson of all—forgiveness—will live on forever.

In 1964, Nelson Mandela was convicted of treason and sentenced to life in prison for his part in the fight for racial equality in apartheid South Africa. At his trial Mandela said:

I have fought against white domination, and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die.

Thankfully Mandela did not die during his years of imprisonment, and instead after enduring the unthinkable with grace and dignity, he emerged to lead a country to self determination, reconciliation, and forgiveness.

In 1990, when Nelson Mandela was finally released after 10,000 days of imprisonment, his spirit was stronger than ever. Ten thousand days in prison were not enough to break his spirit and his devotion to the freedom of all people. In his autobiography, Mandela wrote ". . . to be free is not merely to cast off one's chains, but to live in a way that respects and enhances the freedom of others."

And that he did. His democratic ideals were unwavering. He led by example, living a relatively modest life,

refusing to reside in the presidential mansion, and serving only one term as South Africa's first black President.

Mandela's influence on the continent, and indeed around the world, does not end with his passing. His story and moral courage has changed countless lives forever. As he once said, "the true test of our devotion to freedom is just beginning." State and Federal lawmakers across the United States looked to Mandela as an inspiration when crafting laws that mandated divestment from South Africa's cruel Apartheid regime. I had the privilege of serving as speaker of the Maryland House of Delegates when we passed such legislation. Years later, our Nation is still striving to follow in Mandela's footsteps and fully realize his dream of peace and equality for all of mankind.

As President Obama said, Mandela "took history in his hands, and bent the arc of the moral universe toward justice." And so on this International Human Rights Day, we pay tribute to the great Madiba, the father of a free and peaceful South Africa, a legendary African, and a shining example for future generations of change-makers who have inherited a better world because of his great deeds.

TRIBUTE TO MARY ELLEN MCCARTHY

• Mr. SANDERS. Mr. President, when people think of government, some of the first words that may come to mind are politics and bureaucracy, two things that tend to stifle progress. Today, however, I have the great pleasure of honoring someone who has spent her many years on the Hill overcoming these barriers. She has implemented changes and fixed problems to improve the lives of veterans and their families in a very real way. Now, as she moves into retirement, she leaves behind an example to which we should all aspire.

Mary Ellen McCarthy has spent the last 7 years of her distinguished career serving as the lead investigator for the Senate Committee on Veterans' Affairs and the decade before that as staff director for two subcommittees of the House Committee on Veterans' Affairs. In that time, she has visited nearly every Department of Veterans Affairs regional office and reviewed thousands of benefits claims. She has not only identified gaps in services to veterans and their families, but also problems within VA. Most importantly, Mary Ellen never rested with the identification of a problem. Instead, she found solutions to meet the needs of veterans and their families and worked relentlessly to ensure they were put into place as quickly as possible.

Among her many achievements, Mary Ellen will be forever recognized for her extraordinary work in ensuring Vietnam era veterans and their families receive the benefits to which they

are entitled. She has worked tirelessly to identify the many veterans whose exposure to dangerous toxins was previously overlooked. Her efforts have helped veterans with service on the inland waterways of Vietnam, along the DMZ in Korea, and on the perimeters of Air Force Bases in Thailand. Her work has led to vindication and assistance to those suffering from health problems related to Agent Orange exposure. Her efforts did not stop with the veterans themselves, however. She also brought attention to the children who are born with spina bifida, as a result of their parents' exposure to Agent Orange.

So much of Mary Ellen's work has focused on those most in need—elderly and low-income veterans and surviving family members. For example, one of Mary Ellen's investigations revealed the surviving spouses of veterans who had been receiving VA disability benefits were not receiving the payments to which they were entitled during the month of their spouse's passing. These payments not only help with funeral costs, but provide some time to make other financial arrangements. Her discovery of this oversight and subsequent actions resulted in approximately 200,000 surviving spouses receiving more than \$124 million in benefits, allowing them to focus on moving forward after the death of a loved one.

Mary Ellen has also been heavily involved in working toward elimination of the claims backlog, a challenge that has plagued the Department for decades and caused far too many veterans unnecessary hardship. Before she came to Capitol Hill, she spent two decades working as a nurse and then a lawyer, helping low-income and elderly individuals obtain government benefits. This experience gave her a unique insight into the challenges of claims processing and she has been able to offer a number of solutions that may otherwise have been overlooked.

These are just a few examples of the very real contributions Mary Ellen has made to the veterans community throughout her career. To those who have had the pleasure of working with her, Mary Ellen has been an inspiration—working tirelessly to provide assistance to those who have served this great Nation—a true veterans' advocate.

As she enters into her much deserved retirement, she can rest easy knowing her efforts will continue benefiting veterans and their families for generations to come, which is, as she is known to say, not bad for an old lady.

Mary Ellen, thank you for your years of advocacy on behalf of our Nation's veterans. I wish you only the best in retirement.●

TRIBUTE TO SIMEON BOOKER

Mr. PORTMAN. Mr. President, today I wish to honor Simeon Booker as he

receives an honorary doctor of letters from Youngstown State University on December 15, 2013. Mr. Booker has devoted his life's work to chronicling the history of the civil rights movement in America.

As an African-American college student in the 1940s and 1950s, Mr. Booker experienced discrimination firsthand at what was then Youngstown College. Refusing to accept the indignities he found there, he transferred to Virginia Union University where he continued to champion the rights of Black students.

Early in his career, he was hired by his hometown newspaper, the Youngstown Vindicator, where he would write local columns focused on the city's African-American population and summaries for the local Black baseball leagues. He went on to work for the Cleveland Call and Post and was offered the esteemed Nieman Fellowship at Harvard University in the 1950s.

Mr. Booker became the first Black reporter for the Washington Post in 1952, and also wrote for Jet and Ebony magazines. Mr. Booker was witness to the rise of the great civil rights leaders of that time—Martin Luther King, Jr., the Kennedy brothers, Whitney Young, and many others. He wrote about Martin Luther King's nonviolent movement for civil rights, and covered the 1963 March on Washington.

Mr. Booker has received recognition from his peers, having been awarded both the Newspaper Guild Award and the Wilkie Award. As a journalist, he became the first African-American to win the National Press Club's Fourth Estate Award in 1982. He most recently authored "Shocking the Conscience: A Reporter's account of the Civil Rights Movement," an account of a half-century of American history. Earlier this year, he was inducted into the National Association of Black Journalists Hall of Fame.

I would like to honor Simeon Booker for his lifetime contributions to our country in the fields of journalism and civil rights and congratulate him on his recognition at Youngstown State University.

ADDITIONAL STATEMENTS

RECOGNIZING JOEL DEFEBAGH

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Joel Defebaugh for his hard work as an intern in my Washington, DC Office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Joel is a native of Casper, WY and a graduate of Natrona County High School. He is also a recent graduate of the University of Wyoming, where he earned a degree in political science. He

has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Joel for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

RECOGNIZING ABBIE GOLDEN

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Abbie Golden for her hard work as an intern in the Senate Republican Policy Committee office. I recognize her efforts and contributions to my office.

Abbie is a native of Little Rock, AR and a graduate of Episcopal High School. She is also a recent graduate of the University of Pennsylvania, where she earned a degree in political science. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Abbie for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING AMANDA JONES

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Amanda Jones for her hard work as an intern in my Riverton, WY office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Amanda is a graduate of Lander Valley High School. She is from Riverton, WY and currently attends the University of Wyoming, where she is majoring in criminal justice. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Amanda for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING NATASHA JOHN

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Natasha John for her hard work as an intern in the Senate Committee on Indian Affairs. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Natasha is a native of Oklahoma and a graduate of Concordia College. She is also a candidate for a masters of arts in global studies and international relations from the University of Central Oklahoma. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Natasha for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING AMY LEE

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Amy Lee for her hard work as an intern in my Washington, DC office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Amy is a native of Cheyenne, WY. She is a recent graduate of Marquette University where she earned a bachelor of arts in political science. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Amy for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING RYAN LOJO

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Ryan Lojo for his hard work as an intern in my Washington, DC office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Ryan is a native of Casper, WY and a graduate of Kelly Walsh High School. He is also a recent graduate of Gonzaga University, where he earned a degree in business administration-economics. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Ryan for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

RECOGNIZING MATTHEW SPENNY

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to

express my appreciation to Matthew Spenny for his hard work as an intern in my Cheyenne, WY office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Matthew lives in Laramie, WY and is a graduate of the University of Wyoming, where he earned a degree in communication and journalism. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Matthew for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

RECOGNIZING JENNIFER TRABING

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Jennifer Trabling for her hard work as an intern in my Cheyenne, WY office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Jennifer is a native of Buffalo, WY where she graduated from Buffalo High School. She is also a graduate of the University of Wyoming where she earned a bachelor of arts in international studies. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Jennifer for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

AETNA HOSE HOOK & LADDER COMPANY

● Mr. COONS. Mr. President, on behalf of Senator TOM CARPER, Congressman JOHN CARNEY and myself, I rise today to recognize the Aetna Hose Hook & Ladder Company and its many volunteers and leadership who, on December 17, 2013, will celebrate the 125th anniversary of the company's founding in 1888.

For more than a century, Aetna has provided exemplary firefighting and lifesaving services for residents of Newark, DE. From its humble beginnings at the turn of the century, when the company consisted of a simple, hand-drawn hose cart, the Aetna Hose Hook & Ladder Company has grown to incorporate 5 stations, 17 trucks, and hundreds of members dedicated to "service for others."

Prior to 1888, residents were forced to combat fires on their own, until a fire in a woolen mill resulted in the loss of 800 jobs. The disaster prompted the town council to call for the creation of a town fire company. Founded on December 17, 1888 at a meeting of 30 town citizens, Aetna Hose Hook & Ladder Company's first leadership group included John A. Mullin as chairman, Isaac J. Moore as secretary, William H. Simpers as president, and Joseph T. Willis as foreman—the 19th century term for fire chief. Dues for active members began at \$1, while contributing members paid \$2 per year. The company was incorporated on December 13, 1889, with 57 charter members.

During its humble first years, Aetna's fire alarm system consisted of ringing Catholic Church, academy and college bells. In 1893, the company purchased its first hose carriage and in 1901, it received its first \$250 appropriation from the town of Newark, prompting a celebratory parade.

The fire company soon became an integral part of the Newark community, hosting banquets, carnivals, and bingo nights to raise money for equipment and firefighting gear. Formed in 1949, the Aetna Ladies Auxiliary has provided unwavering support for the company's members, from fundraising to providing hot meals for firefighters and their guests.

Today, Aetna is proud to be home to more than 20 highly decorated firefighters, EMS, and EMT members. Recent citations include Heroic EMT of the Year to Jeff Evans, Eric Barsky, Paul Testa, Steve Walls, and Garland Church, and Lt. John P. Murphy; EMT of the Year to Rob "Dusty" Sweetman, Joshua Rainey, Michael Shao, Kevin Eichinger, Theodorica Cenizal, Ann Gillespie, Arman Fardanesh, Laurel Petchel, and Melanie Patnaude; and Lifetime Achievement in EMS Awards to Diane Silverman, E. David Bailey, and Gene Niland. Aetna is also the home to 12 EMS Top Responders, including 4-time winner Eric B. Barsky.

The Delaware congressional delegation is proud to recognize the Aetna Hose Hook & Ladder Company and its team of first responders for 125 years of honorable service to the community of Newark, DE.●

MESSAGE FROM THE HOUSE

At 12:06 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3627. An act to require the Attorney General to report on State law penalties for certain child abusers, and for other purposes.

The message further announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act of Fiscal Year 2001 (22

U.S.C. 7002), amended by the division P of the Consolidated Appropriations Resolution, 2003 (22 U.S.C. 6901), the Minority Leader re-appoints the following members to the United States-China Economic and Security Review Commission: Ms. Carolyn Bartholomew of Washington, DC and Mr. Jeffery L. Fiedler of Great Falls, Virginia.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3627. An act to require the Attorney General to report on State law penalties for certain child abusers, and for other purposes; to the Committee on the Judiciary.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1797. A bill to provide for the extension of certain unemployment benefits, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3742. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fenpropathrin; Pesticide Tolerances" (FRL No. 9902-44) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3743. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Tebuconazole; Pesticide Tolerances" (FRL No. 9392-1) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3744. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Etofenprox; Pesticide Tolerances" (FRL No. 9902-39) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3745. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Quinclorac; Pesticide Tolerances" (FRL No. 9902-15) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3746. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Metaldehyde; Pesticide Tolerances" (FRL No. 9399-8) received during adjourn-

ment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3747. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Fresh Beans, Shelled or in Pods, From Jordan Into the Continental United States" ((RIN0579-AD69) (Docket No. APHIS-2012-0042)) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3748. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Derivatives Clearing Organizations and International Standards" (RIN3038-AE06) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3749. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the quarterly exception Selected Acquisition Reports (SARs) as of September 30, 2013 (DCN OSS 2013-1801); to the Committee on Armed Services.

EC-3750. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Robert P. Lennox, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-3751. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Darrell D. Jones, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-3752. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, a report relative to the Government of Panama requesting the U.S. Government to destroy eight U.S.-origin munitions remaining from testing by the United States on San Jose Island off the coast of Panama; to the Committee on Armed Services.

EC-3753. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the Department of Defense commencing disaster relief operations in the Philippines; to the Committee on Armed Services.

EC-3754. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, a report entitled "Report on Proposed Obligations for Cooperative Threat Reduction"; to the Committee on Armed Services.

EC-3755. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the Fiscal Year 2012 Report on Department of Defense (DoD) Operation and Financial Support for Military Museums; to the Committee on Armed Services.

EC-3756. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC-3757. A communication from the Secretary of the Treasury, transmitting, pursu-

ant to law, a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-3758. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Floodplain Management and Protection of Wetlands" (RIN2501-AD51) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3759. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2013-0002)) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3760. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2013-0002)) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3761. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Housing Assistance Due to Structural Damage" ((RIN1660-AA68) (Docket No. FEMA-2010-0035)) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3762. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Information Sharing Among Federal Home Loan Banks" (RIN2590-AA35) received in the Office of the President of the Senate on December 2, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3763. A communication from the Director of Legislative Affairs, Legal Office, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Deposit Insurance Regulations; Definition of Insured Deposit" (RIN3064-AE00) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3764. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Amendments to the 2013 Mortgage Rules Under the Real Estate Settlement Procedures Act (Regulation X) and the Truth in Lending Act (Regulation Z)" ((RIN3170-AA37) (Docket No. CFPB-2013-0031)) received during adjournment of the Senate in the Office of the President of the Senate on December 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3765. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Premerger Notification; Reporting and Waiting Period Requirements"

(RIN3084-AA91) received during adjournment of the Senate in the Office of the President of the Senate on November 25, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3766. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Homeownership Counseling Organizations Lists Interpretive View" (RIN3170-AA37) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3767. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Ability-to-Repay and Qualified Mortgage Standards Under the Truth in Lending Act (Regulation Z)" ((RIN3170-AA37) (Docket No. CFPB-2013-0002)) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3768. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Truth in Lending Act (Regulation Z)" (Docket No. CFPB-2013-0035) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3769. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Truth in Lending Act (Regulation M)" (Docket No. CFPB-2013-0034) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Banking, Housing, and Urban Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ALEXANDER:

S. 1785. A bill to modify the boundary of the Shiloh National Military Park located in the States of Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself and Mr. KAINE):

S. 1786. A bill to encourage the placement of children in foster care with siblings; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 1787. A bill to require a medical loss ratio of 85 percent for Medicaid managed care plans, and for other purposes; to the Committee on Finance.

By Mr. THUNE (for himself and Mr. WYDEN):

S. 1788. A bill to make it a negotiating principle of the United States in negotiations for bilateral, plurilateral, or multilateral agreements to seek the inclusion of provisions that promote Internet-enabled commerce and digital trade; to the Committee on Finance.

By Ms. BALDWIN (for herself and Mr. MARKEY):

S. 1789. A bill to amend the Communications Act of 1934 to establish signal quality and content requirements for the carriage of public, educational, and governmental channels, to preserve support of such channels, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COONS:

S. 1790. A bill to modernize laws, and eliminate discrimination, with respect to people living with HIV/AIDS, and for other purposes; to the Committee on the Judiciary.

By Mr. ROCKEFELLER:

S. 1791. A bill to provide for the treatment of certain hospitals under the Medicare program; to the Committee on Finance.

By Mrs. FISCHER (for herself and Mr. MANCHIN):

S. 1792. A bill to close out expired, empty grant accounts; to the Committee on Homeland Security and Governmental Affairs.

By Ms. KLOBUCHAR (for herself, Mr. CASEY, and Mr. SCHUMER):

S. 1793. A bill to encourage States to require the installation of residential carbon monoxide detectors in homes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. UDALL of Colorado:

S. 1794. A bill to designate certain Federal land in Chaffee County, Colorado, as a national monument and as wilderness; to the Committee on Energy and Natural Resources.

By Ms. STABENOW:

S. 1795. A bill to establish a Federal tax credit approximation matching program for State new jobs training tax credits, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 1796. A bill to increase the participation of women, girls, and underrepresented minorities in STEM fields, to encourage and support students from all economic backgrounds to pursue STEM career opportunities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED:

S. 1797. A bill to provide for the extension of certain unemployment benefits, and for other purposes; read the first time.

By Mr. WARNER (for himself, Mr. MANCHIN, Mr. TOOMEY, Mr. KING, Ms. COLLINS, and Mr. BEGICH):

S. 1798. A bill to ensure that emergency services volunteers are not counted as full-time employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COONS (for himself and Mr. ISAACSON):

S. Res. 314. A resolution commemorating and supporting the goals of World AIDS Day; to the Committee on Foreign Relations.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 315. A resolution to authorize the production of records by the Committee on Homeland Security and Governmental Affairs; considered and agreed to.

By Mrs. SHAHEEN (for herself and Ms. COLLINS):

S. Res. 316. A resolution supporting the goals and ideals of American Diabetes

Month; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 135

At the request of Mr. THUNE, his name was added as a cosponsor of S. 135, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

S. 226

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 226, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 236

At the request of Ms. MURKOWSKI, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 236, a bill to amend title XVIII of the Social Security Act to establish a Medicare payment option for patients and physicians or practitioners to freely contract, without penalty, for Medicare fee-for-service items and services, while allowing Medicare beneficiaries to use their Medicare benefits.

S. 367

At the request of Mr. CARDIN, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 415

At the request of Ms. LANDRIEU, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 415, a bill to clarify the collateral requirement for certain loans under section 7(d) of the Small Business Act, to address assistance to out-of-State small business concerns, and for other purposes.

S. 577

At the request of Mr. NELSON, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 577, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 917

At the request of Mr. CARDIN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 917, a bill to amend the

Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers.

S. 948

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 948, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program.

S. 958

At the request of Mr. UDALL of Colorado, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 958, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level, and for other purposes.

S. 973

At the request of Mr. UDALL of New Mexico, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 973, a bill to improve the integrity and safety of interstate horseracing, and for other purposes.

S. 994

At the request of Mr. WARNER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 994, a bill to expand the Federal Funding Accountability and Transparency Act of 2006 to increase accountability and transparency in Federal spending, and for other purposes.

S. 1096

At the request of Mr. BAUCUS, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1096, a bill to establish an Office of Rural Education Policy in the Department of Education.

S. 1123

At the request of Mr. CARPER, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1123, a bill to amend titles XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 1158

At the request of Mr. WARNER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1158, a bill to require the Secretary of the Treasury to mint coins commemorating the 100th anniversary of the establishment of the National Park Service, and for other purposes.

S. 1405

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1405, a bill to amend title XVIII of the Social Security Act to provide for an extension of certain ambulance add-on payments under the Medicare program.

S. 1431

At the request of Mr. WYDEN, the name of the Senator from Montana

(Mr. TESTER) was added as a cosponsor of S. 1431, a bill to permanently extend the Internet Tax Freedom Act.

S. 1454

At the request of Ms. LANDRIEU, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1454, a bill to authorize the Small Business Administrator to establish a grant program to empower encore entrepreneurs.

S. 1487

At the request of Mr. THUNE, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1487, a bill to limit the availability of tax credits and reductions in cost-sharing under the Patient Protection and Affordable Care Act to individuals who receive health insurance coverage pursuant to the provisions of a Taft-Hartley plan.

S. 1507

At the request of Ms. HEITKAMP, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1507, a bill to amend the Internal Revenue Code of 1986 to clarify the treatment of general welfare benefits provided by Indian tribes.

S. 1666

At the request of Mr. RUBIO, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1666, a bill to amend the Patient Protection and Affordable Care Act to improve the patient navigator program.

S. 1697

At the request of Mr. HARKIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1697, a bill to support early learning.

S. 1719

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1719, a bill to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

S. 1779

At the request of Mr. TOOMEY, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1779, a bill to amend the Safe Drinking Water Act to exempt fire hydrants from the prohibition on the use of lead pipes, fittings, fixtures, solder, and flux.

S. RES. 289

At the request of Mr. BEGICH, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. Res. 289, a resolution expressing the sense of the Senate that ambush marketing adversely affects the United States Olympic and Paralympic teams and should be discouraged.

S. RES. 299

At the request of Mr. SCHUMER, the names of the Senator from Missouri

(Mr. BLUNT) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. Res. 299, a resolution congratulating the American Jewish Joint Distribution Committee on the celebration of its 100th anniversary and commending its significant contribution to empower and revitalize developing communities around the world.

AMENDMENT NO. 2031

At the request of Mr. INHOFE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 2031 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2309

At the request of Mr. TOOMEY, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 2309 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2400

At the request of Mrs. FEINSTEIN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of amendment No. 2400 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FISCHER (for herself and Mr. MANCHIN):

S. 1792. A bill to close out expired, empty grant accounts; to the Committee on Homeland Security and Governmental Affairs.

Mrs. FISCHER. Mr. President, I rise today to introduce the Grants Oversight and New Efficiency Act or the GONE Act. This legislation would require federal agencies to close out expired grant accounts with an empty balance.

"U.S. government spends \$890,000 on nothing"—it sounds like a bad joke, but it is no laughing matter. The Washington Post recently reported, "This year, the government will spend at least \$890,000 on service fees for bank accounts that are empty. At last count, Uncle Sam has 13,712 such accounts with a balance of zero."

According to an official government report, the Government Accountability Office, GAO, reported last year that the Payment Management System, the largest civilian payment system for grants managed by the Department of Health and Services, was charged \$173,000 to maintain the Department of Health and Human Services' 28,000 expired grant accounts with a zero balance. Furthermore, the GAO estimates that if federal agencies were billed for the entire year, maintaining expired grant accounts with a zero balance for the entire year would cost \$2 million in fees.

To tackle this problem, I am introducing the GONE Act, a bill with a commonsense goal: to increase accountability. My legislation would require the Council of the Inspectors General on Integrity and Efficiency to submit a report to Congress and the agency head including a list of each expired, empty grant account held by the Federal Government, recommend which grant accounts should be immediately closed, and for those grant accounts that have been expired for more than 90 days, to explain why it has not been closed out. It would also require the agency head to close out the expired, empty grant accounts and to update the Council on whether the grant accounts were closed. Additionally, the bill would require the Council to submit a follow-up report to Congress and the committees of jurisdiction on the status of grant accounts identified for closure.

While the fees currently spent on expired grant accounts may seem like a drop in the bucket, it nonetheless proves there is plenty of fat to trim. At a time when our country faces serious fiscal challenges and a soaring \$17 trillion national debt, these fiscal blunders are more than foolish—they are dangerously irresponsible. This example of government waste underscores the critical importance of proper congressional oversight of federal agencies and their funding.

I hope my colleagues on both sides of the aisle will join me in supporting this simple, commonsense legislation to cut wasteful spending and help bring greater accountability to Washington.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 314—COMMEMORATING AND SUPPORTING THE GOALS OF WORLD AIDS DAY

Mr. COONS (for himself and Mr. ISAKSON) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 314

Whereas an estimated 35,000,000 people are living with HIV/AIDS in 2013;

Whereas Target 6a of the United Nations Millennium Development Goals is to halt

and begin to reverse the spread of HIV/AIDS by 2015;

Whereas the 2001 United Nations Declaration of Commitment on HIV/AIDS Global mobilized global attention and commitment to the HIV/AIDS epidemic and set out a series of national targets and global actions to reverse the epidemic;

Whereas the 2011 United Nations Political Declaration on HIV and AIDS provided an updated framework for intensified efforts to eliminate HIV and AIDS, including redoubling efforts to achieve by 2015 universal access to HIV prevention, treatment, care, and support, and to eliminate gender inequalities and gender-based abuse and violence and increase the capacity of women and adolescent girls to protect themselves from the risk of HIV infection;

Whereas the Global Fund to Fight AIDS, Tuberculosis and Malaria was launched in 2002 and, as of November 2013, supported programs in more than 140 countries that provided antiretroviral therapy to 6,100,000 people living with HIV/AIDS and antiretrovirals to 2,100,000 pregnant women to prevent transmission of HIV/AIDS to their babies;

Whereas the United States is the largest donor to the Global Fund to Fight AIDS, Tuberculosis and Malaria;

Whereas, for every dollar contributed to the Global Fund to Fight AIDS, Tuberculosis and Malaria by the United States, an additional \$2 is leveraged from other donors;

Whereas the United States hosted the Global Fund's Fourth Voluntary Replenishment Conference on December 2-3, 2013;

Whereas the United States President's Emergency Plan for AIDS Relief (PEPFAR), introduced by President George W. Bush in 2003, remains the largest commitment in history by any nation to combat a single disease;

Whereas, as of the end of September 2012, PEPFAR supported treatment for 5,100,000 people, up from 1,700,000 in 2008, and in 2012, PEPFAR supported provision of antiretroviral drugs to 750,000 pregnant women living with HIV to prevent the transmission of HIV from mother to baby during birth;

Whereas PEPFAR directly supported HIV testing and counseling for more than 46,500,000 people in fiscal year 2012;

Whereas considerable progress has been made in the fight against HIV/AIDS, with total new HIV infections estimated at 2,300,000 in 2012, a 33 percent reduction since 2001; new HIV infections among children reduced to 260,000 in 2012, a reduction of 52 percent since 2001; and AIDS-related deaths reduced to 1,600,000 in 2012, a 30 percent reduction since 2005;

Whereas increased access to anti-retroviral drugs is the major contributor to the reduction in deaths from HIV/AIDS, and HIV treatment reinforces prevention because it reduces, by up to 96 percent, the chance the virus can be spread;

Whereas the World Health Organization (WHO) has revised its guidelines for determining whether HIV positive individuals are eligible for treatment, thereby increasing the number of individuals eligible for treatment from about 15,000,000 to 28,000,000;

Whereas 9,700,000 people in low- and middle-income countries had access to antiretroviral therapy by the end of 2012, an increase of nearly 20 percent in a year;

Whereas an estimated 50 percent of those living with HIV do not know their status, according to a 2012 UNAIDS report;

Whereas sub-Saharan Africa remains the epicenter of the epidemic, accounting for

1,200,000 of the 1,600,000 deaths from HIV/AIDS;

Whereas stigma, gender inequality, and lack of respect for the rights of HIV positive individuals remain significant barriers to access to services for those most at risk of HIV infection;

Whereas President Barack Obama voiced commitment to realizing the promise of an AIDS-free generation and his belief that the goal was within reach in his February 2013 State of the Union address;

Whereas the international community is united in pursuit of achieving the goal of an AIDS-free generation by 2015;

Whereas international donor funding has held steady since 2008 and countries affected by the epidemic are increasingly taking responsibility for funding and sustaining programs in their countries, currently accounting for approximately 53 percent of global HIV/AIDS resources;

Whereas December 1 of each year is internationally recognized as World AIDS Day; and

Whereas, in 2013, World AIDS Day commemorations focused on: "[g]etting to zero: zero new HIV infections, zero discrimination, zero AIDS-related deaths": Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of World AIDS Day, including getting to zero through zero new HIV infections, zero discrimination, and zero AIDS-related deaths;

(2) applauds the goals and approaches for achieving an AIDS-free generation set forth in the PEPFAR Blueprint: Creating an AIDS-free Generation, as well as the targets set by United Nations member states in the 2011 United Nations Political Declaration on HIV and AIDS;

(3) commends the dramatic progress in global AIDS programs supported through the efforts of PEPFAR, the Global Fund to Fight AIDS, Tuberculosis and Malaria, and UNAIDS;

(4) urges, in order to ensure that an AIDS-free generation is within reach, rapid action towards—

(A) full implementation of the Global Plan Towards the Elimination of New HIV Infections Among Children by 2015 and Keeping Their Mothers Alive to build on progress made to date; and

(B) further expansion and scale-up of antiretroviral treatment programs, including efforts to reduce disparities and improve access for children to life-saving medications;

(5) calls for scaling up treatment to reach all individuals eligible for treatment under WHO guidelines;

(6) calls for greater focus on HIV/AIDS vulnerabilities of women and girls, including more directed efforts to ensure that they are connected to the information, care, and treatment they require;

(7) supports efforts to ensure inclusive access to programs and human rights protections for all those most at risk of HIV/AIDS and hardest to reach;

(8) encourages additional private-public partnerships to research and develop better and more affordable tools for the diagnosis, treatment, vaccination, and cure of HIV;

(9) supports continued leadership by the United States in bilateral, multilateral, and private sector efforts to fight HIV;

(10) encourages and supports greater degrees of ownership and shared responsibility by developing countries in order to ensure sustainability of their domestic responses; and

(11) encourages other members of the international community to sustain and scale up their support for and financial contributions to efforts around the world to combat HIV/AIDS.

SENATE RESOLUTION 315—TO AUTHORIZE THE PRODUCTION OF RECORDS BY THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID (for himself and Mr. McCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 315

Whereas, the Committee on Homeland Security and Governmental Affairs conducted a review of disability claims adjudications made in the Social Security Administration's Huntington, West Virginia Office of Disability Adjudication and Review;

Whereas, the Committee has received a request from a federal agency for access to records of the Committee's review;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Minority Member of the Committee on Homeland Security and Governmental Affairs, acting jointly, are authorized to provide to law enforcement officials, regulatory agencies, and other entities or individuals duly authorized by federal or state governments, records of the Committee's review of the disability claims adjudications made in the Social Security Administration's Huntington, West Virginia Office of Disability Adjudication and Review.

SENATE RESOLUTION 316—SUPPORTING THE GOALS AND IDEALS OF AMERICAN DIABETES MONTH

Mrs. SHAHEEN (for herself and Ms. COLLINS) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 316

Whereas according to the Centers for Disease Control and Prevention (referred to in this preamble as the "CDC"), nearly 26,000,000 individuals in the United States have diabetes and an estimated 79,000,000 individuals aged 20 years or older in the United States have prediabetes;

Whereas diabetes is a serious chronic condition that affects individuals of every age, race, ethnicity, and income level;

Whereas the CDC reports that Hispanic, African, Asian, and Native Americans are disproportionately affected by diabetes and suffer from the disease at rates that are much higher than the general population of the United States;

Whereas according to the CDC, an individual aged 20 years or older is diagnosed with diabetes every 17 seconds;

Whereas approximately 5,205 individuals aged 20 years and older in the United States are diagnosed with diabetes each day;

Whereas the CDC estimates that approximately 1,900,000 individuals in the United States aged 20 years and older were newly diagnosed with diabetes in 2010;

Whereas a joint National Institutes of Health and CDC study found that each year between 2002 and 2005, approximately 15,600 youth were diagnosed with type 1 diabetes and approximately 3,600 youth were diagnosed with type 2 diabetes in the United States;

Whereas according to the CDC, the prevalence of diabetes in the United States increased by more than 300 percent between 1980 and 2010;

Whereas the CDC reports that more than 27 percent of individuals with diabetes in the United States have not been diagnosed with the disease;

Whereas more than 11 percent of adults and 26.9 percent of individuals age 65 and older in the United States have diabetes;

Whereas as many as 1 in 3 adults in the United States will have diabetes in 2050 if the present trend continues;

Whereas after accounting for the difference of the average age of each population, data surveying individuals age 20 years and older in the United States between 2007 and 2009 indicate that 7.1 percent of non-Hispanic whites, 12.6 percent of non-Hispanic blacks, 11.8 percent of Hispanics, and 8.4 percent of Asian Americans suffered from diagnosed diabetes;

Whereas after accounting for the difference of the average age of each population, data surveying Hispanic individuals age 20 years and older in the United States between 2007 and 2009 indicate that 7.6 percent of individuals of Cuban, Central American, and South American descent, 13.3 percent of individuals of Mexican descent, and 13.8 percent of individuals of Puerto Rican descent suffered from diagnosed diabetes;

Whereas according to the American Diabetes Association, the United States spent an estimated \$245,000,000,000 on cases of diagnosed diabetes in 2012;

Whereas the American Diabetes Association reports that 20 percent of the money that the United States spent on health care in 2012 went towards caring for individuals with diabetes;

Whereas a Mathematica Policy Research study found that total expenditures for individuals with diabetes receiving benefits under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) in fiscal year 2005 comprised 32.7 percent of the budget for such program in such fiscal year;

Whereas according to the CDC, in 2007, diabetes was the seventh leading cause of death in the United States, contributing to the death of more than 230,000 individuals in the United States that year;

Whereas a cure for diabetes does not exist as of November 2013;

Whereas there are successful means to reduce the incidence of and delay the onset of type 2 diabetes;

Whereas with proper management and treatment, individuals with diabetes live healthy, productive lives; and

Whereas individuals in the United States celebrate American Diabetes Month in November: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of American Diabetes Month, including—

(A) encouraging individuals in the United States to fight diabetes through public awareness of prevention and treatment options; and

(B) enhancing diabetes education;

(2) recognizes the importance of early detection, awareness of the symptoms, and understanding the risk factors of diabetes, including—

(A) being over the age of 45;

(B) having a specific racial and ethnic background;

(C) being overweight;

(D) having a low level of physical activity;

(E) having high blood pressure; and

(F) having a family history of diabetes or a history of diabetes during pregnancy; and

(3) supports decreasing the prevalence of type 1, type 2, and gestational diabetes in the United States through increased research, treatment, and prevention.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on December 10, 2013, at 2:30 p.m., to conduct a hearing entitled "Housing Finance Reform: Fundamentals of Transferring Credit Risk in a Future Housing Finance System."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on December 10, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will conduct a hearing entitled "Crafting a Successful Incentive Auction: Stakeholders' Perspectives."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 10, 2013, at 2:30 p.m., to hold a hearing entitled "The Transition in Afghanistan."

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on December 10, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENDING THE AUTHORITY OF THE SUPREME COURT POLICE

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to H.R. 2922.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:
A bill (H.R. 2922) to extend the authority of the Supreme Court Police to protect court officials away from the Supreme Court grounds.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent that the bill be read three times and passed and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2922) was ordered to a third reading, was read the third time, and passed.

MISSISSIPPI REALIGNMENT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2871, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:
A bill (H.R. 2871) to amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency, and for other purposes.

There being no objection, the Senate proceeded to the measure.

Mr. REID. I ask unanimous consent that the bill be read a third time and passed; that the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2871) was ordered to a third reading, was read the third time, and passed.

Mr. LEAHY. Mr. President, tonight the Senate passed by unanimous consent a clean extension of the authority the Supreme Court Police use to protect Supreme Court Justices, their employees, and guests when they leave the Supreme Court grounds. I have worked with my counterparts in the House for months to move this extension without amendments because that authority is set to expire at the end of this month. Last month, the House voted by an overwhelming majority of 399 to 3 to pass this bipartisan bill, which extends the Supreme Court Police's authority to protect Supreme Court Justices, their staff, and official guests off Supreme Court grounds through 2019. Congress has provided this authority since the 1980s, to ensure the continued safety of our Supreme Court Justices and their employees.

Threats to the safety of Supreme Court Justices are a threat to our democracy. In light of recent attacks of Justices off the grounds of the Supreme Court, it was all the more imperative that we pass this extension without delay. I look forward to President Obama signing this bill into law and thank the chairman and ranking member of the House Judiciary Subcommittee on the Courts, Representatives COBLE and WATT, as well as Representatives CONYERS, MARINO, and HOLDING for working with me to ensure enactment of this extension.

The Senate also passed by unanimous consent a bipartisan bill to reorganize Mississippi's Southern District from five divisions to four divisions, which was recommended by Chief Judge Louis Guirola of the Southern District of Mississippi. This realignment will allow the Southern District to absorb the counties formerly served by a now-closed courthouse in Meridian, and the District will be able to better serve the needs of litigants, jurors, the bar, and the general public.

This commonsense piece of legislation promotes efficiency and saves money in the Southern District of Mississippi. I thank Representatives COBLE and WATT for sponsoring this important improvement and look forward to its swift enactment.

I yield the floor.

AUTHORIZING DOCUMENT PRODUCTION

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Res. 315.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 315) to authorize production of records by the Committee on Homeland Security and Governmental Affairs.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, the Committee on Homeland Security and Governmental Affairs has received a request from a Federal agency seeking access to records that the Committee obtained during its review of disability claims adjudications made in the Social Security Administration's Huntington, WV Office of Disability Adjudication and Review.

This resolution would authorize the chairman and ranking minority member of the Committee on Homeland Security and Governmental Affairs, acting jointly, to provide records, obtained by the Committee in the course of its review, in response to this request and requests from other government entities and officials with a legitimate need for the records.

I ask unanimous consent the resolution be agreed to, the preamble be

agreed to, and the motions to reconsider be laid on the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 315) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—S. 1797

Mr. REID. Mr. President, S. 1797, introduced earlier by Senator REED, I am told, is at the desk and due for a first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 1797) to provide for the extension of certain unemployment benefits, and for other purposes.

Mr. REID. I now ask for a second reading but object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

ORDERS FOR WEDNESDAY, DECEMBER 11, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. tomorrow, Wednesday, December 11; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to executive session and resume consideration of Calendar No. 233, the nomination of Cornelia T.L. Pillard to be U.S. circuit judge for the District of Columbia, postcloture; further, that time during adjournment count postcloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Upon the use or yielding back of postcloture time, the Senate will proceed to vote on the confirmation of the Pillard nomination. If all time is used, the vote will occur around 1 a.m. on Thursday morning, December 12. Senators will be notified when the vote is scheduled.

ADJOURNMENT UNTIL 2 P.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate,
at 7:20 p.m., adjourned until Wednesday,
December 11, 2013, at 2 p.m.

CONFIRMATIONS

Executive nominations confirmed by
the Senate December 10, 2013:

FEDERAL HOUSING FINANCE AGENCY

MELVIN L. WATT, OF NORTH CAROLINA, TO BE DIRECTOR OF THE FEDERAL HOUSING FINANCE AGENCY FOR A TERM OF FIVE YEARS.

THE JUDICIARY

PATRICIA ANN MILLETT, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT.

EXTENSIONS OF REMARKS

RECOGNIZING WORK ONE
SOUTHEAST

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. MESSER. Mr. Speaker, I rise today to recognize the contributions of Work One Southeast to the success of the 6th District job fair.

On October 21, 2013, over 150 job seekers from across the district met with 36 businesses looking to hire new employees. In a time when jobs are still hard to come by these job fairs are an important tool in linking job seekers with perspective employers. I am proud we were able to bring community leaders together and provide this service to the people of the 6th District.

The job fair would not have been the success it was without the help of Work One Southeast. I want to recognize the work of both Jamie Geyer and Angela Black. Their efforts in planning and organizing the job fair show a deep commitment to their community and the economic health of Southeastern Indiana. We could not have done the job fair without them.

I ask the entire 6th Congressional District to join me in recognizing Work One Southeast. I look forward to working with them in the future as we strive to serve the people Southeastern Indiana.

HONORING BRAD ROBERTS

HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. GIBSON. Mr. Speaker, I rise today to honor Brad Roberts, who recently passed away. Mr. Roberts' impressive career will surely be remembered by all. As the sponsor of H.R. 1465, the STORAGE Act, I am a strong proponent of energy storage and have had the opportunity to get to know this industry and the individuals who comprise it.

Brad Roberts was a leader in this industry, serving for decades as the volunteer Executive Director of the Electricity Storage Association, which advocates for technologies that make our electric grid more resilient, cleaner, more efficient, and less expensive. Mr. Roberts worked full-time as the Power Quality Systems Director for the Power Quality group of S&C Electric Company.

Growing up, Mr. Roberts was a graduate of Pensacola High School and a member of the Pensacola Fighting Tiger Band. During this time he had the opportunity to march in the Inaugural Parade for President John F. Kennedy. He then earned a Bachelor of Science

in Electrical Engineering from the University of Florida and was registered as a professional engineer.

Mr. Roberts began his engineering work as a systems reliability engineer in the Apollo Lunar Module Program at Cape Kennedy, and amassed over 35 years of experience in the design and operation of critical power systems. These systems ranged from single phase UPS systems to medium-voltage applications. His career grew to include senior management positions and the publishing of several technical papers and journal articles. Throughout his life he held many leadership positions in various organizations. In addition to his roles at ESA and S&C, Mr. Roberts served as the Chairman of the Institute of Electrical and Electronics Engineers (IEEE) Power Engineering Society's Emerging Technologies Committee. He was also a member of the US Department of Energy's Electricity Advisory Committee, and the University of Florida's College of Engineering Advisory Committee.

During his remarkable career, Mr. Roberts was honored with the 2004 John Mungenast International Power Quality Award, the 2009 Phil Symons Electricity Storage Award, and was also recognized as a Senior Life Member of IEEE.

In closing, I know Brad Roberts will surely be missed by those who knew him or knew of him. His passing is a loss to the industry. I send condolences to his family and loved ones on behalf of my own family as well as the people of New York's 19th Congressional District.

HONORING TIM CARPENTER

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. CONYERS. Mr. Speaker, on behalf of Mr. ELLISON of Minnesota and Mr. GRIJALVA of Arizona, the co-chairs of the Congressional Progressive Caucus, as well as Ms. LEE of California, Mr. MCGOVERN of Massachusetts and Mr. GRAYSON of Florida, I rise to acknowledge the many contributions of Mr. Tim Carpenter, and to send him wishes for healing as he fights against cancer. As the co-founder and director of the Progressive Democrats of America, Tim has helped to create a grassroots movement to bring the voice of the people to Washington.

For the past thirty years, Tim has been indefatigable in pressing forward progressive ideals to help strengthen our American democracy. He has been in the forefront of progressive causes, from promoting nuclear disarmament to fighting to abolish the death penalty to establishing health care as a human right, as well as securing voting rights and jobs for all.

Tim was a key organizer for the presidential campaigns of Rev. Jesse Jackson (1988), and Gov. Jerry Brown (1992), and he served as Deputy National Campaign Manager in the Kucinich for President campaign (2004). Tim was a national DNC delegate, and addressed the 1992 Democratic National Convention. Tim worked closely with Reverend Jesse Jackson Sr. during the 2004 Presidential election, in order to bring national attention to very serious problems with voting procedures in Ohio and other states. He helped strengthen and improve our democracy, by challenging elected officials in Congress and throughout the nation to protect the cherished right of our citizens to vote. Tim has received several awards including "Democrat of the Year" in Northampton, MA, Progressive Activist of the Year by the Nation magazine, as well as the Marilyn Clement award for his work on behalf of H.R. 676, the "Expanded Improved Medicare for All."

Tim's zeal to improve our system of government stems from his days as a student when he earned History and Political Science degrees from California State University Fullerton, as well as a Master's Degree in History. Early in his career, Tim took efforts to shape and guide our young men and women as a high school and community college U.S. History and Government teacher. For many years, Tim worked with California state senator Tom Hayden as a senior staff member. He was also an influential field organizer in the Orange County California Democratic Party.

Despite his ailments, Tim is still engaging, still pushing forward and still trying to raise awareness of the great challenges this country is facing.

In this trying time we lend our support to our friend, Tim, his wife Barbara Considine, and their daughters, Sheila and Julia. We ask that you all will join us in wishing Tim a full and quick recovery so that he can continue to do important work on behalf of our country.

RECOGNIZING SERGEANT MARY
HERRERA, U.S. MARINE CORPS
(RET.)

HON. ANN KIRKPATRICK

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mrs. KIRKPATRICK. Mr. Speaker, I would like to recognize Sergeant Mary Herrera, U.S. Marine Corps (Ret.), a brave young woman and member of the Arizona National Guard from my congressional district whose personal story of valor on the battlefield is truly inspirational. Her courage under enemy attack on November 8, 2003 on a routine mission in Iraq as part of the 855th Military Police Academy won her a Purple Heart.

I am proud of Sgt. Herrera, who represents the best and brightest in not only my district

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

and state of Arizona, which is home to over a half million veterans, but also in our nation.

Thanks to her story and example, the state of Arizona passed a bill that authorized tuition waiver scholarships to National Guardsmen and women who received a Purple Heart or were medically discharged due to injuries while serving in the military after 9/11. The bill is known as the Mary Herrera bill. Now, Sgt. Herrera is a Field Representative of the West for the Coalition to Salute America's Heroes.

The Coalition to Salute America's Heroes is a 501(c)(3) non-profit, non-partisan organization, established in 2004 to provide severely wounded veterans of the wars in Iraq and Afghanistan and their families with emergency financial assistance and other support services to help them recover from their injuries and rebuild their lives. All funds needed to develop and manage programs that advance its mission come from contributions to CSAH by individual citizens, corporate donors and foundations.

According to Major General David Rataczak of the Arizona National Guard, Herrera is "the bravest person he has ever met." He refers to Sgt. Herrera as a true example of a modern citizen-soldier who, despite being small in stature, is motivated, loyal, physically and mentally capable, disciplined and proficient, courageous and always a professional.

Sgt. Herrera, who represents the changing demographic within U.S. armed forces, is dedicated to improving the lives of young veterans who are returning home from war. Last month, she represented our state in a high-level event hosted by CSAH in Washington, D.C., for members of Congress, staff and concerned citizens. The event focused on the serious challenge of homelessness facing young veterans, which is becoming a burgeoning crisis among female combat veterans.

Under the leadership of President and CEO David Walker, the Coalition to Salute America's Heroes helps severely wounded veterans and families of Operation Enduring Freedom and Operation Iraqi Freedom in the state of Arizona and across the country to recover from their injuries and illnesses by providing emergency financial aid and other support services, in hopes that these veterans can transition successfully into civilian life. In addition, the Coalition's emergency aid services respond to trends associated with suicide among veterans (24 per cent day), a skyrocketing divorce rate (60 percent among actives), and growing domestic abuse.

Recently, in my home state of Arizona, the Coalition awarded a \$10,000 grant toward the construction of a multipurpose recreational facility designed to benefit long-term patients undergoing rehabilitation and other medical care at Prescott VA Hospital. In addition, it donated \$5,000 to fund the design and construction of a bronze sculpture called "Heroic Challenges" (in the outdoor recreational facility at the hospital), which will depict a runner crossing the finish line with a look of determination on his face. The winner of this race, however, is distinguished by a prosthetic leg, a tracheotomy scar on his neck, several shrapnel wounds, and burn scars on one arm. Also, the Coalition donated a grant of nearly \$5,000 to the Arizona Coalition to End Homelessness to support the group's initiatives to provide housing

for homeless veterans. The grant furnished approximately 60 housing units that will be occupied by veterans.

We have not seen the total surge yet from Iraq and Afghanistan—and the women coming out of those conflicts are combat veterans who have the same issues the men have. The Coalition is working hard to address these challenges. In 2013 alone, the Coalition will have donated nearly \$1 million in direct aid to veterans in addition to managing the many other CSAH programs that are available to wounded veterans (conferences, holiday gift checks, education and training, etc.).

On December 9–13, 2013, The Road to Recovery (R2R) Conference and Tribute is a four-day educational and motivational event for wounded veterans and their families designed to prepare them for the challenges in their lives that lie ahead.

On behalf of the state of Arizona, and in particular, the First District of Arizona, I would like to offer my deepest admiration, respect and appreciation to Sgt. Herrera and the Coalition for their efforts to improve the lives of those who have fought and served our country with distinction. We owe Mary a debt of gratitude. She is an example to us all.

CONGRATULATING JOHN ROBINSON ROYERO ON ACHIEVING THE RANK OF EAGLE SCOUT

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. MICA. Mr. Speaker, I rise today to recognize, honor and congratulate an outstanding constituent of my district, John Robinson Royero of Scout Troop 100 in Oviedo, Florida, for achieving the rank of Eagle Scout.

The rank of Eagle Scout is the highest achievement in scouting. To attain this rank, he has demonstrated the qualities of leadership, self-discipline and perseverance while serving his family, friends and community. Only about five percent of Boy Scouts earn the rank of Eagle Scout. The awarding of the Rank of Eagle Scout is a performance-based achievement with high standards that have been well maintained over the past century.

John Royero has met every test and challenge to pass through the ranks of the Boy Scouts. Those aspiring to be Eagle Scouts must fulfill requirements in the areas of leadership, service and outdoor skills. To demonstrate proficiency as a scout, each Boy Scout must achieve merit badges in the areas of First Aid, Citizenship, Environment, Fitness, Family Life and much more.

The work ethic John has shown in his Eagle Scout projects, and every other project leading up to his Eagle Scout rank, speaks volumes about his commitment to assisting his community and serving a cause greater than himself. It is my honor to commend John Royero for his achievement of the rank of Eagle Scout. John will join the ranks of fellow Eagle Scouts like President Gerald R. Ford, Neil Armstrong and Florida Governor Rick Scott.

Mr. Speaker, the example set by this young man and his supportive family demonstrates

the rewards of hard work, dedication and perseverance. John's devotion to the Boy Scouts over the past decade is laudable, and I congratulate him on his achievement. I thank him for his dedication to service and know we can expect great things from him in the future. I invite my colleagues in the House to join me in congratulating John Robinson Royero on obtaining the rank of Eagle Scout, and I wish him continued success in his future endeavors.

RECOGNIZING THE 9TH ANNUAL NORTHWEST INDIANA INNOVATION INDUCTION CEREMONY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. VISCLOSKY. Mr. Speaker, it is with great sincerity and admiration that I offer congratulations to Ivy Tech Community College Northwest and its regional partners, who recently celebrated their 9th Annual Northwest Indiana Innovation Induction Ceremony. At the ceremony that reflects the "Spirit of Innovation" in Indiana, thirty-one individuals and teams were inducted as members of the 2013–2014 Class of the Society of Innovators of Northwest Indiana. Of these individuals, several members were inducted as Society Fellows for their exceptional efforts in innovation, including Julie Bombacino, Mike Falk, Nina Fonstein, Ph.D., Lisa Hopp, Ph.D., RN, and Don Keller. Additionally, Stewart McMillan was honored as the Gerald I. Lamkin Fellow for Innovation and Service, a special recognition named for the President Emeritus of Ivy Tech College of Indiana. Also honored were the Chanute Prize team recipients, the Kemin/Lambert Spearmint team, North Judson and the Tuskegee Airmen EAA Young Eagles Program team at the Gary/Chicago International Airport. For their truly remarkable contributions to the community of Northwest Indiana and their continuous efforts to cultivate a culture of innovation, these honorees were inducted during a prestigious event that took place at Horseshoe Casino in Hammond, Indiana, on October 17, 2013.

The Society of Innovators of Northwest Indiana was created by Ivy Tech Northwest with the goal of highlighting and encouraging innovative individuals and groups within the not-for-profit, public, and private sectors, as well as building a "culture of innovation" in Northwest Indiana. The importance of innovation in Northwest Indiana, as well as globally, is crucial in today's ever-changing economy.

Our 9th Annual Innovators Awards Ceremony inducted some of the most innovative thinkers, doers and innovators across Northwest Indiana, said Thomas Coley, Ph.D., Chancellor, Ivy Tech Community College Northwest and North Central. The five Fellows selected by the Society of Innovators were chosen for their extraordinary innovative leadership and the impact of their accomplishments throughout the community of Northwest Indiana and the world. Julie Bombacino, president of Just Blend Foods, Chesterton, developed a line of "blended real food meals" for

adults and children who need to use feeding tubes. This is the first product that delivers real food meal options for tube-fed individuals who have, in the past, have had to rely on a formula that is typically made of 50% corn syrup. Mike Falk, chief executive officer and president of Falk-PLI Engineering and Surveying, Portage, is the first to introduce highly developed surveying instruments called laser trackers and laser scanners in the steel industry in Northwest Indiana and beyond. Nina Feinstein, Ph.D., retired scientist and present day consultant, is a world-renowned specialist in the development of stronger, lighter and environmentally friendly "new steels" for the ArcelorMittal Global Research and Development Center in East Chicago. Lisa Hopp, Ph.D., RN, is the founding director of the Indiana Center for Evidence-Based Nursing Practice (ICEBNP). The center, located at Purdue University Calumet's College of Nursing, is the first of its kind in the Midwest and is part of a global effort to "expand the understanding and use of research-based evidence to produce the best patient outcomes." Don Keller is the president and chief executive officer of Tri-State Industries in Hammond. Don launched an integrated system of industrial robotic technology that allows factories to keep their costs down while increasing productivity. Tri-State is a leader in this industry and the first of its kind in Northwest Indiana and the Chicagoland area.

I am also honored to acknowledge Stewart McMillan, who was recognized as the Gerald I. Lamkin Fellow for Innovation and Service. Stewart is the president and chief executive officer of Task Force Tips in Valparaiso. Task Force Tips is a world-wide leader in the manufacturing and distribution of firefighting nozzles and equipment with the goal of making firefighting safer and more effective. Stewart is a true innovative leader who focuses on the importance of the entire organization rather than relying upon a small group of people within the organization for ideas. Under Stewart's direction, Task Force Tips is an innovative leader in its industry in the global economy.

Finally, the recipients of the Chanute Prize for Team Innovation should be commended for their contributions. The Kemin/Lambert Spearmint team, North Judson, have patented growing and post-harvest processes for spearmint plants, which produces an all-natural extract that contains antioxidant properties and is effective in delaying lipid oxidation, color loss, and deterioration in human food, animal food, and other products for global markets. The Tuskegee Airmen EEA Young Eagles Program team at the Gary/Chicago International Airport provides the first and only monthly Young Eagles Aviation Program in the United States. Over 14,000 youth have participated in the program since its launch in 1994. The program is in affiliation with the Experimental Aviation Association and includes free flights in honor of the Tuskegee Airmen.

Mr. Speaker, I ask you and my distinguished colleagues to join me in commending these outstanding innovators. The contributions they have made to society here in Northwest Indiana and worldwide are immeasurable and lifelong. For their truly brilliant innovative ideas, projects, and leadership, each recipient is worthy of the highest commendation.

IN RECOGNITION OF MR. ANTHONY GRISILLO BEING NAMED PENNSYLVANIA'S 2014 TEACHER OF THE YEAR

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. MEEHAN. Mr. Speaker, I rise today to honor Mr. Anthony Grisillo, who was honored by Governor Tom Corbett as Pennsylvania's 2014 Teacher of the Year.

Mr. Grisillo has been teaching in the Rose Tree Media School District for 15 years and works with academically gifted students in kindergarten through 5th Grade. A winner of numerous other teaching honors, Mr. Grisillo has brought innovative teaching methods to bear to help our students excel, including movie-making, robotics lessons and simulated NASA space missions. His students noted that Mr. Grisillo is a great teacher because he believes in his students and serves as a mentor to them. When asked to describe Mr. Grisillo in one word, students said he was "inspirational," "extraordinary" and "fun"—just what our teachers ought to be.

Mr. Grisillo is a graduate of West Chester University and holds a Master's Degree from Widener University.

Mr. Grisillo was one of four finalists from schools in Pennsylvania's 7th Congressional District. Tracey Fritch of Rose Tree Media School District, Lori Gallagher of Hatboro-Horsham School District and Nicole Miletto of Hatboro-Horsham School District were also finalists for Pennsylvania's 2014 Teacher of the Year award.

Mr. Speaker, I honor Mr. Grisillo, Ms. Fritch, Ms. Gallagher, Ms. Miletto and all our educators for their dedication to our children and their tireless work to prepare them for the future.

RECOGNIZING 91.3 FM KXCI: A TUCSON AREA RADIO STATION AND COMMUNITY LEADER

HON. RON BARBER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. BARBER. Mr. Speaker, I rise today to honor 91.3 FM KXCI, a community radio station serving Tucson, Arizona and the surrounding areas, on the occasion of its 30th anniversary. The anniversary, which occurs on December 6th, 2013, will be marked by a special concert event at the El Con Club and Grill in Tucson, featuring an eclectic mix of local bands.

KXCI makes invaluable contributions to the communities of southern Arizona. Its unique blend of music expands the cultural horizons of its listeners and its relationships with local arts and public service organizations bring local citizens together. By providing over \$200,000 worth of free airtime for public service announcements each year, KXCI helps Tucson area non-profits to raise awareness of their causes and foster community engagement.

KXCI's staff, supporters and listeners understand that radio can be a powerful force for social good. Together, they have built a radio station that facilitates a healthy exchange of ideas and expressions, strengthens local communities, promotes the arts and provides stimulating entertainment.

Over 30 years, tuning into KXCI has been synonymous with placing a finger on the pulse of the city of Tucson. The station has long been one of the region's most trusted and respected sources of news, music and current events. Those who live within its reaches find comfort in its unique programming in the car, at home and at work.

Mr. Speaker, I am honored to congratulate KXCI on reaching this great milestone. Its long history of enriching the communities in and around Tucson deserves our highest admiration and respect. Happy birthday, KXCI—and many more!

IN RECOGNITION OF WILLIAM "RANDY" BATES, JR., JD

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. BRADY of Texas. Mr. Speaker, I rise today to honor an accomplished business, legal and educational leader in my district. William "Randy" Bates, Jr., has been a successful businessman and attorney in Southeast Texas and has served as a member of the Lone Star College System for more than 20 years.

Randy was the first African American appointed, and then elected, to the Lone Star College System board. He served as Vice Chair of the board and was twice elected board Chair.

As a board member and as Chair during his tenure with the Lone Star College System, he has been instrumental in the system's growth, from fewer than 20,000 students and three colleges in 1991 to six colleges and a total enrollment of 90,000 students.

Prior to his service in the field of higher education, Randy earned a Bachelor of Science in Business Administration from The Ohio State University and his Juris Doctor from the Thurgood Marshall School of Law at Texas Southern University, where he later served as an Adjunct Professor.

As a student at Texas Southern, Randy was elected Class President at the Thurgood Marshall School of Law and was the first African American to be selected Law Student Director for the Texas Young Lawyers Association, representing all law students in the State of Texas.

Randy later founded the law firm of Bates & Coleman, PC, which specializes in Public Finance Law.

His many accomplishments include being named Outstanding Texan in the field of Education by the Legislative Black Caucus, the Mayor's Distinguished Award from the City of El Paso and the Excellence in Achievement Award from Texas Southern University for years of outstanding service to education and the community.

Randy is a lifelong member of the Kappa Alpha Psi Fraternity and is married to the former Glenda Underwood. They are the proud parents of three sons, Lamont, William and Jonathan.

In recognition for his years of service to the Lone Star College System, the central building on the Lone Star College—Victory Center Campus will be named in his honor.

Randy—I congratulate you on your distinguished service to the Lone Star College System and I offer my sincere appreciation for your many contributions to our community.

RECOGNIZING SUQUAMISH TRIBE
CHAIRMAN, MR. LEONARD
FORSMAN, FOR HIS NOMINATION
TO THE PRESIDENT'S ADVISORY
COUNCIL ON HISTORIC PRESER-
VATION

HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. KILMER. Mr. Speaker, I rise today to honor a long-time leader in Kitsap County and the Suquamish Tribe, Chairman Leonard Forsman. His service to the Suquamish Tribe and Greater Puget Sound Region of Washington State has positively impacted the environment and community.

Mr. Forsman has been nominated by the President to serve as a member of the Advisory Council on Historic Preservation, an independent agency that advises the President and Congress on national historic preservation policy.

Mr. Forsman has served on the Suquamish Tribal Council for over 20 years and has served as Tribal Chairman since 2005, where he has been an advocate for tribal education, cultural preservation, gaming policy, and habitat protection.

As Chairman, Mr. Forsman has supported preserving the cultural identity of the Suquamish Tribe. He remains committed to educating both his tribe and the larger community on their history, including usage of Suquamish names throughout the Puget Sound. He also travels as a puller on the Tribe's traditional canoe on the annual Tribal Canoe Journey, logging hundreds of miles on the Salish Sea. The Tribal Canoe Journey brings together many tribes from the Pacific Northwest to celebrate native art, culture, and history. Mr. Forsman's work has ensured that the history of the Suquamish Tribe will continue to be part of our region's shared heritage.

Whether it's his degrees in both Anthropology and Historical Preservation, his career as a research archaeologist, or his service as a member of the Washington State Historical Society Board since 2007, it's clear that Mr. Forsman's educational and professional background will bring a high degree of expertise to the Advisory Council.

As I close, I can say with confidence that Leonard Forsman's dedication to his tribe's history and cultural identity has enriched the Greater Puget Sound area. I am pleased to recognize that dedication today in the United States Congress.

HONORING PHILIP NELSON

HON. ADAM KINZINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. KINZINGER of Illinois. Mr. Speaker, I rise today to honor Philip Nelson of the Illinois Farm Bureau (ILFB) and to recognize his years of service to the state and national agriculture community.

Mr. Nelson began his career in agriculture in his youth and was awarded the prestigious Illinois FFA Star Farmer of the Year award in 1977 as well as the American Farm Bureau Federation's National Outstanding Young Farmer Award in 1984. He has continued to operate his family's fourth generation farm near Seneca, Illinois where he and his wife grow corn, soybean, alfalfa, and have a cow-calf operation.

Philip has served five consecutive two-year terms as president of the ILFB which is the maximum he can serve under ILFB rules. Under his leadership, the ILFB has become an even more important voice in informing local, state, and national elected officials about the issues confronting the agriculture industry. His first-hand knowledge of farming has been instrumental to the organization in identifying and advocating on major challenges. In addition to his tenure as President of the ILFB, Mr. Nelson has served as President of the Illinois Soybean Association, President of the LaSalle County Farm Bureau, Vice President of the American Soybean Association, and Chairman of the American Farm Bureau Federation's Swine Advisory Committee.

While he is leaving his post at the ILFB, I am confident his expertise and leadership on agriculture issues will continue to be put to good use. Mr. Speaker, on behalf of the 16th District of Illinois, I wish to express our deepest thanks to Philip Nelson for his exemplary efforts to advocate for the Illinois agriculture community.

HONORING THE LIFE AND SERVICE
OF CORPORAL GEORGE CONKLIN

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. REED. Mr. Speaker, I rise today to honor the life, service, and sacrifice of a constituent, Corporal George Conklin. Mr. Conklin of Phelps, New York, enlisted in the United States Army in 1949 at the young age of seventeen to answer our nation's call to service during the Korean War. Tragically, it took sixty-four years for him to return home.

George Conklin was serving in the 7th Infantry Division's 31st Regimental Combat Team as a Private First-Class in Korea when he disappeared on December 2, 1950. Wounded in the leg, he was loaded onto a transport truck for evacuation, but soon thereafter, he and his colleagues went missing. It was not until the conclusion of the war in 1953 that Corporal Conklin was formally classified as "Killed In Action." The U.S. Army post-

humously promoted him to the rank of Corporal and awarded him the Purple Heart.

Corporal Conklin's family never gave up hope that one day he would return home. The family waited for over sixty years until this past September, when his niece, Karen DesCamp, finally received the news that she and George's other relatives had waited a lifetime for. After one of George's brothers donated a DNA sample to the Pentagon, Corporal Conklin's remains were positively identified at a laboratory in Hawaii.

It is with humble appreciation that I acknowledge Corporal George Conklin's return home to Ontario County. Hundreds of civilians and military veterans joined a military honor guard to give him a final welcome home as the plane carrying his casket touched down in Rochester. He was then laid to rest next to his predeceased parents and two brothers in upstate New York.

I cannot begin to imagine the feelings and emotions that have afflicted his family over the past six decades, but I am relieved to know that Corporal Conklin is finally back where he belongs, resting peacefully beside his loved ones. His ultimate sacrifice for the good of our nation and preservation of our freedom will never be forgotten.

HONORING FRED MEURER ON 27
YEARS OF SERVICE TO THE CITY
OF MONTEREY, CALIFORNIA

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. FARR. Mr. Speaker, I rise today to recognize the career of a truly remarkable public servant who I am proud to call a friend. Fred Meurer is retiring from the position of City Manager for the City of Monterey, California after holding the job since 1991. That is a remarkably long tenure in any job. In the field of city management, it is unheard of. But for those of us who have had the honor and pleasure of working with Fred over the years, those twenty-two years are a testament to his tremendous ability and professionalism.

Fred joined the City of Monterey in 1986, initially as the Special Projects Manager in the City Manager's office, and then as the City's Public Works Director for the next five years. In July of 1991, the City Council appointed Mr. Meurer to the position of City Manager. Since his appointment, Mr. Meurer has been actively involved in fostering working relationships between business districts, residential districts and City Hall. He has overseen the redevelopment of the City's residential neighborhoods and business districts. Neighborhood policing, waterfront acquisition, the main street program, tourism development, historic preservation programs and development of the education and research economic clusters have been instrumental in diversifying Monterey's economy. The success in this effort has financed the City's program for developing "preventive" programs in policing, fire protection, community services, recreation, public works and other public services.

Fred has been actively involved in developing cooperative relationships between the

City and the Department of Defense (DoD) activities in Monterey in an effort to further increase DoD mission effectiveness while reducing their operating costs. Fred was responsible for germinating an idea—which Congress enacted in 1994 as a pilot program—of allowing military installations in Monterey County, California, to purchase a range of maintenance and municipal services from local government agencies in the County. Over the subsequent years, the Army Audit Agency has consistently validated cost savings to the Army and “the Monterey Model,” as it became known in the Pentagon, became a permanent national program in 2013.

In conceiving this program, Fred’s goal was to provide the same high quality municipal services to DoD activities and personnel as the City provides its civilian neighborhoods, while saving the City money by spreading its overhead over a larger base. Similar cooperative service agreements have been negotiated with other cities in the region. These inter-governmental partnerships have also helped broaden the economic base of the City.

Recognizing the value of integrated municipal services between military installations and the city brings not only financial benefits to both parties but strengthens the town-base relationship. Fred nourished that relationship and looked for ways for the town and the military to interact seamlessly. This inter-relatedness was especially evident during the 1995 and 2005 BRAC rounds when the BRAC Commission determined that, because of the inherent value of the community contribution to the functioning of the local installations, there was no way to reproduce those functions elsewhere and those installations had to remain open and in Monterey.

Fred graduated from the United States Military Academy at West Point in 1966, and received graduate degrees from Stanford University in Water Resources Planning and Civil Engineering in 1971. He served overseas assignments in Germany, Viet Nam and Korea. His final active duty tour was as Director of Public Works and Housing at the former Ft. Ord. He retired as a Colonel from the Army in 1986.

Mr. Speaker, Fred Meurer is the epitome of a model public servant who brought wisdom, professionalism, creativity and problem solving skills to the job of City Manager of Monterey and leaves a legacy of accomplishments that not only benefit the residents of Monterey but also serve as a model of sound civic management for others to learn from and emulate. In his 1961 State of the Union address to Congress, President John F. Kennedy commented on his administration’s commitment to civil service and the following words, “Let the public service be a proud and lively career,” struck me as the embodiment of Fred Meurer’s stellar career.

Fred along with his wife Phyllis will now begin a new journey in life. An avid Oakland A’s fan, Native American art collector and delicious ice cream maker, new adventures await this dedicated husband, father and grandfather. I wish Fred and his wife all the best in their well-deserved retirement years.

CONGRATULATING HELENE COMBS DREILING

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. GOODLATTE. Mr. Speaker, I would like to congratulate Helene Combs Dreiling on her election as President of the American Institute of Architects (AIA). This distinguished position is well deserved and reflective of her many professional achievements in the field of architecture.

The American Institute of Architects (AIA) is the professional membership organization for American architects, with more than 80,000 members across the country. In addition to her new position as President, Ms. Dreiling has served the AIA in numerous leadership roles.

Currently, Ms. Dreiling serves as Executive Director of the Virginia Center for Architecture, a Richmond-based non-profit that develops the public understanding of architecture through a broad array of outreach programs. She is also a past member of the board of trustees of the American Architectural Foundation and a past president of the Virginia Society, AIA and AIA Blue Ridge.

Ms. Dreiling received her Bachelor of Architecture degree from the College of Architecture and Urban Studies at Virginia Tech in Blacksburg, VA. She is a resident of Roanoke, VA, which is located in the Sixth Congressional District.

Throughout the ages architecture has been at the very foundation of our society, representing the greatness of our past and the promise of our future. It can be seen in the pyramids of Ancient Egypt, the coliseums of the Roman Empire, and the monuments that grace our nation’s capital today. Architecture plays an ever-important role in ensuring the structural foundations of our communities and our legacy for future generations.

It is an honor to recognize Ms. Dreiling. I am certain that the AIA will benefit greatly from her leadership, and I wish her the best of luck during her tenure as President.

HONORING MAYOR DICK PASCO

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the memory of a community leader and friend, Mayor Dick Pasco of Greenfield, Indiana.

Dick Pasco was a dedicated public servant who spent the better part of his life serving the people of Greenfield. Dick’s work for the city began in 1972 when he was appointed to the Greenfield Park Board. He was later elected to the city council where he would serve for twenty years. Dick would go on to hold a variety of positions on the Greenfield Planning Commission, Council for Economic Development, Hancock Boys and Girls Club, United Way, and Kiwanis International. Dick Pasco served on the Hancock County Council before being elected Mayor in 2011.

The City of Greenfield has lost a pillar of the community and a dedicated civic leader. Mayor Pasco set an example we can all aspire to. His life, including four years in the United States Navy, has been dedicated to serving others and making his community a better place to live. His commitment to Greenfield will be forever appreciated. I will forever appreciate his friendship and ask the citizens of the 6th Congressional District to join me in keeping his wife Joan, daughters Jennifer Pasco-Beck and Patricia Pasco and son Richard Pasco II in your thoughts and prayers.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$17,230,345,583,111.52. We’ve added \$6,603,468,534,198.44 to our debt in 4 years. This is \$6.6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TRIBUTE TO ANDREW J. LEWIS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. CLYBURN. Mr. Speaker, I rise today to remember and pay tribute to Mr. Andrew J. Lewis, a pillar of the Columbia, South Carolina community. As an elementary school teacher, assistant principal, and principal, Mr. Lewis touched the lives of countless students over many decades.

Mr. Andrew Jackson Lewis was born on June 2, 1917 in Sumter County, South Carolina, the oldest of eleven children of Sam and Rosa Lewis, Sr. He married Margaret Pearson Lewis on Valentine’s Day 1942; they remained married until her death this past April. He leaves behind a daughter, Andrea Lewis Jones, two grandchildren, and three great-grandchildren.

Educated in Sumter County Public Schools, Mr. Lewis was valedictorian of his class at Lincoln High School. He graduated cum laude from Benedict College with a degree in mathematics. At Benedict, he was a member of Omega Psi Phi fraternity, which means I am proud to call him a brother. He went on to receive a Master of Science degree from my alma mater, South Carolina State University. He also served honorably in the U.S. Army Air Forces, earning the rank of Technical Sergeant.

Mr. Lewis’s professional career began at Celia Saxon Elementary School in 1946. He later became Assistant Principal at W.A. Perry Middle School and then Principal at Greenview Elementary School, a position he held for 16 years until his retirement in 1982.

My three daughters attended Greenview Elementary School, and I saw firsthand the positive impact he had on them and all of the students under his charge. He was held in such high regard at Greenview that after his retirement, the school was renamed the A.J. Lewis Greenview Elementary School.

A devoted member of Chappelle Memorial AME Church, Mr. Lewis served on the Steward Board under three different pastors, worked diligently on the Budget and Finance Committee, and chaired the Men's Day programs for ten years. With this level of dedication, Mr. Lewis was given the well-deserved honor of "Man of the Year" by the church in 1985.

Mr. Lewis was widely involved in the broader Columbia community as well. He was a member of the Capital City Lodge #47 (Price Hall F&A Masons), the Columbia Transportation and Advisory Committee, the Columbia Municipal Elections Committee, and the Richland County and South Carolina Retired Educators Associations. He served as chaplain of the Benedict Columbia Alumni #2 Club, president and vice president of the Columbia Luncheon Club, president of the United Martin Family of South Carolina, as vice president of the Shandon Neighborhood Council, and as a member of the committee that renamed Valley Park the Martin Luther King, Jr. Park.

In recognition of this impressive record of service to the community, Mr. Lewis received the O.P. Taylor Humanitarian Award and the Living the Legacy Award as an outstanding educator from the National Council of Negro Women. Mr. Speaker, I ask you and my colleagues to join me in remembering this distinguished educator and community leader. Mr. Lewis will be sorely missed, but his contributions will live on in perpetuity.

CONGRATULATING ERIE FOODS INTERNATIONAL ON THEIR 75TH ANNIVERSARY

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mrs. BUSTOS. Mr. Speaker, I rise today to congratulate Erie Foods International in Erie, Illinois, on the occasion of their 75th anniversary.

Erie Foods International manufactures ingredients that are used in many different brands of nutritional beverages and bars, dairy products, sports drinks, coffee and more. Founded as Erie Casein Dryers in 1938 by Arden and Marjorie Reisenbigler, Erie Foods is truly a family business. The company is currently run by their son, David Reisenbigler, whose older brother was CEO for five years beginning in 1977 and whose son and sister also work for Erie Foods. In the past 75 years, Erie Foods has grown to a global company, with 194 employees worldwide, including 33 in Erie.

Additionally, Erie Foods makes it a point to buy from local dairies at many of their plants and donates a portion of their profits to charitable organizations. CEO David Reisenbigler explains that "we want to be more than a company that just takes profits. We want to improve the communities where we are."

Mr. Speaker, I want to again congratulate Erie Foods International for reaching this impressive milestone and I wish them even more success over the next 75 years.

HONORING DOROTHY BARKER

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. LONG. Mr. Speaker, I rise today to recognize and honor the outstanding career of Dorothy Barker.

On November 26, 2013, Dorothy retired after an incredible career in sales and real estate. She began working with me at Billy Long Auctioneers and Realtors in 1988 and has been with Murney Associates, Realtors since 2002.

Dorothy is a beloved member of the community. She has been very active in her church, the Evangel Temple in Springfield, Missouri. She is also a proud and loving mother to three and grandmother to eight.

I am extremely proud of the work that Dorothy has accomplished. I am honored to have been able to work side by side with her for so many years, and anybody that has worked with Dorothy would be sure to agree with me. Dorothy has truly brightened the lives of many throughout her successful career.

CELEBRATING 30 YEARS OF SERVICE OF THE LINKS, INCORPORATED, MORRIS COUNTY CHAPTER

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Morris County Chapter of The Links, Incorporated, located in Morris County, New Jersey, as it is celebrating 30 years of community service.

Established in 1946, The Links, Incorporated is a not-for-profit organization that combines the ideals of friendship and community service to focus on civic, cultural, and educational endeavors. The Morris County Chapter of The Links, Incorporated (The Links) was chartered in May, 1982, under the guidance of Elizabeth Quick. One of the organization's first projects was the Open Door program, established to provide newly relocated minorities with an orientation and welcoming committee, often catering to particular needs. Around the same time, The Links also began the Hands Across Generations program to help establish and build relationships between senior citizens and the younger generations.

As new technologies were brought into society's everyday life, the organization developed the Digital Divide. The Digital Divide partners with Morristown High School and its students to help teach senior citizens how to use computers.

The organization also maintains a strong commitment to the arts through various events

and exhibits. One very special program, the Literary Teas program, utilizes forums to promote African American authors within the community.

Three years ago, The Links began Working with the Morristown Neighborhood House, an organization that supports our low-income community and fosters cross-cultural acceptance, and developed a program called Rhythms for Life: Music Matters in Morris County, which offers instructor-led violin lessons to grammar and middle school students.

The Links has directed many of its programs and activities towards the youth of Morris County. The organization provides and sponsors various mentoring and educational programs. The Film Workshop, a recent mentoring program, teaches students the phases of film making. So far the program has produced three films that have won national recognition. The Links also recognizes the importance of education, and has awarded more than \$100,000 in scholarships to deserving college students in Morris County.

The Links, Incorporated looks forward to facing the challenges ahead and plans to continue promoting and maintaining civic, educational, and intercultural activities to help enrich the members of the Morris County community.

Mr. Speaker, I ask you and my colleagues to join me in congratulating Morris County Chapter of The Links, Incorporated, as they celebrate 30 years of community service.

RECOGNIZING TOYOTA MATERIAL HANDLING, U.S.A., INC.

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. MESSER. Mr. Speaker, I rise today to recognize Toyota Material Handling, U.S.A., INC. which recently moved its North American headquarters to Columbus, Indiana in my congressional district.

Toyota Material Handling, U.S.A., INC. (TMHU) has been operating in North America for 45 years and in 1990 began lift truck production at the Toyota Industrial Equipment Manufacturing facility in Columbus. The company has been producing the number-one selling lift truck in the U.S. since 2002. The majority of all Toyota lift trucks sold in the U.S. are manufactured in Columbus.

Recently Toyota celebrated the official grand opening of their multi-million dollar investment in their new campus and the line-off of the first large capacity Toyota 8-Series lift truck. The same event also marked the 450,000th lift truck produced at the Columbus plant. By moving their headquarters to Columbus TMHU continues its investment in Southeastern Indiana and support for the community's economic vitality.

I ask the entire 6th Congressional District to join me in recognizing Toyota Material Handling, U.S.A., INC. Their leadership and economic impact on our state has been invaluable. TMHU is a great community partner, and I look forward to working with them often in the future.

IN RECOGNITION OF DR. JOHN E.
PICKELMAN

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. BRADY of Texas. Mr. Speaker, I rise today to honor an outstanding leader in higher education in my district. Chancellor Emeritus Dr. John E. Pickelman became the second chancellor of North Harris County College in 1991 and served until his retirement in 2007.

During his service as chancellor, enrollment increased from 14,000 to over 49,000 and grew from three colleges—LSC—North Harris, LSC—Kingwood and LSC—Tomball to five colleges, with the addition of LSC—Montgomery and LSC—CyFair, the first community college to open in the 21st century.

Under his strong commitment to provide access to quality education for all citizens, LSC's boundaries expanded from five to eleven independent school districts and added six satellite centers.

Dr. Pickelman expanded the dual credit program and created early college high schools in partnership with local school districts which allowed qualified high school students to earn college credit while still in high school.

He established The University Center, an innovative, highly successful multi-university

teaching facility in The Woodlands, providing students and the community the opportunity to earn a bachelor's or master's degree from six public universities.

Dr. Pickelman was also credited with establishing a university-level sabbatical program for the benefit of Lone Star College System faculty and administrators to continue professional work in their respective fields.

He served as a tireless advocate and leader for higher education at the local, state and national level and championed the college's role in economic development, establishing the center for Business and Economic Development, the Chamber Alliance and Leadership North Houston.

Some of his leadership roles in numerous national, state and local organizations include chairman of the board of directors of the Southern Association Colleges and Schools, chairman of the board of the Texas Association of Community Colleges and president of the Association of Texas Colleges and Universities.

Dr. Pickelman earned a bachelor's degree in English from Albion College and a master's degree in education from the University of Missouri at Kansas City. He received his Ph.D. from The University of Texas at Austin, where he received a distinguished graduate award from the College of Education.

Dr. Pickelman and his wife, Barbara, are proud parents of two sons, Matthew and

Jason; and four grandchildren. He is an excellent chef and he has personally raised over \$100,000 for student scholarships auctioning off his culinary evenings.

In recognition for his years of accomplished service in higher education, the Lone Star College System will rename the student center at the Lone Star College—Kingwood campus the Dr. John E. Pickelman Student Center.

Dr. Pickelman, I congratulate you on this honor and I want to thank you for your years of service to higher education and for your generous commitment to serving others.

PERSONAL EXPLANATION

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 10, 2013

Mr. HUDSON. Mr. Speaker, on rollcall No. 612, I was unavoidably detained off of the House floor due to unforeseen travel circumstances. Therefore, I was unable to cast my vote for H.R. 3547, the Space Launch Liability Indemnification Extension Act.

Had I been present, I would have voted "yes."

HOUSE OF REPRESENTATIVES—Wednesday, December 11, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. DUNCAN of Tennessee).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
December 11, 2013.

I hereby appoint the Honorable JOHN J. DUNCAN, Jr. to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

AMENDMENT TO FERS ANNUITY FOR MEMBERS OF CONGRESS

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. COBLE) for 5 minutes.

Mr. COBLE. Mr. Speaker, on the June 13 of this year, I introduced a bill, H.R. 2357, to provide that Members must complete 12 years of credible service to become vested into the retirement system. I have not professed to be an expert on pensions, Mr. Speaker, but 5 years appear to be very generous. So in my bill I had extended that from the 5-year timeframe to 12 years.

Taxpayers subsidize this plan. I believe by increasing the minimum timeframe, I think it would, obviously, result in considerable savings. I have conducted no survey to support that, but commonsense tells me that. In fact, this is a commonsense proposal.

For example, Mr. Speaker, a Member of Congress now must complete only 5 years of credible service to become vested. I know of no plan, other than this one, that would vest at 5 years. Such a Member would be required, if my bill is enacted, to complete at least

12 years of service prior to becoming vested.

I figured after 4 or 5 weeks I would have attracted at least 20 to 25 cosponsors. Today, I have no cosponsors. So, to walk you through how it would work if my plan is adopted, a Member of the Congress must complete not 5 years, but 12 years of service. That can be done through six 2-year House terms or two 6-year Senate terms or a combination thereof.

It is a commonsense proposal. Meanwhile, Mr. Speaker, I will anxiously await the knock on the door for cosponsors willing to sign up. The welcome mat is out. It is a good proposal.

GIVE DIPLOMACY A CHANCE TO SUCCEED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, in the rush to wrap up and go home, there is too much unfinished business, including leaving 2.15 million long-term unemployed in the lurch.

But one item should not be on the agenda: an attempt to undermine the diplomatic breakthrough with Iran, the most encouraging development with that country in 34 years. We would give the hardliners in Iran who really hate the preliminary agreement an excuse to walk away. It would be a continuation of 60 years of mismanagement by the United States with our relationship with that proud nation with deep ties to America.

The worst thing we did was team with the British to overthrow their democratically elected government in 1953 and replace most of that with the Shah, who for 25 years, was a repressive dictator.

Few remember, if they ever knew, that the Iranians helped stabilize Afghanistan after we drove the Taliban from power. They don't know that the people in Tehran had candlelight vigils in sympathy to the United States after 9/11 where some of the supposed allies of the United States were celebrating our loss in the streets. For that, the Iranians were rewarded with the label of being part of the Axis of Evil.

We must make diplomacy the key. We are not going to be able to bomb away the knowledge of how to develop nuclear weapons. Experts I have talked to say they could have made a nuclear bomb years ago if they had really been bent on that creation.

Torpedoing the agreement will be counterproductive. It risks collapse of sanctions which depend on the Chinese, the Indians, and the Japanese not buying Iranian oil. If we appear unreasonable, we lose international support, and we can lose ground.

It would undercut President Hassan Rouhani, elected by the Iranians who want change and a more moderate approach to the world. Iranians—people who have been there and testify—actually like Americans. They don't much like the repressive government. But that support can help reach more than just a nuclear deal.

Iran is key to solving the nightmare that is Syria, prying them back from supporting the insurgents in support for a long-term solution. Iran is key to holding Iraq together and not having it spin off into civil war and to defeat or at least contain the Taliban resurgents in Afghanistan.

A recent poll showed 57 percent of the American public supports the agreement. When they are given greater detail about what it entails, that support increases to 63 percent.

Don't undercut the best chance to reorder the Middle East in a third of a century. I think we ought to give diplomacy a chance to succeed for a change.

THE NEW YEAR OF OBAMACARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, a great tragedy is now unfolding across America as we prepare for the new year.

Millions of Americans are losing their health plans. Millions more are facing staggering price increases. Millions more are having their hours cut back at work or seeing their salaries pared back because of ObamaCare.

Sadly, this is just the beginning. In coming days, millions of employer-provided plans face cancelation, multiplying this disaster many fold.

The administration recently held a contest for videos to promote ObamaCare. Its grand prize winner featured this message: Don't worry about the price tag. Don't worry about the price tag? Isn't that helpful and compassionate advice to the millions of Americans who are struggling through the fifth year of Obamanomics and who are now also facing the reality of seeing their premiums doubling or tripling.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Just don't worry about the price tag, skip the House payment, and cough up the extra cash. That is the best that this administration can offer? Many millions of Americans who had health coverage on New Year's Eve will not have it on New Year's Day because of ObamaCare.

What awaits those who actually can sign up? According to the government's own numbers, about two-thirds of exchange applicants have been forced into Medicaid. That includes many on limited incomes who have maintained bare-bones policies because they are desperately trying to stay out of Medicaid. Some have found that nearly by looking at prices they have ended up trapped in this dreaded welfare program.

A major study documents that Medicaid patients have worse health outcomes than those without any insurance. If you doubt that, just see how long it will take you to see a Medicaid doctor, if you can find one, for a bad cold.

If you are a part of the one in three exchange visitors who escaped this fate, the next problem will be to find a doctor—any doctor. The president of the California Medical Association reports that 70 percent of California doctors will not accept ObamaCare patients. That means the remaining 30 percent will be overwhelmed, resulting in life-threatening waiting lines.

As patients desperately seek doctors in emergency rooms, actual emergencies will go waiting. Top-flight specialized doctors and facilities will become increasingly inaccessible as they opt out of the system.

Those patients who actually can get an appointment may then discover that there is no record of their policy because the government hasn't been able to connect patients with their new insurers. Patients will next face the cold reality of sky-high deductibles and copayments that many will be unable to pay. Many hospitals that serve large populations of the poor can only do so because of supplemental payments, but ObamaCare is phasing those out. Some may be forced to close their doors.

Those ObamaCare patients fortunate enough to stay well in this brave new world can expect a highly elevated risk of identity theft in what the founder of McAfee Security Software calls a "hacker's dream." And there is no need to wait for hackers. In some cases, the government has already accidentally released patients' private financial and medical information.

Since so many people—particularly the young—are choosing not to pay inflated prices to subsidize others, we can expect another major round of rate increases next fall on those remaining in the system in order to make up the shortfalls.

That is what the new year will bring to our country. Many of us in the

House warned of this coming train wreck, and we tried at least to delay it. For this, we were called arsonists, terrorists, jihadists, and demagogues; but now those warnings have proven chillingly and entirely accurate.

This program has devastated the lives of millions of Americans. This damage now cannot be undone by delaying it or tinkering with it. It must be repealed and replaced with the patient-centered plan proposed by House Republicans, a plan guided by individual freedom of choice and open competition.

This will only happen if there is a massive change of heart by the congressional Democrats who imposed this nightmare on our country. Now is the time for all Americans whose lives have been upended by their folly to share their stories with their Representatives and to pray that they actually can touch some hearts and change some minds during this holiday season. Otherwise, I am afraid that New Year's Day will be nothing to celebrate.

CLOSING GUANTANAMO BAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. SCHIFF) for 5 minutes.

Mr. SCHIFF. Mr. Speaker, when it was first opened in the immediate aftermath of the 9/11 attacks, the Guantanamo Bay prison may have seemed a reasonable stopgap measure as a shocked Nation marshaled its resources and figured out how to dispose of detainees taken in Afghanistan and elsewhere.

But even in those early days, the problems we were creating with Guantanamo's patchwork of military rules and commissions were readily apparent. Since 2002, I have introduced numerous bills and amendments to try to bring Guantanamo into conformity with American and international law and to stop it from becoming a jihadi recruiting tool.

But reform of this prison system has been elusive and progress towards bringing its detainees to justice almost nonexistent, as U.S. courts have taken strong issue with its improvised legal process.

In one of his first acts as President, Barack Obama ordered the closing of Guantanamo, but the Congress almost immediately stepped in and erected a series of statutory barriers that have prevented the transfer of detainees to the United States and made transfer to third countries extremely difficult.

Today, there is a renewed push by the administration to shutter Guantanamo for good. Doing so will not be easy, but the cost of keeping the prison open—to our values, to our pocketbook, to our reputation, and to our security—have become too great to bear.

There are now 164 detainees at Guantanamo, 84 of whom have been cleared

for transfer to their home country or another country willing to accept them. These detainees should be processed and transferred as soon as security considerations will allow.

This would leave 80 remaining detainees, who are roughly split into two groups. The first group, which includes Khalid Sheikh Mohamed and other key 9/11 plotters, consists of detainees slated for trial under the military commissions that were established by the Bush administration.

These proceedings have been mired in pre-trial wrangling; and the longer they drag on, the less legitimate the overall system appears. Meanwhile, our civilian judicial system, which many congressional critics have derided as not up to the task of handling terrorism cases, has disposed of a long line of defendants—from Richard Reid, the Shoe Bomber, to Omar Farouk Abdulmutallab, the Underwear Bomber, and Faisal Shaizhad, the Times Square Bomber—all successfully prosecuted in America's civilian courts, and none will ever be released again.

□ 1015

By lifting its restriction on transferring these detainees to the United States for trial, Congress could give the administration the flexibility to transfer many of those now in the military commission system to Article III courts for prosecution. These civilian courts can be more expeditious, more effective, and, in the eyes of the world, more just than military tribunals.

The remaining detainees—some 46 men—will be the most difficult cases. These are detainees considered too dangerous to release or transfer, but who cannot be prosecuted. For some, evidence cannot be presented without revealing critical sources of intelligence and methods. Others were tortured, or evidence against them was collected through torture or some other unlawful means. For still others, the evidence of past acts and future dangerousness, while not sufficient to prosecute, argues compellingly against any release or transfer.

The administration announced over the summer that it would begin a review of these cases, and as a result, others may be cleared for transfer or prosecution. It is likely that many, if not most, of the detainees in this final category will remain in American custody. But where?

Even if we ultimately decide to maintain these detainees in custody, that does not justify continued operation of Guantanamo Bay. Instead, they should be transferred to civilian or military confinement in the United States, an option currently blocked by Congress.

Every day that it remains open, Guantanamo Bay damages the United States. Because there are other, better options for prosecution and detention

of these inmates, we are not safer for Guantanamo's existence. In fact, it makes us more vulnerable by drawing new generations to the jihad.

The Congress, the administration, and the military can work together to find a solution that protects our people even as we maintain our principles and devotion to the rule of law. The President has indicated that he would like to work with Congress to end the Guantanamo era. We should take him up on that important challenge.

SUPPORTING CAREER AND TECHNICAL EDUCATION PROGRAMS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, the Food Network recently broadcast an episode of their hit reality-based cooking television series, "Chopped." Aspiring teen chefs highlighted their culinary skills and competed for a scholarship that would be put towards a leading culinary school. Competition aside, these young chefs are ambassadors of career and technical education programs. They amazed professional judges and made the viewing public second-guess mom's cooking.

As cochair of the bipartisan Career and Technical Education Caucus, which I am proud to lead with my good friend, the gentleman from Rhode Island (Mr. LANGEVIN), I congratulate the Food Network and "Chopped" for promoting these young culinary professionals.

Mr. Speaker, inspiration is like lightning; it doesn't strike in the same place twice. With 2014 quickly approaching, we should do everything in our power in order to support the culinary arts and the entire range of other career and technical education programs and fields that offer aspiring young minds and transitioning adults a gateway to success in a rapidly evolving and dynamic job market. The future of America deserves as much.

RECOGNIZING LAWRENCE LIVERMORE NATIONAL LABORATORY FOR OUTSTANDING WORK

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. SWALWELL) for 5 minutes.

Mr. SWALWELL of California. Mr. Speaker, I rise to recognize Lawrence Livermore National Laboratory for its outstanding scientific work and the dedicated scientists who played a role in the effort that was recently awarded the 2013 Nobel Peace Prize.

Yesterday, in Oslo, Norway, the Organization for the Prohibition of Chemical Weapons, OPCW, received the 2013 Nobel Peace Prize for its work enforc-

ing the global ban on chemical weapons. The OPCW received this prestigious award in part because of the contributions from over 21 scientific laboratories around the world. That work, in different capacities, led to identifying and destroying chemical weapons across the world. One of these laboratories is from the 15th Congressional District, Lawrence Livermore National Laboratory.

Over the past 13 years, Lawrence Livermore Forensic Science Center has worked closely with the OPCW to analyze samples and test for the possible presence of chemical weapons. The OPCW and Lawrence Livermore Laboratory were recognized specifically for actions that OPCW has recently taken in Syria—to identify, destroy, and dismantle the Assad regime's chemical weapons that they most recently used back in August on their own people.

I have been a sharp critic of proposed military action in Syria. I believed all along that there was a third way, that it was not a false choice between isolationism, not doing anything, and taking military action in Syria. The actions of OPCW and the United Nations have shown, in working in collaboration with the Lawrence Livermore National Laboratory, that diplomacy can work. We can go into Syria and identify these dangerous chemical weapons; we can dismantle them and make sure that a ruthless dictator never again can use them on his own people.

Together, the work of OPCW and Lawrence Livermore Laboratory has created a safer world. But they recognize that their work will not be complete until the world is free of chemical weapons.

I have been a tireless advocate for funding of both Lawrence Livermore National Laboratory and the other laboratory that is in my district, Sandia National Laboratory. The work that is being done right now with OPCW shows that the work being done at our national laboratories has value and that we cannot continue to chip away at Federal funding for our national laboratories.

Congratulations again to OPCW for receiving the Nobel Peace Prize, and I am very proud of the scientific community, the engineers at Lawrence Livermore for your work in support of OPCW and their efforts.

ADDRESSING CHALLENGING FISCAL ISSUES

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. REED) for 5 minutes.

Mr. REED. Mr. Speaker, I rise today to highlight a framework I have designed which will begin to address the challenging fiscal issues we face as a Nation. This proposal is to deal with the impending debt ceiling crisis that will be coming upon us in February or shortly thereafter.

I am pleased to hear recent news today of a budget agreement dealing with a potential government shutdown resolution that avoids governing by crisis, but we have the debt ceiling issue right behind. What I have put forth, Mr. Speaker, is an honest, sincere proposal consisting of three steps to reduce our spending on the Federal level, address our Nation's broken Tax Code, and ensure the solvency of Social Security and Medicare.

Mr. Speaker, I outlined the proposal in a letter sent to the President on November 15 of this year, and that letter reads:

Dear Mr. President,

It is time. As I have expressed before in writing to you and members of your administration, I am very interested in working with you in a bipartisan manner to implement long-term solutions to America's debt problems. Our impending debt crisis and threats to the solvency of Social Security and Medicare must be solved now before they reach catastrophic levels. I urge you to work with Congress to achieve a long-term solution. As such, I would like to take you up on your public offer to discuss ideas and implement solutions that will no longer force us to govern through crises, cliffs, or shutdown deadlines.

On October 16, 2013, you stated you are "Willing to work with anybody . . . Democrat or Republican, House or Senate Members on any idea that will grow our economy, create new jobs, strengthen the middle class, and get our fiscal house in order for the long term." To that end, I submit the following honest proposal which I truly believe will take a small but significant step forward toward more responsible governance. Also, I hope it might change the culture of Washington, D.C., to an environment where good policy triumphs over politics.

As you can see, the honest proposal is a multistep vision and plan summarized as follows:

Step 1, raise the February 7, 2014, debt ceiling limit in an amount equal to the total CBO score of spending reductions, reforms, and removal of waste, fraud, and abuse within government operations that have already been identified and supported on a bipartisan basis. Attached, please find a list of \$573 billion of such government reforms and spending reductions already identified to date.

Step 2a, upon completion of step 1, we will then move to step 2. In step 2, what we would propose is votes in the House and Senate on their respective visions for comprehensive tax reform and also for reform of our entitlement programs to ensure their solvency for another generation would occur. If those votes occur in the House and Senate, there would be automatic relief of the debt ceiling cap for an additional year.

And then we would move to step 3, Mr. President. Step 3 would essentially say, if in the House or the Senate we enact either one of those long-term solutions through our Tax Code or through our entitlement crisis with our Social Security and Medicare insolvency coming down on us, we would immediately, in step 3, relieve the debt ceiling for an additional 2-year period of time. This would mean, Mr. President, the debt ceiling restraint would no longer impact your administration as it would be automatically extended beyond the end of your administration's term.

I kindly request you review this proposal and then meet to discuss how it can be improved and implemented. To me, this is an

honest proposal which will put Americans first and begin to address the pressing issues of our day. We have major debt issues that cannot wait any longer. Our arcane Tax Code stifles economic growth, and the fiscal health of Social Security and Medicare is worsening beyond control. If we solve these two challenges, we will place our children and grandchildren and our Nation's finances in a far better position than where they are now projected to be. To me, this adheres to a fundamental rule that we must pass America on to our next generation in a better condition than which we found her.

I look forward to hearing your thoughts and working with you to prevent the dire consequences of failing to address these challenges.

Mr. Speaker, I have yet to receive a response from the President, not even a courtesy response so I know it was received and not lost in the mail between my office in the Longworth Building and the White House, less than 2 miles away.

So I take to the floor of the House today to have my proposal officially recorded and to lay out this framework to get our Nation on a path of fiscal sustainability, to get our American fellow citizens back to work by fixing our Tax Code, and solving the entitlement crisis that is impending upon us.

With that, I ask us to join in this proposal and ask the President to join us in a bipartisan manner to address these concerns.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and not to a perceived viewing audience.

FOOD INSECURITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, on Friday, the Republican leadership has decided we will adjourn for the holidays. Notwithstanding the fact that we haven't done immigration reform, we haven't passed a jobs bill, we haven't extended unemployment insurance, they have all decided it is time to go home and enjoy the holidays. So on Friday, we will all leave and go back to our districts.

The one thing we will all have in common, Democrats and Republicans, is we will go back and we will enjoy the holidays, and we will partake in many celebrations. And the one thing that we will not have to worry about is whether or not we will have enough to eat. Our concern, quite frankly, will be overeating.

But the fact is, for millions of our fellow citizens, close to 50 million Americans, they will have to worry about whether they will have enough to eat for them and their families. Fifty million people in this country, the richest country in the history of the world, are hungry; 17 million are kids. All kinds of people fall in that

category. Sadly, close to 1 million of our veterans rely on food assistance programs because they don't have enough to eat.

Mr. Speaker, the fact that so many people in the United States of America are hungry is a national disgrace. We should be outraged. There should be outrage in this Chamber. There should be a sense of urgency that we need to solve this problem. Yet what we see is indifference and, in some cases, outright hostility toward those Americans who happen to be poor.

The House of Representatives recently passed a farm bill that cut the SNAP program, the Supplemental Nutrition Assistance Program, which is designed to ensure people have enough to eat. They cut that program by \$40 billion. In the Senate version, they cut it by about \$4.5 billion. There is now a conference committee going on, and press reports say that maybe they will decide on an \$8 billion cut.

Eight billion dollars, what does that mean? That means that 850,000 families in this country will be impacted in a negative way by that cut; 1.7 million people.

□ 1030

For those people who would be impacted by that \$8 billion cut, it is about a \$90 cut per month in the benefit that they get. Every single person on the SNAP program received a cut. That cut that happened on November 1 for an average family of three would be about a \$30 cut. So you add the \$30 plus the \$90 that we are now talking about, that is now a \$120 cut per month for these families. That is a lot of money.

The fact of the matter is the SNAP benefit, as it stands, is not overly generous. In fact, I would say it is too stingy. It doesn't provide enough for people to be able to afford food, never mind nutritious food. A lot of the people who show up at our food banks and our food pantries are on the SNAP program. But to cut an average family of three's benefits by about \$120 per month is outrageous. We don't have to worry. No one in this Chamber has to worry about whether or not they can afford to put food on the table for their families. Why aren't we more concerned with the fact that there are so many people in this country who are food insecure and who are outright hungry? We need to do something about this.

Mr. Speaker, I have heard my colleagues say, Well, we are not really trying to cut people's benefits; all we are trying to do is reform the program. We are trying to combat a culture of dependency. When you cut this program that provides food to poor people, what you do is you don't deal with an issue of a culture of dependency. What you do is make their lives more miserable. The fact of the matter is the majority of people on SNAP are children,

senior citizens, and disabled people. Of those who can work, a majority of them work. There are people who work full time and still are so poor they qualify for SNAP assistance.

And the response of this Congress is going to be to make their lives more miserable? I ask my colleagues who support these cuts, is that what you came here for, to make the lives of the most vulnerable in this country more miserable? Is that what you are here for? Is that the purpose of your service in the United States Congress? Give me a break. We need to solve these problems.

The fact of the matter is that increasing hunger in America costs us a great deal. Hungry kids don't learn in school. Senior citizens who can't afford their food and their medication and take their medication on an empty stomach end up in our emergency rooms. There is a cost to hunger. In fact, it is more expensive to tolerate the hunger in America than it is to solve the problem. We were elected to solve problems, to lift people up, and not put people down.

I would just finally close, Mr. Speaker, by saying I urge the White House to get more involved in this issue, to get involved in this fight. There are some things worth fighting for. Ending poverty and ending hunger in America is worth fighting for.

Mr. Speaker, I urge all my colleagues to reject cuts in the SNAP program that will increase hunger in America.

COMPUTER SCIENCE EDUCATION WEEK

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Mexico (Mr. BEN RAY LUJÁN) for 5 minutes.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, to kick off this year's annual Computer Science Education Week taking place from December 9 to December 15, I had the pleasure of visiting with students at Capital High School in Santa Fe, New Mexico.

We took part in the global Hour of Code campaign organized by Computing in the Core and code.org that offers introductory coding activities and tutorials.

I also engaged with students about the importance of computer science by hosting a panel of industry professionals to highlight how diverse and exciting a career in computer science can truly be.

It is conversations like these that can be useful in helping young people navigate toward careers in computer science and STEM. In today's world, a degree in computer science translates into high-paying, in-demand jobs.

At a time when people are struggling to find work in our recovering economy, the computer science industry is growing, and New Mexico is predicted to add 15,360 computing jobs by 2018.

It has become increasingly essential for students to learn the language of code, the same way that they learn reading, writing, and mathematics. If we are to remain economically competitive and have a highly skilled workforce, access to computer science curricula and coding instruction must be a priority.

However, nationwide, only one in 10 schools offers computer science, and there is a great lack of diversity in those that do. Just 4 percent of students enrolled are female and 3 percent are students of color. In New Mexico, only 57 students took the computer science AP exam in 2012. This is a result, in part, of the fact that New Mexico does not offer computer science teacher certifications for middle and high school teachers and is one of the 36 States that does not count computer science courses toward high school graduation requirements for math and science.

Computer science provides students with the 21st-century skills necessary for innovation by teaching design, logical reasoning, and problem-solving. Yet, too few students have access to this rigorous coursework. That is why I cosponsored H.R. 2536, the Computer Science Education Act, that will help ensure that more students have access to computer science education by making it a core academic subject and including computer science teachers in professional development.

I urge my colleagues to join me in support of the Computer Science Education Week and Computer Science Education Act. It is critically important that every student have the opportunity to learn computer science at an early age.

When we show them that they have the power to create the next great app, not just use it, I believe we will capture their hearts and minds and foster the next generation of innovators.

IN MEMORY OF JOHN REDNOUR

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. ENYART) for 5 minutes.

Mr. ENYART. Mr. Speaker, I rise to honor the memory of one of my constituents, Mr. John Rednour of Du Quoin, Illinois.

John passed away on December 1, and I had the privilege of attending his funeral service last week. All of us came to honor a man who did so much for southern Illinois. John had many titles, and most of us knew him as the mayor of Du Quoin, a position he held for 24 years. He was a businessman, a banker, and an ironworker. He served for many years on the Illinois State Police Merit Board. But none of those titles do the man justice. He was one of the foremost civic leaders in Illinois, and he worked tirelessly to improve southern Illinois and to create opportunity and jobs for its people.

John was a self-made man who rose from humble beginnings, but never forgot where he came from. His passing is a loss to our region. Most of all, it is a loss for his family; and today I ask my colleagues to remember the Rednour family, especially John's wife of 61 years, Wanda, who was his true partner.

Southern Illinois is a better place because of John Rednour, and today I am proud to honor my friend's memory.

URGING UKRAINE TO SETTLE ITS INTERNAL DISAGREEMENTS PEACEFULLY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Mr. Speaker, the political turmoil in Ukraine demands the world's attention.

It is now 5 p.m. in Kiev where protesters in Independence Square are regrouping after a night of violent clashes with Ukrainian security forces. As of now, the security forces have begun to pull back from the crackdown; and despite intimidation and threats of violence, the opposition has retained control of Euromaiden, the name given to Independence Square in a clear sign of solidarity with Europe.

The United States has sided unequivocally with those Ukrainians who are demonstrating for an independent Ukraine, for their rights to free assembly and free speech under provisions of international law, including the Universal Declaration of Human Rights. Our Secretary of State has called upon the Government of Ukraine to respect the rights of all people and expressed the disgust of the United States with the use of force against peaceful protesters as unbefitting a democracy.

As Secretary Kerry noted, the right to free assembly is "a universal value, not just an American one."

The House Ukrainian Caucus, which I cochair with Mr. LEVIN and Mr. GERLACH, has expressed its support for the rights of the Ukrainian people to exercise their rights to political speech and free assembly.

Yes, these are difficult, yet hopeful, times for Ukraine, which is trying to find its rightful place among the community of nations despite daunting domestic challenges. The country is gripped by uncertainty, which is exacerbating an already difficult economic situation.

The current crisis was triggered by the decision of the current political leadership to pursue free trade with Ukraine's eastern neighbor, Russia, rather than neighbors to the west, the European Union.

Regardless of the political discord in Ukraine, this Congress should urge all parties to settle their internal disagreements peacefully and without violence.

Ukraine's soils historically have been showered with the precious blood of their country men and women at a higher rate than most human beings could even imagine. The brilliantly recounted "Bloodlands," written by Yale scholar Dr. Timothy Snyder, tells their story. Yes, though Ukraine's very name means borderland, she too often has been a bloodland. May this not happen now.

Ukraine must adapt to embrace a world in which her own independence from interference surpasses any other priority. She should be free to engage all directions, east, west, south, and north, without fear of retaliation. She is a bridge to all nations, and therein will lie her prosperity.

As Zbigniew Brzezinski, national security adviser to President Carter writes in today's Financial Times:

Two decades of independence, of growing pride in rediscovering Ukrainian history, and of observing the country's western neighbors economically benefiting from their European connections is creating a new mindset. That mindset is not embracing anti-Russianism, but it is asserting Ukraine's own historic identity as culturally an authentic part of a larger Europe.

Mr. Brzezinski believes the current political change in Ukraine is part of an historically significant, yet inevitable, political transformation. He believes Ukraine and Russia, too, will eventually orient to the west. I have ultimate respect in his opinion and pray he is correct.

Those of us who love Ukraine have longed for the day when it is no longer a prisoner of geography, hemmed in between Germany and Russia, but a free and willing member of the community of democratic nations.

Perhaps one day Ukraine will break free of the shackles of domination of the past. Perhaps one day Ukraine's geographic location will be an asset, not a liability, a day when Ukraine looks both east and west and, in fact, in all four directions.

But as we can see from the images coming to us from Kiev, the road will not be smooth. We know the future lies with freedom and with democracy and with opportunity, not repression in isolation; but that is cold comfort in the streets of Ukraine today.

The United States Congress must stand forthrightly with the liberty-loving people of Ukraine during this difficult hour. At this time of testing, the people of Ukraine and the people of the United States should be inspired by the words of Ukraine's most famous poet, Taras Shevchenko:

Then in your own house you will see true justice, strength and liberty. There is no other such Ukraine."

[From the Financial Times, Dec. 10, 2013]

RUSSIA, LIKE UKRAINE, WILL BECOME A REAL DEMOCRACY

(By Zbigniew Brzezinski)

Come what may, the events in Ukraine are historically irreversible and geopolitically

transformatory. Sooner rather than later, Ukraine will be truly a part of democratic Europe; later rather than sooner, Russia will follow unless it isolates itself and becomes a semi-stagnant imperialistic relic.

The spontaneous outburst of distinctive Ukrainian patriotism—sparked by the mendacity of a corrupt and self-enriching leadership ready to seek Moscow's protection—signals that commitment to national independence is becoming the dominant political reality. This is especially the case among the younger Ukrainians who no longer feel that they are linguistically or historically just a slightly deviant part of "Mother Russia".

Yes, linguistic divisions persist and some parts of Ukraine still feel closer to Russia. But it is striking that even some of the most outspoken espousers of a European vocation have only recently embraced the Ukrainian language as their own. Two decades of independence, of growing pride in rediscovering Ukrainian history, and of observing the country's western neighbours economically benefiting from their European connections is creating a new mindset. That mindset is not embracing anti-Russianism but it is asserting Ukraine's own historic identity as culturally an authentic part of a larger Europe.

That is why, one way or another, Ukraine will unavoidably come closer to Europe. It is striking that even in neighbouring Belarus, ruled by the authoritarian Lukashenko regime, a similar western orientation is beginning to surface. Neither country is motivated by hostility towards Russia, but each senses that its independence as well as its cultural identity points increasingly in a westward direction.

In the next months some sort of a deal between the EU and Ukraine can still be contrived. To facilitate it, the EU must be more receptive to Kiev's need for economic and financial support. Ukrainians have to realise that European taxpayers are not enchanted by the prospect of paying for the misdeeds and corruption of the current Kiev elite. Belt-tightening will be the necessary precondition for an agreement as well as a test of Ukraine's resolve in asserting its European aspirations. Kiev will also need to show that the outcome of elections is not determined by the imprisonment of political rivals.

The impact of this on Russia will be felt over the longer run. Moscow's current geopolitical goal, shaped by President Vladimir Putin's nostalgic obsession with the country's imperial past, is to recreate in a new guise something akin to the old Russian empire or the more recent Soviet "union".

Mr. Putin seems to harbour the naive notion that the leaders of the post-Soviet states will genuinely accept a subordinate role in a Kremlin-led entity. Some of the leaders do pay occasional lip service to that formula—but out of necessity, not conviction. All prefer independence: it is more pleasant to be presidents, prime ministers, generals, ambassadors and economic money-makers at home rather than to be the provincial equivalents thereof in a larger Russian empire. The historically proven fact is that national statehood, once attained, is infectious and almost impossible to undo except through massive external force.

Today's Russia is in no position to assert a violent restoration of its old empire. It is too weak, too backward and too poor. Its demographic crisis makes matters worse. The fact that the newly independent Central Asian states favour increasingly comprehensive arrangements with China is another concern

for Russia, reawakening long lingering territorial nightmares.

It is only a question of time before it becomes evident to Russia's social elites that Mr. Putin's heavy-handed efforts have very limited prospects of success. Sooner or later, he will no longer be president. And not long thereafter Russia—and especially its emerging new middle class—will conclude that the only path that makes sense is to become also a truly modern, democratic, and maybe even a leading European state.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 43 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Gracious God, we give You thanks for giving us another day.

You have blessed us with all good gifts, and with thankful hearts, we express our gratitude. You have created us with opportunities to serve other people in their need, to share together in respect and affection, and to be faithful in the responsibilities we have been given.

In this moment of prayer, please grant to the Members of this people's House the gifts of wisdom and discernment that in their words and actions they will do justice, love with mercy, and walk humbly with You.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WILSON of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Illinois (Mr. HULTGREN) come forward and lead the House in the Pledge of Allegiance.

Mr. HULTGREN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

RECOGNIZING COMPUTER SCIENCE EDUCATION WEEK

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, I rise to recognize Computer Science Education Week.

On Monday, I participated in an international "Hour of Code," PJ, a 12-year-old programming genius, helped me write basic computer code for the game Angry Birds.

Elgin Technology Center staff, along with local robotics team mentor Carol McKellar, organized an important educational event for students eager about coding. If these kids can accomplish what we did in just an hour, imagine how far students could go if computer science were more accessible at a younger age.

Currently, software jobs outnumber students 3 to 1. Teaching coding can help fill employers' growing needs for graduates in computing fields. Coding is not just for computer scientists. Fields such as advanced manufacturing require workers skilled in computer science.

If I can learn, it shows anyone can learn to code.

EXTEND UNEMPLOYMENT INSURANCE

(Ms. BONAMICI asked and was given permission to address the House for 1 minute.)

Ms. BONAMICI. Mr. Speaker, in this holiday season of compassion and giving, we must not forget those who are still suffering from the effects of the worst recession to hit our country since the Great Depression.

Although the recent news about job creation is cause for optimism and the

budget negotiations look promising, there are still too many trying every day to find work to allow them to put food on the table and keep a roof over their heads.

We must pass an extension of unemployment insurance. Unless we take action, millions of Americans, thousands of them Oregonians, will see unemployment benefits end in a few short weeks. Remember, benefits are contingent on continued job search. Our constituents are searching, but if they are still out of work, they are about to lose a lifeline. We can't let that happen.

I encourage House leadership to bring a resolution to the floor that will continue unemployment insurance for another year. We must act now. This is no time to end assistance to millions of Americans who are out of work through no fault of their own.

CONSTITUENTS ARE HURTING BECAUSE OF OBAMACARE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, people across America are hurting because ObamaCare is destroying jobs. Thousands of residents from North Augusta to Blythewood in South Carolina's Second Congressional District have appealed for answers to the difficulties they are facing because of the government health care takeover. Kathleen Sebelius has failed.

Over the weekend, I heard from constituents who were applying for a second or third job because their current income will not cover the increased costs of health care. Others have shared stories of sticker shock because they pay three times more for the same coverage.

Concerns have been vindicated by the projections of job losses by the National Federation of Independent Business because of the health care takeover.

We must repeal and replace ObamaCare with a patient-centered plan that creates jobs, which has been long proposed by Congressman Dr. TOM PRICE, and puts personal health care decisions back into the people's hands.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

Congratulations to First Lieutenant Hunter Wilson for completing his service this year in Afghanistan.

EXTEND UNEMPLOYMENT INSURANCE BENEFITS

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, I rise today on behalf of over 1 million Americans to urge my colleagues to ex-

tend unemployment insurance benefits so they can continue to meet their basic needs while searching for work.

Last week, we were encouraged by the labor report that showed the economy was adding jobs, the unemployment rate is shrinking, and companies are again investing. But there is still work to be done. For the 11 million Americans without a job, the economy is still in a state of emergency. When a mom in Chicago or a dad in Kankakee loses their job, the whole family feels it.

I have met with many people from Illinois with impressive qualifications who are weary from the job search. They want what we all want: a good job, a livable wage, and a Congress that will work to create new economic opportunities. But until that is achieved, they are asking for a hand up, not a handout, in these tough times.

It is for these Americans I urge my colleagues to extend unemployment insurance benefits now, because every citizen deserves support in their pursuit of the American Dream.

WHAT IS THE PRESIDENT'S PLAN?

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, what we know is this: on January 1, millions of Americans are scheduled to lose the health insurance plans they liked and wanted to keep. Nowhere near that many have managed to enroll in ObamaCare. Because Washington said those plans would be illegal on January 1, health care providers followed the law and took steps to cancel millions of plans on schedule.

But President Obama and Secretary Sebelius haven't been ready with a functional alternative, and certainly not an affordable alternative for the millions of Americans who will be without coverage on January 1 because of ObamaCare.

No one wants to see a situation where fewer Americans have coverage, but forcing an unready law and unwanted alternatives on the American people might just have unintended consequences.

So what's the President's plan?

The American people are tired of waiting for clarity from an administration that keeps waiting until the last minute to change its mind and announce the next big delay.

RENEW SPECIAL DIABETES PROGRAM

(Ms. BROWNLEY of California asked and was given permission to address the House for 1 minute.)

Ms. BROWNLEY of California. Mr. Speaker, last year diabetes cost the U.S. economy \$245 billion. That number will only continue to climb unless Con-

gress supports critical medical research and treatment initiatives like the Special Diabetes Program.

The Special Diabetes Program contributes to groundbreaking research at the National Institutes of Health. Continued investment in this program will bring hope for a cure and a better life to the 26 million Americans living with diabetes. The Special Diabetes Program also funds treatment, education, and prevention programs for American Indian and Alaska Native families who are disproportionately affected by diabetes.

We must continue our commitment to fighting this deadly disease. Without a timely, multiyear renewal, work that could save hundreds of thousands of lives is put at risk. I urge my colleagues to support legislation to renew the Special Diabetes Program.

REPUBLICAN SOLUTIONS

(Mrs. BROOKS of Indiana asked and was given permission to address the House for 1 minute.)

Mrs. BROOKS of Indiana. Mr. Speaker, we still have a lot of improving to do. While last week's job report showed some encouraging signs, there is more work to be done.

What are House Republicans doing to help?

Well, for one, we want to get government out of the way of economic growth. We want to curb the excessive regulations coming out of Washington, DC. We want to protect Americans from the harmful effects of ObamaCare.

And with so many Americans still struggling to make ends meet, it is not fair that Washington Democrats want to force people to pay more for their own health care. What is more, policy cancellations and technical problems have left many Americans unsure if they are even covered at all.

That is not going to help our economy. We need real pro-growth solutions that will create more jobs and give all Americans a shot.

AIRLINE FEE INCREASE

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, I want to commend the work that has been done by Senator MURRAY and Congressman RYAN as we work towards passing a budget deal before the end of this year. I think the end result is not perfect in anyone's eyes, but what they have done is something that symbolized what can be achieved when two sides come together in the best interests for our country.

However, there is one element of the agreement that I am raising with concern because my State of Hawaii has a very unique circumstance. We have six

major islands where people live with no interisland railway, no highway or ferry system that connects each of these islands; and people who commute back and forth, people who look for access to health care, have no option other than to fly. In some cases, this air route is an essential lifeline in each of these areas.

In the past, Congress has recognized Hawaii's unique situation and exclusive reliance on air travel. We are concerned about the disparate impact of increased taxes and fees on this air travel in our State.

Again, the budget deal is a solid step in the right direction, but we must ensure that the people of Hawaii, who have no options available to them other than to fly, are not unduly burdened with the fee increase. I look forward to being able to address this issue.

ALICIA DAWN KOEHL RESPECT FOR NATIONAL CEMETERIES ACT

(Mr. STUTZMAN asked and was given permission to address the House for 1 minute.)

Mr. STUTZMAN. Mr. Speaker, I rise today in strong support of S. 1471, the Alicia Dawn Koehl Respect for National Cemeteries Act. I thank my Indiana colleagues, Senator DAN COATS and Congresswoman SUSAN BROOKS, for their hard work.

The namesake of this bill is Alicia Dawn Koehl. She was the wife of Fort Wayne native Paul Koehl from my district and the mother of two children. She was also the daughter-in-law of Frank and Carol Koehl.

Last year, Alicia was tragically murdered, and after her killer, an Army veteran, committed suicide, he was buried in a national cemetery with military honors despite laws prohibiting such distinction.

This bill provides the Department of Veterans Affairs the authority to right such wrongs, ensuring our national cemeteries are reserved for our country's most deserving heroes.

Mr. Speaker, my sympathies go out to the family and friends of Ms. Koehl. It is impossible for any of us here today to fully grasp the hardship they have needlessly endured.

I respectfully ask my colleagues to support this legislation.

EMERGENCY UNEMPLOYMENT COMPENSATION EXTENSION ACT

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. Mr. Speaker, I rise today on behalf of the nearly 40,000 unemployed Nevadans at risk of losing their benefits if Congress fails to act before the end of the year.

While our economy has slowly begun to recover from the recession and hous-

ing crisis, there are still 1.3 million fewer jobs today than when the recession started 6 years ago. Nearly 4 million jobless Americans have been unemployed for more than 27 weeks. And while a newly unemployed worker has a 20 to 30 percent chance of getting hired, a long-term unemployed worker has only a 1 in 10 chance of finding a new job in any given month.

Cutting off a critical lifeline to those already struggling to make ends meet would be irresponsible and reckless, causing significant damage to our economic growth and costing our economy nearly 310,000 jobs, including 3,000 in Nevada.

I am proud to cosponsor the Emergency Unemployment Compensation Extension Act that would extend this vital program and related provisions for another year.

So before Congress pats itself on the back about a budget deal, let's think about those families truly in need during these holidays and beyond.

□ 1215

JOBS AND THE ECONOMY

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, as our Nation's economy continues to improve, we still need to have a serious discussion about jobs in this country.

As Congress will soon debate whether to extend unemployment benefits for needy Americans, we must remember that there are young people that are graduating from high schools in our country that are not ready to take jobs that are in high demand.

For instance, from an article I read in *The Wall Street Journal* last year, an estimated 600,000 skilled middle class manufacturing jobs went unfilled in this country. That is absolutely unacceptable. Much of that can be attributed to kids who are simply unprepared.

Mr. Speaker, improved education must be included if we are serious about rebuilding the middle class in this country. And if we are really serious about looking out for the middle class, we have to do something about raising the minimum wage in this country. Any serious discussion about raising the standard of living in our country without addressing these two areas of education and raising the low minimum wage that we have is simply not addressing the issue seriously.

Mr. Speaker, I am trying to address these issues by having a job fair in my district on Friday, January 24, in Fort Worth at the Resource Connection. It is efforts like these and many others that will help get the middle class back on track in this country.

GABRIELLA MILLER KIDS FIRST RESEARCH ACT OF 2013

(Ms. JENKINS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JENKINS. Mr. Speaker, "Stop talking; start doing." That is what Gabriella Miller, a passionate childhood cancer advocate asks of our Nation's leaders.

As an original cosponsor of the Gabriella Miller Kids First Research Act, I encourage my colleagues to honor her request and support this piece of legislation. The bill directs \$126 million to fund a new pediatric research initiative at the National Institutes of Health. These dollars will fund research, clinical trials, and medical advancement aimed at discovering better treatments to help kids fight their battles against childhood diseases.

In my State, the University of Kansas Medical Center is making great strides in the fight against pediatric illnesses, including plans for a pediatric blood cancer program, research to prevent severe behavior disorders in children, and efforts to establish an institute for children's health and development.

Although Gabriella lost her battle to brain cancer in October, this bill supports programs that will find cures for brave kids like her.

NELSON MANDELA

(Mr. MORAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN. Mr. Speaker, our lives will go on, but the life of the world community was forever changed by the life of Nelson Mandela, who passed away this week.

He chose the principles of truth and reconciliation and democracy and peace through justice to guide his life, and he was willing to give his life for those principles.

It is unfortunate that the United States didn't support world sanctions against South Africa. I would hope if we had the opportunity to oppose apartheid wherever it exists throughout the world again that we would follow the lead of Nelson Mandela.

Treating people differently because of their race or their class or their religion is simply wrong. The way that we honor Nelson Mandela best is to follow his principles. He transformed this world. We have the opportunity now to learn from his life and to follow his principles.

COMPUTER SCIENCE EDUCATION WEEK

(Mr. POLIS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. POLIS. Mr. Speaker, I rise today in support of Computer Science Education Week, a time in which educators, businesses, policymakers, and communities can come together to celebrate the important role of computer science.

In the next 10 years, there will be more than 1 million more computer science jobs than we have students studying computer science. We need to address that gap. That is why Representative BROOKS and I introduced the Computer Science Education Act, H.R. 2536. Without creating any new Federal programs or requiring any new spending, our bill would allow existing Federal funding to support computer science programs across our schools.

This week, students across the country can try out computer science by participating in the "Hour of Code." On Monday in my district, St. Vrain Valley School District students worked with Oracle to develop apps to help get K-8 students excited about computer science. At CU-Boulder, college students designed their own video games that allow people with no coding experience to create their own 3-D worlds. Through the National Center for Women and Information Technology in my district, more than 300 companies are working to increase the participation of girls and women in computing.

I hope you join me in supporting Computer Science Education Week either by participating in the "Hour of Code" or supporting the Computer Science Education Act.

NATIONAL INDUSTRIES FOR THE BLIND

(Mr. LANKFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANKFORD. Mr. Speaker, I rise today to wish a happy anniversary to an organization that is actually helping people.

Seventy-five years ago, the Wagner-O'Day Act was signed here in the United States Congress. It is now known as the AbilityOne Program. It honors each individual person across our country with unique disabilities to be able to say as a Nation we are going to stand with you on that.

I believe firmly that every individual evaluates success in a different way, but I think part of how they evaluate success is do they have a great family experience, do they have a great community of friends around them, are they deep in their own personal faith, and do they have work that is meaningful.

The AbilityOne Program—and what is happening specifically in my State with an organization connected to them called NewView Oklahoma—they

are helping people have great value and understanding that people that are blind and visually impaired can have great success in life and can contribute to society.

They are producing products that are sold commercially and to governments that are all over the world. In fact, 2 years ago I was in Afghanistan; and when we landed, as we got off the back of the aircraft there, there was one of the bright yellow chalks that is uniquely made in Oklahoma by people that are blind and visually impaired.

This is a great gift that we are doing, and I wish them happy anniversary.

IMMIGRATION REFORM

(Mr. SCHIFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHIFF. Mr. Speaker, I rise today to call on Speaker BOEHNER to allow passage of the comprehensive immigration reform legislation. It is vital that we approach the issue of immigration with a sense of urgency, a spirit of compassion, and a commitment to security. Most important, reform must provide a path to citizenship for undocumented immigrants and allow them to emerge from the shadows.

My congressional office has one of the highest volumes of immigration cases in California, and the stories that are shared with me are heartbreaking. I receive calls from constituents every day describing the hardships that our broken immigration system has placed on their families, and I have heard their pleas for help.

The current wait time for many family members to reunite in the United States can be 10 years or more. DREAMers who came to the United States as young children and are pursuing a college degree or serving in the military have limited or no career opportunities and are stuck in endless limbo.

Our broken immigration system takes a terrible toll on innocent families, local law enforcement, and our economy. We must not further delay action. The time to fix it is now.

IMMIGRATION REFORM

(Mr. GRIJALVA asked and was given permission to address the House for 1 minute.)

Mr. GRIJALVA. Mr. Speaker, as Members of the House reach their conclusions on the budget deal announced by Congressman RYAN and Senator MURRAY, I might add it is a deal devoid of any support for the unemployed, real investment in jobs and education, and tax reform that produces fairness, pushing additional cost burdens on Federal employees. But it does avoid cuts to Social Security and Medicare and the Republican-inspired government shutdown and near default.

I want to remind my colleagues in the House that that same kind of effort, attention, and risk is needed on the issue of comprehensive immigration reform. If we can produce a budget deal through the crisis that we have been through, then it is time for the House of Representatives and the Republican leadership to step up and produce the same kind of effort, the same kind of attention to one of the most critical domestic issues affecting so many families and communities in this country, and that is the question of comprehensive immigration reform.

If we have the fortitude, the risk to compromise on a budget, we should certainly be able to do that for immigration reform.

NIH FUNDING

(Ms. KUSTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER. Mr. Speaker, the National Institutes of Health has helped make America one of the great engines of biomedical discovery.

NIH funding is critical for NIH to sustain its mission of improving health through scientific breakthroughs and maintain our international leadership.

I am proud that some of the world's best scientific research is taking place right here in New Hampshire. In New Hampshire, lifesaving research at Dartmouth College and UNH is made possible by NIH grants.

Unfortunately, the first year of sequestration required NIH to cut 5 percent of its budget. Many of America's young scientists are leaving the U.S. to pursue their research abroad for more stable positions.

If the sequestration were to continue for the full 10 years, NIH would lose a staggering \$19 billion, and our Nation would lose precious time in its race against Alzheimer's disease, cancer, autism, HIV/AIDS, and countless other diseases that cause pain and suffering.

I urge congressional leaders to approve robust funding for NIH and to reverse the damaging impact of sequestration on research programs.

AFFORDABLE CARE ACT

(Mrs. NEGRETE McLEOD asked and was given permission to address the House for 1 minute.)

Mrs. NEGRETE McLEOD. Mr. Speaker, the Affordable Care Act is moving in the right direction and delivering what the law was intended to do: delivering a wider range of medical services to all Americans, including improved access to mental health services.

The administration announced that \$100 million of additional funding would be made available to expand and improve the way Americans receive mental health services.

According to the California HealthCare Foundation, nearly one in six Californian adults has a mental health need and approximately one in 20 suffers from a serious mental illness that makes it difficult to carry out major life activities. The rate among children is higher where one in 13 suffers from a mental illness that limits participation in daily activities.

While most mental illnesses are treatable, those with mental illness often struggle to get needed treatment if they do not have health insurance that covers mental health services. Starting next year, insurers would not be able to deny coverage or charge an individual more due to preexisting health conditions, including mental illnesses. The health care law would also require most health plans to cover recommended preventive services like depression screening for adults and behavior assessment for children.

RESIGNATION AS MEMBER OF COMMITTEE ON THE JUDICIARY, COMMITTEE ON NATURAL RESOURCES, AND COMMITTEE ON VETERANS' AFFAIRS

The SPEAKER pro tempore (Mr. POE of Texas) laid before the House the following resignation as a member of the Committee on the Judiciary, the Committee on Natural Resources, and the Committee on Veterans' Affairs:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 9, 2013.
Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER: I wish to resign from my assignments to the House Committee on the Judiciary, the House Committee on Natural Resources, and the House Committee on Veterans' Affairs effective the week of December 9th, 2013. My resignation is in order to facilitate my appointment to the House Committee on Appropriations. Thank you for the opportunity.

Sincerely,

MARK E. AMODEI.

The SPEAKER pro tempore. Without objection, the resignations are accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON AGRICULTURE, COMMITTEE ON ARMED SERVICES, AND COMMITTEE ON EDUCATION AND THE WORKFORCE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Agriculture, the Committee on Armed Services, and the Committee on Education and the Workforce:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 11, 2013.

Hon. JOHN BOEHNER,
Speaker of the House,
Washington, DC.

DEAR SPEAKER BOEHNER: Please accept this letter as resignation from my seats on the House Committee on Agriculture, the House Committee on Armed Services, and the House Committee on Education and the Workforce.

I thank you for the opportunity to serve on these important Committees. I remain committed to supporting my district's unique military, agriculture, and educational interests in my new capacity on the House Committee on Appropriations.

Sincerely,

MARTHA ROBY,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignations are accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, COMMITTEE ON HOMELAND SECURITY, AND COMMITTEE ON NATURAL RESOURCES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Science, Space, and Technology, the Committee on Homeland Security, and the Committee on Natural Resources:

HOUSE OF REPRESENTATIVES,
Washington, DC, December 9, 2013.
OFFICE OF THE SPEAKER,
House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER: As you are aware, the Steering Committee acted last week on my request to join the Appropriations Committee. In order to move on to the Appropriations Committee, I am writing to resign from my current committee assignments, including all subcommittees on:

The Science, Space, and Technology Committee;

The Homeland Security Committee; and
The Natural Resources Committee.

I have truly enjoyed my service on these committees. I similarly look forward to serving on the Appropriations Committee.

Sincerely,

CHRIS STEWART.

The SPEAKER pro tempore. Without objection, the resignations are accepted.

There was no objection.

□ 1230

ELECTING CERTAIN MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Ms. JENKINS. Mr. Speaker, by direction of the House Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration in the House.

The Clerk read the resolution, as follows:

H. RES. 437

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON AGRICULTURE—Mr. McAllister.

COMMITTEE ON APPROPRIATIONS—Mrs. Roby, Mr. Amodei, and Mr. Stewart.

COMMITTEE ON NATURAL RESOURCES—Mr. McAllister.

Ms. JENKINS (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

NATIVE AMERICAN VETERANS' MEMORIAL AMENDMENTS ACT OF 2013

Mr. MULLIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2319) to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2319

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Native American Veterans' Memorial Amendments Act of 2013".

SEC. 2. NATIVE AMERICAN VETERANS' MEMORIAL.

(a) *AUTHORITY TO ESTABLISH MEMORIAL.—Section 3 of the Native American Veterans' Memorial Establishment Act of 1994 (20 U.S.C. 80q–5 note; 108 Stat. 4067) is amended—*

(1) *in subsection (b), by striking "within the interior structure of the facility provided for by" and inserting "on property under the jurisdiction of the Museum on the site described in"; and*

(2) *in subsection (c)(1), by striking "in consultation with the Museum, is" and inserting "and the National Museum of the American Indian are".*

(b) *PAYMENT OF EXPENSES.—Section 4(a) of the Native American Veterans' Memorial Establishment Act of 1994 (20 U.S.C. 80q–5 note; 108 Stat. 4067) is amended—*

(1) *in the heading, by inserting "AND NATIONAL MUSEUM OF THE AMERICAN INDIAN" after "AMERICAN INDIANS"; and*

(2) *in the first sentence, by striking "shall be solely" and inserting "and the National Museum of the American Indian shall be".*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. MULLIN) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. MULLIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULLIN. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2319 is a bill that would continue to recognize the efforts of all Native American, Alaska Native, and Native Hawaiian veterans across the Nation. These brave soldiers, including my own grandfather, Kenneth Morris, sacrificed much for the country they love. It is important that we properly honor these brave soldiers and tell their story for generations to come.

As many of my colleagues know, last month Congress awarded Congressional Gold Medals to Native American code talkers from all over the country, a long overdue recognition for their bravery and valor. These men saved countless lives during World Wars I and II by using their native languages.

My bill amends a 1994 law that allows the National Museum of the American Indian more flexibility to design and raise funds for the building of a memorial. The memorial is currently authorized to be constructed inside the confines of the museum, but with the limited space within the museum itself, this bill provides for a more appropriate tribute.

This bipartisan bill has received overwhelming support from the National Congress of American Indians and the National Museum of the American Indian. As one of only two Native Americans in Congress, it has been my privilege to work to make this memorial a reality.

I ask for your support of this legislation which was reported by unanimous consent from the Committee on Natural Resources just last week and will require no cost to the American taxpayers.

Mr. Speaker, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, H.R. 2319 authorizes the construction of a Native American Veterans Memorial on the grounds of the National Museum of the American Indian. The memorial is already authorized to be built within the museum, but planning efforts have identified the needs for more space. This bill simply

allows the memorial to be built outside.

Native Americans have a long and proud tradition of military service. Navajo code talkers were involved in every assault the U.S. Marines conducted in the Pacific from 1942 to 1945. Their heroics even inspired a Hollywood movie, but the proud tradition of Native American service goes all the way back to the Revolutionary War. Since then, the Nation's first Americans have fought in every U.S. engagement, and it is about time that we recognize their service with a national memorial. I cannot think of a better place to commemorate that tradition than on the grounds of the National Museum.

I also want to take time to thank Congressman MULLIN for his leadership and sponsorship of this legislation, overdue, and very, very appropriate and historically necessary.

We support H.R. 2319 and urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. MULLIN. Mr. Speaker, I appreciate the bipartisan support from my colleague from Arizona and definitely the support from the other side of the aisle that so often is needed inside this House.

Mr. Speaker, at this time, I yield as much time as he may consume to the gentleman from North Dakota (Mr. CRAMER).

Mr. CRAMER. Mr. Speaker, I certainly want to thank my friend and colleague from Oklahoma. He is a colleague on the Natural Resources Committee with me, as well as the Indian and Alaska Native Affairs Subcommittee, and Mr. MULLIN has demonstrated great leadership on this important legislation.

In my State of North Dakota, our citizens enlist in the military at a rate four times the national average. Much of the credit for this impressive statistic really belongs to the thousands of our native citizens who have enlisted at very, very high rates, citizens from the Turtle Mountain Band of Chippewa, from the Fort Berthold Mandan, Hidatsa, and Arikara Nation, from our Sioux Nations at Fort Yates and Fort Totten, from the Standing Rock and Spirit Lake Nations as well as Sisseton-Wahpeton Sioux Nation who have demonstrated exemplary patriotism in their enlistment. And furthermore, they carry out this patriotism with incredible pride, understandable and appropriate pride in the way they participate with their honor and color guards at veterans' events throughout our State.

This memorial and these amendments are really a very appropriate and important recognition of their sacrifice and their service and their unique contribution to our society, especially given the history of our Nation's birth.

So, Mr. Speaker, I encourage all of our colleagues to honor our native veterans by voting "yes" on this important legislation.

Mr. GRIJALVA. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from Minnesota (Ms. MCCOLLUM), cochair of the Native American Caucus in the House.

Ms. MCCOLLUM. Mr. Speaker, I rise in strong support of the Native American Veterans' Memorial Amendment Act.

Native Americans have served in our Armed Forces at higher rates than any other ethnic group, even while being denied the right to vote and full citizenship in this country.

Their contributions include 27 recipients of the Medal of Honor and code talkers, whose native languages became the unbreakable code, keeping America safe, keeping America strong. A permanent memorial for these brave men and women will ensure all Americans are able to honor and remember their sacrifice.

While construction of such a memorial has been authorized since 1994, this bill offers critical amendments to make it a reality. It allows the National Museum of the American Indian to build the memorial on its grounds and permits the museum to work with the National Congress of American Indians in raising funding.

This honor is past due for the thousands of Native American veterans and servicemembers and their families, and I urge my colleagues to join me, to join all of us in giving thanks for their service by supporting this bill.

Mr. MULLIN. Mr. Speaker, I yield as much time as he may consume to the gentleman from Montana (Mr. DAINES).

Mr. DAINES. Mr. Speaker, I want to thank Congressman MULLIN for the work he has done in leading this important bill and bringing it to the floor, as well as the bipartisan support from my distinguished friend and Member from Arizona (Mr. GRIJALVA), as we are bringing something together here that is bipartisan in nature for a very important reason.

Montana is the proud home of seven federally recognized tribes, along with the State-recognized tribe the Little Shell. Montana's tribes not only represent an important part of Montana's history and our heritage, in fact, more than 2,500 Montana tribal members are veterans who serve as true examples of service, of bravery, of patriotism.

Last month, I was blessed with the opportunity to meet with some of those Montana veterans, their families, and other tribal members in Washington, D.C., for a Congressional Gold Medal ceremony honoring the Native American code talkers who served in both World Wars. In fact, it was a special moment.

I brought several of those members of the Crow Tribe, descendants of these

Crow code talkers, to the House floor for a tour after Congress had adjourned. And here we were, in this great Chamber, as these members of the Crow Tribe presented a blessing in their native language that was helpful in allowing us to win the World Wars.

This recognition was long overdue and well-deserved for these brave and selfless men and women. I think it is important that all of our Native American veterans receive the honor they deserve.

This bill would help a memorial commemorating our Native American veterans to be constructed on the National American Indian Museum grounds here in Washington, D.C. This memorial will serve as an important symbol of gratitude for the thousands of native men and women who have fought to keep us free.

I hope all Members will join me today in supporting this effort to show our Native American veterans the appreciation and honor that is most deserved.

Mr. GRIJALVA. Mr. Speaker, I have no further speakers.

I just want to conclude by again thanking the sponsor of the legislation and, I think, to point out the obvious: this legislation is important, its timing is important, and the fact that this recognition, per capita, for contributions to our Nation in military service for Native American peoples and tribes across this country is a very important one. It speaks to real loyalty, real love of the land, and real love of this Nation. I am proud to be here and to lend my support to this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. MULLIN. Mr. Speaker, I would like to thank my colleague from Arizona for his support on this very important piece of legislation.

We have no further speakers, so I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. MULLIN) that the House suspend the rules and pass the bill, H.R. 2319, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MULLIN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

ALICIA DAWN KOEHL RESPECT FOR NATIONAL CEMETERIES ACT

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1471) to authorize the Secretary of Veterans Affairs and the Sec-

retary of the Army to reconsider decisions to inter or honor the memory of a person in a national cemetery, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1471

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Alicia Dawn Koehl Respect for National Cemeteries Act”.

SEC. 2. AUTHORITY TO RECONSIDER DECISIONS OF SECRETARY OF VETERANS AFFAIRS OR SECRETARY OF THE ARMY TO INTER THE REMAINS OR HONOR THE MEMORY OF A PERSON IN A NATIONAL CEMETERY.

(a) AUTHORITY TO RECONSIDER PRIOR DECISIONS.—Section 2411 of title 38, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following new subsections:

“(d)(1) In a case described in subsection (e), the appropriate Federal official may reconsider a decision to—

“(A) inter the remains of a person in a cemetery in the National Cemetery Administration or in Arlington National Cemetery; or

“(B) honor the memory of a person in a memorial area in a cemetery in the National Cemetery Administration (described in section 2403(a) of this title) or in such an area in Arlington National Cemetery (described in section 2409(a) of this title).

“(2)(A)(i) In a case described in subsection (e)(1)(A), the appropriate Federal official shall provide notice to the deceased person’s next of kin or other person authorized to arrange burial or memorialization of the deceased person of the decision of the appropriate Federal official to disinter the remains of the deceased person or to remove a memorial headstone or marker memorializing the deceased person.

“(ii) In a case described in subsection (e)(1)(B), if the appropriate Federal official finds, based upon a showing of clear and convincing evidence and after an opportunity for a hearing in a manner prescribed by the appropriate Federal official, that the person had committed a Federal capital crime or a State capital crime but had not been convicted of such crime by reason of such person not being available for trial due to death or flight to avoid prosecution, the appropriate Federal official shall provide notice to the deceased person’s next of kin or other person authorized to arrange burial or memorialization of the deceased person of the decision of the appropriate Federal official to disinter the remains of the deceased person or to remove a memorial headstone or marker memorializing the deceased person.

“(B) Notice under subparagraph (A) shall be provided by the appropriate Federal official as follows:

“(i) By the Secretary in accordance with section 5104 of this title.

“(ii) By the Secretary of Defense in accordance with such regulations as the Secretary of Defense shall prescribe for purposes of this subsection.

“(3)(A) Notwithstanding any other provision of law, the next of kin or other person authorized to arrange burial or memorialization of the deceased person shall be allowed a period of 60 days from the date of the notice required by paragraph (2) to file a notice

of disagreement with the Federal official that provided the notice.

“(B)(i) A notice of disagreement filed with the Secretary under subparagraph (A) shall be treated as a notice of disagreement filed under section 7105 of this title and shall initiate appellate review in accordance with the provisions of chapter 71 of this title.

“(ii) A notice of disagreement filed with the Secretary of Defense under subparagraph (A) shall be decided in accordance with such regulations as the Secretary of Defense shall prescribe for purposes of this subsection.

“(4) When the decision of the appropriate Federal official to disinter the remains or remove a memorial headstone or marker of the deceased person becomes final either by failure to appeal the decision in accordance with paragraph (3)(A) or by final disposition of the appeal pursuant to paragraph (3)(B), the appropriate Federal official may take any of the following actions:

“(A) Disinter the remains of the person from the cemetery in the National Cemetery Administration or in Arlington National Cemetery and provide for the reburial or other appropriate disposition of the disinterred remains in a place other than a cemetery in the National Cemetery Administration or in Arlington National Cemetery.

“(B) Remove from a memorial area in a cemetery in the National Cemetery Administration or in Arlington National Cemetery any memorial headstone or marker placed to honor the memory of the person.

“(e)(1) A case described in this subsection is a case in which the appropriate federal official receives—

“(A) written notice of a conviction referred to in subsection (b)(1), (b)(2), or (b)(4) of a person described in paragraph (2); or

“(B) information that a person described in paragraph (2) may have committed a Federal capital crime or a State capital crime but was not convicted of such crime by reason of such person not being available for trial due to death or flight to avoid prosecution.

“(2) A person described in this paragraph is a person—

“(A) whose remains have been interred in a cemetery in the National Cemetery Administration or in Arlington National Cemetery; or

“(B) whose memory has been honored in a memorial area in a cemetery in the National Cemetery Administration or in such an area in Arlington National Cemetery.”.

(b) MODIFICATION OF EXCEPTION TO INTERMENT OR MEMORIALIZATION PROHIBITION.—Subsection (a)(2) of such section is amended by striking “such official approves an application for”.

(c) APPLICABILITY.—The amendments made by this section shall apply with respect to any interment or memorialization conducted by the Secretary of Veterans Affairs or the Secretary of the Army in a cemetery in the National Cemetery Administration or in Arlington National Cemetery after the date of the enactment of this Act.

SEC. 3. DISINTERMENT OF REMAINS OF MICHAEL LASHAWN ANDERSON FROM FORT CUSTER NATIONAL CEMETERY.

(a) DISINTERMENT OF REMAINS.—The Secretary of Veterans Affairs shall disinter the remains of Michael LaShawn Anderson from Fort Custer National Cemetery.

(b) NOTIFICATION OF NEXT-OF-KIN.—The Secretary of Veterans Affairs shall—

(1) notify the next-of-kin of record for Michael LaShawn Anderson of the impending disinterment of his remains; and

(2) upon disinterment, relinquish the remains to the next-of-kin of record for Michael LaShawn Anderson or, if the next-of-

kin of record for Michael LaShawn Anderson is unavailable, arrange for an appropriate disposition of the remains.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from Maine (Mr. MICHAUD) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and add any extraneous material and include that material on S. 1471.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

□ 1245

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of S. 1471, the Alicia Dawn Koehl Respect for National Cemeteries Act. This bill would grant authority to the Department of Veterans Affairs to reconsider the decision to inter or memorialize an individual within a national cemetery in situations where it is later discovered that the deceased committed a capital crime.

Currently, section 2411 of title 38, United States Code, prohibits the interment or memorialization of persons who committed a Federal or State capital crime. Nonetheless, situations have arisen where the entity, such as a funeral home, or the individual who is charged with scheduling the interment or memorialization of a decedent either does not know of the decedent's crime or does not truthfully report such crime to Federal cemetery officials.

In situations where a funeral home had no knowledge that a decedent was involved in a capital crime at the time of the burial request, VA actually lacks the statutory authority to reconsider interment or memorialization decisions. Simply put, individuals who are buried or memorialized within national cemeteries cannot be disinterred on the basis of subsequently received information.

Mr. Speaker, S. 1471 would provide this authority to VA, as well as to the Department of Defense, in the case of Arlington National Cemetery.

VA supports this bill, as it would provide the Department with the ability to redress interment cases where eligibility is invalidated by information that is learned after a burial.

This bill would also specifically direct the Secretary of Veterans Affairs to disinter the remains of Michael Lashawn Anderson from Fort Custer National Cemetery, as it was Mr. An-

derson who murdered Alicia Dawn Koehl prior to taking his own life. In that case, the funeral home charged with Mr. Anderson's burial was unaware of the incident. Thus they did not properly report the crime, and Fort Custer National Cemetery provided the military funeral.

The interment of Mr. Anderson was brought to the attention of the Indiana congressional delegation; and I want to thank my colleague from Indiana (Mrs. BROOKS) for highlighting this tragic incident and for offering companion legislation to S. 1471. I also want to thank our colleagues in the Senate for addressing this need and for passing S. 1471. I encourage all of my colleagues to support this legislation.

At this time, I reserve the balance of my time.

Mr. MICHAUD. Mr. Speaker, I yield myself such time as I may consume.

I support this legislation to allow the VA or the Secretary of the Army to reconsider their decisions to inter individuals at our Veterans National Cemeteries, to include Arlington National Cemetery. With this legislation, individuals who may have committed a Federal or State capital crime, but were not convicted by reason of unavailability for trial due to death or flight to avoid prosecution, may be considered for disinterment.

Being buried in our national cemeteries is one of the highest honors our Nation bestows upon veterans and their dependents for their service and sacrifice.

This legislation also closes a loophole in the current law. Currently, veterans and their dependents who have been convicted of capital crimes may not be buried in Arlington National Cemetery or any national cemetery. If there is a mistake and they are inappropriately buried in one of these cemeteries, the Army and/or VA cannot correct the mistake. This legislation would correct this issue and allow the Secretaries of the Army and the VA to reconsider the original interment and exhume the body for interment elsewhere.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, at this time, I yield such time as she may consume to the gentlewoman from Indiana (Mrs. BROOKS), the Member who brought this matter to the committee's attention.

Mrs. BROOKS of Indiana. Mr. Speaker, I want to thank the distinguished gentleman from Florida, Chairman MILLER, and Subcommittee Chairman RUNYAN for bringing up this important piece of legislation today, S. 1471.

Mr. Speaker, during this season of Christmas, we seek to surround ourselves with our family and friends to give thanks for the blessings in our lives. But unfortunately, one family

from my district will be spending yet another Christmas season without their wife, without their mother, without their daughter-in-law because of a senseless act of violence that took place at an apartment complex in Indianapolis, Indiana, on May 30, 2012.

On that date, Michael Anderson, a deranged Army veteran, went on a shooting rampage that took the life of Alicia Koehl, who was an apartment complex manager. After taking her life, he also severely injured three others. Mr. Anderson shot Alicia 13 times before taking his own life.

Alicia's killing left a hole in communities throughout Indiana. She was not only a mother to two young children and a loving wife but she was also a Girl Scout leader, the Volunteer of the Year at Spring Mill Elementary School, and an active member of her church.

Paul Koehl, Alicia's husband, provided testimony to the House Veterans' Affairs Committee that Alicia was the "glue that held our family together." He continued that her motto in life was "live, laugh, love" and that the saying could be found in almost every room of their home. He finally relayed her contagious optimism by telling that her smile and gentle nature never failed to light up a room.

So it is no wonder that her passing triggered an outpouring of sympathy throughout the State, with candlelight vigils being held and the Indianapolis City Council formally memorializing her as someone "whose very presence in the community is a stabilizing influence which lends a sense of purpose and direction."

Mr. Speaker, you can only imagine the indignation when, in the midst of their grief, family and friends found out that the killer of Alicia was allowed burial in a national cemetery with full military honors. This is in spite of a Federal law explicitly forbidding the Department of Veterans Affairs from interring anyone who has committed a capital crime, including those never formally convicted.

At the request of Alicia's family and friends, Senator COATS and I began working on this case to rectify the mistake made by the National Cemeteries Association. The NCA informed us that they lacked the authority to disinter Michael Anderson or the ability to rectify their horrific mistake if something like this should ever happen again.

Mr. Speaker, this is unacceptable. I am outraged not only that the Koehl family has had to endure yet another injustice after Alicia's life was needlessly cut short but also that our brave servicemen and -women who, in some cases, have given the ultimate sacrifice to their Nation are buried next to a murderous criminal.

The legislation before the House today will simply give the Department of Veterans Affairs the ability to reconsider interment of veterans who

lost their privilege of interment in our national cemeteries by committing a capital offense. Our Nation's cemeteries shouldn't be tarnished because of a legislative technicality, and the bill before us will close this loophole. Our bravest men and women should be buried next to fellow heroes, and today we can make sure they always are.

So I am proud to be a sponsor of the House version of this bill that garnered the support of all Hoosier Representatives, and I want to thank them for coming together in a bicameral and bipartisan way to get behind this meaningful and important piece of legislation.

I want to encourage all of my colleagues on both sides of the aisle to come together to help give closure to the Koehl family, restore a sense of honor to our national cemeteries, and improve protocol so that an injustice like this will never happen again.

Mr. MICHAUD. Mr. Speaker, today we can take a meaningful step to ensure the sanctity of our national cemeteries. These grounds are hallowed for the men and women who fought selflessly on our behalf.

With that, I encourage my colleagues to support this legislation and yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I, too, encourage our colleagues to join in support of S. 1471.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, S. 1471.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MILLER of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

SEAN AND DAVID GOLDMAN INTERNATIONAL CHILD ABDUCTION PREVENTION AND RETURN ACT OF 2013

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3212) to ensure compliance with the 1980 Hague Convention on the Civil Aspects of International Child Abduction by countries with which the United States enjoys reciprocal obligations, to establish procedures for the prompt return of children abducted to other countries, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3212

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Sean and David Goldman International Child Abduction Prevention and Return Act of 2013”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings; sense of Congress; purposes.
- Sec. 3. Definitions.

TITLE I—DEPARTMENT OF STATE ACTIONS

- Sec. 101. Annual report.
- Sec. 102. Standards and assistance.
- Sec. 103. Memorandum of understanding.
- Sec. 104. Notification of congressional representatives.

TITLE II—PRESIDENTIAL ACTIONS

- Sec. 201. Presidential actions in response to unresolved cases.
- Sec. 202. Presidential actions in response to patterns of noncooperation in cases of international child abductions.
- Sec. 203. Consultations with foreign governments.
- Sec. 204. Report to Congress.
- Sec. 205. Presidential actions.
- Sec. 206. Presidential waiver.
- Sec. 207. Publication in Federal Register.
- Sec. 208. Termination of Presidential actions.

SEC. 2. FINDINGS; SENSE OF CONGRESS; PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) Sean Goldman, a United States citizen and resident of New Jersey, was abducted from the United States in 2004 and separated from his father, David Goldman, who spent nearly six years battling for the return of his son from Brazil before Sean was finally returned to Mr. Goldman's custody on December 24, 2009.

(2) The Department of State's Office of Children's Issues, which serves as the Central Authority of the United States for the purposes of the 1980 Hague Convention on the Civil Aspects of International Child Abduction, has received thousands of requests since 2007 for assistance in the return to the United States of children who have been abducted by a parent or other legal guardian to another country. For a variety of reasons reflecting the significant obstacles to the recovery of abducted children, as well as the legal and factual complexity involving such cases, not all cases are reported to the Central Authority of the United States.

(3) More than one thousand outgoing international child abductions are reported to the Central Authority of the United States every year.

(4) Only about half of the children abducted from the United States to countries with which the United States enjoys reciprocal obligations under the Hague Abduction Convention are returned to the United States.

(5) The United States and Convention countries have expressed their desire, through the Hague Abduction Convention, “to protect children internationally from the harmful effects of their wrongful removal or retention and to establish procedures to ensure their prompt return to the State of their habitual residence, as well as to secure protection for rights of access.”.

(6) Compliance by the United States and Convention countries depends on the actions of their designated central authorities, the

performance of their judiciaries as reflected in the legal process and decisions rendered to enforce or effectuate the Hague Abduction Convention, and the ability and willingness of their law enforcement to insure the swift enforcement of orders rendered pursuant to the Hague Abduction Convention.

(7) According to data compiled by the Central Authority of the United States, approximately 40 percent of abduction cases and access cases involve children taken from the United States to countries with which the United States does not have Hague Abduction Convention obligations or other agreements relating to the resolution of abduction cases and access cases.

(8) According to the Department of State's April 2010 Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction, “parental child abduction jeopardizes the child and has substantial long-term consequences for both the child and the left-behind parent.”.

(9) Abducted children are at risk of serious emotional and psychological problems and have been found to experience anxiety, eating problems, nightmares, mood swings, sleep disturbances, aggressive behavior, resentment, guilt and fearfulness, and as adults may struggle with identity issues, personal relationships, and parenting.

(10) Left-behind parents may encounter substantial psychological and emotional problems, and few have the extraordinary financial resources necessary to pursue individual civil or criminal remedies in both the United States and a foreign country, even where available, or to engage in repeated foreign travel to attempt to procure the return of their children by evoking diplomatic and humanitarian remedies.

(11) Left-behind parents who are military parents may be unable to leave their military duties to pursue multinational litigation or take leave to attend multiple court proceedings, and foreign authorities may not schedule proceedings to accommodate such duties.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should set a strong example for Convention countries in the timely location and return of abducted children in the United States whose habitual residence is not the United States.

(c) PURPOSES.—The purposes of this Act are to—

(1) protect children whose habitual residence is the United States from the harmful effects of abduction and to assist left-behind parents to have access to their abducted child in a safe and predictable manner, wherever the child is located, while an abduction case is pending;

(2) provide left-behind parents, including military parents, their advocates, and judges the information they need to enhance the resolution of abduction cases and access cases through established legal procedures, risk assessment tools, and the practical means for overcoming obstacles to recovering an abducted child;

(3) establish measured, effective, and predictable actions to be undertaken by the President on behalf of abducted children whose habitual residence is the United States at the time of the abduction;

(4) promote an international consensus that it is in the interest of children to have any issues related to their care and custody determined in the country of their habitual residence;

(5) provide the necessary training for officials of the United States Armed Forces and the Department of Defense to establish policies and provide services to military parents

that address the unique circumstances of abductions and violations of rights of access that may occur with regard to military dependent children; and

(6) encourage the effective implementation of international mechanisms, particularly those established pursuant to the Hague Abduction Convention, to achieve reciprocity in the resolution of abductions and to protect children from the harmful effects of an abduction.

SEC. 3. DEFINITIONS.

In this Act:

(1) **ABDUCTED CHILD.**—The term “abducted child” means a child who is the victim of an abduction.

(2) **ABDUCTION.**—The term “abduction” means—

(A) the alleged wrongful removal of a child from the child’s country of habitual residence;

(B) the alleged wrongful retention of a child outside the child’s country of habitual residence; or

(C) the alleged wrongful removal or retention of a military dependent child from the exercise of rights of custody of a military parent.

(3) **ABDUCTION CASE.**—The term “abduction case” means a case involving an application filed with the Central Authority of the United States by a left-behind parent for the resolution of an abduction.

(4) **ACCESS CASE.**—The term “access case” means a case involving an application filed with the Central Authority of the United States by a left-behind parent for the establishment of rights of access.

(5) **ANNUAL REPORT.**—The term “Annual Report” means the Annual Report on International Child Abduction required under section 101.

(6) **APPLICATION.**—The term “application” means—

(A) in the case of a Convention country, the application required pursuant to article 8 of the Hague Abduction Convention;

(B) in the case of an MOU country, the formal document required pursuant to the provisions of the applicable MOU to request the return of an abducted child or to request rights of access, as applicable; and

(C) in the case of a nonparty country, the formal request by the Central Authority of the United States to the Central Authority of such country requesting the return of an abducted child or for rights of access to an abducted child.

(7) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(8) **CENTRAL AUTHORITY.**—The term “Central Authority” means—

(A) in the case of a Convention country, the meaning given such term in article 6 of the Hague Abduction Convention;

(B) in the case of an MOU country, the official entity designated by the government of the MOU country within the applicable MOU pursuant to section 103(b)(1) to discharge the duties imposed on the entity in such MOU; and

(C) in the case of a nonparty country, the foreign ministry of such country.

(9) **CHILD.**—The term “child” means an individual who has not attained the age of 16.

(10) **CONVENTION COUNTRY.**—The term “Convention country” means a country other than the United States that has ratified, acceded, or succeeded to the Hague Abduction Convention and with respect to which the

United States has entered into a reciprocal agreement pursuant to the Hague Abduction Convention.

(11) **HAGUE ABDUCTION CONVENTION.**—The term “Hague Abduction Convention” means the Convention on the Civil Aspects of International Child Abduction, done at The Hague on October 25, 1980.

(12) **LEFT-BEHIND PARENT.**—The term “left-behind parent” means an individual or entity, either individually or jointly, who alleges that an abduction has occurred that is in breach of rights of custody—

(A) attributed to such individual or entity, as applicable; and

(B) exercised at the time of the abduction or that would have been exercised but for the abduction.

(13) **LEGAL RESIDENCE.**—The term “legal residence” means the congressional district and State in which an individual either is residing, or if an individual is residing temporarily outside the United States, the congressional district and State to which the individual intends to return.

(14) **MILITARY DEPENDENT CHILD.**—The term “military dependent child” means a child whose habitual residence is the United States according to United States law even though the child is residing outside the United States with a military parent.

(15) **MILITARY PARENT.**—The term “military parent” means an individual who has rights of custody over a child and who is serving outside the United States as a member of the United States Armed Forces.

(16) **MOU.**—The term “MOU” means a memorandum of understanding between the United States and a country that is not a Convention country to resolve abduction cases and access cases.

(17) **MOU COUNTRY.**—The term “MOU country” means a country with respect to which the United States has entered into an MOU.

(18) **NONPARTY COUNTRY.**—The term “nonparty country” means a country that is neither a Convention country nor an MOU country.

(19) **PATTERN OF NONCOOPERATION.**—

(A) **IN GENERAL.**—The term “pattern of noncooperation” means the persistent failure—

(i) of a Convention country to implement and abide by the provisions of the Hague Abduction Convention; and

(ii) of an MOU country to implement and abide by the provisions of the applicable MOU.

(B) **CRITERIA.**—Such persistent failure may be evidenced by one or more of the following criteria:

(i) The existence of 10 or more unresolved abduction cases.

(ii) The failure of the Central Authority of the country to fulfill its responsibilities pursuant to the Hague Abduction Convention or the MOU, as applicable.

(iii) The failure of the judicial or administrative branch, as applicable, of the national government of the country to implement and comply with the provisions of the Hague Abduction Convention or the MOU, as applicable.

(iv) The failure of law enforcement to locate abducted children or to enforce return orders or determinations of rights of access rendered by the judicial or administrative authorities of the national government of the country in abduction cases or access cases.

(20) **RIGHTS OF ACCESS.**—The term “rights of access” means the rights of contact between a child and a left-behind parent provided as a provisional measure while an ab-

duction case is pending, by operation of law or by reason of judicial or administrative determination or by agreement having legal effect, under the law of the country in which the child is located.

(21) **RIGHTS OF CUSTODY.**—The term “rights of custody” means rights of care and custody of an abducted child, including the right to determine the place of residence of an abducted child—

(A) attributed to an individual or entity, either individually or jointly, and

(B) arising by operation of law or by reason of a judicial or administrative decision, or by reason of an agreement having legal effect, under the law of the country in which the child was an habitual resident immediately before the abduction.

(22) **UNRESOLVED ABDUCTION CASE.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the term “unresolved abduction case” means an abduction case that remains unresolved for a period that exceeds 180 days after the date on which the completed application for return of the child is submitted for determination to the judicial or administrative authority, as applicable, in the country in which the child is located.

(B) **RESOLUTION OF CASE.**—An abduction case shall be considered to be resolved if—

(i) the child is returned to the country of habitual residence, pursuant to the Hague Abduction Convention or MOU, if applicable;

(ii) the judicial or administrative branch, as applicable, of the national government of the country in which the child is located has implemented and is complying with the provisions of the Hague Abduction Convention or the MOU, as applicable, and a final determination is made by such judicial or administrative branch that the child will not be returned to the country of habitual residence; or

(iii) the child attains the age of 16.

TITLE I—DEPARTMENT OF STATE ACTIONS

SEC. 101. ANNUAL REPORT.

(a) **IN GENERAL.**—Not later than March 31 of each year, the Secretary of State shall submit to the appropriate congressional committees an Annual Report on International Child Abduction.

(b) **CONTENTS.**—Each Annual Report shall include the following:

(1) A list of all countries with respect to which there were one or more abduction cases during the preceding year that identifies whether each such country is a Convention country, an MOU country, or a nonparty country.

(2) For each country with respect to which there were 5 or more abduction cases during the preceding year:

(A) The number of abduction cases and the number of access cases, respectively, reported during the preceding year.

(B) The number of abduction cases and the number of access cases, respectively, that are pending as of March 1 of the year in which such Annual Report is submitted.

(C)(i) For Convention and MOU countries, the number of abduction cases and the number of access cases, respectively, that were pending at any point for more than 180 days after the date on which the Central Authority of the United States transmitted the complete application for each such case to the Central Authority of such country, and were not submitted by the Central Authority to the judicial or administrative authority, as applicable, of such country within the 180-day period.

(ii) The reason for the delay in submission of each case identified in clause (i) by the Central Authority of such country to the judicial or administrative authority.

(D) The number of unresolved abduction cases, and the length of time each case has been pending.

(E) The number of unresolved abduction cases in which a completed application has been filed and law enforcement has failed to locate the abducted child or to enforce a return order rendered by the judicial or administrative authorities of such country.

(F) The median time required for resolution of abduction cases during the preceding year, to be measured from the date on which the application with respect to the abduction case is transmitted by the Central Authority of the United States to the Central Authority of such country to the date on which the abduction case is resolved.

(G) The total number and the percentage of the total number of abduction cases and access cases, respectively, resolved during the preceding year.

(H) Detailed information about each unresolved abduction case described in subparagraph (E) and on actions taken by the Department of State to resolve such case, including the specific actions taken by the United States chief of mission in such country.

(I) Recommendations to improve resolution of abduction cases and access cases.

(3) The number of abducted children from the United States who were returned to the United States from Convention countries, MOU countries, and nonparty countries, respectively.

(4) A list of Convention countries and MOU countries that have failed to comply with any of their obligations under the Hague Abduction Convention or the MOU, as applicable, with respect to the resolution of abduction cases and access cases.

(5) A list of countries demonstrating a pattern of noncooperation, and a summary of the criteria on which the determination of a pattern of noncooperation for each country is based.

(6)(A) Information on efforts by the Secretary of State to encourage other countries to become signatories to the Hague Abduction Convention or to enter into an MOU.

(B) The efforts referred to in subparagraph (A) shall include efforts to address pending abduction cases and access cases in such countries.

(7) A description of the efforts of the Secretary of State to encourage Convention countries and MOU countries to facilitate the work of nongovernmental organizations within their respective countries that assist left-behind parents.

(8) The number of cases which were successfully resolved without abducted children being returned to the United States from Convention countries, MOU countries, and nonparty countries, respectively.

(c) EXCEPTION.—The Annual Report shall not include—

(1) the names of left-behind parents or children involved in abduction cases or access cases; or

(2) information that may identify a party involved in an abduction case or access case unless the party stipulates in writing to the Central Authority of the United States that such information may be included in the Annual Report.

(d) ADDITIONAL THEMATIC SECTIONS.—Each Annual Report shall also include—

(1) information on the number of unresolved abduction cases affecting left-behind

parents who are military parents and a summary of assistance offered to such left-behind parents;

(2) information on the use of airlines in abductions, voluntary airline practices to prevent abductions, and recommendations for best airline practices to prevent abductions;

(3) information on actions taken by the Central Authority of the United States to train domestic judges in application of the Hague Abduction Convention; and

(4) information on actions taken by the Central Authority of the United States to train United States Armed Forces legal assistance personnel, military chaplains, and military family support center personnel about abductions, the risk of loss of access to children, and the legal frameworks available to resolve such cases.

(e) REPEAL OF THE HAGUE CONVENTION COMPLIANCE REPORT.—Section 2803 of the Foreign Affairs Reform and Restructuring Act of 1998 (42 U.S.C. 11611) is repealed.

SEC. 102. STANDARDS AND ASSISTANCE.

The Secretary of State shall ensure that United States diplomatic and consular missions abroad—

(1) maintain a consistent reporting standard with respect to abduction cases and access cases involving abducted children in the country in which such mission is located for purposes of the Annual Report;

(2) designate at least one official in each such mission to assist left-behind parents from the United States who are visiting such country to resolve cases involving an abduction or rights of access; and

(3) monitor developments in cases involving abducted children in the country in which such mission is located.

SEC. 103. MEMORANDUM OF UNDERSTANDING.

(a) IN GENERAL.—The Secretary of State should seek to enter into an MOU with every country that is not a Convention country and is unlikely to become a Convention country in the foreseeable future, that includes—

(1) identification of the Central Authority;

(2) a protocol to identify, locate, and effectuate the return of an abducted child identified in an abduction case not later than 6 weeks after the application with respect to the abduction case has been submitted to the judicial or administrative authority, as applicable, of the country in which the abducted child is located;

(3) a protocol for the establishment and protection of the rights of access;

(4) identification of the judicial or administrative authority that will promptly adjudicate abduction cases and access cases;

(5) identification of a law enforcement agency and available law enforcement mechanisms and procedures to ensure the immediate enforcement of an order issued by the authority identified pursuant to paragraph (4) to return an abducted child to a left-behind parent, including by—

(A) conducting an investigation to ascertain the location of the abducted child;

(B) providing protection to the abducted child after such child is located; and

(C) retrieving the abducted child and making the appropriate arrangements for such child to be returned to the country of habitual residence;

(6) a protocol to establish periodic visits between a United States embassy or consular official and an abducted child to allow the official to ascertain the child's location and welfare; and

(7) such other provisions as determined to be appropriate by the Secretary of State.

(b) RULE OF CONSTRUCTION.—

(1) IN GENERAL.—Nothing in this Act shall be construed to prohibit the United States from proposing and entering into a memorandum of understanding with a Convention country to further clarify the reciprocal obligations of the United States and the Convention country under the Hague Abduction Convention.

(2) TREATMENT OF OBLIGATIONS OF CONVENTION COUNTRY.—In those instances in which there is a memorandum of understanding as described in paragraph (1), the obligations of the Convention country under such memorandum shall be considered to be obligations of such country under the Hague Abduction Convention for purposes of this Act.

SEC. 104. NOTIFICATION OF CONGRESSIONAL REPRESENTATIVES.

(a) NOTIFICATION.—Except as provided in subsection (b), the Secretary of State shall notify in writing the Member of Congress and Senators representing the legal residence of a left-behind parent when such parent reports an abduction to the Central Authority of the United States.

(b) EXCEPTION.—The notification requirement under subsection (a) shall not apply if the left-behind parent does not consent to the notification described in such subsection.

(c) TIMING.—At the request of any person who is a left-behind parent, including a left-behind parent who previously reported an abduction to the Central Authority of the United States before the date of the enactment of this Act, notification of a Member of Congress, in accordance with subsections (a) and (b), shall be provided as soon as is practicable.

(d) MEMBER OF CONGRESS DEFINED.—In this section, the term “Member of Congress” means a Representative in, or Delegate or Resident Commissioner to, the Congress.

TITLE II—PRESIDENTIAL ACTIONS

SEC. 201. PRESIDENTIAL ACTIONS IN RESPONSE TO UNRESOLVED CASES.

(a) RESPONSE TO INTERNATIONAL CHILD ABDUCTIONS.—

(1) UNITED STATES POLICY.—It shall be the policy of the United States to—

(A) promote the best interest of children abducted from the United States by establishing legal rights and procedures for their prompt return and by promoting such rights and procedures through actions that ensure the enforcement of reciprocal international obligations; and

(B) recognize the international character of the Hague Abduction Convention, and the need for reciprocity pursuant to and the uniform international interpretation of the Hague Abduction Convention, by promoting the timely resolution of abduction cases through one or more of the actions described in section 205.

(2) REQUIREMENT OF PRESIDENTIAL ACTION.—Whenever the President determines that the government of a foreign country has failed to resolve an unresolved abduction case, the President shall oppose such failure through one or more of the actions described in subsection (b).

(b) PRESIDENTIAL ACTIONS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the President, in consultation with the Secretary of State, shall, as expeditiously as practicable in response to the failure described in subsection (a) by the government of a foreign country, take one or more of the actions described in paragraphs (1) through (13) of section 205(a) (or commensurate action as provided in section 205(b)) with respect to such country.

(2) DEADLINE FOR ACTIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), not later than March 31 of

each year, the President shall take one or more of the actions described in paragraphs (1) through (13) of section 205(a) (or commensurate action as provided in section 205(b)) with respect to each foreign country the government of which has failed to resolve an unresolved abduction case that is pending as of such date.

(B) EXCEPTION.—In the case of an action under any of paragraphs (10) through (13) of section 205(a) (or commensurate action as provided in section 205(b))—

(i) the action may only be taken after the requirements of sections 203 and 204 have been satisfied; and

(ii) the March 31 deadline to take the action shall not apply.

(3) AUTHORITY FOR DELAY OF PRESIDENTIAL ACTIONS.—The President may delay action described in any of the paragraphs (10) through (13) of section 205(a) (or commensurate action as provided in section 205(b)), as required under paragraph (2), if the President determines and certifies to the appropriate congressional committees that an additional, specified period of time is necessary for a continuation of negotiations that have been commenced with the country to resolve the unresolved case.

(c) IMPLEMENTATION.—

(1) IN GENERAL.—In carrying out subsection (b), the President shall—

(A) take one or more actions that most appropriately respond to the nature and severity of the failure to resolve the unresolved abduction cases; and

(B) seek to the fullest extent possible to target action as narrowly as practicable with respect to the agencies or instrumentalities of the foreign government that are responsible for such failures, in ways that respect the separation of powers and independence of the judiciary in foreign countries.

(2) GUIDELINES FOR PRESIDENTIAL ACTIONS.—In addition to the guidelines under paragraph (1), the President, in determining whether to take one or more actions under paragraphs (10) through (13) of section 205(a) (or commensurate action as provided in section 205(b)), shall seek to minimize any adverse impact on—

(A) the population of the country whose government is targeted by the action or actions; and

(B) the humanitarian activities of United States and foreign nongovernmental organizations in the country.

SEC. 202. PRESIDENTIAL ACTIONS IN RESPONSE TO PATTERNS OF NONCOOPERATION IN CASES OF INTERNATIONAL CHILD ABDUCTIONS.

(a) RESPONSE TO A PATTERN OF NONCOOPERATION.—

(1) UNITED STATES POLICY.—It shall be the policy of the United States to—

(A) oppose institutional or other systemic failures of foreign governments to fulfill their obligations pursuant to the Hague Abduction Convention or MOU, as applicable, to resolve abduction cases and access cases; and

(B) promote reciprocity pursuant to and compliance with the Hague Abduction Convention by Convention countries and compliance with the applicable MOU by MOU countries.

(2) REQUIREMENT OF PRESIDENTIAL ACTION.—Whenever the President determines that the government of a foreign country has engaged in a pattern of noncooperation, the President shall promote the resolution of the unresolved abduction cases through one or more of the actions described in subsection (c).

(b) DESIGNATIONS OF COUNTRIES WITH PATTERNS OF NONCOOPERATION IN CASES OF INTERNATIONAL CHILD ABDUCTION.—

(1) ANNUAL REVIEW.—

(A) IN GENERAL.—Not later than March 31 of each year, the President shall review the status of abduction cases and access cases in each foreign country to determine whether the government of such country has engaged in a pattern of noncooperation during the preceding 12 months or since the date of the last review of such country under this subparagraph, whichever period is longer. The President shall designate each country the government of which has engaged in a pattern of noncooperation as a Country With a Pattern of Noncooperation.

(B) BASIS OF REVIEW.—Each review conducted under subparagraph (A) shall be based upon information contained in the latest Annual Report and on any other evidence available.

(2) DETERMINATIONS OF RESPONSIBLE PARTIES.—For the government of each country designated as a Country With a Pattern of Noncooperation under paragraph (1)(A), the President shall seek to determine the agencies or instrumentalities of such government that are responsible for the pattern of noncooperation by such government in order to appropriately target actions under this section in response.

(3) CONGRESSIONAL NOTIFICATION.—Whenever the President designates a country as a Country With a Pattern of Noncooperation under paragraph (1)(A), the President shall, as soon as practicable after such designation is made, transmit to the appropriate congressional committees—

(A) the designation of the country, signed by the President; and

(B) the identification, if any, of responsible agencies or instrumentalities determined under paragraph (2).

(c) PRESIDENTIAL ACTIONS WITH RESPECT TO A COUNTRY WITH A PATTERN OF NONCOOPERATION.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3) with respect to each Country With a Pattern of Noncooperation designated under subsection (b)(1)(A), the President shall, after the requirements of sections 203 and 204 have been satisfied, but not later than 90 days (or 180 days in case of a delay under paragraph (2)) after the date of such designation of the country under such subsection, take one or more of the actions under paragraphs (10) through (13) of section 205(a) (or commensurate action as provided in section 205(b)).

(2) AUTHORITY FOR DELAY OF PRESIDENTIAL ACTIONS.—If, on or before the date that the President is required to take action under paragraph (1), the President determines and certifies to the appropriate congressional committees that a single, additional period of time not to exceed 90 days is necessary—

(A) for a continuation of negotiations that have been commenced with the government of a country described in such paragraph to bring about a cessation of the pattern of noncooperation by such country, or

(B) for a review of corrective action taken by such country after designation of such country as a Country With a Pattern of Noncooperation under subsection (b)(1)(A) or in anticipation that corrective action will be taken by such country during such 90-day period,

the President shall not be required to take such action until the expiration of such period of time.

(3) EXCEPTION FOR ONGOING PRESIDENTIAL ACTION.—

(A) IN GENERAL.—The President shall not be required to take action under paragraph (1) with respect to a Country With a Pattern of Noncooperation if—

(i) the President has taken action pursuant to paragraph (1) with respect to such country in a preceding year, such action is in effect at the time such country is designated as a Country With a Pattern of Noncooperation under subsection (b)(1)(A), and the President submits to the appropriate congressional committees the information described in section 204 regarding the actions in effect with respect to such country; or

(ii) subject to subparagraph (B), the President determines that such country is subject to multiple, broad-based sanctions imposed in significant part in response to human rights abuses and that such sanctions also satisfy the requirements of this subsection.

(B) ADDITIONAL REQUIREMENTS.—If the President makes a determination under subparagraph (A)(ii)—

(i) the report under section 204 and, as applicable, the publication in the Federal Register under section 208, shall specify the specific sanction or sanctions that the President has determined satisfy the requirements of this subsection; and

(ii) such sanctions shall remain in effect subject to section 209.

(d) RULE OF CONSTRUCTION.—A determination under this section that a foreign country has engaged in a pattern of noncooperation shall not be construed to require the termination of assistance or other activities with respect to such country under any other provision of law, including section 116 or 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2151(n) or 2304).

SEC. 203. CONSULTATIONS WITH FOREIGN GOVERNMENTS.

As soon as practicable after the President makes a determination under section 201 in response to failures to resolve unresolved abduction cases and the President decides to take action under paragraphs (10) through (13) of section 205(a) (or commensurate action as provided in section 205(b)) with respect to that country, or not later than 90 days after the President designates a country as a country with a pattern of noncooperation pursuant to section 202(b)(1)(a), the President shall—

(1) request consultation with the government of such country regarding the failures giving rise to designation of that country as a Country With a Pattern of Noncooperation regarding the pattern of noncooperation or to action under section 201; and

(2) if agreed to, enter into such consultations with such country, privately or publicly.

SEC. 204. REPORT TO CONGRESS.

(a) IN GENERAL.—Subject to subsection (b), not later than 90 days after the President makes a determination under section 201 in response to failures to resolve unresolved abduction cases and the President decides to take action under paragraphs (10) through (13) of section 205(a) (or commensurate action as provided in section 205(b)) with respect to that country, or not later than 90 days after the President designates a country as a Country With a Pattern of Noncooperation pursuant to section 202(b)(1)(A), the President shall transmit to the appropriate congressional committees a report on the following:

(1) IDENTIFICATION OF PRESIDENTIAL ACTIONS.—An identification of the action or actions described in section 205(a) (or commensurate action as provided in section 205(b)) to be taken with respect to such country.

(2) DESCRIPTION OF VIOLATIONS.—A description of the failure to resolve an unresolved case or the pattern of noncooperation, as applicable, giving rise to the action or actions to be taken by the President.

(3) PURPOSE OF PRESIDENTIAL ACTIONS.—A description of the purpose of the action or actions.

(4) EVALUATION.—

(A) DESCRIPTION.—An evaluation, in consultation with the Secretary of State, the parties described in section 203(b), and other parties the President determines appropriate, of the anticipated impact of the Presidential action upon—

(i) pending abduction cases in such country;

(ii) the government of such country;

(iii) the population of such country;

(iv) the United States economy;

(v) other interested parties; and

(vi) if such country is a Convention country or an MOU country, the reciprocal fulfillment of obligations pursuant to such Convention or applicable MOU, as applicable.

(B) FORM.—The evaluation under subparagraph (A) shall be transmitted in unclassified form, but may contain a classified annex if necessary.

(5) STATEMENT OF POLICY OPTIONS.—A statement that noneconomic policy options designed to resolve the unresolved case or bring about the cessation of the pattern of noncooperation have reasonably been exhausted, including the consultations required in section 203.

(b) DELAY IN TRANSMITTAL OF REPORT.—If, on or before the date that the President is required to submit a report under subsection (a) to the appropriate congressional committees, the President determines and certifies to such committees that a single, additional period of time not to exceed 90 days is necessary pursuant to section 202(c)(2), the President shall not be required to submit the report to such committees until the expiration of such period of time.

SEC. 205. PRESIDENTIAL ACTIONS.

(a) DESCRIPTION OF PRESIDENTIAL ACTIONS.—Except as provided in subsection (c), the Presidential actions referred to in this subsection are the following:

(1) A private demarche.

(2) An official public demarche.

(3) A public condemnation.

(4) A public condemnation within one or more multilateral fora.

(5) The delay or cancellation of one or more scientific exchanges.

(6) The delay or cancellation of one or more cultural exchanges.

(7) The denial of one or more working, official, or state visits.

(8) The delay or cancellation of one or more working, official, or state visits.

(9) A formal request to the foreign country concerned to extradite an individual who is engaged in abduction and who has been formally accused of, charged with, or convicted of an extraditable offense.

(10) The withdrawal, limitation, or suspension of United States development assistance in accordance with section 116 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n).

(11) The withdrawal, limitation, or suspension of United States security assistance in accordance with section 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2304).

(12) The withdrawal, limitation, or suspension of assistance to the central government of a country pursuant to chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the Economic Support Fund).

(13) Ordering the heads of the appropriate United States agencies not to issue any (or a specified number of) specific licenses, and not to grant any other specific authority (or a specified number of authorities), to export any goods or technology to such government or to the agency or instrumentality of such government determined by the President to be responsible for such unresolved case or pattern of noncooperation, as applicable, under—

(A) the Export Administration Act of 1979 (as continued in effect under the International Emergency Economic Powers Act);

(B) the Arms Export Control Act;

(C) the Atomic Energy Act of 1954; or

(D) any other statute that requires the prior review and approval of the United States Government as a condition for the export or re-export of goods or services.

(b) COMMENSURATE ACTION.—Except as provided in subsection (c), the President may substitute any other action authorized by law for any action described in subsection (a) if such action is commensurate in effect to the action substituted and if such action would further the purposes of this Act as specified in section 2(c). The President shall seek to take all appropriate and feasible actions authorized by law to resolve the unresolved case or to obtain the cessation of such pattern of noncooperation, as applicable. If commensurate action is taken under this subsection, the President shall transmit to the appropriate congressional committees a report on such action, together with an explanation for taking such action.

(c) EXCEPTIONS.—

(1) HUMANITARIAN EXCEPTION.—Any action taken pursuant to subsection (a) or (b) may not prohibit or restrict the provision of medicine, medical equipment or supplies, food, or other life-saving humanitarian assistance.

(2) DEFENSE AND NATIONAL SECURITY EXCEPTION.—The President shall not be required to apply or maintain any action under section 205—

(A) in the case of procurement of defense articles or defense services—

(i) under existing contracts or subcontracts, including the exercise of options for production quantities, to satisfy requirements essential to the national security of the United States;

(ii) if the President determines in writing and transmits to the appropriate congressional committees a report that the government or the agency or instrumentality of such government to which such action would otherwise be applied is a sole source supplier of such defense articles or services, that such defense articles or services are essential, and that alternative sources are not readily or reasonably available; or

(iii) if the President determines in writing and transmits to the appropriate congressional committees a report that such defense articles or services are essential to the national security of the United States under defense co-production agreements; or

(B) to products or services provided under contracts entered into before the date on which the President publishes in the Federal Register notice of such action in accordance with section 208.

SEC. 206. PRESIDENTIAL WAIVER.

(a) IN GENERAL.—Subject to subsection (b), the President may waive the application of any of the actions described in paragraphs (10) through (13) of section 205(a) (or commensurate action as provided in section 205(b)) with respect to a country, if the President determines and so reports to the appropriate congressional committees that—

(1) the government of such country has satisfactorily resolved any abduction case giving rise to the application of any of such actions and—

(A) if such country is a Convention country, such country has taken measures to ensure future compliance with the provisions of the Hague Abduction Convention;

(B) if such country is an MOU country, such country has taken measures to ensure future compliance with the provisions of the MOU at issue; or

(C) if such country was a nonparty country at the time the abductions or denials of rights of access resulting in the abduction cases or access cases occurred, such country has become a Convention country or an MOU country;

(2) the exercise of such waiver authority would further the purposes of this Act; or

(3) the important national interest of the United States requires the exercise of such waiver authority.

(b) CONGRESSIONAL NOTIFICATION.—Not later than the date of the exercise of a waiver under subsection (a), the President shall notify the appropriate congressional committees of such waiver or the intention to exercise such waiver, together with a detailed justification thereof.

SEC. 207. PUBLICATION IN FEDERAL REGISTER.

(a) IN GENERAL.—Subject to subsection (b), the President shall ensure publication in the Federal Register of the following:

(1) DETERMINATIONS OF GOVERNMENTS, AGENCIES, INSTRUMENTALITIES OF COUNTRIES WITH PATTERNS OF NONCOOPERATION.—Any designation of a country that the President has designated as a Country With a Pattern of Noncooperation under section 202(b)(1)(A), together with, when applicable and to the extent practicable, the identities of agencies or instrumentalities determined to be responsible for such pattern of noncooperation.

(2) PRESIDENTIAL ACTIONS.—A description of any action under paragraphs (10) through (13) of section 205(a) (or commensurate action as provided in section 205(b)) and the effective date of such action.

(3) DELAYS IN TRANSMITTAL OF PRESIDENTIAL ACTION REPORTS.—Any delay in transmittal of a report required under section 204.

(4) WAIVERS.—Any waiver issued under section 206.

(b) LIMITED DISCLOSURE OF INFORMATION.—The President may limit publication of information under this section in the same manner and to the same extent as the President may limit the publication of findings and determinations described in section 654(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2414(c)), if the President determines that the publication of such information—

(1) would be harmful to the national security of the United States; or

(2) would not further the purposes of this Act.

SEC. 208. TERMINATION OF PRESIDENTIAL ACTIONS.

Any action taken under this Act or any amendment made by this Act with respect to a foreign country shall terminate on the earlier of the following two dates:

(1) Not later than two years after the effective date of such action unless expressly reauthorized by law.

(2) The date on which the President transmits to Congress a certification containing a determination of the President that the government of such country has resolved any unresolved abduction case or has taken substantial and verifiable steps to correct the

pattern of noncooperation at issue, as applicable, that gave rise to such action.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from Illinois (Mr. SCHNEIDER) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, every year more than 1,000 American families are confronted with the nightmare of their child being abducted to a foreign country by one parent in violation of legal custody and access rights, beyond the reach of U.S. courts, beyond the court of law enforcement. This illegal break in the tie between the child and the left-behind American mother or father is a tragedy, and many of us personally have constituents facing these wrenching separations in the family.

More than 30 years ago, the Hague Convention on the Civil Aspects of International Child Abduction was created to provide a simplified mechanism for returning children to their countries of habitual residence so that parental rights are determined by applicable laws rather than by the act of abduction of that child.

Today, the United States has agreements with more than 75 Hague partner countries, and that has helped to return many American children safely home. But unfortunately, agreeing to the Hague Convention and complying with it are not the same thing, and countries sometimes do not abide by their obligations under the Hague Convention. In those countries, there is a heightened risk that a child could be kept there with impunity. American parents need to know about this situation; and they need to know especially, before planning or permitting travel to such destinations, that this, in fact, could happen.

This bill will strengthen the incentives and the tools that the Department of State has to address these unresolved abduction cases. It will also require the United States to identify and take action concerning countries that demonstrate a pattern of non-compliance with the obligations to return American children; and its enhanced annual reporting will provide American parents and judges with a clearer picture of actual Hague compliance and the risks of nonreturn associated with travel to certain countries.

I want to thank the gentleman from New Jersey (Mr. SMITH) for his tireless

work on behalf of left-behind American parents over the last several years. His efforts have kept hope alive for hundreds of other American parents who only want to be reunited with their children.

Mr. Speaker, I reserve the balance of my time.

Mr. SCHNEIDER. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 3212, the Sean and David Goldman International Child Abduction Prevention and Return Act. I would like to begin by thanking my colleague on the Foreign Affairs Committee, the gentleman from New Jersey (Mr. SMITH), for his dedicated and tireless efforts on this critical issue, making a difference for families.

There are few crimes more heart-wrenching than child abduction. As a parent myself, I can't imagine the anguish a mother or father goes through when their child is abducted by their partner and taken to another country. These left-behind parents currently have little leverage to have their children returned home. They are often at the mercy of foreign courts with different cultural conceptions of custody and what is or is not in the child's best interest.

Unfortunately, there is an increasing number of international parental child abductions. The State Department reported that in 2012 there were 1,144 children abducted from a parent in the United States and taken abroad.

□ 1300

The most effective tool the United States has to help return abducted children is the 1980 Hague Convention on the Civil Aspects of International Child Abduction. This treaty creates a global standard and requires signatories to return abducted children to the country of the child's habitual residence for a custody hearing.

Regrettably, there are significant gaps in the Hague treaty framework. The treaty has no enforcement mechanism, and 40 percent of abducted children are taken to non-Hague-compliant countries. This leaves far too many parents with no viable options. The purpose of this legislation before us today is to fill those gaps—providing pained parents with the appropriate tools to bring their children home.

Specifically, H.R. 3212 encourages the State Department to enter into MOUs with countries to bring them in line with accepted standards and return these children home. In addition, this bill gives the President the power to sanction countries that demonstrate persistent failure in returning abducted children. The legislation will also help us monitor progress in achieving greater compliance worldwide with the Hague standards by requiring reports on child abduction

cases and on U.S. Government efforts to encourage their compliance.

Sadly, international parental child abduction is an underreported and often overlooked crime which dramatically and traumatically impacts the lives of the children and the parents involved. We need to send a message to the world that we take Hague compliance in returning abducted children back to the United States seriously. This bill represents an important step forward in empowering the President and the State Department to enforce the Hague Convention and to bring more countries in line with its standards.

Mr. Speaker, I encourage all of my colleagues to support this important legislation, and I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH), the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

Mr. SMITH of New Jersey. Thank you, Chairman ROYCE, for your total support of this legislation and the initiative behind it. You have been a great friend of all of the left-behind parents and abducted children. I want to thank you very sincerely, and I also thank ELIOT ENGEL, our ranking member.

At a time when there are very few bipartisan initiatives, you, as leader of our committee, have ensured that the committee is a bipartisan committee where we work on a global basis for all people on human rights and humanitarian issues. It really has made a difference. Thank you for your support in getting this legislation here today. I appreciate that very much.

Mr. Speaker, David Goldman spent over 5 agonizing years trying to legally rescue his son, Sean, from an abduction to Brazil, which is a signatory nation, like the United States, to the Hague Abduction Convention.

Despite Mr. Goldman's airtight case that demonstrated an egregious example of both child abduction and wrongful retention, the Hague treaty was unavailing, and the outcomes in the Brazilian courts largely proved infuriating, infirm, and ineffective.

David Goldman had extraordinary legal counsel both in Brazil and in the United States. Patricia Apy, his American attorney, is a world-class expert in child abduction cases. He waged his case by the book and won judgments in the New Jersey courts. Yet both Sean and David were made to suffer emotional pain for over half a decade as one delaying ploy after another was employed by the abducting parties. In the end, Mr. Speaker, because of the father's abiding love for his son and an indomitable will, the Goldmans today are united and happy.

But the Goldmans are an exception in an ever worsening injustice that harms thousands of American children and many more kids worldwide. Most cases of parental abduction and wrongful retention have a bad ending. The child or children never return, and the left-behind parent often never sees them again. Even if left-behind parents are allowed access, the conditions are tightly supervised and of excruciatingly short duration.

Over the years, I have had the privilege of meeting many absolutely amazing, dedicated, yet heartbroken left-behind parents. Some of them are here today in this Chamber, Mr. Speaker, up in the gallery, as they wage an effort on behalf of their abducted children. Out of deep love and a commitment to justice, they, too, like David Goldman, adamantly refuse to quit.

Tragically, Mr. Speaker, their stories are often eerily the same. In the beginning days and weeks post-abduction, they thought the Hague treaty, their government, and the rule of law would ensure a swift, just, and durable remedy. As the months and then years go by, however, the journey of the left-behind parent is filled with unbearable pain. The heartache they endure is severely compounded by the fact that child abductions and wrongful retentions significantly harm children in many ways, especially psychologically.

Mr. Speaker, more than 1,000 international child abductions are reported to the State Department's Office of Children's Issues, also known as Central Authority of the United States, each and every year. That is just those that are reported. There are many that are not. Between 2008 and 2012, 7,000 American children were abducted, according to the Department of State.

According to the State Department as well, only about half of those children abducted from the U.S. to countries with which this country has reciprocal obligations under the Hague Convention are ever returned. In other words, the other half are not. And when there is no treaty obligation, less than 40 percent of abduction and access cases are resolved. It is an awful record that Congress today can help change.

The purpose of H.R. 3212, as amended, the Sean and David Goldman International Child Abduction Prevention Act of 2013, is to protect children from the harmful effects of abduction and wrongful retention and to assist left-behind parents to not only have access to their children, but to significantly enhance the prospects of resolution.

My biggest policy takeaway from working on the Goldman case, Mr. Speaker, was the absence of incentives for nations to prioritize resolving parental abduction cases and the complete lack of penalty for callous governmental indifference or complicity.

The Goldman Act is based on two human rights laws: the Trafficking

Victims Protection Act, or TVPA, which I authored in 2000, and the International Religious Freedom Act, or IRFA, which was authored by our distinguished colleague, FRANK WOLF.

The Goldman legislation seeks to hold countries to account by meticulously monitoring their performance in adjudicating parental child abduction and wrongful retention. After a vigorous analysis, if a country at its administrative, judicial, or law enforcement levels demonstrates what we call a pattern of noncooperation, that is to say, persistent failure to fulfill its Hague Abduction Convention responsibilities, or failure of a non-Hague nation to abide by a memorandum of understanding with the United States, the President is empowered to take any number of escalating Presidential actions against that nation.

Again, patterned after both the TVPA and IRFA, the message to all nations and all past, present, and future abductors is that the United States is very serious about preventing or resolving child abduction cases. In order to ensure that the administration has maximum flexibility in advancing solutions, the President is given generous waiver authorities.

The bill also encourages the Secretary of State to seek opportunities to enter into an MOU with non-Hague Convention countries—and, obviously those that are not non-Hague can also become a part of it even when they do become one—and to establish protocols to identify, locate, and effectuate the return of an abducted child as well as access issues.

Finally, in order to ensure more robust accountability and the potential of successful interventions, the bill significantly beefs up reporting.

Finally, let me just say also, Mr. Speaker, the bill has been endorsed by the National Center for Missing and Exploited Children. I will include in the RECORD a letter from that very august organization in support.

I have a letter from Robert Wallace, the executive director of the VFW, who has also endorsed the bill and made it very clear their concern, which is reflected in the text of the bill, about our servicemembers deployed abroad who find themselves in the unbelievably horrific position of having a child abducted while they are deployed and then not only not having access to but certainly not getting their children back.

And there are a number of cases. I have had four hearings so far where they have testified. In the case of Commander Toland, who was stationed in Japan, his daughter was abducted by his now-deceased wife, and he has not had access to his daughter in a decade, Mr. Speaker. She is now 11, and he has desperately, through the rule of law and by using the process, tried to have access to and to reclaim his precious daughter as the only surviving parent.

He is like so many others. Both children of Michael Elias, a combat-injured Iraqi war veteran, were abducted. He cannot even have access to them. I actually traveled to Japan, Mr. Speaker, with the grandparents. We could not even get to see those two wonderful children. That has got to change.

This legislation seeks to use the civil aspects of the Hague Convention to empower that treaty, which is very well-intentioned but lacks enforcement capability. This legislation gives the President the tool. It adds to those tools in the toolbox to make return and access a reality rather than a dream and a hope.

VETERANS OF FOREIGN WARS,
OF THE UNITED STATES,
December 11, 2013.

Hon. CHRIS SMITH,
Chairman, Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, House Foreign Affairs Committee, Ford House Office Building, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing today to express the strong support of The Veterans of Foreign Wars of the United States (VFW) for H.R. 3212, the Sean and David Goldman International Child Abduction Prevention and Return Act of 2013 (Goldman Act), as it is sorely needed to protect members of the armed services from the tragedy of international parental child abduction.

As you know, members of the armed services, by virtue of their deployments abroad, are particularly vulnerable to having their children abducted off base and into the jurisdiction of a foreign country, or in the case of marriage to foreign spouses, the flight of that spouse with the child to the country of origin. In both cases, our service members' pleas for help are too often met with bad legal advice, misinformation, or indifference. They are told that the abduction is a simple custody case, and that they should litigate in the foreign court system. The result is financial and emotional disaster for our soldiers and their children. In most cases, they are never reunited with the children. Japan, in particular, has been a "black hole" for the abduction of our service members' children—and yet the United States still has not covered abduction in the Status of Forces Agreement with Japan, or any other country.

It is time for the U.S. government to take concrete action to protect our service members from the dangers of international parental child abduction. The Goldman Act would require the President to take one or more specified actions, or a commensurate action, in response to a failure to resolve a child abduction case or a "pattern of noncooperation." It would authorize the Secretary of State to enter into a Memorandum of Understanding where no legal framework exists for the return of abducted children. It would also strengthen reporting requirements on abductions, so that the DOD can make better decisions about how to educate and protect our service members from the dangers of international parental child abduction.

Thank you again for your work on this much needed bill. The Veterans of Foreign Wars offers our full support, and we look forward to working with you on this issue.

Sincerely,

ROBERT E. WALLACE,
Executive Director, VFW Washington Office.

NATIONAL CENTER FOR MISSING &
EXPLOITED CHILDREN; CHARLES B.
WANG INTERNATIONAL CHILDREN'S
BUILDING,

Alexandria, VA, October 10, 2013.

Hon. CHRISTOPHER H. SMITH,
Chairman, Subcommittee on Africa, Global
Health, Global Human Rights and Inter-
national Organizations, Committee on For-
eign Affairs, House of Representatives,
Washington, DC.

DEAR CHAIRMAN SMITH: On behalf of the National Center for Missing & Exploited Children, and the searching parents we serve, I commend you for introducing H.R. 3212, the Sean and David Goldman International Child Abduction Prevention and Return Act of 2013. This legislation is a critical step toward addressing the problem of U.S. children taken to and kept in foreign countries in violation of parental rights.

As you know, NCMEC is the nation's congressionally-designated resource center on missing and exploited children. We have a unit within our Missing Children Division dedicated to international child abductions. From 1995 through 2008, per a cooperative agreement with the Departments of State and Justice, NCMEC handled cases in which a child was wrongfully brought into the United States and subject to the Hague Convention. While NCMEC no longer serves this role, we continue to provide legal technical assistance to attorneys and judges handling international child abduction cases as well as technical assistance and resources to parents, law enforcement and professionals involved in these matters. We are currently working cases involving more than 1,300 children believed to have been removed from the United States to a foreign country by a parent or family member.

Child abduction by a parent is a crime under both federal and state law. These children suffer extreme emotional abuse, including lack of identity and grief over the loss of a parent. Often the abductor gives the child a false explanation for the abduction, indicates that the left-behind-parent no longer wants the child, or worse. Abductors who move the child between cities, or between countries, amplify the child's lost sense of security and stability as well as making it difficult for law enforcement and the searching parent to locate and recover the child.

It is of the utmost importance that we hold all signatory countries to the standards and obligations of the Hague Convention. In addition, we must continue to encourage countries that have not yet done so to ratify the Convention. We must engage with countries to urge the adoption of policies consistent with those outlined in the Convention. And the U.S. must act as a role model by promptly returning children abducted into the U.S. This will foster good relationships with countries who will reciprocate with the return of American children.

This significant piece of legislation will strengthen our ability to bring our children home to their searching parents. Thank you, Chairman, for your unwavering commitment to America's children.

Sincerely,

JOHN D. RYAN,
Chief Executive Officer.

Mr. SCHNEIDER. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. KENNEDY), my friend and colleague and a member of the Foreign Affairs Committee.

Mr. KENNEDY. I want to thank my colleague from Illinois (Mr. SCHNEIDER)

for his important work and leadership on this issue.

Mr. Speaker, I rise today in support of H.R. 3212. I want to thank and recognize my colleagues on the Foreign Affairs Committee, the chairman of the subcommittee, CHRIS SMITH, and the chairman of the full committee, Mr. ROYCE, for their important leadership and hard work on this bill.

Mr. Speaker, as a cosponsor of this bill, I speak on behalf of all left-behind parents and, in particular, on behalf of a constituent of mine from Newton, Massachusetts, Colin Bower. Colin was granted full custody of his children, Noor and Ramsey, in 2008. In 2009, the boys' mother unexpectedly took them out of school, boarded a plane, fled to Egypt, and has never since returned. Through all that time, she has refused to return the children.

It has been nearly 2 years since Colin has seen or spoken with his sons. Despite the custody ruling of a U.S. court and a subsequent Egyptian court order granting him the right to visit with his children, Colin has been denied the opportunity to see his children time and time again.

I just got off the phone with Colin a few moments ago. He recapped the details of his ordeal yet again to me, but I guess, in the words that he said most poignantly: No parent should ever have to go through this.

Between the years of 2008 and 2012, Mr. Speaker, parents reported more than 4,800 cases of abduction involving more than 7,000 children, according to the State Department. Currently, 89 countries are party to a Hague treaty that provides a legal framework for children who are victims of international abduction.

This bill would require the Secretary of State to enter into a memorandum of understanding with those countries that have not signed the Hague agreement, creating a mechanism where none exists to bring children home safely. Additionally, it would provide better reporting to parents and to Congress.

No parent should have to suffer the unbelievable heartbreak that Colin has experienced over the past 5 years. No child should be torn away from a safe home and loving family because their country didn't have the proper protections in place to protect them.

We can do more to ensure that these children find a way home. I ask my colleagues to support this bill.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentlelady from Florida (Ms. ROS-LEHTINEN), chairman emerita of the Committee on Foreign Affairs.

□ 1315

Ms. ROS-LEHTINEN. I thank the chairman for the time.

Mr. Speaker, I rise in strong support of the Sean and David Goldman Inter-

national Child Abduction Prevention and Return Act, authored by my good friend and colleague, Mr. CHRIS SMITH of New Jersey.

Mr. SMITH has been a stalwart supporter of the rights of children and for the left-behind parents, who all too often feel as though they have been abandoned by their government and have no place to turn.

According to our State Department, hundreds of parental transnational child abduction cases occur each year. In most of the cases, the left-behind parents here in the United States face a tremendous uphill battle with the foreign country's government to return their child. To make matters worse, they have no recourse, no legal basis to turn to, that would compel that foreign government to cooperate with them and return their abducted child to the United States. The effects that this has on both the child and the parents are significant and, in many cases, have unshakable, lifelong consequences.

Mr. SMITH's bill gives hope where there previously was none. It represents a new approach to resolving this issue by giving our government and the President the avenues needed to press the countries that are found to be habitually noncooperative and non-compliant to work with the United States in order to resolve these cases. For some countries that refuse to cooperate, it is clear that words are not enough—they must be convinced by action to do the right thing—and this bill sends that very message, which is that the United States will not rest until we bring every wrongfully abducted American child home.

Too many parents have been separated from their children for far too long and with little to no recourse, and we must change that now, Mr. Speaker. I would like to urge that we also not overlook that, in many instances, a parent will flee with his child or children internationally in order to escape domestic violence.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ROYCE. I yield the gentlelady an additional 30 seconds.

Ms. ROS-LEHTINEN. Thank you, Mr. Chairman.

Mr. Speaker, too often, current U.S. law addressing international child abduction actually facilitates domestic violence and child abuse by forcing the return of a child despite a recognized risk to the child or parent.

It is my sincere hope that, with Mr. SMITH's bill and my bill and with the further corrective measures to international child abduction laws that I plan to soon introduce that can help strengthen this measure, we will be able to resolve these issues so that the interests of all involved can be addressed and so that the children's rights can be protected.

Mr. SCHNEIDER. Mr. Speaker, having no further requests for time, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, in closing, let me note again that the tragedy of international abduction affects thousands of children every year here in the United States.

When the Committee on Foreign Affairs considered this bill back on October 10, we heard from multiple members whose constituents were dealing with the nightmare of being illegally separated from their children, and our human rights subcommittee heard directly from several left-behind American parents in a May 9 hearing. H.R. 3212, by Mr. SMITH, is a measured response to this pressing problem.

I want to again thank the gentleman from New Jersey for the vision and for the perseverance, frankly, reflected in his bill.

I yield back the balance of my time.

Mr. HOLT. Mr. Speaker, I rise in support of this legislation.

For many years, David Goldman was my constituent, so I am intimately familiar with both the case and the incredible pain and heartbreak David endured after the kidnapping of his son, Sean, by David's estranged, Brazilian-born wife who illegally took Sean back to Brazil. I will not recount now all of the details of the five-year long ordeal David endured to secure the return of his son. What I will say is that my experience in helping him bring Sean home helped me understand that the issue of parental child abduction needs greater attention from our government.

In his efforts to get his son returned to him, Mr. Goldman at least benefited from the fact that both Brazil (where the boy was being held illegally) and the United States are parties to the Hague Convention on the Civil Aspects of International Child Abduction. The Hague Convention creates an international legal framework for resolving such parental kidnappings. The treaty is anything but perfect; it lacks any genuine enforcement mechanism, which means that many of these cases drag on for years, just as the Goldman case did. However, the situation is far worse for parents whose spouse kidnaps their child and returns to their country of origin when that country is not a party to the Hague Convention. In those cases, the remaining parent has virtually no recourse to secure the return of their abducted child. The bill before us seeks to change that situation.

I especially support the language in the bill that directs the Secretary of State to engage in negotiations with non-Hague signatory nations where large numbers of American children remain illegally held by the offending parent to secure their release. Seeking the creation of a bilateral memorandum of understanding to help resolve these cases is an important interim step on the road to a larger, more enduring solution. I do have concerns about the language in this bill requiring the President to impose an escalating series of sanctions against nations who refuse to address parental kidnappings of American children. In my view, the language as written could potentially interfere with the President's ability to conduct effective diplomacy on this issue. However, once this bill reaches the Senate I am sure there will be opportunities to

amend it in such a fashion that it will be able to accomplish the intended goal (the return of abducted children) without permanently damaging diplomatic relations with other nations.

One thing is clear: existing American parental child abduction cases are not being resolved expeditiously, and I agree with those who argue that the United States needs to send a clear message that the status quo on this issue cannot stand. Accordingly I urge my colleagues to join me in supporting this bill.

Mr. PASCRELL. Mr. Speaker, I rise today to express my strong support for H.R. 3212—the Sean and David Goldman International Child Abduction Prevention and Return Act of 2013, which would help prevent additional child abductions to foreign countries in the future.

Recently, I was able to meet with a constituent of mine—Michael Elias. Michael has worked in the Bergen County Sheriffs Department and honorably served our country in the Iraq War. Upon his return from his service to our country, Michael and his wife, a citizen of Japan, agreed to separate.

In 2008, a Bergen County judge ordered joint custody of their two children—Jade and Michael, Jr. The judge also ordered that the children's passports be surrendered and they were. After a few months, on a day like any other, Michael was expecting his ex-wife to drop off Jade and Michael, Jr. to his house after spending the day with her. They never showed up. Somehow, his ex-wife was able to obtain new passports for Jade and Michael, Jr. and had fled to Japan, which is not a party to the Hague Convention on Abduction.

Despite Michael's years of inquiries and toil, The Government of Japan has produced no answers on how his ex-wife was able to obtain the new visas for Jade and Michael, Jr. And nearly five years later, Michael has not been able to see his own children.

This bill will help countless families across the country that face the same heartbreaking situation that Michael Elias is still dealing with today. Our State Department must be on the frontlines for people like Michael, who have literally put their life on the line for this country. H.R. 1951 will empower the State Department to advocate for the victims of these tragic abductions.

And that is why I urge my colleagues to join me in passing H.R. 3212, for people like Michael Elias and the countless families that have been wrongfully torn apart.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 3212, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROYCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

ISRAEL QME ENHANCEMENT ACT

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 1992) to amend the requirements relating to assessment of Israel's qualitative military edge over military threats, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1992

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Israel QME Enhancement Act".

SEC. 2. AMENDMENTS TO REQUIREMENTS RELATING TO ASSESSMENT OF ISRAEL'S QUALITATIVE MILITARY EDGE OVER MILITARY THREATS.

(a) ASSESSMENT REQUIRED; REPORTS.—Section 201 of Public Law 110-429 (122 Stat. 4843; 22 U.S.C. 2776 note) is amended—

(1) in subsection (a), by striking "an ongoing basis" and inserting "a biennial basis"; and

(2) in subsection (c)(2)—

(A) in the heading, by striking "QUADRENNIAL" and inserting "BIENNIAL"; and

(B) in the text, by striking "Not later than four years after the date on which the President transmits the initial report under paragraph (1), and every four years thereafter," and inserting "Not later than one year after the date of the enactment of the Israel QME Enhancement Act, and biennially thereafter,".

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on—

(A) the range of cyber and asymmetric threats posed to Israel by state and non-state actors; and

(B) the joint efforts of the United States and Israel to address the threats identified in subparagraph (A).

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term "appropriate congressional committees" means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from Illinois (Mr. SCHNEIDER) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to add any extraneous material to the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Let me begin by thanking both the gentleman from Georgia (Mr. COLLINS) and the gentleman from Illinois (Mr. SCHNEIDER) for their leadership and for their foresight in authoring this very important measure.

In shepherding this legislation through the committee, I was again reminded of the shared commitment of Members of both parties to come together to promote Israel's security. It is an example of bipartisanship at its best.

The United States' commitment to Israel rests on the assurance that the U.S., through a combination of Foreign Military Financing, the joint cooperative development of weapons systems and other measures, will ensure that Israel upholds its qualitative military edge. The standard definition of that is ensuring Israel's ability to counter and defeat credible military threats from any individual state or coalition of states or nonstate actors, and with the growing threat to Israel throughout the region—from the prospect of a nuclear Iran to an ascendant Hezbollah and widespread regional instability—Israel's retention of its QME is critical to its existence.

I had a chance to see this firsthand in 2006 during the second Lebanon war, which I, frankly, think should be called the "Hezbollah war." Hezbollah was raining down rockets manufactured originally in Iran and Syria on a daily basis on Haifa. When I was in Haifa, I watched those rockets come in, and they were being aimed at civilian neighborhoods. They were also being aimed at the hospital there. On one trip, I went down to the hospital to see the results.

Haifa is a very cosmopolitan city as one-third of Haifa is Israeli Jews, another third is Arab Israelis, another third is Druze and other minorities. The people in that city faced a constant bombardment for 30 days. While we were there, we had an opportunity to talk to some of the families, to some of the survivors—600 civilian victims from that attack in that trauma hospital. They told us how those missiles manufactured in Iran—this was before the invention of the Iron Dome, so there was no defense to this—would come into the civilian neighborhoods—90,000 ball bearings—and they would just go through the walls, through cars, through a shop. This is what led, basically, to a siege-like setting in which families were underground; but as they would try to come up at some point, they would be spotted from the other side, from the border, and once again, Hezbollah would try to hit that family, to hit that township.

This is what Haifa was going through. It is a reminder of the threat that Israel needs the best technology to combat these and other terrorist attacks. It is a relief that now Israel does have the Iron Dome, that there is warning, that there is the ability of some type of response other than the type of counterbattery work that we saw as they were trying to silence those rockets, which were never silenced, which came in for 30 days.

In 2008, Congress required the President to assess on an ongoing basis the extent to which Israel possesses a qualitative military edge over the threats that are arrayed against it. Those threats are all too real. Currently, the assessment is done every 4 years. Currently, it focuses only on the conventional military threats to Israel. This bill would require that Congress receive that assessment on a timely basis, at least every 2 years. It would also require the administration to specify a separate onetime report integrating cyber and asymmetric threats to Israel into this overall security assistance framework. This is very important given the new types of terror—suicide bombings and the rest of it and cyber warfare—that are being developed on either side of the border from Hamas to Hezbollah.

These provisions will provide Congress critical information that it requires in a timely manner to assess Israel's security requirements as Israel tries to deal with everything from the threat in Iran to all of the other terrorist organizations that are proxies for Iran. It also sends the right message at the right time to our mutual friends and foes alike that the United States and Israel stand together.

So I strongly support the immediate passage. I thank, again, Mr. SCHNEIDER and Mr. COLLINS for their good work.

I reserve the balance of my time.

Mr. SCHNEIDER. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 1992, the Israel Qualitative Military Edge Enhancement Act.

I want to thank the chairman and the ranking member for working so diligently with my office, and I want to thank Congressman DOUG COLLINS for bringing this important legislation before the House floor. I want to personally thank my friend and colleague Mr. COLLINS for all of the work he has done and that we have done together to make sure this bill becomes a reality.

Israel stands at an historic juncture. In a very dangerous neighborhood, Israel must have the capabilities to deal with a broad spectrum of potential conventional and asymmetric threats. With the United States negotiating with Iran over its nuclear weapons program, it is vitally important that we continue to give Israel all of the tools necessary to address a growing list of threats. That is why Representative COLLINS and I have introduced this important and timely bill—to help further safeguard the technological edge Israel has in defending herself and in safeguarding human life for all of her citizens.

This bill expands upon existing requirements that the United States aid Israel in developing defense-capable systems for safeguarding the Israeli homeland against conventional and

asymmetrical threats. Previously, this cooperation has resulted in the highly successful Iron Dome system along with the continued development of the Arrow and the David's Sling series of military hardware.

Despite this capability, Israel now faces the threat of regional insecurity with a virtual failed state on its border with Syria, hundreds of thousands of rockets and mortars being stockpiled by Hezbollah in Lebanon, ongoing rocket fire from Hamas on the Gaza Strip, increasing terrorist activity in the Sinai, and, most importantly, the continued existential threat of Iran and its accelerating nuclear program. The U.S. can and must do more to aid Israel in addressing all of these threats in a comprehensive way.

The bill before us would specifically encourage greater cooperation between Israel and the United States in developing new weapons, tactics and procedures that will safeguard them from the growing threats of cyber warfare and asymmetrical military threats such as terrorist activity. Increased reporting and coordination will allow the United States and Israel to continue their mutually beneficial research and intelligence programs to create a more secure and prosperous region—one that can safeguard human life to the maximum extent possible. By increasing the frequency of assessment from 4 years to 2, the Israel Qualitative Military Edge Enhancement Act will help ensure Israel is always prepared to confront constantly evolving conventional and asymmetrical threats.

I again want to thank the chairman and ranking member for their support of this legislation. I also want to thank the other cosponsors of this bill, including Representative COLLINS, for their hard work to hone this bill over the last few months. I would especially like to thank Vernon Robinson, Jr., who worked so diligently with my staff to shepherd this bill to the House floor today.

I strongly ask my colleagues to join me in support of this important bill, and I reserve the balance of my time.

□ 1330

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. COLLINS), a member of the Committee on Foreign Affairs, the author of this bill, and we want to thank him for being such an active member of our committee.

Mr. COLLINS of Georgia. Thank you, Mr. Chairman. I do appreciate that. I do appreciate what your staff and others have done, the ranking member, in moving this legislation through. And also my good friend from Illinois (Mr. SCHNEIDER) in where we have been able to work together. I would be remiss also if I did not recognize Vernon Robinson from my staff as well, who is with me today, who has kept this going

while we have worked. So I appreciate his work and the rest of our staff in doing so.

I introduced H.R. 1992, the Israel QME Enhancement Act, to ensure our commitment to Israel's qualitative military edge remains substantial and meaningful.

This legislation allows Congress to conduct oversight of weapon sales in the Middle East with increased frequency. Due to the instability in the region, it is vitally important that the qualitative military edge review process be updated to reflect the needs of Israel. H.R. 1992 accomplishes this goal by directing the President to report to Congress every 2 years regarding the assessment of Israel's qualitative military edge over military threats to Israel and related weapon sales in the Middle East.

This is a marked improvement over our current law, which only requires such a report to be issued every 4 years.

H.R. 1992 also requires the President to issue a report to Congress on the criteria issued to include cyber and asymmetric threats in the QME report.

Large conventional armies are less likely to mobilize against Israel, but terrorist organizations such as Hezbollah and Hamas are a constant threat. I am very concerned by the cyber attacks that have been launched against Israel, as well as the continued onslaught of terrorist attacks that threaten the security and stability of this peace-loving nation.

The QME doctrine originated during the Johnson administration, but came into practice during the Yom Kippur War in 1973 when the United States conducted one of the largest military airlifts in history to resupply Israel with military hardware. Since Israel's victory in the conflict, the United States has sworn to ensure Israel's qualitative military edge remains strong, as surrounding Middle Eastern countries often possess a quantitative advantage.

The benefits of the Israeli-American relationship are undeniable. Our alliance has been vital for each nation's intelligence efforts. Both nations have provided valuable information that has saved the lives of civilians, as well as military personnel.

I have recognized the value of America's partnership for many years, and I am humbled and grateful to now be in a position where I can support this alliance on the floor of the House.

America's support for Israel should be strong and responsive to the changing threats facing our ally. Their military threat is a vital component to promoting stability and peace in the Middle East. I am pleased by the steadfast commitment this body and our leadership have shown in maintaining a vibrant partnership with Israel.

As the vice chair of the Foreign Affairs Subcommittee on the Middle East

and North Africa, I am committed to promoting policy decisions that ensure Israel will be equipped to maintain the only stable democracy in the Middle East.

In recent weeks, there have been rounds of negotiations concerning Iran's nuclear capabilities. As a result of these negotiations, an agreement was reached with Iran, the details of which put Israel in a very difficult position.

Many questions remain about Iran's continued ability to enrich uranium and the billions of dollars they will gain in sanctions relief, questions such as: Where will these be used and how will the money be used for other attacks such as Hezbollah or others in this area?

One thing I am certain of, however, is the savings will not be spent on any effort advantageous to U.S. or Israel. Now more than ever, Congress must demonstrate its unwavering commitment to strengthening the U.S.-Israel relations during such an unpredictable time in the Middle East. This is something that is needed. It is something for our friend Israel. It protects our interests and protects Israel's interests.

With that, I would urge support of H.R. 1992.

Mr. SCHNEIDER. Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentlelady from Florida (Ms. ROS-LEHTINEN), chairman of the Foreign Affairs Subcommittee on the Middle East and North Africa.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the chairman again for the time.

I rise today in strong support of H.R. 1992, the Israel Qualitative Military Edge Enhancement Act, authored by my colleague and the vice chair of our Subcommittee on the Middle East and North Africa, Mr. COLLINS.

There is no better time than now, Mr. Speaker, to pass this bill and send our closest friend and ally, the democratic Jewish State of Israel, and the rest of the world a strong message that the United States Congress stands resolutely with Israel and her right to defend herself.

The U.S. and other world leaders lamentably acquiesced and relented on the Iran nuclear deal and offered concessions to the regime in Tehran that do nothing to dismantle its nuclear program. Even as the negotiations carried on, Iran was busy making advancements to its nuclear weapons program. Shortly after the deal, Iran announced that it had made significant progress on its ballistic missile program. And just this last weekend, Mr. Speaker, the regime announced that it was moving ahead with testing on more efficient and sophisticated centrifuges.

There can be no mistaking these actions. They all add up to Iran continuing down its path of achieving a full nuclear weapons program. Mr.

Speaker, we have heard this rhetoric that has been coming out of Iran for years now. The regime does not recognize Israel's right to exist. It denies the Holocaust. It repeats its calls to wipe Israel off the map, and "death to Israel" is chanted throughout the country.

Iran is an existential threat to Israel's very existence; and now more than ever, we need to ensure that Israel remains not just one step ahead of those who seek to do her harm, but light years ahead.

In conclusion, there is no room for error as Iran inches closer and closer to having nuclear breakout capability. I urge all of my colleagues to support this bipartisan measure, expressing our strong support for Israel to have a qualitative military edge.

I thank my chairman, as well as Mr. COLLINS, the author of the bill.

Mr. SCHNEIDER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. ROSKAM), a member of the Committee on Ways and Means.

Mr. ROSKAM. Thank you, Mr. Chairman, for the time.

Mr. Speaker, I rise to congratulate my colleagues from Georgia and Illinois for their work on this matter. It is incredibly important; and, as Ms. ROS-LEHTINEN mentioned a minute ago, the challenges that Israel are facing are incredibly significant.

The challenges are moving very, very quickly, Mr. Speaker. There is a storm cloud that is brewing; and rather than waiting to recalibrate, this bill says let's evaluate how Israel is doing in terms of a qualitative military advantage and edge more frequently.

As we know, if Israel is strong in the Middle East, good things happen. If Israel is weak in the Middle East, good things don't happen.

We have an opportunity now for the House to stand with Israel. As mentioned before by Mr. COLLINS a minute ago, it is not just for Israel's sake; but it is clearly in the best interest of the United States.

There is one democratic ally in the Middle East, and that is the State of Israel. It is incumbent upon us as a co-equal branch of government to encourage the administration to do the right thing, not just from Israel's point of view but from the long-term strategic interest of the United States.

I am a cosponsor of this legislation. I am pleased that it is being brought under the leadership of Chairman ROYCE and his committee to the House floor. I urge its passage.

Mr. SCHNEIDER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 3 minutes to the gentleman from Texas, Judge POE, chairman of the Foreign Affairs Subcommittee on Terrorism, Non-proliferation, and Trade.

Mr. POE of Texas. I thank the gentleman for yielding.

Mr. Speaker, all around Israel things are in tremendous turmoil.

To Israel's south, Egypt is experiencing its worst period of unrest in 50 years. There is no elected government, and there won't be until next year. The economy is on a ventilator in Egypt. It is propped up only by billions of dollars of aid from Gulf countries.

The Muslim Brotherhood is openly fighting the interim government with armed mobs. Terrorists and vagabonds in the always lawless Sinai Peninsula are only encouraged by the weakened state of Cairo.

To Israel's north, Syria has become the world's hotspot for terrorists. Terrorists like al Qaeda and Hezbollah are streaming in, with no end in sight. Out-of-town criminals have come into the country to wreak havoc.

To Israel's east, already fragile Jordan is being overrun with Syrian refugees and infiltrated by terrorists as well.

A little further east, al Qaeda is wreaking havoc in Iraq. There is more violence there than at any point since 2008.

And to the far east, mischief regime of the desert, Iran is closer than ever to obtaining a nuclear weapon that can enable it to fulfill its threat to wipe Israel off the map.

When I met with Prime Minister Netanyahu 2 weeks ago, he was clear that Israel cannot accept Iran as a nuclear threshold power if Israel wants to continue to exist as a people. He called our interim deal with Iran the worst deal of the century. I agree with him. It seems that we not only gave away the farm; we gave away the mineral rights as well. We took our best diplomatic tool, sanctions, off the table. The biggest problem with the deal was that it made a peaceful solution more unlikely.

With all of these threats surrounding it, we need to stand side by side and let the world know—our enemies and our friends—that we are allies of Israel. They are the U.S.'s strongest ally.

Israel is the only democracy in the region and the only one that respects human rights. It is in their national security interest and our national security interest to ensure Israel can defend itself from the ever-changing military threats. The enemies they have in the neighborhood are enemies to us as well.

I support H.R. 1992. The bill will make sure, too, that Israel's enemies do not gain a military advantage over the State of Israel. I urge its passage.

And that's just the way it is.

Mr. SCHNEIDER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the United States has no more important relationship, not just in the region but in the world,

than the strategic, unbreakable alliance with the democratic Jewish State of Israel.

Israel's security is our security. Israel's security must not in any way be compromised.

As has been noted here already, Israel lives in a most dangerous neighborhood. Her security is dependent on a clearly demonstrated permanently sustained qualitative military edge. This bill, H.R. 1992, improves and enhances our relationship with Israel to guarantee her qualitative military edge in a very dangerous neighborhood.

I strongly urge all of my colleagues to support H.R. 1992 and to protect Israel's security.

I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

In closing, let me again stress the importance of the relationship with our ally Israel.

Let me thank Mr. COLLINS for his leadership in authoring this important measure and thank Mr. SCHNEIDER. I am a cosponsor of this bill as well, and let me say we have many common threats, especially Iran's nuclear program.

This measure, H.R. 1992, is a testament to the American people's enduring commitment to the security of Israel. I hope to see it passed today.

Mr. Speaker, I yield back the balance of my time.

Mr. GINGREY of Georgia. Mr. Speaker, I rise in strong support of H.R. 1992—the Israel QME Enhancement Act. I would like to commend the author of this legislation and colleague from Georgia, Mr. COLLINS, for his leadership on this issue. I would also like to thank the Foreign Affairs Committee Chairman ROYCE of California and Ranking Member ENGEL of New York on quickly moving this bill through the Committee.

Mr. Speaker, it goes without saying that our strongest ally in the Middle East is the State of Israel. It is, therefore, incumbent upon us to provide them with our unwavering support. In order to uphold this commitment, we must understand the ongoing security threats to Israel. H.R. 1992 helps achieve this goal by increasing the frequency by which the Secretary of State must report to Congress on Israel's qualitative military edge (QME).

Unfortunately, Israel is constantly on alert from various threats to its existence, particularly cyber and asymmetric ones. In fact, regional, Iran has stated that its desire to "wipe Israel off the map." Therefore, despite the interim agreement between the P5+1 that was adopted on November 24, 2013, I still believe that it is critically important that we prevent Iran from acquiring a nuclear weapons capability.

Congress took an important step during 2012 by implementing economic sanctions on Iran through the Iran Threat Reduction and Syria Human Rights Act of 2012. This important legislation punishes individuals who knowingly sell more than 1,000,000 barrels of refined product, or individuals that sell, lease, or provide Iran with goods, services, technology, or information.

However, despite these sanctions, Iran's nuclear program has continued to grow. Earlier this year in June, the International Atomic Energy Agency stated that Tehran was violating international regulations by increasing the number of centrifuges. Although the November 24th interim agreement caps Iran's proliferation at 5%, I remain skeptical of Iran's motive for continued nuclear activity.

Mr. Speaker, that is why the bill we have before today is absolutely essential in assisting Israel. By increasing the QME reports delivered to Congress, we can oversee the potential emerging threats that Israel will face in the future. I urge all of my colleague to join me in supporting H.R. 1992.

Mr. PERRY. Mr. Speaker, given the geopolitical history of the region, the U.S. fully understands Israel's need to be better armed than its neighbors.

Potentially threatening Arab countries surrounding Israel have superior numbers, which is the reason why Israel needs to maintain a qualitative edge.

As Iran creeps ever closer to obtaining a nuclear weapon, this qualitative edge has become all the more important.

As our closest ally in the region, we should do all we can to prevent Israel from being put in harm's way.

I believe the legislation before us today does precisely that and I thank the gentleman from Georgia and my colleague on the House Foreign Affairs Committee, Mr. COLLINS, for authoring this bill.

This legislation improves our policy of ensuring Israel's safety by better reflecting the security environment of its potential adversaries.

Israel is mostly attacked by unconventional weapons and those weapons should be considered into the QME.

As cyber-attacks are increasingly being used as a means of warfare, Israel needs to maintain a competitive edge, while countries such as Iran attempt to increase their cyber capabilities.

Ms. FRANKEL of Florida. Mr. Speaker, one of the cornerstones of America's security commitment to Israel is an assurance that the United States will help maintain Israel's capability to defend itself, by itself. We do this by safeguarding Israel's qualitative military edge (QME)—the ability for Israel to counter and defeat any threat that might arise from non-state actors, individual states, or even a regional coalition of states.

Four decades after the 1973 Yom Kippur War, when a coalition of Arab states launched a surprise attack against Israel on the holiest day on the Jewish calendar, Israel continues to face hostilities on every border: rocket fire from Hamas and Hezbollah, spillover from the conflict in Syria, increased terrorism in Egypt's Sinai, and the ever-looming threat of a nuclear-armed Iran.

That is why it is critical we redouble our efforts to ensure Israel has the tools necessary to counter any and all threats. H.R. 1992, the Israel QME Enhancement Act, is an important piece of bipartisan legislation that does just that, by preserving and strengthening Israel's QME. Specifically, this law would expand the definition of QME to include defense against

cyber and asymmetric threats while also increasing the Administration's reporting requirements to Congress from every 4 to every 2 years.

I urge my colleagues to join me in supporting H.R. 1992.

The SPEAKER pro tempore (Mr. FORTENBERRY). The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 1992, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. ROYCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 43 minutes p.m.), the House stood in recess.

□ 1436

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FORTENBERRY) at 2 o'clock and 36 minutes p.m.

GABRIELLA MILLER KIDS FIRST RESEARCH ACT

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2019) to eliminate taxpayer financing of presidential campaigns and party conventions and reprogram savings to provide for a 10-year pediatric research initiative through the Common Fund administered by the National Institutes of Health, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2019

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Gabriella Miller Kids First Research Act".

SEC. 2. TERMINATION OF TAXPAYER FINANCING OF POLITICAL PARTY CONVENTIONS; USE OF FUNDS FOR PEDIATRIC RESEARCH INITIATIVE.

(a) TERMINATION OF PAYMENTS FOR CONVENTIONS; USE OF FUNDS FOR PEDIATRIC RESEARCH.—Section 9008 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

"(i) TERMINATION OF PAYMENTS FOR CONVENTIONS; USE OF AMOUNTS FOR PEDIATRIC RESEARCH INITIATIVE.—Effective on the date

of the enactment of the Gabriella Miller Kids First Research Act—

"(1) the entitlement of any major party or minor party to a payment under this section shall terminate; and

"(2) all amounts in each account maintained for the national committee of a major party or minor party under this section shall be transferred to a fund in the Treasury to be known as the '10-Year Pediatric Research Initiative Fund', which shall be available only for the purpose provided in section 402A(a)(2) of the Public Health Service Act, and only to the extent and in such amounts as are provided in advance in appropriation Acts."

(b) CONTINUATION OF PRIORITY OF PAYMENTS FROM ACCOUNTS OVER PAYMENTS TO CANDIDATES.—

(1) AVAILABILITY OF PAYMENTS TO CANDIDATES.—The third sentence of section 9006(c) of such Code is amended by striking "section 9008(b)(3)," and inserting "section 9008(i)(2)."

(2) AVAILABILITY OF PAYMENTS FROM PRESIDENTIAL PRIMARY MATCHING PAYMENT ACCOUNT.—The second sentence of section 9037(a) of such Code is amended by striking "section 9008(b)(3)" and inserting "section 9008(i)(2)."

(c) CONFORMING AMENDMENTS.—

(1) ELIMINATION OF REPORTS BY FEDERAL ELECTION COMMISSION.—Section 9009(a) of such Code is amended—

(A) by adding "and" at the end of paragraph (2);

(B) by striking the semicolon at the end of paragraph (3) and inserting a period; and

(C) by striking paragraphs (4), (5), and (6).

(2) ELIMINATION OF PENALTIES.—Section 9012 of such Code is amended—

(A) in subsection (a)(1), by striking the second sentence;

(B) in subsection (c), by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(C) in subsection (e)(1), by striking the second sentence; and

(D) in subsection (e)(3), by striking ", or in connection with any expense incurred by the national committee of a major party or minor party with respect to a presidential nominating convention".

SEC. 3. 10-YEAR PEDIATRIC RESEARCH INITIATIVE.

(a) ALLOCATION OF NIH FUNDS IN COMMON FUND FOR PEDIATRIC RESEARCH.—Paragraph (7) of section 402(b) of the Public Health Service Act (42 U.S.C. 282(b)) is amended to read as follows:

"(7)(A) shall, through the Division of Program Coordination, Planning, and Strategic Initiatives—

"(i) identify research that represents important areas of emerging scientific opportunities, rising public health challenges, or knowledge gaps that deserve special emphasis and would benefit from conducting or supporting additional research that involves collaboration between 2 or more national research institutes or national centers, or would otherwise benefit from strategic coordination and planning;

"(ii) include information on such research in reports under section 403; and

"(iii) in the case of such research supported with funds referred to in subparagraph (B)—

"(I) require as appropriate that proposals include milestones and goals for the research;

"(II) require that the proposals include timeframes for funding of the research; and

"(III) ensure appropriate consideration of proposals for which the principal investi-

gator is an individual who has not previously served as the principal investigator of research conducted or supported by the National Institutes of Health;

"(B)(i) may, with respect to funds reserved under section 402A(c)(1) for the Common Fund, allocate such funds to the national research institutes and national centers for conducting and supporting research that is identified under subparagraph (A); and

"(ii) shall, with respect to funds appropriated to the Common Fund pursuant to section 402A(a)(2), allocate such funds to the national research institutes and national centers for making grants for pediatric research that is identified under subparagraph (A); and

"(C) may assign additional functions to the Division in support of responsibilities identified in subparagraph (A), as determined appropriate by the Director;"

(b) FUNDING FOR 10-YEAR PEDIATRIC RESEARCH INITIATIVE.—Section 402A of the Public Health Service Act (42 U.S.C. 282a) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and moving the indentation of each such subparagraph 2 ems to the right;

(B) by striking "For purposes of carrying out this title" and inserting the following:

"(1) THIS TITLE.—For purposes of carrying out this title"; and

(C) by adding at the end the following:

"(2) FUNDING FOR 10-YEAR PEDIATRIC RESEARCH INITIATIVE THROUGH COMMON FUND.—For the purpose of carrying out section 402(b)(7)(B)(ii), there is authorized to be appropriated to the Common Fund, out of the 10-Year Pediatric Research Initiative Fund described in section 9008 of the Internal Revenue Code of 1986, and in addition to amounts otherwise made available under paragraph (1) of this subsection and reserved under subsection (c)(1)(B)(i) of this section, \$12,600,000 for each of fiscal years 2014 through 2023."; and

(2) in subsections (c)(1)(B), (c)(1)(D), and (d), by striking "subsection (a)" each place it appears and inserting "subsection (a)(1)".

(c) SUPPLEMENT, NOT SUPPLANT; PROHIBITION AGAINST TRANSFER.—Funds appropriated pursuant to section 402A(a)(2) of the Public Health Service Act, as added by subsection (b)—

(1) shall be used to supplement, not supplant, the funds otherwise allocated by the National Institutes of Health for pediatric research; and

(2) notwithstanding any transfer authority in any appropriation Act, shall not be used for any purpose other than allocating funds for making grants as described in section 402(b)(7)(B)(ii) of the Public Health Service Act, as added by subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I rise today in support of the Gabriella Miller Kids First Research Act of 2013. H.R. 2019, authored by my colleague, GREGG HARPER, is a bill that will help countless kids and families across the country.

The Gabriella Miller Kids First Research Act would prioritize funding for the research of pediatric diseases and disorders such as cancer, autism, and Fragile X. It would eliminate taxpayer financings of party conventions, political money, and use these funds instead to expand pediatric research at the NIH Common Fund through their common fund. This bill certainly does put kids first.

You know, Gabriella Miller was a little warrior in the battle against childhood cancer. At only 10 years of age, she had the courage miles beyond her years. A frying pan and a walnut is all you need to understand her brave outlook on life.

When she was diagnosed with brain cancer, she was told that the size of that tumor was about like a walnut; and from then on, Gabriella traveled with her trusty frying pan squashing countless walnuts along the way all over the world.

That is the kind of courage and outlook on life that she had. Advancing health research for millions of young patients who suffer from rare and genetic diseases has got to be a priority. While we have made great strides in the country in finding cures and treatments, we certainly have a great amount of work to do. Included in the work is pushing for research that is going to help uncover cures for pediatric diseases.

In order for clinical trials and other advancements to meet their full potential, adequate resources have got to be directed for pediatric research. The legislation is an example of how much can be accomplished by ending wasteful spending and redirecting those funds towards national priorities like pediatric research.

This effort is going to help families like the Kennedys in Mattawan, Michigan, my constituents. Eric and Sarah have two wonderful little girls, Brooke and Brielle, who have the rare disease called spinal muscular atrophy. Those two little angels, who are fighting SMA with the same vigor and sunny outlook exhibited by Gabriella, are decorated little generals in the effort to boost research for rare diseases and serve as inspiration for every one of us.

The sad reality is that it is often difficult to conduct research into rare diseases due to the small number of individuals with those diseases; but we are working to change that—yes, we are—and provide families with greater hope for a cure and in advances of treatment.

This bill has over 150 cosponsors and is supported by a long list of patient advocacy groups including Autism Speaks, Juvenile Diabetes Research Foundation, Leukemia and Lymphoma Society, and FightSMA.

I wholeheartedly agree with the bill's Democrat sponsor, PETER WELCH from Vermont, who recently said last night on CNN:

Can we just put the battle axes down for a while and take a step forward?

He thinks we can. We need to.

With all of us today with so many diseases, we need to pass this bill.

I reserve the balance of my time.

ANGELMAN SYNDROME FOUNDATION,
Aurora, IL, July 5, 2013.

Hon. ERIC CANTOR,
Majority Leader, House of Representatives,
United States Capitol, Washington, DC.

Hon. GREGG HARPER,
House of Representatives, Cannon House Office
Building, Washington, DC.

DEAR LEADER CANTOR AND CONGRESSMAN HARPER: On behalf of the Angelman Syndrome Foundation, ASF, I write in strong support for H.R. 2019, the Kids First Research Act. This important legislation will expand pediatric medical research activities at the National Institutes of Health, NIH, by approximately \$130 million. Pediatric research should be a national priority, and ASF applauds Congressman Harper for his leadership on this issue. This legislation has the potential to develop treatments and unlock the cure for thousands of impacted children, including those with Angelman Syndrome.

Angelman syndrome is a single-gene neurodevelopmental disorder that is related to autism. Continued research for pediatric neurodevelopmental disorders, such as Angelman syndrome, will lead to effective treatments that will help combat the autism epidemic in the U.S. The Angelman Syndrome Foundation's mission is to advance the awareness and treatment of Angelman syndrome through education and information, research, and support for individuals with Angelman syndrome, their families and other concerned parties. We exist to give all of them a reason to smile, with the ultimate goal of finding a cure.

On behalf of ASF, thank you again for your leadership and for supporting the Kids First Research Act.

Sincerely,

EILEEN BRAUN,
Executive Director.

—
ASCO, July 10, 2013.

Hon. GREGG HARPER,
House of Representatives, Cannon House Office
Building, Washington, DC.

DEAR REPRESENTATIVE HARPER: On behalf of the American Society of Clinical Oncology (ASCO), thank you for the introduction of The Kids First Research Act of 2013 (H.R. 2019). In this difficult budget environment, we are pleased to see any amount of available funds transferred to vital medical research and offer our endorsement of the legislation. We commend this bipartisan effort in acknowledging that medical research should be a priority for federal spending.

ASCO is the national organization representing more than 30,000 physicians and other health care professionals specializing in the treatment and research of both pediatric and adult cancers. Through its support of research leading to breakthrough im-

provements in cancer treatment, the NIH consistently provides a dramatic return on investment, both in the form of lives saved and economic growth. Our members witness first hand on a daily basis the high risk, high reward research that begins with NIH funding and results in safer, more effective treatment options for cancer patients.

Given its track record of unmatched successes, we are truly alarmed by the impact of recent budget cuts to the NIH and the National Cancer Institute (NCI). Budget stagnation in the last few fiscal years now compounded by cuts due to sequestration has led to the lowest number of new grants being funded at NIH since 1998. This is a devastating blow to the pace of medical research progress especially since it is occurring at a time of unprecedented basic and clinical science discoveries that point to rapid progress against many cancers. It has put life-saving discoveries on hold, stalled the careers of the young medical scientists who would be developing cures, and slowed one of our nation's areas of historical technology leadership that is also a key economic driver. Given the human and economic costs of these cuts, ASCO calls on Congress to repeal sequestration and return to regular order in budget negotiations. It is urgent that we prevent the \$19 billion in sequestration cuts to the NIH expected over the next ten years and return the NIH to a priority position in federal budget negotiations.

The Kids First Research Act is a great step in the right direction to put the NIH back on a plan for reasonable growth and can make a difference. Through NIH's time-tested peer review process, this infusion of \$130 million over the next ten years will turn available dollars into new hope for the health of America's children and all of our citizens. But it is important to note that it will not compensate for the larger cuts in this area of investment that have already happened and are on track to worsen.

ASCO stands ready to help in your efforts to support medical research at the NIH. If you have any questions or would like assistance from ASCO on any issue involving cancer research, please do not hesitate to contact Amanda Schwartz at Amanda.schwartz@asco.org or 571-483-1647.

Sincerely,

CLIFFORD A. HUDIS, MD, FACP,
President, American Society
of Clinical Oncology.

—
BEAR NECESSITIES,
PEDIATRIC CANCER FOUNDATION,
Chicago, IL, July 3, 2013.

Re: Kids First Research Act of 2013 (H.R. 2019)

Hon. GREGG HARPER,
House of Representatives, Cannon House Office
Building, Washington, DC.

DEAR CONGRESSMAN HARPER: On behalf of the countless children waging their courageous battle against pediatric cancer, we strongly and respectfully urge you to support the Kids First Research Act of 2013 (H.R. 2019).

This measure will provide much needed additional federal support to complement ongoing research supported by substantial private funding from national non-profit childhood cancer organizations, as well as by the National Institute of Health and National Cancer Institute. Passage of this bill will ensure that the investments of both public and private resources reach their fullest potential by enabling a critical mass of research and discovery required to culminate into promising medical treatments that are "safe

and effective” for many childhood diseases, including childhood cancer.

As you may know, one in every 330 children in the United States develops cancer before the age of nineteen. The incidence of cancer among children is increasing. Each school day, enough children are diagnosed with cancer to empty two classrooms. Depending on the type of cancer and the development upon diagnosis, approximately 2,300 children will die from cancer in any given year. The number of children diagnosed with cancer in the U.S. each year puts more potential years of life at risk than any single type of adult cancer. Cancer remains the number one disease killer of America’s children.

There are more than 360,000 childhood cancer survivors of all ages in the United States. Unfortunately, 74% of childhood cancer survivors have chronic illnesses, and some 40% of childhood cancer survivors have severe illnesses or die from such illnesses. Survivors are at significant risk for secondary cancers later in life. Current cancer treatments can affect a child’s growth, fertility, and endocrine system. Child survivors may be permanently immunologically suppressed. Radiation therapy to a child’s brain can significantly damage cognitive function, especially if given at a very young age. While currently there is very little in terms of “safe and effective” cures for any particular type of childhood cancer, the underlying genetics of the disease and recent research breakthroughs make such treatments foreseeable.

Bear Necessities Pediatric Cancer Foundation thanks you for sponsoring the Kids First Research Act of 2013 (H.R. 2019) and we applaud your ongoing commitment to improving the lives of thousands of children diagnosed with life-threatening diseases and sparing families from the devastation that these types of diagnoses cause. We look forward to working with you to pass this important bill to help ensure a brighter future for America’s children.

Sincerely,

KATHLEEN A. CASEY,
CEO and Founder.

MARCH OF DIMES FOUNDATION,
OFFICE OF GOVERNMENT AFFAIRS,
Washington, DC, July 17, 2013.

Hon. GREGG HARPER,
House of Representatives, Washington, DC.

Hon. TOM COLE,
House of Representatives, Washington, DC.

Hon. PETER WELCH,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVES HARPER, COLE AND WELCH: On behalf of the March of Dimes, a unique collaboration of over 3 million volunteers affiliated with 51 chapters representing every state, the District of Columbia and Puerto Rico, I would like to express our support for H.R. 2019, the Kids First Research Act. This legislation would provide a welcome infusion of resources directed to pediatric research at the National Institutes of Health, NIH.

Our nation must commit to a sustained investment in pediatric research to build our future by improving the health of the next generation of children. As one example, over 500,000 infants are born preterm in the U.S. each year. Among those who survive, one in five faces health problems that persist for life such as cerebral palsy, intellectual disabilities, chronic lung disease, and deafness. Research breakthroughs that allow us to reduce the rates of preterm birth would lead to significant declines in infant mortality and save millions in healthcare and special education costs.

The March of Dimes takes no position on H.R. 2019’s elimination of the Presidential Election Campaign Fund, but if this step is pursued, we strongly support directing the resultant funds to pediatric research. In addition, we urge Congress and the Administration to work together to find a balanced approach to deficit reduction that ensures the necessary resources are available to fund lifesaving research across the federal health agencies.

Thank you again for your leadership in introducing the Kids First Research Act. We look forward to working with you to make pediatric research a national priority.

Sincerely,

DR. JENNIFER L. HOWSE,
President.

BROOKE’S BLOSSOMING HOPE
FOR CHILDHOOD CANCER FOUNDATION,
December 10, 2013.

Hon. BLAKE FARENTHOLD,
House of Representatives,
Washington, DC.

DEAR MR. FARENTHOLD: As a medical research organization working to accelerate the development of promising medical discoveries or cures for cancers common to children, adolescents, and young adults, we write to express our strong support for your legislation, the Kids First Research Act of 2013 (H.R. 2019).

This measure provides much needed additional federal support to complement ongoing research supported by substantial private funding from national non-profit childhood cancer organizations, as well as by the National Institute of Health and National Cancer Institute. Passage of this bill will ensure that the investments of both public and private resources reach their fullest potential by enabling a critical mass of research and discovery required to culminate into promising medical treatments that are “safe and effective” for many childhood diseases, including childhood cancer.

As you know, one in every 330 children in the United States develops cancer before the age of nineteen. The incidence of cancer among children is increasing. Each school day, enough children are diagnosed with cancer to empty two classrooms. Depending on the type of cancer and the development upon diagnosis, approximately 2,300 children will die from cancer in any given year. The number of children diagnosed with cancer in the U.S. each year puts more potential years of life at risk than any single type of adult cancer. Cancer remains the number one disease killer of America’s children.

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Brooke’s Blossoming Hope for Childhood Cancer Foundation thanks you for sponsoring the Kids First Research Act of 2013 (H.R. 2019) and we applaud your ongoing

commitment to improving the lives of thousands of children diagnosed with life-threatening diseases and sparing families from the devastation that it causes. We look forward to working with you to pass this important bill to help ensure a brighter future for America’s children.

Sincerely,

JESSICA HESTER, M.A. Ed.,
Chief Executive Officer and Founder.

RALLY FOUNDATION,
Sandy Springs, GA, December 10, 2013.
Hon. GREGG HARPER,
House of Representatives, Cannon House Office
Building, Washington, DC.

DEAR MR. HARPER: As a non-profit organization that exists to fund childhood cancer research, the Rally Foundation for Childhood Cancer Research, we write to express our strong support for your legislation, the Kids First Research Act of 2013 (H.R. 2019).

This measure provides much needed additional federal support to complement ongoing research supported by substantial private funding from national non-profit childhood cancer organizations, as well as by the National Institute of Health and National Cancer Institute. Passage of this bill will ensure that the investments of both public and private resources reach their fullest potential by enabling a critical mass of research and discovery required to culminate into promising medical treatments that are “safe and effective” for many childhood diseases, including childhood cancer.

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There are more than 360,000 childhood cancer survivors of all ages in the United States. Unfortunately, 74 percent of childhood cancer survivors have chronic illnesses, and some 40 percent of childhood cancer survivors have severe illnesses or die from such illnesses. Survivors are at significant risk for secondary cancers later in life. Current cancer treatments can affect a child’s growth, fertility, and endocrine system. Child survivors may be permanently immunologically suppressed. Radiation therapy to a child’s brain can significantly damage cognitive function, especially if given at a very young age. While currently there is very little in terms of “safe and effective” cures for any particular type of childhood cancer, the underlying genetics of the disease and recent research breakthroughs make such treatments foreseeable.

The Rally Foundation thanks you for sponsoring the Kids First Research Act of 2013 (H.R. 2019) and we applaud your ongoing commitment to improving the lives of thousands of children diagnosed with life-threatening diseases and sparing families from the devastation that it causes. We look forward to working with you to pass this important bill to help ensure a brighter future for America’s children.

Sincerely,

DEAN CROWE,
Founder and CEO.

SOLVING KIDS' CANCER,
December 10, 2013.

Hon. GREGG HARPER,
House of Representatives, Cannon House Office
Building, Washington, DC.

DEAR REPRESENTATIVE HARPER: On behalf of Solving Kids' Cancer, I am writing to express our strong support for your legislation, the Kids First Research Act of 2013 (H.R. 2019), which would supply critical funds to the National Institutes of Health for pediatric medical research.

As you know, cancer kills more kids in the U.S. than any other disease. Each school day, enough children are diagnosed with cancer to empty two classrooms. We at Solving Kids' Cancer believe that Every Kid Deserves to Grow Up. For kids with the deadliest childhood cancers, including neuroblastoma, sarcomas and brain tumors, their chances of ever living long enough to be able to cast their first ballot are less than 50 percent. This is unacceptable.

Children with cancer need new treatment options today. As we enter a new era in cancer research with advances in immunotherapy, innovative clinical trials that harness a child's own immune system to fight cancer will help change the future of childhood cancer. But without the necessary funding, children battling cancer will be left behind, with limited treatment options.

Solving Kids' Cancer is proud to lend our support of the Kids First Research Act of 2013 (H.R. 2019). On behalf of the families and children with cancer, thank you for turning awareness into action and for helping to change the world for children.

Sincerely,

SCOTT KENNEDY, MBA,
Co-Founder and Executive Director.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the bill before us today because it is a disingenuous and empty attempt by the Republicans to divert attention from the fact that they have voted to cut research time and time again. So instead, they will stand before the American public with words that they have no action to back up.

The National Institutes of Health serve a vital mission of supporting biomedical research so that we may better understand and better treat diseases that burden American families; and I stand firmly in favor of supporting NIH research funding, especially as it relates to pediatric research.

Let me be very clear for the record here today. H.R. 2019 does not achieve this purpose. Had this bill, which had been introduced back in May, gone through regular order and come to the Committee on Energy and Commerce for hearings and markup, we would have had the opportunity to discuss and debate the merits of the legislation.

This bill claims to support research on childhood diseases by authorizing—and I note not appropriating, but only authorizing—\$12.6 million for NIH pediatric research grants through savings from ending the public contribution to the cost of political party nominating conventions.

I emphasize that the bill only authorizes funding because I would like to

point out that the appropriations needed to actually make these funds available to NIH would still be subject to discretionary spending caps of the Budget Control Act and sequestration cuts.

Now, the sequester alone has cut \$1.5 billion out of NIH'S funding in fiscal year 2013. Even worse, through the Ryan budget, the Republicans adopted spending allocations for fiscal year 2014 that would make additional cuts to NIH, which could result in \$6.7 billion in cuts in total.

For pediatric research, the proportional cut would amount to \$800 million, which is 60 times more than the increase that this bill claims to provide. That's why I think the Republicans are not making a sincere effort to support NIH research. This is a joke.

The best thing, Mr. Speaker, we can do to support NIH and research on pediatric diseases is to pass a balanced and constructive budget package and to provide the Appropriations Committee with a reasonable and realistic amount of funding to work with.

Until then, I would urge my colleagues to oppose this bill that is nothing but a guise. It is a ruse. It does nothing to ensure that we are increasing pediatric cancer research dollars.

I reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to my friend from Virginia (Mr. WOLF), a member of the Appropriations Committee.

Mr. WOLF. I thank the chair.

Mr. Speaker, I rise in support of legislation I have cosponsored, the Gabriella Miller Kids First Research Act. I particularly want to thank the bill sponsors, GREGG HARPER, ERIC CANTOR, and Mr. WELCH of Vermont, for honoring the memory of my constituent, Gabriella Miller, Loudoun County's volunteer of the year.

Gabriella was a 10-year-old straight A student at Loudoun County Day School, who died on October 26 after a courageous 1-year battle with an inoperable brain cancer tumor. In a short amount of time, they achieved many goals. She started the Smashing Walnuts Foundation—which refers to the walnut-sized tumor in her brain—a childhood cancer foundation; she co-wrote a children's book and received an honorary degree from Shenandoah University out in Winchester, Virginia.

Last December at her request I wrote to Macy's as part of the massive 250,000 letter campaign she organized to benefit the Make-a-Wish Foundation. Gabriella raised a lot of money, and more importantly she touched a lot of lives; and I am sure she touched a lot of lives of Members who are in this body.

The bill before us today will help supplement existing NIH research efforts for childhood cancers and disorders by creating a 10-year pediatric research initiative fund, paid for with the re-

maining Presidential Election Campaign Fund.

I know her parents, Mark and Ellyn, who are with us here today. Her younger brother Jake and her family and friends know of the remarkable impact she has had on our community, on our country, and on families that are facing this nationwide.

I urge, hopefully, a unanimous vote on this.

□ 1445

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. WAXMAN), ranking member of the Energy and Commerce Committee.

Mr. WAXMAN. Mr. Speaker, I rise, reluctantly, to oppose this bill.

First of all, I want to express to Gabriella Miller's family my sincere sympathies.

We all want to fund more research to fight pediatric disease. Nothing could be a more worthy objective. If we could only reverse the cuts that this House has adopted under Republican leadership, the National Institutes of Health could make an even greater amount of progress in understanding and treating so many different devastating diseases for children and others.

This bill was never heard in committee. We never had a chance to have witnesses come forward and talk about it or debate how best to achieve the bill's stated goals. That is why many of us think it is more a statement than a credible proposal, especially when you look at the Republican House majority's record on biomedical research funding. It is a dismal one.

They wrote and passed a bill which would have significantly cut NIH. They supported sequestration, which similarly reduced the NIH budget by nearly \$2 billion in 2013 alone. And now this bill comes along, where they claim to provide NIH with about \$13 million a year for pediatric research. That is a miniscule amount compared to the funding for pediatric research NIH lost due to Republican budget cuts and sequestration.

The way we usually handle NIH is the Appropriations Committee issues a bill appropriating money for NIH. They can do that. If we increase the money for NIH, they can do that. They don't need this bill to increase funding for pediatric research. What they need is a higher spending cap. This bill doesn't bring about a higher spending cap.

And then I have concerns I want to express about the way they structure the investments in pediatric research by funding it through the NIH Director's Common Fund. By design, that fund is not disease or population specific, giving NIH flexibility to determine funding priorities each year. It also doesn't take into consideration the existing pediatric research initiative, which we strengthened with the

recent enactment of pediatric research network legislation.

Researchers all across the country have echoed the importance of sustained NIH funding for our Nation's health, our economic growth, and our global leadership on biomedical research.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PALLONE. I yield the gentleman an additional 1 minute.

Mr. WAXMAN. Regrettably, this legislation before us does nothing to truly advance research at NIH. If we really had a sincere commitment to strengthen research at NIH, let's work together on a bipartisan basis. Let's have hearings on the legislation. Let's make sure that we have funding for all the research activities.

I think that we need to find a solution to restore NIH funding rather than purely symbolic legislation.

This reminds me of the time when the Republicans closed the government. They refused to pass an appropriations bill for the government to function. And then people said, Well, what about the parks? They said, Well, we'll have a bill just to open the parks. What about NIH research? Well, we'll do NIH research, but not the Centers for Disease Control and not other things.

If you are going to do the job, do it right, and don't pretend, especially to a family that is grieving, that you are really doing more for pediatric research when the overall NIH funds are not increased.

Mr. UPTON. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I just want to remind my friends that this is bipartisan legislation. I congratulate Mr. WELCH for being the lead Democratic sponsor.

I just want to say, too, in terms of looking at the money, the bill itself says:

All amounts in each account maintained for the national committee of a major party or minor party under this section shall be transferred to a fund in the Treasury to be known as the "10-Year Pediatric Research Initiative Fund," which shall be available only for the purpose provided in section 402A(a)(2) of the Public Health Service Act, and only to the extent and in such amounts as are provided in advance in appropriations Acts.

Tell me how to write it tougher. We did it.

I yield 2 minutes to the gentleman from California, (Mr. MCCARTHY), the majority whip.

Mr. MCCARTHY of California. I thank Chairman UPTON.

Mr. Speaker, I rise in support of H.R. 2019, named in the memory of a remarkable young lady, Gabriella Miller.

The Gabriella Miller Kids First Research Act gives pediatric research a shot in the arm through additional targeted funding, funding that is fully offset by reining in taxpayer funding of political conventions.

The National Institutes of Health works admirably in distributing important Federal funding on basic medical research, but more can be done for childhood illness. In 2012, only 2 percent of NIH funding was spent on pediatric cases.

Today's bill provides additional funding for the NIH to help address the need for coordinated research on various childhood diseases, including cancer, autism, and juvenile diabetes. It helps provide a down payment to the promise that we have to our next generation by helping our scientists and researchers find the cures today to childhood illnesses.

There is no Republican or Democrat form of childhood illness, and there is no Republican or Democrat way to fight it. By working together on this bipartisan bill, we can put our children above the Presidential politics of every 4 years.

I want to thank my good friends Congressman GREGG HARPER and Congressman PETER WELCH for their work on this legislation. I also want to thank Majority Leader CANTOR for his continued leadership on these issues affecting America's families across the country. Vote "yes" on H.R. 2019.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, I support this legislation, but I want to go through the controversy.

First of all, the argument about campaign finance reform, this is about taking money away from political conventions. The majority on both sides of the aisle have supported that.

Number two, there is an argument that this does not restore NIH funding. That is absolutely true, and we should restore full funding for the National Institutes of Health. Passing this bill doesn't stop us from doing that. It may even put us a step forward.

Third, there is an argument that the money will not get to the intended target because of the way it is designed. But if there is any expression of good faith, it is that the appropriators have made a very clear indication that they are willing to do everything they possibly can in order to make this happen.

Fourth, it is limited in its scope and in its funds. That is true. But the fact is it does do something. It takes a step forward.

We are having an argument here about whether this is bipartisan or not. We are having an argument about bipartisan or not. We are having an argument about process. But I think if we are candid, we have to acknowledge that, as an institution, both sides have failed when it comes to an overall comprehensive budget, including for the NIH.

On August 12, 2011, this Congress voted 269-161 to implement the sequester, and in the I-told-you-so brand of

argument, I voted against that. I voted against it because, in my view, the consequences of that sequester were predictable and foreseeable. These across-the-board cuts from the NIH to the Pentagon made no sense, but that is the box this institution, this House of Representatives, has put itself in.

What we have with this bill, in my view, is an opportunity to lay down the battle axes for just a moment and take a step forward. No one is here—least of all, me, where I am being used, to some extent, as a bipartisan face—to suggest that this does more than it does. But what it does do is something good, and it can begin a process, which is my hope, where we restore full funding to the National Institutes of Health.

Mr. UPTON. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CANTOR), majority leader of the House.

Mr. CANTOR. Mr. Speaker, I thank the chairman, the gentleman from Michigan.

Mr. Speaker, I rise in strong support of the Gabriella Miller Kids First Research Act. I also would like to thank my colleague, the gentleman from Vermont, for his courage in providing bipartisan support, along with some other colleagues in support of this bill, as well as the Republican cosponsors, GREGG HARPER from Mississippi and TOM COLE, my colleague from Oklahoma who is here in this Chamber.

For those colleagues who are here in the Chamber, we are joined by Gabriella Miller's parents, Ellyn and Mark Miller, who are in the gallery. I want to thank them for their courage in being here and for their understanding of what goes on on this floor and to not take it in any other way other than we are trying to do what is right in terms of delivering on the legacy of their daughter.

Mr. Speaker, Gabriella Miller, a young girl from Virginia, was only 9 years old when she found out she had an inoperable brain tumor the size of a walnut and wasn't given long to live. Despite her diagnosis, Gabriella and her family chose to fight and share her dream with others of overcoming childhood disease.

Gabriella was so determined that she captivated people's hearts at rallies, through online videos, and raised hundreds of thousands of dollars for the Make-a-Wish Foundation. She even wrote a book for other children about understanding cancer. She poured every remaining ounce of her life into raising awareness for pediatric research for other children, with the hope that they would not have to suffer the same fate. In her last few months, Gabriella left a mark on the world that will never be forgotten.

Mr. Speaker, there is no question that Washington has a spending problem. The problem is not only that we

spend too much, but that we are spending taxpayer dollars on the wrong priorities. Medical research for children should be a national priority.

The first NIH bill I scheduled as majority leader was a bipartisan bill authored by Representative CATHY MC MORRIS RODGERS and Representative LOIS CAPPS to strengthen pediatric research networks. The President signed the bill into law last month.

The bill before us today builds on that legislation by providing resources through the NIH Common Fund for high-risk, high-reward research that has the potential to transform pediatric research for children suffering from many different diseases and disorders. For the first time, Congress will establish a Pediatric Research Initiative Fund that will serve as an accountability mechanism to help ensure that dollars are reaching their intended target.

While all of us support the NIH, this bill is an opportunity to push the agency to make big discoveries that will improve and ultimately save so many lives. We don't have to accept the status quo as the best we can achieve. Yes, the NIH needs taxpayer resources, but it also matters how we invest and apply those dollars.

□ 1500

Now, Mr. Speaker, some of my colleagues on the other side of the aisle say this is just a drop in the bucket compared to the sequester cuts. I agree. The sequester cuts were, unfortunately, indiscriminate, and I and my colleagues have proposed alternatives to them, but let's not let Washington politics get in the way of any effort to help these kids. This is one step of many that we should take together.

How many times do we meet parents and families who share their stories and ask for help? I recently had the privilege of meeting Gabriella's parents, Ellyn and Mark, and they personally shared with me Gabriella's fighting spirit. In fact, in one of her last interviews—and you can view this online—when asked what Gabriella would like to tell our political leaders, she said, “Stop talking. Start doing. We need action.”

This, Mr. Speaker, is our opportunity to act.

Outside of this building, this legislation has tremendous support. The leading children's research hospitals, United for Medical Research, and over 100 patient advocacy groups support this bill. Currently, it leads all other bills on cosponsor.gov with over 2,500 citizen cosponsors. This kind of support is great, but what matters now are the Members of this House and how they vote. The question before the Members today is simple: What is more important—finding cures for our children or balloons for party conventions and catering for politicians?

The bottom line is that this bill is a choice between allocating moneys for political conventions or pediatric medical research. That is the choice. The bill isn't just about a government agency or taxpayer dollars. It is not about Democratic issues or Republican issues. It is about a cause, frankly, that should unite each and every one of us.

Yes, I would say to my colleague from California that this is a serious first step—it is not everything—but to not sit here and impugn anyone's motives, much less say something that is somehow a commentary that this isn't constructive towards the plight of the parents like the Millers who are around this country and who are searching for some indication that we can break the political gridlock on an issue like this. I align myself with the comments of my colleague from Vermont, who says, Can't we just put down the battle axes for something like this? Can't we all do that for somebody like Gabriella?

Now, Gabriella may no longer be with us, but her fight lives on. I ask, Mr. Speaker, that all of us stand united today and join in this fight.

Again, I want to thank Congressman GREGG HARPER, and I want to thank Congressman PETER WELCH for introducing this bill as well as to thank Congressman COLE from Oklahoma. Earlier this year, they began the effort to join with so many who have come before in order to raise awareness of the need for medical research and, yes, this time, of the need for us to prioritize the funding for pediatric research.

I would like to thank Gabriella's parents, the Millers, who are so brave in their commitment to this effort and who realize this is just a first step—being here with us today and joining us in this fight.

I strongly urge my colleagues to support this bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. All Members are reminded that it is not in order to introduce or to bring to the attention of the House occupants of the gallery.

The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

Mr. PALLONE. Mr. Speaker, I now yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, I oppose this legislation because it is window dressing, and it is not the big picture.

Thirteen million dollars is less than 1 percent of the \$1.5 billion sequester cut. It is less than 1 percent. The NIH is our research institution. It is our Department of Defense. It defends us from cancer and heart disease and Alzheimer's and AIDS and diabetes, but it

is not being prioritized. It should be the number one priority of this House—keeping Americans safe and alive. Now, the \$13 million was picked because that is the amount of money we put into political conventions. It just so happened to fit. We could have picked the F-35 bomber and saved billions of dollars and taken that out, which we don't need, and put in that money, which would have made a real difference in research.

As for Kids First Research, I live in the city that has the best pediatric cancer facility in the world, St. Jude Children's Research Hospital. It needs more than this. Kids later will get Alzheimer's and AIDS and heart disease and cancer, and they need to be protected. In the long run, they can only be protected with the full funding for the NIH. I urge the full funding for the NIH and not smoke and mirrors.

Mr. UPTON. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi (Mr. HARPER), the sponsor of the bill.

Mr. HARPER. First of all, I want to thank Congressman PETER WELCH for his hard work on this bill, and I certainly thank Leader ERIC CANTOR and Congressman TOM COLE.

Mr. Speaker, creating a lifetime of hope and opportunity for our most vulnerable kids is more important than subsidizing weeklong political pep rallies for the Democratic and Republican parties. This is why the House must advance H.R. 2019, the Gabriella Miller Kids First Research Act, a bill that pays for children's medical research with the \$126 million that the Federal Government currently sets aside for political conventions.

On November 14, 2013, I had the privilege to meet in Leader CANTOR's office with Ellyn and Mark Miller. I watched them struggle to come up with the words to express their grief, which I saw become steadfast determination to do something special for Gabriella by allowing this bill to be named after their precious daughter. I am wearing the yellow “Smashing Walnuts” bracelet that they gave me that day. I have watched numerous videos of Gabriella in which she has made moving and profound statements, such as, “Once you get cancer, you kinda gotta be all grown up,” and “Sometimes you have to stop talking and start doing.”

As the father of a 24-year-old son who is living with Fragile X syndrome, I understand the challenges families face in raising children with special needs, but I also recognize the value of expanded and improved medical research. While raising a child with a genetic disorder can be very difficult, for my family, it has been a blessing, especially knowing that my son, Livingston, is here today.

Mr. Speaker, Evie Horton and her cousin, Reese McDonald, who are kids from Mississippi who fight with all of

their strength to overcome the struggles of spinal muscular atrophy, are two more reasons that I introduced this bill. Recent scientific research breakthroughs have also given hope to so many families, but in order for clinical trials and other advancements to meet their full potential, additional Federal research must be directed to pediatric research.

Mr. Speaker, Members of both parties have an opportunity to demonstrate the priorities of this body. Will it be research for our most vulnerable kids or will lawmakers vote to continue funding political party conventions at the taxpayers' expense?

I have listened to how this has been described by the other side. It has been called a joke, a ruse, a fraud, not credible, window dressing, smoke and mirrors, and their referring to Republicans supporting sequestration, I guess, means that it has been forgotten by our friends on the other side of the aisle that 95 Members of the Democratic Party voted in favor of sequestration.

Mr. Speaker, let's get our priorities straight. Let's vote "yes" on the Gabriella Miller Kids First Research Act.

NATIONAL FRAGILE X FOUNDATION,
Walnut Creek, CA, June 12, 2013.

ATTN: Scot Malvaney, Policy Director.

Representative GREGG HARPER,
Cannon Building, Washington, DC.

DEAR REPRESENTATIVE HARPER: Confirming our earlier conversations with your office, the National Fragile X Foundation indeed agrees that additional research is needed to find the cures for fragile x syndrome, autism spectrum disorder, childhood cancer, and many other diseases impacting children.

We are therefore pleased to add our support to The Kids First Research Act (H.R. 2019) that you recently introduced with Representative Tom Cole.

As you well know, Fragile x syndrome is one of the conditions for which a cure (or targeted treatments) exist right around the corner.

We wholeheartedly support this critical research initiative which seeks both to identify much needed additional funding for the NIH and to promote collaborations and collaborative spending across related conditions like fragile x syndrome and autism.

Thank you for your leadership on this important issue.

JEFFREY COHEN, JD,
Director, Government Affairs.

GLOBAL GENES, RARE PROJECT,
Aliso Viejo, CA.

Hon. GREGG HARPER,
House of Representatives, Cannon House Office Building, Washington, DC.

DEAR CONGRESSMAN HARPER, Global Genes/RARE Project is one of the leading rare and genetic disease patient advocacy organizations in the world. What began as a grassroots movement in 2009 with a few rare disease parent advocates and foundations has grown to over 800 global organizations. Our mission is centered on increasing rare disease awareness, public and physician education, building community through social media and supporting research initiatives to find treatments and cures for rare and genetic diseases.

We, along with the organizations listed below, are writing to support The Kids First Research Act of 2013 (H.R. 2019). This bipartisan bill would eliminate taxpayer financing of presidential campaigns and party conventions and reprogram those savings to provide for a 10-year pediatric research initiative through the Common Fund administered by the National Institutes of Health.

During these trying fiscal times, we are pleased to see efforts that would increase funds for pediatric research.

Unfortunately, pediatric research is terribly underfunded and largely overlooked, as medicines and devices are often untested in children. Children are usually prescribed medications that have only been tested in adults, which is unacceptable. Children are not adults. More efforts must be made to properly research drugs and devices in the pediatric population, and this is an important step in that process.

We are pleased to express our strong support for H.R. 2019, and believe this legislation will help to bring increased funding and awareness to pediatric medical research. We look forward to working with you and your staff to ensure this bill is enacted into law.

Sincerely,

Global Genes/RARE Project, Alstrom Angels, Cure AHC, Dravet Syndrome Foundation, FMDSA, Gavin R Stevens Foundation, GT23 Foundation, Gwendolyn Strong Foundation, Hannah's Hope Fund for GAN, Hereditary Disease Circle, I Have IHH Foundation, In Need of a Diagnosis, INOD, Jonah's Just Begun, Joshua Hellmann Foundation for Orphan Disease Klippel-Feil Syndrome Alliance.

Little Miss Hannah Foundation, MPS Society, National Gaucher Foundation, Inc., National Tay-Sachs & Allied Diseases Association, Inc., Noah's Hope, Noonan Syndrome Foundation, Peace, Love, and Trevor Foundation, Rasopathies Foundation, Sanfilippo Foundation for Children, Sarcoma Foundation of America, Stop ALD Foundation, Team Sanfilippo, United Leukodystrophy Foundation, U.R. Our Hope.

NATIONAL DOWN SYNDROME SOCIETY,
New York, NY, May 9, 2013.

Hon. GREGG HARPER,

House of Representatives, Cannon HOB, Washington, DC.

DEAR CONGRESSMEN GREGG HARPER: On behalf of the National Down Syndrome Society (NDSS), I am pleased to offer this letter of support for your legislation H.R. 1724, the Kids First Research Act. This legislation will expand pediatric research at the National Institutes of Health by prioritizing resources for research for children with Down syndrome which are currently underrepresented in the NIH budget process.

NDSS supports over 400,000 Americans with Down syndrome along with their families, friends, teachers, coworkers and others who make people with Down syndrome a priority. Our mission is to be the national advocate for the value, acceptance and inclusion of people with Down syndrome.

The re-directing of federal dollars that are currently spent on presidential campaigns and party conventions will expand pediatric research at NIH through the NIH Common Fund. This funding will be used for research that is critical to improve the quality of life for individuals with Down syndrome other pediatric conditions.

NDSS is the largest nonprofit dedicated to advocating for people with Down syndrome and their families at the federal, state and local levels of government. At NDSS, we en-

vision a world in which all people with Down syndrome have the opportunity to enhance their quality of life, realize their life aspirations, and become valued members of welcoming communities. Your legislation aligns directly with our mission, and we are proud to support your efforts.

Our organization applauds your work on behalf of people with Down syndrome and other pediatric conditions, and looks forward to working with you. On behalf of all individuals and families from the Down syndrome community, I thank you for your leadership on this legislation and offer our enthusiastic endorsement.

Sincerely,

SARA HART WEIR,
Vice President,
Advocacy & Affiliate Relations.

JDRF,
New York, NY, May 10, 2013.

Hon. GREGG HARPER,
House of Representatives, Cannon House Office Building, Washington, DC.

DEAR REPRESENTATIVE HARPER: On behalf of JDRF and its volunteers, I write to share JDRF's support for your legislation, the Kids First Research Act of 2013, which would provide additional funds to the National Institutes of Health (NIH) for research on pediatric diseases and disorders.

Type 1 diabetes (T1D) is a costly and burdensome autoimmune disease for which there is no cure. The disease usually strikes in childhood, adolescence, or young adulthood, and lasts a lifetime. People with T1D must closely monitor their blood sugar levels and inject or infuse insulin in order to live. Even with the best of efforts and latest technology, blood sugar levels in patients still fluctuate widely and over the long-term can result in devastating complications, such as kidney disease.

Unfortunately, the incidence of type 1 diabetes (T1D) is rising at an alarming rate. From 2001 to 2009, T1D among youth increased 23 percent. If unabated, the prevalence of T1D in youth would double every generation.

JDRF is doing its part to advance research to better treat, prevent and ultimately cure T1D. Last year, JDRF spent \$110 million on T1D research. Our work complements the research being done at NIH. The additional funding provided to NIH by the Kids First Research Act of 2013 could help us realize new therapies and research breakthroughs, that could improve the quality of life for people with T1D and help reduce the associated costs of the disease, sooner rather than later.

Your leadership on this issue and strong support of other issues that affect the T1D community are greatly appreciated.

Sincerely,

JEFFREY BREWER,
President & Chief Executive Officer.

AUTISM SPEAKS,
New York, NY, May 14, 2013.

Hon. GREG HARPER,
House of Representatives, Cannon House Office Building, Washington, DC.

DEAR CONGRESSMAN HARPER: I am writing to thank you for your leadership on behalf of America's autism community, as demonstrated by your commitment to prioritize autism and pediatric research through the Kids First Research Act. As you know, recent CDC data suggests the prevalence of autism is closer to 1 in 50 children. As you also know, many of these individuals also have Fragile X Syndrome and your commitment

to this community has made a real difference during your time in Washington, DC. It is critical to the autism community that we have national leadership to address the epidemic growth of this disorder.

I am grateful that you and your colleagues recognize this crisis and are striving to address it in several policy areas, including research, disability savings accounts and improved services for our military families affected by autism. I am particularly encouraged by your desire to see autism and pediatric research elevated as a priority at the National Institutes of Health through the Kids First Research Act.

I look forward to working with you in the days and weeks ahead in addressing America's autism crisis.

Sincerely,

LIZ FELD,
President.

—
THE COALITION FOR
PEDIATRIC MEDICAL RESEARCH,
June 6, 2013.

Hon. FRED UPTON,
Chairman, Committee on Energy & Commerce,
U.S. Congress, Rayburn House Office Building,
Washington, DC.

Hon. JOE PITTS,
Chairman, Committee on Energy & Commerce,
Subcommittee on Health, Rayburn House
Office Building, Washington, DC.

Hon. HENRY WAXMAN,
Ranking Member, Committee on Energy & Commerce,
U.S. Congress, Rayburn House Office
Building, Washington, DC.

Hon. FRANK PALLONE,
Ranking Member, Committee on Energy & Commerce,
Subcommittee on Health, Rayburn
House Office Building, Washington, DC.

DEAR CHAIRMEN UPTON AND PITTS & RANKING MEMBERS WAXMAN AND PALLONE: On behalf of the Coalition for Pediatric Medical Research (CPMR), a group of more than 20 of our nation's leading children's research hospitals, I am writing to offer our support for H.R. 2019, the Kids First Research Act of 2013.

For too long, our nation has underinvested in pediatric research as a proportion of the overall population. Healthy living begins with a healthy infancy and childhood, and inadequate support for pediatric research negatively affects our nation's children, particularly those suffering from devastating diseases and disorders. It also hinders our ability to prevent and/or treat adult-onset disorders, such as diabetes and heart disease, whose causes are rooted in the childhood years.

H.R. 2019 is a much-needed step forward to address this imbalance. This legislation will help make clear that the health and well-being of our children is a national priority by reallocating scarce public resources to support pediatric research sponsored by the National Institutes of Health (NIH). This infusion of funds would provide a much-needed boost to our pediatric research community, enabling it to expand research efforts to identify causes of and treatments for many of the most devastating diseases and disorders that affect children. The Coalition is particularly pleased that the legislation would fund multi-institute research activities under the Common Fund, helping drive coordination and collaboration.

The Coalition strongly believes that if enacted into law, a portion of this funding should be used to provide competitive awards to support the research infrastructure and resources necessary to conduct a comprehensive 21st Century pediatric research agenda.

Such support should focus on shared and core resources such as biobanks, data warehouses, bioinformatics infrastructure, and the advanced computing technologies needed to process increasingly large data sets. It should also help expedite clinical trials in patients with rare diseases, helping link sites and enabling researchers to recruit a critical mass of kids with any one condition. In addition to the Kids First Research Act, the Coalition continues to strongly support H.R. 225 and S. 424, the National Pediatric Research Network Act, which would authorize NIH to establish a National Pediatric Research Network. We see these two proposals as highly synergistic and complementary and applaud your committees and the full house for quickly passing this bill—for the fourth time—earlier this year.

On behalf of the Coalition, I thank you for your attention to this. If you have any questions, please feel free to contact me at 202.312.7499 or via nicholas.manetto@faegrebld.com.

Sincerely,

NICK MANETTO,
Coalition Advisor.

—
LEUKEMIA & LYMPHOMA SOCIETY,
Washington, DC, June 6, 2013.

Hon. GREGG HARPER,
House of Representatives, Cannon HOB, Washington, DC.

Hon. PETER WELCH,
House of Representatives, Rayburn HOB, Washington, DC.

Hon. TOM COLE,
House of Representatives, Rayburn HOB, Washington, DC.

DEAR REPRESENTATIVES HARPER, COLE AND WELCH: The Leukemia & Lymphoma Society (LLS) is the world's largest voluntary health agency dedicated to blood cancer. Each year, over 140,000 Americans are newly diagnosed with blood cancers, accounting for nearly 10 percent of all newly diagnosed cancers in the United States. LLS funds lifesaving blood cancer research around the world and provides free information and support services. The mission of LLS is to cure leukemia, lymphoma, Hodgkin's disease and myeloma and provide our patients with affordable, sustainable access to quality healthcare.

LLS is writing to support H.R. 2019, the Kids First Research Act, which will increase funding for pediatric medical research activities administered through the Common Fund at National Institutes of Health (NIH). H.R. 2019 provides much needed funding for crucial research projects, at a critical time in our nation's progress in medical research. In cancer research in particular, we are yielding unprecedented examples of precision based medicine that are fundamentally altering the way in which we will categorize and treat cancers going forward. These funds will help advance the important projects funded by the NIH in areas of high unmet medical need.

LLS understands and appreciates the tremendous challenges and fiscal constraints Congress currently faces and the need to identify a balanced approach to funding necessary national priorities. We appreciate the bi-partisan support that this legislation has received, and look forward to serving as a resource for your offices.

Best,

EMILY SHETTY,
Senior Director,
Federal Legislative Affairs.

CHILDREN'S HOSPITAL ASSOCIATION,
Alexandria, VA, Overland Park, KS, June 8,
2013.

Hon. FRED UPTON,
Chairman, Committee on Energy & Commerce,
Rayburn House Office Building, Washington, DC.

Hon. HENRY WAXMAN,
Ranking Member, Committee on Energy & Commerce,
Rayburn House Office Building, Washington, DC.

DEAR CHAIRMEN UPTON AND RANKING MEMBER WAXMAN, On behalf of over 220 of the nation's children's hospitals, I am writing in support of H.R. 2019, the Kids First Research Act of 2013.

As you know, children are not just "small adults." Children require highly-specialized care and equally specialized research. Despite children accounting for nearly 20 percent of our nation's population, the National Institutes of Health (NIH) has historically invested a far smaller percentage of research dollars—between five and 10 percent—in pediatric biomedical research. Healthy living begins with a healthy infancy and childhood, and inadequate support for pediatric research does a disservice to our nation's children.

The Kids First Research Act of 2013 would enhance our nation's commitment to pediatric research and help make clear that the health and well-being of our children is a national priority. The legislation would provide a much-needed boost to the pediatric research community, supporting expanded research efforts to identify causes of and treatments for many of the most devastating diseases and disorders that affect children.

In addition to the Kids First Research Act, the Association continues to strongly support the National Pediatric Research Network Act, H.R. 225, and its companion bill in the Senate, S. 424. This legislation would authorize the NIH to establish a National Pediatric Research Network. The Association views these two proposals as collaborative and applauds the committee and the House for quickly passing H.R. 225 earlier this year.

IA On behalf of the Children's Hospital Association, thank you for your support on this important issue.

Sincerely,

JIM KAUFMAN,
Vice President, Public Policy.

Mr. PALLONE. Mr. Speaker, I now yield 2½ minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, this is a sad and, indeed, depressing debate because there is such a transparent effort underway to weaken our Nation's campaign finance laws even further by the perfectly legitimate, compelling case for sick children in our country. This represents the worst of Republican cynicism—I have just got to say it—and since this measure stands no chance of passing in the Senate, it is a fitting end to the least productive session of Congress in modern history.

The passage of this bill will do nothing to increase the Federal funding of pediatric disease research. That is why it is so cynical. Simply authorizing a new program will not translate into additional funding in the current appropriations environment. If the majority were really serious, it wouldn't have passed a budget that makes adequate

funding for medical research impossible or, perhaps, it would actually try to negotiate a comprehensive budget agreement that lifts sequestration once and for all from pediatric research and many other priorities. To make matters worse, this bill would make it more difficult to modernize and reinvigorate one of the most successful examples of campaign finance reform in our Nation's history—the Presidential public financing program—which has given candidates a viable alternative to private and corporate fund-raising for more than three decades.

Now, I agree with my colleagues from both parties in that paying for Presidential nominating conventions is not a wise use of taxpayer dollars, but if the House majority is truly concerned about this issue, I would encourage it to schedule a vote on my bill, the Empowering Citizens Act, which not only would prevent taxpayer dollars from being used for conventions, but it would also include important “soft money” provisions to prevent high-dollar special interests from funding conventions. The Empowering Citizens Act would mend, not end, the Presidential public financing system, bringing it up to date with campaign realities. It would also establish a voluntary small donor public funding program for congressional campaigns as well as strong rules forbidding the coordination between super-PACs and political parties or campaigns.

I believe we are at a tipping point in the short history of campaign finance reform in our country. We can either choose to stand by the commonsense reforms that restored America's faith in elections after the Watergate scandal or we can choose to cede the control of political campaigns entirely to wealthy corporations and interest groups.

The responsible choice is clear, so I strongly urge my colleagues to oppose this measure in the hope that the Republican majority will both get serious about medical research funding and will get serious about the oversized influence of millionaires and billionaires and super-PACs in our democracy.

Mr. UPTON. Mr. Speaker, at this point, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE), a cosponsor of the bill and a member of the Energy and Commerce Committee.

Mr. LANCE. Mr. Speaker, I rise today in strong support of the Gabriella Miller Kids First Research Act.

My colleagues have told the story of Gabriella Miller. She was one of the many young people every year who leaves this world too early due to disease. Too many families share this grief.

Today, we take a step in making a difference in the lives of those who are struggling with pediatric diseases and disorders, such as cancer and autism.

Today, Congress, in working together, will target taxpayer funding for scientific research and lifesaving treatments that can lead to better outcomes and, I hope, someday, to a cure.

Especially during the holiday season, we should be thankful for our many blessings. I am thankful, in part, for the families and advocates whose challenges we may never understand but whose commitment and love for their children is unyielding and inspiring. Today, we take action in their name.

□ 1515

Mr. PALLONE. Mr. Speaker, can I ask how much time is remaining on both sides.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. UPTON) has 8 minutes remaining, and the gentleman from New Jersey (Mr. PALLONE) has 8 minutes remaining.

Mr. PALLONE. Thank you.

I yield 1½ minutes to the gentlewoman from New York (Mrs. LOWEY), the ranking member of the Appropriations Committee.

Mrs. LOWEY. Mr. Speaker, I rise to honor the memory of Gabriella Miller and her courage and the courage of her parents, but I oppose this hypocritical bill.

I have spent my career fighting to ensure that our researchers have every resource to find lifesaving treatments and cures. This bill would do nothing to increase investments in medical research.

It is unfathomable to me that those who championed the cuts of \$1.55 billion to the NIH now try to authorize with no promise to fund. That cut of \$1.55 billion led to a cut of \$255 billion to the National Cancer Institute and \$66 million to the Child Health Institute that funds pediatric research.

My heart is with the family of Gabriella Miller and my dear friends who lost a little girl of about 6 years old from a childhood cancer, and I will never forget it. Let's work together to truly fund, to appropriate money, not pretend by authorizing. It is a nice thing to do, but we have to vote “no” on this cynical bill.

I ask today that we join together to increase investments, to increase funding for pediatric research, not support cuts to the National Cancer Institute, cuts to the National Institutes of Health.

Mr. UPTON. Mr. Speaker, at this point, I yield 3 minutes to the gentleman from Oklahoma (Mr. COLE), a member of the Appropriations Committee and a cosponsor of the bill.

Mr. COLE. I thank my friend for yielding.

Mr. Speaker, I want to begin by praising my friend GREGG HARPER and my friend PETER WELCH, who come to this floor with a very worthy purpose, and that is to redirect government funding toward something that is not

particularly important toward something that is very important—medical research for children.

The question when you have a worthy goal is always: How do you pay for it? Where will you actually get the resources?

For many years, I have brought to this floor legislation that would eliminate public funding for political party conventions and Presidential campaigns. I could go into debate ad infinitum. The President has never used any public funding—didn't feel the need for it—in either of his two campaigns. Neither did Mr. Romney. On the political conventions, both political parties this year actually did take the money.

I can tell you as a former chief of staff on the Republican National Committee who put on the convention in 2000, they do not need it. They absolutely do not need it. They can raise all the money they need from private sources, just as their nominees raised money from private sources.

That bill has actually passed this House on multiple occasions with a bipartisan vote. I was prepared to do that again and I got a call from Leader CANTOR. He said: TOM, I know you have been working on this problem for a long time. I know you are concerned about it. What if we redirected that money towards something that is a better purpose, a better use of public dollars? And he mentioned GREGG's bill. I couldn't agree with him more.

So for those of you that are looking for something sinister or trying to link this to something it is not connected to, like the sequester, it is simply a modest step in the right direction. It takes money that we know is wasted and puts it to good use.

For those of you that say it can't pass the other body, the other body in the last Congress on amendment voted 95-5 to take away public funding of political conventions. We still have a disagreement on Presidential campaigns. But funding political conventions really is more important than directing this money to a more worthy purpose? We are not even trying to take it out of the Federal budget. I just think that kind of logic defies imagination.

This is a good-faith effort to do something that ought to bring us together instead of pull us apart. It is a modest step. I would be the first to admit that. But let's take the modest step in the right direction, take public dollars that we are now wasting on political conventions, give them to researchers, and let them do their work. That is just simply a better use of the public purse in a time of limited means.

So I urge support for my friends' bill, H.R. 2019, Mr. HARPER and Mr. WELCH. I want to thank Leader CANTOR. This was his idea of bringing two ideas together. I think it is a good one. I hope this House embraces it in a bipartisan fashion.

I want to thank my friend, the chairman of Energy and Commerce, for his effort to bring this forward and advance it.

EVERYLIFE FOUNDATION
FOR RARE DISEASE,
Novato, CA, June 10, 2013.

Hon. Gregg Harper,
House of Representatives, Cannon House Office
Building, Washington, DC.

DEAR CONGRESSMAN HARPER: The EveryLife Foundation for Rare Diseases is dedicated to accelerating biotech innovation for rare disease treatments through science-driven public policy.

We are writing to support the Kids First Research Act of 2013 (H.R. 2019). This bipartisan bill would eliminate taxpayer financing of presidential campaigns and party conventions and reprogram those savings to provide for a 10-year pediatric research initiative through the Common Fund administered by the National Institutes of Health.

During these trying fiscal times, we are pleased to see efforts that would increase funds for pediatric research. Unfortunately, pediatric rare diseases and cancer is terribly underfunded and largely overlooked by drug companies and research institutions. Public funding is essential to help spur the development of treatments for these children.

We are pleased to express our strong support for H.R. 2019, and believe this legislation will help to bring increased funding and awareness to pediatric medical research. We look forward to working with you and your staff to ensure this bill is enacted into law.

Sincerely,

EMIL D. KAKKIS, M.D., Ph.D.,
President.

JUNE 27, 2013.

Hon. GREGG HARPER,
House of Representatives,
Washington, DC.

DEAR REP. HARPER: On behalf of United for Medical Research (UMR), a coalition of leading research institutions, patient and health advocates, and private industry joined together in support of medical research funded by the National Institutes of Health (NIH), we write to thank you for the introduction of the Kids First Research Act (H.R. 2019). We strongly support increased funding for NIH, and appreciate your identification of medical research as a priority in a time of deficit reduction and fiscal austerity.

The lifesaving research funded by NIH has already yielded extraordinary benefits to human health and serves as a beacon of hope for those still suffering from disease or disability, including the families of children afflicted with heartbreaking conditions. NM also plays a role in sustaining the U.S. economy, supporting over 400,000 jobs and generating nearly \$60 billion in nationwide economic output in 2012 alone. Unfortunately, recent cuts to the NIH budget threaten both our ability to improve human health and our worldwide leadership in medical research. UMR believes it is critical to renew our commitment to funding NIH, and we are grateful for your effort to find creative solutions to support medical research.

To ensure continued success in our quest for treatments and cures to our most devastating childhood and adult diseases, as well as continuing to reap the substantial return on investment to our economy, it is imperative that funding for NIH be sustained through regular, annual increases in appropriations. The Kids First Research Act is an important step in mitigating the loss of funding caused by a decade of reduced bud-

gets, we thank you for it, and we look forward to working with you to reinvigorate our investment in the life sciences.

Sincerely,

United for Medical Research.

JUST-IN-TIME NEUROBLASTOMA
FOUNDATION, INC.,
Greenwood Village, CO, June 28, 2013.

Hon. GREGG HARPER,
House of Representatives, Cannon House Office
Building, Washington, DC.

DEAR MR. HARPER: As a non-profit organization working to promote awareness of childhood cancer, we write to express our strong support for your legislation, the Kids First Research Act of 2013 (H.R. 2019).

This measure provides much needed additional federal support to complement ongoing research supported by substantial private funding from national non-profit childhood cancer organizations, as well as by the National Institute of Health and National Cancer Institute. Passage of this bill will ensure that the investments of both public and private resources reach their fullest potential by enabling a critical mass of research and discovery required to culminate into promising medical treatments that are "safe and effective" for many childhood diseases, including childhood cancer.

As you know, one in every 330 children in the United States develops cancer before the age of nineteen. The incidence of cancer among children is increasing. Each school day, enough children are diagnosed with cancer to empty two classrooms. Depending on the type of cancer and the development upon diagnosis, approximately 2,300 children will die from cancer in any given year. The number of children diagnosed with cancer in the U.S. each year puts more potential years of life at risk than any single type of adult cancer. Cancer remains the number one disease killer of America's children.

There are more than 360,000 childhood cancer survivors of all ages in the United States. Unfortunately, 74% of childhood cancer survivors have chronic illnesses, and some 40% of childhood cancer survivors have severe illnesses or die from such illnesses. Survivors are at significant risk for secondary cancers later in life. Current cancer treatments can affect a child's growth, fertility, and endocrine system. Child survivors may be permanently immunologically suppressed. Radiation therapy to a child's brain can significantly damage cognitive function, especially if given at a very young age. While currently there is very little in terms of "safe and effective" cures for any particular type of childhood cancer, the underlying genetics of the disease and recent research breakthroughs make such treatments foreseeable.

The Just-In-Time Neuroblastoma Foundation thanks you for sponsoring the Kids First Research Act of 2013 (H.R. 2019) and we applaud your ongoing commitment to improving the lives of thousands of children diagnosed with life-threatening diseases and sparing families from the devastation that it causes. We look forward to working with you to pass this important bill to help ensure a brighter future for America's children.

Sincerely,

KATRINA M. BROHMAN,
Co-Founder & Vice President.

THE NICHOLAS CONOR INSTITUTE,
San Diego, CA, June 17, 2013.

Hon. GREGG HARPER,
House of Representatives, Cannon House Office
Building, Washington, DC.

DEAR MR. HARPER: As a medical research organization working to accelerate the de-

velopment of promising medical discoveries or cures for cancers common to children, adolescents, and young adults, we write to express our strong support for your legislation, the Kids First Research Act of 2013 (H.R. 1724).

This measure provides much needed additional federal support to complement ongoing research supported by substantial private funding from national non-profit childhood cancer organizations, as well as by the National Institute of Health and National Cancer Institute. Passage of this bill will ensure that the investments of both public and private resources reach their fullest potential by enabling a critical mass of research and discovery required to culminate into promising medical treatments that are "safe and effective" for many childhood diseases, including childhood cancer.

As you know, one in every 330 children in the United States develops cancer before the age of nineteen. The incidence of cancer among children is increasing. Each school day, enough children are diagnosed with cancer to empty two classrooms. Depending on the type of cancer and the development upon diagnosis, approximately 2,300 children will die from cancer in any given year. The number of children diagnosed with cancer in the U.S. each year puts more potential years of life at risk than any single type of adult cancer. Cancer remains the number one disease killer of America's children.

There are more than 360,000 childhood cancer survivors of all ages in the United States. Unfortunately, 74% of childhood cancer survivors have chronic illnesses, and some 40% of childhood cancer survivors have severe illnesses or die from such illnesses. Survivors are at significant risk for secondary cancers later in life. Current cancer treatments can affect a child's growth, fertility, and endocrine system. Child survivors may be permanently immunologically suppressed. Radiation therapy to a child's brain can significantly damage cognitive function, especially if given at a very young age. While currently there is very little in terms of "safe and effective" cures for any particular type of childhood cancer, the underlying genetics of the disease and recent research breakthroughs make such treatments foreseeable.

The Nicholas Connor Institute for Pediatric Cancer Research thanks you for sponsoring the Kids First Research Act of 2013 (H.R. 1724) and we applaud your ongoing commitment to improving the lives of thousands of children diagnosed with life-threatening diseases and sparing families from the devastation that it causes. We look forward to working with you to pass this important bill to help ensure a brighter future for America's children.

Sincerely,

BETH ANNE BABER, Ph.D., M.B.A.,
Chief Executive Officer and Co-Founder.

PULMONARY HYPERTENSION
ASSOCIATION,

Silver Spring, MD, June 21, 2013.

Hon. JOE PITTS,
*Chairman, Subcommittee on Health Energy &
Commerce Committee, Cannon House Build-
ing.*

Hon. KEVIN BRADY,
*Chairman, Subcommittee on Health Ways &
Means Committee, Cannon House Building.*

Hon. FRANK PALLONE,
*Ranking Member, Subcommittee on Health En-
ergy & Commerce Committee, Cannon House
Building.*

Hon. JIM MCDERMOTT,
*Ranking Member, Subcommittee on Health
Ways & Means Committee, Longworth
House Building.*

DEAR CHAIRMEN AND RANKING MEMBERS: I write you today on behalf of the Pulmonary Hypertension Association (PHA) to ask for your support of the public health goals of the Kids First Research Act (H.R. 2019). Please work to advance this legislation through the legislative process so that its provisions establishing a new pediatric research initiative at the National Institutes of Health (NIH) might be enacted.

The pulmonary hypertension (PH) community understands the value of investing in critical pediatric medical research. PH is a disabling and often fatal progressive condition where the blood pressure in the lungs rises to dangerously high levels. In PH patients, blood flow between the heart and lungs is blocked or constricted. As a result, the heart must pump harder causing it to enlarge and ultimately fail. PH can be idiopathic, and occur without a known cause, or be secondary to other conditions, such as, scleroderma, lupus, blood clots, and sickle cell. PH impacts individuals of all races and ages, including children. Similar to other disease states, pediatric research into PH lags behind adult research. While there are nine FDA-approved treatments available for adults with PH, none are approved for children.

PHA supports a pediatric research program to improve the lives of children impacted by PH and we are pleased that Congress is interested in supporting pediatric research at NIH. In the interest of improving care for PH patients, PHA also engages in advocacy activity, including advocating for the Pulmonary Hypertension Research and Diagnosis Act (H.R. 2073), budget neutral legislation designed to improve diagnosis of PH before the condition reaches an advanced stage. We hope you will continue to support and advance legislative efforts focused on bolstering research activities and improving care for patients with PH, such as H.R. 2019 and H.R. 2073.

Sincerely,

RINO ALDRIGHETTI,
President & CEO.

FOUNDATION FOR ANGELMAN
SYNDROME THERAPEUTICS,

Hon. ERIC CANTOR,
*Majority Leader, House of Representatives,
United States Capitol, Washington, DC.*

Hon. GREGG HARPER,
*Member of Congress, House of Representatives,
Cannon House Office Building, Wash-
ington, DC.*

DEAR LEADER CANTOR AND CONGRESSMEN HARPER: On behalf of the Foundation for Angelman Syndrome Therapeutics (FAST), I am pleased to offer this letter of support for H.R. 2019, the Kids First Research Act. This legislation will expand pediatric medical research activities administered through the

Common Fund at the National Institutes of Health. By prioritizing resources for pediatric research, this bill will provide much needed funding to bolster FAST's commitment to find treatments, and eventually a cure for Angelman Syndrome.

The Foundation for Angelman Syndrome Therapeutics (or FAST) is an organization of families and professionals dedicated to finding a cure for Angelman Syndrome and related disorders through the funding of an aggressive research agenda, education, and advocacy. Angelman Syndrome (or AS) is a neurodevelopmental disorder affecting approximately 1 in 15,000 live births. Although the cause of AS is known, there are currently no treatments available for this disorder. FAST is committed to assisting individuals living with Angelman Syndrome realize their full potential and quality of life.

On behalf of FAST, I thank you for your leadership and for supporting this important legislation. If you have any questions, please feel free to contact me.

Sincerely,

PAULA EVANS,
Chairperson.

BRAIN INJURY ASSOCIATION
OF AMERICA,
Vienna, VA, June 26, 2013.

Hon. JOSEPH R. PITTS,
*Committee on Energy and Commerce, Sub-
committee on Health, Rayburn House Office
Building, Washington, DC.*

DEAR CHAIRMAN PITTS: The Brain Injury Association of America (BIAA) is the nation's oldest and largest brain injury patient advocacy organization. BIAA supports H.R. 2019, the Kids First Research Act. Thank you for introducing this very important legislation. The Kids First Research Act will ensure important pediatric research is funded at the National Institutes of Health (NIH).

Traumatic brain injury (TBI) is a misdiagnosed, misunderstood, under-funded neurological disease affecting at least 1.7 million children and adults in the U.S. each year. Depending on type and severity, brain injuries can lead to physical, cognitive, and psychosocial or behavioral impairments ranging from balance and coordination problems to loss of hearing, vision or speech. Fatigue, memory loss, concentration difficulty, anxiety, depression, impulsivity and impaired judgment are also common after brain injury. Even so-called "mild" injuries can have devastating consequences that require intensive treatment and long-term care. Often called the "silent epidemic," brain injury affects people in ways that are invisible. The injury can lower performance at school and at work, interfere with personal relationships and bring financial ruin.

Thank you for supporting pediatric research at NIH. Please contact Amy Colberg, BIAA's Director of Government Affairs with any questions.

Sincerely,

SUSAN H. CONNORS,
President/CEO.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO), who is the ranking member of the Labor-HHS Appropriations Subcommittee.

Ms. DELAURO. Mr. Speaker, I rise in opposition to the so-called Kids First Research Act, which despite its name does absolutely nothing to support kids or pediatric research.

This bill does not include a single additional dollar for pediatric research.

It just ends another program. It merely suggests this money should be used to fund NIH if, and only if, a later appropriations bill calls for it. The money does not automatically go for pediatric research.

This is a feel-good messaging bill that plays a bait-and-switch on American families hoping and praying for research dollars to save their children. This majority wants to pretend that they are supporting medical research when, in fact, they have continually cut this fundamental priority since 2011.

Consider the very first bill passed in this House in 2011, H.R. 1. That bill was supported by all but three Republicans. Almost every single Member of this majority voted to cut \$1.6 billion from the National Institutes of Health. Most of those who have spoken this morning were those who voted to make that cut.

That cut is 100 times larger than the \$12.6 million increase that this legislation pretends to provide. Because of the deep and reckless sequestration cuts, NIH has been cut by \$1.5 billion more. We don't know whether the budget deal that is being discussed today will put that money back.

Because of these misguided policies, the National Cancer Institute has been slashed by \$255 million and the Child Health Institute by \$66 million.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. PALLONE. Mr. Speaker, I yield an additional minute to the gentlewoman from Connecticut.

Ms. DELAURO. I strongly support investing in medical research. My heart goes out to the Miller family. I am a cancer survivor. One of my proudest accomplishments in this body is working in a bipartisan fashion to double the NIH budget between 1998 and 2003. We did it then, and it is something that we need to do again; but this bill, this bill is a sham.

If the majority believes, as I do, that we should increase funding for pediatric research, then let us increase funding for pediatric research. Let us not waste time playing games and misleading the American people.

I urge my colleagues to oppose this bill.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. COLLINS), a cosponsor of the bill.

Mr. COLLINS of Georgia. Thank you, Mr. Chairman.

Mr. Speaker, I am honored today to add my name to the list of those who support this legislation. H.R. 2019 bears the name of a child whose bravery and wisdom should inspire us all.

Gabriella Miller reminds us that government has the ability and the obligation to strive for the greater good—to protect the innocent, to preserve their futures. If we lose sight of that goal, we have failed.

In the year that I have been in Congress, most of my time has been spent fighting against bad policies and bad politics, but today is different. Today, I stand before this body and proclaim we can do something and we can help. The Gabriella Miller Kids First Research Act prioritizes pediatric research to help children with autism, cancer, and other diseases.

If you were to ask me what defines DOUG COLLINS, I would tell you three things: I am a man of faith; I am a husband; and a father, a father to a daughter who has spina bifida, but also inspires me to be the type of person that I would want to be.

She is a lot like Gabriella Miller. Gabriella Miller really won her fight. My daughter continues. It reminds us that you can help and when you can help, you should. When you can make a difference, no matter how small, it still matters. It is still worth doing.

I am a freshman here, but what amazes me is when you take a step forward in putting something productive on the floor which makes at least a small statement—and Congressman HARPER brings forth that with others—when you take a small step forward and bring something down to this floor and are ridiculed and it is said it is window dressing, I am sorry, this is not window dressing. It is a step to being the government we are called to be, and that is prioritizing, that is putting faith back into a system in which people have lost faith.

On the floor today, it is no wonder that they have lost faith. When a good-faith effort is put forward and it is criticized in light of children and research to make other political points, that is what is truly appalling today; that is what is bad.

This is a simple step that was brought forth in good faith. All I am saying is let's prioritize. I agree with my friends across the aisle: it is time we prioritize our mission; it is time we prioritize our battles here. This is one step forward.

I would encourage all Members to support something that actually does make a difference.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER), our Democratic whip.

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, the gentleman who preceded me said he is a freshman. I have been here for 33 years. For 23 of those years I served on the Labor, Health and Human Services Appropriations Subcommittee. I served under some extraordinary Republicans and some extraordinary Democrats who chaired that committee. The ones I served under made sure that the NIH got the resources it needed to investigate, research, and try to come up with the cures that will ameliorate the afflic-

tions of mankind from a health perspective.

Of the sponsors of this bill, 134 of them voted for the Ryan budget. The Ryan budget—had it been adopted, had it been implemented—would have cut the National Institutes of Health by \$6 billion.

The budget that we are going to consider will still require reductions in NIH funding by perhaps as much as 80 times to 100 times the money that is theoretically in this bill. By the way, there is no money in this bill. This is an authorization. As I am sure Ms. DELAURO, who is the ranking member, has pointed out it provides no money.

Many of you, perhaps, are going to vote for a budget that will cut NIH; but you are going to pass a bill, and that is what Mr. COLLINS apparently is concerned about, because we are saying that this is a facade, a pretense of support. Paper will not help pediatric research. Money will, investment will.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PALLONE. I yield an additional minute to the gentleman from Maryland.

Mr. HOYER. To that extent, this is not real. It is a message. Everybody on this floor, I presume, is for children's health, is for pediatric research, is for trying to make sure that our children are healthy and saved from disease and affliction. I presume all of us are for it, but talk is cheap.

The Ryan budget would have cut \$800 million from pediatric research alone; 134 of the sponsors of this bill voted for the Ryan budget. In other words, on one hand you are given—theoretically, if there was money available to do this—\$11 million for pediatric research with this hand—that is 113 over 10—and \$800 million being taken away with this hand.

Who do you think you are fooling?

□ 1530

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. PALLONE. I yield the balance of my time to the gentleman from Maryland.

Mr. HOYER. So let's not fool the public that we are doing something for pediatric research. I know my friend, Mr. UPTON, has been a supporter of NIH in years past. And he is my dear friend and a good Member, but I tell my friend, this bill does not do anything for pediatric research.

You will have an opportunity to vote for pediatric research; vote to get rid of the sequester. Vote to invest in the National Institutes of Health, not to cut it. That will make a difference for pediatric research.

I urge the defeat of this bill.

Mr. PALLONE. Mr. Speaker, I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I did appreciate the nice words that were directed to me by my friend, Mr. HOYER, in support of the NIH. And I will remind those that don't know that I was the Republican lead a number of years ago with Mr. WAXMAN and Mr. MCCAIN and Mr. Wellstone to double the money for the NIH, one of the most significant things that this Congress, I think, has ever done.

But I have got to say, I simply don't understand the opposition to this bill. Yes, I am absolutely supportive of the NIH bill, and will continue to do that, and more money. The Ryan-Murray budget agreement which we will be voting on tomorrow, I will be supporting it. It includes programs like the NIH, which I am told will be increased about \$23 billion, or 2 percent over the current levels.

In today's "The Hill," there is a full-page ad offered by First Focus Campaign for Children. It says, "Thank you for making children your First Focus," and it lists maybe as many as 80 to 100 Members, including many of those who spoke today against the bill, but it says, "Thank you for making children your First Focus." That is what this bill is about.

It is not just a simple authorization. Yes, we do pass those from time to time. This actually directs. The language of the bill says, "shall be transferred." Shall. It doesn't use the word "may," "may be," whatever. "Shall be transferred to a fund in the Treasury to be known as the '10-Year Pediatric Research Initiative Fund' which shall—not may—"which shall be available only for the purpose provided in . . . the Public Health Service Act, and only to the extent and in such amounts as are provided in advance in appropriation Acts."

We made it pretty tight. The authors of this bill made it pretty tight. Tell me how we can make it tighter.

Mr. HOYER. Will the gentleman yield?

Mr. UPTON. I yield to the gentleman from Maryland.

Mr. HOYER. I will be glad to make a suggestion on how you could do that.

Mr. UPTON. Well, to me, we use "shall" a number of different times.

Mr. HOYER. You have got to have money.

Mr. UPTON. Well, that is what we do. We take money.

Mr. HOYER. If you don't have any money, you can't spend it.

Mr. UPTON. The money comes from the political conventions. I mean, that is the direct offset that is used.

All of us cry for these families that lose these beautiful little kids. This bill, if it passes and gets enacted, will provide money to help families like Gabriella's, who lost a beautiful little girl, who really used the last year of her life to promote a fund like this and work with the NIH. That is what this should be all about, and I commend Mr. CANTOR and others.

The rule that we hear is you have to find an offset when you increase spending. That is what this bill does. And it finds an offset that I think many of us could accept to actually fund the program and direct the dollars to a fund within the NIH to make sure that it works. That is what we want to have happen.

I would urge my colleagues to vote for this bill. Yes, it is under suspension, no amendments. We need a two-thirds vote, so I ask my colleagues to support this bill.

I yield back the balance of my time.

Mr. DINGELL. Mr. Speaker, I rise in opposition to H.R. 2019, the Kids First Research Act. This among the most hypocritical bills I have seen during my time in Congress, and it should be rejected. My friends on the other side of the aisle say this bill will increase pediatric research funding at the National Institutes of Health, when in fact it does nothing of the sort. Furthermore, their record demonstrates that they have little interest in actually funding life-saving medical research for children.

This legislation does not give NIH a single dollar to spend on pediatric research. Instead, it only provides an authorization for future funding to be provided by the Appropriations Committee. The unfortunate fact is this funding is still subject to sequestration which has resulted in \$1.55 billion being cut from NIH during fiscal year 2013. Therefore, this bill does not increase spending at NIH at all. It seems this is nothing more than a distraction to confuse people about the terrible record the GOP has on this issue.

Since my friends on the other side of the aisle have been in the majority, NIH funding has decreased by \$4.2 billion, or 13 percent. Furthermore, the funding allocation provided to the Labor-HHS-Education Subcommittee for fiscal year 2014 is 22 percent below the enacted level, meaning more cuts are coming. The small, \$16 million authorization that this bill provides will do nothing to reverse the damage that these policies have had on medical research across our country.

If my Republican colleagues are serious about helping children and, promoting medical research, they should work with Democrats in a bipartisan manner to repeal sequestration and replace it with sensible spending cuts, rather than allowing these damaging cuts to NIH to continue. NIH does not need another meaningless authorization that goes unfunded, they need actual dollars that go to research. I find it hard to believe that my friends on the other side of the aisle truly care about funding pediatric research when their record demonstrates just the opposite. I urge my colleagues to join me in opposing this cynical legislation.

Mr. CONYERS. Mr. Speaker, I rise today in opposition to the "Gabriella Miller Kids First Research Act." H.R. 2019 purports to end the public's contribution to political party conventions and redirect the savings into research on childhood diseases at the National Institutes of Health. In fact, the bill does no such thing.

While I strongly support efforts to increase funding for pediatric research and other research at NIH, I do not believe H.R. 2019 does anything to advance this goal. This bill

claims to make available to NIH, the \$12.6 million per year raised as public support for the expenses of party conventions. In actuality, that bill would not do anything to restore the funding cuts that Republicans have strongly supported over the last few years, because it does not actually provide any additional funds to NIH. It only directs the money to be made available in appropriations.

These funds will still have to go through the regular appropriations process, fully subject to the Budget Control Act caps—as reduced by sequestration—and will have to comply with the spending allocations of the Appropriations Committee. It is this exact process, caps, and especially sequestration that cut \$1.55 billion from NIH last year alone, dramatically reduced NIH funding for cancer and other research capabilities.

This bill only authorizes \$12.6 million per year, which is four-tenths of one percent of the roughly \$3.6 billion that NIH spent on pediatric research last year. Adding one more unfunded authorization will not interrupt the destructive downward trend this country is experiencing in research funding. It is not even an honest attempt to do this. NIH is already authorized to spend well beyond the \$12.6 million a year this legislation allows.

Republicans aim to show that pediatric research is a priority, but you only have to look at H.R. 1, the House Republican spending proposal from the 112th Congress, to see what their true priorities are. That proposal, which the vast majority of Republicans supported, slashed total funding for the Labor-HHS-Education Subcommittee by 22 percent, which would have cost NIH \$6.7 billion. The reality is that few Republicans are genuinely interested in providing adequate funding for the NIH.

Mr. Speaker, if my Republican colleagues truly want to support pediatric research, they should restore the \$4.2 billion that has been cut from NIH's funding since they took the majority, and they could support my bill, H.R. 900, which fully repeals sequestration.

Mr. FITZPATRICK. Mr. Speaker, I rise to commend this chamber for coming together to pass The Gabrielle Miller Kids First Research Act. Ask any parent, our kids always come first, so when it comes to utilizing taxpayer dollars; it only makes sense that Washington places the children of our nation ahead of partisan politics.

This bill prioritizes allocations for scientific research of pediatric diseases and disorders such as cancer and autism. By eliminating taxpayer funding for the Republican and Democratic national conventions, and applying these funds to critically needed research for cures to childhood disorders, we are truly doing important and lasting work for our constituents—including the most precious and vulnerable.

As a member of the Autism Caucus, the chance to prioritize federal dollars for critical research on Autism, and those families living with it, is a great opportunity. Ensuring the best for our children, especially those with pediatric disorders, is vital for the continued success of our nation. It is heartening that this Congress was able to come together and work on their behalf.

I am proud to have the opportunity to work with Autism groups in my community, in Penn-

sylvania's 8th District, that are ready to work with the us in putting an end to Autism and all other pediatric diseases.

Mr. Speaker, I urge the Senate to quickly take up this bill and show that Washington is ready to put our kids first.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in opposition to H.R. 2019, The Gabriella Miller Kids First Research Act. This bill completely bypassed procedure in the House, skipping any committee action prior to a full House vote and leaving no opportunity for discussion as to what could be the best way to fund pediatric research.

While my colleagues and I fully support increased funding to the National Institutes of Health (NIH) and pediatric research, the "Kids First Research Act" would not provide any additional funds to the NIH for this purpose. The bill merely authorizes that the Presidential Election Campaign Fund be available to a certain extent. These funds would still be subject to the Budget Control Act caps and the normal Appropriations Committee process.

H.R. 2019 is merely a messaging tactic for House Republicans to appear to be supportive of biomedical research funding. House Republicans attempted to cut \$1.6 billion from NIH funding in 2011. This year, sequestration cut the NIH budget by \$1.55 billion and took an additional \$255 million from the cancer institute and \$66 million from the child health institute within the NIH.

If House Republicans intend to increase funding for NIH research, they should do so by replacing sequestration with a more balanced approach. This bill not only restricts funding for the NIH, it represents Congressional micromanagement of research. Overall, H.R. 2019 does nothing to advance the goals of biomedical research. I urge my colleagues to support the work of our scientists and researchers and oppose the Kids First Research Act.

Mr. CONNOLLY. Mr. Speaker, today House Republicans forced a vote on the cynically misnamed "Kids First Research Act." The bill purports to increase funding for pediatric research by transferring \$12.6 million from the public financing for party nominating conventions. That might sound substantial if it weren't designed to mask the fact that House Republicans have slashed NIH funding by \$4.2 billion in the last three years. In fact, their most recent budget proposal would have cut NIH funding by another 20%. It's one of the most cynical acts I've seen in a Congress and reminds me of what my friend, humorist Jim Boren, used to say, "If you're going to be a phony, at least be sincere about it."

Mr. HOLT. Mr. Speaker, I rise in strong opposition to this bill, the so called Kids First Research Act.

The bill that we are considering here today has been brought up under the pretense of providing funding for pediatric research at the National Institutes of Health by redirecting the funds from the Presidential Election Campaign Fund to the amount of \$12.6 million per year.

As I am sure my colleagues know, I have always been a strong supporter of research at the NIH.

But the legislation before us is nothing more than a duplicitous attempt by Republicans to act as if they are providing support to the NIH.

Yet in reality, NIH has seen its budget attacked and slashed in recent years. In 2011, the Republican budget proposed a \$1.6 billion cut to the NIH in a single year. I wonder where the compassion for children was then.

This very day the Republicans are bringing forward a budget agreement they want us to support that cuts \$172 billion in discretionary spending from levels President Obama and Democrats proposed in 2011. This so called compromise will maintain a majority of cuts imposed by sequestration.

When sequestration went into effect, the NIH saw a \$1.55 billion cut to its budget. Of that, sequestration cut \$255 million from the NIH's cancer institute and \$66 million from the child health institute. Where was the outrage when those cuts went into effect?

If we truly cared about research at the NIH, we would not be proposing a \$12.6 million dollar increase in funding, we would be talking about restoring the \$1.55 billion cut by sequestration and then some.

The Kids First Research Act has a nice name and a noble intent, but no substance, and thus I cannot support this sad pretense.

Mr. VAN HOLLEN. Mr. Speaker, I rise today to honor Gabriella Miller, a brave little girl who was taken from the world much too soon. I know Gabriella's parents are here in the House gallery and I want to express to them how sorry I am for their loss. Gabriella was a real fighter, not only for herself but for the thousands of other children across the country who are battling cancer. I'm pleased to join my colleague, MICHAEL McCaul, in co-chairing the Congressional Childhood Cancer Caucus in the House. Over the years, I've had the privilege of meeting hundreds of young people like Gabriella and families like the Millers. I've heard their heartbreak and frustration, and share their commitment to finding a cure for this devastating disease. The National Institutes of Health play a critical role in this effort—conducting basic research toward finding cures, supporting clinical trials, and developing treatments for childhood cancer and other pediatric illnesses. I firmly believe that as a nation we should be investing more in pediatric research but the bill on the floor won't do that.

Today's bill purports to increase pediatric research by \$13 million per year by terminating public financing for political conventions. Assuming last year's 5 percent sequester at NIH was spread evenly across their programs, then pediatric research would have been cut by roughly \$182 million in 2013. The bill's \$13 million would return less than 10 percent of the funding to pediatric research that was lost to sequester last year. On top of that, the bill doesn't actually appropriate any funding, but instead authorizes appropriations, which does not guarantee that these funds will be available.

Mr. Speaker, today's bill isn't a sincere effort to increase funding for pediatric research and it shouldn't come as a surprise to anyone. Since the Republican majority took office in 2011, they've racked up a dismal record on NIH, having cut its budget by total of \$4.2 billion or 13 percent when adjusted for inflation. If Republicans are really serious about pediatric research, and in fact want to put kids first, then they should work with us to replace the sequester with a balanced budget package.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 2019, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PALLONE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on suspending the rules and passing H.R. 2019 will be followed by 5-minute votes on suspending the rules and passing H.R. 2319, S. 1471, H.R. 3212, and H.R. 1992.

The vote was taken by electronic device, and there were—yeas 295, nays 103, not voting 33, as follows:

[Roll No. 632]

YEAS—295

Aderholt	Denham	Huelskamp
Amash	Dent	Huizenga (MI)
Amodei	DeSantis	Hultgren
Bachmann	DesJarlais	Hunter
Bachus	Deutch	Hurt
Barber	Diaz-Balart	Issa
Barletta	Duckworth	Jenkins
Barr	Duffy	Johnson (OH)
Barrow (GA)	Duncan (SC)	Johnson, Sam
Barton	Duncan (TN)	Jones
Benishek	Ellmers	Jordan
Bentivolio	Enyart	Joyce
Bera (CA)	Esty	Keating
Bilirakis	Farenthold	Kelly (PA)
Bishop (NY)	Fattah	Kilmer
Bishop (UT)	Fincher	Kind
Black	Fitzpatrick	King (IA)
Blackburn	Fleischmann	King (NY)
Bonamici	Fleming	Kingston
Boustany	Flores	Kinzinger (IL)
Brady (TX)	Forbes	Kirkpatrick
Braley (IA)	Fortenberry	Kline
Bridenstine	Foster	Kuster
Brooks (AL)	Fox	Labrador
Brooks (IN)	Frelinghuysen	LaMalfa
Brownley (CA)	Gabbard	Lamborn
Buchanan	Gallego	Lance
Bucshon	Garamendi	Lankford
Burgess	Garcia	Latham
Bustos	Gardner	Latta
Calvert	Garrett	Lipinski
Camp	Gerlach	LoBiondo
Campbell	Gibbs	Loebach
Cantor	Gibson	Long
Capito	Gingrey (GA)	Lucas
Capuano	Gohmert	Luetkemeyer
Carney	Goodlatte	Lujan Grisham
Carter	Gosar	(NM)
Cartwright	Gowdy	Lummis
Cassidy	Granger	Lynch
Castor (FL)	Graves (GA)	Maffei
Chabot	Graves (MO)	Maloney, Sean
Chaffetz	Grayson	Marchant
Coble	Green, Gene	Marino
Coffman	Griffin (AR)	Massie
Cole	Griffith (VA)	Matheson
Collins (GA)	Grimm	McAllister
Collins (NY)	Guthrie	McCarthy (CA)
Conaway	Hall	McCaul
Cook	Hanabusa	McClintock
Cooper	Hanna	McHenry
Costa	Harper	McIntyre
Cotton	Harris	McKeon
Courtney	Hartzler	McKinley
Cramer	Hastings (FL)	McNerney
Crawford	Hastings (WA)	Meadows
Crenshaw	Heck (NV)	Meehan
Cuellar	Heck (WA)	Meng
Daines	Hensarling	Messer
Davis, Rodney	Himes	Mica
DeFazio	Holding	Miller (FL)
Delaney	Horsford	Miller (MI)
DelBene	Hudson	Miller, Gary

Mullin	Rogers (MI)	Stivers
Mulvaney	Rohrabacher	Stockman
Murphy (FL)	Rokita	Stutzman
Murphy (PA)	Rooney	Terry
Neal	Ros-Lehtinen	Thompson (PA)
Neugebauer	Roskam	Thornberry
Noem	Ross	Tiberi
Nugent	Rothfus	Tipton
Nunes	Royce	Tsongas
Olson	Ruiz	Turner
Owens	Runyan	Upton
Palazzo	Ryan (OH)	Valadao
Paulsen	Ryan (WI)	Veasey
Pearce	Salmon	Wagner
Perry	Sanford	Walberg
Peters (CA)	Scalise	Walden
Peters (MI)	Schiff	Walorski
Peterson	Schneider	Walz
Petri	Schrader	Weber (TX)
Pittenger	Schweikert	Webster (FL)
Pitts	Scott, Austin	Welch
Poe (TX)	Sensenbrenner	Wenstrup
Pompeo	Sessions	Westmoreland
Posey	Shea-Porter	Whitfield
Price (GA)	Sherman	Williams
Rahall	Shimkus	Wilson (SC)
Reed	Shuster	Wittman
Reichert	Simpson	Wolf
Renacci	Sinema	Womack
Ribble	Smith (MO)	Woodall
Rice (SC)	Smith (NE)	Yarmuth
Rigell	Smith (NJ)	Yoder
Roby	Smith (TX)	Yoho
Roe (TN)	Smith (WA)	Young (AK)
Rogers (AL)	Southerland	Young (IN)
Rogers (KY)	Stewart	

NAYS—103

Andrews	Hoyer	Perlmutter
Becerra	Huffman	Pingree (ME)
Blumenauer	Israel	Pocan
Brady (PA)	Jeffries	Polis
Brown (GA)	Johnson (GA)	Price (NC)
Brown (FL)	Johnson, E. B.	Quigley
Capps	Kaptur	Richmond
Cardenas	Kelly (IL)	Roybal-Allard
Carson (IN)	Kennedy	Rush
Chu	Kildee	Sánchez, Linda
Cicilline	Langevin	T.
Clay	Larsen (WA)	Sanchez, Loretta
Cleaver	Larson (CT)	Sarbanes
Clyburn	Levin	Schakowsky
Cohen	Lofgren	Scott, David
Connolly	Lowenthal	Serrano
Crowley	Lowey	Sires
Davis (CA)	Lujan, Ben Ray	Slaughter
Davis, Danny	(NM)	Speier
DeGette	Maloney,	Swalwell (CA)
DeLauro	Carolyn	Takano
Dingell	Matsui	Thompson (CA)
Doggett	McCollum	Thompson (MS)
Edwards	McGovern	Tierney
Ellison	Michaud	Titus
Engel	Miller, George	Tonko
Eshoo	Moran	Van Hollen
Farr	Nadler	Vargas
Frankel (FL)	Napolitano	Vela
Grijalva	Negrete McLeod	Velázquez
Gutiérrez	Nolan	Visclosky
Hahn	O'Rourke	Wasserman
Higgins	Pallone	Wasserman
Hinojosa	Pascrell	Schultz
Holt	Payne	Waxman
Honda	Pelosi	Wilson (FL)

NOT VOTING—33

Green, Al	Pastor (AZ)
Herrera Beutler	Radel
Jackson Lee	Rangel
Lee (CA)	Ruppersberger
Lewis	Schock
McCarthy (NY)	Schwartz
McDermott	Scott (VA)
McMorris	Sewell (AL)
Rodgers	Waters
Meeks	Watt
Moore	
Nunnelee	

□ 1600

Ms. BROWN of Florida, Mr. THOMPSON of Mississippi, Ms. ROYBAL-ALLARD, and Mr. TIERNEY changed their vote from "yea" to "nay."

Messrs. KINGSTON, CARNEY, DEUTCH, Ms. GABBARD, Messrs. GARAMENDI, YARMUTH, PETERSON of Minnesota, and Ms. HANABUSA changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: “A bill to eliminate taxpayer financing of political party conventions and reprogram savings to provide for a 10-year pediatric research initiative through the Common Fund administered by the National Institutes of Health, and for other purposes.”

A motion to reconsider was laid on the table.

Stated for:

Mr. NUNNELEE. Mr. Speaker, on rollcall No. 632, I was unavoidably detained. Had I been present, I would have voted “yes.”

Stated against:

Mr. RUPPERSBERGER. Mr. Speaker, on rollcall No. 632 I was at a medical appointment in Baltimore, MD and therefore unable to vote. Had I been present, I would have voted “no.”

NATIVE AMERICAN VETERANS' MEMORIAL AMENDMENTS ACT OF 2013

The SPEAKER pro tempore (Mr. HOLDING). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2319) to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. MULLIN) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 398, nays 0, not voting 33, as follows:

[Roll No. 633]

YEAS—398

Aderholt	Bonamici	Capuano
Amash	Boustany	Cárdenas
Amodei	Brady (PA)	Carney
Andrews	Brady (TX)	Carson (IN)
Bachmann	Braley (IA)	Carter
Bachus	Bridenstine	Cartwright
Barber	Brooks (AL)	Cassidy
Barletta	Brooks (IN)	Castor (FL)
Barr	Broun (GA)	Chabot
Barrow (GA)	Brown (FL)	Chaffetz
Barton	Brownley (CA)	Chu
Becerra	Buchanan	Cicilline
Benishkek	Bucshon	Clay
Bentivolio	Burgess	Cleaver
Bera (CA)	Bustos	Clyburn
Bilirakis	Calvert	Coble
Bishop (NY)	Camp	Coffman
Bishop (UT)	Campbell	Cohen
Black	Cantor	Cole
Blackburn	Capito	Collins (GA)
Blumenauer	Capps	Collins (NY)

Conaway	Honda	Murphy (PA)
Connolly	Horsford	Nadler
Cook	Hoyer	Napolitano
Cooper	Hudson	Neal
Costa	Huelskamp	Negrete McLeod
Cotton	Huffman	Neugebauer
Courtney	Huizenga (MI)	Noem
Cramer	Hultgren	Nolan
Crawford	Hunter	Nugent
Crenshaw	Hurt	Nunes
Crowley	Israel	Nunnelee
Cuellar	Issa	O'Rourke
Daines	Jeffries	Olson
Davis (CA)	Jenkins	Owens
Davis, Danny	Johnson (GA)	Pallone
Davis, Rodney	Johnson (OH)	Pascarell
DeFazio	Johnson, E. B.	Paulsen
DeGette	Johnson, Sam	Payne
Delaney	Jones	Pearce
DeLauro	Jordan	Pelosi
DelBene	Joyce	Perlmutter
Denham	Kaptur	Perry
Dent	Keating	Peters (CA)
DeSantis	Kelly (IL)	Peters (MI)
DesJarlais	Kelly (PA)	Peterson
Deutch	Kennedy	Petri
Diaz-Balart	Kildee	Pingree (ME)
Dingell	Kilmer	Pittenger
Doggett	Kind	Pitts
Duckworth	King (IA)	Pocan
Duffy	King (NY)	Poe (TX)
Duncan (SC)	Kingston	Polis
Duncan (TN)	Kinzinger (IL)	Pompeo
Edwards	Kirkpatrick	Posey
Ellison	Kline	Price (GA)
Elmiers	Kuster	Price (NC)
Engel	Labrador	Quigley
Enyart	LaMalfa	Rahall
Eshoo	Lamborn	Reed
Esty	Lance	Reichert
Farenthold	Langevin	Renacci
Farr	Lankford	Ribble
Fattah	Larsen (WA)	Rice (SC)
Fincher	Larson (CT)	Richmond
Fitzpatrick	Latham	Rigell
Fleischmann	Latta	Roby
Fleming	Levin	Roe (TN)
Flores	Lipinski	Rogers (AL)
Forbes	LoBiondo	Rogers (KY)
Fortenberry	Loebach	Rogers (MI)
Foster	Lofgren	Rohrabacher
Fox	Long	Rokita
Frankel (FL)	Lowenthal	Rooney
Franks (AZ)	Lowe	Ros-Lehtinen
Frelinghuysen	Lucas	Roskam
Gabbard	Luetkemeyer	Ross
Gallego	Lujan Grisham	Rothfus
Garamendi	(NM)	Roybal-Allard
Garcia	Lujan, Ben Ray	Royce
Gardner	(NM)	Ruiz
Garrett	Lummis	Runyan
Gerlach	Lynch	Rush
Gibbs	Maffei	Ryan (OH)
Gibson	Maloney,	Ryan (WI)
Gingrey (GA)	Carolyn	Salmon
Gohmert	Maloney, Sean	Sánchez, Linda
Goodlatte	Marchant	T.
Gosar	Marino	Sanchez, Loretta
Gowdy	Massie	Sanford
Granger	Matheson	Sarbanes
Graves (GA)	Matsui	Scalise
Graves (MO)	McAllister	Schakowsky
Grayson	McCarthy (CA)	Schiff
Green, Gene	McCaul	Schneider
Griffin (AR)	McClintock	Schrader
Griffith (VA)	McCollum	Schweikert
Grimm	McGovern	Scott, Austin
Guthrie	McHenry	Scott, David
Gutiérrez	McIntyre	Sensenbrenner
Hahn	McKeon	Serrano
Hall	McKinley	Sessions
Hanabusa	McNerney	Shea-Porter
Hanna	Meadows	Sherman
Harper	Meehan	Shimkus
Harris	Meng	Shuster
Hartzler	Messer	Simpson
Hastings (FL)	Mica	Sinema
Hastings (WA)	Michaud	Sires
Heck (NV)	Miller (FL)	Slaughter
Heck (WA)	Miller (MI)	Smith (MO)
Hensarling	Miller, Gary	Smith (NE)
Higgins	Miller, George	Smith (NJ)
Himes	Moran	Smith (TX)
Hinojosa	Mullin	Smith (WA)
Holding	Mulvaney	Southerland
Holt	Murphy (FL)	Speier

Stewart	Upton	Welch
Stivers	Valadao	Wenstrup
Stockman	Van Hollen	Westmoreland
Stutzman	Vargas	Whitfield
Swalwell (CA)	Veasey	Williams
Takano	Vela	Wilson (FL)
Terry	Velázquez	Wilson (SC)
Thompson (CA)	Visclosky	Wittman
Thompson (MS)	Wagner	Wolf
Thompson (PA)	Walberg	Womack
Thornberry	Walden	Woodall
Tiberi	Walorski	Yarmuth
Tierney	Walz	Yoder
Tipton	Wasserman	Yoho
Titus	Schultz	Young (AK)
Tonko	Waxman	Young (IN)
Tsongas	Weber (TX)	
Turner	Webster (FL)	

NOT VOTING—33

Bass	Grijalva	Pastor (AZ)
Beatty	Herrera Beutler	Radel
Bishop (GA)	Jackson Lee	Rangel
Butterfield	Lee (CA)	Ruppersberger
Castro (TX)	Lewis	Schock
Clarke	McCarthy (NY)	Schwartz
Conyers	McDermott	Scott (VA)
Culberson	McMorris	Sewell (AL)
Cummings	Rodgers	Waters
Doyle	Meeks	Watt
Fudge	Moore	
Green, Al	Palazzo	

□ 1608

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. RUPPERSBERGER. Mr. Speaker, on rollcall No. 633 I was at a medical appointment in Baltimore, MD and unable to vote. Had I been present, I would have voted “yes.”

ALICIA DAWN KOEHL RESPECT FOR NATIONAL CEMETERIES ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 1471) to authorize the Secretary of Veterans Affairs and the Secretary of the Army to reconsider decisions to inter or honor the memory of a person in a national cemetery, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 398, nays 1, not voting 32, as follows:

[Roll No. 634]

YEAS—398

Aderholt	Benishkek	Brady (PA)
Amodei	Bentivolio	Brady (TX)
Andrews	Bera (CA)	Braley (IA)
Bachmann	Bilirakis	Bridenstine
Bachus	Bishop (NY)	Brooks (AL)
Barber	Bishop (UT)	Brooks (IN)
Barletta	Black	Broun (GA)
Barr	Blackburn	Brown (FL)
Barrow (GA)	Blumenauer	Brownley (CA)
Barton	Bonamici	Buchanan
Becerra	Boustany	Bucshon

The vote was taken by electronic device, and there were—yeas 398, nays 0, not voting 33, as follows:

[Roll No. 635]

YEAS—398

Aderholt	Deutch	Johnson, Sam
Amash	Diaz-Balart	Jones
Amodei	Dingell	Jordan
Andrews	Doggett	Joyce
Bachmann	Duckworth	Kaptur
Bachus	Duffy	Keating
Barber	Duncan (SC)	Kelly (IL)
Barletta	Duncan (TN)	Kelly (PA)
Barr	Edwards	Kennedy
Barrow (GA)	Ellison	Kildee
Barton	Ellmers	Kilmer
Becerra	Engel	Kind
Benishek	Enyart	King (IA)
Bentivolio	Eshoo	King (NY)
Bera (CA)	Esty	Kingston
Bilirakis	Farenthold	Kinzinger (IL)
Bishop (NY)	Farr	Kirkpatrick
Bishop (UT)	Fattah	Kline
Black	Fincher	Kuster
Blackburn	Fitzpatrick	Labrador
Blumenauer	Fleischmann	LaMalfa
Bonamici	Fleming	Lamborn
Boustany	Flores	Lance
Brady (PA)	Forbes	Langevin
Brady (TX)	Fortenberry	Lankford
Braley (IA)	Foster	Larsen (WA)
Bridenstine	Fox	Larson (CT)
Brooks (AL)	Frankel (FL)	Latham
Brooks (IN)	Franks (AZ)	Latta
Broun (GA)	Frelinghuysen	Levin
Brown (FL)	Gabbard	Lipinski
Brownley (CA)	Galleo	LoBiondo
Buchanan	Garamendi	Loebsack
Bucshon	Garcia	Lofgren
Burgess	Gardner	Long
Bustos	Garrett	Lowenthal
Calvert	Gerlach	Lowe
Camp	Gibbs	Lucas
Campbell	Gibson	Luetkemeyer
Cantor	Gingrey (GA)	Lujan Grisham
Capito	Gohmert	(NM)
Capps	Goodlatte	Lujan, Ben Ray
Capuano	Gosar	(NM)
Cárdenas	Gowdy	Lummis
Carney	Granger	Lynch
Carson (IN)	Graves (GA)	Maffei
Carter	Graves (MO)	Maloney,
Cartwright	Grayson	Carolyn
Cassidy	Green, Gene	Maloney, Sean
Castor (FL)	Griffin (AR)	Marchant
Chabot	Griffith (VA)	Marino
Chaffetz	Grijalva	Massie
Chu	Grimm	Matheson
Cicilline	Guthrie	Matsui
Clay	Hahn	McAllister
Cleaver	Hall	McCarthy (CA)
Clyburn	Hanabusa	McCaul
Coble	Hanna	McClintock
Coffman	Harper	McCollum
Cohen	Harris	McGovern
Cole	Hartzler	McHenry
Collins (GA)	Hastings (FL)	McIntyre
Collins (NY)	Hastings (WA)	McKeon
Ellison	Heck (NV)	McKinley
Ellmers	Heck (WA)	McNerney
Engel	Hensarling	Meadows
Enyart	Higgins	Meehan
Eshoo	Himes	Meng
Esty	Hinojosa	Messer
Farenthold	Holding	Mica
Farr	Holt	Michaud
Fattah	Honda	Miller (FL)
Fincher	Horsford	Miller (MI)
Fitzpatrick	Hoyer	Miller, Gary
Fleischmann	Hudson	Miller, George
Fleming	Huelskamp	Moran
Flores	Huffman	Mullin
Forbes	Huizenga (MI)	Mulvaney
Fortenberry	Hultgren	Murphy (FL)
Foster	Hunter	Murphy (PA)
Fox	Hurt	Nadler
Frankel (FL)	Israel	Napolitano
Franks (AZ)	Issa	Neal
Frelinghuysen	Jeffries	Negrete McLeod
Gabbard	Jenkins	Neugebauer
Galleo	Johnson (GA)	Noem
Garamendi	Johnson (OH)	Nolan
Garcia	Johnson, E. B.	
Gardner	Johnson, Sam	
Garrett	Jones	
Gerlach	Jordan	
Gibbs	Joyce	
Gibson	Kaptur	
Gingrey (GA)	Keating	
Gohmert	Kelly (IL)	
Goodlatte	Kelly (PA)	
	Kennedy	
	Kildee	
	Kilmer	
	Kind	
	King (IA)	
	King (NY)	
	Kingston	
	Kinzinger (IL)	
	Kirkpatrick	
	Kline	
	Kuster	
	Labrador	
	LaMalfa	
	Lamborn	
	Lance	
	Langevin	
	Lankford	
	Larsen (WA)	
	Larson (CT)	
	Latham	
	Latta	
	Levin	
	Lipinski	
	LoBiondo	
	Loebsack	
	Lofgren	
	Long	
	Lowenthal	
	Lowe	
	Lucas	
	Luetkemeyer	
	Lujan Grisham	
	(NM)	
	Luján, Ben Ray	
	(NM)	
	Lummis	
	Lynch	
	Maffei	
	Maloney,	
	Carolyn	
	Maloney, Sean	

Burgess	Gosar	Marchant	Sánchez, Linda	Southerland	Wagner
Bustos	Gowdy	Marino	T.	Speier	Walberg
Calvert	Granger	Massie	Sanchez, Loretta	Stewart	Walden
Camp	Graves (GA)	Matheson	Sanford	Stivers	Walorski
Campbell	Graves (MO)	Matsui	Sarbanes	Stockman	Walz
Cantor	Grayson	McAllister	Scalise	Stutzman	Wasserman
Capito	Green, Gene	McCarthy (CA)	Schakowsky	Swalwell (CA)	Schultz
Capps	Griffin (AR)	McCaul	Schiff	Takano	Waxman
Capuano	Griffith (VA)	McClintock	Schneider	Terry	Weber (TX)
Cárdenas	Grijalva	McCollum	Schrader	Thompson (CA)	Webster (FL)
Carney	Grimm	McGovern	Schweikert	Thompson (MS)	Welch
Carson (IN)	Guthrie	McHenry	Scott, Austin	Thompson (PA)	Wenstrup
Carter	Gutiérrez	McIntyre	Sensenbrenner	Thornberry	Westmoreland
Cartwright	Hahn	McKeon	Serrano	Tiberi	Whitfield
Cassidy	Hall	McKinley	Sessions	Tierney	Williams
Castor (FL)	Hanabusa	McNerney	Shea-Porter	Tipton	Wilson (FL)
Chabot	Hanna	Meadows	Sherman	Titus	Wilson (SC)
Chaffetz	Harper	Meehan	Shinkus	Tonko	Wittman
Chu	Harris	Meng	Shuster	Tsongas	Wolf
Cicilline	Hartzler	Messer	Simpson	Turner	Womack
Clay	Hastings (FL)	Mica	Sinema	Upton	Woodall
Cleaver	Hastings (WA)	Michaud	Sires	Valadao	Yarmuth
Clyburn	Heck (NV)	Miller (FL)	Slaughter	Van Hollen	Yoder
Coble	Heck (WA)	Miller (MI)	Smith (MO)	Vargas	Yoho
Coffman	Hensarling	Miller, Gary	Smith (NE)	Veasey	Young (AK)
Cohen	Higgins	Miller, George	Smith (NJ)	Vela	Young (IN)
Cole	Himes	Moran	Smith (TX)	Velázquez	
Collins (GA)	Hinojosa	Mullin	Smith (WA)	Visclosky	
Collins (NY)	Holding	Mulvaney			
Conaway	Holt	Murphy (FL)			
Connolly	Honda	Murphy (PA)			
Cook	Horsford	Nadler			
Cooper	Hoyer	Napolitano			
Costa	Hudson	Neal			
Cotton	Huelskamp	Negrete McLeod			
Courtney	Huffman	Neugebauer			
Cramer	Huizenga (MI)	Noem			
Crawford	Hultgren	Nolan			
Crenshaw	Hunter	Nugent			
Crowley	Hurt	Nunes			
Cuellar	Israel	Nunnelee			
Daines	Issa	O'Rourke			
Davis (CA)	Jeffries	Olson			
Davis, Danny	Jenkins	Owens			
Davis, Rodney	Johnson (GA)	Palazzo			
DeFazio	Johnson (OH)	Pallone			
DeGette	Johnson, E. B.	Pascarell			
Delaney	Johnson, Sam	Paulsen			
DeLauro	Jones	Payne			
DelBene	Jordan	Pearce			
Denham	Joyce	Pelosi			
Dent	Kaptur	Perlmutter			
DeSantis	Keating	Perry			
DesJarlais	Kelly (IL)	Peters (CA)			
Deutch	Kelly (PA)	Peters (MI)			
Diaz-Balart	Kennedy	Peterson			
Dingell	Kildee	Petri			
Doggett	Kilmer	Pingree (ME)			
Duckworth	Kind	Pittenger			
Duffy	King (IA)	Pitts			
Duncan (SC)	King (NY)	Pocan			
Duncan (TN)	Kingston	Poe (TX)			
Edwards	Kinzinger (IL)	Polis			
Ellison	Kirkpatrick	Pompeo			
Ellmers	Kline	Posey			
Engel	Kuster	Price (GA)			
Enyart	Labrador	Price (NC)			
Eshoo	LaMalfa	Quigley			
Esty	Lamborn	Rahall			
Farenthold	Lance	Reed			
Farr	Langevin	Reichert			
Fattah	Lankford	Renacci			
Fincher	Larsen (WA)	Ribble			
Fitzpatrick	Larson (CT)	Rice (SC)			
Fleischmann	Latham	Richmond			
Fleming	Latta	Rigell			
Flores	Levin	Roby			
Forbes	Lipinski	Roe (TN)			
Fortenberry	LoBiondo	Rogers (AL)			
Foster	Loebsack	Rogers (KY)			
Fox	Lofgren	Rogers (MI)			
Frankel (FL)	Long	Rohrabacher			
Franks (AZ)	Lowenthal	Rokita			
Frelinghuysen	Lowe	Rooney			
Gabbard	Lucas	Ros-Lehtinen			
Galleo	Luetkemeyer	Roskam			
Garamendi	Lujan Grisham	Ross			
Garcia	(NM)	Rothfus			
Gardner	Luján, Ben Ray	Roybal-Allard			
Garrett	(NM)	Royce			
Gerlach	Lummis	Ruiz			
Gibbs	Lynch	Runyan			
Gibson	Maffei	Rush			
Gingrey (GA)	Maloney,	Ryan (OH)			
Gohmert	Carolyn	Ryan (WI)			
Goodlatte	Maloney, Sean	Salmon			

NAYS—1

Amash
NOT VOTING—32

Bass	Green, Al	Pastor (AZ)
Beatty	Herrera Beutler	Radel
Bishop (GA)	Jackson Lee	Rangel
Butterfield	Lee (CA)	Ruppersberger
Castro (TX)	Lewis	Schock
Clarke	McCarthy (NY)	Schwartz
Conyers	McDermott	Scott (VA)
Culberson	McMorris	Scott, David
Cummings	Rodgers	Sewell (AL)
Doyle	Meeks	Waters
Fudge	Moore	Watt

□ 1615

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. RUPPERSBERGER. Mr. Speaker, on rollcall No. 634 I was at a medical appointment in Baltimore, MD and therefore unable to vote. Had I been present, I would have voted "yes."

SEAN AND DAVID GOLDMAN INTERNATIONAL CHILD ABDUC- TION PREVENTION AND RETURN ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3212) to ensure compliance with the 1980 Hague Convention on the Civil Aspects of International Child Abduction by countries with which the United States enjoys reciprocal obligations, to establish procedures for the prompt return of children abducted to other countries, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam

Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano

Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—33

Bass
Beatty
Bishop (GA)
Butterfield
Castro (TX)
Clarke
Conyers
Culberson
Cummings
Doyle
Fudge
Green, Al

Gutiérrez
Herrera Beutler
Jackson Lee
Lee (CA)
Lewis
McCarthy (NY)
McDermott
McMorris
Rodgers
Meeks
Moore
Pastor (AZ)

Radel
Rangel
Ruppersberger
Schock
Schwartz
Scott (VA)
Sewell (AL)
Terry
Waters
Watt

□ 1622

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. RUPPERSBERGER. Mr. Speaker, on rollcall No. 635, I was at a medical appointment in Baltimore, MD and therefore unable to vote. Had I been present, I would have voted "yes."

ISRAEL QME ENHANCEMENT ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1992) to amend the requirements relating to assessment of Israel's qualitative military edge over military threats, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 399, nays 0, not voting 32, as follows:

[Roll No. 636]

YEAS—399

Aderholt
Amash
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Becerra
Benishak
Bentivolio
Bera (CA)
Billirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Chabot
Chaffetz
Chu
Cicilline
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Daines
Davis (CA)
Davis, Danny
Davis, Rodney

DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Fox
Frankel (FL)
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Levin
Lipinski
LoBiondo
Loebuck
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lujan, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McAllister
McCarthy (CA)
McCaul
McClintock
McCollum
McGovern
McHenry

McIntyre
McKeon
McKinley
McNerney
Meadows
Meehan
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley

Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda
T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)

Smith (WA)
Southernland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano

NOT VOTING—32

Bass
Beatty
Bishop (GA)
Butterfield
Castro (TX)
Clarke
Conyers
Culberson
Cummings
Doyle
Fudge

Green, Al
Hartzler
Herrera Beutler
Jackson Lee
Lee (CA)
Lewis
McCarthy (NY)
McDermott
McMorris
Rodgers
Meeks

Moore
Pastor (AZ)
Radel
Rangel
Ruppersberger
Schock
Schwartz
Scott (VA)
Sewell (AL)
Waters
Watt

□ 1628

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. RUPPERSBERGER. Mr. Speaker, on rollcall No. 636, I was at a medical appointment in Baltimore, MD and therefore unable to vote. Had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, on December 10 and 11, 2013, I was a part of an official congressional delegation to South Africa. I regret that I was not present to vote on H.R. 3521, H.R. 1402, H.R. 2019, H.R. 2319, S.

1471, H.R. 3212, H.R. 1992, and the Journal Vote.

Had I been present, I would have voted "yea" on H.R. 3521, H.R. 1402, H.R. 2319, S. 1471, H.R. 1992, and the Journal Vote.

Had I been present, I would have voted "nay" on H.R. 2019, and H.R. 3212.

PERSONAL EXPLANATION

Mrs. McMORRIS RODGERS. Mr. Speaker, on rollcall No. 632 on H.R. 2019, on Motion to Suspend the Rules and Pass, "Gabriella Miller Kids First Research Act of 2013, as amended", I am not recorded because I was absent due to the birth of my daughter. Had I been present, I would have voted "yea."

Mr. Speaker, on rollcall No. 633 on H.R. 2319, on Motion to Suspend the Rules and Pass, "Native American Veterans' Memorial Amendments Act of 2013", I am not recorded because I was absent due to the birth of my daughter. Had I been present, I would have voted "yea."

Mr. Speaker, on rollcall No. 634 on S. 1471, on Motion to Suspend the Rules and Pass, "Alicia Dawn Koehl Respect for National Cemeteries Act", I am not recorded because I was absent due to the birth of my daughter. Had I been present, I would have voted "yea."

Mr. Speaker, on rollcall No. 635 on H.R. 3212, on Motion to Suspend the Rules and Pass, "Sean and David Goldman International Child Abduction Prevention and Return Act of 2013, as amended", I am not recorded because I was absent due to the birth of my daughter. Had I been present, I would have voted "yea."

Mr. Speaker, on rollcall No. 636 on H.R. 1992, on Motion to Suspend the Rules and Pass, "Israel QME Enhancement Act, as amended", I am not recorded because I was absent due to the birth of my daughter. Had I been present, I would have voted "yea."

□ 1630

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 2871. An act to amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency, and for other purposes.

H.R. 2922. An act to extend the authority of the Supreme Court Police to protect court officials away from the Supreme Court grounds.

HONORING AMORY HOUGHTON, JR.

(Mr. UPTON asked and was given permission to address the House for 1 minute.)

Mr. UPTON. Mr. Speaker, it is with great pleasure that I rise today to honor Amo Houghton for his 16 years of service on the board of directors of The Faith & Politics Institute.

Amo, my good friend and our former colleague, a tireless advocate for civil rights, is stepping down as cochair of the board of Faith & Politics, just this week. He and our esteemed colleague, Congressman JOHN LEWIS, started the bipartisan Congressional Civil Rights Pilgrimage to Alabama, which in March of next year will celebrate its 14th year. This important trip brings to life the values The Faith & Politics Institute is determined to instill, as it indeed shows the attendees how to "rise above narrow partisanship and respond to the quiet call of conscience."

My wife, Amey, and I traveled to Selma on this pilgrimage, and we feel that it was one of the most moving and humbling experiences of our lives.

Amo was also responsible for organizing a Faith & Politics congressional visit to South Africa, which resulted in a relationship that has lasted for over a decade and is still strong. As said by the great Nelson Mandela:

A good head and a good heart are always a formidable combination.

My friend Amo Houghton is a formidable force.

Although The Faith & Politics Institute will miss his spirit and wisdom that he brought to the board of directors, his legacy and inspiration will always live on, as the Honorable Amory Houghton, Jr.'s status is now elevated to cochair emeritus for life.

OBAMACARE IS A FAILURE

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, does anyone across the fruited plain think that ObamaCare has been a success?

Two of its major objectives were to bring down the costs of health care and increase the accessibility. Well, I ask you: Does anybody know anyone whose premium has decreased? My own 30-year-old daughter's premium went from \$160 to \$270. Indeed, our office is besieged with people whose premiums have skyrocketed.

And then let's talk about accessibility. We hear 5.9 million policies have been canceled. And what do we hear from the Obama folks about the enrollment? 200,000 people or so. Of course, they keep the numbers kind of fuzzy. It is kind of like the unemployment numbers. You can't quite tell what they really are. But the reality is the cancellations are going about 100 miles

an hour and enrollment is going at about a 20-mile-an-hour pace.

ObamaCare has been a failure. We need to defund it. We need to start all over again. We need to have health care that is patient-centered and market-based that does in fact bring down the cost of medicine and make it more affordable and more accessible to the American people.

AN OBAMACARE SUCCESS

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, I would like to respond to the gentleman and say that I walked into the Kiwanis pancake breakfast in Berea, Ohio, the other day and out of a crowd of probably a thousand people, a gentleman said, Congresswoman, Congresswoman, and came up to me and threw his arms around me. He said:

Thank you so much for voting for the Affordable Care Act. I just got a plan 10 times better than I ever had—ten times better. My wife had a \$5,000 deductible and I had a \$5,000 deductible. I am a small business person. I now have a \$1,000 deductible. I have much better coverage. Preventive health care is covered. I cannot believe how much better my plan is than what I had before.

It made me feel so good.

We had breakfast together. The pancakes and sausage were great, by the way.

It made me feel so good because I knew that in his business as a shoemaker and his wife as an alterations person in that same business, they would be protected as they grow older before they go onto Medicare. They have worked so very hard in their lives.

They went to the Web site, and guess what? It worked.

And so across America there are small business people saying thank you to those in Congress who voted for an Affordable Care Act that is working.

PROTECTING VOLUNTEER FIREFIGHTERS AND EMERGENCY RESPONDERS ACT

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I am proud to support volunteer fire and emergency services organizations by cosponsoring a bill introduced today by Pennsylvania Congressman LOU BARLETTA, H.R. 3685, the Protecting Volunteer Firefighters and Emergency Responders Act.

This bill ensures that emergency services volunteers are not counted as full-time employees under the employer mandate in the Affordable Care Act. Because of the nominal fees that at times are given to volunteers and the rate at which the new definition of

“full-time” is calculated, many volunteer companies are concerned about having to provide health coverage for firefighters or face a penalty. The IRS has been asked to rule on this determination, yet Congress has not received a response.

Having served as a firefighter and EMS volunteer since 1983, I know as well as anyone just how crushing this impact would be for these volunteer organizations. Fire department and municipality support for fire and EMS volunteers is important; however, incentives given to these community volunteers do not change the fact that these are volunteers serving their neighbors.

I encourage my colleagues on both sides of the aisle to join in support of the commonsense effort by cosponsoring H.R. 3685.

THE TRAIN WRECK CONTINUES

(Mr. HARRIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARRIS. Mr. Speaker, the gentleman from Georgia was absolutely right; the train wreck of ObamaCare continues.

This week, we have three pieces of news. First of all, people going to the exchanges that were told they qualify for Medicaid really aren't. In fact, they won't find out until months past January 1 that they won't have insurance.

In the State of Maryland, 25,000 people got cancellation notices and 3,700 have signed up so far on the ObamaCare exchange, leaving tens of thousands of Marylanders without insurance on January 1.

As the gentleman from Pennsylvania just mentioned, volunteer firefighters are now given a mandate that their volunteer fire companies have to buy insurance for them because now, under strange definitions, they are considered employed. Mr. Speaker, my volunteer firefighters aren't employees. We are going to drive volunteer fire companies out of business.

This train wreck continues.

Mr. Speaker, Americans deserve better.

A LESSON IN HOW FAR THIS COUNTRY HAS MOVED

The SPEAKER pro tempore (Mr. STEWART). Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, I was grateful to hear from my dear friend—and I do mean dear friend. I think greatly of Ms. KAPTUR. I was glad to hear somebody has gotten a good report on the so-called Affordable Care Act.

We are continuing to hear sad story after sad story of people continuing to

be laid off, people continuing to be cut from full-time to part-time and people being forced onto food stamps because they just can't make it with the loss of income going from full-time to part-time, the loss of their insurance.

And as people have now realized across the country, though we were told there were 30 million without insurance, it looks like by next fall, November of next year, there will probably be many more than that that lost their insurance even though they liked it and wanted to keep it. Because, as we know, if you like your insurance, there is a good chance you won't be able to keep it.

There is a story from December 11, “Four in Ten Would Rather Pay Fine Than Buy Insurance.”

I am sure there are people like me. You take a look at how much the insurance is going to cost, how much it has skyrocketed several times more than what I have been paying if I were going to keep insurance with the deductible now skyrocketing and dramatically increasing under the potential policies, higher than what I have now, and when I look at the costs several times higher than what I have now, and since I am not accepting the subsidy and I am not paying into the attending physician for that care, I will be going without insurance.

It has been amazing to me how many in the liberal media—and I say “media” loosely, because they are really in the business of trying to protect this administration and twist stories any way they can to make anyone who objects to something this administration has done look bad, so I will loosely refer to them as “media”—how they have been aghast that anyone would even consider going without insurance. And it really is a lesson in how far this country has moved, in so many ways.

□ 1645

I know, in the early sixties, there was no such thing as Aid to Dependent Children, that program born out of the best of intentions because deadbeat dads were not a small minority of Americans. Different races, different backgrounds—some even well-off—were just not assisting financially the children they had fathered, and so the government wanted to help.

So, in the mid-sixties, here came the Great Society. We want to help these people—these poor moms—who had to deal with deadbeat dads who wouldn't help. They said, We will help. We will give them a check for every child they can have out of wedlock. As people who study governments and government assistance, it is well documented: when you pay for an activity, you get more of that activity. We went from 6 to 7 percent of children in America being born without a father in the home to now over 40 percent, and it still seems to be heading upwards toward 50 per-

cent. The United States Government in the 1960s, not by what it said but by where it put its money, decided we would be a lot better off with more fatherless homes. Nobody was saying that, and I don't believe anybody intended that result, but it is what they got. In the act of paying people for an activity, you get more of that activity. So we had more children growing up in fatherless homes.

Also, back in those days, health care was so much cheaper. It wasn't at the extraordinary level that it is now. It wasn't nearly as expensive. Even though I was a small child, I didn't know people who had health insurance because, for so long, nobody had health insurance. If you had a problem, you went to the doctor, and they assessed you a charge after your visit, after they saw what the doctor did. He would write something down on your chart. We went to a few different doctors there in my small hometown of Mount Pleasant—a great town. I still love it. There are still great doctors there—but back in those days, people in my hometown in east Texas knew what doctors were charging what for what. I mean, you could actually compare apples and apples when it came to health care. If you found out some doctor said he was going up on his prices and another doctor had not gone up on his prices, then you went to the doctor who was cheaper unless you felt like he wasn't as good, but we had a number of really excellent doctors, and they cared about their patients.

Then, eventually, you heard of somebody having health insurance, and it was true insurance. A small premium was paid either monthly, quarterly, semiannually or annually, but it was a small premium to insure against a catastrophe—a dramatic illness, a car wreck—something that you could not foresee. You paid a small premium to insure against this unforeseen event just in case it happened down the road because, during those days, Americans were very independent. Americans did not want to go on welfare. Most Americans did not want to receive government handouts—they felt like it was a matter of pride—and they certainly did not want an insurance company telling them what doctor they could go to, what hospitals they could go to or which hospitals they couldn't go to, which doctors they couldn't go to, which medicines they could not get if the doctor prescribed them. They didn't want an insurance company telling them, if they needed to go to this doctor because he was an expert on this type of treatment, that you couldn't go there because it wasn't in your plan. What plan? I am the only one who is planning for my life. No insurance company is going to tell me where I can or can't go. I mean, that was the type of independent thought that there was in America.

There were a lot of problems in those days, and I thank God for Martin Luther King, Jr., because, through his actions and his life and his efforts, through peaceful protest—some around him got upset and didn't always abide by peace, but the man proclaimed everything needed to be done in peace because he was an ordained Christian minister, and he knew those were the teachings of Jesus. Because he did what he did, some people say that what he did for America was he allowed African Americans to be treated as equals. I would submit to you, since I was very young, what he did was allow me to grow up and mature in an America in which as a young, white Christian I could treat brothers and sisters like they were brothers and sisters. It didn't have to matter what color anybody's skin was. They could be judged by the content of their character and not by the color of their skin. That was a great thing for America.

As we progressed toward making America a greater place with more liberties, more equality, more freedom, at the same time—really unrelated—there was this effort of let's start giving money from the government to individuals or to individual programs that, though unintended, would make them more dependent upon the government for their lives and their livelihoods. People quit thinking as independently. Oh, well. The government is giving me money, so maybe they would do good to tell me what I can or can't do with a few things. Then, eventually, more and more employers had employees saying, Hey, I know this other company. Their employer is buying health insurance for their employees. That would be helpful because then I wouldn't have to ever worry about having a terrible accident or some cancer or some terrible disease that would bankrupt my family. So more employers started adding health insurance to their benefits. Unfortunately, it created a system in which the employer owned the insurance policy instead of the employee. The employer was paying for it, so the employer owned it.

One of the reforms that many of us were proposing, instead of the catastrophe known as the so-called Affordable Care Act, was that we wanted employees to own their insurance policies. Fine and dandy if an employer wanted to pay for insurance, but the employees should own them so that, if the employees go somewhere else, they are still their policies. They are portable, and they go with them. They still pay the same rates, and they aren't jacked up through a COBRA plan or something like that. Somehow, along the way, we grew more and more dependent on insurance companies to manage our own health care, and at the same time, as things like Medicare were created to help those seniors who needed help, more and more dependence grew upon

the government, itself. The problem with an insurance company or with a government managing someone's health care is that they get to say what you get and what you don't get in the way of treatment.

So it has been quite an evolution to the point at which we are now where your religious beliefs, under the United States Constitution, have been so weakened and so nullified that now the United States Government can pass a law like the so-called Affordable Care Act—it is hard for me to just call it the “Affordable Care Act” because it is so disastrously expensive and unaffordable for so many people, including for me now.

The government could say, You may believe with all of your heart because of your religious conviction that abortion is the murder of a life and being, but we, the government, now control your health care, and you don't have that religious choice anymore. Oh, it may be a matter of conscience. It may be that, without regard for religion, you believe that killing a life and being that could live on its own outside the womb would be murder, but we, the government, now say you have to help pay for that type of murder. Even 20 years ago, nobody would have believed that we would get to the point where the government could order an American to pay for the killing of another, albeit an unborn child.

I guess it really comes home to me because of our first child being born 8 to 10 weeks prematurely and holding her in two hands. I could have held her in one hand, and I kind of did from time to time, but usually, in those early days, I used two just because she was so fragile, and I just did not want to risk someone I loved so much being harmed. The doctor there at the hospital in Shreveport, where our child was taken—she was very fragile—said, Look, talk to your child. She knows your voice. Her eyes don't work very well, but she knows your voice because she could hear your voice when she was in the womb. It is very comforting, and it really gives her a feeling of security to hear your voice. If you just caress her little arm or her little forehead while you talk to her, it is such a comfort. She knows you. She can't see you, and she doesn't know what you look like, but this child has known you from long before she was born, so talk to her and touch her.

I put my finger down by her hand. So many people have had this happen, but when it happens to you, it is so special. This tiny, little hand would wrap around the end of my finger and just hang on and not let go. She wanted to live. She knew me, as the doctor said, before she was ever born. The doctor pointed out later as he came by—as we noticed on the monitors—her breathing was still extremely shallow as her lungs were not quite developed, and her

heart rate was still escalated, but they stabilized as long as she was holding on. He said, She draws security. She draws life. She draws your love. So, in my heart, in my mind, in my soul, I know that child knew me before she was born, and I was a comfort to her. My wife had to stay in the hospital in Tyler for a few days. It was really emotionally difficult, as well as physically, what she had been through.

But now the government would say, Though it may absolutely devastate you and break your heart to know of some young girl who wants an abortion, you are going to have to help pay for it—pay for the abortion.

□ 1700

Even 20 years ago, that would have seemed inconceivable that anybody in the United States, any governmental entity—whether it is executive, legislative or judicial—would say even though they support abortion they are going to make somebody who had religious beliefs fervently against it pay for it. But under ObamaCare, under the so-called Affordable Care Act, that has happened.

Some of us told the President we have solutions; we have sent word to the White House many times we have solutions. We have been told—and we heard the President say it again here recently in the last few days—that they don't have any solutions. I remember him saying those same things back 4 years ago when, obviously, it was spoken out of ignorance. I know he didn't intend to deceive anybody. He apparently did not know that there were people who had great alternatives.

For my part, the bill I proposed, the solution I proposed, would return control of people's health care to themselves. If you like Medicare and you are a senior, great, stay on Medicare; but if you would like a Cadillac policy, not a bronze but a gold-plated, platinum-plated policy, then we will pay for that. Say \$5,000 now might be an appropriate—of course, some of the policies I was looking at, a \$5,000–\$6,000 deductible, policies like that makes them a lot cheaper for seniors—and then give the seniors the cash for the whole deductible so they wouldn't be out a dime.

I proposed that to representatives of the AARP. They were so gracious, came to my office, I explained it: this would be so awesome for seniors because it means they will never have to buy another supplemental policy; they will never have to buy another wrap-around insurance policy. And seniors' money is so tight on Social Security. It is really tight. I know a family that struggled, but they bought the supplemental policy.

Now, won't that be great? I know AARP cares so much about seniors. This would be great. Well, we will have

to look at it, look at it closely, give us some more information and we will look at it. Stupid me, I was just too naive. I didn't know AARP made many more times off selling supplemental insurance than they did off membership dues or anything like that, that it was just a cash cow for AARP to sell supplemental insurance.

So, of course, they couldn't afford to say that a policy that just really was a wonderful thing for seniors—no more out-of-pocket for deductible, co-pay, this just took care of them, and they made their own choices, and they had a debit card to pay for their health care all the way through their deductible amount. How could I expect AARP when they are making hundreds of millions of dollars clear profit off of supplemental policies say, oh, let's forego the supplemental policies for the good of seniors. So, obviously, they didn't.

But we can and do have alternatives for health care reforms that are true reforms that get competition back in health care. How can you have a free market system working in health care if nobody knows what any procedure, anything really costs? If it is medicine, they know their co-pay.

We have got to get back to the point where people know what things cost and they have more direct control. If we get to a place where we are truly helping those who cannot help themselves and we make it advantageous for those to put in a health savings account money so that they can take care of their own deductible if they are under 65, they are not on Medicare and bill to that point, and then it becomes very clear that most people when they start at an early age will have so much money in their health savings account built up that they hadn't spent over the years that they not only will not want the government telling them what kind of health care they can have, they won't need it.

And then for those who are young and chronically ill that will never build up an HSA, those who are actually unable to help themselves, we help them. There is a very small percentage that would be; but under the Affordable Care Act, as it is called, unjustly, the government gets control. As I have said, it is all about the GRE, the government running everything. They get to run your lives because when they can control health care, they can control everything.

They control not only what is in your bedroom—I have heard so many folks on the other side of the aisle say, we don't want the government in the bedroom. Well, I don't either; but now by the bill they passed, ObamaCare basically puts the government in every room in your house. They tell you—well, it is just so invasive.

But if we can get back to the day where insurance companies and the government did not tell people what

they could or couldn't have for their well-being, if we restored the independence to Americans by helping the economy just bring about a new economic renaissance—I have talked to so many people. They are in business and they are so afraid. They are afraid to hire anybody because of ObamaCare. They are afraid because of the EPA or the intrusiveness of the Justice Department, OSHA, all of these governmental agencies that come out of nowhere when you are trying to stay in business and keep your employees paid.

If they didn't have to worry so much about a government that is so invasive, this economy would take off. People would be making so many times more than what they are in so many places. We would end up being energy independent. What we thought we never could be 9 years ago when I first got here, we can be that. We use natural gas that we have got hundreds of years of. Just what we know, for goodness sake. Then we could be not only energy independent; that would mean we were not funding any country's terrorism where some of their energy money goes for terrorism. We would see an economic renaissance; we would see the economy explode, and people would have enough money.

With all the money they would be getting paid, they would be able to say, look, Doctor, I want to know how much you are charging and how much you are charging because you are both very good doctors. But if one of you is charging \$6,000 for an MRI and one of you is charging \$400 for an MRI—and I have been challenged on that and actually I am familiar with what some insurance companies have paid for MRIs over the years, because as an attorney when you help somebody who has been in a car wreck or been injured by the negligence of another, if you have a settlement or you win a court case, then you are required under Texas law to put that money in an escrow account and you cannot distribute it until such time as the medical has been paid. So you had to make sure everybody had been paid.

When they were paid in full, then you checked if there was a health insurance company. Okay, everybody says they have been paid in full; I have got documentation from all the health care providers you have paid them in full under their agreement with you. So now all I need to know is how much you paid for these charges, and then I reimburse you, and then I can disburse what is in escrow.

There were companies that had paid less than \$400 for an MRI, much less. So anyway, our CAT scans, it is amazing how little—and I have seen bills recently \$6,000 being charged for an MRI. Well, they are not getting paid \$6,000. But then, on the other hand, if you come in and say, I need an MRI, but I don't have insurance, then normally

they will cut you a deal. Okay, you are paying cash, we may cut you a deal. Say they had a 50 percent off sale: we will only charge you \$3,000. Well, for heaven's sake, why couldn't you just pay what Blue Cross paid? Why couldn't you pay what Aetna paid?

That is the kind of thing a real reform would get us back to. You don't get a bill for \$6,000 or nobody goes to them anymore. You have to know what is being charged, and we have got to get control back to the individual.

Anyway, when you are looking at how much things cost, I can identify with people in America. We have three daughters; they finished their college. We had set money aside years ago when I was in private practice making more money—actually, in municipal bonds, and when they got in college it was going to more than take care of each year. But after I had a huge cut in pay to go become a State district judge—I felt like it was something of a calling, something to help my community, a way to give back, even though you really put a lid on what you can make financially—we ended up going through that money.

I was determined that my three girls would not have to pay college loans that they wouldn't have had to pay if their father had not gone into public service. This was my contribution to the community, to Texas, to the country. I shouldn't force a contribution onto my children when their college should have been taken care of. So my wife and I are paying the college loans for our children.

So when you start adding up the expenses and you see the amount of the loans and what has to be paid and then you see you have health insurance here that is now skyrocketing, deductible going dramatically up, wow. I know some have written, gee, what if you are in the hospital for a few days and run up \$180,000 or so in health care costs? Well, the answer is easy. If I or my wife ran up \$180,000 in health care costs and I don't have insurance, then I would go to the health care providers—as I have done back in the days when I was an attorney—what kind of deal can we cut here, because I pretty well know what the insurance companies are paying you and I expect to get the same kind of deal or we will go to another hospital that will do this kind of cash deal for us? Maybe you take out a note for \$18,000 and pay everybody off.

I have been surprised, even conservatives in the media have not really been aware of how little health care actually costs. They see a bill, like one in the media that said, hey, my father had heart surgery, he could never have paid that \$150,000 in expenses, but Medicare took care of it. And as I told him, if you think that costs \$150,000, you are not near as smart as I used to think you were. But you negotiate and you work it out and you take out a note and you pay that off.

I know that there are people running around the country saying, oh, no, oh, no, what if you don't have insurance? Well, nobody in America had insurance at all not that long ago. I don't want to go back to those days. We have made so much progress. But why not build to the point where those who can build a health savings account do that?

I am encouraging our leadership: let's don't wait until ObamaCare comes crashing down and the world gets so angry that they demand a repeal and it does get repealed. Let's go ahead and start having hearings now on how good real reform would be, where we have competition, where people get to make their decisions, where people are encouraged to, and do, build a health savings account where they get to decide who they see, that there is no doctor that is out of the plan.

We need to restore liberty to Americans while giving them a safety net, not a trap net from which you can never arise. It ought to be a safety net where you can come out of; but it is more like we are capturing Americans with a net thrown over them and the government now has that net over you and you can never get out from under. We control everything about you.

And now we have added 18,000, or we are in the process of adding 18,000 IRS agents. If you think a proctologist looks closely into your situation, wait until the IRS agents get hold of you.

□ 1715

I mean it should not be that way. We have got to restore freedom in America. This article says, "4 in 10, we would rather pay the fine than buy insurance." People in the media are freaking out, how stupid, how crazy. Well, actually, it doesn't help the survival of ObamaCare or the Affordable Care Act, as it is improperly named.

My staff has given me this. We just had someone else report that here is another constituent whose policy expires July 2014, but they stand to lose \$40,000 if they try to keep it. They can't get definitive information, but they had to make a decision by December 7, and they don't know what to do. And they are sure not getting that help from the Web site.

Here is an article, "Oregon signs up just 44 people for ObamaCare despite spending \$300 million." Well, there was a great investment. Well, probably as good as investing it in Solyndra and all the other solar companies. "Paper Application Missing From Healthcare.gov," another great article, Jeryl Bier from the Weekly Standard. "ObamaCare sign-ups rise, but 800,000 short of their goal." All of these are really harbingers of the complete failure of ObamaCare.

I don't mean anything derogatory by using the term "ObamaCare." I am sure that President Obama didn't mean anything derogatory by calling health

care in Massachusetts "RomneyCare." So just as I am absolutely certain the President never meant—and Democrats never meant—anything offensive by using the term "RomneyCare," we don't mean anything offensive or derogatory by using the term "ObamaCare." The President embraced it one time.

Anyway, it requires looking at more closely the reforms that need to be made. I would rather have insurance. I wasn't crazy about my insurance, but I liked it okay. We had health savings accounts. We have got to work out what do we do with the money we built up in our health savings account. Hopefully, Aetna is not going to screw us over and not let us have the money we built up.

There were certainly some reforms that needed to be made to the health savings account law so that we do have more flexibility. You could put unlimited amounts in there, but once it is in there, it has to be used for health care. You can't pay a penalty and fine and take some out. So that you build some up, you could give some of your HSA out to, say, a Salvation Army HSA.

I know there is not one out there right now, but those kind of things. You could gift some of your HSA to your children without tax implications. You have money in your HSA when you pass away, then you could leave it to your heirs or to a charity HSA. I mean, there are all kinds of great things that we could do if we passed proper laws to make this work better.

But the goal would ultimately be to have health care affordable. The President and so many keep saying, you know, interchangeably, health care and health insurance. They are not the same thing. You can get health care without having any health insurance. I know that because I have waited hours behind people in the emergency room with children or with family, seniors. I have known that people ahead of us, that didn't have any money, didn't have any insurance, they got health care just like I did, at the emergency room. That was when I had insurance and my in-laws had insurance, Medicare, but everybody was getting the same kind of care.

So health insurance and health care for my liberal friends in the media, Mr. Speaker, they are not the same thing. They are not the same thing at all.

SYRIA

Mr. GOHMERT. Mr. Speaker, I also want to comment before we're done here today about what is going on in Syria, because there is so much false information going on. There are many really fine people, including friends in the Senate who are smart people but are just actually ignorant of the facts on the ground there.

This administration had decided that we should support the Syrian rebels.

There are indications that this administration, because Congress has not specifically appropriated in so long, the administration figuratively has got sacks of money and so they decided, Oh, we will support the rebels in Syria.

Now, 2 to 3 years ago, it might well have been Syrians who were not radical Islamists, who wanted freedom, but this government didn't step in until the rebels were infused with and really governed by more radical Islamists.

The stories that are going on in Syria, just like others in the Middle East, the horrors of what the Muslim Brotherhood, the radical Islamists were doing in Egypt, especially after Morsi got arrested—this administration blamed the military when actually, as the Egyptian pope told me, this was not a coup. This was the Egyptian people rising up, wanting to be free of radical Islamists leading.

These were moderate Muslims, secularists, Christians, hand in hand, arm in arm, protesting, demanding Morsi be forced out by the military. It was an uprising of greater numbers than participated in the American Revolution. The Egyptians rose up in greater numbers than they ever have in the world. They were seeking both moderate Muslims, Christians, Jews, secularists, other religions. They were just wanting not to be ruled by radical Islam.

Instead, this administration and some Senators, including from my party, felt like we ought to be helping the rebels that were just really infused and overtaken by radical Islamists.

As moderate Muslims told a few of us in Congress back in September: What do you guys not understand? I mean, it was the Muslim Brotherhood that really was behind the attack on 9/11/2001. It was technically the Taliban, but basically it is Muslim Brotherhood you were at war with in Afghanistan. It is Muslim Brotherhood that you have now helped in Libya, helped in Egypt, now helping in Syria. What do you not understand? These are the guys that have been at war with you. We are moderate Muslims. We don't want them taking over things.

For some reason, it sure seems to be because of the advice this administration is getting from people that Egyptian media had indicated were Muslim brothers at the highest levels of advice that this administration gets. But as a result, this administration thinks we need to keep helping these radical Islamist-infused rebels that are absolute terrorists. They are doing the most unthinkable, unimaginable acts to Christians, especially Christians. And as a report in Britain has indicated recently, Christians are the most persecuted group in the world right now. This administration is choosing to help the people over and over, help the people, help the groups that are most radically brutalizing Christians.

Here is an article from The New York Times, "Brutality of Syrian Rebels, Posing Dilemma in West." It talks about just the horror and the disgusting nature of the killings that were going on against unarmed civilians, and yet we are supporting the rebels?

Here is one, "Media urge Syrian rebels to stop kidnappings." Hmm, well, fortunately that was written a long time ago.

Here is one, "2 Bishops, Priest, 12 Nuns Still Missing After Being Kidnapped By Syrian Rebels," by Lee Keath of the AP. It talks about the horrible nature of those kidnappings.

I had the honor of having a visit today by Mother Agnes.

Some in the left-wing media who were so overwhelmed with trying to protect this administration, they don't want to look facts in the face. They want to try to destroy the reputation of anyone with whom they disagree. They have taken Voltaire's attributed line, "I disagree with what you say, but will defend to the death your right to say that," and kind of disintegrated it into "I disagree with what you say, and I want to destroy you for doing so."

I have read a number of terrible things about Mother Agnes in the last couple of days, but I met with her. Some had written that she is just the basic primary defender of the Assad regime. She told me she is not defending Assad; he is a bad man. But, as she said with a little twinkle in her eye, the media is getting out in the open everything that seems to be done wrong by the Assad regime. Anything brutal, anything inappropriate the media is getting that out there. I am just trying to get the full story out.

Yes, Assad is not a good man, but the people that are trying to take over now are worse. She knew these nuns who had been kidnapped. She knew these people who had been persecuted and brutalized. She knew of people personally of having unthinkable acts done to them by these Syrian rebels that this administration has been choosing to help.

Well, we get finally to a story that says that the administration was going to cut off—I thought I had it here—but a story about the administration would suspend assistance to the rebels because of the horrors and the brutality of what they were doing. That is nice, but these stories have been coming out for years, for at least a couple of years. Stories even here from The New York Times, "Brutality of Syrian Rebels Posing Dilemma in West," that story was September 5. And around those same times there were stories about this administration sending hundreds of tons of weapons to these people who were brutalizing Christians.

How long does it take? I realize there are all kinds of things that demand people's time when you are a leader of

a great Nation like the United States. You have to stop and do a selfie from time to time. There are all kinds of things that disrupt your time. But at some point, somebody should have gotten information and said, Look, you know, you want to help the radicalist Islamist rebels in Syria. Really, some of the brutality on Christians has really gotten kind of rough even for us. Maybe we ought to suspend that. That should have gone on months ago. And yet this administration was determined to help.

"Syrian Rebels Attack Christian Village, Behead Priest," Katie Pavlich. Whew, man.

□ 1730

Rebels have attacked a Christian village in the war-torn country of Syria, beheading priests, brutally killing others. Not surprisingly, the rebels have ties to al Qaeda.

This is from townhall.com:

The rebels launched the assault on the ancient Christian village of Maaloula—which is on a UNESCO list of tentative World Heritage sites. The village, about 40 miles, 60 kilometers, northeast of Damascus, is home to about 2,000 residents, some of whom still speak a version of Aramaic, the ancient language of biblical times believed to have been spoken by Jesus.

Heavy clashes between President Bashar Assad's troops and Nusra Front fighters persisted in surrounding mountains Thursday, according to the Observatory, which collects information from a network of anti-regime activists.

Speaking by phone from a convent in the village, a nun told The Associated Press that the rebels left a mountaintop hotel Thursday after capturing it a day earlier. The nun said the frightened residents expect the Islamic militants to return to the Safir hotel and resume shelling of the community.

"It's their home now," the nun said.

Al Qaeda-led rebel force groups have also reportedly vowed to continue their attacks on Christians as soon as the United States "liberates" the country from its President Bashir al-Assad.

Yesterday, Republican Senator John McCain inserted an amendment into a resolution approving military force in Syria with a goal of shifting the power on the battlefield from the Assad regime and to rebel forces.

On September 4, 2013, JOHN MCCAIN said:

My amendment calling for changing momentum on the battlefield in Syria passed SFRC by voice vote, a significant measure.

Meanwhile in Egypt, Coptic Christians continue to be slaughtered and nearly 100 churches have been burned to the ground.

President Obama and Secretary of State John Kerry haven't commented on the brutality against Christians in Syria and have done very little to protect Christians living in Egypt from violence being waged by the Muslim Brotherhood.

An objective look at what happened in Egypt is very clear. After the masses, the millions of Egyptians rose up and said, Enough. President Morsi has been usurping powers that don't belong to him under our Constitution. And under the Egyptian Constitution, there is no power of impeachment. So

we demand that the military remove this unconstitutionally acting leader so that we can set up new elections.

I am urging the people in Egypt to go ahead and get those elections done so you get back to having a more democratic process, having a more republican form of government. I don't mean republican like the Republican Party. I am talking about Republic as Ben Franklin when the lady asked what have you given us, and he said, "A Republic, Madam, if you can keep it."

It was clear that Morsi was not going to allow the Egyptian people to keep their republic. The people rose up and demanded that they be able to keep their republic by having the military remove Morsi. They did remove him. I still can't find anyone in the media that is reporting what General al-Sisi said to me in the presence of our acting U.S. Ambassador to Egypt, in the presence of Democrat and Republican Members of Congress that, yes, they had evidence that Morsi was trying to contract to have General al-Sisi murdered before he was arrested.

Yet this administration, not only was very supportive of Muslim Brother Morsi, but when he was removed, they threatened to cut off aid if they didn't get him back. And after they refused to get him back, then this President cuts off all aid to Egypt. It is amazing because, as this article points out, it was not until Morsi was arrested that the Muslim Brotherhood started staging these violent acts—burning churches, killing Christians. They were persecuting anyone who disagreed with them. The military did a very good thing. They cracked down on the Muslim Brotherhood, they stopped the burning of churches, they stopped the killing of Christians. As the Egyptian Pope has told me:

They did a good thing. We are not threatened like we were before they stopped it all. Please, tell your government that the military has stopped the burning of churches and killing of people. It is a good thing.

How did this administration respond to the Egyptian people ensuring that the burning of churches and the killing of Christians stopped? It rewarded those noble efforts by cutting off aid.

As we keep hearing from allies in the Middle East, Muslim, other religious beliefs, you guys keep helping the wrong people. How can you not understand you are helping the people that hate you. Now they are cutting a deal with Iran, led by Wendy Sherman, who was the policy director for North Korea when President Clinton and Madeleine Albright made that atrocious deal to give them nuclear power plants, nuclear help, and in return all they had to do was promise not to develop nuclear weapons, which they readily did. In return, the Clinton administration agreed not to inspect their nuclear facilities for what amounted to about 5 years. It gave them plenty of time to develop nukes.

If someone is evil enough to behead, to brutalize, to persecute innocent people, to somehow think it is a noble thing to terrorize and kill innocent people, how do you not understand that they are also capable of lying, as well? You want to trust people that want to kill you and have said so many times? I think it is time we wake up. The world is less safe because of some of the actions that we have taken. We need to be wise about what we do because just as Jesus said, To whom much is given, of him much will be required.

We have been given much. We have been blessed more than any nation in the world. We have more freedoms. We have more assets. We have been blessed more than any nation in history. Much is required, and part of that requirement is that we use wisdom and discernment in choosing those whom we wish to help; and we should not be helping people who choose to kill or brutalize, persecute people because of their religious beliefs, because of their tribe, because of their skin color, because of their national origin. That is un-American, and it is time we stopped helping people who are acting in ways contrary to what we hold dear.

Mr. Speaker, I yield back the balance of my time.

THE DECLINE IN U.S. RESEARCH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentlewoman from California (Ms. SPEIER) is recognized for 60 minutes as the designee of the minority leader.

Ms. SPEIER. Mr. Speaker, tonight we are going to discuss the National Institutes of Health.

In many respects, the National Institutes of Health is the goose that keeps laying the golden eggs, the golden eggs that help cure many of the maladies that many Americans suffer from, the goose that lays the golden eggs that create jobs, the goose that lays the golden eggs that help us bring down the cost of health care. But we are at the brink, we are at the tipping point of killing the goose that lays the golden eggs.

Let's put it in perspective. Not so long ago, then-President George Bush was part of a bipartisan effort to double the funding for the National Institutes of Health. It was \$21 billion. Doubling of the resources for the NIH was extraordinary and received with great fanfare and appreciation because there was so much that the researchers were ready to do with that money.

What have we done since then? Since then, in 2003 dollars, we have seen a gross decline in the money to fund the National Institutes of Health. Now it is down to the equivalent of \$17 billion. So for the next hour, we are going to talk about what that means to every

American who is suffering from a cancer, for every American that is suffering with a chronic disease like diabetes, for every American who is suffering from Alzheimer's and whose family is trying to cope with it.

Former Republican Senator and Majority Leader Bill Frist recently wrote:

When Alzheimer's is cured, when HIV is cured, when MS is cured, I want it to be America that discovers the breakthroughs and shares it with the world.

I agree with Dr. Frist. I want to see that happen too. I would like to think that every Member in this House wants to see that too, but it is not going to happen if we keep starving the goose that lays the golden eggs.

Let me read you another quote:

Whenever you hear about a research breakthrough in anything to do with cancer, diabetes, heart disease, HIV/AIDS, influenza, whatever, in the United States, it's extremely likely that NIH supported that effort.

That was Dr. Francis Collins, head of the National Institutes of Health who made that statement. He also doesn't mince words. Recently, in response to sequester cuts to the NIH budget, he said:

I think we'll no longer be the world leader in the production of science, technology, and innovation. You can't look at the curves and say, Oh, well, it'll be fine, if we stay on this track. It will not be. China is coming up so fast, they are so convinced that this is their pathway towards world leadership; they're not going to slow down.

He recently recounted a trip that he took to China in 2011 where he was taken on a tour of a former shoe factory. You need to know a little bit about the history of Dr. Francis Collins. He is called the "father of the human genome project." He and a number of other scientists are responsible for absolutely unlocking DNA sequencing. So he was invited to China to see what they were doing.

He was taken to this old shoe factory, except it is not a shoe factory anymore. Inside that factory were 3,000 scientists who were focused on sequencing the human genome and the medical and economic potential of this technology. In fact, the capacity at that one factory is more than all of the genome sequencing centers in the United States.

Dr. Collins said to me with great sadness, Within 3 to 5 years, China will eclipse us.

Mind you, we have invested billions and billions of dollars in unlocking the human genome with the intent of seeing great strides made; but we are on the verge, we are at the tipping point of seeing this all come to a screeching halt if we continue to ignore the fact that we are starving the NIH.

Here is an interesting chart. This shows how much R&D spending is going on around the world. China from 2012 to 2013 had an increase of 15 percent.

□ 1745

Germany, up 5 percent, Japan up 5 percent, South Korea up 5 percent, Canada down 3 percent, the United States down 5 percent.

This says it all. If we don't want to see the outsourcing of medicine in this country, the outsourcing of science in this country, we have got a huge wake-up call that we must listen to.

I am joined this evening by my good friend from San Diego, SCOTT PETERS, who I want to engage with him and have him speak a little bit to this issue as well. I yield to the gentleman from California (Mr. PETERS).

Mr. PETERS of California. Thank you, Ms. SPEIER. I would like to thank you, my colleague from California, for organizing this discussion and for your continued efforts to end the assault on NIH funding.

Mr. Speaker, for decades, our country has been at the forefront of scientific discovery. We have had the friendliest atmosphere for scientists to do their work, for innovators to start their new ventures, and for universities to invest in research laboratories.

We are in danger of losing that competitive advantage, and the across-the-board sequester cuts, which I adamantly opposed during my time here, is only amplifying the decline.

Now, instead of supporting and promoting our country's robust backing for scientific and health research, we are undercutting it through congressional gridlock and government shutdowns.

This inability to find bipartisan agreement has undoubtedly harmed our national reputation and limits our ability to bring the best and brightest here from around the world.

Earlier this year, I toured the National Institutes of Health in Bethesda to visit some of their labs, to meet with patients and hear from its director, Dr. Francis Collins, about the work that NIH does and how the sequester has affected them.

Dr. Collins, as Ms. SPEIER said, has been a constant voice against the sequester and has vocalized the impact it has had on the ability of NIH to invest in necessary research and grants. Just this year, more than 700 grants were cut and the agency was forced to pare down its operations by \$1.5 billion.

Dr. Collins told Sam Stein of the Huffington Post on the 10-year outlook, should sequester not end, and I quote, I think we may have just heard this quote:

I think we will no longer be the world leader in the production of science, technology, and innovation.

As the largest funder of biomedical research in the world, the NIH is not only a significant driver of research and innovation, leading to improvements in quality of life and better patient care, but it also drives job creation in related fields.

In 2011, more than 400,000 jobs and \$62 billion of economic activity came from NIH research funding. And on a health level, advances from NIH research can have enormous economic benefit for the global economy.

A 1 percent reduction in cancer deaths has \$500 billion in economic value. Imagine what the power would be of delaying the onset of chronic diseases or finding cures to various types of cancer.

Importantly, NIH is also a significant funder of research universities across the country through its competitive grants. According to NIH documents, more than 80 percent of their budget is awarded to our country's universities and institutes, including \$884 million in grants to San Diego institutions just in 2012.

In the last fiscal year, institutions in my district received more than 1,300 NIH grants. UC San Diego received almost \$400 million through 802 grants in 2012 alone, supporting thousands of jobs in the San Diego region, and advancing our local innovation economy.

San Diego, depending on how you calculate it, is either the second or third largest life science cluster in the country. These companies and research institutions make up approximately one-third of San Diego's regional economy, generating more than 200,000 jobs.

Nationwide, life sciences' companies support more than 7 million jobs, adding \$69 billion in activity to our national economy.

Locally, Amplex Pharmaceuticals received more than \$1.5 million in NIH grants to research and develop new drugs to fight functional infections, and Digital Proteomics received a grant to research antibodies that target specific antigens, leading to better treatments for numerous diseases.

Other examples are the La Jolla Institute for Allergy and Immunology, where they are researching breakthrough vaccines to some of the world's most damaging immune diseases, including type 1 diabetes and various types of cancer, and the Veterans Medical Research Foundation, where studies on PTSD and brain imaging are underway to better understand the impact of violence and conflict on the body and brain. These institutions have received numerous grants this year, totaling more than \$30 million.

As the last local example, in 2011, the Sanford-Burnham Medical Research Institute received more than \$70 million in NIH funding as part of its research in metabolic rates and obesity. And Scripps Research, also in San Diego, was awarded more than \$200 million, part of which went to their research on determining the structure of H1N1, also known as the swine flu.

Mr. Speaker, there are countless examples across San Diego and the country like the ones I just named where researchers are doing groundbreaking

research that has the potential to improve and extend lives. That is good for our economy, for the American people, and for the health of people across the world.

Clearly, not all scientific research can or should be funded by the Federal Government or NIH. I wouldn't advocate that, nor my colleagues, but I can't stand for continuing down the path of sequester, where we cut support for the hardworking scientists and researchers who have brought the United States to the front of the pack.

Later this week, I will be introducing a bill to extend the research and development tax credit and lower the barrier to collaborative research by encouraging collaboration and consortia. That is just one piece of a larger discussion we have to have as we look to reform the Tax Code so we incentivize innovators, entrepreneurs, and researchers to start their endeavors here in the United States.

Sam Stein also reported in the Huffington Post in August that nearly 20 percent of scientists were contemplating moving their operations overseas in part due to the sequester.

Other countries, China, Brazil, Germany, South Korea, Japan, Israel, they are making investments in science and in research and development that will threaten to leave us in the dust. Brain drain will be a reality if we do not act quickly, a phenomena that would affect many communities across the country in a very negative way, including my own.

On first read, the budget deal proposed last night by Senator MURRAY and Congressman RYAN, if it passes Congress later this week, would allow the NIH more flexibility. It would potentially bring back some funding to NIH and NSF over the next 2 years.

But let's be clear. Scientists, universities, and institutions are still looking at unstable long-term budgets where sequester looms over their head. And as lawmakers, we can't rest on this foolish sequester cut until these cuts are fully reversed.

Again, I want to thank Ms. SPEIER for organizing this Special Order. NIH funding and our Nation's overall support for basic scientific research funding and the innovation economy are central to the economic future of San Diego, of California, and of the entire country.

So I appreciate the opportunity to speak about ending the sequester, about promoting and increasing funding for basic scientific research, especially at NIH, and to a continued discussion here in Congress.

Ms. SPEIER. I thank the gentleman from California for his articulation of what profound impacts it has certainly to the economy of California, but also to the country. And the point he made about having some kind of continuity and some certainty is critical to the future of science in this country.

All we have to do is look back to what then-President George Bush did when he and a bipartisan group of Members of Congress supported doubling the budget for the NIH. That was a plan conceived of where it was going to take place over 5 years. So there was continuity and there was a sense of certainty that funding would be there for the near and the long term.

So what does a moderate investment in NIH have as a catalyst, so to speak, for economic growth?

Well, it is similar to what happened when the government invested in the Internet and spurred dramatic growth in the previous decades. Where would we be today if the government had not funded the research that created the Internet?

Before "google" became a verb and we actually had to write and mail letters to our friends and families and call the doctor to find out about medical symptoms, before there was the Internet, there was, in fact, the U.S. Government standing behind sound science and research. So let's talk about what the NIH-funded research has meant for our economy and for our lives.

The U.S. medical innovation sector employs 1 million Americans, generates \$84 billion in salaries annually, and exports \$90 billion in goods and services. The economic value of gains in the U.S. life expectancy has been estimated at roughly \$95 trillion from 1970 to 2000.

Now, that is looking at it from dollars and cents. But think about it in terms of people's lives, extending their lives. That is what is truly significant about this.

Now, since 1990, our Nation has gained about 1 year of longevity every 6 years with the help of NIH research. Medical research, the most advanced of which is often done here in the U.S., has saved millions of lives over the last few decades. Death rates for heart disease have dropped 65 percent over the last 60 years. That is a phenomenal number. Deaths from heart disease have dropped 65 percent over the last 60 years, in part, in a great part, due to NIH funding.

The stent that we use so commonly now with heart disease, discovered, created at NIH. Death rates from cancer down 12 percent, and death rates from strokes down 34 percent, all because of medical research going on right here in the United States, spurred by the help of NIH funding.

I yield to my colleague from California, ERIC SWALWELL, to speak about issues from his perspective.

Mr. SWALWELL of California. Thank you. And I do wish to thank Ms. SPEIER, my neighbor across the San Mateo Bridge, for hosting this Special Order hour on NIH funding.

This is not the first time I have had the opportunity to work with Ms. SPEIER on these issues. In fact, in my

short year in Congress, Ms. SPEIER has hosted a number of different roundtables, informal and formal, on the importance of NIH funding, and it is appropriate for her district, having the birthplace of the United States' biotechnology research.

But it is also important that we want the biotech research to stay in the South San Francisco area, to stay in the East Bay area. And the folks in the district who are making advances that will hopefully bend the health care cost curves are counting on the United States Congress to keep NIH funding from being cut. And actually, it is my hope that we can increase it.

The cuts to the NIH mean that there are fewer opportunities right now for biomedical research in the United States. It means that the decline in funding is meaning that there are more promising paths outside the United States for the promising minds who are putting their careers into this research.

Faculty at top universities across the country are reporting cutting labor spending by 7 percent and operating with skeleton staffs, severely limiting job opportunities for any researcher that would want to go into this field. Over 50 percent of university scientists surveyed by the American Society for Biochemistry and Molecular Biology said that they had a colleague who had lost their job or expects to soon because of sequester cuts to NIH funding.

Also, in the United States, while we have been cutting funding, even before the sequester, other countries are increasing and expanding up their biomedical engineering sectors. A study this year found that nearly 20 percent of scientists are considering moving their careers abroad.

I have worked in my first year in Congress to support the NIH, signing on to a letter circulated by Representative ROYBAL-ALLARD from southern California supporting the NIH behavioral and social science research.

I also signed on to a letter supported by Representatives JAN SCHAKOWSKY and BILL YOUNG supporting research at NIH, including through the BRAIN Initiative and, finally, signed on to a letter to the Appropriations Committee asking for support for funding of NIH.

This afternoon, I distributed a letter to my colleagues in the bipartisan United Solutions Caucus, a freshman group of 30 Republican and Democratic freshmen Members, and we are asking them to support this new compromise budget, not because it does what we want, because I would like to see NIH funding go up, but because it will roll back some of the sequester cuts and restore some of the funding at NIH.

□ 1800

In my district, Ms. SPEIER's district, and across California, scientists are counting on us to restore the NIH fund-

ing, to actually increase it with the long-term goal of using NIH funding—the technology and the research that we can put in to bend the health care cost curves. If we don't do that, we are going to continue to see the discretionary spending in the United States continue to contract, and nondiscretionary spending for Medicare costs and Medicaid costs will continue to rise and balloon unless we get a hold by putting funding and research dollars into what can control these diseases and ailments that people in our districts are suffering from. And that only happens by putting research dollars into NIH.

So, again, I want to thank the gentletelady across the San Mateo bridge for her leadership on this issue.

Ms. SPEIER. I thank the gentleman from California. And I thank him for recognizing so early in his career here in Congress the critical need we have not only to support NIH but also the biotechnology companies that are part and parcel of what California has become.

I am now joined by my distinguished colleague from California as well, from the San Diego area, SUSAN DAVIS, who has much more to tell us from her perspective and from her neck of the woods.

Mrs. DAVIS of California. I thank Congresswoman SPEIER for having this Special Order today because the focus on NIH—you know, for so many families, it actually comes down to care for their loved one. That is what they know can happen as a result of proper granting at appropriate levels for the NIH. Simply put, it is really vital to the Nation's health. Without NIH funding, we will not see the breakthroughs that we have seen in the past. NIH funding has led to cures. It has led to treatments and preventions for truly some of the most horrific diseases of our day afflicting everyone.

You know, diseases don't pick and choose between infants and seniors, lower, middle and, we might say, upper class. They don't distinguish. It is kind of equal opportunity for all, and that is why they have to be targeted.

I have been a consistent coleader of the annual NIH appropriations letter, requesting that the House appropriate full funding for the NIH, and the return to full funding is absolutely essential.

NIH is unique in its function. We know that we have an active private sector in our country. That is wonderful. And we certainly see that in my community of San Diego, and my colleague Congressman PETERS talked about this earlier.

But the private sector simply does not have the ability to replace public investment in the NIH. They don't have it. That kind of basic research in science has to come from the United States Government. That is where it has always come from. It has come

from there when we even look at the advancements that we have had in technology. And it certainly makes a difference when we think about what we are doing and what our friends, our allies around the world, and even some who are not allies, are doing in this area. So we have got to be competitive. It doesn't make any sense not to be.

We know that the NIH conducts and funds research that is just too expensive—too expensive and too risky for private industry to undertake a loan; and it has led us to major advancements in the understanding of diseases like Alzheimer's, cancer, and Parkinson's.

The research coming out of and the grants coming from NIH are a huge driver of our biotechnology industry; and that, in turn, contributes heavily to our economy. Particularly in San Diego, we see that every single day because that is where the hundreds of jobs, good-paying jobs that allow people to really reach their potential and be purposeful about their work, that is where that comes from.

NIH funding keeps researchers and graduate students employed doing what they do best, investigating answers to our most complex medical mysteries: cancer, premature birth, heart disease, and so on. I have had these young scientists in my office talking about the fact that they may not stay with the field, a field that they love, because they can't get the grants. As we cut back, only the most experienced scientists get those grants, and they are good. But our young people may be even better, but we have got to give them a chance. We have got to give them a chance to move forward and do that.

More than 80 percent of the NIH budget goes to over 300,000 research personnel at more than 2,500 universities and research institutions throughout the United States. So that is affecting a lot more than California. It is affecting our colleagues around the country, and maybe they don't even realize what an impact that has.

In San Diego, we are fortunate. We have got a lot of researchers, a lot of scientists working hard; and they received \$1.13 billion in NIH funding in 2012. It has sparked major breakthroughs, brings jobs to the region, and creates potential breakthroughs for millions around the country.

So we are doing our part; but, tragically, the sequestration requires NIH to cut 5 percent, or \$1.55 billion, of its fiscal year 2013 budget. NIH must apply the cut evenly across the board, the way things are today. That is why we have to change that. I hope we will be able to do that. NIH must apply the cut evenly across all programs, projects, and activities which are primarily NIH institutes and centers. This means that every area of medical research will be affected by that. Every area. Not just

the few that maybe we think don't need the help, but every area. This is an irrational, backwards-thinking policy that will harm millions of Americans—current patients and future ones—and cost us millions in economic output.

As a result of the sequester and the slashing of NIH funding, already approximately 640 fewer competitive research project grants will be issued from what we have already done; approximately 750 fewer new patients admitted to the NIH Clinical Center; no increase in stipends for National Research Service Award recipients in 2013; and a delay in medical progress.

You know, these medical breakthroughs that we have that benefit many of our patients, many of our constituents—and I know I have friends who have been the beneficiaries of some of those breakthroughs—they just don't happen overnight. In almost all instances, those discoveries result from years of incremental research to understand how diseases start and progress. Even after the cause and the potential drug target of disease is discovered, it takes an average of 13 years and \$1 billion to develop a treatment for that target.

And what is difficult is that we know that a lot of people are waiting for some of those clinical trials because you have to be careful how that is done, and that takes time. It takes enough patience, enough people willing to take that risk so that we can see what happens over time. That is so important. And when we start breaking this up, the whole process doesn't work.

Cuts to research are delaying progress in medical breakthroughs, including development of better cancer drugs that zero in on a tumor with fewer side effects; research on a universal flu vaccine that could fight every strain of influenza without even needing a yearly shot; and the prevention of debilitating chronic conditions that are costly to society and delay development of more effective treatments for common and rare diseases affecting millions of Americans.

And, as I mentioned earlier, we lose the promising, accomplished scientists and researchers who are leaving the industry because of the loss or inability to get grants.

We see that faculty at top universities across the country are reporting cutting labor spending by 7 percent and operating with skeleton staffs, severely limiting job opportunities for new researchers. Over 50 percent of scientists surveyed by the American Society for Biochemistry and Molecular Biology said they had a colleague who has lost his job or expects to soon. Some of the scientists are not coming back. They are going elsewhere. They are going to those areas where we are competing because they can take a more stable posi-

tion outside of the research sector here in the United States.

Do we want that? I don't think so. Quite simply, we are inflicting decades of damage with the sequester policy that we have, and I hope that that is going to change. It is not rational to do that. It is cruel. It is backwards. It is insanity.

Let's join together and undo—what we can agree on in a bipartisan basis—a foolish policy with an untold number of victims from every State and every city and town in this country. Let us work together to restore NIH funding immediately.

I thank my colleague.

Ms. SPEIER. Would the gentlelady entertain a question?

You were here when then-President Bush worked in a bipartisan fashion with the House and the Senate, the Republicans and the Democrats, to double the funding for NIH; and all we have seen since then is just an absolute cliff decline in funding.

What happened then that isn't happening now? How can we reinstate that kind of bipartisan sentiment?

Mrs. DAVIS of California. Well, I think we saw the leadership coming from President Bush at that time. And because we also had—those of us here on this side of the aisle, I think, in support, it was a bipartisan effort. We saw that leadership coming from the top; and that is what made a difference, because it was written into the budget.

Now, I must say, we weren't able to sustain some of that because of a number of reasons. And we were fighting two wars and then had a number of other issues that we needed to look at. But the reality is that that was maybe unique in some ways because it really came from leadership at the top. It was here, on our side of the House, and the House was supportive. The Senate was supportive, and the President was supportive. So it was really altogether. We don't see that leadership right now from the other side of the aisle.

Ms. SPEIER. Well, I thank the gentlelady for her passionate and clear-minded commentary on how critical this is for the entire country and to all the lives that are at risk, should we not fund NIH at a level that is going to come up with the next cure, the next blockbuster drug that is going to save lives and create longevity for so many Americans.

Mrs. DAVIS of California. I thank my colleague.

Ms. SPEIER. We are joined by the Congressman from northern California, my colleague for many years, Congressman JOHN GARAMENDI, who is no stranger to this floor for Special Orders, I might add.

Mr. GARAMENDI. Representative SPEIER, thank you so very much. It is good to be on the floor. I noticed thus far it has been Californians, but this is far more than California. I see Chicago,

Illinois, just arrived, and we will pick up on that.

This is an issue that touches every single American. It is not a California issue. I represent northern California, not far from the Bay Area. The University of California/Davis campus is in my area. There are major, major programs in research, not just with the National Institutes of Health and the health issues that we are talking about here, but agriculture, energy research, and on and on.

It turns out that that powerful engine of research is found in every part of America. So listen out there, those of you that are watching. This is not just a California issue. This is an American issue, and it is an international issue because this particular National Institutes of Health is dealing with the health of this entire world. Every person in the world is, in one way or another, affected by the research done by the National Institutes of Health, the funding that they, then, provide to the 250 universities all around this Nation to deal with illnesses, to deal with the human body and beyond.

For example, Davis, which was originally known as an agricultural research institution and continues to do that, has discovered that, interestingly enough, with the mad cow issue, there is a virus that can be identified specifically with that illness so that for the cattle industry, if some cow goes a little weird, you can find out whether it has mad cow disease or it is just weird. And the very same thing applies to the human body. So this virus can be identified both in a cow—is it mad or not? Well, it may just be angry but not crazed—and in a human.

Dealing with a very, very serious human issue and also a serious economic issue for those of us in the cattle business. This is a big thing. And what has happened—I love charts.

Ms. SPEIER. As do I.

Mr. GARAMENDI. I noticed, Representative SPEIER, that you love charts too. So I borrowed this. I think you used it earlier today. This is instructive.

You were just talking with the Representative, our friend from San Diego, about the enormous increase that took place for the National Institutes of Health during the George W. Bush conservative period of time. It is right there, \$21 billion; and then over the years, it began to lose a little bit of its, I guess, interest. And then, as we went into the late years of the George Bush administration, it dropped down there. And then, of course, the great crash. A little bump here, which I think is the stimulus bill, pushing more money into research at the National Institutes of Health. And then we have seen, beginning in 2010, what has got to be one of the stupidest policies this Nation has engaged in.

□ 1815

It happened to be in 2011, when the House changed from Democratic control to Republican control. We have seen a very steep decline—a \$1.5 billion reduction and annual decline in the National Institutes of Health.

This same decline in the last 3 years is what is the result of the austerity budgets that have been imposed upon us by the Republicans trying to solve the national deficit by cutting Federal expenditures. The entire European community has come to the conclusion that doesn't work. Austerity budgeting does not increase economic growth. It has caused stagnation. Certainly, in Europe we are beginning to see, I think, a large part of the slow growth in the United States caused by austerity budgets.

But specifically to the health care of Americans—our health, our well-being—this is really serious. This means people are going to have additional illnesses. You spoke earlier about some of those, like diabetes. Diabetic research funding is cut through the National Institutes of Health.

This one I really find frightening. I find this frightening because this is very personal. My mother-in-law spent the last 2 years of her life with a very, very serious case of Alzheimer's disease. She died in a hospice program in our home. We, I suppose, were a very small part of this because we took care of her. But right now we are spending \$200 billion a year dealing with Alzheimer's.

We know that the population is going to increase and the elderly population is going to skyrocket as the baby boomers move into their later years. By 2050, it will be \$1.2 trillion for Alzheimer's.

Is there anybody in America, any family in America, that is not concerned about Alzheimer's? I don't know who they are. I know my family is concerned about it. Every family that I know—and I know many because I have been in public life for a long time and met perhaps thousands, or hundreds of thousands, of people—and every single one of them is concerned about Alzheimer's.

This is the financial side of it. The human side of it, I can tell you, is serious. I can tell you the effect it has.

Ms. SPEIER. Will the gentleman yield?

Mr. GARAMENDI. I would.

Ms. SPEIER. To your point, this \$1.2 trillion in the year 2050 is coming from all the taxpayers in this country. Because these are Medicare patients. These are Medicaid patients. What would be really stunning is to understand that if we were able to delay the onset or progression of Alzheimer's by 6 years, it could produce an annual savings of \$51 billion in 2015, \$126 billion in 2025, and a whopping \$444 billion—almost half a trillion dollars—in the year

2050, when that cost is going to skyrocket to \$1.2 trillion.

Mr. GARAMENDI. I am so glad you interrupted because that is an extremely important fact.

Let's go back and look at that. In 2015, the savings are how much?

Ms. SPEIER. They are \$51 billion.

Mr. GARAMENDI. They are \$51 billion. We are going through this budget exercise where, by the way, the sequestration cut continues, although the across-the-board is eliminated. Half of the sequestration cut will continue because of this budget, but we will be able to try to balance out the prioritization.

But the total savings in 2015 is less than the \$50 billion that you have suggested could be saved if we could extend the onset and the severity of Alzheimer's. We watched this very closely in my family. The fact of the matter is that the National Institutes of Health's funding for Alzheimer's is coming to understand the nature of Alzheimer's and, therefore, how to deal with it.

Mr. WAXMAN. I thank you for yielding. Both of you are absolutely right. It is so shortsighted to have us cut back on funding for the National Institutes of Health and their research agenda. When you make a cut in this area one year, it isn't like you can make it up the next year. Researchers go on to other fields.

It is shortsighted to make these kinds of cuts.

I also wanted to comment on the fact that every day members of the Safe Climate Caucus have come to this House floor and talked about the shortsightedness of the leadership of the House of Representatives in ignoring the science on climate change. And so every day we have had speakers—the gentleman from California has been one of them—to just use a minute to talk about this pressing issue.

Yesterday, The Wall Street Journal reported that China has released a national blueprint for adapting to climate change. This follows the International Energy Agency's recent prediction that China will install more renewable energy over the next two decades than the U.S. and Europe combined. And China has recently implemented a series of regional cap-and-trade programs which are putting a price on carbon in China.

According to the Chinese Government—and I thank the gentleman for giving me this opportunity—climate change has already cost its people tens of billions of dollars and potentially thousands of lives. These developments in China are important because China is the world's largest emitter of carbon pollution, and we are the second largest. Our two countries need to play a leading role in addressing this global threat.

President Obama is committed to global leadership. His climate action

plan calls for working with China and other nations to bend the post-2020 emissions trajectory. He is bringing in John Podesta, an experienced leader with a deep understanding of climate issues, to help him succeed.

We in the House need to stop being part of the problem and start being part of the solution. We need to start taking the climate threat seriously and work to find solutions. If China can take action on climate change, so can the U.S. If we don't, we will lose the race to develop the clean energy technologies that will power the future.

Let's not be shortsighted. Let's invest in research—research to protect our health and research to protect our planet.

I thank the gentleman.

Mr. GARAMENDI. Thank you, Mr. WAXMAN, for bringing up the leadership that China has.

I notice that the leader of our hour talked about China's leadership in another field.

Let me turn back to our leader, Representative SPEIER.

Ms. SPEIER. I just point out that China is eating our lunch, so to speak.

This is just the funding from 2012 and 2013. We referenced this earlier. And Congressman WAXMAN was talking about what they are doing relative to climate change. Look what they are doing in R&D spending in the last 2 years. It is up 15 percent. Germany, Japan, and South Korea are up 5 percent. Where is the United States, Mr. GARAMENDI?

Mr. GARAMENDI. In the red, going down.

Ms. SPEIER. That is right: a cut of 5 percent. So another example of how China is going to eclipse us in more ways than one. And those young researchers that we have been talking about are going to be going to China to do their research.

Mr. GARAMENDI. If I might just add to that, it is my understanding—and I get this from the University of California-Davis—that they are losing their new Ph.D.s to other countries, particularly to China and to India, because those countries are not only increasing their total research but they are also providing these very bright, innovative, forward-thinking Ph.D.s with a full laboratory and all of the support that they might need to continue to conduct their research not only on the issue of health care but also in all of the sciences and technologies, from high technology, energy, and so forth.

So we really need to get on it.

My final point is here twofold. First of all, if we are going to build this economy, there are five things we have to do consistently through time. And they require public investment.

First of all, education. You have got to have the best educated workforce in the world.

Secondly, you have to have the best, most advanced research because that is where the future is. That is where the future economic growth will come from.

You need to make the things that come from that. You need to have the infrastructure, and you need to think globally. We are not doing that.

The budgets that have been put forth by our colleagues on the Republican side go exactly the other direction. They cut educational funding, beginning with early childhood education. They cut the funding for research. You see it here.

Tomorrow, we are going to take up the new budget. It continues to cut research across the board, the National Institutes of Health probably included. It goes on and on. Transportation, infrastructure—forget it, there is no money for it.

We have got to turn that around. These are the fundamental investments of economic growth and, more important, social justice.

Congresswoman SPEIER, thank you so much. You have been at this, beating this drum. Don't stop. You stay with this. This is a message that the American public has to understand. These are the investments about our own personal health, our children's health, and our future economic growth, as well as addressing worldwide problems.

Thank you so very much for what you are doing here and for loaning me your charts.

Ms. SPEIER. I thank the gentleman from California for lending his support and his articulation of this issue.

To his point about the jobs being lost, this year's sequester cuts were estimated to result in the loss of more than 20,000 jobs and \$3 billion in economic activity.

The three scientists who won the Nobel Prize for medicine this year for their research on how cells swap proteins all received NIH funding at some time during their careers. Nobel Prize winner Rothman said he probably would not have started his research had NIH funding not been available.

So that, I think, speaks volumes about how important NIH funding is to young scientists.

I am now joined by my great friend, a great, passionate leader on so many issues before this House, my colleague from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Thank you. I want to thank Congresswoman SPEIER for leading this really important debate.

We have been talking lately about how we are not going to be able to compete for the economic development in research and biotechnology and all the things that we do at the NIH. But I also want to show how economically—with one of your charts—it really doesn't work for us here at home as well.

Pretty much all you can see are the red lines, which are the costs every year in the United States of common diseases.

As my colleague, Congressman GARAMENDI, pointed out, we have \$203 billion a year that Alzheimer's costs our society as a whole. This is cancer, \$158 billion. We have hypertension, \$131 billion; diabetes, \$116 billion; obesity, \$109 billion; heart disease, \$95.6 billion; stroke, \$18.8 billion, Parkinson's disease, \$6 billion.

So it is really easy to see these red lines.

Teen, tiny, and I think maybe the only one you can see here well is the amount of money that we are spending to address these diseases. NIH research funding and annual cost of care for major diseases in the U.S. is what this chart is about.

We spend \$5.5 billion on cancer research. On Alzheimer's disease it has not even been a billion dollars. It is half a billion dollars for a disease that costs \$200 billion to our economy. And on and on.

The teen, tiny blue lines are barely very visible of how much we are actually investing in trying to deal with these diseases and diminish the tremendous costs to families and costs to government through our public health programs.

And so if we are smart investors, wise investors in how we can save ourselves money, we would put money into this kind of research.

I just want to give an example from my district of lack of being penny wise and pound foolish.

Northwestern University is developing one of the first major studies to look at the impact of contaminants from superfund sites—those are the most polluted sites in our country—on our reproductive health.

So Northwestern, which is in Evanston, Illinois, and I am proud to say in my district—a constituent of mine—proposed a study to examine the reproductive health impacts of exposure to metals, including zinc and lead, that are present in the DePue superfund site in Illinois—a very dirty site.

□ 1830

Initially, in the fall of 2012, the Northwestern University Superfund Research program, led by Dr. Teresa Woodruff, was awarded a positive score with a good chance of receiving funding in response to the NIH research application. Mind you, if we had been able to research this particular Superfund contaminated site, it would have helped all over the country where we have these kinds of contaminations.

Due to limited funding—due to the sequestration—in March of 2013, Dr. Woodruff and her colleague were informally given the option to receive a reduced amount for a reduced period of time since their application was

deemed, in fact, meritorious. After electing to accept the reduced funding, the NIH informed the Northwestern University Superfund Research program that, due to the sequester cuts, their project would not be funded.

This lack of funding means Dr. Woodruff and her team are unable to perform this critical research which would be helpful all over the country to help us gain a better understanding of the reproductive health risks of Superfund sites and to help us determine the best practices for the future disposal of those toxic chemicals.

We are absolutely putting hands behind our backs in order to address critical health issues that are facing our country. We are hamstringing our ability to compete globally. We are hurting the health of Americans and of future Americans in not funding the study of reproductive health. It just makes no sense. It makes absolutely no sense to cut the funding from the National Institutes of Health. It is hard to figure out what that argument would be. You certainly can't say this is frivolous spending, excessive spending.

So I really thank you for calling attention to the one of many ways that the sequester has hurt our country, but it is a very significant one. I appreciate your leadership.

Ms. SPEIER. You, too, were here in Congress during the Bush administration when there was an extraordinary increase in the budget for the NIH. The Republicans at that time recognized the value of keeping the NIH robust in the funds that it had in order for it to do cutting-edge research and move us forward.

What is it going to take? What was it like then that we don't have today that might be able to enlighten us?

Ms. SCHAKOWSKY. There was some common sense on both sides of the aisle of things that were essential investments for our country, that it made sense from every angle at which you looked at this to make those kinds of investments in the National Institutes of Health.

I think, right now, we are dealing with some of our colleagues across the aisle who believe that government spending, regardless, is not a smart investment, that the sequester cuts, which are meat-ax cuts across the board, do not distinguish in any way among the programs and that that is a smart way to go.

The chairman of the Appropriations Committee, Congressman ROGERS, doesn't agree with that—the sequestration, he agrees, hurts us—but, unfortunately, we don't have the same kind of bipartisan consensus. I think Democrats see the wisdom of this and that we need help from our colleagues. We had it then. We don't now.

Ms. SPEIER. I thank the gentlelady for her support and for her involvement in this very critical issue.

I am really very grateful for the conversation we have had this hour on the National Institutes of Health, but I am also anxious for the millions of Americans across this country who are suffering with some diabolical disease—some cancer—some disease that has no cure, whether it is heart disease or glioblastomas or breast cancer. There are millions of Americans right now who are dealing with stage 4 cancers, who are holding on by just their fingernails, hoping against hope that there will be some cure, some breakthrough drug, some clinical trial they can participate in.

I think, for each and every one of us in this House, we have to think about those people in our districts, and there are thousands of them in each of our districts. If they knew that we were tying the hands of the National Institutes of Health in doing that kind of cutting-edge research, I think they would be so disappointed—more than disappointed. They would be so angry that the lives of their loved ones were in the offing.

I would like to continue with a brief discussion on our academic health centers in the United States. They are, really, the pulse of so much of the research that goes on when it comes to advanced medical research. Many of them are funded through the NIH, as was mentioned earlier—thousands of them across this country. I am going to tell you about one such researcher. Her name is Dr. Valerie Weaver. She is a professor in the UCSF Departments of Surgery, Anatomy and Bioengineering and Therapeutic Sciences.

She does think outside the box. Her lab is investigating not only tumors, themselves, found in patients afflicted with breast cancer, pancreatic cancer, or brain cancer, but the neighborhood of tissues and cells where those tumors take up residence. Unfortunately, her quest for cutting-edge solutions to rapidly improve cancer treatments is threatened by the sequestration of the NIH budget. Because of reduced funding on her existing grants, Dr. Weaver has had to lay off three existing personnel and has had to cancel three new hires. “The only people I can take are those with their own funding. Each year, you get less and less, and you are asked to do more and more,” she said, “and you try to get more creative, but wonder what you are supposed to do.”

As a scientist, she finds herself spending less time thinking about how to battle cancer in the lab and more time struggling against funding cuts. “I spend way too much time writing grants. My grant writing time has doubled,” Weaver said, but added she still pushes to move her research forward. “I have to do some type of science every day, at least once a day, even if it’s only an hour. It should be the other way around—1 hour of administration and 12 hours of science—but it’s not. That breaks my heart,” she says.

For those suffering from the forms of cancer that Dr. Weaver hopes to treat, she points out that time is of the essence. Patients with brain tumors and pancreatic cancer, in particular, frequently live only a short time after diagnosis. “Some of the studies we’re doing in the next 4 to 5 years will have a direct impact on the clinic,” she said. “This could have huge implications for saving patients.”

Weaver also worries about the impact that sequestration is having on the next generation of talented researchers. “You think: you can’t let these people go under. If they go under, you lose them, because they don’t come back,” she stated soberly.

In truth, there is so much at stake that we must recognize that the sequestration of the NIH is killing the goose that lays the golden egg—that saves American lives, that creates opportunities for great trade, that provides us with, yet again, more and more and more research that leads to more and more cures. Alzheimer’s alone will choke us—will choke the Medicare system—if we don’t do more research in that area.

So I want to close by saying that the funding of the NIH is not a political issue. It is an economic and a medical imperative. Medical research makes Americans and the rest of the world healthier. It grows our economy, and it produces valuable jobs here at home. It is time for us to take the shackles off the NIH, to restore the funding that was there when George Bush was President and to regain the position that we have had for so long in terms of fine medical research.

With that, Mr. Speaker, I yield back the balance of my time.

COMPREHENSIVE IMMIGRATION REFORM

The SPEAKER pro tempore (Mr. COTTON). Under the Speaker’s announced policy of January 3, 2013, the Chair recognizes the gentleman from Florida (Mr. GARCIA) for 30 minutes.

Mr. GARCIA. Mr. Speaker, I want to thank the gentleman from Colorado, who has been having these sessions now for all the month of November. We began at the end of October and then have gone through the session in December. He has been an ardent champion of this issue. He has been a leader in our caucus. He has been doing the right thing, and I am very thankful for his efforts on our behalf.

I want to mention that, last week, when we were doing this, the Speaker made a ruling of something that I probably did incorrectly in my speech; but I want to now yield to the gentleman from Colorado because he spoke for millions of those who have no voice, who cannot come to this floor and claim something that is so American—a system that works, a system that

makes sense, a system that is fair to all its citizens, in fact, to all of its people.

Mr. POLIS. I thank the gentleman from Florida. I will speak briefly, and then I will have more later.

Mr. Speaker, there are so many activists in our country who are fasting, who are sitting in offices, who are writing their Congresspeople, who are demanding action—action to unite their families, action to stop the deportations of family members—and answers to emerge from this indefinite state of limbo that has frozen the lives of so many would-be Americans that H.R. 15 and comprehensive immigration reform would address.

Today, I am disappointed that our Republican friends didn’t show up to discuss and to debate the most pressing issue of our time—immigration reform. We extended an invitation to our friends on the other side of the aisle to join us today and have a discussion. Sadly, there is no one here to yield to. There are no solutions from the empty Chamber on the right. Some responded that they were double booked. Others responded that they had other engagements. Some simply didn’t respond at all. The American people, Mr. Speaker, are demanding a response.

Just as House Speaker BOEHNER plans to close for business on Friday while hundreds of millions of Americans continue to have to work another week before Christmas, we have Reverend Samuel Rodriguez, who will mark the 40th day of his fast for immigration reform. He is chair of the National Hispanic Christian Leadership Conference. He will be 40 days and nights—approaching fast—without solid food.

As the reverend said recently:

There are 11 million people here right now who require intervention. We looked the other way when they came in. We use them on our farms; we use them in our hotels; and we use them in our restaurants. Then we have the audacity to deport them. It is morally reprehensible to play politics with 11 million people.

So said Reverend Samuel Rodriguez in his nearing his 40th day in fast.

Yet, in the entire first part of the 113th Congress—in the entire first session, in the entire year of 2013—there was only one vote on the floor on any measure relating to immigration. Was it a bill that would address even part of the immigration problem or any piece of the meal that was being promised? No. It was a bill to defund DACA, to defund the Deferred Action program, subjecting hundreds of thousands of DREAMers to deportation—a bill that Republicans voted for and that passed in this body.

Thankfully, it didn’t become law. The Deferred Action program continues. Thank goodness that it provides at least a temporary reprieve for hundreds of thousands of aspiring Americans, but we owe to all Americans the restoring of the rule of law,

allowing people to get on with their lives.

I yield to my colleague from Miami (Mr. GARCIA), the chief author of H.R. 15, the comprehensive immigration reform bill in the House.

Mr. GARCIA. I would like to thank my colleagues for joining me here tonight.

Mr. Speaker, we are here to discuss a vitally important issue. We need to pass comprehensive, commonsense immigration reform.

□ 1845

We feel the consequences of our broken immigration system every day. We may not agree on the best way to go about fixing it, but disagreement is no excuse for inaction.

With every day that passes, millions continue to live in the shadows and jobs continue slipping away overseas. This is not simply just an issue of fairness. It is about ensuring America's economic prosperity.

In Florida alone, legalizing those currently unauthorized to live would generate \$1.3 billion in new tax revenue and create 97,000 new jobs. Fixing our broken immigration system will help small businesses expand, foster innovation, increase productivity, raise wages, and help create thousands of jobs. Comprehensive immigration reform makes all Americans better, makes our country richer, and creates opportunity for all.

We must work together to find a solution that secures our borders, builds our economy, and provides a way forward for millions of undocumented individuals living in the United States.

This week, a group of children dropped by my office. They were dropping by to express their wish for the new year. Their families have been ripped apart by our immigration system, and they came to deliver letters from a thousand children facing the same struggle. I would like to share one of those letters with you:

Dear Congress,

My name is Charlie Hoz-Pena and I am Anthony's brother. I'm 11 and I'm in fifth grade.

I'm writing to tell you my worst nightmare became real. Last year our dad was taken away from us and was sent to Mexico. We fought really hard to get him out of jail. I went to church and prayed, we did protests, vigils, wrote letters, petitions and I behaved well in school. But Immigration did not listen. They don't care about us.

I even thought about killing myself because I is sad when bad things happen to good people and because I love my dad very much. I am very angry at Congress and Obama.

It's really hard on me and Anthony and my mom. I love my mom too and she keeps us safe and comfortable but it's really hard for her too. Every time I hear her crying I feel sad, she cries because she misses him. She has to find a lot of jobs cleaning houses to support us.

So Congress, please get your act together. I want immigration reform please. You can do it. Do your job.

Obama, you have the power to stop deporting people. Congress, you are breaking families apart every day until you pass immigration reform. You have a chance to help families. So please do it now.

What if immigration broke up your family? Would you like it? Now just close your eyes and imagine your family destroyed. It is not a happy thought. It is a horrible feeling. It is like when somebody you care about dies. It is sad because you may never see them again. I don't know how long I am gonna have to wait to see my dad back. No child and family should suffer like we did.

Congress, we belong together. I hope you can understand what that means.

Sincerely,
Charlie

Charlie is right: we can't wait any longer. The time is now to pass comprehensive immigration reform.

Although the Senate has acted in a bipartisan way to pass comprehensive immigration reform, the House of Representatives has not passed an immigration reform bill in this Congress. It is unacceptable.

Ultimately, all of us, Democrat and Republican alike, should want the same things: a secure border, a stronger economy, and more jobs for the middle class.

We should have a vigorous debate about this important issue, but a sensible one also that moves us forward. Unfortunately, that has not always been the case.

Just this week, my colleague from Iowa compared allowing the undocumented to earn their citizenship as letting bank robbers walk away with the loot. This type of rhetoric has no place in this debate.

We can do better. Our country demands we do better. Let's get this done. The time is now for comprehensive immigration reform.

I yield to the gentleman from Colorado.

Mr. POLIS. I thank the gentleman from Florida.

Mr. Speaker, what is particularly frustrating is that Congress is going home on December 13, not to work for the remaining 2½ weeks of the year. I think most Americans would love to get off a week early for Christmas. They don't have the opportunity to set their own schedule at work. So it is not like there is not time to do this, Mr. Speaker. We can stay here next week.

It is not like there is not support on the floor to pass immigration reform, Mr. Speaker. There is. There is support today to pass H.R. 15, comprehensive immigration reform, brought to the floor. We could then send it to President Obama's desk. What a Christmas gift to our country that would make, a Christmas gift in the form of reducing our deficit by over \$200 billion, creating over 6 million jobs for American citizens, restoring real security, and finally gaining operational control over our southern border and stemming the tide of people who are immigrating here illegally, requiring workplace au-

thentication to make sure that employers no longer hire people under the table for cash outside of our system, strengthening Social Security and Medicare by making sure that people working here pay into our important programs that retirees stand to benefit from.

Immigration reform is not only demanded, but widely popular. Six in 10 Republicans support a path to citizenship for immigrants currently living in the United States; and a vast majority of every group—age, gender, ethnicity—here in this country knows that our immigration system is broken.

When we look at ourselves in the mirror at night, Mr. Speaker, how can we be proud of a system that betrays our values as a Nation of laws and a Nation of immigrants, a system that rewards lawbreaking, a system that encourages illegal activity, a system that, as my good friend and colleague Ms. LOPGREN from California likes to say, effectively places two signs at our southern border: one says "help wanted" and the other says "keep out"?

That is the state of our current immigration system: confusing, expensive, job destroying, companies can't acquire the men and women they need to remain competitive so they are forced to expand overseas in other countries in offshore jobs rather than expand here in the United States.

Thankfully, Mr. Speaker, the answer is simple. Groups from across the spectrum—faith-based groups including evangelical and Catholic Americans, businesses including small family farms to large international companies that employ hundreds of thousands of people, law enforcement—all support H.R. 15. Based on the Senate bipartisan comprehensive immigration reform bill, that would solve all of these issues that we have before us, create jobs for American citizens, and reduce our deficit.

And as we talk about the budget, at least frankly, Mr. Speaker, this week we are debating something very important for our country. In other weeks, my colleague, Mr. GARCIA, and I have taken to the floor when there has been nothing that has even been done that entire time that had any consequence to anybody. At least this week, Mr. Speaker, we are discussing something important. I don't bemoan that. I think it is legitimate to discuss the budget of our country this week. That is why I think we should stay here another week and discuss immigration next week.

This is an important discussion. But as we look for what we call "pay-fors"—how do we pay for making sure the Medicare reimbursement rate doesn't go down as scheduled at the end of the year, how do we pay for reducing the sequester, how do we pay for the investments that we want to

make—guess what, comprehensive immigration reform would fill our coffers with over \$200 billion of revenue. Now, how about that as a pay-for for what we call the “doc-fix” and making sure we don’t reduce Medicare reimbursement rates or any of the other items that are on the budget table this week?

That is the kind of contribution that H.R. 15 and immigration reform can make.

Mr. GARCIA. Mr. Speaker, I agree with the gentleman from Colorado. By the way, I love the fact you refer to me as the gentleman from Miami. I always thought we should have our own State.

Let me just mention that there is a very good article that was written last year in July by Jennifer Rubin in *The Washington Post*. It sort of listed all these phoney arguments that we have.

The first: the Senate bill is dead on arrival. We have heard this from the Speaker before. We have heard no agreements, no compromises. We heard that VAWA, the Violence Against Women Act, was going to be dead or, as they said, they were going to write their own. Well, of course, nothing came and we passed the Violence Against Women Act, which we should have passed earlier on.

The second argument: the Senate bill isn’t strong enough on border security. Well, the Senate bill spends more money on border security, almost an insane amount. That is why we took it out of our bill, because we didn’t think that this House would look at such an expensive bill. But the question is: Is what we have better than what we are looking at? Of course, the answer is, no, we are not moving forward.

This one is the one I love, but it is more of a Herman Cain type argument: the bill is long. This is a very complex issue and, of course, it is long because we are trying to solve worker issues, we are trying to solve innovation issues, we are trying to solve a lot of important things that affect us all.

The fourth argument: the Obama administration won’t enforce it. Well, here I have to say that Obama must be one of anti-immigration’s favorite Presidents because he has deported more people than any President before. In October, I think we reached 2 million people being deported. That is thousands upon thousands of families destroyed; that is workers being taken out of the economy. That is what the President did.

Mr. POLIS. Will the gentleman yield for a moment?

Mr. GARCIA. Yes, of course, I will yield to the gentleman.

Mr. POLIS. Each of those deportations, Mr. Speaker, cost you and I, cost American taxpayers, approximately \$15,000. So guess who is paying for the 2 million deportations? Guess what is one of the growing causes of our deficit spending? Our broken immigration system.

Mr. GARCIA. That is exactly right.

Another argument: you can’t bring in low-skilled workers. Well, the bracero program proved that when you had a functioning program illegal immigration went down, not up. We know that for a fact. Here is what we also know. When President Reagan had an immigration bill, we know that the salaries for the middle class and working class went up for 5 years in a row because it worked.

The seventh argument: there aren’t enough high-skilled workers being allowed in. All right, so let’s write legislation that increases the high-skilled labor.

“Republicans don’t need to pass immigration reform to keep their House seats.” Well, if it doesn’t affect their House seats, then why are they opposed to it? And, more importantly, this is, of course, the silliest of arguments when you understand the demographics. I know I have spoken to this with the gentleman from Colorado. When you look at the high water mark of a Republican Presidential race, it was achieved by George Bush, a pro-immigrant President; but when you look behind those numbers, and you look at the 44 percent that he achieved nationally, what you realize is he didn’t receive those numbers from second- and third-generation Americans. He received it from first-generation Americans voting, and voting over 50 percent for George Bush for President. This is something that is a commonsense thing and makes sense for it.

The ninth argument: it was passed too quickly in the Senate. Well, unlike the House, they have had long debates on this. They had weeks of hearings, they had bipartisan meetings for over a year before, they had the commitment of the President of the Senate, the majority leader of the Senate to get this done.

Look, I could go on and on; but I think what is clear is that we can make a lot of silly arguments, but the time has come to act. We were promised by the Speaker that this would be taken up and it hasn’t. The time has come to move forward. This is the time for immigration reform. It is good for the country, it is good for these folks, it is good for everyone.

I yield to the gentleman from Colorado.

□ 1900

Mr. POLIS. I would like to point out that my friend from Miami, Florida, placed out some of the arguments that we hear our friends making as to why immigration reform is not happening. We did not present those as a straw man. We invited our friends from the other side of the aisle to come make the arguments themselves. There is no one here in this Chamber, despite our invitation, to represent why we are not staying here next week to vote on im-

migration reform. So we are guessing why. We are guessing, saying maybe it is because they don’t like long bills. I don’t know. A short bill can be pretty bad, too, if it is a bad bill. You can have a good short bill or a bad short bill, a good long bill or a bad long bill. I mean, you know, when you want to address border security, you need to make sure that you devote enough of the bill to border security to do it.

So we are here guessing at their reasons because our friends on the Republican side of the aisle are not here to explain, despite our invitation, why they are not bringing immigration reform up. And if they are not ready for H.R. 15 or comprehensive, why at least we are not making some kind of down payment on it next week, why we are not doing something, for instance, for the DREAMers, the kids that are currently in a deferred action program so that they can have some degree of certainty to get on with their lives. Why we are not making sure that we have working permits for the people who are already here and already have jobs and are an important part of our economy. We could be doing any of that next week. But instead, Mr. Speaker, the House is being sent home on vacation while most Americans have a full additional week to work before Christmas.

Mr. GARCIA. Mr. Speaker, I would like to yield to the gentleman from California (Mr. CÁRDENAS), who is a hard fighter for these issues.

I want to first relate a story. I was debating, the other day, a friend on this issue. He made what he thought was a commonsense argument. He said, Joe, if somebody broke into your house, you would like them to be arrested, right?

I said: Well, the truth is, if somebody broke into my House and filled my refrigerator with fresh fruit and vegetables, if they took care of my mom and got my kid to school, if they then went outside and cut the lawn and painted the house, worked on the roof, I think I might owe them money.

The reality is these folks are an essential part of our country. They make us work and they make us better.

With that, I yield to the gentleman from California.

Mr. CÁRDENAS. Mr. Speaker, I thank the gentleman for yielding.

I just wanted to say a few words on this floor that I am so blessed to be a part of this great Congress of the United States of America. Yet at the same time, we are a country that talks about how we believe in the big picture, yet at the same time we focus on the little things. We focus on the plight of a child. We focus on the plight of a family. We focus on the ability of people to pull themselves up by their own bootstraps. That is what we are proud of in this great country.

But what I am not proud of is being a part of a Congress where the Speaker,

Speaker BOEHNER, is not allowing comprehensive immigration reform to be voted for on this floor. I believe that today, if we had the opportunity to vote on comprehensive immigration reform in this Chamber, I think we have the votes to pass it. And I think if we did so, it would be much more consistent for us to do that than to do nothing, and that is what this House has been doing. We have been doing nothing on comprehensive immigration reform.

And if we did pass comprehensive immigration reform, it would be the biggest economic boom that our country has seen in over 60 years. There are too many Americans out of work. But if we pass comprehensive immigration reform, what we are going to see is, for every 100,000 people in this country who are legalized, it is very likely that we will have 262,000 jobs occur. Do the math, ladies and gentlemen. If 100,000 people are legalized, a certain percentage of them are going to create businesses, and in those businesses they are going to hire American citizens. Americans will go to work. That makes sense. That sounds like the American Dream for Americans, not just for immigrants who come to our country.

One of the things that I would like to point out is, if comprehensive immigration reform were passed, then what would happen is the Federal deficit would go down by \$200 billion just over the next 10 years; and over the subsequent 10 years, it would go down by another \$700 billion. I think that is good for America. I think that any American, when you look at those numbers, would say why don't we pass that law, because when the economy improves, more Americans go to work.

As was mentioned earlier by my colleague, when you have a young boy who is an American citizen who writes a letter to his Congressperson, who writes a letter to the President of the United States as an American citizen who is in tears by telling us, exclaiming, I miss my mother, I miss my father, and they have been deported, that is not an America that we can feel proud of. That is an America that doesn't live its values.

What I say is, you know what, if in 2014 we don't vote on comprehensive immigration reform, why don't we just go ahead and dismantle the Statue of Liberty, because that is something I think, as your average American, we are very proud of. Bring me your huddled masses, your poor.

You know what is great about this country, whether you are Italian, whether you are Russian, whether you are Mexican, whether you are English, whether you are Irish, Canadian, when you come to the United States of America, you make dreams come true, not just your dream, but you employ Americans. You create jobs for American citizens, American-born people.

Comprehensive immigration reform, if you try to couch it as "those people," comprehensive immigration reform is not about "those people." Comprehensive immigration reform is about us, Americans. It is about us improving our economy. It is about us doing the right thing. It is about us welcoming the men, women, and children who come to this country and work as hard as any human being will dare to do, and that makes our economy stronger. That makes America great.

Ladies and gentlemen, I don't speak to you as though comprehensive immigration reform is an emotional issue. I speak of comprehensive immigration reform as an American values issue. As my colleague said earlier about that silly analogy, what if somebody broke into your house, then what would you do. I think he actually put it very well. If somebody painted your house, they cut your grass and took care of your children and your grandmother, don't you think that you owe them something? Don't you think you should extend your hand and say, Welcome. Thank you. I like what you're doing for me.

And that is what immigrants do for our United States of America. They make our country stronger. This country was built on immigrants. Why in the world would we, as Americans, want to support the idea that they are "those people" and they are not part of who we are?

I am only one generation away from being an immigrant myself. My parents came from another country. I was born in this country, and I do live a better life than my parents were raised in, and so do my children. I am proud to be an American-born citizen. And I think as Americans, we should be proud and expect our United States Congress to have a vote on comprehensive immigration reform and to give that opportunity to the people that you have elected to do our job. And our job is to make our economy stronger. Our job is to make laws that make this country better. Our job is to be making laws that are true to our values.

Mr. GARCIA. I thank the gentleman from California for those wonderful words.

I yield to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. We have the chair of my committee to file a rule here on the floor of the House. Sadly, it is not a rule for comprehensive immigration reform, but it is a rule for something very important, the budget, which hopefully we will be able to agree on in the next 2 days. And as we discussed earlier before the chair of the Rules Committee joined us, I think we all agree that passing the budget is a very good use of our time here on the floor.

Some of us, Mr. Speaker, in this hour, have talked about the need for

immigration reform. We have in the past criticized the apparent urgency with which asbestos bills were somehow rushed out of committee and brought immediately to the floor when we weren't able to move forward on immigration, but this week we are working on something more important.

We need to continue our work to bring up immigration reform. I am speaking from the side of the Chamber traditionally used by Republicans. I had hoped to give this spot up to a member of the majority party, a Republican, who we hope to continue to extend this invitation to debate immigration reform and bring forward an immigration reform bill.

Mr. GARCIA. Mr. Speaker, I yield back the balance of my time.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.J. RES. 59, CONTINUING APPROPRIATIONS RESOLUTION, 2014; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM DECEMBER 14, 2013, THROUGH JANUARY 6, 2014; AND FOR OTHER PURPOSES

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 113-290) on the resolution (H. Res. 438) providing for consideration of the Senate amendment to the joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes; providing for consideration of motions to suspend the rules; providing for proceedings during the period from December 14, 2013, through January 6, 2014; and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 9, 2013, she presented to the President of the United States, for his approval, the following bill:

H.R. 3626. To extend the Undetectable Firearms Act of 1988 for 10 years.

ADJOURNMENT

Mr. WOODALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 12 minutes

p.m.), under its previous order, the House adjourned until tomorrow, Thursday, December 12, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4062. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Derivatives Clearing Organizations and International Standards (RIN: 3038-AE06) received November 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4063. A letter from the Secretary, Department of Defense, transmitting a report and certification pursuant to subsection (c) of section 1022 of the National Defense Authorization Act for FY 2004, as amended; to the Committee on Armed Services.

4064. A letter from the Acting Senior Procurement Executive, Department of Defense, transmitting the Department's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-71; Small Entity Compliance Guide [Docket No.: FAR 2013-0078, Sequence No. 7] received December 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4065. A letter from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Amendments to the 2013 Mortgage Rules Under the Real Estate Settlement Procedures Act (Regulation X) and the Truth in Lending Act (Regulation Z) [Docket No.: CFPB-2013-0031] (RIN: 3170-AA37) received December 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4066. A letter from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Version 5 Critical Infrastructure Protection Reliability Standards [Docket No.: RM13-5-000] received December 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4067. A letter from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Small Generator Interconnection Agreements and Procedures [RM13-2-000; Order No. 792] received December 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4068. A letter from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Regional Reliability Standard BAL-002-WECC-2 Contingency Reserve [Docket No.: RM13-13-000; Order No. 789] received December 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4069. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-25, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4070. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-32, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4071. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-27, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4072. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-26, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4073. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-58, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4074. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-53, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4075. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-49, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4076. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 12-67, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4077. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-21, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4078. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-57, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4079. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-48, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4080. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-52, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4081. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-38, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4082. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-0B, pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4083. A letter from the Director, Defense Security Cooperation Agency, transmitting

a report submitted in accordance with section 36(b) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4084. A letter from the Director, Defense Security Cooperation Agency, transmitting a report submitted in accordance with Section 36(b) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4085. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Amendments to Existing Validated End-User Authorizations in the People's Republic of China [Docket No.: 130927853-3853-01] (RIN: 0694-AF99) received December 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4086. A letter from the Secretary, Department of Defense, transmitting a report in accordance with section 1028(a)(1) of the National Defense Authorization Act for FY 2013; to the Committee on Foreign Affairs.

4087. A letter from the Under Secretary, Department of Defense, transmitting a report pursuant to 10 U.S.C. section 2432; to the Committee on Foreign Affairs.

4088. A letter from the Assistant Secretary, Department of Defense, transmitting a letter regarding Cooperative Threat Reduction; to the Committee on Foreign Affairs.

4089. A letter from the Secretary, Department of Defense, transmitting a report submitted in accordance with section 8110(a)(1) of the Department of Defense Appropriations Act, 2013; to the Committee on Foreign Affairs.

4090. A letter from the Assistant Secretary, Department of Defense, transmitting a report submitted in accordance with section 1308 of the National Defense Authorization Act for Fiscal Year 2004; to the Committee on Foreign Affairs.

4091. A letter from the Acting Assistant Secretary, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 13-104; to the Committee on Foreign Affairs.

4092. A letter from the Acting Assistant Secretary, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 13-131; to the Committee on Foreign Affairs.

4093. A letter from the Acting Assistant Secretary, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 13-141; to the Committee on Foreign Affairs.

4094. A letter from the Acting Assistant Secretary, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 13-101; to the Committee on Foreign Affairs.

4095. A letter from the Assistant Secretary for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 12-007; to the Committee on Foreign Affairs.

4096. A letter from the Assistant Secretary for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 12-023; to the Committee on Foreign Affairs.

4097. A letter from the Assistant Secretary for Political-Military Affairs, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 12-019; to the Committee on Foreign Affairs.

4098. A letter from the Acting Assistant Secretary, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 13-126; to the Committee on Foreign Affairs.

4099. A letter from the Acting Assistant Secretary, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 13-079; to the Committee on Foreign Affairs.

4100. A letter from the Acting Assistant Secretary, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 13-089; to the Committee on Foreign Affairs.

4101. A letter from the Acting Assistant Secretary, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 13-105; to the Committee on Foreign Affairs.

4102. A letter from the Acting Assistant Secretary, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 13-092; to the Committee on Foreign Affairs.

4103. A letter from the Acting Assistant Secretary, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 13-067; to the Committee on Foreign Affairs.

4104. A letter from the Acting Assistant Secretary, Department of State, transmitting an addendum to a certification, transmittal number: DDTC 13-099; to the Committee on Foreign Affairs.

4105. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a Memorandum of Justification; to the Committee on Foreign Affairs.

4106. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a waiver under section 7046(c)(1)(B) of the Department of State, Foreign Operations, and Related Programs Appropriations Act; to the Committee on Foreign Affairs.

4107. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting decisions pursuant to the Iran Sanctions Act of 1996; to the Committee on Foreign Affairs.

4108. A letter from the Acting Assistant Secretary, Department of State, transmitting a letter regarding section 3 of the Arms Export Control Act; to the Committee on Foreign Affairs.

4109. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a determination pursuant to 22 U.S.C. Section 5963; to the Committee on Foreign Affairs.

4110. A letter from the Acting Assistant Secretary, Department of State, transmitting a report pursuant to Section 102(a)(2) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4111. A letter from the Acting Senior Procurement Executive, Department of Defense, transmitting the Department's final rule — Federal Acquisition Regulation; Accelerated Payments to Small Business Subcontractors [FAC 2005-71; FAR Case 2012-031; Item I; Docket No. 2012-0031, Sequence No. 1] (RIN: 9000-AM37) received December 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4112. A letter from the Acting General Counsel, Department of the Interior, transmitting the Department's final rule — Fees received December 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4113. A letter from the Acting General Counsel, Department of the Interior, transmitting the Department's final rule — Minimum Internal Control Standards (RIN: 3141-AA27) received December 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4114. A letter from the Acting General Counsel, Department of the Interior, transmitting the Department's final rule — Tribal Background Investigations and Licensing (RIN: 3141-AA15) received December 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4115. A letter from the Acting General Counsel, Department of the Interior, transmitting the Department's final rule — Tribal Background Investigations and Licensing (RIN: 3141-AA15) received December 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4116. A letter from the Acting General Counsel, Department of the Interior, transmitting the Department's final rule — Appeal Proceedings Before the Commission (RIN: 3141-AA47) received December 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4117. A letter from the Acting General Counsel, Department of the Interior, transmitting the Department's final rule — Self-Regulation of Class II Gaming (RIN: 3141-AA44) received December 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4118. A letter from the Acting General Counsel, Department of the Interior, transmitting the Department's final rule — Minimum Technical Standards for Class II Gaming Systems and Equipment (RIN: 3141-AA27) received December 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4119. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Special Regulations, Areas of the National Park System, Curecanti National Recreation Area, Snowmobiles and Off-Road Motor Vehicles [NPS-CURE-13810] (RIN: 1024-AD76) received December 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4120. A letter from the Director, Office of Regulatory Affairs & Collaborative Action, Department of the Interior, transmitting the Department's final rule — Land Acquisitions: Appeals of Land Acquisition Decisions [K00103 12/13 A3A10; 134D0102DR-DS5A300000 DR.5A311.IA000113, Docket ID: BIA-2013-0005] (RIN: 1076-AF15) received December 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4121. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Special Regulations; Areas of the National Park System, New River Gorge National River, Bicycling [NPS-NERI-14336; PPNENERIP0,PPMPRLI2.Y00000] (RIN: 1024-AD95) received December 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4122. A letter from the Acting General Counsel, National Indian Gaming Commission, transmitting the Commission's final rule — Compliance and Enforcement received December 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4123. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; 2014 Atlantic Shark Commercial Fishing Seasons [Docket No.: 130402317-3966-02] (RIN: 0648-XC611) received December 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4124. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 121018563-3148-02] (RIN: 0648-XC971) received December 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4125. A letter from the Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries; Pacific Tuna Fisheries; 2013 Bigeye Tuna Longline Fishery Closure in the Eastern Pacific Ocean; Correction [Docket No.: 110620342-1659-03] (RIN: 0648-XC922) received December 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4126. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 121009528-2729-02] (RIN: 0648-XC932) received December 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4127. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Commercial Accountability Measure and Closure for South Atlantic Gag [Docket No.: 120924488-3671-02] (RIN: 0648-XC966) received December 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4128. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Vessel Monitoring Systems [Docket No.: 130426413-3934-02] (RIN: 0648-BD24) received December 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4129. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a letter pursuant to Section 219 of the Immigration and Nationality Act; to the Committee on the Judiciary.

4130. A letter from the Director, Regulation Policy and Management, Department of Veterans Affairs, transmitting the Department's final rule — Criteria for a Catastrophically Disabled Determination for Purposes of Enrollment (RIN: 2900-AO21) received December 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4131. A letter from the Director, Regulation Policy and Management, Department of Veterans Affairs, transmitting the Department's final rule — Specially Adapted Housing Eligibility for Amyotrophic Lateral Sclerosis Beneficiaries (RIN: 2900-AO84) received December 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4132. A letter from the Director, Regulation Policy and Management, Department of Veterans Affairs, transmitting the Department's final rule — Grants to States for Construction or Acquisition of State Homes (RIN: 2900-AO60) received December 5, 2013,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4133. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Inclusion in Income of Section 9010 Fee Collected from Customers (Revenue ruling 2013-27) received December 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2319. A bill to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994; with an amendment (Rept. 113-287). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 2542. A bill to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes; with an amendment (Rept. 113-288, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAVES of Missouri: Committee on Small Business. H.R. 2542. A bill to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes; with an amendment (Rept. 113-288, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRADY of Texas: Report of the Joint Economic Committee on the 2013 Economic Report of the President. (Rept. 113-289). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODALL: Committee on Rules. House Resolution 438. Resolution providing for consideration of the Senate amendment to the joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes; providing for consideration of motions to suspend the rules; providing for proceedings during the period from December 14, 2013, through January 6, 2014; and for other purposes (Rept. 113-290). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CASSIDY (for himself, Mr. BUCHANAN, Mr. HASTINGS of Florida, Mr. PALAZZO, Mr. SCALISE, Mr. ROGERS of Alabama, Mr. ROSS, Mr. JOHNSON of Ohio, Mr. NUGENT, Mr. MARINO, Ms. CASTOR of Florida, Ms. ROS-LEHTINEN, Mr. BILIRAKIS, Mr. CRENSHAW, and Mr. SOUTHERLAND):

H.R. 3693. A bill to clarify the application of the Biggert-Waters Flood Insurance Reform Act of 2012 to premium rates for certain properties, and for other purposes; to the Committee on Financial Services.

By Mr. CUMMINGS (for himself, Mr. ISSA, and Mr. HINOJOSA):

H.R. 3694. A bill to amend the Higher Education Act of 1965 to make technical improvements to the Net Price Calculator system so that prospective students may have a more accurate understanding of the true cost of college; to the Committee on Education and the Workforce.

By Mr. LUCAS:

H.R. 3695. A bill to provide a temporary extension of the Food, Conservation, and Energy Act of 2008 and amendments made by that Act, as previously extended and amended and with certain additional modifications and exceptions, to suspend permanent price support authorities, and for other purposes; to the Committee on Agriculture.

By Mr. MCCAUL (for himself, Mr. MEEHAN, Mr. THOMPSON of Mississippi, and Ms. CLARKE):

H.R. 3696. A bill to amend the Homeland Security Act of 2002 to make certain improvements regarding cybersecurity and critical infrastructure protection, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Science, Space, and Technology, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HINOJOSA:

H.R. 3697. A bill to increase access to adult education to provide for economic growth; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GERLACH (for himself, Mr. CROWLEY, Mr. REED, Mr. ROSKAM, and Mr. KIND):

H.R. 3698. A bill to delay the enforcement of the Medicare two-midnight rule for short inpatient hospital stays until the implementation of a new Medicare payment methodology for short inpatient hospital stays, and for other purposes; to the Committee on Ways and Means.

By Mr. HIGGINS (for himself, Mr. CARTWRIGHT, Mr. BRALEY of Iowa, and Mr. RICHMOND):

H.R. 3699. A bill to amend title 28, United States Code, to protect the right of a claimant in a civil action before a Federal court to retain a structured settlement broker to negotiate the terms of payment of an award, and for other purposes; to the Committee on the Judiciary.

By Mr. HINOJOSA (for himself, Ms. SHEA-PORTER, and Mr. VELA):

H.R. 3700. A bill to instruct the Secretary of the Treasury to use 25 percent of civil fines collected for violations of the Bank Secrecy Act to make grants to community financial institutions to improve compliance with the provisions of that Act, and for other purposes; to the Committee on Financial Services.

By Mr. KING of New York (for himself, Mr. HUIZENG of Michigan, Mr. GRIMM, and Mr. GARY G. MILLER of California):

H.R. 3701. A bill to make improvements to provisions of the Bank Holding Company Act of 1956 relating to proprietary trading by banking entities; to the Committee on Financial Services.

By Mr. KINGSTON:

H.R. 3702. A bill to delay the effective date of certain rules of the Environmental Protection Agency until a report is submitted

and a law is enacted setting the rule's effective date; to the Committee on Energy and Commerce.

By Mr. KINGSTON:

H.R. 3703. A bill to provide for the expedited approval of the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Foreign Affairs, Energy and Commerce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. KIRKPATRICK:

H.R. 3704. A bill to establish the Sedona-Red Rock National Scenic Area in the Coconino National Forest, Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. PAULSEN (for himself and Mr. MATHESON):

H.R. 3705. A bill to amend title XVIII of the Social Security Act to establish appropriateness requirements for certain advanced diagnostic imaging services, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself, Mr. COSTA, and Mr. FITZPATRICK):

H.R. 3706. A bill to reauthorize subtitle A of the Victims of Child Abuse Act of 1990; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROHRBACHER (for himself, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. COOK, Mr. FALEOMAVAEGA, Mr. GENE GREEN of Texas, Mr. HIGGINS, Mr. ISSA, Ms. JACKSON LEE, Mr. LEWIS, Mr. MCCLINTOCK, Mr. POE of Texas, Mr. RUIZ, Ms. LORETTA SANCHEZ of California, Mr. WEBER of Texas, and Mr. WESTMORELAND):

H.R. 3707. A bill to ensure the emergency protection of Iranian dissidents living in Camp Liberty/Hurriya and to provide for their admission as refugees to the United States; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROKITA (for himself, Mr. GRAVES of Missouri, Mr. FLORES, Mr. PETERSON, Mr. HANNA, and Mr. POMPEO):

H.R. 3708. A bill to direct the Administrator of the Federal Aviation Administration to issue or revise regulations with respect to the medical certification of certain small aircraft pilots, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RUSH (for himself, Mr. VAN HOLLEN, and Mr. WAXMAN):

H.R. 3709. A bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, and for other purposes; to the Committee on Energy and

Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SHEA-PORTER:

H.R. 3710. A bill to amend title XVIII of the Social Security Act to provide for coverage of continuous glucose monitoring systems (CGMS) as durable medical equipment under Medicare, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIERNEY (for himself and Mr. JONES):

H.R. 3711. A bill to reduce risks to the financial system by limiting banks' ability to engage in certain risky activities and limiting conflicts of interest, to reinstate certain Glass-Steagall Act protections that were repealed by the Gramm-Leach-Bliley Act, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JENKINS:

H. Res. 437. A resolution electing certain Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. ELLISON:

H. Res. 439. A resolution expressing the sense of the House of Representatives that a Global Marshall Plan holds the potential to demonstrate the commitment of the United States to peace and prosperity through poverty reduction in the United States and abroad; to the Committee on Foreign Affairs.

By Mr. LARSON of Connecticut:

H. Res. 440. A resolution congratulating Pope Francis on his election and recognizing his inspirational statements and actions; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CASSIDY:

H.R. 3693.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

By Mr. CUMMINGS:

H.R. 3694.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. LUCAS:

H.R. 3695.

Congress has the power to enact this legislation pursuant to the following:

The ability to regulate interstate commerce and with foreign Nations pursuant to

Article 1, Section 8, Clause 3 includes the power to regulate commodity prices, practices affecting them and the trading or donation of the commodities to impoverished nations. In addition, the Congress has the power to provide for the general Welfare of the United States under Article 1, Section 8, Clause 1 which includes the power to promote the development of Rural America through research and extension of credit.

By Mr. MCCAUL:

H.R. 3696.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill rests is the power of Congress to make all laws necessary and proper for executing powers vested by the Constitution, as enumerated in Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. HINOJOSA:

H.R. 3697.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 and 3 of the United States Constitution.

By Mr. GERLACH:

H.R. 3698.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution.

By Mr. HIGGINS:

H.R. 3699.

Congress has the power to enact this legislation pursuant to the following:

Fourteenth Amendment, Section 5

By Mr. HINOJOSA:

H.R. 3700.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. KING of New York:

H.R. 3701.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3:

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. KINGSTON:

H.R. 3702.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18.

By Mr. KINGSTON:

H.R. 3703.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mrs. KIRKPATRICK:

H.R. 3704.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. PAULSEN:

H.R. 3705.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. POE of Texas:

H.R. 3706.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. ROHRBACHER:

H.R. 3707.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the United States Constitution.

By Mr. ROKITA:

H.R. 3708.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution, which reads "The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. RUSH:

H.R. 3709.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: "To regulate commerce . . . among the several states . . ."

Article I, Section 8, Clause 8: "To promote the progress of science . . . by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

Article I, Section 8, Clause 18: "To make all laws which shall be necessary and proper. . ."

By Ms. SHEA-PORTER:

H.R. 3710.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. TIERNEY:

H.R. 3711.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 183: Mr. STIVERS.

H.R. 184: Mr. TIERNEY.

H.R. 292: Mr. TONKO.

H.R. 366: Mr. BERA of California.

H.R. 419: Mr. STIVERS.

H.R. 503: Mr. COBLE, Mr. LAMBORN, Mr. AUSTIN SCOTT of Georgia, Mr. YARMUTH, Mrs. WALORSKI, Mr. PAYNE, and Mr. HOLT.

H.R. 533: Mr. JONES and Mr. FINCHER.

H.R. 543: Mr. JOYCE, Mr. SCHIFF, and Mr. CARNEY.

H.R. 564: Ms. HANABUSA.

H.R. 685: Mr. GARY G. MILLER of California.

H.R. 705: Mrs. HARTZLER.

H.R. 750: Ms. DEGETTE.

H.R. 792: Mr. ROTHFUS, Mr. CRAMER, Mr. FLORES, Mr. FARENTHOLD, and Mr. WALDEN.

H.R. 809: Mr. BLUMENAUER.

H.R. 1000: Ms. BASS.

H.R. 1020: Mr. HORSFORD.

H.R. 1074: Mr. FARENTHOLD, Ms. EDWARDS, Ms. JACKSON LEE, Mr. KILDEE, Mr. HIMES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. COHEN, Mr. JOHNSON of Ohio, and Mr. FATTAH.

H.R. 1179: Ms. LINDA T. SANCHEZ of California, Mr. PASCRELL, Mr. SARBANES, and Mr. HIMES.

H.R. 1201: Mr. RUSH.

H.R. 1209: Mr. BACHUS, Mr. BLUMENAUER, Mrs. CAROLYN B. MALONEY of New York, Mr. LANGEVIN, Mr. JOHNSON of Georgia, and Mr. RUIZ.

H.R. 1226: Mr. ROE of Tennessee, Mr. BENISHEK, Mr. NUNES, and Mr. PEARCE.

H.R. 1263: Mr. DEUTCH.

H.R. 1281: Mr. LANCE, Mr. ELLISON, and Mr. HONDA.

H.R. 1339: Mr. SERRANO and Mr. DENT.

H.R. 1349: Mrs. KIRKPATRICK.
H.R. 1351: Mr. PRICE of North Carolina.
H.R. 1354: Mr. LUEPKEMEYER.
H.R. 1428: Mrs. ELLMERS.
H.R. 1518: Mr. GUTIÉRREZ, Mr. BUCSHON, and Mr. DENT.
H.R. 1528: Mrs. NOEM, Mr. PETERS of California, Mr. BISHOP of New York, Mr. POSEY, and Mr. SCHOCK.
H.R. 1563: Mr. MCHENRY, Mr. HUDSON, and Mr. ROSS.
H.R. 1588: Mr. HUFFMAN.
H.R. 1629: Mr. COHEN.
H.R. 1666: Mr. SCHNEIDER and Mr. SERRANO.
H.R. 1701: Mr. SESSIONS.
H.R. 1726: Mr. MICHAUD, Mr. WOODALL, and Mr. ISSA.
H.R. 1763: Mr. CAPUANO, Ms. ESTY, Mr. LYNCH, and Mr. COHEN.
H.R. 1795: Mr. COHEN and Mr. LYNCH.
H.R. 1814: Mr. TURNER, Mr. MCNERNEY, Mrs. BUSTOS, Ms. DUCKWORTH, Mr. DESANTIS, and Mr. FARENTHOLD.
H.R. 1830: Mrs. KIRKPATRICK.
H.R. 1837: Ms. DEGETTE and Ms. BROWNLEY of California.
H.R. 1852: Mr. CUMMINGS.
H.R. 1869: Mr. CARNEY, Mr. JORDAN, Mr. DESANTIS, and Mr. CHAFFETZ.
H.R. 1918: Mr. RODNEY DAVIS of Illinois.
H.R. 1985: Mr. BISHOP of New York.
H.R. 2000: Ms. MATSUI, Ms. HANABUSA, and Mr. RYAN of Ohio.
H.R. 2012: Mr. JOHNSON of Ohio.
H.R. 2068: Ms. DEGETTE.
H.R. 2195: Mr. COHEN and Mr. RICHMOND.
H.R. 2288: Mr. MEEKS.
H.R. 2298: Mr. QUIGLEY.
H.R. 2309: Mr. NOLAN, Mr. PASCRELL, Mr. DAVID SCOTT of Georgia, Mr. RAHALL, Mr. TIERNEY, and Mr. ANDREWS.
H.R. 2319: Mr. COOK.
H.R. 2366: Mr. PETERS of Michigan.
H.R. 2368: Mr. PETERS of California.
H.R. 2376: Mr. BRADY of Pennsylvania, Mr. CARTWRIGHT, and Mr. DENT.
H.R. 2415: Mr. FARENTHOLD and Mr. GARDNER.
H.R. 2453: Mr. SCHOCK.
H.R. 2529: Mr. COHEN.
H.R. 2591: Mr. DIAZ-BALART.
H.R. 2663: Mr. COHEN and Mr. PRICE of North Carolina.
H.R. 2692: Mr. ISRAEL.
H.R. 2801: Mr. JOHNSON of Ohio.
H.R. 2866: Mr. WALBERG, Mr. LATTA, Mr. CAPUANO, Mr. LUCAS, Mrs. BROOKS of Indiana, Mr. COTTON, Mr. COLLINS of Georgia, Mr. NUNNELLEE, Mr. MCCAUL, Mr. SIMPSON, Mr. MULVANEY, Mr. DUFFY, Mr. KELLY of Pennsylvania, Mr. RENACCI, Mr. GRAVES of Missouri, Mr. ROKITA, Mr. ELLISON, Mr. WOMACK, Mr. LIPINSKI, Mr. CLEAVER, Mr. WALZ, Mr. PALLONE, Mr. THORNBERRY, Ms. SCHAKOWSKY, Mr. HULTGREN, Mr. YOUNG of Indiana, Mr. LYNCH, Mr. CONAWAY, Mr. ROGERS of Kentucky, Mr. MULLIN, Mrs. ROBY, Mr. PALAZZO, Mr. COOPER, Mr. SARBANES, Mr. BEN RAY LUJAN of New Mexico, Mr. JOHNSON of Georgia, Mr. RUSH, Mr. QUIGLEY, Mr. LANGEVIN, Mr. YOHO, Mr. GRAVES of Georgia, and Mr. HURT.
H.R. 2868: Mr. JONES and Mr. POCAN.
H.R. 2920: Ms. FUDGE.
H.R. 2939: Mr. COHEN and Mr. SERRANO.
H.R. 2962: Mr. FRELINGHUYSEN.
H.R. 2974: Mrs. KIRKPATRICK.
H.R. 2988: Mr. DENT.
H.R. 2996: Mr. LIPINSKI and Mr. COLLINS of New York.
H.R. 2997: Mr. POSEY.
H.R. 3040: Ms. MOORE.
H.R. 3077: Mr. WALBERG, Mr. DENT, and Mr. VALADAO.

H.R. 3132: Mr. BARTON, Mr. BURGESS, and Mr. KINZINGER of Illinois.
H.R. 3172: Mr. CONYERS and Mr. LOWENTHAL.
H.R. 3179: Mr. MEEKS.
H.R. 3310: Mr. TIERNEY.
H.R. 3318: Mr. CICILLINE and Mr. KILDEE.
H.R. 3323: Mr. BISHOP of New York.
H.R. 3327: Mr. COHEN and Mr. MATHESON.
H.R. 3334: Mr. COHEN and Mr. RUIZ.
H.R. 3344: Mr. MCGOVERN, Ms. WILSON of Florida, and Mr. ROSKAM.
H.R. 3361: Mr. MCDERMOTT, Mr. STOCKMAN, Ms. SCHAKOWSKY, Mr. GRIJALVA, and Mr. CICILLINE.
H.R. 3370: Mr. HORSFORD, Ms. KELLY of Illinois, Mr. CALVERT, Mr. PAYNE, Mr. RYAN of Ohio, and Mr. OWENS.
H.R. 3384: Mr. LATTA.
H.R. 3401: Mr. PAYNE.
H.R. 3431: Mr. COSTA.
H.R. 3449: Mr. CONNOLLY and Mr. COHEN.
H.R. 3462: Mr. PETRI.
H.R. 3472: Mr. SEAN PATRICK MALONEY of New York, Mr. GRIMM, Mr. CROWLEY, Mr. NADLER, Mr. TONKO, Mrs. LOWEY, Mrs. MCCARTHY of New York, and Ms. CLARKE.
H.R. 3474: Mr. GOODLATTE.
H.R. 3482: Mr. NUNNELLEE.
H.R. 3494: Mr. MCKINLEY, Mrs. BUSTOS, Mr. VAN HOLLEN, Mr. OWENS, and Ms. LOFGREN.
H.R. 3529: Mr. LOWENTHAL and Mr. HUDSON.
H.R. 3530: Mr. JOHNSON of Ohio and Mr. SCHOCK.
H.R. 3538: Mr. BECERRA, Mr. CASTRO of Texas, Mr. GUTIÉRREZ, Mr. COSTA, Ms. CLARKE, Mr. RUIZ, Mr. PASTOR of Arizona, Ms. LINDA T. SÁNCHEZ of California, and Mr. SABLAN.
H.R. 3590: Mr. BOUSTANY, Mr. KLINE, Mr. COOK, Mr. COLE, Mr. MARCHANT, Mrs. HARTZLER, Mr. BUCSHON, and Mr. JOHNSON of Ohio.
H.R. 3610: Mr. ROSKAM.
H.R. 3637: Mr. DESANTIS and Mr. HARRIS.
H.R. 3644: Mrs. CAPITO.
H.R. 3650: Mr. COHEN.
H.R. 3657: Mr. BISHOP of Utah.
H.R. 3660: Mr. MEADOWS.
H.R. 3666: Mr. CONYERS.
H.R. 3676: Mr. DEFazio, Mr. PETRI, Mr. MICHAUD, Mr. DUNCAN of Tennessee, Mr. COHEN, Mrs. CAPITO, Mrs. MILLER of Michigan, Mr. BUCSHON, Mr. MEEHAN, Mr. RODNEY DAVIS of Illinois, Mr. COOPER, Ms. ESHOO, Mr. FARR, Ms. GRANGER, Mr. GRIMM, Mr. JOYCE, Mr. MARCHANT, Mr. MCKINLEY, Ms. SCHWARTZ, Mr. WILLIAMS, and Mr. NEAL.
H.R. 3685: Mr. SHIMKUS, Mr. ROTHFUS, Mr. YOUNG of Indiana, Ms. JENKINS, Mr. MURPHY of Pennsylvania, Mr. STIVERS, Mr. KING of New York, Mr. DENT, Mr. REED, and Mr. KELLY of Pennsylvania.
H. J. Res. 25: Mr. HONDA.
H. Con. Res. 29: Mr. STIVERS.
H. Con. Res. 52: Mr. COHEN.
H. Con. Res. 55: Mr. STIVERS.
H. Res. 30: Mr. JOHNSON of Ohio.
H. Res. 72: Mr. MORAN.
H. Res. 112: Mr. MCNERNEY.
H. Res. 147: Mr. REED.
H. Res. 247: Mr. DEUTCH.
H. Res. 254: Ms. GRANGER and Mr. TIERNEY.
H. Res. 281: Mr. VAN HOLLEN.
H. Res. 417: Mr. WALZ, Mr. FRANKS of Arizona, Mr. BRIDENSTINE, and Mr. RIBBLE.
H. Res. 418: Ms. BONAMICI.
H. Res. 424: Mr. KIND.
H. Res. 425: Mr. HULTGREN, Mr. HARRIS, Mr. POSEY, Mr. GINGREY of Georgia, and Mr. SANFORD.
H. Res. 431: Mr. DESANTIS, Mr. SESSIONS, Mr. BRADY of Texas, Mr. JOHNSON of Ohio, Mr. RODNEY DAVIS of Illinois, Mr.

BENTIVOLIO, Mr. PEARCE, Mr. GARDNER, Mr. ROKITA, Mr. NEUGEBAUER, Mr. FLEMING, Mr. DAINES, Mr. CONAWAY, Mr. ROTHFUS, Mr. HUIZENGA of Michigan, Mr. GRAVES of Georgia, Mr. KELLY of Pennsylvania, and Mr. COLLINS of New York.
H. Res. 434: Mr. ANDREWS, Mr. BACHUS, Mrs. BACHMANN, Mrs. BEATTY, Mr. BECERRA, Mr. BERA of California, Mr. BENTIVOLIO, Mr. BISHOP of Georgia, Mr. BISHOP of New York, Mr. BLUMENAUER, Ms. BONAMICI, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Ms. BROWNLEY of California, Mrs. BUSTOS, Mr. BUTTERFIELD, Mr. CALVERT, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDENAS, Mr. CARNEY, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Mr. CASTRO of Texas, Mr. CHABOT, Mrs. CHRISTENSEN, Ms. CHU, Mr. CICILLINE, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. COBLE, Mr. COHEN, Mr. COLE, Mr. CONNOLLY, Mr. CONYERS, Mr. COOK, Mr. COOPER, Mr. COSTA, Mr. COURTNEY, Mr. CRAMER, Mr. CROWLEY, Mr. CUELLAR, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mr. RODNEY DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFazio, Ms. DEGETTE, Mr. DELANEY, Ms. DELAURIO, Ms. DELBENE, Mr. DENHAM, Mr. DEUTCH, Mr. DINGELL, Mr. DOGGETT, Mr. DOYLE, Ms. DUCKWORTH, Mr. DUFFY, Ms. EDWARDS, Mr. ELLISON, Mrs. ELLMERS, Mr. ENYART, Ms. ESHOO, Ms. ESTY, Mr. FALEOMAVAEGA, Mr. FARR, Mr. FATTAH, Ms. FRANKEL of Florida, Mr. FRANKS of Arizona, Mr. FRELINGHUYSEN, Ms. GABBARD, Mr. GALLEGO, Mr. GARAMENDI, Mr. GOWDY, Ms. GRANGER, Mr. GRAYSON, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIFFIN of Arkansas, Mr. GRIJALVA, Mr. GRIMM, Mr. GUTHRIE, Mr. GUTIERREZ, Ms. HAHN, Ms. HANABUSA, Mr. HASTINGS of Florida, Mr. HECK of Washington, Mr. HIGGINS, Mr. HIMES, Mr. HINOJOSA, Mr. HOLT, Mr. HONDA, Mr. HORSFORD, Mr. HOYER, Mr. HUFFMAN, Mr. HUIZENGA of Michigan, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JEFFRIES, Mr. JOHNSON of Ohio, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. JOYCE, Ms. KAPTUR, Mr. KEATING, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. KILMER, Mr. KIND, Mr. KINZINGER of Illinois, Mrs. KIRKPATRICK, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS, Mr. LIPINSKI, Mr. LOEBSACK, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Mr. MARINO, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MCNERNEY, Mr. MEEKS, Ms. MENG, Mr. MICHAUD, Mr. GEORGE MILLER of California, Mr. MILLER of Florida, Ms. MOORE, Mr. MORAN, Mr. MURPHY of Florida, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL, Mrs. NEGRETE MCLEOD, Mr. NOLAN, Ms. NORTON, Mr. O'ROURKE, Mr. OWENS, Mr. PALLONE, Mr. PAYNE, Mr. PETERS of Michigan, Mr. PETERS of California, Mr. PERLMUTTER, Mr. PETERSON, Mr. PETRI, Mr. PIERLUISI, Ms. PINGREE of Maine, Mr. PITTENGER, Mr. PITTS, Mr. POCAN, Mr. POLIS, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Mr. REED, Mr. REICHERT, Mr. RENACCI, Mr. RIBBLE, Mr. RICHMOND, Mr. ROSKAM, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. RUPPERSBERGER, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABLAN, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHNEIDER, Mr. SCHOCK, Mr. SCHRADER, Ms. SCHWARTZ, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SEWELL of Alabama, Ms. SHEA-PORTER, Mr. SHERMAN, Mr. SHIMKUS, Ms. SINEMA, Mr. SIREN, Ms. SLAUGHTER,

Mr. SMITH of Washington, Ms. SPEIER, Mr. STIVERS, Mr. SWALWELL of California, Mr. TAKANO, Mr. TERRY, Mr. THOMPSON of Mississippi, Mr. THOMPSON of Pennsylvania, Mr. THOMPSON of California, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VARGAS, Mr. VEASEY, Mr. VELA, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Mr. WATT, Mr. WAXMAN, Mr. WEBER of Texas, Mr. WELCH, Mr. WENSTRUP, Ms. WILSON of Florida, Mr. WILSON of South Carolina, Mr. WOLF, Mr.

WOMACK, Mr. YARMUTH, Mr. YODER, and Ms. PELOSI.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks,

limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. LUCAS

Mr. Speaker, the provisions that warranted a referral to the Committee on Agricultural in H.R. 3695 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 or rule XXI of the Rules of the House of Representatives.

SENATE—Wednesday, December 11, 2013

The Senate met at 2 p.m. and was called to order by the Honorable MARTIN HEINRICH, a Senator from the State of New Mexico.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, Your kingdom will never end. Abide with our Senators and may they find favor with You. Lord, remind them that because of Your omnipotence, nothing is impossible for You. May their reverence for You provide them this day with a foundation of wisdom that will enable people everywhere to live in peace, untroubled by fear of harm. Teach our lawmakers to treasure Your commands, to walk with integrity, and to do what is right, just, and fair. May their relationship with You be like the first light of dawn, which shines even brighter until the full light of day.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 11, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARTIN HEINRICH, a Senator from the State of New Mexico, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. HEINRICH thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

WORKFORCE INVESTMENT ACT OF 2013—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 243, S. 1356.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to Calendar No. 243, S. 1356, a bill to amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will resume consideration of the nomination of Nina Pillard to be U.S. circuit judge for the D.C. Circuit, postcloture.

MEASURE PLACED ON THE CALENDAR—S. 1797

Mr. President, I am told S. 1797 is due for a second reading. Is that valid?

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The bill clerk read as follows:

A bill (S. 1797) to provide for the extension of certain unemployment benefits, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to this bill at this time.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar under rule XIV.

SENATE AGENDA

Mr. REID. Mr. President, I congratulate the budget negotiators on reaching an agreement last night to roll back the painful and arbitrary cuts of sequestration and prevent another dangerous government shutdown in the new year. Their bargain also protects Medicare and Social Security benefits and reduces the deficit. That is a good package.

I commend Budget Chairman MURRAY and her House Republican counterpart Congressman PAUL RYAN for their diligence and cooperative spirit which made this agreement possible.

The process that led to this accord was long and very difficult. The Republican government shutdown—the first in 17 years—took a toll on our economy, on American families, and on our reputation around the world. It was also costly for the Federal Government in many different ways.

So when Congress reached a temporary settlement that ended the shortsighted shutdown, Democrats were committed to ending the terrible

cycle of lurching from crisis to crisis. But understand this: When this measure went to the House of Representatives—it passed here to keep open the government, after 16 days; to stop the government from defaulting on its debt for the first time in history—about 75 percent of the Republicans in the House voted to keep the government closed and to default on the debt. Think about that. So this agreement is really a breath of fresh air—as we have been committed to setting sound fiscal policy through the regular order of the budget process and not through hostage taking or crisis making.

In this new agreement neither side got everything it wanted, but that is how it used to work around here. That is how it worked. Each side would move forward on what they wanted, and they would recognize—sometimes it was soon; sometimes it was not so soon—that the only way to work something out was to work together. That is what happened here.

So this is, I repeat, a breath of fresh air for the country. But I also hope it is a view of the future. I hope it is a view of the future. For example, I believe, as many Democrats do, that an extension of emergency unemployment insurance should be included in this package. I am very disappointed that the bills posted by the House last night do not include that. About 20,000 Nevadans who have been unemployed for more than 6 months—and more than a million people nationwide—will lose their earned unemployment benefits at the end of this year unless Congress acts.

I will stand for those Americans who want to get back to work as soon as possible but face a market where there is only one job opening for every three unemployed workers. That is why we are going to push here, after the first of the year, for an extension of unemployment insurance when the Senate convenes after the New Year, as I will also work very hard to raise the minimum wage.

It was stunning, Mr. President, the reports all over the national media today—radio, television, all the print media—that the vast majority of Americans believe the minimum wage should be raised to \$10 an hour. The American people believe that if someone works for 40 hours, they should not be on the rating as being poor. They should be able to support themselves and their family. But that is not the way it is now. We need to raise the minimum wage, and there will be a sustained effort to do that when we come back.

Democrats, led by Senator MURRAY, stood for our party's priorities—protecting the middle class and growing the economy—but we were also ready and willing to compromise with our Republican counterparts. I admire Senator MURRAY for having proceeded forward along this line.

But while both sides made concessions and sacrifices, I repeat, that is the nature of negotiation and the point of a conference committee: to work together to work out our differences. So to their credit, members of the conference committee considered every option, no matter how painful to their own political party. They rejected many. They rejected most. They were able to come together on enough revenue and enough cuts to come up with this pact that they have.

Under the leadership of Chairman MURRAY, the committee crafted a 2-year bargain that charts a course for economic growth, maintains fiscal responsibility, and, perhaps most importantly, averts another manufactured crisis that would undercut the economic progress we have made these last 4 years.

So I look forward to working with my colleagues on both sides of the aisle and both sides of the Capitol to pass this agreement.

Last night, we also filed—I should not say “we”—last night, the House filed a bill to ensure physicians are fairly compensated so Medicare patients can continue to see their doctors. It would be a shame if Medicare patients did not have the ability to have a doctor. But unless we did this agreement—short term as it is—physicians would receive a 27-percent cut in pay. So again in the new year we are going to work very hard to get rid of this so-called doc fix once and for all. We need to fix it once and for all.

Unfortunately, instead of beginning work on either of these things I have talked about, the two agreements—that is, the fix for doctors for Medicare patients, the budget; and the Defense bill, which I have not talked about, which also was posted last night in the House—Republicans are not facing reality. They are not. You are seeing, the American people are seeing before their eyes the face of obstruction. That is what is going on right now. We are eating up days of time—wasting hours, weeks, and days.

We could be voting on all this stuff now, all these nominations that are appearing before this body now, and move on to the substantive issues. This is why the rules were changed, Mr. President. You can see it right now. We are wasting hour after hour doing nothing.

The filibuster rule was established to get legislation passed. As it relates to nominations, the same thing applied: to get nominations processed. Our predecessors in the Senate set some rules saying that if cloture is invoked,

the parties are entitled to some time to make their case before final passage or final vote on the nomination.

So now we have a number of nominations we are processing. To show how shallow the Republicans' obstructionism is, they have no objections to any of these nominations. Nobody comes and gives these fire-and-brimstone speeches about how bad these people are. Why? Because they are not. They have just been stalling and stalling. I repeat, this is the face of obstruction which we have been facing for 5 years during the Obama administration. Is it any wonder that the rule was changed that relates to nominations? We were spending all of our time trying to get the President to have a team rather than doing work on substantive legislation.

So we will see how late we have to work tonight. Whatever it is, we are going to do it. We are going to finish these nominations this week. If it goes into Friday, if it goes into Saturday, that is what we are going to do. We have to get this done.

Christmas is approaching, and I understand that. We all understand that. But this session of Congress does not end at Christmastime. We have work to do. We have to pass this budget. We have to do something for those Medicare patients. We have to do something for the military of this country with this Defense agreement that has been reached between the leaders of those two important committees—Armed Services and their counterpart in the House, whatever it is called.

So why waste this time? There is no reason to do this. Republicans are stalling. For what? To stop these nominations from going forward? They are going to go forward with a simple majority vote. I understand one of them may not go forward because some Democrats do not like the nominee, but that is the way it should be.

So we could confirm Nina Pillard right now. No one is saying a single word contrary to her being the quality candidate that we have said she is. She is nominated to sit on the District of Columbia Appeals Court, I repeat, some say the most important court in America; most say second only to the Supreme Court.

But instead, Republicans are insisting that we vote on her nomination many hours from now, after they have frittered away 30 hours of the Senate's time. There are no objections to her qualifications. The outcome of her vote is a foregone conclusion. So when people around here complain that they are not home with their families at Christmastime, here is the reason: Republicans' obstruction.

It is hard to imagine a more pointless exercise than spending hour after hour waiting for a vote on an outcome we already know. Republicans insist on wasting time simply for the sake of

wasting time. Is it any wonder, I repeat, that the rule was changed? Here is why. It is no wonder Americans overwhelmingly support the changes made to the rules last month in order to make the Senate work again.

The Republican's partisan sideshow is another example of the kind of blatant obstruction that has ground the Senate to a halt. The work of the Senate has come to a standstill over the last 5 years. Members should be aware if Republicans stop squandering the Senate's precious time, rollcall votes are possible at any time this afternoon or this evening. It does not have to be like this.

With just a little bit of cooperation, we could hold votes in a timely manner so we can move on with the business before us. Unfortunately, we can not schedule votes without cooperation; that is part of the Senate rules. Cooperation is in short supply at the moment.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION

NOMINATION OF CORNELIA T. L. PILLARD TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination which the clerk will report.

The bill clerk read the nomination of Cornelia T. L. Pillard, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

SENATE RULES AND HEALTH CARE

Mr. McCONNELL. Mr. President, I just listened to the majority leader complaining about what we are doing this week. He is the one in charge of the schedule. He has spent a week here on nonessential nominations, none of which are emergencies, all of which could be handled later. It was his choice to spend the week on nominations that are not emergencies as opposed to doing things like passing a DOD authorization bill or things like taking up a budget resolution or things like doing a farm bill. So the majority leader has a choice as to what we are going to spend time on. He has chosen to spend this week on 10 nominations.

Yesterday I talked about the left's “ends justify the means” quest for power and the lengths to which they

are willing to go to satisfy it. The Obama administration and its allies have done just about everything to get what they want one way or the other, even fundamentally altering the contours of our democracy when they could not get their way by playing by the rules.

We saw the culmination of that with the majority leader's power grab in the Senate last month. The real world consequences of that power grab are most sharply illustrated by the very nominee before us, which I believe I heard the majority leader commenting on what a stellar nominee this person is.

Professor Pillard may be a fine person, but she is not someone who should receive a lifetime position on the second highest court in the land. She will be confirmed, however, because of the Democratic majority's power grab a couple of weeks ago. So let's take a look at her legal views. They certainly make one thing clear: The nominee before us is a liberal ideologue; in other words, just the kind of person this administration is looking for to rubberstamp its most radical regulatory proposals on the D.C. Circuit.

Let's take the so-called Hosanna-Tabor case. Last year the Supreme Court reinforced a core First Amendment principle when it ruled unanimously that churches, rather than the government, could select their own leaders.

Every single justice sided with the church's argument in that case. Every single one. It makes sense. Freedom of religion is a bedrock foundation of our democracy. I think every member of this body would surely agree that the government does not have any business picking a group's religious leaders for them. But Professor Pillard seemed to have a very different view. Prior to the Court's unanimous decision, she said the notion that "the Constitution requires deference to church decisions about who qualifies as a minister" in the case before the Court seemed "like a real stretch."

This is the nominee, after the power grab, the Senate is about to confirm, who said that, "It is a real stretch that a church would be able to pick its own leaders." This is an astonishing judgment from somebody who is about to end up on what we believe is the second most important court in the land.

But she went on from that. The position of the church in the Hosanna-Tabor case represented a "substantial threat to the American rule of law." How do you like that, Mr. President? It is a substantial threat to the American rule of law that a church should be able to pick its own leaders. A substantial threat to the American rule of law.

This was a case decided the other way from Professor Pillard's position, 9 to 0. Talk about radical. Talk about extreme. No wonder they wanted a simple majority to be available to confirm a

nominee like this. I mean, even the Court's most liberal justices, as I mentioned, disagreed with Professor Pillard on this one.

One of them characterized that kind of position as "amazing." This is a member of the Supreme Court in the 9-to-0 decision, characterizing Professor Pillard's view as "amazing." In other words, Professor Pillard must think that even the furthest left Supreme Court Justice is not far enough left for her. So you get the drift of where she is.

We rightly expect justices on our nation's highest courts to evaluate cases before them with a judge's even-handed mindset, not the absolutism of an ideologue. But just listen. Listen to the kinds of things Professor Pillard has said.

She has expressed sympathy with the idea that the rights of our Constitution—the same Constitution she would be charged with upholding—have "just about run out," and that this necessitates a shift toward international law—a shift toward international law. Apparently, she feels the U.S. Constitution is no longer adequate, and we need to rely on foreign law to determine what we do here in this country.

She has said that abortion, essentially without limits, is necessary to avoid "conscriptio into maternity;" That even commonsense laws many American men and women support serve to "enforce incubation."

She has referred to the types of ultrasound images that are now available to so many proud moms and dads to be as "deceptive images."

Ultrasound is a "deceptive image," according to Professor Pillard, perpetrated by the "anti-choice movement." In other words, she appears to think that proud moms and dads should not believe their own eyes when they look at the images science has made increasingly available to us over the past few years.

It is an understatement to say that these sorts of views are worrying for someone the President wants on one of our Nation's top courts. In short, Professor Pillard does not seem like a person with the mindset or the temperament of a judge. She seems like a person with the attitude and disposition of a leftwing academic, someone who seems to come to conclusions based on how well they support her own theories.

Judges are charged with fairly evaluating the law that is actually before them, not the law as they wish it to be. So I will be voting against the Pillard nomination. It is important to keep this in mind as well. Nearly every single Democratic Senator voted to enable the majority leader's power grab last month. Those Senators are responsible for its consequences. That includes the confirmation of Ms. Pillard, regardless of how they vote on her nomination.

So I would urge Democrats to rethink the kind of nominees brought to the floor moving forward because now they are all yours. You are going to own every one of them. A simple majority. You own them. Extremist nominees like Professor Pillard are the reason the President and Senate Democrats took the unprecedented step of going nuclear 2 weeks ago. They unilaterally changed more than two centuries of history and tradition and violated their own prior statements and commitments so nominees like this could rubberstamp the President's most leftwing agenda items.

This is the playbook. Forget the rules. Forget checks and balances. Certainly forget the will of the American people. Do whatever it takes—whatever it takes—to get the President's agenda through. The other side of this, of course, is that Democrats are determined to change the subject from ObamaCare—anything to change the subject.

We now know that this President engaged in a serial deception in order to get his signature health care bill enacted into law. The White House debated whether to tell the truth or not on whether folks would be able to keep the plans they have. They decided not to tell the truth, a conscious decision to mislead the American people going back to 2009.

Their view was that the talking point was just too useful. They needed it in order to get what they wanted. So I would probably be looking to change the topic too if I were our friends on the other side of the aisle. Change the subject to Senate rules or nominees or anything else for that matter.

The last thing the majority wants to talk about is ObamaCare, because they own it 100 percent. Not a single Republican in the House or Senate voted for it. Every single Senate Democrat did. The problem is what Senate Democrats have done by going nuclear here in the Senate is really no different from what they did on ObamaCare. Once again they said one thing and did another.

The majority leader said publicly and repeatedly he would not break the rules, and then he did. He said he would not break the rules, and then he did. As I said a couple of weeks back, he might as well have said: If you like your Senate rules, you can keep them.

Here we are today. Here we are today ready to watch Senate Democrats rubberstamp an extremely liberal nominee to a lifetime position on a vote threshold the majority leader, back when he was in the minority and supported minority rights in the Senate, said would be disastrous for our democracy.

Anything it takes. Anything it takes to get this President's agenda around the checks that have been established to restrain power. Anything it takes to get around anybody who disagrees with

them, whether it is ObamaCare or the judges they expect to defend it. Anything it takes, they are willing to do.

Let me say again that nobody who supported this rules change can walk away from nominees like Professor Pillard or their rulings. They own them.

Let's get back to ObamaCare for a few minutes because that is the issue the American people are most concerned about now. That is the issue the Democrats want to distract us from.

The American people should know what the liberal playbook is. The left believes the President's agenda runs straight through the D.C. Circuit Court. That is why they pressured Democrats to change the rules of the Senate to pack this court with folks like Professor Pillard.

The goal here is actually twofold: First, grease the skids for an agenda that can't get through the Congress. Then build a firewall around it by packing this court with your ideological allies. That way Democrats can keep telling folks what they think they want to hear about ObamaCare and anything else, but they can also rest assured that nobody is going to tamper with it.

All of this is in the context in which the national debate over ObamaCare and its failures should be viewed. None of it should distract us from what ObamaCare is doing to our health care system or to the millions of ordinary Americans who have been suffering under its effects.

Over the past couple of months the American people have been witness to one of the most breathtaking indictments of big-government liberalism in memory. I am not only talking about the Web site—the subject of late-night comedy—I am talking about the way in which ObamaCare was forced on the public by an administration and a Democrat-led Congress that we now know is willing to do and say anything to pass the law. They are willing to do or say anything.

In the Senate we had the "Cornhusker kickback," we had the "Gator aid," we had the "Louisiana Purchase," and they finally got up to the 60 votes they needed. They had to get every single Democrat, and they got them any way it took. This is coupled with the grossly misleading statement: If you have your policy and you like it, you can keep it. If you have your doctor and you like him or her, you can keep them. The President and his Democratic allies were so determined to force their vision of health care on the public that they assured them they wouldn't lose the plans they had, that they would save money instead of losing it, and that they would be able to keep using the doctors and hospitals they were already using. The stories we are hearing now on a near-daily basis range from heartbreaking to comic.

Americans are very upset. Finally, the big-government crowd messed with an issue that affects every single American. In my State they have shut down the coal industry. That has had a big impact by creating a depression in Central Appalachia. One could argue they can go after the coal industry because it is confined to certain areas of the country. But on health care they are messing with everybody. The one issue every single American is affected by and cares about is their own health care.

The attention-getting stunts the President has engaged in—we can have those until we are blue in the face, but they don't change anything. All they do is remind folks of the way Democrats continue to set up one set of rules for themselves and another for everybody else. There is one set of rules for us and another set for everybody else. Whether it is ObamaCare or the IRS or the NLRB or pushing the button on the nuclear option, it is all basically the same debate: We are going to do what we are going to do. We don't care what the rules are; we will break the rules. We will do whatever it takes to get what we want. It is a party that is clearly willing to do and say just about anything to get its way.

Millions of Americans are hurting because of a law Washington Democrats forced upon them. What do they do about it? They cook up a fight over judges on a court that doesn't even have enough work to do. This is a court that they were arguing a few years ago shouldn't have any additional members because they had a light workload, and now the court has an even lighter workload.

We know what this is about. As I indicated, I would want to be talking about something else too if I had to defend dogs getting insurance while millions of Americans lost theirs. It isn't going to work. The parallels between the latest move and the original ObamaCare push are all too obvious to ignore.

The majority leader promised over and over that he wouldn't break the rules of the Senate in order to change them. On July 14 he went on "Meet the Press" and said: "We're not touching judges." This was on July 14 of this year. That echoed the promise he made in January of this year. It sounds very similar to "If you like your policy, you can keep it."

Then there are the double standards. When the Democrats were in the minority, they argued strenuously against changing the rules. And let's not forget about the raw power at play. The American people decided not to give Democrats the House or to restore the filibuster-proof majority they had in the Senate in the last two elections—an inconvenient truth for our friends on the other side.

They don't own the place anymore. They did in the first 2 years, with 60

votes in the Senate and a 40-seat majority in the House, but not anymore. The American people took a look at that first 2 years and issued a national restraining order in November of 2010. Our friends don't want to be deterred by that. They are going to pursue their agenda through the courts and through the regulatory schemes the administration propounds. They changed the rules of the game to get their way. It is pretty clear that if one can write the rules of the game, they ought to be able to win.

Earlier this year the senior Senator from New York said Senate Democrats intended to "fill up the D.C. Circuit one way or another." It couldn't be any more clear than that. We will do it one way or the other. We break the rules, change the rules, and do what we want to do. The arrogance of power is on full display by an arrogant majority. It is on full display in the Senate.

Our colleagues evidently would rather live for the moment and try to establish a storyline that Republicans—I just heard it here from the majority leader—Republicans are intent on obstructing President Obama's judicial nominees. It is a storyline that is patently ridiculous. One can keep saying things over and over, but it doesn't make it true. It doesn't make it true to keep saying the wrong thing over and over.

Here are the facts. Before this current Democratic gambit to "fill up the D.C. Circuit one way or another," as the senior Senator from New York said, the Senate had confirmed 215 judges and rejected 2—some provocation for breaking your word and breaking the rules of the Senate in order to change the rules of the Senate. That is a confirmation rate of 99 percent. Republicans have been clearly willing to confirm the President's judicial nominees. And on the D.C. Circuit, we recently confirmed one of the President's recent nominees by a vote of 97 to 0.

The Democratic strategy of distract, distract, distract is getting old. It is not working. The American people are not listening to this ridiculous argument. They are worried about their health care and are angry at the people who caused them to lose their policies. In my State 280,000 people have lost their policies, and on the exchange 26,000 have been able to get private policies. The rest of them are all Medicaid recipients.

The Democratic playbook of broken promises, double standards and raw power—the same playbook that got us ObamaCare—has to end. With the help of the American people, we will end it in 1 year. Meanwhile, Republicans are going to keep pushing to get back on the drawing board on health care—to replace ObamaCare with real reforms that help rather than punish the middle class.

At this point I am going to refer to some constituent letters I have received related to ObamaCare that the Senate would find noteworthy.

This is a letter from a constituent in Bowling Green:

I am a 35-year-old college graduate and represent many hardworking middle-class Kentuckians who are being directly impacted by . . . ObamaCare. I am a married father of 2 young children. We are, by most accounts, an average American family. Before [ObamaCare] was passed, my family was insured through a health insurance policy purchased on the open market. We shopped several different policies and chose the one that was the best fit for our needs.

Recently, we received a notice from our insurer that our plan didn't meet the requirements of the [new health care law]. According to the letter, we were required by law to be transitioned into a plan that did meet these new requirements. Also included in the letter was our new premium. That is what shocked us. According to the letter, our premiums would be increasing by 124%, more than double what we had budgeted for this expense.

According to a speech by the Vice President on September 27th [of this year], a family of four earning \$50,000 a year could get coverage for as little as \$106 a month. Should I have to pay 8 times that amount because my wife and I both work hard to provide for our family and earn more than the Vice President's limit of \$50,000 a year? Why should the price of a product be based on my ability to pay?

That is a very good question: "Why should the price of a product be based on my ability to pay?"

He continues:

Would that work at the gas station? Should the price of a gallon of gas be decided by my income tax return? Or at the grocery store? Should the price of a gallon of milk be determined by my income tax return? Or in shopping for a home loan? Should the interest rate on my mortgage be higher if I earn more than \$50,000 a year? This predatory pricing structure runs contrary to the basic American foundational principles of Free Enterprise and is illegal in every other marketplace. It should be illegal in health care too.

Larry Thompson from Lexington:

My health plan that I have had for 10 years just got canceled, and the least expensive plan on the exchange is a 246 percent increase—that means hundreds of extra dollars per month we don't have. Obama lied and made a promise he couldn't keep when he said repeatedly if we wanted to keep our current health care policy we could.

That is what Mr. Thompson from Lexington said. And he continues:

He has really affected our lives for the worse—much worse. I'm so mad. We must stop insurance companies from canceling policies—now.

And of course the reason they are having to cancel policies is because the law makes them.

Sherry Harris from Nicholasville in my State:

Did you know the Lake Cumberland Hospital in Somerset is not on the Anthem network? Which means anybody in Pulaski and surrounding counties that qualify for a subsidy and want to use it will have to drive to London, Corbin or Lexington to get care?

Harriet White from Rockfield, which is in Warren County, near Bowling Green:

Dear Senator MCCONNELL: I am deeply upset because of the effect this health care act has had on our family's health insurance. It has negatively impacted our finances and our quality of care. The President promised that if you had health care, you would not be impacted. The sad truth is that, like my co-workers, my deductible has doubled, along with my premiums. The only way to be able to adjust is for us to either reduce or stop our 401(k) contributions. This is hardly affordable health care. I don't understand why such a blatant lie has been allowed to go this far. Do we not as American citizens have the right to choose basic services? I don't think the government should make choices for the people that impact us in such a negative way. Thank you for your time, and please keep fighting this gross abuse of power.

Aaron McLemore from Louisville:

Seeing as I'm a single male (31, policy being canceled) with no kids or dependents, and I'm paying for pediatric dental care and maternity care, it doesn't make a whole lot of sense to me.

This is a single male, age 31, having to pay for pediatric dental care and maternity care, and he says it "doesn't make a whole lot of sense to me." He makes more than \$100,000 a year and doesn't qualify for a subsidy on the Obama exchange. So the current policy of this 31-year-old is being canceled. A new policy from the exchange will more than double his monthly premium and nearly double his yearly out-of-pocket maximum. His higher costs aren't subsidizing lower income policyholders whose subsidies have already been paid by the government, but he is providing a subsidy in another way: The new act requires him to buy a policy with features he doesn't need.

What ObamaCare is doing is moving McLemore out of the individual market, where people are sorted by age and health history and scope of coverage, to a market more like the traditional employer-based group policy in which young and old workers get the same coverage and pay the same premium.

Mr. and Mrs. Spears from Louisville:

I think you should know what is going on here in Kentucky with Kynect—

That is the Kentucky Web site—

I had to sign my wife up since our governor canceled all of the KyAccess policies effective January 1, 2014. I signed up through the benefits firm, advising them that I wanted no subsidies since we have always paid our way in 42 years of marriage. He told me the full pay option of \$517 per month and advised no income verification was necessary since no subsidies were involved. So I chose the Kentucky Co Op plan, as I felt the monies would stay in Kentucky with this plan.

He went on to say:

And then I received four mailings from Kynect. One stating she was declined coverage unless I sent income verifications; also one stating I have to fill out a voter registration and return as they have no information on my voting record.

So what does whether you are registered to vote have to do with signing up for ObamaCare?

The letter continues:

I called Kynect today and advised them I am receiving no subsidies and do not feel I should be required to send this information to them. And if they wanted this information, I file taxes every year and would be easily accessed. In regards to voter registration, I advised this has nothing to do with health registration, and I strongly objected to the language linking the two in the letter. Any clear thinking person would be upset at our State government trying to bring voter registration into this mess, not to mention personal information they should not need since no subsidies are involved.

These stories go on and on.

Lana Lynch from Brandenburg:

My out-of-pocket expenses for my family of five went from \$1,500 a year to \$7,000 a year. The best policy that is available by my employer has a \$7,000 out-of-pocket a year [provision].

And she works for a very large health care provider.

Jeannine Gentry from Ekron:

We are covered under my husband's policy through his employer. We have not found out exactly how much the premium is going to rise but have been told to expect between 150 to 300 percent increase per paycheck. We do know for certain that our deductible will rise from \$5,000 annually to \$8,500.

Ann Knauer from Sheperdsville:

I received my insurance papers from United Healthcare and found that my premiums had risen from \$214 to \$480 a month. I only get \$1,181 in Social Security a month. That's after my Medicare payment. So I went online to see if I could get my husband signed up for this ACA insurance. I filled out the information, but was told that what I stated for our income was incorrect and that I needed to send in proof of my income. Then they insisted we fill out this form about voter registration. We are already registered to vote and felt this was completely unnecessary. The form did have a spot that stated that we were already registered, but I just don't trust the Web site, so we declined. We got forms in the mail anyway. I'm just going to stick with my old insurance and pay the higher premiums because I know what it covers. I have Medicare and United Healthcare. I have kept this insurance because of my husband, who is also retired but not covered under any other insurance. My insurance came from my job that I had before I retired, as part of the retirement package.

Mike Conn from Prestonsburg. And I might say that Prestonsburg is in eastern Kentucky, in the heart of Appalachia, which is also suffering a depression as a result of this administration's war on coal. So this person who corresponded with me is also living in the middle of a depression-riddled part of my State also created by the Obama administration.

Here is what he said:

A policy that has similar coverage to what we had would cost us around \$1,100 a month. This is a 100 percent increase for me and my wife. I was informed by the individual that was helping me find coverage that it was because we live in eastern Kentucky.

Apparently their insurance company is not available there.

Finally, he says:

We will not pay that.

Giselle Martino from Prospect:

My premium health care, at premium cost to me, is being canceled. I paid a very high premium to have a major medical plan. I am now forced into the exchange for a lesser plan with more exclusions and higher deductibles. I will most likely never reach these deductibles. How does this help me? I'm basically paying into the plan for the others. If I must pay for my higher tier heart drugs anyway, why should I bother with the health plan? What a disappointment this administration has caused.

Cheryl Russell from Owensboro:

We got a letter from our insurance company saying our current policy will not meet the Affordable Care Act, which means it will go away. According to our insurance company, we will have to take pediatric dental and vision insurance. We don't have kids. They said it was because of ObamaCare. They are allowing us to keep our plan until December 2014, for an additional \$38 more a month, so we can find another plan. Another plan through this company that we had our whole life will cost us at least \$900 to \$1,000 a month. It will cost us over \$150 more a month plus our deductible goes up to \$5,700. I sent you a message last week. I am sending this again. Please keep taking a stand against ObamaCare. Our President lied to us. Not only are we going to lose our insurance, but when we go to a different policy we have to pay more. We will never be able to retire. We are 58 and 56 years old. We will have to work the rest of our lives just to pay for our own insurance. The company we work for doesn't provide it. This isn't fair and it isn't right. Thanks for taking a stand for all those who are in Kentucky.

So, Mr. President, in wrapping up my remarks, here is the situation. On Christmas Eve 2009, on a straight party-line vote—60 Democrats voting for and 40 Republicans voting against—the administration jammed through a 2,700-page rewrite of 16 percent of our economy. The goal, one could argue, was a noble goal—that of trying to reduce the number of uninsured in America from an estimated group of about 45 million Americans.

The first problem with this particular solution is that CRS—the Congressional Research Service, which doesn't work for either Republicans or Democrats—says when all is said and done we are still going to have 30 million uninsured. So what is the cost-benefit ratio of taking \$1 trillion out of the providers of health care—roughly \$750 billion in reductions; cuts to hospitals, home health care, nursing homes and the like, hospice; billions of dollars in taxes on medical devices; taxes on health insurance premiums kicking in the first of a year; a \$1 trillion impact on the providers of health care—and over on the consumer side I have just given a series of stories about how it impacts the consumers of health care: higher premiums, higher deductibles, lost jobs, a record number of part-time employees, and wreaking havoc on the American economy, the consumers of health care, and on the providers of health care—all to reduce

the number of uninsured from 45 to 30 million.

This has to be the worst cost-benefit ratio in the history of American government, all of this disruption—this catastrophic impact on 16 percent of our economy—in order to make a marginal reduction in the number of uninsured. This has to be the biggest mistake in modern times. In fact, I am hard-pressed to think of a single bigger mistake the Federal Government has made, and it has made some whoppers over the years. I am hard-pressed to think of a single example that comes anywhere close to this, a gargantuan, massive mistake, which has had a lot to do with the fact that we have had such a tepid recovery in our country after a deep recession.

The pattern since World War II has been that the deeper the recession, the quicker the bounce-back—until this one: a deep recession, a tepid recovery. The government itself is the reason for that: massive overregulation, an army of regulators who will now have their work sped through the D.C. Circuit Court who believe if you are making a profit you are up to no good; you are obviously cheating your customers and mistreating your employees. They are here to help you. This massive bureaucratic overreach has definitely slowed our recovery.

So I hope the American people will give us an opportunity in the not too distant future to pull this thing out root and branch and start over and do this right.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from West Virginia.

A NUCLEAR-ARMED IRAN

Mr. ROCKEFELLER. Madam President, I wish to speak about an issue of great importance to the national security of the United States and to all of our allies—which is, preventing Iran from ever having a nuclear weapon. There is no doubt in my mind that we will in fact do that, but certain things have to happen. The question is how, not whether, we prevent a nuclear-armed Iran.

For the first time in years, there is a real opportunity to take a good step to verifiably eliminate Iran's nuclear weapons capability through tough negotiations rather than the alternative—which is, inevitably, acts of war.

The initial interim agreement between the P5+1 and Iran is an encouraging first step, and I urge my colleagues not to put it at risk. How would they do that? By passing new sanctions right now. There is a lot of talk about that, and it is easy to look tough. I am kind of amazed, to be honest with you, that, I don't think, anybody from our side has gotten up and made a speech about this subject on the Senate floor. I meant to yesterday

but I couldn't. I thank Senator JOHN-SON, chairman of the banking committee, who has come to the rescue of all of us. He is not going to allow it to happen, and I totally congratulate him for that act of quiet and strong courage.

Instead, we should simply state the obvious: If Iran reneges or plays games, there is no question in anybody's mind in this Senate that we will quickly pass new sanctions the very moment the need arises. To me, this is a clear-cut case. Again, I frankly do not understand why more of us, at least on this side, have not gotten up to make this case. I think I have some ideas, but I do wonder.

There is still a long way to go, no question. But this diplomatic opportunity is real. Why? Because Iran wants and needs to find a way out of the financial isolation that our crippling sanctions have inflicted on its government, its business, and its people. It is devastating what our sanctions have done.

Iran's people elected a president who proposed a different path. Ayatollah Khamenei, Iran's Supreme Leader, has given President Rouhani some flexibility to try and find an agreement. That is unprecedented, and most people think it is for real. We shall see. They did in fact agree to the initial deal. So already, one step has been taken with a good result. I don't think it is a coincidence.

The immense power of U.S.-led global financial sanctions, backed up by our allies, has created the opportunity to resolve this issue diplomatically, with verifiable agreements and skeptical inspectors, rather than with bombs or boots on the ground.

I have spent much of my tenure on the Intelligence Committee, going back before 9/11, with the Director of National Intelligence, the CIA, the NSA, the FBI, and the Treasury Department to build our tools to exploit and to freeze the international web of financial networks that enable terrorist and proliferation programs—particularly Iran's nuclear programs. I have staunchly supported the powerful multilateral sanctions regime that is currently suffocating the Iranian economy and forced the current Iranian regime to the negotiating table. They would not have been there otherwise. The effect of inflation and devastation of economic production and all the rest is devastating.

This initial agreement is the first concrete result of those sanctions. It stops progress on Iran's nuclear program. It neutralizes Iran's most dangerous stockpile of nuclear material—that is, 20 percent of enriched uranium—and it establishes strong monitoring mechanisms that enable inspectors to verify that Iran is in compliance with its commitments.

The first step maintains the powerful sanctions regime that has forced Iran

to the table. The agreement maintains that. The very small amount of targeted and reversible financial relief that it provides—roughly \$7 billion out of \$100 billion in sanctions that the agreement leaves fully in place—only underscores the grip that we and our allies have on Iran's financial position. The grip will not loosen during this 6-month agreement as we try to go to a next step. We will continue to control and limit Iran's access to money during the 6-month agreement. If Iran in fact reneges on the terms of the interim deal, Iran will not even get all of the small relief that we have agreed to. They will, however, get more sanctions, and over the next 6 months, the small amount of financial relief that Iran can gain in the deal will be dwarfed by the amount of their loss in oil revenue that our continuing sanctions will deny Iran. That was in place; that is in place. Iran will be in worse shape financially 6 months from now than it is today. That is a fact. The pressure does not relent. It just keeps going. So it is a good situation—tough, agreed to, and in place.

That is why Iran needs to complete a final comprehensive agreement to eliminate its nuclear weapons capabilities. Does that guarantee it? No, it doesn't. But we are a step further than we were before because this interim agreement does not give Iran what it needs to escape financial ruin—which counts.

I appreciate the concerns of colleagues who want more now. But we must give this opportunity a chance. However you see the first step, whatever your view of it is, the fact is that today Iran is further from a nuclear weapon than it would have been without this deal that we have just completed. We have accomplished this first step through diplomatic strength, without a shot fired. I think we can agree that is pretty good.

We all want to put pressure on Iran to comply with the commitments it has made to the interim agreement—and we will—and to agree to a long-term comprehensive deal—and we hope—that will prevent it from ever developing a weapon. But we have taken the first step.

My colleagues, the pressure already exists for Iran to continue on this diplomatic path. Again, if Iran reneges on the commitments it has made in this agreement or balks at a final deal that verifiably ends its nuclear weapons capabilities, we will go right to, without doubt, the Congress imposing new and ever more powerful sanctions on Iran. But we don't have to do that now. In fact, it is a terrible mistake to do that now.

Given the indisputable credibility of that threat, I urge my colleagues to consider how unnecessary and how risky it would be to preemptively introduce new sanctions right now. New

sanctions now could be criticized as a violation of the interim agreement. It could be blown up that way. Such a move would separate us from our negotiating partners in the P5+1 and it could complicate the already difficult negotiations of a final agreement which we all pray for.

I know some Senators doubt these risks. But I ask my colleagues this: If there is any chance at all that new sanctions right now might disrupt the agreement or jeopardize a future agreement, why on earth would we risk that? Why would we risk that? We know where we stand. We know where we are going. We can't be sure that we are going to get there, but we know that we always have the power to increase sanctions if they try to avoid certain things. But they haven't. So why pile on now and threaten to blow the whole thing up? Why would we risk an opportunity that may very well be the only chance we have to resolve this enormous problem without the use of military force? I do not know of an alternative to that.

If we lose this diplomatic opportunity, then the use of force will be the only option to stop Iran's path to a nuclear bomb. All of us have lived with war for the past 12 years. Intimately, painfully, horrifically, we have all seen close up the incalculable financial and human cost that has come with these wars and the burden that the wars now put on our troops, their families, our economy, and, therefore, our people. This has only hardened my resolve to ensure that this immense sacrifice never happens unnecessarily—that we take great care to exhaust every possible avenue to diplomatic resolution.

Colleagues, we have now an opportunity to eliminate Iran's nuclear weapons capabilities. We can do it peacefully. Let's not put that at risk.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Madam President, President Lincoln once said:

Character is like a tree and reputation like its shadow. The shadow is what we think of it; the tree is the real thing.

It is my distinct privilege to rise today to speak on two nominees that are indeed the real thing—Justice Brian Morris and Judge Susan Watters. The Senate will soon take up both Justice Morris's and Judge Watters's nominations for United States District Judge for the District of Montana.

One of the most important responsibilities I have is providing advice and consent to the President on nominations to the Federal bench. I approach each vacancy with the same criteria—I want the best, regardless of whether they are Republican or Democrat, liberal or conservative. Justice Morris and Judge Watters are the best. Their quality of character and breadth of experience are remarkable.

Montana Supreme Court Justice Brian Morris is one of the brightest legal minds to ever come out of Montana. Justice Morris was born and raised in Butte, MT, and graduated from Butte Central High School. He earned bachelors and masters degrees in economics from Stanford University and received his law degree with distinction from Stanford University Law School in 1992.

Justice Morris's experience after law school is as varied as it is noteworthy. He clerked for Judge John Noonan, Jr., of the Ninth Circuit Court of Appeals and Chief Justice William Rehnquist of the United States Supreme Court. He spent time working abroad as a legal assistant at the Iran-U.S. Claims Tribunal in The Hague and as a legal officer at the United Nations Compensation Commission in Geneva, Switzerland. He also spent time in private practice, handling criminal and commercial litigation with the Bozeman, MT, firm of Goetz, Madden, & Dunn.

Justice Morris also served for years as the State's Solicitor General. He was elected to his current position on the Montana Supreme Court in 2004, and has demonstrated integrity, fairness, a steady disposition, and superb analytical skills on Montana's highest court. Justice Morris is known for his approachability, even-handedness, and down-to-earth manner. After all, he is from Butte. He can often be found reading to students at Smith Elementary School in Helena.

Justice Morris has commanded the respect of his colleagues at the highest levels of the law. For more than 8 years, he has served the people of Montana on the bench and in the community. His nomination is an extraordinary cap on an already remarkable career, and I have no doubt that he will continue to serve at the highest level. I congratulate Justice Morris, his wife Cherche, and their children Max, Mekdi, Aiden, and William, on this achievement.

In 1916, Montanans elected Jeanette Rankin to be the first woman to serve in Congress 4 years before women had the right to vote. We are especially proud of this fact. Judge Susan Watters, our second nominee, is another trailblazer we can be proud of. Not only is Judge Watters a respected jurist and dedicated public servant, but once confirmed, she will be the first woman to serve as a United States District Court Judge for the State of Montana.

Judge Watters was born and raised in Billings, MT, and graduated with honors from Eastern Montana College. Judge Watters raised 2 young daughters while attending the University of Montana Law School, receiving her law degree in 1988. Since then, Judge Watters has cemented her reputation as a skilled trial lawyer and judge.

After law school, Judge Watters served as Deputy County Attorney for

Yellowstone County, handling civil and criminal cases. In 1995, Judge Watters entered private practice, taking hundreds of cases to final judgment in State and Federal court. In 1999, Governor Marc Racicot appointed her to sit as a State district court judge for Montana's 13th judicial district in Billings. Since her appointment, Judge Watters has been reelected 3 times, most recently with over 80 percent of the vote.

Judge Watters has tried hundreds of cases during her 14-plus years on the bench. She has heard civil, criminal, probate, juvenile, and family law cases. Her trial court experience is remarkable.

She further served her community by establishing the Yellowstone County Family Drug Treatment Court in 2001, the first of its kind in Montana. Its overwhelming success has made it a national model.

Judge Watters is known for being fair, hard-working, possessing strong analytical skills and an excellent judicial temperament. Her extensive trial experience as a practicing lawyer and trial judge will be an invaluable addition to Montana's Federal bench.

Judge Watters embodies the qualities that service on the Federal bench requires. She has served the people of Yellowstone County for over a decade, and I am absolutely confident that she will bring the same professionalism and dignity to the Federal bench. I want to congratulate Judge Watters, her husband Ernie, and their daughters Jessica and Maggie on this outstanding achievement.

Justice Morris and Judge Watters are supremely qualified. Their service is sorely needed. We have two vacancies in our State. We have three Federal district court judgeships. The vacancies that Judge Watters and Justice Morris will fill are both considered judicial emergencies. Chief Judge Dana Christensen, our lone active judge, travels over 300 miles round trip to hear cases. In fact, I just spoke to him yesterday, telling him we would be filling these positions in Montana. He said, MAX, I am getting in the car right now to drive. What's the distance? I won't say the distance. It is a 4-hour drive to Great Falls, MT, from Missoula, so he could sit and hear some cases in Great Falls. Judge Don Molloy travels over 340 miles one way. That is greater than the distance between Washington, DC and Hartford, CT. He does that to hear cases. We need our replacements.

Justice Morris and Judge Watters embody the qualities Montanans demand of their Federal judges—their intellect, their experience, and integrity above reproach. I urge my colleagues to join me in supporting their nominations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Madam President, I rise to address the nomination of Cornelia Pillard for the D.C. Circuit. It appears to me the environment in which we are discussing these nominations is a good example of the new rules of the Senate. We are already getting a taste of the new world order around here. It did not take long. It has only been a few weeks but we are already experiencing life in the new Senate. Those in the majority who wanted to change the rules are now certainly getting their wish.

It should have been obvious that the rule change would impact the Senate in many unforeseen ways. We in the minority have had to find other ways to make our voices heard. As we watch the majority use its new power to move whomever it wants through this body, we should realize that we have started down a course from which we will never return. Indeed, we should expect more changes in the future. The majority changed the rules because it did not like how they were operating to frustrate their ambitions and agenda. If other things come about that frustrate the majority, we may have new changes to get rid of those frustrations too. The invocation of the nuclear option has set us on an irreversible course.

A few weeks ago I came to this floor and quoted our former Parliamentarian Bob Dove. He and Richard Arenberg, one-time aide to former majority leader George Mitchell, wrote a book called "Defending the Filibuster." This is what they said, and it bears repeating:

If a 51-vote majority is empowered to rewrite the Senate's rules, the day will come, as it did in the House of Representatives, when a majority will construct rules that give it near absolute control over amendments and debate. And there is no going back from that. No majority in the House of Representatives has or ever will voluntarily relinquish that power in order to give the minority greater voice in crafting legislation.

Unfortunately, the majority didn't seem to care about the concern these wise men raised and went ahead with their rule change anyway. Now we are feeling the effect.

This power grab is having other consequences too. Today I attended a hearing in the rules committee as the ranking member, for nominees to an agency called the Election Assistance Commission. You probably never heard of it. Madam President, I doubt if you have ever heard of it. It is a small agency with 4 commissioners—2 Democrats and 2 Republicans. Nominations to bipartisan commissions have traditionally been paired and moved jointly. This practice ensured each party has a voice in such bodies.

Before the rules were changed, the minority could be assured that their consent would be needed for appointments. That assurance is now gone. Will the majority just make its own

appointments to commissions such as this now? I hope not. That is under discussion in the rules committee. But what motivation do they have to ever confirm any Republican nominee, if they so choose to even consider minority views in this regard? We are going down a dangerous path, and no one knows where it will lead.

The same is true in regard to the atmosphere that we find with the affordable health care act. For some reason, the executive has decided to make any changes to the law without really considering coming back to the Senate or the House or the Congress to make these changes. So in part I come to the floor to speak about an issue that continues to keep me up every night—and every Kansan as well—that is the implementation of this affordable health care act, the health reform law.

This is, indeed, the President's legacy legislation. Based on what I am hearing from Kansans at home, I would think the President would want to be remembered for something else entirely. Unfortunately, since the implementation of ObamaCare began, the stories and reports have only confirmed the many warnings that I and my colleagues have made during the debate for the last 3 years.

People cannot keep their coverage. Despite the many, even hundreds of promises made by this President and the supporters of this law, people are losing their coverage. Premiums are increasing, even though the President and supporters of this law said premiums would decrease by \$2,500 for all Americans. Most of the stories I hear, and especially from Kansans, involve many hundreds of dollars in increases in monthly premiums.

Even more recently, folks are realizing that what they had to pay in out-of-pocket costs are going to skyrocket. Deductibles are higher and the products, drugs, and services Kansans have to pay to reach their deductible has virtually exploded. This doesn't even count the increases to copays and other costs that patients are seeing, especially with regard to prescription drugs.

This is being done in a way so that patients are getting the full information they need. So much for being the most transparent government in history.

Along these lines I believe it is my responsibility to come to the floor and remind Kansans about several other provisions of ObamaCare that patients may not be aware will put the government between the patient and the doctor—their doctor. During the health care reform debate, I spoke at length in the Health, Education, Labor, and Pensions Committee and in the Finance Committee, and on the Senate floor about something called rationing, a subject that is very controversial. Specifically, I want people to know about

the four rationers—boards, commissions, whatever you want to talk about—the four rationers included in ObamaCare.

First is the CMS Innovation Center, the Center for Medicaid Services Innovation Center, which was given an enormous budget to find a way to reform payments and delivery models. What this really means is CMS can now use taxpayer dollars in ways to reduce patient access to care. It gives CMS new powers to cut payments to Medicare beneficiaries with a goal to reduce program expenditures, but the reality being that they will reduce patient access.

There are new authorities also granted to the U.S. Preventive Services Task Force. The USPSTF used to be a body that was scientific and academic, that reviewed treatment, testing, and preventive health data and made recommendations for primary care practitioners and health care systems.

I guess many would agree that is still what they do today. However, the weight of their recommendations holds significantly more weight as of today, due to the Affordable Care Act or ObamaCare. Because of this law, the health care law, the USPSTF, can now decide what should and, more importantly, should not be covered by health care plans. If the USPSTF doesn't recommend it, then it will not be covered by your health plan and you will bear the cost of the procedure. We are already seeing this with prostate exams, mammograms for breast cancer, which many people say have saved their lives. You reach a certain age and they will not do a PSA test. The same kind of criteria—with some degree—to mammograms.

Rationale No. 3, the Patient Centered Outcomes Research Institute or PCORI. This outfit was given millions and millions of dollars to do comparative effectiveness research, also known as CER. I am not opposed—I don't know of any Member in this body who is opposed—to research, especially when it is used to inform the conversation between a doctor and their patients.

But there is a reason this was formerly called cost-effective research. There is a very fine line between providing information to doctors and patients to help them make the right decision that works the best for them and then using that information to decide whether the care or treatment is worth paying for. I have long been concerned that this research will be abused to arbitrarily deny access to treatments or services in order to save the government money by Federal Government decree.

Finally, there is my personal nemesis IPAB, which stands for the Independent Payment Advisory Board, and is just now making news as various people within the media are finally rec-

ognizing IPAB. This is a board made up of 15 unelected bureaucrats who will decide what gets to stay and what gets to go in Medicare coverage. They will decide what treatments and services will be covered and which will not, all to allegedly save money with no accountability. There is no accountability whatsoever.

When proposed—I remember it well both in the HELP Committee and the Finance Committee—supporters of the health care law told me we are too close to our constituents. Really? We are too close to our constituents. It makes it too difficult to make the hard decisions. Let's have somebody else do it. It will be more fair. We know them too much. We trust them too much.

I could not believe it. I believe I am elected to make the hard decisions—I and others in this body—and take the hard votes. I believe that is the way Kansans and every other State constituency also wants it.

Even worse is the fine print of IPAB. Get this. If Kansans determine they do not like the direction the IPAB is taking and call my office, and every other office in the Senate, to ask us to do something about it—to ask me to do something about it—we in Congress can overturn their decision, but it has to be by a certain margin. On the surface this sounds OK until you realize the President will never support Congress overturning the recommendation of this Board, so he will veto it. Overriding a veto takes a two-thirds vote, which is 66 votes to overturn a decision by IPAB.

My colleagues have been changing the rules around here because they think 60 votes is too high a threshold. What are the chances of reaching 66 if a decision is made by IPAB with regard to Medicare?

But wait. There is more. If the Secretary appoints a board unable to make recommendations for cuts to Medicare, then she gets the authority to make the decision of what to cut. This President has already cut one-half trillion dollars from Medicare to pay for ObamaCare, and he gave himself the ability to go after even more Medicare dollars and have no accountability with IPAB. This is egregious, if not ridiculous, but it is not new.

I have been talking about the four rationers for a long time and what it means to patients. I will have more to say about it when the opportunity presents itself.

What scares me, as I watch all the other warnings and broken promises come true, is what is going to happen to Kansans—and I know other Senators have this same fear—when the warnings about the four rationers do come true.

We need to protect the all-important relationship between the doctor and the patient, which I believe the four rationers put at risk. In order to do that,

we need to repeal—and most important—and replace ObamaCare with real reforms that work for Kansans.

THE FARM BILL

In this atmosphere of uncertainty and new Senate order, I would like to talk about another subject that is related, for the lack of any progress we might have.

This is becoming an all too familiar situation for Kansas farmers and ranchers and all of American agriculture. In some respects we are closer to signing a farm bill into law than 1 year ago, but we still have not yet completed this important task. As 1 of the 41 Members named at the conference committee in October, I was able to give a quick opening statement outlining my biggest priorities for the farm bill, including addressing regulations that protect crop insurance and reforming SNAP; i.e., food stamps.

Unfortunately, that was the one and only time the full conference committee has met to date. With time in short supply, the four principals of the agriculture committee both in the House and the Senate—the ranking member, the chairwoman, the chairman, and the ranking member in the House—are trying to make the majority of decisions as best they can among themselves and behind closed doors.

Sometimes you can get things done behind closed doors without 37 people offering their opinion. I understand that. But with all due respect to those Members, we have real policy differences that deserve to be debated publicly, particularly in the commodity and the nutrition titles. The other 37 of us have been ready and willing to be put to work. Yet the conference committee has only met once with no future meeting scheduled.

I am very disappointed that an agreement on the farm bill may be close and yet some of our ideas and suggestions and concerns will go unheard or unanswered, such as the new environment we live in, in the Senate.

As I said during the agriculture committee markup and our only conference meeting, I have real concerns with the direction of the farm programs in this year's bill. We have what are called target prices—we might as well just say subsidies or countercyclical payments or adverse market payments—which have proven to be trade and market distorting.

For some commodities these prices are set so high that they may cover a producer's cost of production. That is right. We have a government subsidy over the producer's cost of production. That will essentially guarantee that a farmer profits if yields are average or above average.

In this budget environment, and at a time when we are looking to make smart cuts, I simply don't know how to justify this subsidy program that can pay producers more than the cost of

production and essentially becomes nothing more than an income transfer program, not a risk management tool.

After the committee markup, I had hopes we could improve the farm bill to more resemble the risk-oriented and the market-based approach the Senate had previously taken, working with the distinguished chairwoman from Michigan and myself as ranking member.

Last year I worked with the Senate leadership from both parties to consider the farm bill through, of all things, regular order. Everybody had a chance to offer an amendment. The first amendment that was offered had nothing to do with the farm bill. That amendment was by Senator PAUL. Regular order gave all Senators the chance to improve the bill or make their concerns known.

However, this year we considered a mere 15 amendments. The last time around it was 73 with 300 offered. Although 250 amendments were offered this time, we only had 15 amendments. All amendments regarding the new target price program were blocked from consideration and votes on the Senate floor—all of them. Senator THUNE had amendments, Senator GRASSLEY had amendments, Senator JOHANNES had amendments, and I had amendments. We all serve on the agriculture committee.

Of course, the real problem with farmers planting for a government program and not for the market is that these programs only serve to extend the period of low prices due to overproduction.

Besides high target prices for all commodities, the House wants to recouple payments with current production for the first time since 1996. The Chamber of Commerce has warned that if we go down this road, we will quickly invite other Nations to initiate dispute settlements against the United States and do so with a good chance of success.

I also have longstanding WTO, World Trade Organization, concerns, and the United States lost—and I mean really lost—in a case to Brazil in part because of the decoupled price program. We are still paying for that.

I am hopeful we will come to some agreement that works without further setting us up for a further trade dispute not ruled in our favor.

Another sticking point seems to be SNAP, the Supplemental Nutrition Assistance Program. I think everybody is aware of that. It is important to note that at least 80 percent of the U.S. Department of Agriculture's budget goes to nutrition programs. SNAP was exempted from across-the-board cuts known as sequestration.

The Senate bill only trims \$4 billion out of a nearly \$800 billion program in a 10-year budget. That is less than 1 percent of a reduction. It doesn't cut anybody's benefits. It looks at eligi-

bility and other problems that are within SNAP.

We have the responsibility to do more to restore integrity to SNAP, eliminate fraud and abuse, while providing benefits to those truly in need.

I offered an amendment during the committee markup and on the floor that would have saved an additional \$31 billion for SNAP. I thought it was a smart and responsible way which would not take away food from needy families.

The House took a similar approach and also included work requirements for food stamps and found a total of \$39 billion in savings. That is about a 5-percent reduction over 10 years.

It has also been mentioned that SNAP has already been cut by \$11 billion this year. However, the end of the American Recovery and Reinvestment Act of 2009 stimulus boost for food stamps was a temporary increase in benefits to assist individuals and families hurt by the recession. The end of this temporary increase is in no way related to the farm bill, and the Congressional Budget Office agrees that no budgetary savings are achieved. Reconciling the difference between \$4 billion and \$40 billion in savings has proven very tough so far, if not impossible. However, unlike the majority of the programs in the farm bill, if we don't have a bill signed into law, the Food Stamp Program or SNAP will go unchanged and there will be no savings or reform to the program.

Last week I spoke with the Kansas Farm Bureau—800 members of the farm bureau and their families—and once again the No. 1 priority for virtually every producer was crop insurance. Even after the devastating drought over the last few years, crop insurance has proven to work. Producers from Kansas to Illinois and all over the country are still in business helping our rural families and our communities.

In 2013, producers across the country insured a record number of acres, covering nearly 295 million acres and over \$123 billion in liabilities. The takeaway message is clear: More farmers are purchasing crop insurance policies to protect their crops than ever before. In both versions of the farm bill, we are able to strengthen and preserve crop insurance. We need to keep that commitment through the final legislation.

The farm bill is the appropriate time and place to also address regulatory overreaches by the Environmental Protection Agency and the rest of the administration that impacts farmers and livestock producers. In that respect, I appreciate the House addressing several burdensome regulations that I worked on in the Senate, including pesticides, farm fuels, tank storage, the lesser prairie chicken—bless their heart—GIPSA, mandatory country-of-origin labeling, also called COOL.

Overall, I am disappointed that it looks as though we will not finish the farm bill before the end of this year, despite the need for certainty and predictability all throughout farm country, not to mention the Department of Agriculture. Our folks back home have to make business decisions regardless of the status of negotiations.

Just one example. Kansas wheat growers have already planted their 2014 wheat crop and have been required to certify their acres; they just don't know what programs will be available to them. While we all want to provide long-term certainty to farmers, ranchers, their families, and American consumers, we have already let one extension expire in September, and the House may pursue extending the 2008 bill yet again. However, our Senate majority leader, HARRY REID, said yesterday that even if the House passes a short-term extension of the farm bill, the Senate will not pass it.

A year ago in August I went to the floor, upset with the leader for failing to consider a bill the House passed to reinstate the livestock disaster programs from the 2008 farm bill in response to the devastating drought in the Midwest. It went on for 3 years. At the time, I called it shameful and an abdication of our duty to the cattlemen and women who feed the world and warned of the costs of inaction. We were able at that time to finalize a farm bill—still the same farm bill a year later—and our livestock producers are continuing to work to rebuild their herds after multiple years of drought. Yet livestock disaster programs remain on hold. Then the devastating blizzard hit the Dakotas and Nebraska this year, and those producers were left with little Federal support—a problem we could have addressed a year ago.

All of us on the conference committee and every Member throughout Congress should be equally troubled if we leave this year without addressing the farm bill. I am committed to resolving these difficult differences in order to provide certainty and a forward-thinking farm bill that is responsible to Kansans and farmers and ranchers and consumers as well as taxpayers.

We have to end this environment here where this so-called nuclear option has really gotten us into a hole that we keep digging, whether we are trying to get a farm bill done, whether we are striving to improve the affordable health care act or repeal it, or whether we have a commission that nobody has heard of in the rules committee that is sitting doing something, but we know not really what or what to do with it.

I see the distinguished Senator from Louisiana, who I think would like to be recognized at this time, so I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

UNANIMOUS CONSENT REQUEST—S. 1610

Ms. LANDRIEU. Madam President, I see my good friend the Senator from North Dakota on the floor today, and I wish to yield to her to begin this very important discussion on the importance of flood insurance relief for the country. She has been an outstanding spokesperson and a true advocate to help us get this right, this Flood Insurance Program that can help sustain the program itself for the benefit of the taxpayers as well as for the people in North Dakota, Louisiana, Pennsylvania, New York, and New Jersey who depend on it so much. So let me turn to our leader, Senator HEITKAMP.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Madam President, we are here today to talk about something that is critically important to very many middle-class families who enjoy home ownership across the country, and business ownership, and it is the truly bipartisan Homeowner Flood Insurance Affordability Act, which seeks to address the recent flood insurance rate escalations across the country.

This bill is measured, it is reasonable, and it allows for FEMA to complete a study on flood insurance affordability and provides Congress with assurance about FEMA's ability to accurately determine flood risk before implementing pieces of the Biggert-Waters Flood Insurance Reform Act. I think it is true in many cases that the Congress has good intentions. They passed the Biggert-Waters provisions, they passed the act, but implementation has been a nightmare. I don't think we are exaggerating in saying it has been a nightmare for very many of our community members, especially across the coastal areas. I think it is important that I speak as someone from a Plains State who has told people repeatedly that flood insurance is a huge impediment to success and to home ownership in North Dakota, in very many of my communities.

I wish to mention some of the provisions of the bill. The bill would delay a rate increase for the following properties: primary, non-repetitive loss residences that were grandfathered; all properties sold after July 6, 2012; and all property that purchased a new policy after that date. It is important that the folks out there who have already gotten these tremendous flood insurance bills understand that our effort is to make this bill retroactive to October 1 of this year so that those rate increases that were mandated by that date don't take effect.

The basement provision is something we have spent a lot of time educating other Members about. It is a provision that affects very many communities across the country, including 14 in North Dakota, where some of our largest communities have flood-proof base-

ments. They have lived by the rules and they have done all that they should do, so they have been granted an exemption from flood insurance, taking a look at where the foundation is as opposed to where the basement floor is when they determine vulnerability. That basement exemption is in danger of being repealed by FEMA, and we want to make sure that whatever we do recognizes that when those homeowners have played by the rules, have done what is right and flood-proofed their basements, it is recognized in a flood insurance program.

Generally speaking, I came to the Senate to fight for North Dakotans. I have to imagine most of the Senators are here because they want to fight for the people of their States. A major way to do that is to protect American families and their homes and stop putting undue pressure on them. It is a simple idea, but it is proving much harder to implement than I would like.

Flooding is a reality far too often in North Dakota, and there are many other communities across the country that see the same kind of plains flooding. Just in the past few years we have seen communities such as Fargo, Minot, Grafton, and others impacted by severe flooding that has destroyed homes and businesses.

This fall flood insurance rates went up for millions of families. This puts families at risk. So many of them have to struggle to pay for flood insurance or they have to walk away, literally walk away from their investment in their home.

Biggert-Waters is having an immediate impact on homeowners in my State. I will give one example. There is a woman I know from Grafton, ND, named Alison Skari who, with her husband Kyle, purchased a home in that small community about a year ago. At the time, the flood insurance rate was \$901 for \$100,000 worth of coverage. But when the policy recently came up for renewal, their flood insurance skyrocketed to more than \$4,200 a year. Let me repeat those statistics. Their flood insurance cost when they bought their home was at \$901. Today their bill is \$4,200—a 375-percent increase for the same amount of coverage. In an email to me, Allison expressed a desire to raise her children in Grafton, but unfortunately they no longer can afford their home—not with these new rates. She said had she and her husband known about these rates when they bought their home, they would never have purchased their home.

This story reinforces that we need to take a new look. We need to take a new look at this Flood Insurance Program. We need to take a new look at affordability of home ownership.

Everybody knows that in the last—certainly since 2008 we have seen a slow recovery in home ownership. We have tried to make sure people can realize

the American dream, and a big part of that is, in fact, the owning of their own home. Yet here we are in the Congress making it virtually impossible for middle-class families to buy and live in and enjoy their homes. That was never the intention of the Biggert-Waters provision. The intention was to bring the Flood Insurance Program to a more reasonable, market-based evaluation. But I don't think anyone in this body anticipated these dramatic and very devastating increases.

I believe we absolutely need to do something to send a message that we in this body are listening to the middle class. We are listening to the middle class. When every person who runs for office—in their campaign, I bet there isn't one person in this body who didn't say: I am there to help protect the middle class. This is our opportunity, in a bipartisan way, to step up and protect the middle class and to tell people that grasp of home ownership, that piece of the American dream is within their reach, and it is within their reach because we aren't doing devastating things here in Washington, DC.

I thank my great friend from Louisiana. As a new Member, I preside frequently on the floor of the Senate, and I think that if there has been a canary on this issue, that early bellwether whom we look to and who said we are going to have problems, it was Senator MARY LANDRIEU, who alerted this body from the very beginning, who knew these increases were coming and so ably advanced her leadership on this issue. I applaud her for that. I applaud Senator MENENDEZ and Senator SCHUMER and so many people on the other side who have worked with us to try to develop a bill that truly has bipartisan support. I urge this body to send a very important holiday present, a Christmas present to the middle class of America by passing this reform bill, by delaying these increases and making that dream of home ownership possible in the future.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I thank the Senator from North Dakota for her very kind and very generous comments. She underestimates her own tremendous leadership skills. Arriving here as a new Member, she jumped right into this issue. She didn't need a lot of prep work. She understands her State. She understands basements, which we don't have in Louisiana because if we dig down even a few inches, we will hit water. So I had to become very well educated by my good friends, the Senators from New York, New Jersey, and North Dakota, about true basements. It just goes to show that when we work together, we can come up with good legislation that can really help our people, give them relief, being in partnership with them, helping them to keep

and strengthen the equity in their homes and businesses as well as do right by the taxpayer. So I thank the Senator very much for her kind comments.

I wish to through the Chair recognize the Senator from New York, who has been an absolutely outstanding advocate for the people of the east coast—particularly New York but the entire east coast in the aftermath of Sandy. It was so helpful to that region to bring them the relief they needed, which has worked, and I understand it is still going on and we have to do more. But if we don't fix this flood insurance issue, which, in fact, was a manmade disaster, it is going to make the natural disaster of Sandy that much worse.

I wish to ask Senator SCHUMER if he has any comments to add to what has already been said.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, first, I wish to assure my colleagues that they don't have to be wearing a blue jacket to be supportive of this legislation, as the Senator from North Dakota, the Senator from Louisiana, and I happen to be wearing this afternoon.

Second, I thank my friend and colleague from Louisiana. What my friend from North Dakota said is exactly right. She has been the Paul Revere of this issue, running up and down the aisles of the Senate, if you will, letting people know—"flood insurance increases are coming; flood insurance increases are coming"—because she saw it in her home State. She has been a great leader, and I hope we will pass the measure she has helped so importantly to craft when it is offered a little later by my colleague from New Jersey.

I wish to say to her that she is exactly right about Sandy. We have families who were devastated by Sandy. They struggled to rebuild their homes. Then, all of a sudden, because of remapping and because of changes in the flood insurance law, they are hit with a flood insurance bill of \$800, \$900, \$1,000. Let's make no mistake about it. These are not wealthy people. Lots of people in New York State who live along the water in Long Island and Queens and Brooklyn and Staten Island are working-class and middle-class people. Their homes are modest. Their jobs are modest. They can't afford \$9,000 a year. For those who were told: Yours isn't going to rise, but when you sell your home it will, now they can't sell their homes.

There are some things that make the rest of the Nation scratch their heads in wonderment, saying: What the heck is going on in Washington, DC? There are too many things, and one of them is flood insurance. How can we demand that average, middle-class people pay up to, in some cases, \$25,000 or \$30,000 a

year for a policy that is capped at \$250,000? How can we have so many homeowners have to pay \$5,000, \$8,000, \$10,000 when they can ill afford it? We cannot do that. That is why this legislation is so important. It is just wrong.

When we wrote the original Sandy bill, we put in an affordability provision, and there was supposed to be a study about how people could afford the insurance before any increases were put into effect. That did not happen.

I have to say, the people at FEMA are good people, but they do not understand affordability. They are not measuring affordability. They are not paying attention to affordability.

What is the job of Congress? One of our jobs—when an agency does not do what it is supposed to do—is for us to correct it and oversee it, and that is what has happened with FEMA and flood insurance.

So we call for a delay until an affordability study is done, until we can figure out a new way to avoid average folks, middle-class folks, from being forced to either not have flood insurance, abandon their homes, or not sell their homes when they desperately need to do so.

FEMA is saying: If we do not charge these people, the program will not be solvent. I will tell you something. If they continue to charge these rates, no one is going to buy flood insurance. People will drop out of the flood insurance program, and it will be even less solvent. So we have to come to a reasonable, thoughtful, and careful solution.

As the first two of us who have spoken have shown—and my colleagues from Louisiana, New Jersey, Florida, New Hampshire, who are all here to discuss this issue—this affects every part of the Nation. It does not just affect Florida, although they have hurricanes. It does not just affect Louisiana, although they have hurricanes and floods. It affects our great river basins—the Missouri and Mississippi River basins. It affects the west coast, where flash floods can be very, very dangerous. It affects any place that is near water, which is most of America.

We have so many issues. The maps that are drawn are way off base. I have areas in my State that are 5 miles from water and have never been flooded and are included in flood insurance. FEMA actually did not even measure the flood plains in Nassau County and imposed Suffolk County's flood plain. We had to force them to go back and start over.

There is so much wrong with the way the program is now existing that it must be put on hold so we can come up with something better than FEMA is doing.

So I hope my colleagues will support us. We have bipartisan support. The Senator from Georgia has been a great advocate. Others have been great advo-

cates on the other side of the aisle. If you say to yourself: I am going to object because this is not affecting my State, believe me, it will. As FEMA draws maps in State after State across the country, the very same thing that is now afflicting North Dakota, Louisiana, New York, Florida, and New Jersey will afflict your State. You will be coming back to us 2 years from now saying: Hey, let's move that legislation.

Let's avoid that problem. Let's do what we have to do. Put this on hold, go back to the drawing board, and create a FEMA program that both works and is affordable. I believe we can, if this Senate and this House will give us the chance.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The senior Senator from Florida is recognized.

Mr. NELSON. Mr. President, before the Senator from New York departs, I want to say this is a real-life example. In Pinellas County, FL, which is the county that houses Saint Petersburg and Clearwater, a current flood insurance premium for a homeowner: \$4,000. A new flood insurance premium—10 times as much—\$44,000.

Do you think that homeowner can afford that? Do you think that homeowner can now sell their house since that is the flood insurance premium that is facing a potential buyer? And, of course, the real estate market dries up.

So it is a question of affordability, and I merely underscore what the Senator has already said and what the great Senator from Louisiana is going to talk about; that is, that you have a pause, you get FEMA to do an affordability study, and then you phase this in over time.

It just so happens that 40 percent of these policies are in my State of Florida. We have more coastline than any other State, save for Alaska, and they are not afflicted by the same things we are, and they do not have a population of 20 million people. Lo and behold, our people are hurting, and we have to give them relief.

So I beg anybody in the Senate: Please, when this unanimous consent request comes up, we have to have this relief for our homeowners and for the real estate market.

The maps are a different question, and eventually we need to address the issue of the maps because they are obviously drawing some areas that are not flood prone. They are well above the flood stage, and somehow these maps have gotten misaligned. We can address that. But right now we have to address the affordability question.

This is no fooling time, and I beg the Senate to let this legislation go by unanimous consent. I am anxious to have my colleagues make their statements.

Mr. President, I am chairing the Aging Committee hearing right now. I look forward to the Senator from Massachusetts joining us after her statement.

So with that, I yield the floor.

The PRESIDING OFFICER. The senior Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, in deference to my colleague, who I understand may object—and although I have a statement—let me first precede it by making this request. As in legislative session, I ask unanimous consent that at a time to be determined by the majority leader, after consultation with the Republican leader, the banking committee be discharged from further consideration of S. 1610, the Homeowner Flood Insurance Affordability Act of 2013, and the Senate proceed to its consideration; that an amendment, which is at the desk, making technical changes to the bill, be agreed to; that no other amendments be in order to the bill; that there be up to 2 hours of debate equally divided between proponents and opponents of the bill; that upon the use or yielding back of time, the bill be read a third time and the Senate proceed to vote on passage of the bill; finally, the vote on passage be subject to a 60-affirmative-vote threshold.

The PRESIDING OFFICER. Is there objection?

The Senator from Kansas.

Mr. ROBERTS. Mr. President, I object on behalf of the ranking member of the banking committee. This bill has not been through the committee process and would undo the important rate reforms to the National Flood Insurance Program that were put in place in the most recent flood reform bill to address the program's \$25 billion debt to the taxpayer. We must ensure that all Members have the opportunity to understand and weigh in on the changes being made by this action. This unanimous consent request would bypass this important step in the legislative process, and I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I have to say, I am disappointed to hear an objection because this is a bipartisan effort that is being pursued in the Senate and the majority leader has been very gracious to offer us time to debate and vote on an important proposal. I am sure we will be back here again to try to achieve that. This is not a Republican bill or a Democratic bill. It is not a Republican or Democratic priority. It is a commonsense measure that has broad bipartisan support—exactly the type of support and cooperation the American people are yearning to see from their elected officials. More importantly, this legislation is critical to the lives of hundreds

of thousands of homeowners, and we should not simply let Senate procedure get in the way of finding solutions.

Let me just briefly speak in support of S. 1610, which is the Homeowners Flood Insurance Affordability Act that we just asked consent to bring to the floor. It is a bipartisan, bicameral piece of legislation that would help people afford flood insurance so they can stay in their homes and businesses can stay open—all the while preventing property values from plummeting.

At a time when there is far too little bipartisan cooperation, this bill stands as a notable exception. It currently is cosponsored by 23 of my colleagues, including 7 Republicans, representing States from all corners of the country.

It is supported by the National Association of Realtors, the National Association of Homebuilders, the American Bankers Association, and the Independent Community Bankers Association.

You have heard from several of my colleagues who have spoken to this issue—and there are others, such as Senator WARREN and my fellow colleague from New Jersey, Senator BOOKER, who I am proud to say has chosen this bill as the first piece of legislation to cosponsor in what I am sure will be a long and illustrious career in the Senate.

The reason for that broad support is because flood insurance is not just a coastal or Northeast issue, it is an issue that affects the entire country. Every State in the Nation has properties covered by the National Flood Insurance Program, and every State in the Nation will see premiums on some of these properties increase as a result of Biggert-Waters.

Some of these increases will be modest. Others are going to be prohibitively expensive and act as a de facto eviction notice for homeowners who have lived in their homes and played by the rules their entire lives. We certainly know this because we are already hearing from our constituents, and many more of our colleagues are hearing the same desperate cries from across the country, and many more will hear them as flood insurance maps get outlined by FEMA under the legislation, as renewals come up, and all of a sudden they are going to hear an outcry from their homeowners, who are going to say: This ultimately creates a set of circumstances for me where I am going to lose my home.

The value of their homes will be dramatically reduced. Their ability to sell it will be dramatically altered, and they will, in essence, have taken what they have worked a lifetime to achieve and have it become a human catastrophe—made by the Congress.

This is going to drive property values down. The housing market is still struggling to recover, and we all know that declining property values have a

domino effect, causing neighborhood properties to decline in value, which, in turn, hurts the broader economy.

We need to understand the impact that these dramatic changes in Biggert-Waters will have on the housing market before it is too late. We need to understand the impact these rate reforms will have on program participation, which is already dismally low. In fact, recent reports suggest that only about 18 percent of properties in flood zones participate in the program. If rates are raised too high and too quickly, people will simply opt to drop their insurance, decreasing participation, and the risk pool in the National Flood Insurance Program will ultimately feel the consequences.

One study has shown that for every 10-percent increase in premiums, program participation decreases by approximately 2.6 percent; and the sharper the increases, the higher the proportion of dropouts.

As with any flood insurance fund, the smaller the risk pool, the greater the risk. So increasing rates could have the unintended consequences of actually making the program less solvent.

Reduced program participation would also increase the amount taxpayers are on the hook for in disaster assistance payments. Since FEMA grants, SBA loans, and other disaster assistance are reserved for unmet needs, more uninsured homeowners mean more disaster assistance payouts.

We should be incentivizing people to purchase insurance so they have skin in the game and they will be motivated to take proactive mitigation measures—not pricing them out of insurance so they are forced to rely on taxpayer-funded disaster assistance.

There is no question that we need to reform the National Flood Insurance Program in order to put it on a long-term path towards solvency and sustainability. But, unfortunately, Biggert-Waters forces changes that are far too large and far too fast. It requires FEMA to increase rates dramatically, even before FEMA knows the scope of these changes or how they will impact program participation.

Think about that for a second. We are making dramatic changes in policy which could impact more than 5.5 million policyholders and have ripple effects throughout the housing market in our entire economy before we even know the extent of these changes or their impact.

I have heard from countless New Jerseyans, many who have come to me in tears, who are facing this predicament. These are hardworking middle-class families who played by the rules, purchased flood insurance responsibly, and are now being priced out of their home.

That is why we collectively introduced the Homeowners Flood Insurance Affordability Act that would impose a

moratorium on the phaseout of subsidies and grandfathers included in Biggert-Waters for most primary residences until FEMA completes the study—that I offered as an amendment that was included in the legislation—completes the affordability study that was mandated in the law and proposes a regulatory framework to address the issues found in the study.

So we are going ahead with all of these actions and all of these increases without—without—knowing the consequences of that study.

It would also require FEMA to certify in writing that it has implemented a flood mapping approach that utilizes sound scientific and engineering methodologies before certain rate reforms are implemented. We saw this in New Jersey where, in fact, large swaths of communities were put in what we call the V zone, which is the most consequential zone in the opening maps. But when we pressed FEMA and brought information to them, those universes were dramatically reduced.

The difference between being in that V zone and not can mean the difference between being able to continue to own your home or not. So we believe that this legislation is critical.

Why do we come and ask unanimous consent? Why do we ask unanimous consent? Why did we ask unanimous consent? Why will we continue to ask unanimous consent? Because there is an urgency of “now.” If we do not act, and we go out of session and we come back next year, unless we get to this early on and make it retroactive, we are going to see the consequences of this take place across the landscape of this country. That is why we have Members from coast to coast; that is why we have Members from the South; that is why we have Members from the Midwest who all understand the consequences of not acting. That is why we have taken the unusual step, on a bipartisan basis, to ask for that unanimous consent request.

For any property sales that occur during this period, the homebuyer would continue to receive the same treatment as the previous owner of the property unless they trigger another provision in Biggert-Waters not covered by my bill.

For prospective homebuyers, the certainty that they will not see their rate dramatically increase simply because they purchased a home is critically important to maintaining property values.

Also, this new legislation would give FEMA more flexibility to complete the affordability study.

It would reimburse qualifying homeowners for successful appeals of erroneous flood map determinations.

It would give communities fair credit for locally funded flood protection systems.

It would continue the fair treatment afforded to communities with floodproof basement exemptions.

It would provide for a FEMA ombudsman to advocate for and provide information to policyholders.

Just as important as what this bill would do, it is also important to note what this bill would not do.

This legislation would not stop the phase out of taxpayer funded subsidies for vacation homes and properties that have been repetitively flooded. It would not encourage new construction in environmentally sensitive or flood-prone areas. And it would not stop most of the important reforms included in Biggert-Waters.

This legislation simply provides temporary relief to a targeted group of property owners who played by the rules and are now poised to see their most valuable asset become worthless, all through no fault of their own.

This bill does not include everything I wanted and I know there were many other ideas that other cosponsors wanted to include. But in order to reach a true consensus, we limited the provisions in this bill to those that had broad, bipartisan support. That is why we are here today—Democrats and Republicans—calling for debate and a vote on this vital piece of legislation.

I must say I am very disappointed to hear objection from the other side of the aisle.

My friend the majority leader has been very gracious to offer us time to debate and vote on this important proposal and we will be back here day after day to try to do that.

Because as I said before, this is not a Republican bill or a Democrat bill—it is not a Republican priority or a Democrat priority. It is a commonsense measure that has broad bipartisan support, exactly the type of support and cooperation the American people are yearning to see from their elected officials.

More importantly, this legislation is critical to the lives of hundreds of thousands of homeowners. We should not let arguments about Senate procedure get in the way of finding solutions to their problems.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, there are several other Members. Senator MENENDEZ is the leader of our efforts. He and Senator ISAKSON have joined and have put together an extraordinary coalition. I would like to read the names into the RECORD because it is a testimony. In a place that cannot get three Members to agree on anything, we have over 20 Members who agree to change the Biggert-Waters law. I want to read this into the RECORD and then ask through the Chair for the Senator from Massachusetts—both Senators are here—the senior Senator to be recognized for just a moment and then the junior Senator to speak on this issue.

But Senator MENENDEZ and Senator ISAKSON are our leads—again, New Jer-

sey and Georgia. They are two very different States but have very similar challenges. They have people—middle-class families, small business owners—who have poured their life savings into homes and businesses, only to be destroyed by a piece of legislation that had great intentions but disastrous results. We do not have a lot of time to fix this. We need to do this before this body leaves, which is next week.

Myself, Senator COCHRAN, Senator MERKLEY, Senator VITTER, Senator HOEVEN, Senator SCOTT from South Carolina, Senator WICKER, Senator HEITKAMP from North Dakota, Senator SCHUMER, Senator GILLIBRAND, Senator MARKEY, Senator WARREN, Senator NELSON from Florida, Senator BEGICH from Alaska, Senator MANCHIN from West Virginia.

There is no ocean anywhere near West Virginia, but they have many middle-class families who are getting caught up in a quagmire here. This bill is the only bill that can release them and save taxpayers money. Senator CASEY from Pennsylvania, Senator KLOBUCHAR, Senator BOOKER, Senator GRAHAM—who is also on the floor—and our newest cosponsor today, Senator LISA MURKOWSKI from Alaska.

This is a very unusual coalition. I have been here a long time now. I have hardly seen a coalition this broad and diverse. So clearly we have something meaningful to say that needs change. Please let us not let procedures and pride, bad tempers, keep us from doing what we know we need to do for our people.

I thank Senator WARREN who has been a tremendous help to us in putting this bill together, and might I add that it costs nothing. There is no score on this bill. So to anyone that could object because it costs the taxpayers: Nada. It does not cost anything. It is a zero score. We have done it that way to be respectful of all of the different opinions. But it will help to give us relief.

Through the Chair I would like to ask Senator WARREN to add her terrific voice and perspective on how it is affecting Massachusetts, one of our most important States.

The PRESIDING OFFICER. The senior Senator from Massachusetts is recognized.

Ms. WARREN. Mr. President, I rise to join my colleagues in urging support for S. 1610, the Homeowner Flood Insurance Affordability Act of 2013. This is a bipartisan bill that will help homeowners across our country who are getting hit with the newly revised flood maps and increased flood insurance premiums.

I am very pleased to join colleagues on both sides of the aisle to call for this commonsense delay which gives FEMA time to get this right. I thank Senator MENENDEZ who has been a tremendous leader, Senator ISAKSON, Senator LANDRIEU, who has gotten in there

and gotten us all mobilized, Senator COCHRAN, many others of the cosponsors of this bill for their leadership and their commitment to work on this important issue.

I also thank my partner in all things, Senator MARKEY, for the work he has done on this bill and for giving me the chance to speak first here so we could get going. Families purchase flood insurance to prevent the loss of their homes. But now many families fear that the price of flood insurance could be just as devastating as any storm. You cannot protect someone's home by pricing them out of it. Yet that is exactly what is taking place around the country. Congress changed the National Flood Insurance Program to move toward a more market-based system that more accurately reflected the true cost and risks of flood damage.

This is a well-intentioned bill, but, unfortunately, homeowners are being blindsided by high rate increases and new flood zone maps. Many families are learning for the first time from news reports and letters that their mortgage companies are sending that they must purchase flood insurance. This is simply not an acceptable way of informing the public that flood insurance bills are skyrocketing.

When FEMA released these flood maps this year and last, they knew they were placing hundreds of thousands of homeowners into a flood zone for the very first time. It is critical that these maps be spot on and correct. But many people do not trust many of the new changes, and their concerns are growing by the day. In fact, a recent independent review conducted by coastal scientists at the behest of my colleague, Congressman BILL KEATING, concluded that FEMA used outdated wave methodology better suited for the Pacific coast when they drafted new flood maps for Massachusetts.

They believe this resulted in FEMA overpredicting the flooding that could occur from once-in-a-century storms for much of our State. We need to pass this bill to give the government the time it needs to make sure that the maps are accurate, reliable, and reflect the best available scientific data.

We also need to make sure that hard-working families who play by the rules can afford these policies. The Homeowners Flood Insurance Affordability Act that I have proudly cosponsored will provide relief to homeowners who built to code and were later remapped into a higher risk area.

Furthermore, this critical bill will delay rate increases until FEMA completes the affordability study that was mandated by the Biggert-Waters Flood Insurance Reform Act, and until subsequent affordability guidelines are enacted.

Homeowners are facing flood insurance premium increases that can cost \$500, \$1,000, even more per month. Most

hard-working families and seniors do not have that kind of extra money on hand to spend on flood insurance premiums they never knew they were going to need.

FEMA has a lot of work to do.

In the meantime, these families should not be hit with high costs when they challenge the flood map and win their appeal. Our bill will help address this injustice and will allow FEMA to utilize the National Flood Insurance Fund to reimburse people who successfully appeal a map determination. It also gives FEMA the added financial incentive to get those maps right the first time.

I am pleased to join colleagues on both sides of the aisle in this call for a commonsense delay which will give FEMA time to get this right. I urge my Senate colleagues to support this much needed relief for homeowners. I thank Senator MARKEY for his leadership. I thank Senator LANDRIEU for her amazing leadership, and I thank all of my colleagues who are ready to move on something that is common sense and very much needed by families across this country.

I yield for my colleague from Massachusetts, Senator MARKEY.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. I thank the Senator for her leadership. She and I have met with people all across the State of Massachusetts who are fearful of the impact that this can have upon their ability to live in their own homes, to sell their homes, to continue to operate their businesses, to sell their businesses.

This is a fundamental issue for our State. Senator WARREN and I bring this concern to the floor even as we know that it is a concern that is felt all across the country. It is Louisiana. It is New Jersey. It is South Carolina. It is West Virginia. It is the coastlines of our country. Yes, it is.

The warmer the climate becomes, the warmer the oceans become; the warmer the oceans, the higher the tides; the more devastating the storms, the more changes that take place in terms of the impact on the homes, the businesses, all along the coastline.

But climate change does not only affect the coastal areas. It is affecting our whole country—the whole planet. There is a huge change which is taking place. That is why we are out here. We are out here because of climate change. The storm that hit New Jersey, Hurricane Sandy, was devastating. We saw the courage of the people of New Jersey and New York in responding to that storm. But just with a couple of changes in the direction of that storm, it could have wiped out everywhere from Cape Cod up to Newburyport, Maine, and New Hampshire.

But for a small change in that storm, it could have been down in Delaware,

Virginia, wiping out that coastline. But for the grace of God go the States that we represent. The same thing is true all across the country.

We know that the pollution we pump into the sky heats the water and the air. It gives storms more power. We know this scientifically. With more powerful and more frequent storms, we realize that this tragedy is lapping right at the doors of every citizen. We have to do something to prevent it from becoming worse.

But at the same time, we also have to realize that these families are innocent victims. They did not have anything to do with the policies that did not deal with climate change for a generation, that ignored the science. They are now dealing with the consequences of a failure to deal with that issue. We cannot allow the failure to act to be borne by those who are the least able to afford it.

That is what is happening. It is going to be innocent Americans who now have to suffer because we did not have the political will to deal with this issue of climate change.

I have heard, along with Senator WARREN, from people all over my State. I have one business that relocated several years ago thinking that was going to satisfy the need to protect against climate change, against the change in the flood plain. Now, under the new plan, they will have to move the business again.

It is unsustainable long term for any businesses, any family to think about living in these kinds of areas unless we begin to think through how we are going to adjust to this law that is on the books which will have an almost immediate impact upon families all over our country.

We need to fix the flood insurance provisions that would have devastating economic impacts on our coastal communities. That is why I am proud to support the legislation of the Senator from Louisiana, the Senator from Georgia, Senator ISAKSON, Senator MENENDEZ, Senator MERKLEY, and everyone who has worked on this issue.

We have to ensure that we address the issue of affordability for these homeowners, affordability for these businesses in terms of the increase of the flood insurance rate caused by the new flood maps and ensure that we put that before any crippling flood insurance rate increases.

We have to deal with affordability first. If affordability is not going to be dealt with, then there is going to be a devastation that is felt by millions of homeowners and businesses across this country.

Climate change is real. It is here. It is dangerous, but the fear of rising floodwaters should not be compounded by the fear of an unaffordable spike in insurance premiums for homeowners and businesses across this country.

I thank my colleagues for all their work on this issue. It is an indispensable part of the business of this Congress this year to pass this legislation. We must find a way to work together before we leave in order to pass this legislation.

I call upon all of my colleagues to work together with us. This is as bipartisan as it gets in the Senate. We have to find a way.

I congratulate the Senator from Louisiana for all of her great work.

I yield back.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I see the Senator from South Carolina on the floor to speak, but I wish to give some concluding remarks in this very important hour about this very important issue. We are down to the wire, and we do not have any time left to provide relief to homeowners and business owners all over this country.

About 1 hour ago there was an objection registered from the Republican ranking member of the banking committee. I have a great deal of respect for that particular Member. I hope he will consider the tragic ramifications of his objection for millions of homeowners and businesses around the country and work with us over the next few days to mitigate any of his objections so we can move this bill to the floor and provide 2 hours of debate. We will accept, those of us in our coalition, a 60-vote threshold.

Let me remind colleagues that a hearing was held in the banking committee by Senator MERKLEY, who chairs the subcommittee. This bill has been discussed for hours and hours in committee, in public. There are hundreds of stakeholder groups led by, I am very proud to say, GNO, Inc., Greater New Orleans, Inc., a very broad coalition of business owners and parish residents. They reached out across the country, down the coast, the gulf coast, to the east coast, to the west coast, North Carolina, to the good Senator on the floor from South Carolina, reaching out in areas in the Midwest and up in the Northwest.

The reason they did that is because there are new flood maps going into effect in all of these places. I call attention to the diagram of flood maps in the United States. In purple, these were the flood maps that were in effect as of July 2012. In the green, these are proposed flood maps that have been introduced. We can see how many green designations there are.

In the gold color, there are new flood maps possible. There is no State that is going to escape these new flood maps. As Senator ELIZABETH WARREN said, they are inaccurate. They don't have the capability, the finances, the resources to produce—or the technology, in some cases—accurate flood maps. There have been a record number of

mistakes made that we have provided for from the public testimony.

In addition, I wish to show a map of where levees are. There are many levees. I was surprised, myself, having become an expert on levees, I thought. No, I am not the expert I thought I was because I did not realize how many levees there were in other States. I have been so focused on mine that broke in 52 places and almost destroyed a great international American city, New Orleans. We are on the mouth of the Mississippi River, and I am well aware of the levee system that was one of the great engineering feats ever in the world, on the planet. It keeps the Mississippi River in its channel so we can have the great commerce we have had that helped build this great Nation. I am well aware of the great story about that.

I was not aware of the tremendous flooding risk in California, in Arizona, in New Mexico, and in Montana, of all places. I knew about Arkansas, Illinois, and St. Louis because of the Mississippi River up to Minneapolis.

Look at Pennsylvania. I was shocked to see so many flooding areas in the State of Pennsylvania.

I wish to say it is not only a coastal issue, it is a national issue. We are the national Congress. These rates are going up now and it needs to be fixed now.

I hope the Republican opposition will think clearly about their objection, the ramifications it will have, and find a way to say yes—find a way to say yes.

The bill that Senator MENENDEZ and Senator ISAKSON are offering costs zero. It helps millions of people and ultimately will make the program fiscally sound.

As the Senator from New York said so eloquently and so accurately: If you price people out of the program, there will be no one to support the program. The program will default, taxpayers will still have to pick up the debt associated with that program, and then we will also have millions of people losing their homes and their businesses. It makes no sense. It makes no financial sense.

I am not going to speak too much longer, but I do wish to state I am very happy, as an American, there are many newspapers we can read. There are many blogs, a lot of radio shows, and all sorts of different opinions. We have to read a lot, think a lot, and get different views to find the truth.

I am going to read the first paragraph of the Wall Street Journal because they need to listen to a couple of other bloggers or writers because they are way off base. The Wall Street Journal said last week: "Federal flood insurance is a classic example of powerful government aiding the powerful, encouraging the affluent to build mansions near the shore."

That statement is so inaccurate it is laughable.

The people I represent in Louisiana—we hardly have a beach. I don't know if anyone has visited Louisiana. We don't have beaches. We have marshes. No one I know who lives in New Orleans or Baton Rouge is anywhere near a beach. I am going to read a letter from a very affluent and powerful person:

I am a 66-year-old woman and have lived in the same house in Broadmoor since 1974.

I knew this neighborhood when the letter arrived at my desk because that is the neighborhood where I grew up and still reside. There is not a beach within miles of Broadmoor.

She continues:

I lived there with my family, raised a son who also lives and owns a house in Broadmoor—

It is a very middle-class neighborhood that we come from.

Continuing:

—and plan to stay in my home for the remainder of my life. I live on a very strict budget and have just this month received my first Social Security payment. If something is not done to change the law that will potentially raise my flood insurance by the thousands, it will not be possible for me to keep my home nor sell it.

I wish to have the Wall Street Journal editorial board hear this. This is not a millionaire mansion on a beach. This is a 66-year-old woman who just received her first Social Security check. If this law is not changed by the 100 Members of this body in the next few days, she can either stay in her house or sell her house.

Please do not lecture to us from some high place in some big corporate office about Senators on the floor of the Senate trying to fight for powerful interests for people in mansions who live on fancy beaches. That is not what this bill is about.

I have hundreds of pictures. If the Wall Street Journal or any newspaper wants to editorialize about this, please check my Web site, "My Home Story." I have hundreds of pictures and other Senators have hundreds of pictures. I don't see a mansion.

All I see are cries of people who say: Wait a minute. My house has never flooded. I live in a simple neighborhood. I am a simple person. I am an American who works hard, and you are running me out of my home.

The bill that passed, Biggert-Waters, was well intentioned but drafted inappropriately and has some very pernicious guidelines or rules in it that can only be changed by Congress. Some people wish to think that FEMA can wave a magic wand and make it work. FEMA cannot wave a magic wand. We have to do our job as Senators. I hope the Senate will do its job.

We cannot agree on everything that needs to be fixed, I understand. There are many arguments about other things that some people think need to be fixed and others don't. But I don't know of anyone nor have I heard anyone on the floor give us one good, solid

reason that the Menendez bill shouldn't pass, such as: I don't like section 1, I don't like section 2, I don't like section 10, maybe section 5—not one. It is all posturing.

Please let us get over the posturing and help people who live nowhere near a beach, who are going to lose their homes and need us to act. I believe we can do it. As I said, we have great Republican leadership and great Democratic leadership.

In closing, the Senator on the floor has my great respect. Also, Senator ISAKSON, who is the lead Republican Senator, is known in this body as an expert on real estate and finance. He is very clear in his appreciation and understanding that the real estate market is going to be shaken to its core, as well as homebuilders and community bankers who are holding mortgages on these 5 million properties.

We have come too far. We have come too far in restoring this housing market. This bill was well intentioned but poorly drafted, stuck into a conference committee report at the last minute, not with as much oversight as we should have given. We can fix it. Let's do this.

I thank the Senator for being so generous. It is a very important issue. I am prepared to stay here for as long as it takes before Christmas—even, I hate to say, up to Christmas Eve, as I wish to get home for a little bit of time, but this needs to be fixed before we leave for Christmas.

The House can come back in January, take up this bill, and we can send it to the President's desk early in February, make it retroactive, and give people relief. This is not about helping out powerful interests and millionaires on the beach. This is about helping many Americans who have done nothing wrong and everything right. They have been in their homes since the 1960s, 1950s, in some cases from the 1800s, and are going to be priced out of their home. Their equity will be stolen from them by a poorly drafted piece of legislation.

We can do better and we should.

I yield the floor.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I rise today to address the nomination of Cornelia Pillard for the D.C. Circuit.

My colleagues, I have enjoyed my time in the Senate very much, although we live in a very difficult time. Politically, there are a lot of influences on individual Senators and parties and the body as a whole, so these are very difficult times. I can only imagine writing the Constitution today. I always thought that would be a good "Saturday Night Live" skit: Go back to Philadelphia hall and have all the satellite trucks parked outside and the bloggers and talk radio,

moveon.org—fill in the blank—all putting pressure on our Founding Fathers not to do this or that. We live in different times.

It is absolutely good that people have a voice and influence and create organizations to advocate their cause. There seems to be an organization for almost every aspect of the economy. So lobbying the government, having a say about legislation, trying to push your representatives to do something you think is good for the country is very much a part of democracy, but eventually we have to govern.

Democracy is a journey, sort of like when you are on vacation or you are driving to a place with your kids and they always ask: Are we there yet? But democracy is not an end state, it is a process. Democracy is really about protecting losers, not so much winners. Winners tend to do well in any system. Democracy protects the loser by having a rule of law, a process that says: If you lose the election or you are in the minority in a body, there will be rules there to give you a voice.

One of the problems in the Mideast and throughout the world is that people are afraid to lose. In the Mideast it is a winner-take-all environment. The reason there are so many militias is that people don't trust the police or the government to be fair to their sect or their tribe, so they arm themselves, believing that if they don't take care of themselves, nobody else will. But that just leads to an endless state of conflict.

So democracy is really a process, and it is designed to ensure that losers in a democratic process will still have basic rights. You can lose the election and not get fired. It is illegal to fire somebody because they are in the opposite party, unless it is a political job where one expects that to happen. You don't lose your right to speak up because you lost the election.

When you find yourself in the minority in politics, it is important that you have a say. It is also important that the majority has the ability, having won the election, to do certain things—to run the place, for lack of better words.

The Senate is an unusual body in traditional democracy. Parliamentary systems are different from what we have set up. You have two houses in most places, such as the House of Lords. I don't know what power it has, but it is not too great. The parliamentary system is where you have to form coalitions. At the end of the day it is a completely different setup than we have here, where the party in charge, if they can form a big enough coalition, can basically just run the place.

The House is a winner-take-all body. If you are in the majority in the House, you can decide what bills to bring to the floor, what amendments will be allowed on those bills, and how long to

debate those bills. You have an almost absolute dictatorial ability to run the House. You determine everything. The minority has some say but not a whole lot. The House is sort of gang warfare. I have been there and love the institution. You will find that majorities will be fighting among themselves a lot in the House because that is where the action is in the House.

I have been in the House, and I have been in the Senate. I loved being in the House, and I understood the way the rules worked—that if you were in the minority, what came to the floor was determined by the majority, what amendments were in order was determined by the majority, and that is just the way it was.

When I was in the House, we would pass one measure after another that would go to the Senate and never be heard from again, and that was frustrating. But the older you get, you sort of realize maybe some of the things you wanted were not in the best interest of the country as a whole. And the fact that you knew that if it went to the Senate there would be a filtering process, unlike in the House, became somewhat reassuring over time.

House majorities are more partisan, generally speaking. They are influenced by 2-year election cycles. It is a more passionate body because you are always up for election and the winner takes all. And when you win in the House, the people who got you there expect you to do things consistent with your party's agenda. Nothing wrong with that.

In the Senate there has been a conscious effort to put some brakes on that kind of governing. When you send a bill to the Senate, you still, to this day, have to get 60 votes to bring the legislation to the floor and to get cloture, and the minority has the ability to say not only whether they want the bill to come to the floor, with a certain amount of amendments, but then they can negotiate with our friends in the majority to get the amendments we want and to allow the legislation to come forward. There are probably a lot of times when Republicans in the House voted understanding that this idea wouldn't make it through the Senate and that was probably OK.

Here is what I feel. A lot of my colleagues have talked about Ms. Pillard, the nominee, being a radical judge and being out of the mainstream. I don't want to get into that. All I can say is that my view of a Presidential appointment is for the Senate to provide advice and consent—constitutionally required—but to recognize that the President won the election and the Senate has the advise and consent powers, not the House.

I have found myself in all kinds of judge fights since I have been here. I was a lawyer before I was a politician. I love the law. What I love about the

law is that, in theory, it is a place where the poorest guy, the most unpopular person can still get a fair shake. Of course, that wouldn't happen in a political environment. It is a place where the richest guy or gal in town doesn't have to pay because they can afford to, only because they have a legal responsibility to. I love the idea of an independent judiciary, a jury of one's peers, protecting people's interests in a way politics never could.

I would argue that the strength of the rule of law in this country has been our great saving grace. Elections happen all over the Mideast. Saddam Hussein got 90-some percent. We haven't been able to get there yet. I would argue that electing Saddam Hussein was a joke, that it is the institutions of government that really do provide freedom for people. An independent judiciary has been a Godsend to our country. It is not perfect by any means, but it was the courts that basically broke the stronghold of segregation because politically it would have taken far longer to get there.

At the end of the day, in *Bush v. Gore*, maybe one of Vice President Gore's finest moments contributing to democracy was his acceptance of the ruling of the court. He fought like crazy, he lost a national election by a few hundred votes, all of his supporters are telling him they did this here and they did that there, and the next thing you know the Supreme Court rules 5 to 4, and he graciously accepted the decision.

What has happened here is that the rules of the Senate have been changed in a very dramatic way for the first time really in 200-some years. Our colleagues on the other side decided that we would no longer require 60 votes to get a nomination to the floor or to approve a judge. Now it is majority rule—majority rule on judicial nominations, except Supreme Court and executive appointments.

A lot of average people might say: Well, they won the election; why isn't 51 enough? My response is this: I think we all understand the benefits of being able to slow things down that come out of the House. And having to pick up some votes from the other side to get the 60 to pass legislation has probably saved the country a lot of heartache in terms of emotional legislation coming through the House to the Senate that would never make it into law. A lot of things I wanted have been killed in the Senate, and a lot of things I hoped never would see the light of day have died in the Senate. So it kind of works out.

When it comes to judges, I have tried very hard to make sure that Republican and Democratic Presidents are treated fairly. I do not believe it is my job as a Senator from South Carolina to vote or block an appointment because I wouldn't have chosen that judge.

I remember during the Bush Presidency there was a wholesale filibuster of Bush's judicial nominations, and we were thinking about doing the nuclear option. But seven Democrats and seven Republicans said: Wait a minute. Unless there is an extraordinary circumstance, we shouldn't filibuster judges. An extraordinary circumstance really is about qualifications or something unusual.

I can say to my Democratic colleagues that we have denied two judicial picks by not allowing cloture. If advise and consent means anything, it means that, on occasion, you can say no. So there have been only two.

As to the D.C. Circuit Court, this dispute about how many judges there should be on the D.C. Circuit Court has been going on at least for a decade—ever since I have been here. The Bush administration wanted to add judges to the D.C. Circuit because that is the circuit all appeals go to when government regulation is challenged by somebody in the private sector, an individual or a business. If you want to sue about ObamaCare regulations or the detention policy or the NSA's programs, it goes to the D.C. Circuit. So every President, quite frankly, would like to have an advantage there because it protects their administration's policies.

I guess what I would say is that changing the rules because we have said no to two picks—outside of the D.C. Circuit—was, quite frankly, irresponsible, and it is going to change the Senate forever.

As to the D.C. Circuit, no one can say this debate hasn't been going on before we all got here. Senator GRASSLEY has been the most consistent guy in the world about the D.C. Circuit, even when Republicans were in charge. There are more needs out there. These judges are fine people. They could be put in the other spots where the need is greater.

But we are where we are. So our colleagues decided, after two—I don't know how many have been approved, but two have been denied—enough is enough on the judge side, along with the attempt to grow the court in the D.C. Circuit.

We have had disputes about executive nominations. I remember Ambassador Bolton. And MEL WATT—really, honest to God, I like Mel. He is a great guy. I just don't think he is the right choice for Fannie Mae and Freddie Mac. And to my colleagues here, you are all wonderful people, but there is not one person in the Senate whom I would pick for that job because it has a very technical requirement to it.

So here we are.

Very quickly—and then I will turn it over to Senator GRASSLEY—what does this matter in the long term? I think the first casualty of this rules change is going to be the judiciary itself, and

here is what I mean by that. Now that we don't have to cross the aisle to pick up a few votes to get to 60 when there is a disagreement—and these are very rare; we don't filibuster everybody; they are fairly rare—we are going to have more ideological-driven picks on judicial nominations because once the filtering device of having to at least talk to the other side is removed, once that no longer exists, the pressure in the conference to pick the most ideologically pure, hardnosed, fire-breathing liberal or conservative is going to be immense.

So what my colleagues have done is they have changed the face of the judiciary probably forever. And shame on you. I think that is going to be your legacy that will stand out long after all of us have gone because I don't see how you go back and put this genie in the bottle.

I think we are going to find that judicial selections in the future are going to be those whom the most rabid partisans are going to pick—the most faithful to the cause, not the most faithful to the law.

I don't know what it is like on the Democratic side, but I can tell you what it will be like on the Republican side.

There are a lot of people out there who have a list of judges they want to see on the court—yesterday. Some of these people are going to be tough for you to swallow, and I am sure you will do the same to us.

What you are doing is making the majority self-regulated. There is no longer the excuse, for lack of a better word: I can't "push" this person through because I have to get somebody in. Those who want to make sure they are picking the best person who is not an ideologue, you are going to have a hard time of it.

I think the judiciary is the biggest casualty over time, only equal to the Senate itself. It will not be long—and I don't know how long it will be—before the rules change for Supreme Court picks, because there will be replacements of several members of the Supreme Court in the next decade. That is just the way the life is. There will be opposition from the party out of power. There will be frustration. Somebody will be blocked that makes the party in power mad and they are going to change the rules. That is just going to happen. We are now about outcomes. We are not about process.

The Senate is slowly but surely becoming the House, where winner takes all and ends justify the means: Anything you can do over there, we will do over here. That is just the way it is going to be.

It will not be much longer until we have a Senate and a House and a White House in one party—as happens every now and then—and there is going to be a centerpiece of legislation that has

been the Holy Grail to that party that is an absolute nightmare to the other side; it is going to pass the House on a party-line vote, it is going to come to the Senate, and somebody is going to get frustrated and say: I have 51-plus votes. I may have 57 votes. I don't have 60. And they are going to change the rule on legislation because the pressure to do it, now that we have gone down this road, is going to be immense. I am by no means perfect. But when this happened on our watch, I tried to find a way to avoid it. But we are where we are.

Finally, about ObamaCare. Let me tell you from a Member of Congress point of view something you should consider. All of us are Federal employees and we get a subsidy for our health care premiums similar to every other fellow employee. It is not a unique deal to Congress. If you are a member of the Federal Government, you get up to 72 percent of your premium subsidized. Other employers do that, but it is a darned good deal that is available to all Federal employees.

Again, I compliment Senator GRASSLEY. He said: If we are going to have ObamaCare, we ought to be in it. We, the Congress, and our staffs. Under the law that was passed—I think Senator GRASSLEY was the originator of this idea—Members of Congress and our staffs have to go into the exchanges. But we have the ability to go into the District of Columbia exchange, and the law is written such—and every Member of Congress who takes this subsidy is entitled to do it. I don't blame them one bit. You have to go into the exchange, and your premiums are going to go up, but the subsidy will continue.

Senator VITTER believes, and so do I, that because we are leaders we should take the road less traveled and experience more pain than those who follow. So I have been of the opinion that if you are going to change this law, the Congress should not only go into the exchange, we shouldn't get a subsidy any longer. Why? Because most Americans are going to lose their employer-sponsored health care as it exists today—maybe not in total but their premiums are going to go up dramatically because employers cannot afford to pay the increased premium under the old system. So they will either lose employer-sponsored health care and become an individual or they are going to have to pay more because their employer is in a bind and they can't afford the subsidies that once existed—because premiums for employers, similar to individuals, are going to go through the roof.

I wish to give an example about what I have chosen to do. I have chosen not to go into the DC exchange but to enroll in South Carolina because that is where I live. Enrolling in the South Carolina exchange, I will not get a subsidy. That was my choice. I accept that

choice. Why am I doing this? To try to lead by example what I think is coming to a lot of Americans in some form or another.

So here is what happens with me: Under the old system, I was paying \$186 a month. If I went into the DC exchange, my premiums would go up but not a huge amount. But now that I am enrolling as a 58-year-old short White guy in South Carolina, my premiums are based on the county I live in and my age, with no subsidy, because I make too much money to get a subsidy. People at my income level don't deserve a subsidy because it would bankrupt the Nation more than we are already doing if we did that.

Under ObamaCare in South Carolina, I chose the Bronze plan. Why? It is the cheapest one I could find. I am not independently wealthy. I make a very good living as a Member of the Senate, almost \$180,000, but at the end of the day here is what is coming my way:

My premium goes up to \$572 a month from \$186. That is \$400 a month, almost, a 200-percent increase.

Under my old health plan if I went to the doctor, I paid a \$20 copay. Under the new Bronze plan, I pay \$50.

Under the old plan if I saw a specialist, it was \$30. Under the new plan, it is \$100.

My old deductible was \$350 a year. My new deductible is \$6,350—a \$6,000 increase.

My old plan had a \$5,000 out-of-pocket limit. The new one is \$6,350.

You also get rated not just on your age but where you live. I am paying \$70 a month more than a county that is 40 miles away.

The bottom line is that what I am experiencing a lot of other people are going to experience. I am paying a lot more for a lot less. How can that be?

When you are told that you get more and you pay less and a politician tells you that, you ought to be very leery. That hasn't worked out in my life: You are going to get a lot more, but you are going to pay less.

The reason these premiums are going up is that all the uninsured—and I want to provide coverage to the uninsured as much as anybody else—get insurance coverage with a subsidy. Who is paying those subsidies? The rest of us.

So we are going to see next year employers having to back out of employer-sponsored health care either in total or in part. What we are going to find throughout this country is that people who had employer-sponsored health care, just like the individual markets, their premiums are going to skyrocket—maybe not as much as mine, maybe not 200 percent. The deductibles are going to go up—maybe not as much as mine at \$6,000, but everybody in the country doesn't make \$176,000.

So every Member of Congress should look at what would your life be like if

you didn't have a Federal Government subsidy, if you didn't enroll in the DC exchange, if you went back home and had to pick a plan similar to everybody else in your State? You ought to sit down and look at what your individual life would be like. If you just look, you will be shocked. I sure was.

This is not about me, even though I am giving you an example about myself. It is about an idea called ObamaCare that is going to destroy health care as we know it in the name of saving it and making it better.

I think we all agree we need to reform health care. But I think most Americans believe their old health care system was working pretty good for them, but it could always be made better.

So I would ask every Member of Congress, whether you go into your State exchange, if one exists, or not, do the math. You are going to be shocked at how it would affect you. Let me tell you, it is going to affect people you represent in similar fashion.

So what do you do? Why don't we just try to sit down and start over and see if we can do better before it is too late?

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

UNEMPLOYMENT

Mr. SANDERS. Mr. President, there is a reason why the favorability rating of the Congress is somewhere, on a good day, around 10 percent. The reason I think is pretty simple: The American people are hurting. They look to their elected officials to try to do something to address the problems they have and the crises facing our country. Time after time, they see the Congress not only not responding to the needs they face but in many cases doing exactly the opposite. In poll after poll, the American people tell us the most pressing issue they face deals with the economy and high unemployment.

When we look in the newspapers, we are told the official unemployment rate is 7 percent. By the way, that is a rate which has in recent months gone down, and that is a good thing. But the truth is, if you include people who have given up looking for work and people who are working part time when they want to work full time, real unemployment in this country is 13.2 percent. That is enormously high.

The unemployment rate for our young people is close to 20 percent, and there are parts of the country where it is higher than that. African-American youth unemployment is close to 40 percent.

So what we are looking at all over this country are millions and millions of people who want jobs, who want to work, and who can't find those jobs. We are looking at a younger generation of workers who cannot get into the economy. If you are a young person and you

leave high school, for example, and you can't get a job in your first year out there or your second year, if you think this does not have a cataclysmic impact on your confidence, on your self-esteem, you are very mistaken.

I fear very much and worry very much about the millions of young people out there who are not in school, who are not working. Tragically, many of those young people will end up on drugs. Some of them are going to end up in jail. These are issues we have to consider.

What the American people tell us over and over is: Yes, the deficit is a serious problem. I believe it is. Everybody in the Congress believes it is. But what the American people also say is: High unemployment is an even more serious issue.

According to a March 2013 Gallup poll, 75 percent of the American people, including 56 percent of Republicans, 74 percent of Independents, and 93 percent of Democrats, support "a Federal job creation law that would spend government money for a program designed to create more than 1 million new jobs."

What the American people are saying is, yes, we have made progress in the last 4 years. We have cut the deficit in half. We have to do more. But what the American people are saying loudly and clearly is that we need to create jobs.

What they also understand, and poll after poll indicates this, is that when we have an infrastructure that is crumbling—roads, bridges, water systems, wastewater plants, our rail system—when we have an infrastructure that is crumbling, we need to invest in rebuilding that infrastructure. When we do that, we create significant numbers of jobs. That is what the American people want us to do. When is the last time you even heard that debate here on the floor of the Senate?

The unemployment crisis, the need to create jobs—that is what the American people want us to do, and we are not even talking about that issue.

There is a second issue about which the American people are very clear. It is a funny thing—sometimes the media writes about how partisan the Congress is, how divisive the Congress is. Senator GRASSLEY and I supposedly hate each other, we do not talk to each other, and all that nonsense. That is not the reality. The truth is that among the American people, surprisingly enough, there is a lot of consensus. I mentioned a moment ago that the American people very strongly believe that we should invest in our infrastructure and create jobs. Unfortunately, that is not what we are doing.

Here is another issue about which the American people are loud and clear. They understand that—tragically in today's economy—most of the new jobs that are being created are not good-paying jobs. That is the sad reality. Most of the new jobs that are being

created in today's economy are low wage jobs and many of them are part-time jobs. If you are making \$8 or \$9 an hour and you are working 30 hours a week, you are going to have a very hard time supporting yourself, let alone a family.

What do the American people say? They say raise the minimum wage. Raise the minimum wage.

Let me quote from today's Wall Street Journal:

Americans strongly favor boosting the Federal minimum wage to \$10.10 an hour but oppose raising it above that, a Wall Street Journal/NBC News poll finds. In the survey, 63 percent supported a rise to \$10.10 an hour from the current \$7.25 rate.

Sixty-three percent of the American people support that. Democrats strongly support it, Independents support it, and many Republicans support it. One would think, therefore, when the vast majority of the American people understand that \$7.25 an hour is a starvation wage and that we need to raise the minimum wage to at least \$10.10 an hour, we would be moving on it. Maybe we would get a UC on it, a unanimous consent. Let's get it done. I fear very much that right here in the Senate we are going to have a very difficult time gaining 60 votes. I hope I am wrong, I sincerely do, but I am not aware at this point that there are any Republicans prepared to support an increase of the minimum wage to \$10 an hour. I believe in the Republican-controlled House it would be extremely difficult to get legislation widely supported by the American people through that body.

But not only will my Republican colleagues not do what the American people want in terms of raising the minimum wage, quite incredibly, I have to tell you that many of my Republican colleagues do not believe in the concept of the minimum wage. Many of them believe we should abolish the concept of the minimum wage, so that if you are in a situation in a high-unemployment area where workers are desperate for work and an employer says: Here is \$4 an hour; take it or leave it, that is OK for some of my Republican colleagues.

Again, we are in a situation where the vast majority of the American people want to do something about low wages. They want to raise the minimum wage, and we are going to have a very difficult time getting that legislation through. I hope I am wrong, but I do know that unless the American people stand up, get on the phone, start calling their Senators and Members of Congress, we probably will not succeed in doing what the American people want.

Interestingly enough, what the American people also understand is that raising the minimum wage will help us with the Federal deficit in a variety of ways. It may be a surprise to some Americans to know that the large-

est welfare recipient in the United States of America happens, coincidentally, to be the wealthiest family in America. The Walton family, which owns Walmart, is worth about \$100 billion. They are the wealthiest family in America. They own more wealth as one family than the bottom 40 percent of the American people—extraordinary wealth. One of the reasons they are so wealthy is the American taxpayer subsidizes Walmart because Walmart pays low wages, provides minimal benefits, and many of their workers end up on Medicaid, they end up on food stamps, and they end up in government-subsidized housing. I am not quite sure why the middle-class working families of this country have to subsidize the Walton family because they pay wages that are inadequate for their workers to live a dignified life.

My hope is that when the American people are loud and clear about the need to raise the minimum wage, their Congress will respond, but I have to tell you that I have my doubts.

What we also hear—and most recently from Pope Francis—is an understanding that there is something profoundly wrong about a nation and increasingly a world in which so few have so much and so many have so little. In the United States of America today we have more wealth and income inequality than at any time since the late 1920s, and we have more wealth and income inequality than any other major country on Earth. Today the top 1 percent of our population owns 38 percent of the wealth of America, financial wealth of this country, and the bottom 60 percent owns 2.3 percent. The top 1 percent owns 38 percent of the wealth of America, and the bottom 60 percent owns 2.3 percent. Is that really what America is supposed to be about? I think not. I think Pope Francis recently talked about that issue. He talked about the moral aspects of that issue. He is exactly right.

Those are some of the issues we have to talk about.

Another issue out there that I think we have to be very clear about—and again the American people are extraordinarily clear about this—the American people understand that Social Security has been probably the most successful Federal program in the modern history of this country. For the last 70-plus years it has kept seniors out of poverty. In fact, before Social Security 50 percent of seniors in this country lived in poverty. Today that number, while too high, is about 9.5 percent. That is a significant improvement. And Social Security, despite what is going on in the economy—in good times and bad times—has never once failed to pay all of the benefits owed to every eligible American.

Today Social Security has a \$2.7 trillion surplus. It can pay every benefit owed to every eligible American for the

next 20 years. Do you know what the American people say about Social Security? They say it loudly and clearly. Republicans say it, Independents say it, and Democrats say it. Do not cut Social Security. Do not cut Social Security. Yet I have to tell you that virtually all Republicans think we should cut Social Security. Some Democrats believe we should cut Social Security. The President of the United States has talked about a chained CPI—a very bad idea—about cutting Social Security.

Maybe we should listen to the American people and make it very clear: No, we are not going to cut Social Security. In fact, we are going to take a new look at Social Security and see how we can make it solvent not just for 20 years but for 50 years and in addition to that increase benefits. There are pretty easy ways to do that, including lifting the cap on taxable income that goes into the Social Security trust fund. As you know, today, if somebody makes \$100 million and somebody makes \$113,000, they both contribute the same amount into the Social Security trust fund. Lift that cap. You can start at \$250,000, and you will solve the Social Security solvency issue for the next 50 or 60 years. That is exactly what we should do, and that is what the American people want us to do.

In terms of Medicare, people say Medicare has financial problems, and it does. The issue—and interestingly enough, it gets back to what Senator GRAHAM was talking about. He was talking about his health care plan in South Carolina. It sounds like a pretty bad plan to me, I agree with him. What is the issue there? The issue we have to look at, which we don't for obvious issues, is how does it happen that in the United States of America—before the Affordable Care Act; things will change a little bit—before the Affordable Care Act, we have 48 million people who are uninsured, we have tens of millions more people who have high deductibles, like Senator GRAHAM—a \$6,000 deductible is incomprehensible—and high copayments. At the end of the day, 48 million people uninsured, high deductibles, high copayments, health outcomes that are not particularly good—better than some countries, worse than other countries—infant mortality worse, longevity worse, life expectancy worse, yet we end up spending twice as much per person on health care as any other nation. How does that happen? How do we spend so much and get so little value? Is that an issue we are prepared to discuss? I guess not because the private insure companies say: Don't talk about that. We are making a whole lot of money out of the current health care system, including the Affordable Care Act. We make a lot of money, our CEOs do. Yes, we are spending 30 cents of every dollar on administrative costs, on bureaucracy, on

advertising. Don't touch that because that is the American health care system. I suggest we have to take a hard look at what goes on in the rest of the world.

People have said we have the best health care system in the world. That is not what the American people say. The polls I have seen show that there is less satisfaction with our system than exists in other countries around the world, for obvious reasons. We spend a lot. We get relatively little.

Are we prepared as a Congress to stand up to the insurance companies? Are we prepared to stand up to the drug companies that charge us far higher prices for prescription drugs than any other country on Earth? Are we prepared to stand up to the medical equipment suppliers?

I don't think so because that gets us into the issue of campaign finance, where people get their money to run for office, because these guys contribute a whole lot of money.

Are we prepared to stand up to Wall Street? We have six financial institutions on Wall Street that have assets of over \$9 trillion—equivalent to two-thirds of the GDP of the United States of America. They write half of the mortgages in this country, two-thirds of the credit cards. Do you think maybe it is time to break up these guys or are we going to march down the path of too big to fail and have to bail them out again? Do you hear a whole lot of discussion about that, Mr. President? No, not too often.

Let me conclude. We had the president of the World Bank here yesterday talking about global warming. As I think most people know, the entire—well, virtually the entire scientific community, people who study the issue of global warming, understands that the planet is warming significantly, that it is already causing devastating problems, that the issue is manmade, and that if we do not address this crisis by cutting greenhouse gas emissions and moving away from fossil fuels, the habitability of this planet for our kids and our grandchildren will be very much in question. That is what the scientific community says. Have you heard any debate on this floor about how we are going to aggressively transform our energy system? We do not do it.

Let me conclude by saying this. There is a reason the Congress has a favorability rating of about 10 percent, and that is that the American people are hurting and we are not responding to that pain. We are not addressing the many crises facing this country, and the American people are saying to Congress: What world do you live in? How about joining our world? How about changing your attention to our needs?

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, we are in postcloture debate on the nominee for the Circuit Court for the District of Columbia. I want to speak on that nomination, but I am also going to take time to speak on issues dealing with the Defense Department, the farm bill, and the new nominee for the Department of Homeland Security.

I will take a few minutes to discuss the President's ongoing scheme to stack the D.C. Circuit with committed ideologues so that the President's regulatory agenda doesn't run into judicial roadblocks.

Yesterday, the Senate confirmed the first of three nominees to the D.C. Circuit that the court does not need. Let me emphasize that: Does not need. Of course, the Senate denied its consent on these nominees just a few short weeks ago.

Some may ask: What has changed during that time? The vote count certainly has not changed. It is not as if Democrats persuaded some of their Republican colleagues to change their minds.

That is what you would expect in a body that operates based upon rules that guarantee the minority a voice. That is what you would expect in what is supposed to be the greatest deliberative body on Earth. That is what you would expect under normal circumstances, but as I explained in an earlier speech this week on another nominee for the same court, these are not normal circumstances.

No, today's circumstances are different.

Today the President's legislative agenda cannot get traction in Congress. And, no, it is not because Republicans will not negotiate with the President. It is because the President of the United States is out of step with the American people.

Today the President's signature health care law, which was passed without a single Republican vote, is becoming more and more unpopular with each passing day. And no, it is not because the administration has not done a good job of "messaging" ObamaCare. It is precisely because of that message.

Today, the President can't get climate change legislation passed by Congress, and, no, it is not simply because of Republican opposition. It is because the President's agenda is too extreme even for some Senate Democrats.

The President and his agenda are out of step with the American people, and as a result, he cannot get his agenda adopted in this Congress. But that doesn't seem to matter to the radical liberal interest groups who support these policy initiatives. They want results—no matter what.

These liberal interest groups are not satisfied with constitutional separation of powers. They want the President and his allies in the Senate to do whatever it takes to get the same results they would get if there were 535

Members of Congress just as liberal as the President.

Those interest groups want the President to legislate by executive order and by administrative action. They want the President to suspend the law when it suits his purposes, just as the English kings used to do. In fact, the reason our Constitution requires—and let me emphasize requires—the President to “faithfully” execute the law is because the English kings would unilaterally—and selectively—suspend laws passed by the parliament. But none of this matters to the liberal interest groups. They want results—no matter what.

In fact, the President has made such a practice of legislating by Executive Order and administrative action, that he has created the expectation among his most faithful supporters that there is nothing he cannot do unilaterally.

Just a week or two ago, the President was delivering a speech in California when one of his own supporters interrupted and heckled him for not issuing an executive order to stop all deportations.

The heckler shouted:

Use your executive order to halt deportations of 11.5 million undocumented immigrants in this country. You have the power to stop deportations right now.

The President responded:

Actually, I don't. We are a nation of laws.

I must say, I understand the confusion. The most extreme elements of the President's supporters have witnessed him pick and choose which laws he will faithfully execute and which he will suspend, or as the President likes to say, “waive.” So, it is no wonder that those supporters would say: Just issue an executive order. We want results.

It is just like King George III.

It is no wonder that those supporters would say: We don't care that there isn't support in the Congress to pass legislation imposing cap-and-trade fee increases. We want results.

Just like King George III.

It is no wonder that those supporters would say: We don't care if Democrats block judges to the D.C. Circuit based on the standards the Republicans are applying today. That was then, this is now. We want results.

Just like King George III.

It is no wonder that those supporters would say: We don't care about two centuries of Senate history and tradition that has been passed down faithfully from one majority leader to the next. We want results.

Just like King George III.

Climate change regulations are too important. Salvaging ObamaCare is too important.

So as we all know, the majority buckled to the pressure from these extreme liberal interest groups and broke the rules of the Senate to change the rules. They tossed aside two centuries of Senate history and tradition. This

history and tradition—until 2 weeks ago—had been carefully guarded and preserved by each succeeding majority leader.

Those leaders remembered the history of King George III.

They did all of this just so they could install the President's hand-picked judges, so they could hear challenges to his signature health care law and to the rest of his regulatory agenda, such as climate change regulation.

But when a President selects a nominee for the specific purpose of rubberstamping his agenda—an agenda that has proven too extreme for even Members of his own party—he needs a judge who can be counted upon to follow through.

Given that it is inappropriate to ask prospective nominees how they would rule on particular cases, how would this White House make certain that their nominees would follow through and rubberstamp the President's agenda?

Based upon Professor Pillard's record—and that is the nominee we will be voting on tomorrow—apparently the White House looked out over academia and selected the most liberal nominee they could find.

Because Professor Pillard fits that bill to a T.

I have heard my colleagues come to the floor and argue that these nominees to the D.C. Circuit are mainstream. Professor Pillard may be a fine person, but make no mistake about it, she is not mainstream. She is the furthest thing from it.

I am sure that the White House is confident she can be counted upon to rubberstamp its agenda, but don't confuse her views with the mainstream of American legal tradition. I have a sampling of things she has written and said. I will read some of what she has written, and I then ask you to determine if she is mainstream.

She has written this about abortion:

Casting reproductive rights in terms of equality holds promise to recenter the debate towards the real stakes for women (and men) of unwanted pregnancy and away from the deceptive images of fetus-as-autonomous-being that the anti-choice movement has popularized.

Think of “deceptive images of fetus-as-autonomous-being.” Is that mainstream?

She argued this about motherhood:

Reproductive rights, including the rights to contraception and abortion, play a central role in freeing women from historically routine conscription into maternity.

Now, think about that: “historically routine conscription into maternity.” Is that mainstream?

She has also argued this about motherhood:

Antibortion laws and other restraints on reproductive freedom not only enforce women's incubation of unwanted pregnancies, but also prescribe a “vision of the woman's role” as mother and caretaker of children in a way that is at odds with equal protection.

Is that in the mainstream?

What about her views on religious freedom? This really ought to shock you. She argued that the Supreme Court case of Hosanna-Tabor Evangelical Lutheran Church, which challenged the so-called “ministerial exception” to employment discrimination represented a “substantial threat to the American rule of law.”

The Supreme Court rejected her view 9 to 0. Nine to zero. And the Court held that “it is impermissible for the government to contradict a church's determination of who can act as its ministers.”

Do my colleagues honestly believe that it is within the mainstream to argue that churches shouldn't be allowed to choose their own ministers? I don't think so.

I asked Professor Pillard about Hosanna-Tabor and religious freedom at her hearing. She testified this way:

And I have to admit, Senator GRASSLEY . . . I really called it wrong on that case. I did not predict that the Court would rule as it did.

In other words, she tried to dodge the question by leaving the committee members with the impression that she had merely taken a stab at predicting the case's outcome and that she had gotten it wrong.

Of course, I wasn't troubled that Professor Pillard had wrongly predicted the outcome. I was troubled because she actually argued that a ruling in favor of the church would represent a “substantial threat to the American rule of law.”

I don't believe that there is a single Member of this body on either side of the aisle who would subscribe to that argument anymore than the nine justices of the Supreme Court did. If I am wrong about that, then I would like to hear the Senator explain how it is mainstream to argue that granting our churches the latitude to choose their own ministers represents a “substantial threat to the American rule of law.”

These are the so-called “mainstream views” the President wants to install on a court that will hear challenges to his most important priorities. Is it any wonder that the President apparently has high confidence will Professor Pillard rubberstamp his agenda?

Before I close, let me make one final point.

Given the circumstances surrounding how these nominees were selected and nominated;

Given all three were nominated simultaneously for the purpose of changing judicial outcomes and rubberstamping the President's agenda;

Given they were nominated and rammed through the process, without regard to the fact that there is not even enough work for them to do;

Given the President was originally denied consent under the Rules of the Senate;

Given that the President and certain far-left liberal interest groups successfully persuaded the majority of the Senate to cast aside two centuries of Senate history and tradition in order to get them confirmed;

And given the extremely liberal record I discussed;

If you were a litigant challenging the President, or one of his administrative actions and you drew a panel comprised of Professor Pillard, Millett, and Judge Wilkins, can you honestly say that you would be confident you would get a fair shake?

Of course not.

And that, my colleagues, is a sad commentary on the damage the President and the Senate majority have inflicted not only on the Senate but also on our judiciary and fundamental notions of the rule of law.

I urge my colleagues to oppose the Pillard nomination.

HOW THE AUDIT PROCESS WAS COMPROMISED

For several years, I have been trying to get the Defense Department inspector general to do its job, and I have had several investigations, a lot of them implemented because of information that comes to me from whistleblowers. I will speak to that point now and talk about two important audits bungled by the Department of Defense inspector general's office.

There is something very important I need to say right upfront. A brandnew inspector general, Mr. Jon Rymer, is now in place. The events I am about to describe happened a few years ago, but none reflect on his leadership which I hope will bring about a big change in the inspector general's office at the Department of Defense.

When faced with a frontal assault on its audit authority by the target of one of its audits, senior IG officials got a bad case of weak knees and caved under pressure. They trashed high-quality audit work that was critical of a certified public accounting firm and its opinions. In doing this, they covered up reportable deficiencies, they allowed the audit target to run roughshod over sacred oversight prerogatives, without uttering one word of protest or asking one single question.

I am talking about audits of the financial statements produced by the Department's Central Accounting Office. This is what I refer to as DFAS, which stands for Defense Finance and Accounting Services. The audits were conducted by a CPA firm, but supposedly under the watchful eye of the inspector general, or IG, but not really under his eye.

The story of the two bungled audits is told in an oversight report which I have now posted on my Web site.

While I received the first anonymous email on this matter in April of 2012, my audit oversight work actually began more than 5 years ago. It was triggered by a steady stream of tips

from whistleblowers complaining about the quality of these audits. These reports then grabbed my attention.

My colleagues may wonder why the Senator from Iowa is down in the weeds in such arcane issues. The reason is simple. It is the importance of audits.

Audits are probably the primary oversight tool for rooting out fraud and waste in the government. To protect the taxpayers, Congress needs to ensure that government audits are as good as they can be. They must produce tangible results. They must be able to detect theft, waste, mismanagement, and then recommend corrective action.

With mounting pressure for serious belt-tightening under sequestration, audits have taken on an even greater importance. Audits should help senior management separate the wheat from the chaff and apply mandated cuts where they belong. Sequestration cuts should be guided by hard-hitting, rock-solid audits. Unfortunately, rock-solid audits produced by the inspector general's office are hard to come by, and that is the problem.

After evaluating hundreds of audits, I issued three oversight reports in the years 2010 and 2012. With a few notable exceptions, I found that the inspector general's Audits were weak, ineffective, and wasteful—wasteful when we consider that we spend \$100 million a year to produce them. Poor leadership is part of the problem, but there is still another driver; that is, the Department's broken accounting system. It allows fraud and waste to go undetected and unchecked. That is bad enough, but the lack of credible financial information makes it very difficult to produce hard-hitting audits. Auditors are forced to do audit trail reconstruction work to connect the dots on the money trails and, of course, that is very labor intensive, very time-consuming work.

Although the Department continues to spend billions to fix the busted accounting system, I am sorry to say it is still not working right. The Department cannot pass the Chief Financial Officers Act audit test. It is unable to accurately report on how the taxpayers' money is spent as it is required to do each year under that law. By comparison, every other Federal agency has passed that test. Why not the Department of Defense?

So long as the accounting system is dysfunctional, audits will remain weak and ineffective and the probability of rooting out much fraud and waste during sequestration is low—and then still continuing to waste \$100 million that we spend on the inspector general's office.

While I am talking about the need for better audits, I would like to offer a word of encouragement to the Special Inspector General for Afghanistan Re-

construction, John Sopko. He is the head of SIGAR, which is the name for the Special Inspector General for Afghanistan, or SIGAR, for short. SIGAR is cranking out aggressive, hard-hitting audits, and I commend SIGAR for doing that—setting a good example. The audits I am about to discuss, by contrast, deserve darts, not laurels.

I first came to the floor to speak on this subject on November 14, 2012. At that point, I completed a preliminary review of seven red flags or potential problem areas that popped up on my radar screen. Since then, I have double-checked the facts. I have confirmed my preliminary observations. I did this by examining the official audit records known as work papers. So I will not walk the same ground again tonight. Instead, I will briefly summarize what I did, how I did it, what I found, why it is important, and offer some fixes for consideration.

To conduct this investigation, I had to examine literally thousands of documents. I could not have done it without the help and guidance of CPA-qualified government auditors. Evidence uncovered in the work papers were validated with interviews and written inquiries with knowledgeable officials. Together, these tell the story of what happened and of course it is not a pretty picture.

True, my report is nothing more than a snapshot in time, but if this snapshot accurately reflects the work being produced by the IG audit office, then we have big problems.

In a nutshell, this is what I found out: A CPA firm, Urbach Kahn & Werlin, which goes by UKW, had awarded an unblemished string of seven clean opinions on the central accounting agency's financial statements. Then the IG stepped in and took a 2-year snapshot for fiscal years 2008 and 2009. It was supposed to report on whether those statements and opinions met prescribed audit standards, but due to a series of ethical blunders, that job was never finished.

A third review was planned for 2010, but after the 2008–2009 fiasco, it was canceled, allowing DFAS—the Defense, Finance, and Accounting Service—it allowed DFAS to rack up another string of clean opinions through last year. All together, this work probably costs the taxpayers in excess of \$20 million.

The work performed by DFAS in 2008 and 2009 was substandard. The outside audit firm rubberstamped DFAS's flawed practices using defective audit methods.

For its part, the inspector general was prepared to call foul on the CPA firm for substandard work but got sidetracked and then steamrolled by DFAS. The contract gave the IG pre-eminent oversight authority to accept or reject the firm's opinions. The whole purpose of the contract was to position

the auditors to make that determination. If the firm's opinions met prescribed standards, they would be endorsed. If not, the IG would issue a nonendorsement report.

On both the fiscal year 2008 and 2009 audits, the record clearly indicates the IG's audit team determined that the firm's opinions did not meet prescribed standards. They did not merit endorsement. Though I cannot cite work papers to prove it, whistleblowers alleged that top management ordered them to endorse the 2008 opinion with this caveat: If known deficiencies were not corrected in the 2009 opinion, a nonendorsement was guaranteed. When the very same deficiencies popped up again—in other words, in 2009 as they did in 2008—the auditors prepared a hard-hitting nonendorsement report as promised. It was even signed. The transmittal letter was ready to go out the door.

The nonendorsement decision had been communicated to DFAS via email in unmistakable terms. In line with that decision and contract requirements, the IG took steps to cut off payment to the CPA firm based on advice of the inspector general's legal counsel.

The next step was to issue the nonendorsement report. But this is where the inspector general chickened out. In a power vacuum, DFAS moved swiftly to block the report with a blatant end-run maneuver to bypass independent oversight. So DFAS literally neutered independent oversight by the inspector general with two bold moves: On the same day the IG's office notified DFAS in writing that a nonendorsement report would be forthcoming, DFAS unilaterally and proudly declared that it had earned a clean opinion and ordered that all disputed invoices be paid. This was an act of out-and-out defiance.

Next, it kicked the IG off the contract. Yes, my colleagues heard me right. The agency being audited literally kicked the inspector general—the oversight agency—clean off the oversight contract. In making this end-run maneuver, DFAS broke every rule in the audit book.

What happened was a frontal assault on the inspector general's oversight authority. The frontal assault was mounted by the agency being subjected to the audit and by an agency whose financial reports were found to be grossly deficient. In the face of such outright defiance, I would like to think that any inspector general would have stood up to the offending agency and held its ground and protected and defended its oversight prerogatives. That is the law—but not the Department of Defense inspector general.

Instead, the IG's knees buckled under pressure. The IG retreated before the onslaught. The IG caved and trashed the report. The IG rolled over and played possum, giving DFAS the green light to proceed full speed ahead.

The IG accepted these blatant transgressions without expressing one word of criticism, without expressing one concern, without raising one single question.

Other than a lone hotline complaint that disappeared down a black hole, no protest was ever lodged, no corrective action was ever proposed, and obviously no corrective action ever taken.

The inspector general's silence appeared to signal total acquiescence to a series of actions that undermine the integrity of the audit process, which is the basis for ferreting out waste, fraud and mismanagement and illegal activity.

For a Senator who watches the watchdogs, what I see is a disgrace to the entire inspector general community. The IG allowed DFAS to run roughshod over the contract, the IG Act, audit standards, and independent oversight. The audit firm probably got paid for the work that was never performed—payments that were alleged to be improper.

Instead of exposing poor practices and improper actions by both the accounting agency and the CPA firm, the Office of Inspector General allowed sacred principles to be trampled. It just kept quiet. It turned a blind eye to what was going on. It hunkered down. It tried to cover its tracks.

Two misguided acts set the stage for the collapse of oversight of these audits.

The problem began with the contract. At the insistence of the Department's chief financial officer and accounting agency, the IG agreed to a contractual arrangement that put DFAS—the target of the audit—in the driver's seat. This contract allegedly violated the IG Act and standing audit policy, according to the assistant IG who spoke out at that particular time.

To address this issue, a fragile waiver arrangement was crafted. It was supposed to address the legal issues and protect the Office of Inspector General's interests under the DFAS contract. All the parties involved agreed to abide by this questionable setup.

But being nothing more than an informal trust, it came unglued under the pressure and controversy generated by the nonendorsement decision.

Even the Office of Inspector General legal counsel voiced grave concerns about the fragile waiver arrangement. In his opinion, the terms of the contract “transferred”—those words come from the Office of Legal Counsel—“transferred” the Office of Inspector General oversight function to DFAS, the very component whose financial data was being subjected to the oversight. In his words—meaning the Office of Legal Counsel's words—the contract terms will leave the Office of Inspector General “open to criticism on the Hill. . . . In two years some Senator will yell at us [about this]. If I had known

about the arrangement,” he said, “I would have advised against it.”

Counsel's concerns were well-founded, and similar to a modern day Nos tradamus, this prediction has come to pass.

The second problem was a failure of leadership at the top. When the inspector general's auditors reached the conclusion that the CPA firm's opinions did not measure up to prescribed standards, the current deputy IG for audit drove the final nail into that coffin.

The official audit records make it crystal clear. The deputy IG gave the fateful order: “There will be no written report.” This was a lethal blow. This is how the report got bottled up. True, it disappeared from public view. It got buried, and DFAS was promised it would never see the light of day; that is, until one of my investigators came along and dug it out of a pile of work papers. Here—for the benefit of my colleagues—here it is in my hand. I hold it up. It did not get buried like they thought it would get buried.

Once the deputy IG had smothered the report, DFAS knew it had the green light to bypass oversight with impunity.

All of this bungling could have harmful consequences.

First, compelling audit evidence, which undermined the credibility of the financial statements prepared by the Department's flagship accounting agency, was shielded from public exposure. The suppression of that evidence has helped to immortalize the myth of DFAS's clean opinions. It is so bad now that the myth is an inside joke. It is laughable, according to a former accountant. Here is what he said on the record to McClatchy News on November 22, 2013:

When I was there, DFAS would brag about getting a clean opinion. We accountants would just laugh out loud. Their systems were so screwed up.

If the output of the Defense Department's flagship accounting agency, which disburses over \$600 billion a year is, indeed, laughable, then Pentagon money managers have another big problem. As that famous whistleblower Ernie Fitzgerald liked to say: “It's time to lock the doors and call the law.”

Since the myth involves the reliability of data reported by the Department's central accounting agency, it has the potential of putting the Secretary of Defense's audit readiness initiative in jeopardy. DFAS's apparent inability to accurately report on its own internal housekeeping accounts for \$1.5 billion—it is \$1.5 billion that they have—casts doubt on its ability to accurately report on the hundreds of billions DOD spends each year. If the Department's central accounting agency cannot earn a clean opinion, then who in the Department can?

Second, the integrity and independence of the inspector general's audit

process may have been compromised. If the independence of the audit process was, in fact, compromised, as my report suggests, then the Department's primary tool for rooting out waste and fraud could be disabled—at least it was in these cases.

If that did indeed happen, then it probably happened with the knowledge and silent acquiescence of senior officials in the IG's office, the institution that exists to root out fraud, waste, and abuse.

In simple terms, the watchdog appointed to expose waste—not only expose but stop fraud and waste—may have been doing some of it himself or herself. If true, it clearly demonstrates a lack of commitment on the part of senior management to exercise due diligence in performing its core mission.

Almost all of the key players allegedly responsible for the bungled audits still occupy top posts in the IG's audit office today. Surely, these officials did not act alone. This was a concerted effort. According to recent news reports, other higher-ups were allegedly involved. Senior IG officials must bear primary responsibility for this unacceptable and inexplicable failure of oversight. They could have, in fact, stopped it.

To address and resolve these issues, I made four recommendations in a letter recently sent to Secretary Hagel and the new Inspector General Rymer.

First, the Department of Defense CFO should pull the DFAS financial statements for the fiscal years 2008 and 2009 and remove those audit opinions from official records.

Second, the OIG needs to undertake an independent audit of DFAS's financial statements for fiscal year 2012 and determine whether those statements and the CPA firm's opinion meet prescribed audit standards. The fiscal year 2012 beginning account balances must also be verified. In response to my oversight, the inspector general has initiated what he called a postaudit review of DFAS's fiscal year 2012 financial statements. This is, in fact, a good move. But to ensure that it is done right this time, I asked the U.S. GAO to watchdog the inspector general's work. I want independent verification because last time there was none. This process will be completed next year.

Third, the inspector general should address and resolve any allegations of misconduct involving DFAS officials and make appropriate recommendations for corrective action.

Fourth, I am referring unresolved concerns regarding the conduct of IG officials to the Integrity Committee of the Council of the Inspectors General on Integrity and Efficiency for further review as provided under the IG Reform Act of 2008.

What happened here is almost beyond comprehension.

All of it happened under the IG's watchful eye. All of it probably happened with top-level knowledge. Most of it probably happened with top-level approval. Some of it was probably allowed to happen through tacit approval or silent acquiescence. All of it was bad for the integrity and independence of the audit process and the accuracy of financial information in the government's largest agency.

As I said a moment ago, the Department has a new IG, Jon Rymer. I hope he is a genuine junkyard dog who likes aggressive, hard-hitting audits. I hope Mr. Rymer will take a long, hard look at what happened and work with Secretary Hagel and others to find a good way to right the wrongs and get audits back on track. I know he can do it, and I stand ready to help him in any way I can. I want Mr. Rymer to know my door is open to him.

THE FARM BILL

Mr. President, I wish to talk about the farm bill, specifically about reforming payment limits for farm programs, something this Senate agreed to in a bipartisan way.

Beyond saving money, these reforms help ensure farm payments go to those for whom they were originally intended, small- and medium-size farms. In addition, the reforms include closing off loopholes so nonfarmers cannot game the system.

Supporters of the farm bill need to take a hard look at what challenges were presented last year to getting a bill done. We need to forge ahead knowing some tough decisions need to be made.

There are more reforms we need to make in programs such as food stamps, and they are reforms that can cut down on waste, fraud, and abuse in the program but also safeguard assistance to the people who actually need it.

While I support closing loopholes in the food stamp program, I believe the farm bill should also close loopholes for farm programs that are so absurd they are just so obvious.

As we move forward on finalizing a new farm bill, I wish to state clearly that sections 1603 and 1604 relating to the farm payments—which are in both the House farm bill and the Senate farm bill—should stay in that bill. There should be a “do not stamp” on those provisions under negotiation now between the House and Senate. Most important, for House conferees, they should remember that these provisions were put on the floor of the House of Representatives in an amendment sponsored by Congressman FORTENBERRY of Nebraska, with an overwhelming vote in the House of Representatives. So this is a case of where the majorities of both bodies support these provisions. Yet they are under attack by House conferees.

These farm payment reforms strike a needed balance of recognizing the need

for a farm safety net, while making sure we have a defensible and responsible safety net. In case there is any doubt, we do need a farm program safety net. For those who argue we do not need a safety net for farmers, I argue they do not understand the dangers to a Nation which does not produce its own food.

For all the advances in modern agriculture, farmers are still subject to conditions out of their control. While farmers need a safety net, there does come a point where a farmer gets big enough that he can weather tough times without as much assistance from the government. Somehow, though, over the years, there has developed this perverse scenario where big farmers are receiving the largest share of the farm program payments.

We now have the largest 10 percent of the farmers receiving 70 percent of those farm payments coming out of the Federal Treasury. There is nothing wrong with farmers growing an operation bigger. But the taxpayers should not be subsidizing large farming operations to grow even larger, making it very difficult for young farmers to buy land or to rent land to get into the operation.

By having reasonable caps on the amount of farm program payments any one farmer can receive, it helps ensure the program meets the intent of assisting small- and medium-sized farmers through tough times.

My payment reforms essentially say that we will help farmers up to 250,000 per year, but then the government training wheels come off. Those new caps will also help encourage the next generation of rural Americans to take up farming. I am approached time and again about how to help young people get into farming.

When large farmers are able to use farm program payments to drive up the cost of land and rental rates, our farm programs end up hurting those they are intended to help. It is simply good policy to have a hard cap on the amount a farmer or farm entity can receive in farm program payments.

While both bodies of Congress have decided to cap farm payments, crop insurance is still available to large operations, no limits on indemnity. Section 1603 and 1604 which I authored and which Congressman FORTENBERRY authored, in our current farm bill, set the overall payment caps at \$250,000 for a married couple.

In my home State of Iowa, many people say that is still too high. On the other hand, other farmers in other parts of the country say it is way too low. But I recognize agriculture can look different around the country. So this is a compromise. Just as important, however, to setting a hard cap on payments is closing loopholes that have allowed nonfarmers to game the farm program. The House and Senate

farm bills also end the ability of non-farmers to abuse what is known as the actively engaged test. In essence, the law says one has to be actively engaged in farming to qualify for farm payments.

Is that not common sense? However, this has been exploited by people who have virtually nothing to do with farming or with a farming operation and yet receive payments from the farm program. Not citing myself, but the Government Accountability Office issued a report I released in October outlining how the current actively engaged regulations are so broad that they essentially are unenforceable. Those comments came from the USDA employees who administer the program.

The report illustrated that one farming entity had 22 total members of which 16 were deemed contributing "active personal management only" to the farm. What does "active personal management only" mean? That means they are becoming eligible for farm programs because of one of the eight overly broad and unenforceable eligibility requirements that currently exist. More simply put, they likely are not doing any labor and are nothing more than a participant on paper to allow the entity to get more government payment.

Our Nation has over a \$17 trillion debt. We cannot afford to simply look the other way and let the people abuse the farm safety net. I mentioned earlier how we need to assess some of the challenging areas of farm policy as we look to pass a 5-year farm bill. Some tough decisions need to be made.

However, my reforms to payment limits do not pose a tough decision. They are common sense. They are necessary reforms that are included in both the House and Senate versions of the farm bill. I wish to take this opportunity to thank Senator STABENOW, the chairman of our Senate committee, for fighting for these Senate provisions. You see, these provisions were part of the Senate bill, representing a majority of the Senate.

More important, these same provisions were added on the House floor by Congressman FORTENBERRY of Nebraska by an overwhelming majority. So Senator STABENOW has the high moral ground in conference with the House conferees in fighting for payment limitation. She represents a majority of the Senate; whereas, the House conferees, in opposing her, represent a minority of the House of Representatives.

HOMELAND SECURITY NOMINEE

The last issue I am going to speak about, then I will yield the floor, deals with the some correspondence I am trying to have with the nominee to be Secretary of Homeland Security.

On July 12, Secretary Napolitano announced she would be leaving the De-

partment of Homeland Security after 4 years heading up one of the largest departments of the Federal Government. On October 17, the Obama administration announced it had finally found a replacement. The Committee on Homeland Security moved quickly on Jeh Johnson's nomination, approving him by voice vote on November 20.

On November 15, before the committee approved him, I sent a letter to Mr. Johnson, along with several colleagues on the Judiciary Committee. We on the Judiciary Committee asked for his views on a number of important matters, including our Nation's immigration policies and the fair treatment of whistleblowers.

We asked if he would cooperate with us on oversight matters and work with us to improve immigration policies going forward. Because the Judiciary Committee has primary responsibility on immigration matters, it is necessary for us to know any nominee's position on almost any issue. It has been nearly 1 month, and there has been no response to our letter and no indication that he might respond.

In fact, I would be surprised that any nominee would respond to Congress any more given the majority only needs a simple majority to vote for confirmation. Thanks to a rule change done unilaterally by the majority, there will no longer be a proper vetting of executive branch nominees. The rule change essentially takes away the Senate's constitutional role of advice and consent, thereby allowing nominees to ignore Congress on issues of extreme importance such as immigration.

But I am still going to pursue these questions, even though we do not have the leverage we used to have when a 60-vote majority was necessary, because Congress has a responsibility to know how laws are going to be enforced by the President's appointees. President Obama promised this would be the most transparent administration in history. Yet getting answers from this President or his administration on legitimate Congressional oversight has been like pulling teeth.

They have stonewalled Congress at every turn. Over the last 5 years, the administration has gone around Congress and pushed the envelope with their authority. He has ignored his constitutional duties to faithfully execute the laws by picking and choosing which laws he wants to enforce. Congressional oversight, an important responsibility that holds the government accountable for its people has been nearly impossible.

In other words, the checks and balances of government do not work the way the Constitution writers intended. Now it is going to get worse. There will be more blatant disrespect for checks and balances than we have ever seen. So I would like to take time to read some of the questions—just some of the

questions—that we asked Mr. Johnson. I think these would be reasonable questions that any Secretary ought to tell us what he is going to do if he gets sworn into that office. I think they underscore how important it is that we have answers before we move forward on the nomination.

First and foremost, we asked Mr. Johnson about his commitment to uphold the laws on the books. We asked if he would continue the lawless policies created by the former Secretary and her deputy. We asked about what he would do to improve the morale of immigration officials and agents who are concerned about their nonenforcement protocols. We want to know how he would strengthen cooperation between Federal and local law enforcement entities.

Secondly, we asked Mr. Johnson what he would do to improve border security. We want to know what specific measures he will implement to ensure that the Department will comply with the Secure Fence Act of 2006. In 2010, Secretary Napolitano suspended our Nation's only comprehensive border security measurements, known as the operational control metric.

More than 3 years have passed and the Department of Homeland Security has failed to replace that metric. Will Mr. Johnson then hold the Department accountable by regularly releasing a comprehensive border security metric? Will he commit to achieving operational control of the borders as required by our law? We do not know that. We would expect him to answer that he is going to enforce the laws. But will he? Will he answer?

Individuals who overstay their visas account for about 40 percent of the undocumented population of this country. This presents a national security risk. Without a biometric exit system, this country will have no clue who remains on our soil undocumented. Will Mr. Johnson make it a priority to finally implement the entry-exit system Congress mandated in 1996, still not being enforced?

Third, we asked about the culture of the U.S. Citizenship and Immigration Service. In January 2012, a Department of Homeland Security inspector general released a report criticizing the USCIS for pressuring its employees to rubberstamp applications for immigration benefits.

In that report, nearly 25 percent of the USCIS officers surveyed said supervisors had pressured them to improve applications that should have been denied. We want to know if he will take measures to better screen applicants and do away with the get-to-yes philosophy. That get-to-yes philosophy is a gigantic risk to our national security.

Just look at the EB-5 Program which allows foreign nationals to obtain green cards if they invest in the United States. We asked whether he would

make it a priority to improve that program. We asked Mr. Johnson about his position on immigration reform, especially since the bill passed the Senate, and the House could act, sending a bill to the President.

We asked if people who are in the country illegally, in removal proceedings or subject to an order of removal, should be eligible for immigration benefits, including legal status. We asked whether illegal immigrants convicted of a felony or convicted of multiple misdemeanors should be eligible for benefits, including legal status.

We want to know if gang members, drunk drivers, domestic abusers, and other criminals should be allowed to stay in the country. It is important for us to know from Mr. Johnson because the Senate bill provides a way for those law breakers to gain citizenship. Mr. Johnson may be responsible for implementing that.

Finally, we asked Mr. Johnson to comment on issues generally impacting the Department. We asked if he would pledge to cooperate with congressional oversight efforts and be responsive to all congressional requests for information and do it in a timely manner. We asked that because we have received very little cooperation in the last 5 years from that Department. We asked if he believed whistleblowers who know of problems with matters of national security should be prevented from bringing that information to Congress. We asked if he would commit to ensuring that every whistleblower is treated fairly and that those who retaliate against whistleblowers would be held accountable.

No matter what department one manages, the answers to these questions are very important and should be simple to answer. We need a Secretary who is well versed on these issues. We need a Secretary who will implement policies that truly protect the homeland. We need cooperation and transparency. We need answers. In other words, what is wrong to expect answers to these questions I just related before we give advice and consent to this nomination?

Majority Leader REID has indicated through his cloture motion on Mr. Johnson that answers to these critically important issues are not warranted.

Senators cannot consent to just anyone to head this department. We should not fail in our constitutional responsibility of advise and consent.

This body should not move forward with this nomination, and I encourage my colleagues to consider these issues when the cloture vote ripens.

I yield the floor.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I ask unanimous consent that at 9 a.m., Thursday, December 12, all postcloture time on the Pillard nomination be considered expired and the Senate proceed to vote on confirmation of the Pillard nomination; that upon disposition of the Pillard nomination, the mandatory quorum required under rule XXII be waived with respect to the cloture motion on the Feldblum nomination and the Senate proceed to vote on the motion to invoke cloture on the Feldblum nomination; that if cloture is invoked on the Feldblum nomination, all postcloture time be yielded back and the Senate proceed to vote on confirmation of the Feldblum nomination; finally, that the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Iowa.

Mr. GRASSLEY. I object, and I wish to state the reason I object.

The PRESIDING OFFICER. The objection is heard.

The Senator's time has expired.

Mr. REID. I ask unanimous consent that the Senator be allowed to speak for whatever time he feels appropriate.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. The reason I object for the minority to moving these votes is we should follow what regular order we have left on nominations, especially after the way the majority changed the rules on nominations 2 weeks ago.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. My friend, the senior distinguished Senator from Iowa, that is what we are talking about here, the face of obstruction—not him, but the Republican caucus, stalling for no reason other than to stall for time.

No wonder the rules were changed. No wonder the American people look at the Senate as a dysfunctional body. A couple of weeks ago we voted to make it a functional body so that nominations can be confirmed for any President. The President deserves to have his team.

We have been wasting days, weeks, and months on nominations. We have scores of people and positions that need to be filled. We are only dealing with a handful. People understand the rules. We have changed the rules the last couple of Congresses—very little—but we have changed them.

If we have a Supreme Court Justice or a Cabinet officer or someone of that

level, they get 30 hours of time following the cloture vote. What are they supposed to do during that 30 hours? Come and explain their position why they oppose a person.

For virtually every one of these nominations there hasn't been a single, single complaint about any of them. This culminated by virtue of the Republicans in the Senate making a decision that people who serve in the prestigious D.C. Circuit Court of Appeals were not entitled to have a full court. There are eight there now, and they said that is enough. That is, some say, the most important court in America; some say more important than the Supreme Court.

The Republicans arbitrarily have said we are not going to fill those spots, not only because of qualifications, not because of their education, their experience or their integrity, only because they don't want them filled. That is a new low.

I am disappointed to have to inform the Presiding Officer and all Senators tonight that because Republicans are wasting time, all of this staff, police officers—and some of them are getting paid over time—will have to work. Why? Because the Republicans are wanting to waste more of this body's time and this country's time. No wonder the American people feel about the Senate as they do. For 5 years the obstruction that has taken place is unprecedented.

We are going to continue to work tonight and remain in session as long as we need to. Republicans are forcing us to waste this week on nominees they know will be confirmed. Every one of them will be confirmed.

There are no objections to the qualifications of these nominees, with one exception, and there are only little squeaks here and there about what could be wrong. But the outcome of each vote we will take over the next 4 days is a foregone conclusion. Yet the Republicans insist on wasting time simply for the sake of wasting time. There is no reason these votes couldn't take place right now or in the morning, and we could move to some important items.

I have Senators come to me all the time—the chairman of the Veterans' Affairs Committee was here a few minutes ago, the distinguished junior Senator from Vermont. He has some important work he wants to move on this floor. They have passed some things in the House—and that doesn't happen very often, but they passed it. They sent it over, and it deals with veterans.

He wants to bring that to the floor, have a debate, and offer an amendment. We can't do that because we are wasting time in the Senate on this senselessness.

The junior Senator from the State of Delaware has spent weeks and weeks on manufacturing, which has shown

some promise in America the last few years. Jobs are being created. Working on a bipartisan basis with other Senators, they have legislation they want to bring to the floor to talk about ways of improving manufacturing, capabilities, and capacity in the United States.

We can't do that. We are here postcloture looking at each other and doing basically nothing, as we have done for vast amounts of time because of Republican obstructionism.

I had a meeting with the chairman of the Environment and Public Works Committee and the junior Senator from the State of Rhode Island a few minutes ago. In the world today we have something called climate change. It is here. Climate is changing all over the world. We have global warming.

Are we doing anything legislatively to address that? No, nothing. She has a portfolio of legislation that she would like to take care of.

There is going to be zero done because we are sitting under these lights complaining about the Republicans wasting time. We could finish these votes now, but we are going to work into the weekend.

We had a break for Thanksgiving. It was very pleasant for me to be home for 2 weeks. Unfortunately, I had a death in the family that put a real cloud over things, and that is an understatement.

Christmas is coming. Everyone should know that we are going to work until we finish the items we have before us this week. I am going to file on a number of other nominees as soon as I get a chance, and we are going to finish those. If we have to work the weekend before Christmas, we are going to do that. If we have to work the Monday before Christmas, we are going to do that. If we have to work through Christmas, we are going to do that. I know the game they are playing. They have done it before. A lot of nominations they will ask to be sent back to the administration, and they will have to start all over again. We are not going to start all over again.

We need a director of the Internal Revenue Service. I think that is a very good idea. We need to fill Chairman Bernanke's spot as chairman of the Federal Reserve. That would be very important for us to do with all the problems we have financially.

We are going to do that before we leave. If it means we have to work through Christmas, we will work through Christmas.

Even if we are spending a lot of time—as we have done over the last 5 years because of their obstructionism—looking at the lights, and that is about all we have to look at because we are not looking at substantive legislation as we should be, the only impediment to holding votes without delay in reasonable hours is blatant, partisan Republican obstructionism.

It is pointless spending an entire week wasting time and waiting for a vote. This is a foregone conclusion that is going to happen to every one of these votes. This is exactly the kind of blatant obstructionism and delay that has ground the Senate to a halt and prevented Congress from doing the work of the people over the last 5 years.

I remind Members that without cooperation there will be rollcall votes, perhaps after midnight tonight, and as early as 5:30 in the morning. With only a little cooperation, Senators can stop wasting time and resources.

The only way the Senate can stop wasting time is if we get some reasonableness and clarity from the Republicans. If there were ever an example why the rules had to be changed and how we tried during two successive Congresses to be reasonable—remember the exercise? Judges would only be opposed under extraordinary circumstances. There isn't a single judge that the President of the United States has nominated who has problems that are extraordinary. I think what is going on is a shame.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. I came to speak to a bipartisan bill which I hope to take a few minutes to talk about, but first I wish to comment on what is happening or not happening on the floor and the comments of the majority leader.

I have been a Senator for only 3 years, as the Presiding Officer well knows. We were sworn in as a group of those elected to the class of 2010. I just came from an inspiring event where the Vice President, who previously held this seat on behalf of Delaware, gave an award to the former majority leader, a real patriot, a veteran, former Senator Bob Dole. They talked about how compromise, principled compromise, made it possible for Senator McGovern and Senator Dole, folks from opposite ends of the political spectrum, to work together in the interests of hungry children in the United States.

Frankly, what I have seen in the 3 years that I have been in the Senate, the 3 years that we have served together on the Judiciary Committee, has been a slow walk.

There are minority rights in this body, but there are also minority responsibilities. There are majority rights but also majority responsibilities.

I wish to add to the comments of the majority leader that the nominees to serve on the D.C. Circuit, the nominees to many district court seats, whose confirmations I have either presided over or attended, were not objected to on substantive grounds. I have trouble with the idea that the three empty seats on the D.C. Circuit do not need to be filled.

I have listened at great length to the arguments about caseload and about

workload. As the chair of the courts subcommittee of the Judiciary Committee, I presided over the presentation of the Judicial Conference's report on where we need additional judgeships and where we don't.

I will note briefly and in passing that Judge Tymkovich, who presented this report, did not suggest there was some need to reduce the D.C. Circuit by eliminating these currently vacant spots.

We could go through this chapter and verse. This has been debated to death on this floor. In my view, we have three excellent, qualified candidates. I regret that we have spent so much time burning the clock and that we have had to make changes that ultimately will make it possible for qualified nominees to be confirmed. It is, to me, a subject of some deep concern that we cannot work better together, Republicans and Democrats, to move work forward.

If I might, I would like to move for a moment to an example of exactly the sort of bipartisan bill that we should be able to move to here, that if there weren't this endless obstruction, if we weren't running out the clock on nothing, we might be able to get done together. This is an example of the sort of reaching across the aisle that used to dominate this body when giants such as Dole and McGovern served here but is no longer the case. They are no longer the daily diet of this body. We are no longer reaching across the aisle and finding ways to make our country more competitive, create more manufacturing jobs in partnership with the private sector, and responsibly reduce our deficit.

I was encouraged as a member of the budget conference committee that we seemed to be moving toward enacting a significant—small in scale but significant in its precedence—deal for the Budget Committee that could allow us to go back to regular order for appropriations. But here, as we waste hour after hour running out the clock to confirm nominees, I wonder. I wonder whether we are going to be able to take up, consider, and pass substantive legislation.

CHILDREN'S ADVOCACY CENTERS

If I might, I would like to take a few minutes to talk about why I initially came to the floor today; that is, to talk about the power of children's advocacy centers. Children's advocacy centers exist across the country today in large part because this Congress, on a bipartisan basis, passed back in 1990 the Victims of Child Abuse Act—a bill that for the first time authorized funding for an important nationwide network of what are called children's advocacy centers. These centers help deliver justice, they help heal victims of violence and abuse, and we must act to continue empowering their service to our Nation.

Today is a time when we could work together to reauthorize that initial

landmark bill from 1990 and rededicate ourselves on a bipartisan basis to something that is one of our most sacred obligations: protecting our children, protecting the victims of child abuse and delivering justice for them. That is what this bipartisan bill does that was introduced earlier today along with my colleagues, Senators BLUNT and SESSIONS and HIRONO—a great example of being able to work together across the aisle.

As parents, as neighbors, as leaders of our Nation, we have no more sacred obligation than protecting our children. In most of our cases, we dedicate everything we have as parents to ensuring our children's safety, to providing for their future, and that is what this bill is all about—that responsibility.

Tragically, too often, despite our best efforts, too many of our children fall victim to abuse. We cannot guarantee their safety, but what we can do is ensure that when children in this country are harmed, we can deliver justice without further harming them. Thankfully, children's advocacy centers, for which this bill reauthorizes funding, are critical and effective resources in our communities that help us perform this awesome and terrible responsibility. Through this bill, we can continue to prevent future tragedies and deliver justice in ways that are effective and less costly than communities can deliver alone.

This bill helps prevent child abuse proactively. Just last year its programs trained more than 500,000 Americans, mostly in school settings, in how to spot and prevent child sexual abuse.

Secondly, and in my view most importantly, this bill delivers justice. Children's advocacy centers increase prosecution of the monsters who perpetrate child abuse. One study showed a 94-percent conviction rate for center cases that carried forward to trial.

Third, and in many ways equally as important, this bill helps to heal. Child victims of abuse who receive services at a child advocacy center are four times more likely to receive the medical exams and mental health treatment they desperately need compared to children who are served by non-center supported communities. No parent ever wants to go to one of these places or have to bring their child to one of these places, but those parents who have under these tragic circumstances, nearly 100 percent of them say they would recommend seeking this help to other parents.

How do these advocacy centers achieve all these different results of prevention, of justice, and of healing? Well, they are unique because they bring together under one roof everybody who needs to be present to help deal with the tragedy of child abuse: law enforcement, prosecutors, mental health and child service professionals—

all focused on what is in the best interest of the child.

Through a trained forensic interviewer, they interview the child to find out exactly what happened. They ask difficult, detailed questions, and they structure the conversation in a trained and nonleading way so the testimony can be used later in court, preventing what otherwise is retraumatization, making it possible for child victims to testify in a way that will lead to justice but without forcing those children to take the stand and to repeat over and over what they testified to once at a center.

Prosecutors take the information obtained in the interview all the way through the court system, while doctors and other child service professionals ensure the child is getting the help he or she badly needs to begin the process of healing.

One place, one interview, with all the resources a victim would need to move forward to secure justice and to heal.

In my home State of Delaware, we have three children's advocacy centers, one in each of our counties. In the last year, I visited the centers in Wilmington and in Dover and saw firsthand the extraordinary work the professionals there do. These are places haunted by the tragedies that are described and recorded there, but the staff are welcoming, nurturing professionals, and the law enforcement and mental health and child service professionals who are there are deeply dedicated to making sure that they achieve justice and that they promote healing.

It was striking on my tours, my visits, to see how strategically and thoughtfully each of these centers has been put together, how they have worked through every possible detail to enable obtaining the testimony needed to secure justice while enabling healing of child victims. This is critical in order to avoid retraumatization—a threat that is real for victims and for their long-term healing process. The centers in Wilmington and Dover and Georgetown in my home State show over and over how these centers create the sort of nurturing but effective space to ensure that we both meet the needs of victims and secure justice.

As I am sure the Chair knows, in my home State of Delaware just a few years ago we saw exactly the kind of evil we most dread in this world when a pediatrician, a man named Earl Bradley whom many Delawareans trusted with their children's health and safety, was found to have sexually assaulted more than 100 of our children. Delaware is a State of neighbors, and his horrific crimes against our children, our families, and our communities affected all of us. Attorney general Beau Biden and his team effectively led the investigation and prosecution of this monster. Thankfully, children's advoca-

cacy centers were able to play a key role in ensuring that the interviews and the assistance provided to the victims and their families were effective and that ultimately justice was rendered.

Randy Williams, the executive director of Delaware's Children's Advocacy Center in Dover, wrote to me:

Our multidisciplinary team worked tirelessly and seamlessly in providing forensic interviews, assessments, medical evaluations and mental health services for every child referred to our centers.

Randy went on to say:

I feel confident that our team's outstanding collaborative response was a direct result of the financial and technical assistance and training resources made possible over many years through the Federal Victims of Child Abuse Act.

In the end, Dr. Bradley was convicted on multiple counts. Over 100 victims were involved. He is now serving 14 life sentences plus 164 years in prison.

As a nation, we have no greater responsibility than to keep our children safe. As a father, there is nothing that keeps me up at night more than concerns about the safety and security and health of my own children. We must do everything we can to prevent sexual abuse of those most vulnerable and those most precious members of our society—our children. When that tragedy strikes, we need to be prepared with the best services we have to foster healing and deliver justice.

This specific bill is about upholding our responsibility to our children, to our families, and to this Nation's future. It is at the very core of why we serve and of what we believe. I am grateful that this is a bipartisan bill, that this is a bill which can demonstrate the best of what this Senate, this Congress, and this country is capable of. It represents the best of our Federal commitment to targeted, effective, and essential assistance to State and local law enforcement, to our communities, and to our children.

I urge my colleagues to join with us because in the end, no child should fall prey to physical or sexual abuse. No mother or father should have a haunting experience of finding that an adult they trusted took advantage of that trust and horribly hurt their child. No country should tolerate these crimes when there are things we can do now, today, on a bipartisan basis, to protect and to heal our children and to ensure that justice is secured.

With that, Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I came to the floor to talk about several other things, but after hearing the majority leader and my colleague from Delaware, I think the revisionist history needs to stop.

This place ran from 1917 under a process where any one Senator could

stop anything. That was changed by a two-thirds majority of those present voting to a number less than that. The point I am getting to is that we are in this process because the rules weren't good enough to accomplish what the majority wanted to accomplish and the majority leader wanted to accomplish. Majority Leader Byrd didn't have any trouble when he had the same vote number. Majority Leader Daschle didn't have any trouble. Neither did Frist or Dole. None of them had any trouble. As a matter of fact, what we have seen and what has happened is a lack of effective leadership in building bipartisanship.

The Senate wasn't designed to be the House, as my colleagues have recently made it. The Senate was designed to absolutely protect minority rights. And what happened the week before we went on Thanksgiving break actually hurt the majority more than it hurt the minority because now the majority has lost the ability to hold their own administration accountable.

The majority leader used the words "reasonableness" and "clarity." Reasonableness is compromise. Reasonableness is allowing amendments on major bills. Clarity is the ability of Senators to offer their viewpoint on \$600 billion bills. Reasonableness would be to say that every Member of this body ought to be able to contribute important ideas to the Defense authorization bill or to the farm bill or to any other major piece of legislation.

So we have gone down this road. It can be stopped. All this can be stopped, but it cannot be stopped without the recognition of the damage done to this body by a very frivolous act.

The revisionist history I am talking about is with the D.C. court. There is no difference in what the President is doing on the D.C. court than what Roosevelt decided to do or attempted to do. Everybody knows the workload there is enormously small compared to all the rest of the courts. Everybody knows there are also judicial vacancies that are much more important than those.

So what is the reason for this? It is so we can continue to have executive orders and bureaucratic rules and regs come through that are going to get challenged because they are not within the consent and the vision of the laws that are passed, and, in fact, they can be enforced by a stacked court. My colleagues can't claim anything other than that. We know that is what is going on, and they know that is what is going on. That is going to be there forever. That is a legacy of the Obama administration, and it is a planned legacy.

So it is not about what is claimed to be Republican obstructionism. It is about changing the very nature of our country. It is about changing the rule of law. It is about whether the President will be an emperor or be the Presi-

dent. And my worry is that we are moving fast and quickly toward an executive branch that has decided and has stated very proudly: If the Congress won't do it, we are going to do it anyway. Where does that fit in with the rule of law? And we have heard that three times from this President. In fact, they are doing it—ignoring law.

So now the very court where those laws will get challenged is going to be stacked with his nominees, and we refuse to admit this very same point was made by senior members of the Judiciary Committee when the Republicans were in charge. No one can deny that history. It is out there. Senator SCHUMER did it, as well as others, knowing that court should not be filled.

Now, we know it is going to get filled. We understand what is happening. What is at risk is the future of our country and whether we will really have balance between the powers of the judiciary, the executive, and the legislative branches in this country. What we are seeing is a reshaping of that. It is a dangerous trend. It was something our Founders worried about, and we have seen executive orders and executive privilege taken to new heights that have never been seen in this country before by this administration.

So let's be clear what we are talking about. This isn't about obstructionism. This is about you limited our rights. You also very well limited your own rights in the ability to extract information.

We just heard Senator GRASSLEY spend 1 hour on the floor talking about the lack of response from this administration. There is no tool for you to get answers anymore, there is no tool for any of us to get answers anymore, because we can no longer hold any nominations because they will go through. So there is no power. We have given up the one significant power to hold the executive branch accountable.

Not only that, but we have diminished the minority rights that are part of what the Founders created to force compromise—to force us to compromise, to bring us together. There is not ill will. There are damaged hearts in this institution today.

We understand the strong beliefs on the other side, but we don't understand the lack of moral fiber that is associated with avoiding and violating what has always been the tradition of the Senate—which is, you change rules with two-thirds votes of those duly elected and present. Rule XXII still stands. It just has a precedent in front of it.

So for the first time in our history in this body, one group—because they couldn't achieve compromise and wouldn't compromise—has forced a changing of the rules, not through two-thirds of duly elected and sworn mem-

bers but by fiat and by simple majority. What is next? We are going to make it the House. That is what is next. That is coming. I know that is coming.

So consequently what is going to happen in our country is we are not going to have significant deliberation. We are going to have laws changed at public whim, rather than the long-term thinking and an embracing of what the Constitution says.

The whole purpose for this body is to be a counter to the House in terms of response to political and public demand; to give reasoned thought and forced compromise, so that what comes out of here is a blend of what both the public wants, but also what the public might have lost sight of in terms of a short-term view versus a long-term view. You are putting that at risk. It is coming at risk. The very the soul of the country can unwind right here in the Senate.

So what remaining powers do we have as minority Members—and you may get to find that out someday—is to use the rules that are there to our benefit.

In the past, nominations were agreed upon between the majority leader and the minority leader, and they were ferreted out and moved. We have had 21 nominations come through the homeland security committee. I voted positively for 19 of them, against one, and voted present on one today. I would say that is about 90 percent that I am in agreement of moving the nominations.

We actually force compromise on our committee. We actually work to compromise on our committee. But that is because of the leadership of Senator CARPER to create an atmosphere where you can have compromise and you can have back and forth. We don't have that leadership in the Senate as a whole. The Senate has never seen these problems. But it is not about the rules. It is about the leadership and who is running the place.

Most of my colleagues on the other side of the aisle haven't been here for a long time. They have never seen it in the majority work. Seventy-seven times the majority leader over the last 7 years has filled the tree and barred amendments. That is more than all the rest combined in the entire history of the Senate. Is that about us or is that about him not wanting to allow the place to work? He is a good man. But the problem is that leadership matters, and this place is not functioning.

I will make one other statement I think needs to be made. I believe that climate does change. I believe that climate is changing all the time. Global warming has been disputed now. It is undeniable; it is not global warming. We are now into a global cooling period, and that is OK. You can have cooling. But the fact is the science is still nebulous on all the claims being

made. I have said before on this floor, I am not a climate change denier. But I am a global warming denier, because the facts don't back it up.

We heard what the majority leader had to say about the importance of getting things through on climate change. There may be important things we need to do, but we ought to be doing them together rather than in opposition. If that were the attitude, that we would work together, if we would have an open amendment process—a truly open amendment process where the majority leader isn't picking our amendments and deciding what we can offer—pretty soon you are going to tell us what we can say on the floor. You are going to determine what I can say on the floor. This is the first step in this process. That is the ultimate conclusion to this process that you have started.

So it is about leadership, and it is either there or it isn't. Right now, it is not there.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. JOHANNES. Mr. President, I appreciate the comments of the Senator from Oklahoma, and I would like to use his comments maybe as a springboard for some thoughts I have, not only on this nomination but on the terrible mess we find ourselves in today here in the Senate.

I am a fairly new Member of the Senate. I came here just 5 years ago. I thought a lot about reelection, and I announced some months ago that I would not seek a second term in the Senate. So you might say I don't really have a fighter in this ring. I am here for a limited period of time. I have already decided that. My interest is seeing the Senate operate in a way which will be in the best interests of our country, that will fulfill the vision that our Founders had of a country where there would be freedom and where the minority would be able to voice their view as well as the majority.

The process by which the House of Representatives and the Senate were put together was a very thoughtful process. Our Founders looked at our country and its future, and they decided there needed to be a body where the population would be represented based upon numbers, based upon the population, and that became the House of Representatives.

For a State like Nebraska, 200-some years later that doesn't work very well. It is pretty obvious that our three House Members can be consistently, routinely outvoted by a whole bunch of other States: California, New York, Pennsylvania, Florida, Texas. I could go on and on. We have three Members in the House. It is obvious that we are going to be on the losing end.

The other piece of that is it is a majority-based body. So if you are in the

majority, with the Rules Committee, you pretty well set the rules. It just works that as long as the majority can keep their members together, they are going to win. That is just the way it works. About the only way you can change that is to change the majority.

When our Founders looked at that, they said: We have to have a different approach in the Senate. That led to the great compromise.

What we ended up with is just a remarkable system. If you think about it, Nebraska in the Senate is as powerful as California. Nebraska is as powerful as Pennsylvania because we each get two Members. We are equally represented.

They also recognize that the pendulum would swing. Sometimes one party would be in control, and sometimes another party would be in control. Originally, when the Senate was set up, any one Member of the body could come to the Senate floor and object or just debate something to death. That pretty well was how it operated, and it operated for decades and decades that way.

Then came World War I and Senators began to recognize that funding the war was going to be a very serious problem. There was a tremendous amount of affinity between Senators and people back in the country where their ancestors came from—Germany—and they had to find a way to end debate. So they finally, after discussing this and debating it, decided the best way of doing that was to put something in place where you could literally take a vote. I think back then, if my memory serves me correctly, if two-thirds of the Senators voted, they could end debate.

That was quite a change for the Senate. The whole idea that a single Senator wasn't going to be able to literally force issues in the Senate was a very difficult issue. But that change was made, and it operated that way for many decades following. Then in the 1970s, the decision was made that it would take 60 votes to end debate. It would pull the number down to 60. But it was always recognized that the rules could only be changed by a two-thirds majority; that is, until just a few weeks ago. Then, something happened here in the Senate that literally shakes the foundation of this country and it shakes the foundation of this body.

I guess if you are in the majority at the moment, you are probably saying: Geez, Mike. It seems to work out pretty well. Well, it won't work out very well for the history of this body, for this institution, for its Members, and, most importantly, for the citizens of the United States, because it was the method chosen to change the rules that is the frightening piece.

Think about this. We came down here a few weeks ago. A ruling was made by the Chair, and the majority leader said: I will appeal that ruling.

Now, we all know, if we have read the Senate rules—and I hope to goodness we have all read the Senate rules—that by appealing the ruling of the Chair, you can overrule the Chair by a majority vote.

Let me repeat that. We bypassed the rule that says it takes two-thirds to change the rules of the Senate, and the majority said: We will appeal the ruling; and if we get a majority, we will overturn the ruling. That is what happened, and that is where we find ourselves tonight.

This isn't inconsequential, and we are not trying to be arbitrary and capricious, but we are trying to make the point that this is a huge issue for the future of our country. Let me point out what this now means for the Senate. What this means is that if the majority leader, whoever that is, Republican or Democrat, does not like the way things are going, they can appeal the ruling of the Chair and overturn that ruling by a majority vote because now the precedent is set. It is in our history. It is in our rules.

Some look at this and say: You need not panic; this only applies to circuit court nominees, district court nominees, and executive appointments.

Let's think about that for a second. Let's say we have a Supreme Court of the United States where there are four members who are pretty consistent in ruling one way—some might call it the liberal way—and we have four members who are pretty consistent in ruling another way—some might call it the conservative way—and there is one member of the Supreme Court who kind of moves back and forth between the four over here and the four over here, between the four liberal members and the four conservative members, whatever you want to call it. That is a pretty unpredictable vote.

Let's say something happens. Maybe there is a health issue. Maybe there is a decision by that member there in the middle to retire. I don't know. It could be a whole host of things. That is the human condition. Things happen to us. Let's say we are in the last 18 months of an administration. The President is due to go out. The campaign has already started. People are showing up in Iowa, New Hampshire, South Carolina, and everywhere else. They are raising money. They have Presidential races they are organizing, and they are doing all the things they need to do. You have Republicans thinking: By golly, it is our time. We either keep the White House or win the White House. You have Democrats thinking the same. And you have a President who all of a sudden has a Supreme Court appointment smack dab in the middle of four members on one side and four members on the other side.

Let's say the majority has the ability to put somebody of their own ilk into that position—whether it is Republican

or Democrat or liberal or conservative. They look at this and they say: You know, we could lose the White House or we might not get the White House. These are appointments for life. It is not as if we are appointing somebody for 4 years; these are appointments for life. We have kind of come to the conclusion, as we talked about it on our side of the aisle, that, by golly, it is in the best interests of this country if we can make this appointment. You know what. We do not have 60 votes to get it done. We have counted the votes. It looks as though this is going to come out of the Judiciary Committee on a straight party-line vote. What are we going to do now?

I know what will happen. You know what will happen. Every Member of the Senate knows what will happen. I don't care if you are a Republican or a Democrat or a conservative or a liberal or a Socialist or whatever you want to call yourself, we know what will happen. There will be a ruling by the Chair. There will be an appeal by the majority leader. And all of a sudden we will have a rule where you can confirm a Supreme Court nomination—a nomination to a job for life—based upon a majority vote. Does anybody think for a minute that is not going to happen? Does anybody think for a minute that the circumstances surrounding that will not occur?

I guess if you are on the Republican side of the aisle and it is a very strong conservative who is going to the Supreme Court, maybe you look at that and say: Thank goodness. We saved the country.

Maybe if you are a Democrat and it is a good strong liberal who is going onto the Supreme Court, you say: Thank goodness. We saved the country, and it was worth it.

But you see, here is the dilemma in which we find ourselves. The dilemma in which we find ourselves is that the majority of this body has now set the precedent and you cannot pull it back. There is not any way now that you can unwind the clock and turn back the clock.

Let me offer another thought. Let's say we are a few years down the road and you have a piece of legislation and your side of the aisle has decided that piece of legislation is absolutely critical for the future of this country. Maybe it is cap-and-trade, maybe it is another health care bill—whatever. All of a sudden somebody says: We have to get this done. We are in the last 12 months of this administration. We are looking at the numbers. We are not going to win the White House again, the way it is looking. The precedent is there: Appeal the ruling of the chair.

The point I am making is this. It is not that the rules were changed. The rules have been changed in the Senate a number of times by the way the Senate rules contemplate—with a super-

majority voting to change those rules. Now we have torn that up because now we have established a precedent.

I am in the process of reading Senator Byrd's history of the Senate—a remarkable man. I got to know him a little bit. He was still here when I came to the Senate, before he passed. He happened to be on the other side of the aisle, but I came to respect him so much. He would never have stood for this. He never would have tolerated that this institution would be so mistreated by anybody, Republican or Democrat. Boy, in his heyday he would have been at his seat screaming at the top of his lungs about what we were doing to the Senate with this vote, what the majority was going to do to the future of this great body.

In his history of the Senate, he talks about how important it is that there is this body where a minority view of the world can be represented.

If I were the majority leader, I guess I would like this to run efficiently and well-oiled and smoothly. I was a Governor. I was a mayor. The days when I got my way were much better than days when I did not get my way. I did not like being frustrated by the legislature. I didn't like the city council telling me I couldn't get my way. I could not understand, some days, why they could not figure out that I was right.

One day I was sitting down with a State senator. He had been there a lot of years. I was complaining about the way the legislature was treating me. I couldn't understand why the legislature couldn't follow everything the Governor wanted done. He listened very patiently and he looked at me and he said: You know, Mike, nobody elected you king.

I think that is what Bob Byrd would have said—nobody elected any of us king. You see, our Founders set up this system with the whole idea that we would not have kings anymore, that there would be checks and balances, and that we would be forced to deal with each other, sometimes more artfully than at other times but that we would be forced to deal with each other.

The majority leader came down here and he said: I don't understand this, and he talks about this process. This process got started because he filed cloture on 10 nominations. Why are we not working on this? If you look at the history of the Senate over the last years—I have been here; I watched it; I turn on my TV in the office to see what is going on on the Senate floor. Do you know what I see? Exactly what you see, what all of us see. We sit hour after hour, in cloture or in quorum call hour after hour when amendments are pending.

I thought—I had this mistaken impression—that every Senator could file an amendment; that if I had a better idea on something, I could file an

amendment and I would get a hearing on the amendment. I would be able to come down here and try to argue to my colleagues: Pass my amendment. We have not seen that kind of process for years under this majority.

I didn't think it was possible to mishandle the Senate when I came here. I looked at the books of rules and interpretations and volumes, chapter after chapter written about the rules of the Senate, and I said to myself: There is no way you could mismanage this body because these rules are as intricate as they could be. Boy, was I proven wrong. You can mismanage this body. We have seen it. And that is where we find ourselves today.

At the end of the day, why did it happen? Why did it happen? Why are we putting ourselves in this position? A former U.S. Senator from Nebraska who had been here—I think he was here three terms. He had a wonderful saying. When his party was not in power, he would say at speeches: Ladies and gentlemen, let me remind you, the worm will turn. It was his way of saying: You know what. I have been in the majority and I have been in the minority, and it will change because the people will send a message into this Chamber, just as they did on the health care bill. They will send a message that this is not the kind of country they want.

We somehow have to figure out how to put this back in the box. This nuclear option needs to be sealed up, hidden away, and never used again—I don't care if the Republicans are in the majority or the Democrats are in the majority. This basically means, today, that all of those rules, all of those chapters written about those rules have no meaning whatsoever because there are no rules. If I do not like what is going on here and I am in the majority, all I have to do is appeal the ruling of the Chair and get my team to stand together and we have changed the way the Senate operates. It is as simple as that.

I think at times in our history we would like to think that we are the smartest people in the world, that we thought of something no other person has thought of in the history of this country. Not true. If you read what Senator Byrd wrote about the history of the Senate, many times U.S. Senators, dissatisfied, losing personally because of a ruling of the Chair, had an opportunity to appeal that ruling and win and realized that was the wrong course of action because they would set a precedent that you could change the rules by breaking the rules. That is exactly what happened a couple of weeks ago. It is not the fact that the rule has changed, although I disagree with where we ended up, it is the method by which the majority—Democrats—changed those rules, because that method is now precedent and it is now available to Republicans and Democrats and it is wide open. I guarantee

that in our lifetime we will see a Supreme Court nominee put on the Supreme Court by this method. I guarantee that we will see—whether it is in our lifetime or at some point after—that there will be a situation where legislation is now done by a majority.

What does that mean for the country? I will give a good example. The great compromise protected States such as Nevada, Nebraska, and Iowa. We all get two Senators. We all get to come to the floor and fight for what we believe in.

I imagine that every Senator would say something to the effect of: I come from a beautiful State, the State of Nebraska. We are conservative people by nature. I don't think you live in Nebraska unless you have a pioneer spirit and you are conservative by nature. That is who we are. We essentially believe that less government is a good idea.

When I was Governor, people didn't want me running their schools. They had a school board. They felt they could make thoughtful and intelligent decisions about running their schools. I thought they could too. That is the nature of who we are.

Do you realize that on executive appointments—district court and circuit court judges—we basically get dealt out of this. Let's say I have a problem with a nominee, and I want to put a hold on that nominee until they come to my office and deal with me. Everybody on both sides of the aisle gets the opportunity to use that. Well, guess what. That was voted away a few weeks ago.

Why would a Republican administration deal with anyone in today's majority? Why would they care? It doesn't make any difference.

I went through that process. I was a member of the President's Cabinet. I hope I would have the decency that if anybody asked me a question, I would answer the question or try to solve their problem or try to work with them. Quite honestly, why do they need to? How can that issue be forced now? They don't need your vote. They can get through the process if their party is the majority of the Senate. This body was never intended to operate that way.

I want to spend a few minutes of my time talking about what I really think this is about, and this makes it an even more tragic story. The majority leader was here a few minutes ago and said: Well, if you are going to be like this, then we will work on Christmas. We will work the weekend before; we will work the day before.

I was sitting there thinking: What is new about that? What's even threatening about that? I mean, that is the way business is done.

We sit through hours and hours of quorum calls and then all of a sudden they file cloture on 10 nominees 2

weeks before the break? It is kind of obvious to me what is going on here. Is it obvious to anyone else what is going on here? They are trying to force the issue.

Why didn't we start working on this weeks ago? Why don't you run the Senate 24/7 so we can move amendments and give us the opportunity to vote on amendments? Why sit hour after hour in a quorum call?

I think what this is really all about is this: We had reached an agreement. Remember that evening when we all walked down the hall—Republicans, Democrats, and Independents—and went into the Old Senate Chamber and shut the doors. There was no media or staff. It was just us talking about the Senate.

I am not going to share a lot about what was talked about in there, but I thought it was a pretty good meeting. We have done that a couple of times. We did that on the START treaty, and we did it that evening a few months ago.

It wasn't very pleasant, but over the next day or so we shook hands and said to each other: OK, we get it. We don't want to get in the business of breaking the rules to change the rules. We understand the precedent that is setting. Once you put that on the books, like I said, you can't unwind the clock.

So, OK, this is what we are going to do—and I must admit I didn't like it very much. I thought we were giving up too much. Having said that, the alternative was not very attractive. We shook hands, like gentlemen do, and we called a truce and those were the rules we would operate under.

Everybody said: We dodged a bullet on that one, and the Senate will continue to function like it has functioned the last 225 years. It will function as a place where the minority, whoever that might be at any given time, has a voice. It is the only body in the world that operates like that.

As I said, I must admit I had qualms about it. I talked to some of my colleagues on both sides of the aisle about my qualms, and at the end of the day I reached the conclusion that it was better than the nuclear option.

So why did this come up again? If we had reached a deal—if we shook hands like gentlemen and women do, why did this come up again? I thought this was behind us. I thought we would make our way through nominations and work long hours. Most of these are very non-controversial, and I thought we had reached an agreement.

We had reached an agreement. We all knew we had reached an agreement. So why did Democrats feel that all of a sudden we needed to revisit this?

The argument I want to make tonight is this—and I am going to draw on a little bit of history. When I first came here, I sat in a chair over there. I will never forget it. It was Christmas

Eve day when we were brought in here to vote on a piece of legislation. Christmas Eve votes are pretty unusual around here. We all sat at our desks. We don't usually enforce that rule, but we all sat at our desks.

For people like me, I left this Chamber very, very sad and discouraged. On a pure party-line vote, a monumental piece of legislation that practically no one had read and was poorly understood—in fact, the Speaker said: We have to pass this to understand what is in it. No truer words were ever spoken. It passed. Not a single Republican in the House or the Senate voted yes on that legislation.

When I came here, I kind of had the idea that there would be give and take, that I would get my idea, you would get your idea, and at the end of the day the Senate was a body that would force compromise or the bill wouldn't pass.

Something unusual happened. The President was a Democrat, the Senate had 60 Democrats, so debate could end, and the majority of the House was overwhelmingly Democrat. It became very clear to me that my view of the world didn't matter, and it wasn't going to matter because as long as they could sweeten this thing up and do deals, and whatever else, my State was impacted by it. We all remember the Cornhusker Kickback. But at the end of the day it passed.

I could never figure out how that bill would work. It just didn't make any sense to me. I had been a Governor. I had seen how failed Medicaid was—40 percent of the doctors would not take Medicaid. I could not imagine how adding millions to that system was going to help poor people. To me it looked like it was going to hurt them. It was kind of like giving them the bus ticket and then saying: We are only running one bus in Washington, DC, these days. It is probably not going to be very successful.

I looked at what was happening in the rest of the bill, and it just didn't make any sense to me. I think I know why we revisited this rule. When the rollout occurred right about that time, all heck broke loose. The American people finally realized how bad this bill was. In fact, there is one State out there, the State of Oregon, that didn't sign anybody up because their system melted down.

The exchange was a mess. People found out that all of these promises—remember this one: If you like your plan, you can keep it, period. If you like your plan, you can keep it, period.

Not only was that used on the campaign trail—you know, we all get out on the campaign trail and hyperventilate here and there. That phrase was used by somebody in real authority: The President of the United States of America. He went to the American people and said: If you like your plan, you can keep it.

I said how could that possibly work. The whole idea is you have to force people off their plan and onto a different plan. If you like your plan, you get to keep it?

In 2010, the administration's own rule on this subject showed that as many as 80 percent of small business plans and 69 percent of all business plans would lose their grandfathered status.

A very thoughtful Senator, a guy by the name of MIKE ENZI, put in a resolution of disapproval which would have canceled that regulation. Back then he was able to get it to a vote. You would think that if you want to support the President of your party and his pledge to the American people—if you like your plan, you get to keep it, period—you would vote with your President. You would think that would be 100 to 0.

I don't know how Republicans could be against that. I don't know how Democrats could be against that. After all, that is what this person in authority promised the American people: If you like your plan, you get to keep it, period. He said it over and over. It was like a broken record.

You know how that vote went here? Let me remind everybody. It failed on party-line votes. Democrats voted no on the resolution: If you like your plan, you get to keep it. My goodness. Is that an embarrassment or what?

What was the message that day? Were they trying to say: No, if you like your plan, you don't get to keep it? The President isn't being truthful with you. Was that the message that day? What was going on? I mean, I was stunned by that vote.

How could you be against the President's own promise? That was back in 2010. That information was available to the President and his people back in 2010. Yet they kept saying it: If you like your plan, you get to keep your plan.

One other estimate by the Congressional Budget Office, which I think generally we all respect—they do good work for us. They do our scoring. They said that up to 20 million employees could lose their employer-sponsored insurance. Wait a second. That information was available too. So how has this promise worked out?

This fall, more than 4.7 million cancellation letters went out in 32 different States. I have read the articles. I imagine everybody in the Chamber has read the articles. They say 4.7 million people got cancellation letters in 32 different States. The cancellation letter basically said: Well, sorry. This big law got passed on a party-line vote, and you don't get to keep your plan, just as was predicted by the CBO and the administration's own people. This should not be stunning to anybody in this body, but it was stunning to the American people.

The President said: Oh my goodness. I think this is a problem. So he said to

insurance companies: You have to fix this. You have to get people their plan. If they like their plan, they get to keep their plan. And it didn't matter whether it was Democrats or Republicans in given States, they said: Mr. President, you can't unwind that clock.

What I would say to that is, wait a second here. I don't like this law, but it passed. I was sitting there the day it passed. It passed on a completely party-line vote. And people literally were caught in a situation—millions of them—where they realized they wouldn't get to keep their plan. So could the President solve that problem? No. It wasn't a policy fix; it was a political fix. That is what he was doing. He was literally trying to solve a political problem for the majority that passed the darn bill. I mean, it is unbelievable.

Many weighed in. The American Academy of Actuaries said this:

Changing the ACA provisions could alter the dynamics of the insurance market, creating two parallel markets operating under different rules, thereby threatening the viability of insurance markets operating under the new rules.

Now, I am as competitive as anybody. I have run a lot of elections. I understand the importance of being in the majority in this body. I especially understand that after what the majority did over the last few weeks. We went 225 years as a country, and it was only in the last couple of weeks that the majority said: Look, we are tired of dealing with you, minority. We are going to get our own way.

It reminded me of the day ObamaCare was passed. It was identical. It was like: JOHANNES, get lost. We don't care what you think about this. We have 60 votes. Sit down and shut up.

Is that the way the Senate is supposed to operate? I don't think so. I don't think that is what was envisioned when this body was put together, and it has been forever changed. It happened because ObamaCare is out of control. It is not the Web site. The Web site was a mess. It just proved to us that the White House couldn't manage this. That is what it proved to us. But we can fix a Web site. They can get smart people who go in and figure it out. That wouldn't be me, but there are many people in the United States who could be brought to bear to solve this problem of dealing with the Web site. It is not the Web site, although it is a huge embarrassment. It was a huge embarrassment for the White House. It was a huge embarrassment for the President of the United States. It was a huge embarrassment for Kathleen Sebelius. It was a huge embarrassment for the Democrats who voted for this. But at the end of the day it can be fixed, and I would guess they would fix it. I kept saying to people back home that I think they will get it fixed. How tough is that? How tough would it be

to do it the right way the first time? But they didn't. It just proves they are not very competitive.

What is happening here is the wheels are coming off this policy because the policy never made any sense. When the President made this announcement: Insurance companies, you fix it, America's health insurance plans said that premiums have already been set for the next year based on the assumption of when consumers will transition into the new marketplace. Who decided when they would transition into the new marketplace? The insurance companies didn't. The majority did. The White House did. Health and Human Services did.

They go on in their statement:

If now fewer younger and healthier people choose to purchase coverage in the exchange, premiums will increase and there will be fewer choices for consumers.

Well, let me say something that is obvious to everybody in this Chamber. Your premiums are going up. Why? Young people are so turned off. Young people are so turned off by what is happening. I had a young person show up at a town hall. This was a year and a half ago. They said: Here is kind of the deal. It is just my wife and I. We don't have children. We are both working. We are trying to get ahead. We don't make a lot of money, and we decided the best plan for us was kind of a catastrophic plan. We will deal with our day-to-day health care needs, which, incidentally, aren't much because we are young and fortunately we are healthy. We have a high deductible.

I was listening to that, and I said: God bless you. This is America. They can make that choice. That was the best choice for them. They thought about it and decided the money they were making might be better allocated someplace else. What a great country that people can decide that.

Well, what happened with this health care bill? That decision was taken away from that young couple. They were ordered by the Federal Government, under penalty, to buy a given plan. Now, I have not caught up with that young couple, but I bet they are mad as wet hens. I will bet they have looked at what has happened to them and they are saying: Why?

We all know the little secret here: Young people are paying more for coverage that they don't need to finance me in my sixties. Does that make any sense?

I could go on and on about what is happening here with this health care bill, but it is not sheer coincidence that Senators in the Senate reached an agreement months ago on the rules. We shook hands on it. We put that behind us. Right about the time ObamaCare rolled out, all of a sudden that agreement wasn't valid anymore, and we got set up on a manufactured crisis to force a vote, and the method chosen to

change the rules forever changes how the Senate operates.

In our history, many Senators had the opportunity to change these rules and thought better of it because they so respected and admired this institution, that they believed there was a place for a minority whether that Senator was in the minority or the majority at the time. That is what happened.

I will take another step. All of us know what this is really about. This is about control of this body. All of a sudden, because of ObamaCare and the truth coming out about what a terrible piece of policy this is, it became evident that Members over here were in deep trouble and were going to lose their elections if their elections were held now, and the majority had to change the conversation. So the agreement we reached after that night we spent in the Old Senate Chamber hashing through this, debating and discussing it, basically got torn up and tossed out the window, and the majority forever changed how this body will operate and what this body is going to be about in the future.

So what I say to my colleagues tonight is this: I am not planning on being here much longer. I have made that decision. One could say I don't have a boxer in the ring. A year from now, I will be doing something else. Some will be here, some won't be here. But at the end of the day, what I will remember about this time in the Senate is that a precedent was set that is vastly different from the way this Senate operated for 225 years. A precedent was set that allows the majority to take control of executive branch appointments, district court appointments, circuit court appointments. It is a precedent that would allow a majority to take control of a Supreme Court appointment. It is a precedent that will allow a majority, when it chooses to—not if; I believe it is a question of when—to take control of the policymaking.

So it is true when we say that if they were attempting to change the conversation, I say to the majority Members of the U.S. Senate, away from ObamaCare to this, all they have done is reminded the American people that what they are really doing is abusing this institution in a way that, quite honestly, is going to be very hard to turn around.

My thought is this: I feel very strongly that we can reverse what has occurred here, but we can't do it as a minority. We need the majority to back off. We need the majority to recognize that this body has existed through difficult times, it has existed through wars, it has existed through attacks on our country, and we have found a way to operate. We need the majority to recognize that we reached an agreement many months ago after an evening spent together in the Old

Senate Chamber where we debated these things and, like gentlemen and gentlewomen, we shook hands and put this behind us for this session.

We can do the work of the Senate. We can do the work for the American people. I have no doubt about that whatsoever.

I am very concerned, though, that we have put the Senate in a position where it is a very vulnerable body now. Any majority can now use this precedent to turn this into something that is entirely different than what anybody who founded this country believed it should be. When the majority decided that it would bypass the requirement that rules would be changed by a two-thirds vote and do it by appealing the ruling of the Chair, they put the Senate in a position where there are no rules. There are no rules. All you need is 51 Members—50 if you have the Vice President in the Chair—who decide to stick together and make that Supreme Court appointment. They can get it done. All you need is 50 Members, if you have the Vice President in the Chair, who decide they stick together, and they would do a legislative process by a majority vote.

Many, many times the nuclear option was discussed, it was debated, and Senators much wiser than I looked at the history of this great country and its future and decided it was a step that should never be taken—that was until a couple of weeks ago, all driven by the fact that this piece of legislation called ObamaCare has turned out to be such a train wreck and that there was a need to change the discussion and change the topic and try to draw the people's attention away from that legislation, and that is how this rule got adopted. It is a sad time in our Nation's history. It is a sad time in terms of what is going on.

What I would offer is my hope is that wise people will realize the problems they have created for this country in the future, realize that the precedent they have set forever changes the way we operate and back away from what occurred.

Let's start doing the work of the Senate. If that means we work through Christmas, good. I am here. If that means we work on weekends, if that means we work around the clock, fine with me. I am good. I will do it. I will be happy to do it. But to try to streamline this process in a way that silences the minority is not right, and it is not what this country should be about.

I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Connecticut is recognized.

Mr. MURPHY. Mr. President, I ask unanimous consent that after I finish speaking, Senator BLUMENTHAL be allowed to speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

SANDY HOOK

Mr. MURPHY. Mr. President, this Saturday we are going to mark the 1-year anniversary of the shooting in Sandy Hook, CT, in which 20 little 6- and 7-year-old boys and girls lost their lives, as well as 6 adults who worked in that school who were charged with protecting them.

Senator BLUMENTHAL and I have come down to the floor today to offer some thoughts as we reflect on the 365 days that have passed since the most horrific mass shooting that most of us have ever seen in our lifetimes.

I think back a lot on that day—being in the Sandy Hook firehouse as the parents realized that their sons and daughters were not coming back from that school. One of the things I remember about that day is getting an awful lot of phone calls from my colleagues from all around the country, Senators and Congressmen who represented places such as Columbine and Aurora and Virginia Tech and Tucson. They all called because they had been through this before and they just wanted to offer their condolences and a little bit of advice on how a community can try to get through these awful, tragic, shattering incidents.

I sort of thought that day how awful it was that there were that many colleagues, that many representatives from across the country who could call and give me advice. What a tragedy it is that we are amassing this bank of expertise across the Nation on how to respond to mass shootings. It speaks to how far and wide the carnage and the devastation are from these mass shootings that are occurring now it seems almost on a weekly or monthly basis somewhere around the country. It is not getting better; it is getting worse.

In 1949 a guy by the name of Howard Unruh went through the streets of his town of East Camden, NJ, firing shots indiscriminately such that he killed 13 people. It was the Nation's first mass shooting. Now we have, unfortunately, had a lot of mass shootings since that first one in 1949.

But here is what is stunning: Of all of the mass shootings that have taken place since 1949, half of them took place from 1949 to 2007 and the other half have taken place in the last 6 years. Something has gone wrong. Something has changed. The problem is that it is not this place. We are approaching the 1-year mark of the school shooting in Sandy Hook, and it will be a week of mourning, but here in the Senate it should also be a week of embarrassment. It should be a week of shame that after 1 year passing since 20 little boys and girls were gunned down in a 5-minute hail of furious bullets, the Senate and the House of Representatives have done nothing to try to prevent these kinds of mass atrocities in the future.

I come down here today not just to challenge this place to act but to tell

you a little bit about what I have learned in the last year. I have learned a lot, but I want to distill it down to two pretty simple things I have learned.

I did not work on the issue of gun violence when I was a Member of the House of Representatives, in part because my corner of Connecticut did not have tremendously high levels of gun deaths. Now it is central to my mission as a Senator.

What I have learned over the last year is that despite all the rhetoric we hear from the gun lobby, when you change gun laws to keep guns out of the hands of criminals and to take dangerous military-style weapons and ammunition off of the streets, guess what happens. Communities become safer. The data tells us this.

Since 1998 the National Instant Criminal Background Check System has blocked more than 2 million gun sales to prohibited purchasers. That is up to 2 million criminals—people with criminal histories who should not have bought a gun—who were prohibited from buying a gun. The background check system works but for the fact that only about 60 percent of gun purchases actually go through the system because more and more guns are being bought in online sales, more and more guns are being bought online, and more and more guns are being bought at gun shows.

We know background checks work because we have stopped 2 million people who would be prohibited from owning guns because they have a history of domestic abuse or serious felonies or mental illness. Two million times we have stopped those people from getting guns.

Second, we can compare what happens in States with near universal background check systems versus States that have looser laws. I will give you one statistic, for instance. In States that require a background check for every handgun sale, there is a 38-percent reduction in the number of women who are shot to death by intimate partners. Deaths from domestic violence are almost 40-percent less in States that have near universal background checks.

The same data exists for assault weapons as well. In 1994 we passed the assault weapons ban. Over the next 9 years crimes committed with assault weapons declined by two-thirds.

There are legitimate arguments that there are other factors that contributed to that decline, but certainly a portion of that decline is connected to the restriction on assault weapons. Thirty-seven percent of police departments reported a noticeable increase in criminals' use of assault weapons since the 1994 Federal ban expired.

When it comes to these high-capacity magazine clips, we do not need the data that is out there because common

sense tells us that if somebody decides to do mass damage with a high-powered weapon, they are going to do less damage if they only have 10 bullets in a clip rather than 30. Adam Lanza in Sandy Hook Elementary School got off 154 bullets and killed 20 children and 6 adults in less than 5 minutes. In Tucson, a 74-year-old retired Army colonel and a 61-year-old woman were able to subdue the shooter when he went to change cartridges. In Aurora, the rampage essentially stopped when James Holmes went to switch cartridges. When you have to reload multiple times, there are multiple opportunities for these mass shootings to stop. We should do things to make sure the shootings never begin in the first place, but the carnage is much worse when these madmen are walking into shopping plazas, movie theaters, and schools with 30-round clips and 100-round drums.

But here is the second thing I have learned. I learned this as well over the last year. I have learned about the amazing ability of good to triumph over evil even when this place does not act to change the laws. I have learned that despite the evil of those 5 minutes in Sandy Hook, the community of Newtown has amazingly found a way over and over to bring so much beauty and goodness to essentially cover up and drown out that horror. I have seen these kids' memories become the inspiration for literally thousands of acts of generosity and kindness.

Daniel Barden was a genetically compassionate little kid. He was that kid who always sat with the kid in school who did not have anybody sitting next to them on the bus or in the classroom. When his parents would take him to the supermarket, they would be all the way to their car with their groceries, and they would look back and Daniel would still be at the door holding open the grocery store door for people who were leaving.

His parents started a Facebook page that challenges people to engage in little, small acts of kindness in Daniel's memory. It had about 40,000 likes the last time I had checked, and the stories are endless—a woman who bought coffee and doughnuts for a firehouse in New York State; a Missouri woman who helped restock a food pantry in Daniel's honor; a woman in Illinois who paid for a stranger's meal and just wrote "Love from Daniel Barden" on the bill.

Jack Pinto was a very active 6-year-old boy. He enjoyed playing sports of all kinds. He was buried in his New York Giants jersey. His parents, Dean and Tricia Pinto, have raised money and put some of their own money in to pay for hundreds of children all around the country to have access to the same kind of opportunity to play sports that Jack had, despite the fact that their families might not have the resources the Pintos do.

Jessica Rekos loved animals. She loved whales and horses most, so her parents started a foundation, the Jessica Rekos Foundation, and they have provided yearlong scholarships for horseback riding lessons for students who would not otherwise have the resources to be able to have the opportunity to enjoy horses in the same way Jessica did.

This week an effort is under way in Newtown and across the Nation to inspire people to every day do a different act of kindness as a way to pay tribute to the 1-year anniversary. These charities that have sprung up in the wake of Newtown are doing amazing work to change people's lives—just the small acts of kindness that maybe we all do in trying to pay tribute to the memory of those kids and those adults. That makes a difference.

Charitable acts and changes in behavior—they are necessary although insufficient responses to the scourge of gun violence that plagues our Nation.

This place has to change the laws. Do something because you do not want to be next. You do not want to be sitting on a train station platform, as I was on December 14, when you get a call that 10 or 20 or 30 or 40 kids or adults have been gunned down in your State. You certainly do not want to get that call when you had a chance, but you did not take it, to do something to prevent it.

I got calls that day from my colleagues all across the country because there are not many corners of the Nation that have not been touched by gun violence. Some 11,000 people have been killed by guns since December 14 of last year. When one person is killed, psychologists tell us there are 10 other people who sustain life-altering trauma as a result of that shooting. So just imagine when 26 kids and adults die in a small community.

So I wish to leave you not with my words but with the words of a mother from Sandy Hook who represents the scope of the trauma that has been the reality for Sandy Hook for the last 365 days. Sandy Hook is recovering but very slowly. The charities and the acts of kindness, they make a difference, but there is a lot of head shaking in that community as to why this place has not risen to the occasion, shown the same type of courage those families have and done something to change the reality of everyday and exceptional mass violence across this country.

Here is what this mother writes. These are her words in an open letter:

In addition to the tragic loss of her playmates, friends, and teachers, my first grader suffers from PTSD. She was in the first room by the entrance to the school. Her teacher was able to gather the children into the tiny bathroom inside the classroom. There she stood, with 14 of her classmates and her teacher, all of them crying. You see, she heard what was happening on the other side of the wall. She heard everything. She was sure that she was going to die that day and

did not want to die before Christmas. Imagine what this must have been like. She struggles nightly with nightmares, difficulty falling asleep, and being afraid to go anywhere in her own home. At school she becomes withdrawn, crying daily, covering her ears when it gets too loud and waiting for this to happen again. She is 6.

And we are furious. We are furious that 26 families must suffer with grief so deep and so wide that it is unimaginable. We are furious that the innocence and safety of my children's lives have been taken. Furious that someone had access to the type of weapon used in this massacre. Furious that gun makers make ammunition with such high rounds and our government does nothing to stop them. Furious that the ban on assault weapons was carelessly left to expire. Furious that lawmakers let the gun lobbyists have so much control. Furious that somehow, someone's right to own a gun is more important than my children's right to life. Furious that lawmakers are too scared to take a stand.

She finishes by writing this:

I ask you to think about your choices. Look at the pictures of the 26 innocent lives taken so needlessly and wastefully, using a weapon that never should have been in the hands of civilians. Really think. Changing the laws may "inconvenience" some gun owners, but it may also save a life, perhaps a life that is dear to me or you. Are you really willing to risk it? There must not be another Sandy Hook. You have a responsibility and an obligation to act now and to change the laws.

I hope and pray that you do not fail.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, many words have been spoken since Newtown, including the very powerful words of my colleague just now. But the plain, simple fact is no words can capture what I feel about that day. No words ever will capture that day or the days and weeks and months afterwards, when we have grieved and healed and resolved that we will do everything within our power to make sure that kind of massacre never happens again.

But equally important is that the deaths by gunfire are reduced or prevented—those 26 senseless, unspeakable deaths of 20 beautiful children and 6 great educators but also the 194 children who have been killed by gunfire since Newtown, and the 10,000 or more deaths caused by gunfire, person by person, a tragic river of senseless deaths that we have the power to prevent, the power in this body and the power in this Nation.

As much as we should be shamed and embarrassed by the failure to act, we also must have hope and resolve that we will act. History is on our side. The example of courage and strength provided by those families ought to give us the resolve and the determination to act; likewise, the examples of courage and resolve by Father Bob Weiss, who had a service in St. Rose of Lima on the evening of December 14, one of the most moving public experiences I will ever have. As I said then, the world is

watching Newtown. The world has watched Newtown. It has watched First Selectman Pat Llodra, who has led Newtown with her own courage and strength and determination, including coming here as my guest on the night of the State of the Union to be an example for all of us about what a public official can do by her own example, leading by her own example.

We will mark, this Saturday morning, at St. Rose of Lima the 1-year anniversary at a service Senator MURPHY and I will attend. I have worn since virtually that day a bracelet. I wear it now. It says, "We are Newtown. We choose love." If there is a message for all of us in this Chamber, it is that we continue to choose love. We are all Newtown. Our town is Newtown. All of our towns are Newtown. I see this bracelet literally from the time I wake in the morning to when I go to bed. It will always be an inspiration for me, inescapably our hearts and minds go back to that moment when we first learned about this horrific, unspeakable tragedy.

Of course, I went to the Newtown firehouse that day. The sights and sounds of grief and pain are seared in my memory. They will be with me forever. So will be the story of the children whom we lost: Grace McDonnell and Allison Wyatt, who loved to draw pictures for their families and planned to be artists; Chase Kowalski, a Cub Scout who loved playing baseball with his father; Jessica Rekos, who wanted to research orca whales and become a cowgirl.

We will never forget the heroism and the bravery of the educators such as Vicki Soto and Anne Marie Murphy. Vicki Soto is in this picture. Her brother Carlos came to a service today here in Washington. He has continued, and so have his sisters, to come to events that provide impetus and movement and momentum to the effort to stop gun violence.

Vicki Soto and Anne Marie Murphy literally shielded their students, sought to save them with their own bodies. Dawn Hochsprunk and Mary Sherlach ran unhesitatingly toward the danger entering their school and perished doing so. There are heroes in this story. It is not only about bad people who used guns improperly and illegally; it is not only about evil; it is also about good. The good includes the first responders and police who stopped the shooting when they came to the school and ran toward danger and toward gunfire and thereby ended it, when the shooter took his own life.

It is also about Ana Marquez-Greene, a beautiful girl who loved music and flowers, loved to wear flowers in her hair. She was described by Bishop Leroy Bailey as a beautiful, adoring child. That picture evokes the stories of all of those children: beautiful, adoring, a future and a life ahead of them.

For all of those stories and the tears, and the teddy bears and tributes that were outside of the firehouse, Newtown has refused to be defined simply by tragedy; refused to be locked in its past. It has moved forward, because Newtown is not just a moment, it is a movement. It is not just a moment in history defined by tragedy, it is a movement to make the world better. It is a movement to make America safer.

That is the movement we have articulated and sought to advance. Those families, including Neil Heslin, who has come here numerous times for his son Jesse, have been an example of courage. Indeed, they have been profiles in courage. When Neil Heslin dropped Jesse off at school on the morning of December 14, Jesse gave him a hug and said: "It's going to be all right. Everything's going to be OK, Dad," because Jesse was that kind of kid, Neil told the Senate Judiciary Committee in his testimony. His pride in Jesse, as well as his grief, brought tears to all of our eyes.

Jesse was just that kind of kid. He never wanted to leave a baby crying. He never wanted to leave anybody feeling hurt. Jesse and Neil used to talk about coming to Washington, about meeting with the President. Neil met with the President but Jesse was not there, at least physically he was not there. He was with all of us as we worked with Neil to make America safer and make sure Newtown is not a moment but a movement toward a better, safer America.

I thank my colleagues for the outpouring of feeling and support on the eve of that tragedy. It was a rare moment of bipartisan unison and feeling as well as words. I wish to thank them as well for meeting with many of those families because they demonstrated a graciousness and generosity regardless of their views on any of the issues relating to gun violence and any of the bills on the floor. That graciousness and generosity I hope will prevail on this issue and again move us forward.

The acts of kindness and generosity that followed have been inspiring as well.

College students and firefighters have come together to build playgrounds in honor of the Sandy Hook victims. Bill Lavin of New Jersey, on behalf of the New Jersey firefighter system, has done yeoman's work. There are now new playgrounds in their memory in Norwalk, New London, Fairfield, Ansonia, Westport, and Stratford.

I have visited many of them. They are distinct, reflecting the character of those children such as Ana Marquez-Greene.

The Newtown High School football team took time away from celebrating a perfect winning season to devote their efforts to the children and educators we have lost.

The Sandy Hook Run for the Families not only raised more than \$450,000 for the Sandy Hook Support Fund, but it also broke the world record for attendance. In millions of actions, large or small, in Connecticut, all around the country, the people of Newtown, the State of Connecticut, and the country showed what compassion, giving, and kindness truly means in action. They chose to honor them by action.

Often the compassion and kindness unleashed by the Newtown tragedy took many other forms that were unheralded, unreported, and unspoken. These were acts of kindness that were not in the newspapers or in the public view but simply acts that meant something to the recipient and to the giver.

These fundraisers and vigils, emails and postcards, small and large signs of recognition and love from our colleagues, from people across the country, are a form of giving back. They give me hope that eventually we will prevail in this effort to make a difference.

Scarlett Lewis, Jesse's mom, is also a hero. She heard about the Cruz family who had lost two of their children to a drunk driver. Scarlett responded with that same resilience and strength by offering to give a fundraiser for the Cruz family.

When she was asked about her family and about what she had done, she explained:

What brings meaning to the suffering is doing something for someone else. . . . In doing something for them I'm also helping my own healing.

Nearly 90 percent of Americans support commonsense measures such as background checks, a number that is virtually unchanged since the issue soared to the forefront of our political discourse in the wake of Sandy Hook. Even in gun-owning households the support is virtually identical, 88 percent. That figure hasn't changed. A mountain of public support has failed to produce measures, but our resolve is unchanged because those memories of Sandy Hook, those examples of kindness and compassion, will drive us forward, as will the more than 10,000 other victims including at least 14 children under the age of 12 in 43 different States.

Congress has shamefully and disgracefully failed to act, but that is not the end of the story. There has been one vote, and we lost, but that vote is not the end of this movement. Newtown is not a moment. It is a movement. Surrender is unacceptable; the status quo is inexcusable. The families and Newtown community have refused to surrender to personal despair, and we cannot surrender to political dismay or difficulty.

I was moved the other day when I saw a clip of Ronald Reagan endorsing the Brady bill. Ronald Reagan, as President, was a victim of gun vio-

lence, as was Jim Brady, who was paralyzed by the same hail of bullets that struck the President of the United States when they were fired by a deranged person, John Hinckley.

Twelve years passed before the Brady bill was passed. It was 12 years of struggle, work, resolve, and courage by Sarah and Jim Brady, with eventually an endorsement by Ronald Reagan.

The sadness and anger I feel today, prompted by the memory of that tragedy and this body's failure to respond, is mitigated by the knowledge that history is on our side, that America is better than the oath we took in April. The people of Newtown have not failed. The people of America have not failed, and this body has not yet failed.

We can and we will do better because Newtown and that vote will be with us.

Newtown is more than a moment. It is a movement that eventually will prevail.

I yield the floor.

The ACTING PRESIDENT pro tempore.

Mr. BURR. I rise to address the nomination of Cornelia Pillard to the D.C. Circuit Court. This nomination is a good example of government overreach that has led to things such as the ObamaCare debacle.

Let me say to my colleagues who have been on the floor speaking about Newtown, I had an opportunity to spend an hour with parents of Newtown children. It is a compelling personal story that they shared.

No parent should have to watch a child die. No parent should have to live and a child die. My heart still goes out to those who lost children at Newtown.

Today, with the Affordable Care Act fresh on my mind, I venture back to think about when I came to the floor in 2009 and said in front of my colleagues of the Senate and the American people—I wish to spend the balance of this second half of the hour rehashing some of the things I came to the floor to talk about.

There were numerous opportunities before the legislation was passed. I remember it was very close to Christmas in December of 2009.

I said premiums will increase for younger and healthier individuals because of the new federally mandated rating rules. Over 40 percent of the uninsured are ages 18 to 34, the same group that will be hit with the highest increases if this bill passes.

What do we hear Americans are focused on today? Young people. Are they going to join?

Today their insurance is three times lower than what it will be in January of 2014. Why? Because of the Affordable Care Act.

No. 2, premiums will increase because of new federally mandated insurance standards. Experts estimate many of the health plans purchased today by individuals and small businesses will not

meet the minimum requirements mandated by this bill, which means that all Americans will be forced to buy richer plans.

Let me remind those who are listening that this was in 2009 on the Senate floor. Listening to the comments of those today who say we never anticipated some of these things would happen—if they didn't anticipate, it is not because people weren't on the Senate floor. It wasn't because we made this up. It is because people who were experts, CMS actuaries, CBO administrators, were sharing with us what would happen if this legislation became law.

Premiums will increase because of new federally mandated benefit packages. The bill empowers the Secretary of Health and Human Services to decide which benefits are covered and which benefits are not.

What are Americans learning every single day? When they can get on the exchange, they are finding that they are 65 years old and they have to have maternity coverage.

I turned 58 and my wife has pretty much informed me we are not going to have more children, but I can't buy coverage without maternity coverage. Why? Because they want to charge me more to shift that cost.

We didn't have health care reform. We just changed where we are shifting the cost from. Now we are embedding the premium versus charging more at the delivery point of health care and shifting it within the delivery system.

We are shifting it within the population by charging those of us who are a little bit older more—because we mandate that we have to have services we are never going to use—and younger people who are healthy who probably are never going to need to go to the doctor. I hope they do because prevention is actually one of the most beneficial things we can promote. Now we are going to charge them three times what they were paying, and we believe they will take it?

Premiums will increase because of the new excise tax on medical devices. Innovation is what saves health care dollars. Yet in the Affordable Care Act, or what some call ObamaCare, we actually put new taxes on medical devices.

Every time we have a stent that is inserted, every time a medical device is used on a person, their health care bill goes up because we have now taxed the device they are using. If the device price goes up, and the reimbursement goes up, the premium goes up.

It is starting to make some sense. Again, this was in 2009 before we passed the bill. Premiums will increase because of a new excise tax on health plans.

We actually taxed the same health plans that are in the exchange that we told everybody would save them money. Premiums will increase because of the new excise tax on prescription drugs. Wait a minute. I thought

we were bringing down the cost of health care.

In 2009, again, new taxes on devices, new taxes on health plans, new taxes on prescription drugs, these were all things that we all knew. The President knew it. My colleagues who voted for the plan knew it, but everybody seems to have amnesia today: Oh, my gosh. How could the costs go up? I never knew this was going to require people to buy a health insurance policy that had benefits they would never use.

Premiums will increase because of a new fee to sell plans in the mandated exchanges. This phenomenal exchange market that created competition, we now created a new fee on the part of insurers to enter the exchange. Premiums will increase because of a new tax for comparative effectiveness.

Comparative effectiveness means we are trying to bring new generics, whether they are in pharmaceuticals or biologics to the marketplace. We have decided to tax that process. Premiums will increase because the bill forces 15 million more Americans to enroll in Medicaid.

Why is that happening? It happens because doctors are paid so little on Medicaid that they have to charge more for everybody else. We are cost shifting when we purchase the premium, and all of a sudden we are learning we are cost shifting even when the service is delivered. Reform? No.

In 2009, again I came to the floor and I talked about the Affordable Care Act, ObamaCare. Zero times did it mention provisions prohibiting the rationing of health care—zero. Nine times it mentioned new taxes created in the bill. Thirteen pages are in the table of contents. The bill weighed 20.88 pounds and it took 36 pages for the CBO to estimate the pricetag of ObamaCare; 70 government programs authorized by the bill, and 1,697 times in the Affordable Care Act the Secretary of Health and Human Services was given the authority to create, determine, and define things in the bill. This is a bureaucrat whom we allowed 1,697 times to determine what Congress's intent was in the legislation through almost 3,000 pages; 3,609 times the word "shall," not "may," was in the bill. It cost \$6.8 million to taxpayers per word.

Let me remind you. This is what I came to the floor and talked about in 2009 before the Senate passed this legislation in the dark of night.

Twenty-four million people left without health care. This is the bill that was supposed to insure everybody. Twenty-four million people without health insurance; a \$1.2 billion cost to the taxpayer per page, and \$5 billion to \$10 billion of additional funding needed for the IRS' implementation of the bill.

In other words, we are going to fund \$5 billion to \$10 billion for the IRS to chase down people who owe a penalty because they made the determination

they couldn't afford or they didn't need health care insurance.

There are \$8 billion in taxes levied on uninsured individuals. There is a way to make health care affordable—tax people who don't have it.

So \$25 billion of additional Medicaid mandates placed on States; \$28 billion in new taxes on employers not providing the government-approved plans; \$100 billion estimated annually of fraud in Medicare and Medicaid; \$118 billion in cuts in Medicare Advantage—to seniors all across this country who found this product to be the one that provided the most security and benefits for them; \$465 billion in cuts to Medicare—cuts to Medicare. This was the health care system that was at that time projected to be insolvent by 2017.

There are \$494 billion in revenues from new taxes, fees, levied on American families and businesses; a \$2.5 trillion cost for full implementation of the legislation.

At that time we had a \$12 trillion debt. Today, we have a \$17 trillion debt. Health care was supposed to be more affordable because we reformed it. We didn't reform it. We took it over. The Federal Government took it over.

Let me go to another process I talked about in 2009. This is all marked up. It has been in my desk drawer since then. It is a word search of the bill. There are 4,677 times where the legislation said shall, must or require; 899 times it said tax, fee or revenue; 470 times it said agency, department, commission, panel or bureau; 196 times it said regulate or regulation; 134 times it mentioned treatment; 180 times it mentioned prevention; 40 times it mentioned choice; 25 times it mentioned innovation; and 13 times it mentioned competition.

If we listen to those who are out selling this awful plan today, what are the three words we hear? Choice, innovation, competition—those things that are mentioned the least in the almost 3,000 pages of health care legislation in 2009. This bill wasn't reform. This bill spent trillions of dollars at a time of record deficits and debt. When fully implemented, I said then, this bill is projected to cost \$2.5 trillion over 10 years. CBO said at the time that this bill will increase Federal health costs, not lower it.

What have we heard from the President? It is going to lower health costs. It is going to bring it down. It is going to be more affordable. Middle class, this is the greatest deal for you.

The bill raised taxes by more than \$500 billion at a time of record unemployment. The bill violated the President's own pledge to protect the middle class. Who gets taxed in this bill? Again, this is from 2009 on the Senate Floor, right here, before the vote. Uninsured Americans, insured Americans, families with high-value insurance plans, high health costs, small busi-

ness, individuals who need medicines or medical devices, and employers that provide retiree drug coverage. Employers that provide retiree drug coverage, we tax them.

The bill cut \$466 billion in Medicare to fund new government programs. Medicare faced at that time a \$38 trillion underfunded liability and insolvency that was projected to occur in 2017. Instead of fixing those problems, this bill raided Medicare to start a new government entitlement. The bill cut Medicare Advantage. It cut hospitals, it cut nursing homes, it cut home health, and it cut hospice.

Nobody in the administration can go out today and say: Oh my gosh, we didn't know this was going to happen. We talked about it right here day after day after day.

These are not things we made up. If we did, we would be prophets, because they are all coming true. Everything is aligning with what we said.

The bill would increase premiums, making care more expensive, not less. I mean let's get past what was the easy part, and that was setting up the exchange, setting up the Web site. Or at least it should have been.

New taxes in this bill will get passed on to consumers, increasing yearly premiums—this is what I said then; listen to this—by \$488 a year, according to some estimates. The average premium would increase by \$2,100 for a family policy in the individual market.

There are individuals who are seeing \$488 a month in increase, and in addition to that a deductible they have never had applied to them before.

This bill imposed costly new burdens on struggling States. The bill threatens health care choices millions now enjoy with a tangled web of new rules, regulations, and government-run plans. The government will require you to purchase insurance or face a fine and will tell you what kind of insurance you have to have, even if you like what you currently have.

I am not a prophet. I was going by what the experts said in reading the bill. So for everybody who went out and said: If you like your insurance, you can keep it; if you like your doctor, you can keep him; if you like your hospital, you can keep it—we were on the Senate Floor saying: That is not what the bill says. It is not going to happen.

This bill cut \$135 billion from hospitals, \$120 billion from 11 million seniors on Medicare Advantage, nearly \$15 billion from nursing homes, nearly \$40 billion from home health agencies, nearly \$7 billion from hospice. Cutting Medicare to fund a new government program in my book is not reform. It is ignorance.

The CMS Office of the Actuary—let me tell you, the Actuary is like the gold standard. The CMS Actuary is like the guy who puts that stamp of approval on it, and there is nobody higher

from the standpoint of what the actuary says. He says the bill increases national health expenditures. National health expenditures under this bill would increase by an estimate of a total of \$234 billion, 0.7 percent, during 2010 and 2019.

That is exactly the opposite of what everybody is out saying today. Despite promises that reform would reduce health care spending growth, the bill actually bends the health care curve upward. According to the analysis, the national health expenditure as a share of GDP is projected to be 20.9 in 2019, compared to 20.8 percent under current law.

How could you go out and make a claim this was bending the cost curve down? How could you promise the American people it was going to be cheaper?

The total number of persons with employer coverage in 2019, according to the CMS Actuary pre-2009, when the bill was passed, was projected to be 5 million lower under the reform package than under current law. Let me say that again. The CMS Actuary told us in 2009, before we passed this bill, that employer-based coverage would drop by 5 million individual covered lives. I might say that some estimates are coming in at 100 million employees losing their health care under employer plans right now.

The new fees for drugs, devices, and insurance plans in the bill will increase prices and health insurance premium costs for consumers, and this will increase the national health expenditure by approximately \$11 billion per year.

The bill funds \$930 billion in new Federal spending by relying on Medicare payment cuts which are unlikely to be sustainable or permanent. As a result, providers could find it difficult to remain profitable; and absent legislative intervention, they might end their participation in the Medicare program, possibly jeopardizing the care to beneficiaries.

See, it wasn't Republicans who talked about rationing, it was the Actuary at CMS in his analysis of the Affordable Care Act. He said: Here is what is going to happen. It is seniors who are going to get hosed on it because they are not going to have access to the doctors anymore.

The bill is especially likely to result in providers being unwilling to treat Medicare and Medicaid patients, meaning that a significant portion of the increased demand for Medicaid services would be difficult to meet.

How could anybody listen or read what the CMS Actuary said and remotely go out and tell the American people: Geez, this is going to increase coverage for everybody.

The CMS Actuary noted that the Medicare cuts in the bill could jeopardize Medicare beneficiaries' access to care. He also found that roughly 20 per-

cent—20 percent—of all Part A providers—hospitals, nursing homes, et cetera—would become unprofitable within the next 10 years as a result of these cuts, meaning they are going to go out of business.

You know, pretty soon it is not going to be the network the insurance provider put together, it is going to be the fact the hospital went out of business because they couldn't withstand what this bill has done to them.

The CMS Actuary found further that reductions in Medicare growth rates through the actions of the Independent Medicare Advisory Board—now, that is going to sound a little odd to some because prior to the bill passing it was called the Independent Medicare Advisory Board, but it is now called the Independent Payment Advisory Board—IPAB—an entity that when set up and it is kicked in—16 members picked by the President—will determine reimbursements and scope of coverage. It is not the Congress of the United States. If we don't legislatively do something with their recommendation, it becomes law. It goes into effect.

The bill would cut payments to Medicare Advantage plans by approximately \$110 billion over 10 years resulting in less generous benefit packages and decreasing enrollment in Medicare Advantage plans by about 33 percent. So 33 percent of seniors would lose their Advantage plan. Again, this is 2009. This is not today.

The President, in 3,000 pages said it would reduce costs. The chief actuary says that is not the case.

Let me read a letter I got in the last couple of weeks from Lori Perez from Willow Springs, NC.

I am a divorced mom of three. I received insurance through my employer. My rate has increased \$100 a month. This is a huge difference that will have to be budgeted by reducing groceries and foregoing my son's braces I had planned for 2014. I looked into dropping my company provided insurance to join an exchange but I do not qualify to receive a subsidy because my insurance rate is less than 9½ percent of my income. It is 9 percent. My yearly income qualifies. Apparently, Obama thinks I can afford an additional \$1,200 a year. I am considering dropping my insurance, paying out of pocket as needed for health care, and paying the fine at the end of the year. It would be less expensive. This is ridiculous. What can we do?

What do you say to Lori? Oops. That is the law. Here is somebody who was 100 percent satisfied, an employer doing the right thing, and the Federal Government has now put her in a situation where she is considering just giving up her health care, doing away with it. Why? Because she can't afford it. This is a woman with a job. She is thinking about giving up her groceries and delaying her son's braces. Why? Because of ObamaCare.

Where are we today? Let me speed forward. I said we have the health care exchange, the healthcare.gov Web site.

There are companies every day that get Web sites set up. This one is complicated. They had 3 years to do it. It still is not right today. But I am convinced they will get it right.

For the first time the American people are getting on the Web site and they are able to look at the health care options they have. And what are they finding? They are finding that the premium costs for something equal to what they had are two times, three times more expensive per month. They are finding this new thing they have never had before called deductibles. And I am not talking about a \$100 deductible that you pay before you get participation in a doctor's visit or an emergency room visit; I am talking about \$1,000, \$3,000, \$5,000. I have heard from friends who have now signed up for plans and have a \$15,000 deductible.

I say to my colleagues—especially my colleague from Florida—it sounds like a health savings account, doesn't it? You have insurance, but you are responsible for the first \$15,000. The guy who shared that with me, his premium is \$1,444 a month with a \$15,000 deductible. I don't think he is going to drop it, but sticker shock is rampant.

Benefit package. How many people have come up to me and said: I am not going to have any more children, but I have to have maternity coverage. Something is wrong.

They are right—something is wrong.

How many kids would like to have a scaled-down version that allows them to have a set of benefits, and they are willing to roll the dice, and if something bad happens, they will pay out of pocket? No, they don't get that option. The choice does not exist—unless it is a choice of the things created in the Affordable Care Act.

Networks. This is one the American people haven't gotten to yet, and I can't wait until it happens. I have gone through getting on the DC exchange and going through the process of trying to figure out whether my doctor in North Carolina is available in this plan or that plan. Wait until the American people go onto healthcare.gov and they start picking a plan and look to see: Is my primary doctor on there? Is my hospital on there? Is the specialist I see on there? Are the drugs that I take on this plan?

This is incredibly complicated. The American people were used to calling their insurance broker and saying: Here is how much coverage I want, here is how much I have to spend, and here is my health condition. And they designed a program to meet their health condition, their income, and their age. Now we penalize you for your age—if you are old or young—and we force everybody to take the same benefit package regardless of whether they can afford it, and we say: If you don't get it, we are going to charge you this

year a 1-percent penalty on your income, and that goes up to 2½ percent at the end of the transition period.

We are going to get past this period which I call the enrollment plan period. Next, we get to the part the President delayed. We never understood that something that was in statute, the executive branch could just decide, no, it is not going to go into effect. But for large and small employers, they had a 1-year delay. All of a sudden, in 2015, their employees are going to be in the same marketplace that we are.

What makes that particularly difficult is we extended the enrollment period for individuals in healthcare.gov until March 31, 2014. They can still enroll. Well, April 1, 2014, through April 27, 2014, insurers will have to decide what their premium cost will be in 2015. So given that they have no real experience on what the mix of ages and health conditions in their plan is, what are they going to do? They are going to err on the side of higher premiums; that is, higher than we will see in 2014, which a majority of the American people say are higher than they can afford. Imagine what it is going to be like in 2015. And in that group is the 80 percent of America, not the 5 to 10 percent who are provided for by employers today.

I see my colleague here, and I am infringing on his hour, but I do want to stress one last thing. I mentioned only once the Independent Payment Advisory Board, IPAB. At the end of the day, mark my word, everything that I commented on I read from my 2009 notes—notes that I came to the floor then and said: This bill shouldn't become law, and here is why. I spent 5 minutes talking about that today.

But I am going to make this statement, and I will come back to the floor 2 years from now when IPAB is up and running and the benefit packages have been cut down and the reimbursements have been cut to doctors and hospitals, and I will point to the statement that I made here that picking a 16-member advisory panel that has the authority and the power to set the scope of coverage and, more importantly, the reimbursements will have a most devastating effect on health care in this country.

It will ration health care because of the doctors who choose not to participate in plans that participate in the exchange. It will force hospitals out of accepting plans that participate in the exchange. And for those of us forced by government to be in the exchange and to choose, our choices will be gone. Our costs will go up. We will get care—when we are queued in line or at the emergency room or from a doctor we don't know or don't trust or from a hospital we have to drive to. It is not going to be reassuring to that mother who now has maternity coverage but no obstetrician and no local hospital to

deliver a child because, you see, we didn't reform health care. We didn't do anything to liability. We just changed the pocket we pay out of. We taxed everybody we could find to pay for it. And still—as I said in 2009 and I believe will be true today—at the end of the process, there will be 24 million people without health insurance. Why? Because of ObamaCare. Because of the choice—or the lack of choice—we gave them.

I yield the floor.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Florida.

Mr. RUBIO. Mr. President, I intend to be here for the next little bit—under an hour—sharing this time on the floor with you to discuss some of the issues before us, particularly the pending issue before us of nominations and the concern we have about that.

People back home and across the country may be watching the news tonight or perhaps over the last few weeks they have watched the news and wonder what this debate is about. I wish to use this opportunity tonight to address the nomination of Cornelia Pillard for the D.C. Circuit because it is a good example of the government overreach that has impacted all sorts of issues in our lives. So on this nomination issue, let's lay the groundwork here so people back home understand what is happening.

Last week or the week before last the Senate majority, by a simple majority vote, changed the practice of the Senate that has existed here since the beginning of the Senate, and they did so in an effort to grab more power for themselves and the President.

Basically, here is the precedent which has been set here and which is exemplified by the nomination before us. The precedent which has been established from now on is that any Presidential nominee, except for the Supreme Court—at least for now—is only going to need a simple majority vote to confirm them. There are problems with that because in the Constitution it gives the Senate—wisely—the power to advise and consent. The reason that was done, especially for judges, is that these are lifetime appointments. When someone is made a Federal judge, it is for the rest of their lives—unless they are impeached, which is a rare occurrence, thankfully. So these are people who are going to serve on the bench for the rest of their working lives, making decisions about the application and interpretation of our Federal laws. That is why the Senate was given this extraordinary opportunity to vet these people and to look for a supermajority of votes in this Chamber before someone is put in a position such as that. The other positions, of course, are Cabinet nominees, and so forth, and those are very important as well.

By breaking the rules to change the rules of the Senate—something that,

by the way, we were told at least on two occasions this year was not going to happen but ultimately did—what we basically saw was the ramming through—just as ObamaCare was, on a party-line vote—of the President's nominees, and tonight's nominee is an example of that. This is going to have enormous consequences on this institution for sure. You are seeing it play out tonight.

I say to my colleagues in the majority party that the history of this body is that power trades hands. I believe that as early as January next year when a new Congress reconvenes, you won't be in the majority, you will be in the minority. Soon thereafter, there may be a Republican President appointing judges and appointing Cabinet members and other appointees. Now, all of a sudden, a simple majority is going to be enough, and you have set that precedent.

Beyond the impact that is going to have on this institution, it is going to have an impact on this country. It is going to have the impact of putting these activist judges, such as the nominee before us tonight, on the bench. It is going to have an impact on a wide range of issues, from ObamaCare, to the sanctity of life, to the Second Amendment, just to name a few.

Why does the majority want to pack this particulate bench, this particular D.C. Circuit Court of Appeals with a supermajority? Why? Well, it is because it is a court which is often called the second highest court in the country. It is a court which is key in reviewing all these regulations that are being imposed upon us. It is a court which is key in reviewing all these assertions of Executive power that this President and other Presidents have instituted.

The current D.C. Circuit as currently made up has proven to be somewhat of an obstacle to the big-government agenda the White House and the majority here in the Senate have been pursuing, and they don't like it. That is, by the way, why the majority leader earlier this year said: We need at least one more—meaning one more judge—and that will switch that majority on that court. Well, with that vote, by changing the rules, that is what they are setting up for here.

Now they seek to expand it tonight or early tomorrow with a nominee who, quite frankly, is completely out of the mainstream. For example, on the question of abortion, do you know what Professor Pillard calls pregnancy? "Conscription into maternity." I don't know what that means, but I bet the vast majority of Americans would see that as outside the mainstream.

By the way, as you look at the majority pulling out all these stops to confirm controversial nominations, such as this one who is someone completely outside the mainstream, they

do so despite the fact that they have spent most of the last 10 years basically filibustering some of former President George W. Bush's best nominations to the judiciary, especially to the D.C. Circuit. Let me give some examples.

Senate Democrats, over 2 years, refused to even give Peter Keisler a Judiciary Committee vote despite his extraordinary credentials and a record of public service. At the time, they argued among other things that maybe the D.C. Circuit wasn't busy enough to warrant filling some of these vacancies. He was just the most recent of several Republican nominees to the D.C. Circuit whom Senate Democrats blocked and filibustered. There were others. For example, they successfully filibustered Miguel Estrada, a Honduran-born legal superstar, a person who some said may one day be the first American of Hispanic descent to serve as a Supreme Court Justice. Senate Democrats voted seven times to filibuster this great American success story and this great judge. Other nominees to the D.C. Circuit, including then-California Supreme Court justice Janice Rogers Brown and Brett Kavanaugh, also faced long delays of failed cloture votes and filibuster attempts, as did, by the way, President Bush's nominees all across the country.

The numbers on this issue do not lie. Numbers are facts, and the numbers don't lie about the double standard that has been applied here today. For example, tonight's vote on Judge Pillard will come after just 190 days after her nomination. For historical context, Senate Democrats obstructed now-Chief Justice John Roberts' D.C. Circuit nomination by 729 days. Another impressive nominee whom I mentioned earlier, Mr. Kavanaugh, took 1,036 days. Miguel Estrada was obstructed for 184 days. Janice Brown's nomination took 684 days. Tonight, 190 days. And on that and similar cases, they have completely changed the rules of the Senate and how the Senate nominates people to lifetime appointments to the second highest court in the land.

But despite this record and despite the fact that the D.C. Circuit is still known to be underworked today, the majority presses ahead on what will be a midnight or 1 a.m. vote to install a controversial law professor on the Nation's second most important court.

So what has changed? What caused the same people who used to routinely filibuster highly qualified judges to now come here and make these changes?

What has changed is that now there is a Democrat in the White House. What has changed is they now want an ideologically compliant court. What they want is a liberal activist court, one that protects all the things they

have rammed through Congress over the years and imposed through regulations and pushed through Executive order.

Now we know why Senate Democrats were less interested in the workload of the D.C. Circuit or the objective qualifications of the nominees over the past decade, why they were less concerned about that than they are today. It is because their dreams came true of having a Democrat in the White House and a majority in the Senate so their efforts to keep vacancies open, that is what has brought us here today, in order to fill them in order to radically change the Federal judiciary into their own image.

But I think what is important to understand is that this whole effort to start this debate about judges and all that is an effort to distract from another big government intrusion that everyone knows too well; that is, ObamaCare. Interestingly enough, this Sunday I was at a wedding. I was approached by someone who had a story similar to what my colleague from North Carolina just outlined. This is outside of ObamaCare. This is someone who has employer-provided care, but that is going to be impacted by these changes that are happening in the law. She had just gotten notice that her premiums had gone up, but here is what is worse. Her deductible had gone up to about \$5,000 or \$6,000. She doesn't have \$5,000 or \$6,000. The way she quickly figured it out is she is going to have to spend \$6,000 she doesn't even have before she can even begin to use the health insurance plan that she can barely afford. She is basically uninsured.

I wish I could tell you that is a rare story and we are not getting a lot of input about that, but we are. This ObamaCare disaster is starting to take its toll. I think it is unconscionable, by the way, that the majority seeks to distract focus of this body on these important issues such as ObamaCare by pulling this stunt on the judges. But what it doesn't stop is the wave of letters we are getting from people all across the country. These letters are not talking points. These are not complex policy analysis. These are not op-eds in newspapers. These are the letters from real people who are being impacted in real ways by this law.

I wish to share with you some of their stories. I am going to leave their last names out to protect their privacy, but I wish no share with you some of these examples because these are very typical of the kinds of things we are hearing about all across the country.

Philip in Winter Springs. Philip is retired. He is living on a fixed income with insurance from United Health Care that he has for himself and for his wife. His monthly premium increased from \$530 to \$867. That is over a 60-per-

cent increase in his monthly premium and his \$15 copay has doubled now to \$30.

How about Charles in Winter Garden? Charles had employer-provided health care which ObamaCare caused to spike in price nearly 80 percent more for his plan and his deductible is \$12,000. He cannot afford \$156 a week for health insurance if he wants to be able to provide for his two children and pay his bills.

Here is one from Janet in Titusville. Janet is a single mom who is losing insurance for herself and her children in January. This is not Janet's first challenge with the economy, by the way. She has been unemployed for 3 years. She took an underemployed job to provide insurance for her kids but only to lose it 1 year later. She just wants insurance that doesn't cost nearly 10 percent of her income so she can provide for her kids.

David in Lakewood Ranch has an insurance plan that will be canceled as of April 1, 2014. His current policy costs him about \$291 a month with a \$6,000 deductible. The new policy his insurance company suggested raises his monthly premium over 60 percent to \$466 with a \$12,000 deductible as well. David also looked at the silver plan for the exchanges but the monthly costs would be \$525, with a \$7,500 deductible. David's other problem is if he waits until his current plan is canceled on April 1, 2014, any other costs he has leading up to his deductible did not count on the new policy so he will be spending even more trying to reach a deductible that will increase along with his much higher monthly premiums. As he wrote to our office: I just want my old plan back.

Colleen in Winter Park is self-employed. She chose to have a plan that costs her \$60 a month because that is all she can afford. She says that while she knows if she had to use her policy there would be hospital costs, she is more than willing to accept the risks.

Guess what. Her policy has been canceled. The new option is a \$600-a-month plan and there is no way she can afford that plan. There is no way she can afford it.

How about Sarah in Live Oak. Sarah had an individual policy for herself with a \$2,000 deductible that ran \$68 per month. Her plan has been canceled. Now she is looking at a \$288-a-month plan with a \$5,000 deductible. She feels she has been lied to by the President and by Congress and who can blame her for feeling that way.

How about Warren in Sanford. Warren in Sanford had health insurance for his family, four members of his family, with a monthly premium of \$533 and a \$10,000 deductible. While he would have preferred a lower deductible because his family is healthy and he was willing to take that risk, now that plan is gone. So Warren went on the exchanges

to look for a new policy. His new monthly price was \$1,300, more than double his old plan, with a \$13,000 deductible. As Warren noted: "Bottom line is I will be paying more and I will be getting less." He will be forced to do things like skip vacations or miss out on his children's activities.

Then there is Joe in Melbourne Beach. Joe had a health care plan that was canceled because of ObamaCare. He liked his plan. He told our office that he "took great care in selecting my plan that I felt was right for me and for my needs." Now he has to shop for a new plan and all he sees are more expensive options. He tried the ObamaCare Web site, but it did not work for him, and on top of the Web site not working he is nervous about security risks when it comes to submitting his information to these Web sites.

There is Kenneth in Land O Lakes. He and his wife had a private insurance plan for over 11 years, but they do not anymore. They received a letter in the mail canceling their plan, telling them that "due to the recent ACA legislation this policy is no longer available." The new option that is available to him, by the way, is from an insurance company that had a premium that was double the price of his current plan: \$2,400 more a year. He doesn't know how he is going to cover this additional expense.

I don't think anyone disputes that we have a health insurance problem in America. But this is a disaster. Of course they want to do this judge thing. Of course they want to trigger some sort of fight about judges, Republicans objecting to judges and nominees. If you supported this, if you had voted for the law that does this to people, you don't want to talk about this. If you are responsible for the passage of this law, if you have gone around the last 2 years bragging about this law, if you are the one who went around telling me if you have a policy you like you can keep it, why would you ever want the world focused on this?

The problem is people are going to be focused on this because this is no longer a theory. ObamaCare is no longer some theoretical thing that is going to happen at some point in the future to someone else. ObamaCare is happening to real people right now. Right now, all over this country, people are feeling these impacts. These are real people. This is not some outside third-party group running a commercial. This is not someone here giving a speech about what they think is going to happen. This is what is happening now and there are going to be more of these and it is going to impact Republicans and Democrats and conservatives and liberals, red States and blue States. Everyone is going to be impacted by this. They already are being impacted by this. This is going to have

a dramatically negative impact on our economy, on our people, and our country as a whole.

That does not mean we do not have a health insurance issue that should not be addressed. We could have addressed it and we still can by, for example, giving people more options in a truly vibrant, private, personal marketplace. Allow people to buy insurance from any company in America that will sell it to you. Allow people to buy it with money that is not taxed, just like when your employer buys it for you. Incentivize, encourage people, make it easier for people, make it more rewarding and more flexible to put money in a health savings account so you can have tax-free money you can use to pay your deductible, to pay your copayments, to pay out of pocket, to pay for your kid's braces. These are real options that are available to us, none of which were pursued.

Instead, what was pursued is this big government solution, one-size-fits-all plan rammed down the throats of the American people just like the judges, just like the nominee tonight. She is being rammed down our throat. Because when what you stand for cannot withstand scrutiny, when you have a judge such as the one before us tonight who is so outside the mainstream, you don't want a process that examines their record and requires consensus. You have to ram it through. When you have a law that so fundamentally alters the makeup of American health care, you don't want this thing being analyzed. You have to ram it through. They did it on ObamaCare and they did it on judges.

There is a reason our Republic was set up this way. There is a reason the system of checks and balances was set up this way. There is a reason the Senate was built this way, with people who serve 6-year terms, two per State. Because they wanted a Chamber that would slow things down and look at them carefully and weigh them.

But you cannot do that when you are changing the rules to ram things through. What you are going to get are radical lifetime appointments to the bench such as what we are on the verge of doing tonight in the Senate and what you get are these damaging changes to the law on health care which leave people with fewer choices, with more expenses and, here is the kicker, with less access to the quality health care that is second to none in the United States.

We have the best health care providers in the world. When rich and powerful people around this planet get sick, do you know where they come? They come to the United States. They come to our centers of excellence. Other places around the world have quality places similar to that too, but they are only available to people who have money to pay out of pocket. Their

government-run insurance plans don't allow you to do that. They socialize you. They force you to wait in line behind other people until your turn is up. The only people who can go to the front and get the highest quality health care in many places on Earth are the richest people in the world who can afford to pay for that out of their pocket. This law brings us a little closer to that because many of these quality providers, the Sloan-Ketterings, the Mayo Clinics, the MD Andersons, these extraordinarily high-quality health care centers, many of these are not on the health care plans at all. In order to fit under ObamaCare, you have to cut people out of the plan so we get closer to the day when the only people who can afford to go to these centers are people who can afford to pay for it out of their pocket and everybody else, people on ObamaCare, they are just going to get whatever the plan covers. That is what you are stuck with. That is what we are headed toward.

We are going to deny the American people access to the highest quality health care system in the history of the world, not the best health insurance marketplace—there are reforms that need to happen there—but qualitywise, second to none. We are going to deny people access to that.

The other reason, by the way, this whole debate on judges is very bad for the country is it distracts us from the fundamental issue of our time, the central issue that faces our people and our country. It is one that I wish we spent more time focused on around here. I think both parties are a little guilty of not focusing on it enough.

When I was a child, when I was younger, I had all kinds of ideas about what I wanted to be when I grew up. I was blessed with parents who taught me that every single one of these dreams are within my reach. From my earliest memories, my parents instilled in me the belief that even though my family was not rich or powerful or connected, I could grow up to be anything I set my mind to because I was in America. Because I am an American. My parents knew America was special because they knew what life was like outside of it.

My parents were born into a society that most people are born into—where the success you have in life is predetermined by the family you were born into. By the grace of God, my parents were able to come here—the one place on Earth where that isn't true—and the promise of America changed their lives.

My parents never made it big. My mother worked as a cashier, a hotel maid, and even a stock clerk at Kmart. My dad was a bartender who primarily worked at banquets. Through hard work and determination, my parents made it to the middle class, and they gave us, their children, the opportunity

to do all the things they were never able to do—to be anything we wanted to be. As I said, they were never rich, but my parents achieved the American dream.

That phrase, the “American dream,” is a phrase we use all the time, but it is a phrase that is often misunderstood. The American dream has never been about becoming wealthy or famous. Instead, it is about people, like me, who were born and raised here. It is about things I sometimes think we take for granted.

The American dream, what is it about? It is about a happy and stable home life where you can live without fear for your safety or the safety of your family. It is about the freedom to worship any way you want. It is about having the chance to get a good education and find a job that rewards hard work with financial security. The American dream is about being able to send your kids to college and being able to retire comfortably. It is about the opportunity to pursue happiness without being limited by your social status or your background. Perhaps most of all, the American dream is about being able to give your kids the chance and the opportunities you never had. This is the true American dream. It is not just a phrase. It is our identity as a nation. It is what it means to be an American.

We are still a country where the American dream is possible. We are still a place where, if you work hard and are determined, you can earn a better life. But we have to be honest. Over the last 10 years it has gotten harder to achieve this. It has gotten harder to find a good job and get ahead financially. It has gotten harder to save for retirement and send your kids to college. It has gotten harder to pay for health care, childcare, and the monthly payments on your student loan.

For the last 5 years we have been told that a bigger government that does more and spends more is the answer to this problem. Do you know what that has left us instead? It has left us with about \$17 trillion in debt and millions of Americans chronically out of work. The result is that despite all of this news we get from time to time about how the economy is getting better or the stock market is climbing, for many people across this country there is a sense that recovery is not reaching them. That is creating true uncertainty and even fear about the future. There is the constant worry that you could lose everything you worked so hard for. There are doubts about whether you will ever make enough and have a few extra dollars after payday or be able to save for the future. Even for those who are enjoying the life they always wanted, you find a growing sense that their children may not get that same chance.

It is not surprising that some are starting to wonder whether the time has come for us to lower our expectations. Maybe the time has come to downgrade the American dream. This doesn't have to be the new normal. We have a choice. If we go in a new direction that gives us a government that creates less debt, an economy that creates more stable middle-class jobs, an education system that trains our people for the jobs available now and in the future, strong families who teach the values of success, and a financially healthy Social Security and Medicare system for retirees—if we are responsible enough to courageously and boldly fight to do these things, we can save the American dream. We can restore it. Actually, we can expand it to reach more people than it has ever reached before.

Our first priority here should not be ramming through rules changes to get liberal judges appointed. Our first priority should be more stable middle-class jobs. That should be our first priority. Stable middle-class jobs are the cornerstone of the American dream.

Let me break it to everybody here in Washington: Politicians don't create jobs. Politicians don't create these stable middle-class jobs. These stable middle-class jobs are created by everyday people when they start a business or grow an existing one. That, my friends, is the reason the American free enterprise system is the single greatest engine of prosperity the world has ever known. The key to our success as a country has always been a thriving free enterprise system, not a thriving bigger government.

What we need from our government are policies that foster a free enterprise system, that provide opportunities for everyone who is willing to work hard, and a government that stops spending money it doesn't have. We have to bring our \$17 trillion debt under control.

We need to address our broken Tax Code. We need one that creates more taxpayers, not more taxes. The current one we have is a major obstacle to the American dream. Why? Because our current Tax Code is expensive and complicated. Our current Tax Code is rigged. It is rigged to help those who are politically connected. It is rigged to help them at the expense of everybody else.

We need to reform the runaway regulations we have. They are destroying job creation. By the way, they too favor the well connected. They too favor the people who can afford to hire lobbyists to help write these rules and lawyers to help write the loopholes.

We need government policies that remove unreasonable restrictions on energy exploration here in this country so we can be freed from our dependence on foreign oil and create more jobs in the energy sector but also in manufacturing.

As I mentioned earlier, we need to get the cost of health care under control but not through the big-government solutions, such as ObamaCare, that were rammed down the throat of the American people but by encouraging the development of an individual health insurance market that gives people more choices, not more mandates.

The middle-class jobs of today and in the future will require more education and skills than ever before. That is why one of the most important investments of our time and our resources that we can make—instead of wasting time on all of these distractions on changing the Senate rules to force through radical judges like the one being proposed here tonight—is in a quality and affordable education system that gives our people the unique skills they will need to succeed in a new global economy. To do that we need to take the power out of the hands of Washington, DC, and give it to the State and local school boards so they can undertake innovative reforms.

We need to pursue policies that expand access and interest in science, technology, engineering, and math because that is what the jobs of the future are going to be based on.

As mentioned a moment ago, we need to get the cost of college under control. I know. I graduated with over \$100,000 in student loans. We need to give working Americans trapped in low-paying jobs access to college or a career education that is affordable and flexible so it meets within their busy lives. If you are a working parent—particularly a single parent who is working—you can't just quit your job and move to the nearest college town to go to school for 4 years. We have to create programs. We have to reform our existing programs so they are accessible and affordable for people who are in this position. It will give a receptionist at a law firm the ability to become a paralegal. It will give a mail clerk at a medical office the ability to become an ultrasound technician. We have to meet this issue. There is an extraordinary need.

By the way, we have to give all of our students more access to career and vocational education. You can still make a good middle-class living as an airplane mechanic or as an electrician. Why have we stigmatized these? Why have we told children in this country that if they go into these fields, they are not successful? These are good, stable, and necessary middle-class jobs. You know what happens when a kid wants to work with their hands but they are not learning it in high school. They drop out. We have to address that—not just at the Federal level but across the country.

In addition to a good education, the American dream was built on a set of

fundamental values such as hard work, discipline, honesty, and self-control. Teaching these values is the responsibility of our families. Government can't impose these values, and, quite frankly, it can't teach them. Government policies should encourage and reward them.

I think we should empower parents by giving them the ability to send their kids to any school they choose. There is no reason why a parent should not be able to put their kids in the best possible educational setting just because they are poor. There is no reason why we should force people to send their kids to failing schools just because that happens to be the school right down the street. That is not fair. If you are rich, you can send your kids to any school you want. You know what. They do. Do you know who can't do that? The people who can't afford to pay for that. That is wrong, and we should change it.

We should strengthen our charities and our churches, which make an extraordinary contribution in helping the less fortunate and reinforcing values that are so important to success. We should reinforce them by making important changes to our Tax Code that will encourage and reward Americans for donating more.

We need to have safety net programs. The free enterprise system doesn't work without a solid safety net. It needs to be a safety net that helps people who cannot help themselves or to help people who have fallen to get back up and try again. We don't need a safety net that is a way of life.

We need to reform our existing safety net programs—welfare, unemployment insurance, disability, and Medicaid. They should all be reformed so that in addition to providing for those who are in need, these programs should also be promoting work and education and self-reliance.

Last but not least, I think the American dream means the ability to retire with stability and security. That is why having a financially healthy Social Security and Medicare system is so important. We can bicker around here all we want about how many votes it takes to get a judge in or who is obstructing what. Here is a fundamental fact: Social Security is going to run out of money in 20 years, which happens to be right around the time I will be getting close to being eligible for it. Medicare is going to run out of money in as few as 8 years.

The good news is that if we act and start to take steps to address that now, we can fix these programs, and we can fix them without disrupting the lives of people who are on those programs now—like my mother. I would never support any changes to these programs that would hurt people like my mother, who is on Social Security and Medicare. We can fix it, but to fix it, people

like me—decades from retirement—are going to have to accept that while our Medicare and Social Security will be the best in the world, it is going to be different than it was for our parents, but it is going to exist.

By the way, beyond this, we should do some other things. We should make it easier, through changes in our taxes, for people to work beyond their retirement years. We should expand access to tax-advantage savings accounts for those who don't have access to a 401(k). We should incentivize people to save for their retirement.

I think what has bothered me the most in the 3 years I have been here is the lack of urgency about any of this. People talk about it. They propose laws called good things that maybe they polled and it sounded good. But in terms of moving on any of these things I just talked about, there is not a lot of urgency about it. We need to have more urgency about it. We need to stop wasting time around here changing the rules of the Senate to get a couple more of the President's radical appointments to the bench confirmed and spend a little bit more time figuring this out.

For most of the history of the world, almost everyone who was born was poor, without power, and without wealth. That only belonged to a select few. For most of the history of the world, your future was determined by your past. If your parents were poor, you would be poor too. If a person was born without opportunities, so were their children. What makes our country special is that hasn't been true here. What makes America special is we are a people not united by a common race or a common ethnicity; we are a people united by a common value: The idea that everyone has the God-given right to achieve a better life without being held back by the government or by one's social standing.

Right now, I work here. Washington is broken. It was broken when I got here and it still is. It is a process that is unable to function. With all due respect, it is a process that is plagued with people—in both parties, by the way—who are more interested in being someone than in doing something. I am telling my colleagues that if we continue on this road we are on right now, if we continue on the road we have placed this country on, we are going to lose the things that make America special. That is what we should be focused on, because there is another direction we can take. If we can find the political courage to boldly and responsibly confront and solve the challenges before us, we can restore the American dream. Actually, we can expand it to reach more people than it ever has before.

Every generation of Americans before us has had to do this. Every generation before us has been asked to do something to keep America special.

Each has been asked to make sacrifices and take bold steps to preserve what makes us exceptional, and now it is our turn.

I remember a few years ago, there was a moment that reminded me of what is truly at stake here. I have shared this story many times. I was about to give a speech in a hotel ballroom. I think it was in New York City. There was a bartender there who had heard me speak before about my father, who was also a bartender, and he approached me with a gift. The gift he gave me was a name tag that said "Rubio, banquet bartender," a name tag the same as they give in hotels. At that moment, I was reminded of how this country literally changed my family's very life. Not so long ago, it was my father who stood behind a bar, just like the one that gentleman stood behind, in order to give me the chance to earn a better life, and America made that possible. It was never easy. Both of my parents worked well into their retirement years.

I remember when I was in high school, well past midnight, on many nights, I would hear my father's keys jingling at the door as he came home from another long day of work. When we are young, the meaning of moments such as that escapes us. But now, as I get older and my children get older, I think I understand that moment a little bit better. Like the man who gave me that name tag that night in New York, my father was coming back from more than just another day at work; he was coming back from a day of fighting, so that the doors that had closed for him would be open for me.

This is still one of the few places on Earth where a person can do that. That is what makes us special.

Before us is the question of whether this generation of leadership is up to the task of keeping this country that way. I don't personally have any doubt that we are up to the task. Despite our many differences, I believe our people are much more united than our politics would lead one to believe.

Every single one of us, every single American is the descendant of a go-getter, of an immigrant or of a slave or of someone who overcame extraordinary odds to stake their claim in this American dream. Every single one of us comes from someone who refused to accept the life they lived and always desired to have something better for themselves and for their families. Every single one of us is a descendant of someone who insisted that their future must always be better than their past.

This is who we are as a people. This is who we come from. I believe that is still who we are. All we need now are leaders that reflect that in their policies and in their priorities.

So I still have more faith in this country than perhaps the political coverage might lead us to have because we

are free people, and we are always going to vigorously debate the best way forward. Sometimes, because of the nature of our Republic, it takes us a little longer to get it right, but we always have. I believe we will again. In the end, there is no such thing as the Republican dream or the Democrat dream, there is only an American dream. Despite all the challenges this country faces and despite some of the skirmishes on the floor of the Senate—at times unnecessary, such as this debate with the judges and the rule change—despite all of that, I know for a fundamental fact that the American people are not willing or prepared to give up on this American dream.

That requires us to act. That requires us to stop wasting time around here and to focus on the issues. We have this golden opportunity to restore this American dream and to bring it within reach of more people than ever before. We have an opportunity before us to claim our heritage as a people who always leave behind a Nation better than the one that was left for them. We have a chance to usher in a new American century and to write the latest chapter in the story of the single greatest Nation that man has ever known. So I hope as we conclude these debates on issues such as this, we will somehow find a way to begin to work together on what really matters, on matters of importance, on what impacts Americans now and those yet to come.

That leads me to one final point. I see my colleague from Wisconsin is on the floor, as well as others who wish to speak. I will close with one more point, one more issue I think we are being distracted from because of the silliness of breaking the rules to change the rules so we can impose on the American people out-of-the-mainstream judges and cabinet appointments that are less than qualified, and that is the issue of American leadership in the world. Look around the world today. Look at the impact of uncertainty about our foreign policy and what effect it is having across the planet.

I am going to be honest and straightforward about this issue especially: This is an issue for both parties to reflect on for a moment. We all understand why we are wary—and we should be—of international engagement. We have gone through a decade of two conflicts in the Middle East. We turn on the television and we see people we have spent money and sacrificed lives on behalf of burning our flag and celebrating our tragedies, and we wonder, Why are we involved in the world. Why are we engaged in these places? But I hope everybody understands that in the absence of American leadership a vacuum is created, and that vacuum leads to chaos, and chaos ultimately impacts our national security and our economic well-being.

Take a brief tour around the world with me for a moment and my col-

leagues will see what I am talking about. Turn on the news and see what is happening in Ukraine where a country is being increasingly intimidated into going back into basically what looks like an effort to reconstitute the former Soviet Union, being torn between that and choosing modernization in the West with the European Union. There are people in the streets protesting against that and riot police going in there to force them out.

Look at the Middle East, where Iran proceeds full speed ahead with weaponizing, towards creating a nuclear weapon and the impact that would have—and not just on arming the one country in the world that most uses terrorism as a tool of statecraft. We had testimony today from the administration. No country in the world uses terrorism more than Iran does, and they are going to get a nuclear weapon. It won't just be Iran getting a nuclear weapon. If Iran gets a weapon, so will Saudi Arabia and potentially Turkey. Look at what is happening in Asia. The Chinese have announced that a certain area belongs to them and their airspace, that others have to get permission from them and notify them before anyone flies through there. South Korea and Japan and others, they are starting to wonder whether America will live up to its commitments to provide for their defense and to assist them or maybe they need to strike out on their own and provide their own defense capabilities.

Look at the opportunities in the Western Hemisphere we have abandoned because we have taken our focus elsewhere. I could go on and on.

Are we a strong enough voice on behalf of religious liberties? Meanwhile, religious minorities around the world are being oppressed in unprecedented ways. In particular, Christians in the Middle East are facing persecution that is reminiscent of the early days of the church.

How about human rights? How about human trafficking and modern day slavery? All of these things require American leadership.

We can't solve every problem. Foreign aid isn't charity. It needs to further our national interests and the funds need to be accountably spent. But this is something we should be more focused on and we are not. Why? Because we continue to get involved in these sorts of skirmishes here and, in particular, undermining the ability of this body to function by changing the rules by breaking them.

So I hope this will serve as an opportunity to reevaluate all of this, because the challenges before our country are real and the consequences of not acting appropriately are dramatic. I hope we will take this seriously, because we still have time to get this right, but we do not have forever.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, this is the 52nd consecutive week we are in session that I have come to the floor to ask us to please, for Lord's sake, wake up to the damage carbon pollution is already doing to our atmosphere, oceans, and climate, and to look ahead, to use our God-given sense, and to plan for what is so obviously coming.

In those weeks, I have spoken about all different aspects of carbon pollution, its effect on sports and our economy; its effect on oceans and coasts; its effect on agriculture and wildfires; its effect on storms and insurance costs. I have spoken about the measurements we can already make of the harm already happening: Sea level rise, which we measure with a yardstick, basically; ocean temperature, which we measure with a thermometer; and ocean acidification—the fastest in 50 million years, according to research published in “Nature Geoscience”—which we can measure with litmus tests.

I have, I hope, to anyone listening with their logic turned on, thoroughly rebutted the deniers' phony arguments against solving carbon pollution, whether those arguments purport to be based in science or religion or economics or our competitiveness.

I have listed the thoughtful and responsible groups—from the Joint Chiefs of Staff to the U.S. Conference of Catholic Bishops, from Walmart to NASA, from Ford and GM to Coke and Pepsi, from America's garden clubs to just last month our major sports leagues—who understand the truth about climate change and are saying so.

I have done my best to expose the calculated campaign of lies that we are up against and the vast scandalous apparatus of phony organizations and engineered messages that are designed to propagate those lies. I have traced the connections back to, of course, the big carbon polluters and their billionaire owners. I have been obliged to point out that the money of those big polluters and billionaires floods this Chamber, that their lobbyists prowl the outer halls, and that to a sad and disappointing degree this Congress is bought and paid for by that polluter influence.

One factor we have yet to consider is whether as an institution Congress has just become completely irresponsible. Maybe this Congress just cannot operate as an institution at an intelligent level. Some Congresses are going to be smarter and more responsible than others. That is just the natural order of

variation. Some Congress is going to be the sorriest Congress ever. Maybe we are it.

Some organizations, like NASA, for instance, are very smart. That is why NASA is driving a rover around on the surface of Mars right now. That is a seriously smart organization.

Some organizations take ordinary people and call them to be their very best, to play at a level above their natural talents, to heed a higher calling than their selfish inclinations. At their best, our military and our churches tend to achieve that.

Some organizations, however, take even the most talented people and drag them down to the lowest common denominator, and stifle the best and bring out the worst in even those very talented people.

I ask people watching, which type of organization do you think Congress is right now? Which type do you think we are? As an organization, it is hard to say anything kinder of Congress than that it is now a really irresponsible organization. We could not even keep the U.S. Government running. Standard & Poor's estimated that our tea party shutdown foolishness cost Americans tens of billions of dollars for no gain—none. We cannot sort out the basics of building and maintaining our American infrastructure. Our own American Society of Civil Engineers gives our country a D-plus for infrastructure.

That is not complicated stuff. Yet we flub it like a football team that fumbles the ball at the snap.

Get a little more complicated and Congress seems to get even worse.

Let me show you just one health care chart. This chart I have in the Chamber shows the average life expectancy—in years—in a country compared to the cost per capita of health care in that country. Together, they make a pretty good proxy for how a country's health care system is doing. This group shown here on the chart represents most of the OECD member and partner countries—our industrialized international competitors.

This, shown here on the chart, is us—way out here, all alone, spending the most by far for results that are mediocre at best. We would save nearly \$1 trillion a year if we could just get our per capita cost down to what Norway and Switzerland spend. They are the next two most expensive countries on the planet, and we are \$1 trillion a year more laid out per capita. Think of what we could do as a nation, what we could build and invent with \$1 trillion a year if we were not wasting it on bad health care. And bad it is. We get worse results in longevity than virtually any modern economy.

Look who beats us: Japan, Great Britain, Switzerland, Netherlands, Norway. Germany does, Italy does, Greece does, Luxembourg does. They all beat us. Chile and the Czech Republic are

the two countries we beat for longevity.

Look at the size of that problem—those lives lost, those trillions of dollars wasted—and then look at the quality of the health care discussion we are having in Congress, and tell me this is not a completely irresponsible organization.

That brings us to climate change. Yes, it is complicated, when you are trying to predict and model something as complex as what our climate is going to do in the years ahead. But it is also simple, when you look at the stuff that everyone agrees on, the stuff that you can measure, the stuff that you would have to be a nut or a crank or an eccentric to dispute.

Nobody responsible—nobody responsible—disputes the principle that adding carbon dioxide to the atmosphere raises the temperature of the Earth, and that it does so through the so-called greenhouse effect. A scientist named John Tyndall figured that out at the time of the American Civil War. I brought his musty old paper in here several speeches ago. Its old leather binding was flaking and peeling. When that report was first published, Abraham Lincoln had just been elected President. In all the years since then, this principle of science has always been confirmed and validated. It is not some questionable theory. The greenhouse effect is real. It would not just be wrong, it would be irresponsible to deny that.

Nobody responsible disputes that for over a century our modern economy has run on fossil fuels and that burning those fossil fuels has released gigatons of carbon dioxide into the atmosphere. The Global Carbon Project estimates that mankind has pumped about 2,000 gigatons of carbon dioxide into the atmosphere since 1870. That is a pretty solid estimate, and I have never even heard anyone dispute it.

So we know those two things: adding carbon dioxide to the atmosphere traps more heat; and we have released an estimated 2,000 gigatons—2,000 billion tons—of carbon dioxide into the atmosphere.

Let's go on from there. It is a known principle of science that a significant portion of that multigigaton carbon load is absorbed by the oceans, and that the chemical reaction when that absorption happens into the oceans makes the oceans more acidic. No responsible person disputes either proposition. It is not some theory. It is something that you can actually do and measure in a lab. Again, it would not just be wrong, it would be really irresponsible to deny that.

We also know that the oceans do more than absorb carbon. They absorb heat. Indeed, they have absorbed most of the excess heat trapped by greenhouse gases—over 90 percent of the heat between 1971 and 2010, according

to the recent IPCC report. What happens when the oceans absorb heat? They expand. Thermal expansion is a basic physical property of liquids. It can also be shown in a very simple lab. It is not a theory. Again, it would be not just wrong but irresponsible to deny that too.

It would not just be wrong, it would be irresponsible to deny what those simple measurements and clear principles tell us. But we do. We do. We deny it. Congress will not wake up and address this problem. Like those monkeys: See no carbon, hear no carbon, speak no carbon.

Because we are so irresponsible, because we deny this reality, we are failing to take precautions and, as a result, many people will suffer.

For those of us who love this country and are proud of it, and are proud of our government, and want this country and its government to be a beacon of hope and promise and rectitude, it hurts a little extra for the Congress to be such a failure. It hurts a little extra that we in our generation have driven Congress—the hub of our noble American experiment in democracy, the beating heart of this great Republic—down to that low level.

It is a harsh judgment that this body is an irresponsible failure. But on climate this Congress got it the old-fashioned way; it earned it.

I will close with a final observation. Compare the irresponsibility of this “see no carbon, hear no carbon, speak no carbon” Congress with the recent exhortation from Pope Francis. Here is what the Pope said. I will quote him at some length.

There are other weak and defenceless beings who are frequently at the mercy of economic interests or indiscriminate exploitation. I am speaking of creation as a whole. We human beings are not only the beneficiaries but also the stewards of other creatures. Thanks to our bodies, God has joined us so closely to the world around us that we can feel the desertification of the soil almost as a physical ailment, and the extinction of a species as a painful disfigurement. Let us not leave in our wake a swath of destruction and death which will affect our own lives and those of future generations.

The Pope continued:

Here I would make my own the touching and prophetic lament voiced some years ago by the bishops of the Philippines:

And he quotes them:

“An incredible variety of insects lived in the forest and were busy with all kinds of tasks. . . . Birds flew through the air, their bright plumes and varying calls adding color and song to the green of the forests. . . . God intended this land for us, his special creatures, but not so that we might destroy it and turn it into a wasteland. . . . After a single night's rain, look at the chocolate brown rivers in your locality and remember that they are carrying the life blood of the land into the sea. . . . How can fish swim in sewers like the . . . rivers which we have polluted? Who has turned the wonderworld of the seas into underwater cemeteries bereft of color and life?”

Small yet strong in the love of God, like Saint Francis of Assisi, all of us, as Christians, are called to watch over and protect the fragile world in which we live, and all its peoples.

What is our answer to the Pope, to this great Christian leader? In Congress, it is the monkey answer: Hear no carbon, see no carbon, speak no carbon.

We still have time to mitigate the worst effects of climate change.

We can actually do it in painless ways. We can even do it in advantageous ways, in ways that will boost our economy, but we have to do it. We have to wake up. We simply have to wake up.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON of Wisconsin. Mr. President, I rise to address the nomination of Cornelia Pillard to the D.C. Circuit. This nomination is a good example of the government overreach that has led to the ObamaCare debacle.

The good Senator from Rhode Island was talking about how much we spend on health care in this Nation. The very unfortunate fact is the Patient Protection and Affordable Care Act does not address that cost.

Let's face it. The Patient Protection and Affordable Care Act is about as Orwellian a name as you could possibly come up with for a piece of legislation. We are watching millions of Americans lose their health care coverage. Those patients are not being protected by the Patient Protection and Affordable Care Act. We certainly are not watching the cost of health care decline.

The Patient Protection and Affordable Care Act did not bend the cost curve down. It has dramatically increased or bent the cost curve up. Of course, anybody who even has the slightest knowledge of basic economics realizes that if you mandate expensive coverages on any insurance policy, the price is not going to go down, the price is going to go up. We are witnessing that.

We are certainly witnessing that in my home State of Wisconsin, where a young man aged 27, on average, is seeing his premium increase by 124 percent, going from a little over \$1,100 per year, to closer to \$2,500 per year. A young woman of that same age, 27, is seeing her premium increase by 78 percent, going from about \$1,400 per year to about \$2,500 per year. That is not bending the cost curve down.

That is not even talking about the added or the increased cost of their deductibles, the increases in their maximum out-of-pocket amounts they are going to be spending every year. So again the Patient Protection and Affordable Care Act does nothing that it promises. It is a disaster for our health care system. It is a disaster for our Federal budget. It is a disaster for people and their health and their lives.

I am on the floor of the Senate tonight, normally not down here at this time. Normally, I would be sitting at home doing a little bit of homework. So I guess what I would like to do is spend a few minutes doing what I would be doing at home, reading letters from constituents from Wisconsin.

When I introduced my piece of legislation, trying to protect as many Americans as possible from the damage of the health care law, trying to honor the promise President Obama and Members of this Chamber made repeatedly to the American public that if you liked your health care plan, you could keep it, I told a story about a couple in Wisconsin who contacted our office. Initially, this couple wanted to be identified. They wanted their story told. By the time I had gotten ahold of them on the phone, to make sure they were actually getting some help in securing some health care, the husband had second thoughts. He watched his government. He watched the Internal Revenue Service being used as a political weapon. So he feared for his privacy. He feared for his economic security. So he asked me: Please do not use my name. Tell my story, just don't use my name.

That is a pretty sad fact. That is something we need to ponder. It is something we need to address. But that couple, their story is pretty simple and pretty sad. His wife was suffering from stage IV lung cancer. He was recovering from prostate cancer. They were participating in the high-risk pool in the State of Wisconsin, a risk-sharing pool that worked.

It was expensive for them, but it was something they could afford. I knew it worked because in my 31 years of business, as I provided health care for the people who worked with me, every now and again, unfortunately, one of the people who worked for me would have a serious health condition. When we would go to renew our policy, frequently those individuals, if the condition was bad enough, would be lased out. They would lose coverage under our plan. But that was OK because the State of Wisconsin, very responsibly, made a provision for those individuals, the high-risk sharing pool.

So what would end up happening is because they were denied coverage, they automatically qualified for the high-risk pool. I, of course, would pay for that coverage in the same way we would pay for coverage through our own health plan. What I found over the years, because this happened a number of times, is the coverage was very comparable. It was not a Cadillac plan but solid insurance coverage. So similar coverage and very comparable price.

It was a plan that worked. It was a plan that covered those individuals with high risks. It was a plan that covered 22,000 Wisconsinites until this body, this Congress, passed the Patient

Protection and Affordable Care Act, which I describe here as neither of those two things.

As a result of the passage of that bill, those high-risk pools are now obsolete. So this couple got the letter saying they would lose coverage as of January 1. Put yourself in the position of people suffering from cancer or recovering from it. You have a lot of worries in life. You do not need the additional worry of losing your health care plan. But that is what this couple faced, as millions of Americans are facing the exact same worry, the exact same harm, the exact same damage. It is unconscionable.

They obviously went onto healthcare.gov, almost 40 times when I talked to them. They were never able to successfully log onto it at that point in time. So we helped this couple get in touch with the insurance carriers that would be operating within the exchange. They started getting quotes. They quickly learned their premiums were going to double. Their out-of-pocket maximums were also going to come close to doubling as well. So the Patient Protection and Affordable Care Act did not protect these two individuals, and it certainly did not offer them affordable care.

As I went through letters from our constituents, we did make a few phone calls, knowing I was going to come down here, and asked if anybody would want to be identified. A few brave souls agreed to be identified. I will read their names as I read their letters. The first Wisconsinite, Michael Wagner, writes:

I am self-employed and have a family of four. The President said we could keep our plan if we liked it and our doctors. Not true. We are being pushed off our plan for the exchange. He said the average family of four would save an average of \$2,500. Not true. I think he just makes numbers up. My equivalent policy on the exchange will cost \$7,500 more per year. That is almost a 100 percent increase.

He said we can keep our doctors. Not true. Our current company and PPO network is not offered on the exchange. The list goes on and on. The bottom line is that this needs to be stopped. If it is not, the American people will stand up and the landscape of Senators will be unrecognizable after the next midterm election. Thank you for your time, and I hope you have the gall to stand up for your constituents.

Mr. Wagner, I definitely have the gall to stand up for my constituents. The reason I ran for the Senate was not because I wanted to be a Senator. The primary reason I ran for the Senate was to be the vote to repeal this monstrosity, to be the vote to protect Americans from the damage I full well knew this law would inflict on millions of our fellow citizens.

The next constituent who wrote to me, Darren Schauf, wrote:

We are a small manufacturer in Sparta, Wisconsin, who has been in operation since the mid 1960s. We currently employ 24 people and are a family-owned business, fabricating

large fiberglass statues and water slides that are shipped all over the U.S. and Canada. We have been providing our employees health insurance for 15 years, paying for 100 percent of the premium.

Pretty responsible employer. Those are the types of businesspeople I know. Those are the types of businesspeople who are very concerned about the people who work with them. Those are the types of businesspeople who this President demonizes in his class warfare. Let me go on:

We have experienced the increases in health care cost over the years and weathered them fine. I received our renewal this week for next year. Because of the Affordable Care Act, our premium went from \$3,887.77 per month to \$7,103 per month. How does this happen? What definition of "affordable" is being used to describe this effect? We will not be able to pay 100 percent of our employee's premium at this rate. How can we get a plan that is at least close to the cost that we were paying last year?

Mr. Schauf, I know how you can get a plan close to what you were buying last year. If this body would take up my bill, If You Like Your Health Plan, You Can Keep It Act, that is a true grandfather clause that actually would honor that promise for millions of Americans. We cannot save the policies that have already been lost. We cannot repair all the damage already done by this health care law. But we can still help millions of Americans if we act, if we are responsible, if we care.

The next two constituents to write me are Brad and Dawn Nielsen. They write:

My wife and I just received a notice that our monthly health care insurance cost will increase by 184 percent, increase by \$1,330 per month starting in January 2015, and you need to understand how cheated we feel with this and what you have done.

I am assuming he is referring to President Obama and Democratic Senators and Democratic Members of the House who voted for this monstrosity. Again, I ran to be the vote to repeal this law.

We are both retired and have been paying our health care insurance for the past 3 years. We have what would be considered a good policy that falls in line with what would be considered a gold package as it relates to the ACA guidelines. We will be able to keep this policy with our insurance carrier through 2014 with a 7½ percent increase in the monthly premium that is to cover the new—

He puts in quotes—"the Affordable Care Act" cost. Although we were not happy about the increase, we were told by our carrier that the monthly premiums will increase to \$2,054.51 per month starting January 2015. This is not right. You as our representative need to understand what you have allowed to happen to us as well as others.

Again, Mr. and Mrs. Nielsen, I wish—I wish we would have prevented this.

I wish the Members of this body would hear your plea and do something to protect you, as the bill claims to do, to repair the damage.

We have worked hard, made sacrifices to be able to retire, saved through our company's retirement plan, invested when we could and even put both our kids through college. Now to be forced to pay an outrageous amount for something we have had for the last 3 years isn't right. This increase is a game changer for us and will dramatically affect our standard of living moving forward.

It is important that you understand what is happening and the need to change this unfair law.

I hope the President, I hope Members are listening.

The next constituent, Jeff Cubinski, writes:

I am sending you this email about the 2014 ACA. I just received my letter from Humana stating my insurance is going to increase nearly 300% from \$550/month to \$1559/month. I cannot afford this—how is this Affordable Care? I have carried insurance all my life being self-employed—what is this plan trying to put the self-employed out of business???? I want to keep my plan the way it is—why are we being forced to change to a plan that has benefits we DON'T need?? Please help us citizens that have been carrying health care. Please make Government for the people by the people again!

I wish to quickly answer that question. Why is this individual being forced to change to a plan that has benefits that he doesn't need? It is because there are people in Washington, in this alternate universe, who believe they are so smart, so clever, they know what is best for every American. They are so compassionate. They are trying to help.

They are not helping much. This law is not helping much. It is doing real harm.

President Obama and Senate, Members of the House, please listen to these constituent letters. Have a change of heart. Work with us to limit the damage before it gets greater.

Those were the individuals we contacted who were willing to be identified. The rest of the individuals were either not contacted in time or decided, as the couple, that they had seen their government be used as a weapon against other citizens and decided to remain anonymous.

The next Wisconsinite writes:

I am writing you to inform you that as of January 1st 2014 my family of six and I will no longer have health care. This will be the first time in my life or the life of my children that we will be in this position. The reason for this is the Affordable Health Care Act, laughable name. On that day my premiums through work will go from \$250/month to well over \$1000/month. In looking through the Market place, my family's premium would also be well in excess of \$1000/month.

We are a typical middle class family, my wife and I both work full time, our combined income is in the \$75,000 range. We are home owners with a mortgage, we drive 8 to 9 year old cars, our children go to public schools, we do not live an extravagant life style.

I have been struggling to figure what to cut to be able to afford this new health care system the government stuck us in. No matter what we cut it will not add up to \$1000. The other option is to put our house on the market and try to find something else out-

side of Madison. That is not what we want to do. Our kids are in high school, one with special needs and we feel that would be unfair to them.

So do I.

Continuing:

Mr Johnson please explain to me how on earth is this affordable and fair.

I can't. It is not affordable; it is not fair; it is utterly unfair. It is utterly unnecessary, but it is a fact. It is one I hope everyone who supported this bill can live with. I hope it is a fact that everyone who voted in support for this bill thinks about and is held fully accountable.

Continuing:

I find this Affordable Care Act to be divisive, unfair and an unjust tax on the middle class.

I will not vote for anyone that supported this Act or continues to support this Act given the effect that it is having on my family. Sir, I am begging for your help. Please find a way to help my family and the rest of the Americans like us.

Did we hear that, an American citizen begging for help from the harm that the Affordable Care Act, the Patient Protection and Affordable Care Act, inflicted on his family. He is begging this Congress, this chamber, this President, for help. Please hear him.

Another constituent writes:

I'm feeling very upset and stressed over the new health care laws. I feel they are unfair and hurting working families. Our household income has shrunk and our health care cost is going up over \$300 a month. According to healthcare.gov if insurance costs more than 9.5% of gross income it is considered unaffordable. When a single person applies only his/her income is taken into consideration. When a family applies total household income is used to figure out affordability of single-only coverage. Single only coverage for myself is about 8% of our family income; single only coverage for my husband is about the same. That means 16% of our income would be used for insurance (throughout employers) just for us. 16% of our income would be gone and our 4 children would be uninsured. Family coverage costs 12% of our family income still higher than 9.5%. Where is our tax credit? We don't qualify for tax credits because we have "affordable insurance through our employers." If total household income is used why isn't family coverage affordability taken into consideration. Last year my family made about \$55,000 (174% of the poverty level.) Next year we will make less due to reduced hours. Money is already tight, this new law will make things very uncomfortable for my family. I am turning to my representatives for help. Please help families in the same situation to the best of your ability; we need your help! This law is hurting us; be our voice.

Another Wisconsinite writes:

I just called Physician's Plus to find out about the status of our Health Insurance policy. Our policy will not be renewed due to the Affordable Care Act.

It seems these constituents decided to drop the patient protection because he obviously wasn't feeling particularly protected.

Continuing:

My husband and I are freelancers in the video production field. My husband works so

hard to support and take care of me and our two children. We are not rich, by any means, just taking care of business. We have paid 100% of our premiums for 15 years. We have bought coverage that makes sense for our family at different times. Currently, we pay \$513.60/month with a \$3000 deductible. When I called Physician's Plus yesterday, the person there said that my plan cannot be renewed. He said the new premium for a comparable plan will be \$1743.00!!!

Again, that compares to \$513 and it will be \$1,743.

Continuing:

We cannot afford this in any way. I guess we are the collateral damage?

I have tried to get on the ACA to find out our options. I refuse to give them personal information so I can only go by the Kaiser Foundation estimate. There is only one plan that will keep our Pediatrician and it looks like we will be looking at a \$12,000 deductible with close to a \$1000/month premium. We are on the high end, so get a very minimal subsidy. We do not want to get any help from the government, we want to be independent, but the government is forcing their hand on us!

Again, we live in the land of the free, the home of the brave, and yet these brave Wisconsinites are being forced. They are being coerced. This is the antithesis of freedom of choice.

Continuing:

Please understand we want people to have health care, but why are they destroying us in the process? I am in the process of scrambling to find a job that provides insurance. I was offered a Educational Assistant job that has been changed to 29 hours, no health insurance.

I wonder what caused that change in employment.

Continuing:

Most opportunities I am finding have recently dropped insurance coverage has a benefit.

We are scared about the future.

This is what the Affordable Care Act has done. That is what the patient protection and Affordable Care Act has done to Americans, to Wisconsinites. It has made them fearful. They are afraid, they are scared for their futures. Good job, Congress. Good job, President Obama. My, aren't we a compassionate lot. Didn't we do a fine job. Aren't we smart.

The next Wisconsinite writes:

I'm extremely unhappy with the so called "Affordable Care Act." Unfortunately, for my middle class family, the new law is creating un-affordable health insurance. I am a 35 year old project management consultant and my wife and I have 2 children. We currently purchase health insurance on the individual market and are very happy with our coverage. We currently pay \$352 per month to cover our family of 4. The plan offers a copay of \$35 when going to the doctor, and has a \$7,500 deductible for our family.

I have begun researching what our health insurance premiums will cost going forward under ObamaCare and I am outraged with what I've found. The cheapest policy I can find is \$761.71—

Let me refer back to the fact that they are paying \$352, so that is more than a 100-percent increase.

Continuing:

—\$761.71 per month for a Bronze plan and a \$12,600 deductible!

Again, that compares to the \$7,500 deductible under the plan that they are "happy with."

This is 116 percent more than what we currently pay, with a higher deductible. If I look at a comparable plan to what we have now, the new cost will be around \$900 per month, which is a 156 percent increase. Also, our income is slightly above the threshold to get any subsidies.

The new regulations in ObamaCare will not benefit our family, but they will more than double our cost. We need to repeal this terrible law and replace it with simple, market based incentives. Health insurance should be more like car insurance. You don't submit a claim to get your oil changed in your car. Same goes for health care. We should pay out of pocket for routine health care using a transparent price structure that allows consumers to shop for the care they want. Then have a cheap insurance policy for major illness coverage. Republicans need to communicate this alternative, and make it simple for people to understand.

I could not agree with this individual more. He continues:

I realize repeal and replace is not possible until after the 2016 elections, but I appreciate and support wholeheartedly your new "If You Like Your Health Plan, You Can Keep It Act." For the millions of people out there like me, we should be able to keep our current plan indefinitely. Hold the President to his promise and pass this law to grandfather in all existing policies.

Let me just stop a minute and talk a little about the bill I did introduce—If You Like Your Health Plan, You Can Keep It Act. It is a pretty simple act. I encourage my colleagues to cosponsor it and pass it as soon as possible. I wrote it a certain way. I wrote it using the exact same grandfather language that was in ObamaCare. The problem with the grandfather language within the Patient Protection and Affordable Care Act is that, yes, it grandfathered plans, as long as you totally changed them. We took the grandfather language and we just pulled out the you just have to totally change your plan. We made it a true grandfather provision: the same language, the true intent, the honest intent.

So I urge my Democratic colleagues to support that bill. Again, let me emphasize we cannot at this late hour, unfortunately, salvage most of these plans that have already been lost to the individuals whose emails I am reading from tonight. But there are millions of Americans who will lose their coverage in the future.

Let me tell you how it is going to happen. I bought health care for the people who worked for me for 31 years in my business. I always was going to do that. There was no way I was ever going to subject the people who worked with me to the financial ruin of not having a health care plan.

That being said, as the previous writer was saying, I didn't pay for their

auto insurance, I didn't pay for their homeowners or property insurance. I always kind of wondered: Why am I having to make these very personal decisions for the people who work with me? Why am I having to decide on their levels of deductible and having to decide is it a PPO or an HMO? I know the reason why. It was government interference in the marketplace back in the 1940s, with wage price controls.

Unions very naturally said: You can't raise our wages, give us some other benefit tax free, and that began the destruction of our health care system in terms of patient involvement, in terms of a competitive marketplace. Back then, 68 cents of every health care dollar was actually paid by the patient. There was free-market competition to ensure cost restraint, to ensure high-quality and high levels of customer service. That is what the free market does. Today, only 12 cents of every \$1 is paid by the patient.

But getting back to the millions who are going to be losing their employer-sponsored care, most employers care deeply about the people who work with them. They also would not expose the people who work with them to financial risk. But under the Patient Protection and Affordable Care Act, the decision is totally different now. Now an employer is going to be facing double-digit premium increases when these plans they were able to quickly renew before January 1 come due in 2014.

If the exchanges, as they should have been from day one, start operating properly, employers are going to be faced with a decision: Should I pay \$15,000 per family for family coverage? By the way, that is up \$2,500 per year, not down \$2,500 per year as President Obama promised us. Do I pay \$15,000 per family coverage and try to comply with the 20,000-plus pages of law and rules and regulation or do I pay the \$2,000 or \$3,000 fine, and I am not putting my employees at financial risk? I am potentially making them eligible for subsidies in the exchange.

That is the decision employers are going to be facing. Here is the kicker. Even those who are saying: I am not going to do that; I am going to keep providing that coverage, just wait until the first competitor drops coverage and pays the \$2,000 fine rather than a \$15,000 fine. Marketplace competition is brutal. It is not fun. It is why businesses that succeed should be celebrated, not demonized. But that is a decision to be made by millions of employers. As a result, tens of millions of additional Americans will lose the health care coverage they get through their employers using pretax dollars and get forced into the exchanges.

Maybe some will get subsidies paid for by the American taxpayer—actually, paid for by a debt burden placed on the backs of our children and grandchildren because we can't afford the Affordable Care Act. That is what is

going to happen. That is what this Chamber, this Congress, this President needs to consider.

That is why I am asking my colleagues in the Senate to join with me to pass the If You Like Your Health Plan, You Can Keep It Act—so we can protect millions of Americans, so we can honor that promise that was made repeatedly by this President and Members of this Chamber who voted for and supported this bill. Accept responsibility, be held accountable, act responsibly, and join me in that effort to protect Americans.

Another Wisconsinite writes:

Please allow me to introduce myself and my family. We are an average, middle class Wisconsin family that is having a really bad year. My husband was diagnosed with cancer in May, I lost my job and our family health insurance in June. Because of preexisting conditions, our only insurance option was the high insurance risk sharing pool.

Again, that is the plan in Wisconsin I certainly found worked for real Americans. It worked. It will now be obsolete because of the health care law.

This individual continues:

For our family of three (myself, husband and college student daughter) our monthly premiums are \$783 per month, with a \$7,500 individual deductible. With the high insurance risk sharing pool ending December 31, 2013, I am searching for insurance, as I have yet to find employment. I have tried over 20 times to get on the affordable health care Web site with no luck. I have been able to set up a log in and user name, and have entered some information, which is never saved when I have to log out due to a "please wait" message that never goes away. I am working with an insurance agent to secure quotes outside of the government Web site, as I am sure we are way too middle class to be afforded any type of subsidy. Although I am unable to determine this through the defective Web site. Our cheapest quote is \$1,580 per month—

Again, that compares to \$783 per month. Again, basically a 100-percent increase.

—with a \$12,500 deductible.

Her previous deductible was \$7,500.

Therefore, the Affordable Care Act would cost my family over \$9,500 more per year in premiums and our total deductibles to meet will increase to \$37,500 from \$22,500 for the family. The total effect is \$24,500 additionally in 2014. Are we seriously supposed to be able to absorb this into our budget? What does our family do in this situation? We simply cannot afford \$1,580 per month for insurance or \$24,500 per year. What are our options? My husband will undergo chemotherapy and has a surgery scheduled for 2014. I am feverishly—

Do you hear that word—"feverishly"—looking for employment with health insurance coverage. I am sure we are not the only family adversely affected by the law. Please provide answers for all of us. I look forward to hearing from you.

Again, my plea is to please provide true protection. Please provide security. Please accept the responsibility of what this law, what your support for this law did and is doing to millions of

Wisconsinites, to millions of Americans. It is simply immoral what this law is doing to people, to their lives.

It is not going to be pretty what this law is going to do to our health care system. It will lower quality and it will produce rationing because the only way the government can afford to provide all of this access is actually by limiting access. Of course, we are already seeing a very limited number of doctors who are actually accepting these contracts from the networks that are provided in the exchange, primarily because of all of the mandated coverages that are dramatically increasing the price of health care, as I have demonstrated this evening in these emails and these letters we are receiving from real people, from people who are suffering because of the Patient Protection and Affordable Care Act.

I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise to speak on the topic of the nomination of Cornelia Pillard to the D.C. Circuit.

Before I go to that specific topic, I wish to address a broader topic, which is how we got in these circumstances in the first place and why we are here tonight, why we are having this discussion, and how this nuclear option, as it has been described, has come about.

Most immediately was November 21, 2013, just a few weeks ago, when the majority party in the Senate unilaterally decided to break the rules of the Senate, violate the rules and rewrite the rules themselves. Despite the fact the rules clearly say it takes a two-thirds majority of the Senate to do that, they decided to disregard that and change the rules themselves. So they did that on November 21, 2013.

What they specifically did, the specific rule change they imposed unilaterally on the Senate, was to completely eliminate the opportunity for the minority party to have any ability to be a check or a balance to the process of selecting and confirming the nominees of a given President to the judiciary of the United States of America, the Federal judiciary, or to the executive branch.

It is a little bit sweeping, but that is exactly what has been done. This is contrary to the entire history of the Republic, where this has never been done before, and it applies to lifetime appointees. Of course, Federal judges, as we all know, once they are confirmed, they hold that office until they decide they are done—at whatever age that might be. It is a lifetime appointment. Unless they commit an impeachable offense, there is nothing anybody can do about it.

One of the things that is interesting about this decision by our Democratic colleagues is they decided to eliminate the rights the minority party has had

in the Senate for centuries. They decided to do that despite the fact that 20 of them warned vehemently against engaging in this very activity just a few years ago. As a matter of fact, none other than the Senate majority leader who personally led this effort, Senator REID, said in 2009:

The right to extend the debate is never more important than when one party controls the Congress and the White House. In these cases, a filibuster serves as a check on power and preserves our limited government.

In 2009 the senior Senator from New York said:

The checks and balances which have been at the core of this Republic will be evaporated by the nuclear option. The checks and balances say that if you get 51 percent of the vote, you don't get your way 100 percent of the time.

That is what our friends, the leadership of the majority party, the Democratic party, said very recently.

So you have to ask yourself, why would they do a complete reversal? Why would they do a 180-degree switch? Why would they go from a position of absolute vehement opposition to the nuclear option that denies the minority party any say whatsoever in the confirmation of Federal nominees—why would they go from that to where they were just a couple weeks ago when they executed their plan and unilaterally broke the rules so they could change the rules to inflict that very policy on the current minority party, the Republican Party?

We can look at what the majority leader said at the time. One of the things he said on November 21, 2013, the day on which the majority leader made this change:

There has been unbelievable, unprecedented obstruction. For the first time in the history of our Republic, Republicans have routinely used the filibuster to prevent President Obama from appointing his executive team or confirming judges.

That is what Senator REID has asserted as his justification for this unilateral, unprecedented deprivation of minority party rights. In fact, just this evening Senator REID was back on the Senate floor, and he used the word "obstructionism" about a dozen times. So I think it is worth considering what has actually happened. What does the record show? Let's go back to March 2011 because that is an interesting moment in this discussion about how and whether and when and under what circumstances to confirm nominees.

In March 2011, Republicans decided that, you know what, it probably would be a good idea for the President—President Obama at this time, obviously—to be able to get a very large number of nominees appointed and confirmed without even having to go through the Senate process. The legislation is called the Presidential Appointment Efficiency and Streamlining Act of 2011. Under this act, thousands of appointees from the executive branch

were simply no longer subject to Senate confirmation.

So what Republicans did in March 2011—far from obstructing anything—was to say: Mr. President, here is a huge category of Federal nominees, and we won't even require a vote. We won't even require Senate consideration. You get these, all of them. You nominate them, they are done, period.

Does that sound like obstruction? Not to me. It was passed by a Republican-controlled House, supported by Republicans in the Senate, and signed into law.

So today the law of the land, as a result of Republican cooperation, is that this President enjoys a luxury no previous President has had—this huge category of nominees who are solely, exclusively at his discretion. It doesn't matter if a single Senator or every Senator strongly objects. It doesn't matter. It is totally irrelevant.

So I think we ought to consider that legislation in the context of this discussion. But let's take a look at those nominees who remain subject to and who prior to this legislation have been subject to Senate confirmation.

One category is Federal judges. We have many district courts around the country. So far, the President has nominated 174 candidates to Federal district courts around the country. Of the 174 the President has nominated, I wonder if you could guess how many have been confirmed. I will tell you how many have been confirmed—174. There have been 174 confirmed and zero rejected. At the circuit court level, prior to the recent episode, the President had nominated 41 candidates to the circuit court. Of the 41, 39 had been confirmed. So the total of judicial nominees President Obama has sent to us in the Senate is 217, and 215 have been confirmed and 2 have been objected to. By my math, that is something like 1 percent objected to, 99 percent confirmed. This doesn't strike me as unreasonable obstruction.

But judges aren't the whole story. There are also the nonjudicial nominees, and we ought to consider those as well. So far, at least as of when we compiled this data, the President has nominated 1,488 individuals to various Federal spots throughout the executive branch—the agencies, his departments, and so on. Of the 1,488, 1,486 have been confirmed and 2 have been blocked by Republicans. That would include 100 percent of the President's Cabinet nominees and 100 percent of virtually every other category but not every last one. If we add those together, the total of the President's nominees, both judicial and nonjudicial, 1,707 confirmed, 4 rejected. So that works out to something like the Senate has confirmed with Republican support—because prior to the rule change, it couldn't happen without Republican support—the Senate has confirmed 99.9 percent

of President Obama's nominees to judgeships and to nonjudgeships. You have to ask yourself, could that possibly constitute outrageous obstruction, unprecedented obstruction, as Senator REID has said, preventing President Obama from appointing his executive team or confirming judges? How can this possibly be?

The majority leader came down to the Senate floor on the date on which he decided to unilaterally change the rules by breaking the rules and he cited as an example the outrageous case of Chuck Hagel, who had served in this body. Chuck Hagel. Whatever became of Chuck Hagel? Oh, that is right, he was confirmed to be Secretary of Defense, as has virtually every single other nominee the President has proposed.

The leader seemed to think it was completely unreasonable that Republican Senators would demand some information from former-Senator Hagel along the way. It seems to me the fact that he is a former Senator should not change his obligation to provide the information the Senate requests, and when he provided that information, he was confirmed easily.

So it seems pretty clear to me, it seems pretty indisputable that this really never was about obstructionism. A 99.9-percent confirmation rate? It just can't be about obstruction. It is clearly not.

So we have to ask ourselves, if it is not the case that Republicans have been obstructing the President's team—and it is clearly not—then why did the majority in this body decide to unilaterally change the rules and deny the minority the opportunity to have any say whatsoever on the confirmation process? Fortunately, some of our colleagues on the other side have explained this for us. They have told us why they made this change. But let me put it in a little bit of context.

We are in a situation here where we have a divided government. It is true that the American people elected President Obama to a second term, and elections have consequences. But on the very same day, the American people reelected Republicans to be the majority party in the House. And all elections have consequences, not just Presidential elections.

So the reality is that the very liberal agenda President Obama would like to pursue is very difficult. He can't get most of the liberal things he wants to do, whether it is some kind of cap and trade or card check or his war on coal. This is well outside of the mainstream of where the American public is, and it is not where the consensus is in the House of Representatives. So his legislative agenda isn't going anywhere in the House. The administration understands that very well, the President understands that very well, and so do the members of the majority party here in the Senate.

What do you do if you have an agenda that is out of step with the American people and can't pass in a duly-elected House of Representatives? Well, some people think the thing to do is do an end run around the legislative body, bypass the legislation, and use an undemocratic—I would argue unconstitutional—process and have unelected, unaccountable bureaucrats impose by fiat and through regulation that which you cannot achieve through legislation.

Of course, that is completely inconsistent with our Constitution, with the way our Federal Government is intended to operate, and with the principle of the separation of powers. It would require pursuing an agenda that is out of step with the American people and without the consent of Congress, which, of course, is supposed to be a partner with any executive branch, with any President in pursuing any agenda.

Of course, our Founders foresaw the danger of an Executive who would try this sort of thing and would do an end run around the legislature and try to use the enormous power at the disposal of the Executive, who has massive staff and huge agencies and all kinds of resources, and understood that it is quite possible that you could have an Executive who would try, for instance, selective enforcement of laws, maybe unilateral suspension of laws, as we have seen this administration do, writing rules and regulations that are inconsistent with the laws. These are all behaviors we could anticipate.

Our Founders did. They did. They anticipated this could happen. So what they did is they built a system that would have some checks and balances, that would provide some limitations. Among the other ways they did it—there were many ways this was done, but one of them was the separation of powers and specifically the creation of a judiciary which would be a referee on whether, for instance, a given agency, a given regulator, was in fact complying with the laws or whether they had gone rogue, whether they had gone overboard, whether they were overreaching, whether they were pursuing some agenda for which they did not have authority.

These courts play an absolutely vital and I would say completely indispensable role in giving individual Americans their last hope in seeking to preserve their liberty against an unfair, arbitrary, and even unconstitutional executive overreach. That is what the courts do.

As it happens, there is one particular court that plays a disproportionate role in this process of adjudicating and officiating over Federal regulations. It just so happens that by virtue of its location, a big majority of cases in which an American citizen challenges a regulation because that citizen believes this is a regulation that is unfair, unconstitutional, illegal or otherwise not

consistent with our laws—the venue where this ends up finally getting adjudicated is very often the D.C. Circuit Court of Appeals.

This has become a bit of a problem for the administration and some of our friends in the Senate because the D.C. Circuit Court of Appeals has become a bit of an obstacle to some of the ambitions they would like to impose. One example, for instance, is last year the D.C. Circuit Court of Appeals struck down for the second time in 4 years the EPA's regulations on cross-State air pollution. This is a complicated story. We do not have to get into all the details but, bottom line, these are regulations that would among other things have a devastating impact on States such as Pennsylvania that have a big coal industry and that have a big utility industry that uses coal to fire generators. The court found that the EPA had gone beyond its legal authority. The statute clearly says what the EPA may do and may not do. They were going beyond what they are permitted to do and the D.C. Circuit Court of Appeals said so.

That is not the only case in which the D.C. Circuit Court of Appeals has ruled in ways that are problematic to some of our friends here. Another was a decision they made regarding recess appointments. You may remember this. A while back, the President made a very extraordinary decision. The President decided for the first time in the history of the Republic that it was up to him to determine when the Senate was in recess and when it was not; that was his unilateral decision to make. No other President ever took it upon himself to decide it was his power to determine when a different branch of government was in recess, but this President did. He said that is his decision. So I guess by his logic he could decide when we are out on lunch, that is a recess; out on the weekend, that is a recess; that is up to him by his standard. So he created an opportunity for himself to make appointments that he knew would not be confirmed in the Senate or were unlikely to be confirmed.

There was bipartisan, in some cases, concern about some of these folks. He went ahead and made the appointments. The D.C. Circuit Court of Appeals said actually, no, the Constitution is pretty clear. You do not have that authority.

These are just a couple of examples where a nonpartisan, completely competent, and very highly respected appellate court made decisions about Executive behavior. This has not sat so well with some of our colleagues.

Why do I bring this all up? Because this is what this is truly all about. This is not about Republican obstructionism. What this is about is our Democratic friends want to pursue a very liberal agenda. They cannot do it

through legislation so they intend to do it through regulation. As they overreach and go beyond the legal authority, which they have already done and intend to continue to do, the victims, American citizens who are victims of this overreach, are going to challenge these rules and regulations in court. When they do, they are going to end up in the D.C. Circuit Court of Appeals.

Some of our friends want to do whatever it takes to make sure they can win those decisions. Those are not just my words. The senior Senator from New York complained about the D.C. Circuit. He was on record claiming the D.C. Circuit “overturned the EPA's ability to regulate existing coal plants.”

OK. He further went on to say, “The SEC cannot pass rulings unless they do what is called a cost-benefit analysis.” That was another complaint the senior Senator from New York made about the D.C. Circuit.

So he told a group of supporters that in order to reverse this, Democrats will “fill up the D.C. Circuit one way or another.”

I think this is about as clear as it could be. There are people who do not like the decisions coming out of the court and so their intention is to pack the court with people who share their political views and will therefore sustain decisions about the advancement of their liberal agenda.

But it was not only the senior Senator from New York who made these comments. The majority leader himself explained this as well. Referring to the D.C. Circuit Court he said:

They're the ones that said . . . the president can't have recess appointments. . . . They've done a lot of bad things, so we're focusing a very intently on the D.C. Circuit. We need at least one more. There's three vacancies, we need at least one more and that will switch the majority.

Could there be a more direct, straightforward statement about what their real intent is? Their intent is to pack the court with partisan people who will give them the decisions they need so they can advance the agenda they want when it is blocked through the ordinary legal and constitutional legislative process. That is what is going on here. That is why we are here tonight. That is what is taking place.

When Republicans decided that we do not think it is a good idea to manipulate courts this way, to populate them with partisans, to try court stacking for the purpose of advancing an agenda, that is when our Democratic friends decided to go nuclear. The ploy of this is our Founders had enormous foresight. They were absolutely brilliant. They constructed an incredible document, a series of documents that have guided this Republic for centuries now. They anticipated a lot. I do not think they anticipated that the leader of the majority party in the Senate would

just turn it over to the control of the executive branch and make this institution just a rubberstamp for what the President wants to do. But that is where we are.

What is the practical consequence of all this? Why is it that this is such a terrible idea? Let me touch on a few of the reasons. There are a lot of reasons I think this is a disastrous policy, but let me touch on a few of them. One result of this is undoubtedly a further polarization, in fact a radicalization of the Federal Government.

The second is that as a direct result of this unilateral decision and the ability now of our Democratic friends to simply steamroll nominees through without any consideration by the minority party, we will have to expect fluctuations, volatility in administrative and regulatory rulings.

Then last and probably most disturbingly, I think there is a real danger that a justice system that has been the envy of the world and is recognized for its impartial and nonpartisan integrity may very well be increasingly viewed as a partisan and biased one.

Let me explain this a little bit, the idea that we have a more radicalized Federal Government. For 200 years, a President has always known that in order to nominate and to get confirmed one of his nominees he would need broad support in the Senate. It would not fly if he selected someone who was only appealing to a few or even a very small majority. So what does this do? That forces any President, whether it is a Republican or a Democrat, to nominate people who would have that broader bipartisan appeal. Frankly, Presidents of both parties are always under pressure from their respective bases to pick the most extreme people. That is what pleases the base of either party. It has always served the Republic well that a President can say I have to get that person confirmed through the Senate and if I pick the most extreme people that is going to be a problem. The fact that a President has needed that bipartisan support has essentially required that a President look for people who represent a broad consensus across America.

In this postnuclear Senate, that moderating influence is gone. There is no such influence anymore, and I think it is a safe bet that we can expect more extreme nominees. We have already seen some evidence of it. The Hill ran a story recently. It reported that now that the nuclear option has been detonated, far left interest groups are “pressing President Obama to select left-wing nominees for key regulatory and judicial posts, nominees who could never have been confirmable before.” That is no surprise. That is exactly the kind of consequence we should expect.

The second consideration is stability in rules and regulations that are promulgated by the various regulators and

agencies. I hear every day across Pennsylvania one of the grave concerns of business that is hampering our ability to have a stronger economy, to have the kind of growth we would like to have, is uncertainty about regulations.

It is true and it is important. Guess what. It is likely to get worse because, first of all, this huge administrative, bureaucratic State that we have devolved into recently touches on virtually every aspect of our life and there are hundreds of agencies, boards, and commissions that the administration controls. What is likely to happen now is that if the White House and control of the Senate changes parties, we are likely to see big swings in the ideology and the partisanship of these folks because they were not consensus candidates in the first place, right. Given that now we have a situation where a majority party just steamrolls their way through whomever they want and has every incentive to go to the extremes, when they lose an election what are we going to have? We are going to have the exact opposite swing. So for businesses trying to make a decision about whether to invest in America to grow their company, to hire more workers, they are going to worry and wonder: What will the regulatory regime look like in just a few years, depending on how the election goes? It is much less predictability, less stability, and the direct result of that is going to be less investment and fewer jobs. This is not good news for our economy at all.

Finally, my concern is that for similar reasons we are going to see a diminishing of the judiciary, of the status of the judiciary among the American people, of the credibility, of the respect the American people have had.

A moment ago I said I think one of the great strengths of the American Federal Government throughout our history has been, generally speaking, that—and there have been exceptions, and there will always be some exceptions—by and large at all levels the American people have had a pretty high respect for the judiciary. They respect the fact that our judges are capable and competent and tend not to be partisan hacks. They tend not to be polarizing political figures who are trying to advance an agenda. They have tended to be men and women of ability and integrity who were calling balls and strikes the way they see fit. They realize they are the umps and referees; they are not the players on the field. They are not there to advance an agenda; they are there to officiate based on the law and the Constitution. That has been the case.

The reason our judiciary has been so respected is because it is nonpartisan. It is independent of the other branches of government, and it has behaved that way. The American people have the confidence that they can go before a

Federal judge and receive a fair and unbiased hearing whether the judge is a Democrat, Republican, liberal, or conservative. The fact is that most Americans don't worry and say: Wait a minute. Is that judge a Republican? It doesn't occur to most people to ask that question, nor should it because it doesn't matter in most cases.

This respect for the judiciary that the American people have is extremely important. In *Federalist* 78, Alexander Hamilton talked about the importance of this deep respect for the judiciary. He said:

The judiciary is beyond comparison the weakest of the three departments of power.

Whereas the executive branch has the military and Congress has the power of the purse, the judiciary cannot enforce its own decisions. It relies on Americans' respect for it and willingness to enforce its rulings as essential.

The fact is that the deep respect the American people have had for the judiciary has allowed our courts, including the Supreme Court of the United States, to issue decisions that have profoundly affected our lives, profoundly changed our society, and so many times so much for the better. A famous example would be *Brown v. the Board of Education*, which reversed the separate-but-equal doctrine. It ended the southern government laws that banned White and Black persons from associating with each other. This created a certain upheaval at the time, but it stuck, and part of the reason it stuck was because the public saw that this was a decision by a nonpartisan court that was acting as an arbiter of our Constitution. The respect the American people had for our courts was a big part of why a contentious decision quickly became accepted and became part of our fabric.

Alexander Hamilton explained that the judiciary's integrity and independence are absolutely critical; otherwise, Americans' "confidence" in the courts will be replaced by what he described as "universal distrust and distress." He said:

The benefits of the integrity and moderation of the judiciary . . . must have commanded the esteem and applause of all the virtuous and disinterested.

Considerate men of every description ought to prize whatever will tend to beget or fortify that temper in the courts: as no man can be sure that he may not be to-morrow the victim of a spirit of injustice, by which he may be a gainer to-day.

The inevitable tendency of such a spirit is to sap the foundations of public and private confidence, and to introduce in its stead universal distrust and distress.

When a President, with the cooperation of a legislature, rubberstamps judicial nominees for the purpose of ratifying a political agenda—when this happens, the American people's trust in the judiciary will be badly damaged, and we are at the threshold of that moment now. Of course, it also completely

undermines our whole system of separation of powers. The fact is that when judges are seen as being at the beck and call of a legislature, a President, or a party, our individual liberty is simply not secure.

Again, to quote Hamilton:

The general liberty of the people can never be endangered from [the courts] . . . so long as the judiciary remains truly distinct from both the legislature and the Executive.

He goes on to say:

Liberty can have nothing to fear from the judiciary alone, but would have everything to fear from its union with either of the other departments.

When you have one party ruling and completely controlling this process—and controlling it for the purpose of advancing a partisan agenda—that strikes me as exactly the danger Hamilton warned us of.

So where does that leave us in this regard? I don't think we are doomed, but I do think it is very important that the American people rise and make their objection to this clearly heard. It is important that the American people contact their Members of Congress. They need to exercise their ultimate control of this process at the ballot box and urge the Senate majority to give up its plan to use the courts to achieve a legislative agenda that they cannot get through a duly-elected Congress that represents the American people.

By the way, there is another big incentive for our friends to want to pack this D.C. Circuit Court, and that is because the front-burner and most prominent policy and political issue of the day is largely going to be litigated right there very soon. The D.C. Circuit is going to hear a very important case that goes to heart of *ObamaCare*. The D.C. Circuit is hearing a case about how the IRS has chosen to implement some rules. The law is very clear. The law unambiguously states that the subsidies *ObamaCare* has designed for many people who buy health insurance through their exchange—those subsidies will only be available through the State exchanges.

As the Presiding Officer knows, *ObamaCare* contemplates two different categories of exchanges through which people are forced to buy the mandated insurance. There are State exchanges, and in those States that don't operate an exchange, there are Federal exchanges. Well, the law says that the subsidies are available only for the people who purchase their health insurance through the State exchanges. What the administration is attempting to do is to completely disregard the law and make the subsidies available to people who buy through either the State exchange or the Federal exchange. That is not what the law says. I understand that this administration routinely disregards the law, but that is why we have an independent judiciary—to impose a check when they do this.

There is a legal scholar by the name of Mike Garvin who is following this case closely. He has explained what is going on. He said:

Congress knew that the federal government cannot require the states to establish or operate Exchanges, so it offered subsidized insurance premiums for residents of states with State-operated exchanges to entice states to undertake this responsibility. Instead, fully 33 states—from Texas to Ohio to President Obama's and Vice President Biden's home states of Illinois and Delaware—have said "thanks, but no thanks." Instead, these states have chosen to shield their businesses and residents from the worst of the potential "train wreck."

That creates a bit of a problem for the administration because with so many States choosing not to participate in this disaster and having only a Federal exchange, if they actually comply with the law they signed, then there would be a lot of people who would not be eligible for the subsidy. If the D.C. Circuit Court of Appeals were to simply follow and impose the law, then that would create a huge problem, which strikes me as yet another incentive for why perhaps we have gone through what we have gone through over the last couple of weeks—because it is so important for our friends on the other side to get the decisions they want out of this court.

All of this brings me to what we really ought to be working on. By the way, all of these nominees who are before us and tying us up this week are all entirely at the choosing of the majority leader. None of these are essential, none of these are urgent, and none of these are emergencies. We could be passing legislation, such as our Defense authorization legislation. We have a budget deal that could be on the floor. We have a farm bill that is overdue. We have a lot of things we could be doing. We could be trying to deal with the enormous problems caused by ObamaCare, but we are not. We are dealing with nominees instead.

I think we ought to focus on the problems that ObamaCare is causing, and I will admit that sometimes it is hard to know where to begin because these problems are so huge. I will start with the taxes ObamaCare has been imposing on us and continues to impose on us. It is a pretty extraordinary list. As best we could tabulate, there are something like 20 different taxes that were created as part of ObamaCare. There is over \$1 trillion worth of taxes to burden this economy and diminish our opportunities to grow and invest and create the jobs we need at a time when our economy is weak and needs an opportunity to recover. Instead, we saddle it with all of these taxes.

For instance, we have an excise tax on charitable hospitals.

We have a tax in the form of the codification of the economic substance doctrine. It is a tax hike of \$4.5 billion that allows the IRS to completely disallow legal tax deductions.

We have the black liquor tax hike, which is a tax increase on a type of biofuel.

We have a tax on innovator drug companies.

We have a \$2.3 billion annual tax on the industry. We have a Blue Cross Blue Shield tax hike, which is a special tax deduction in current law that would only be allowed if 85 percent or more of the premiums are spent on clinical services. That is a tax increase which went into effect in 2010.

We have a tax on indoor tanning services.

We have taxes that took effect in 2011. There is the medicine cabinet tax. Americans are no longer able to use health savings accounts or flexible savings accounts or health reimbursement pretax dollars to purchase nonprescription over-the-counter medicine. So the inability to use these taxpayer accounts for legitimate medical needs is a tax increase.

We have the HSA withdrawal tax hike.

Going into effect in 2012, we have the employer reporting of insurance on W-2.

In 2013 we have a surtax on investment income. We have a whole new 3.8-percent surtax on investment incomes, and this can only have the effect of diminishing investment in our economy. It diminishes the return on investment, diminishes the incentive to take a risk and start a new business, provide capital to a new business, grow a business, which is all due to ObamaCare.

We have the hike in the Medicare payroll tax.

One of the most egregious of them all—we have the tax on medical device manufacturers. This one is particularly egregious because it is so badly designed on top of being ill-conceived. This is a 2.3-percent tax on the sale of medical devices. Irrespective of whether a company has any income whatsoever or makes any money from this, we are imposing a tax on the sale of these products. The average medical device company has a profit margin of less than 5 percent. A 2.3-percent tax is about half of all their income that now goes to a new sales tax. By the way, they still have to pay income taxes, all the ordinary income taxes.

This is absolutely devastating, because what these companies are then forced to do is, if virtually the entire bottom line goes for taxes, they don't have the money to reinvest in their business. The medical device industry is one of the best industries we have in this country. It is so dynamic. It is so creative.

I wish my colleagues would come with me to parts of Pennsylvania where this industry is just thriving—or was thriving but not so much anymore. It was thriving because of the creativity, the innovation, the devices, and inventions that people are making,

improving the quality of life and extending life. It is amazing, the marriage of technology and creative minds and experts in health care, what they are creating.

But, unfortunately, for a lot of these products, it takes a long time before they are actually profitable for the company that sells them, long after they have begun sales. This tax imposes the burden before they have ever become profitable. What is the effect of that? It is that it makes this whole industry less appealing to invest in, less attractive to entrepreneurs, to investors. Whether it is venture capital or private equity or wherever the source might be, less is going to medical devices, an industry that is saving lives and improving the quality of lives. It is a big manufacturing industry. Most of these companies manufacture their products in the United States and many in Pennsylvania. We sell a lot of them overseas. We have a big trade surplus in medical devices because we lead the world.

What does ObamaCare do? It slaps a new tax on the sales. It is a terrible policy.

We have a high medical bills tax. Currently, those people who face high medical bills are allowed a deduction for medical expenses to the extent that those expenses exceed 7.5 percent of adjusted gross income. The new provision, which took effect just earlier this year, raises that threshold before a person can take that deduction. That is just a complicated, convoluted tax increase on people who have high medical bills.

There is the flexible spending account cap. There is the elimination of the tax deduction for employer-provided retirement drug coverage in coordination with Medicare Part D. There is the individual mandate excise tax. There is the employer mandate tax. There is the tax on health insurers. There is an excise tax on comprehensive health insurance plans.

There are 20 different taxes, the combined effect of which is, without a doubt, to significantly weaken our economy.

But that is not the only way ObamaCare weakens our economy. The mandate ObamaCare imposes on employers kicks in on employers who have 50 or more employees. I have spoken with a number of Pennsylvania employers who have 45 or 47 or 48 employees. They are not subject to the hugely expensive mandates of ObamaCare, and do my colleagues know what they tell me? They are not going to be subject to it. They will go to great lengths to avoid hiring the fiftieth employee. They will hire temps. They will pursue automation. They will do all kinds of things they wouldn't otherwise do because this government makes it too expensive for them to hire a fiftieth employee. At a

time when our workforce participation rate is at a record low because so many people have given up even trying to find work, ObamaCare makes it too expensive for employers to hire new workers.

It has a similar effect on hours worked, because this 50-employee count applies to anybody who works 30 hours or more, so one of the ways a business can avoid these crippling costs is to cut back on the number of hours for their workers. That doesn't work out so well for somebody who needs those hours to pay their bills to support their family. It is happening all across the country.

Another aspect that is really outrageous is this mandate in ObamaCare that employers must—regardless of whether the employees want it or not—provide contraceptive and abortifacient coverage. One of the problems with this is that these services run completely contrary to deeply held religious views for a lot of people, faith-based institutions, and others. So the administration decided they will offer an accommodation for faith-based institutions. The accommodation they offer is pure sophistry. What they offered was to say you won't have to—you, the faith-based institution—you won't have to actually pay for those services which you find objectionable based on your faith. You won't have to pay for them, but you have to buy an insurance plan that has them and the insurance company will just have to give you that for free.

This is the most ridiculous thing in the world. Private companies aren't in the business of offering their services for free. If there is an aspect of it that they supposedly have to give away, then they will pass on the costs for the services they provide. Nobody is fooled by this. This is yet another of the details of ObamaCare.

But, really, some of the biggest problems I have saved for the end, and that is the series of broken promises that ObamaCare constitutes. One of the most glaring is this promise we have all heard. I don't know how many times we have heard it, but we all have. We heard the President and so many of our Democratic colleagues who support this bill say: If you like your health plan, you can keep your health plan. Let's be very clear. Everybody who supported this bill who is familiar with it—and that would certainly include the President of the United States and my friends here—they knew from the beginning that was not possible. They knew that because the legislation was designed to prevent many people from keeping their health insurance. It was written for that purpose, in part, because they had to. The whole point, or a big part of the point of ObamaCare was to establish standards that the government determined were appropriate, regardless of whether

an individual American thinks that a given plan is adequate or not or suitable for herself or her family. It was up to the government to make this decision, not the individual, and they would establish criteria, and if your plan didn't meet the criteria, your plan was going to be canceled. That is in the legislation. That is codified. It always was. It is at the heart of this legislation.

So for anybody to go around the country saying, If you like your health plan, you can keep your health plan, they were knowingly stating something that was completely untrue, was always untrue, and was necessarily untrue. The examples abound.

I have emails from constituents. I have too many. I won't have a chance to run through them all this evening. I may have to come back on another occasion. But I will share a few with my colleagues. This is from a small business owner from Lancaster County, PA. I got this just—I think I got this earlier today. I will just quote from this email from my constituent, addressed to me. It says:

As my Congressional representative, you need to know how ObamaCare is harming my life and health care.

I work for a small construction company. My cost for family health care was already over \$11,000 per year. We received notification that our policy was being canceled since it did not comply with the requirements of the Affordable Care Act.

Our company looked for the best rates they could find for comparable coverage which did comply. They chose a new insurance company. We just recently were given the costs for next year. My costs to cover myself and my family will be over \$17,500, a 59-percent increase. Even with that, the deductibles and out-of-pocket maximums are higher. This is not "Affordable Care". This would eat up a major part of my income.

I attempted to log onto the healthcare.gov website several times, but always get kicked out. I do not hold much hope that I will get any better rates, because I don't qualify for a credit.

We were already struggling to live on my take home pay. We cannot afford to have it reduced by over \$6,500.00. We may have to drop coverage for my wife or kids, and pay the penalty.

I suspect that this law will result in many more people losing more health care, at the expense of a few getting free or reduced cost healthcare.

I got this just a week ago from a man from Cumberland County, PA. He said:

My wife Barb and I have been trying for almost three weeks now to get signed up. . . . all income and health info and private information is on the unsecured web site and the application is accepted. . . . but we have not been able to get on to pick the plan or get our price. . . . so nobody has been paid. Thus our canceled insurance ends on Dec. 31st and we look to be out.

A BIG mistake by the folks who voted for this. . . . I've had cancer a couple times, my wife has had cancer and we both see our doctors when needed. This ACA will ruin many families if we can't get onto an insurance plan.

A woman from Lebanon County, PA, sent me this email a week ago. She said:

We had our healthcare discontinued, and after an appeal we were able to get it reinstated, but only for this year. Currently we have a health care savings plan with a deductible of \$3,000 a year. . . . In the new plan, our deductible would increase to \$12,000. . . . and our premiums would increase to \$9,000 a year. How is a middle class married family supposed to pay for that?

This is absolutely ridiculous, and this is our situation. I hope every government worker has to purchase their plan through this plan.

Here is another. A man from Delaware County in southeastern Pennsylvania:

I am 66 and I am on Medicare. My wife is 63. Her insurance company canceled her "longstanding" policy due to the requirements of the ACA. Her "new" policy costs \$350 more per month. We are on a strict budget. . . . We are the hard working middle class. Who stands for us?

There was another promise we frequently heard, and that promise we frequently heard was that if you like your doctor, you will be able to keep your doctor. This too was known to be impossible. Since the law was designed to discontinue health insurance plans and force people on to alternative plans, not all plans cover the same doctors. Certainly, some were going to lose their coverage. Let me give an example of an email I got from Westmoreland County just last week. She writes:

I have been self-employed for 13 years and have never been without health insurance. 3 years ago I was diagnosed with multiple sclerosis. Having an expensive preexisting condition was not a problem for me as I had never let my insurance lapse. My medications cost (without insurance) \$4,000+ per month. I received notice several weeks ago that they would now cancel my plan and would do so as of Jan 1, and I had to sign up for new coverage through the health insurance exchange.

My staff reached out to this woman and tried to help and, after several attempts, she was able to access the exchange. Do my colleagues know what she learned? She learned that in her region there were two options available to her. One covers her doctors who have been treating her for her MS for years. The other covers her prescription drugs. Neither one covers both.

These are the kinds of decisions people are being forced to make all over America. They are the kinds of decisions people are being forced to make every day. It is the direct result of the loss of personal freedom that this legislation imposes on people, and this is the topic that we ought to be addressing in this body so we can pursue the only solution, which is to repeal this bill and move health care in a completely different direction.

I believe my time has expired, so I will yield the floor.

The PRESIDING OFFICER. The Senator from New York.

FALLEN FIREFIGHTERS ASSISTANCE TAX
CLARIFICATION ACT

Mr. SCHUMER. Mr. President, I rise to speak about a particular incident that occurred in Webster, NY, a beautiful town near the City of Rochester.

On Christmas Eve, 2012, nearly 1 year ago today, the 125-member West Webster Volunteer Firemen's Association—a volunteer fire department east of Rochester, NY—faced an unimaginable tragedy when four of their brave members were wounded, two fatally, when they responded to a fire but instead faced an ambush of unspeakable proportions.

While many families across our Nation were waking up last Christmas Eve morning to finish preparing Christmas dinner, shopping, wrapping presents, picking up the family from the airport, four Webster families were instead confronting a heart-wrenching tragedy.

The call of a house on fire came into the West Webster Fire Department at 5:30 a.m. on December 24, and although it was a cold snowy morning, still dark before the Sun rose, everyday heroes from the West Webster Fire Department courageously did what they volunteered to do on behalf of their neighbors and on behalf of their hometowns. They, similar to millions of brave volunteer firefighters throughout our country and throughout its history, left their homes and their families in safety to put out a fire that always creates danger.

This routine call turned into a tragedy which shocked the community, people throughout the country, and even people throughout the world.

Firefighter Joseph Hofstetter, a 14-year volunteer for West Webster Fire Department, arrived first on the scene. Firefighter Theodore Scardino arrived soon after with LT Mike Chiapperini in a pumper truck, followed by 19-year-old firefighter Tomasz Kaczowka driving the department's SUV.

What they did not know was that the fire was intentionally set by the home's owner in order to lure these innocent firefighters into a senseless sniper ambush. The sniper was hiding behind a berm amid the chaos of the fire and began shooting at the responding firefighters.

The firefighters were confused at first to hear popping sounds and thought it might be from the fire but LT Mike Chiapperini, who was also a Webster police officer, knew better and shouted to his fellow volunteers to take cover, but unfortunately it was too late.

Firefighter Hofstetter was shot in the pelvis while trying to alert dispatchers on the radio to the situation.

Ted Scardino was shot in the shoulder, and 5 minutes later he was shot again in the leg. The 16-year volunteer lay there while bleeding for over an hour, enduring the December cold

while sustaining second-degree burns on his head as the fire now spread to consume six other neighboring homes.

Lieutenant Chiapperini and Firefighter Kaczowka both died in the ambush.

As news of this horrific, senseless Christmas Eve tragedy spread, well-meaning people from across the Rochester and Finger Lakes area, across New York State, across the Nation and the world reached out to the West Webster Volunteer Firemen's Association to offer support and prayers.

Thousands of incredibly generous people flooded the department with countless financial contributions to support the volunteer department, to support the four firefighters—and in the case of Lieutenant Chiapperini and Firefighter Kaczowka, to support the families they had left behind.

Not realizing that collecting and distributing the funds to the families would jeopardize the association's tax-exempt status with the IRS, the association accepted donations from generous people all around the Nation wanting to help the four families who suffered the most on that day.

They collected these donations for the victims, for their families, and they want to give these donations to the victims and their families. It defies reason that they would be unable to do so now because of a technicality in the Tax Code.

Just as we did after 9/11, and again after a similar fire department tragedy in California in 2006, it is our obligation to make sure the West Webster Volunteer Firemen's Association can now disburse to these families the contributions that their neighbors and unknown, countless, generous others wanted them to have.

As it is, the disbursement of these funds has been delayed for months and now almost 1 year. That is why I am asking the Senate to proceed with consideration of the Fallen Firefighters Assistance Tax Clarification Act.

This proposal merely clarifies—as we did after 9/11 and again after the California tragedy in 2006—that the West Webster Volunteer Fire Department will not lose its status as a nonprofit association by distributing the donations to these firefighters and their families.

As we again enter the Christmas season and approach the 1-year anniversary of this tragedy, now is the time to make this right.

We need to do it on behalf of the families of the fallen and the injured. The family of 43-year-old LT Mike Chiapperini includes his wife Kim, his 19-year-old son Nick, and his daughters, 4-year-old Kacie and 3-year-old Kylie.

Known to many as Chip, Lieutenant Chiapperini was a West Webster Fire Department volunteer firefighter for 25 years. He was past chief of the West

Webster Fire Department and adviser for its Fire Explorer Post. He also served with distinction for 19 years as a police officer with the Webster Police Department and rose through the ranks as a dispatcher, police officer, investigator, sergeant, and lieutenant. In short, he committed his entire life to public service for the town of Webster.

Likewise, 19-year-old firefighter Tomasz Kaczowka left behind his parents Janina and Marian Kaczowka, along with his older twin brothers and a large extended family. Firefighter Kaczowka was selflessly devoted to his family and his community. In fact, he was not even supposed to be on duty that Christmas Eve but elected to make the shift so that older department members could be home with their families that day.

The surviving firefighters, Ted Scardino and Joseph Hofstetter, have had to endure long rehabilitations for their injuries and their families have had to deal with life's ordinary challenges and day-to-day expenses as Ted and Joseph recover and move forward with their lives.

The fact is, ordinary Americans, moved by the heroic sacrifice of these volunteer firefighters, have offered their generous support. They have intended their contributions to help these families in the wake of the tragedy and in recognition of the service of these brave firefighters.

These were volunteer firefighters—volunteers. I know many of my colleagues on both sides of the aisle are well acquainted with the volunteer fire service. Many may even have a membership in a volunteer fire company themselves.

You all know men and women just like the members of West Webster. They are the epitome of the American spirit.

The French observer de Tocqueville was taken by that spirit when he visited America and the Rochester area in 1831 and thought voluntarism was one of the things that set America apart from the rest of the world. That was true then. It is still true today.

These heroes do not ask for anything. They just want to protect their neighbors and their community. It is just plain wrong that they would lose their not-for-profit status simply for being a passthrough to convey donations to these families after an unspeakable tragedy.

In that same spirit, I had hoped to request unanimous consent this evening to move forward with the consideration of this legislation. Who could object? Who could object? However, I understand that some of my colleagues on the other side of the aisle object to me making the request at this time. Therefore, I will withhold that request this evening and sincerely hope my colleagues will think about this overnight

and allow us to proceed with consideration tomorrow. It is, indeed, the right thing to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I appreciate the comments of my colleague from New York. He has been a tireless champion for the terrific, dedicated, self-sacrificing firefighters of New York City.

Tonight we are on the floor addressing the question of whether we should confirm Cornelia Pillard as a candidate for the D.C. Circuit Court. She is a law scholar with a long track record of public service. She served twice in the Justice Department and successfully defended the Family and Medical Leave Act, a crucial piece of legislation for working families. She now teaches law at Georgetown University, one of the top law schools in the Nation.

The truth is, she is an extremely well-qualified nominee who will be an excellent addition to the D.C. Circuit Court. She has personally argued and briefed Supreme Court cases brought or defended by government lawyers from Republican administrations, and Republican-appointed Justices have often authored majority opinions in her favor.

She is currently the co-director of the Supreme Court Institute at Georgetown Law, where she personally assists lawyers preparing for the Supreme Court on a pro bono, first-come basis, without regard to which side they represent.

In fact, Professor Pillard chaired the American Bar Association Reading Committee that reviewed Samuel Alito's writings during his nomination process for the Supreme Court. Her committee's assessment led the ABA to give Justice Alito their highest rating of "well-qualified."

Professor Pillard's unbiased approach to the law has won the respect of her colleagues in law and in government, including former Department of Justice officials in Republican administrations who have endorsed her nomination to the D.C. Circuit.

In short, Professor Pillard is a fair-minded, highly accomplished litigator, with an outstanding reputation for public service.

Then why are we here now, after midnight, carrying on this debate? To get to the root of that question, we have to examine the dysfunction that is present in the Senate.

Virtually all Americans know Congress is not working well. Virtually all Americans know the Senate is broken. I saw a poll that said 92 percent of Americans believe Congress is dysfunctional, and I wondered: What is wrong with the other 8 percent? They must not be paying attention. Because what we have experienced in the Senate is a

continuous campaign of obstruction and paralysis of the normal proceedings.

There was a time when we had a Senate that had a core principle, which was up-or-down votes, with rare exception—up-or-down votes, with rare exception. That was the tradition of the Senate. That tradition was rooted in the courtesy—the courtesy—of hearing out every Senator who wished to share their opinion on a topic before the Senate would make a decision.

Maybe that was something easier to do when there were only 26 Members of the Senate. We now have 100 Members of the Senate. So maybe it takes a while to hear the opinions of every Member, but still that courtesy has been honored through the years. But the counterpart to that is that folks knew in the end the Senate, with very rare exception, would get to a simple majority vote. The entire structure of our Constitution and the vision of our Founders was that this body would make decisions with a simple majority vote.

Recall, if you will, that the Founders put into the Constitution special occasions for a supermajority. Those special occasions were things such as overriding a Presidential veto. Those special occasions were things such as reviewing a treaty. But they envisioned a simple majority vote for the legislature because they felt the majority decision most of the time would be a better direction to go than the minority opinion. That is the principle of democracy. The direction that most Senators believe is the correct direction is the basis for going forward.

This principle has been completely lost in the last few years. A small group of Senators decided they should replace the constitutional principle of a simple majority with a supermajority, that virtually every action would be subject to a requirement to have 60 votes to close debate rather than the constitutional 51.

This has been applied in ways American citizens cannot even imagine. Let's take motions to proceed. A motion to proceed simply says it is time to take up this bill. Let's vote yes or no on taking up this bill. That is the motion to proceed.

But in recent times the minority has said: You know what. We can use this motion to proceed as an opportunity to paralyze the Senate. We can object to having that simple majority vote, and then we can deny—there being this supermajority to close debate—even if we have nothing to say, and we can simply waste the Senate's time on debating whether to debate.

I have argued for a long time that this abuse must end. It is time to get rid of the filibuster on this motion to proceed. But nonetheless we have it and my colleagues in this permanent campaign to paralyze the Senate have

chosen to exercise this filibuster, if you will, this supermajority requirement, simply on a motion to debate an issue as opposed to actually being in debate.

Let's take conference committees. It was extraordinarily rare for conference committees—the formation of them—to be subject to a supermajority in the history of the Senate. Conference committees were very common in the seventies and eighties. I was first here as an intern in 1976 with Senator Hatfield, here on Capitol Hill working for Congress in the 1980s.

If one Chamber of Congress and the other Chamber had both passed a bill, well then automatically you had a conference committee meet and resolve the differences. That is just common sense. Why would you delay that for a second? But when I came to the Senate in 2009 as a Senator, I was mystified to discover that conference committees were not being held. So I inquired why that was. The answer was that the minority had decided to use the filibuster, the supermajority, on establishing a conference committee; in other words, block the House and Senate from even talking to each other to resolve differences between two houses.

That drove the debate out of the public realm, in a public room with a TV camera, into private discussions as negotiators tried to resolve and develop a common version of the bill. There too I proposed that we need to get rid of this filibuster on conference committees. It is disrespectful of the most valuable commodity of this body; that is, time; that is, time is wasted on filibusters on whether to start a discussion with the House when both the House and Senate have passed a version of the bill.

Then, of course, we have the ongoing campaign of subjecting virtually every nomination to a supermajority. In fact, in the history of America, in the entire history, before President Obama, only three times was there a filibuster of a district court nominee. But in the time President Obama has been in office, we have had 20 filibusters of district court nominees. Only 3 in our history until President Obama is President and then 20 filibusters when he became President until now—20 out of 23.

That is just a pure deliberate campaign of paralysis and obstruction, undermining the contribution of this body, its responsibility as a legislative body. It is not only judicial nominees, it is executive nominees as well. In our entire history as a nation, 168 nominations have been filibustered—168 in our entire history—82 of them have been nominations by President Obama; 82 nominees just in the 5 years President Obama has been in office out of the 168 in our entire history. So we see, whether we are looking at motions to proceed or conference committees or judicial nominees or executive nominees, a campaign of deliberate paralysis and obstruction rather than a dedication to

serving our Nation as the Constitution requires.

Indeed, some have justified this ongoing paralysis. Some of my colleagues have said: But remember, President Washington said the Senate should be a cooling saucer. That concept is that you have a cup of hot tea, and it is too hot to drink, you pour it into a saucer, it cools and then it is just right.

President Washington would never recognize this strategy of obstruction and paralysis as legitimate under the U.S. Constitution. Indeed, there were elements designed to make this body deliberative. But there is a difference between deliberation and the destruction of the legislative process. There is a difference between a cooling saucer, thoughtful deliberation, and a deep freeze.

But certain Members of this body have decided they did not come here to fulfill the constitutional vision of the Senate as a deliberative body, they instead have come to paralyze the function of this body, to obstruct this body.

So there we see it in the filibuster of the conference committees, in the filibuster of the motions to proceed, in the filibuster of the executive branch nominees, filibuster of the judicial nominees, and, of course, the filibuster of legislation that has reached extraordinary levels never seen in the history of our Nation.

Just a little while ago one of my colleagues chose to quote Alexander Hamilton in defense of this strategy of paralysis. I would encourage my colleague to actually read more of Alexander Hamilton because he actually directly addressed this question of filibusters and the potential to obstruct the will of the majority.

What did Alexander Hamilton say? He said: The real operation of the filibuster "is to embarrass the administration, to destroy the energy of government, and to substitute the pleasure, caprice or artifices of a significant, insignificant, turbulent or corrupt junta, to the regular deliberations and decisions of a respectable majority."

He went on to say: When the majority must conform to the views of the minority, the consequence is "tedious delays, continual negotiation and intrigue, contemptible compromises of the public good."

That is a pretty good description of what Americans see happening in this Chamber as a result of the deliberate campaign of paralysis and obstruction: tedious delays, continual intrigue, contemptible compromises of the public good.

Many in this Chamber have tried to reason and convey to Members that we should return to the tradition of the Senate, up-or-down votes with rare exception. In 2005, it was the Democrats in the minority and it was the Republicans who were in the majority. At

that time the Democrats decided to filibuster a series of judicial nominees. So this was certainly a tactic employed by both Democrats and Republicans.

Our Republican friends who were in the majority said: That is not acceptable. They said: That is not consistent with the philosophy of up-or-down votes with rare exception. They said that is not consistent with the power vested in the Constitution and the President to be able to place forward his nominees for consideration under the advice and consent clause of the Constitution.

Our Republican colleagues were persuasive. The Democrats in the minority agreed not to filibuster judges except under rare exceptions, exceptions of extraordinary flaws of character and experience. Then the clock turned. We came to 2009. Now we have a Democratic President and Democratic majority. The deal that was cut in 2005, agreed to by both sides, that there would be only rare filibusters based on exceptional flaws of character or experience disappeared. It disappeared completely. The new minority did not honor the deal that had been negotiated in 2005.

So come January 2011, there was a debate on this floor about trying to again restore the traditional understanding, up-or-down votes with rare exception. There was a deal made. It did not last but a few weeks. Then there was another attempt in January 2013. On this occasion, there was a promise made on the floor of the Senate. The minority leader came to the floor and said: The Republicans will return to the norms and traditions of the Senate regarding nominations.

What are those norms and traditions? Those norms and traditions are a simple majority vote with rare exception. Within weeks, that promise was completely shattered. The first ever filibuster in U.S. history of a Defense nominee, ironically a former colleague from the Republican side of the aisle.

Then we had 43 Senators write a letter and say they would not allow anyone to be confirmed for the position as Director of the Consumer Federal Protection Bureau, certainly inconsistent with up-or-down votes with rare exception for issues of character.

Then there was another big effort in July of 2013, just earlier this year. We all got together in the Old Senate Chamber and we shared our frustrations and our views. Again, the promise was put forward: We will stop filibustering except under rare circumstances related to character or qualifications.

Well, that was terrific.

We had confirmation of the person who was awaiting to be Director of the Environmental Protection Agency, Gina McCarthy. We had confirmation of the person who had been waiting for a very long time as the nominee of the Labor Department, Tom Perez. We had

the confirmation of the folks who had been waiting to be confirmed to the National Labor Relations Board. In fact, I think that was the first time we had all five members Senate confirmed in 10 years.

We had the Director of the Consumer Financial Protection Bureau, Richard Cordray was finally confirmed. Shortly thereafter, we had Samantha Powers confirmed to the United Nations, and so forth. The norm was restored but only for a couple of weeks.

Then came the nomination of MEL WATT to head the Federal Housing Finance Agency. Suddenly the commitment for up-or-down votes disappeared. Then we had a whole new strategy on the judiciary. This strategy had never been experienced in U.S. history. It was: No matter whom President Obama nominates for the D.C. Circuit Court, we are going to block that nominee because we only want to leave in place the nominees that were put in place by President Bush.

That is in direct contravention of the vision of the Constitution where each President as elected has the power to nominate. This Chamber is a check. It gets to vote up or down and decide whether they should be in office. But this was a deliberate strategy to pack the Court, to say that when a President of my party is in power, there will be up-or-down votes, as was insisted in 2005 when the tables were turned, but when the President is of the other party, we are going to have a perpetual campaign and we are going to block up-or-down votes.

Let's picture down the road and the new President is a Republican President. Is there truly any Member here who would say, from the Republican side, that when the Republican President is in place, they were still going to believe they should not fill vacancies on key courts around this country?

It is too bad this campaign of paralysis has been allowed to go on so long. We should have acted long before to fulfil our responsibility to have a deliberative body because that is what legislation is. It is doing enormous damage to the United States of America. First, because of the paralysis, we are not doing the work we should be on legislation. We are not addressing the big issues facing America. There are all kinds of job creation bills that have not been able to get to this floor because they have not been able to get through the gauntlet of paralyzing filibusters that have been laid down.

Americans actually want to work. Americans want to have living-wage jobs. They expect us to act, to make that happen, not to paralyze this institution so it is unable to do so. Indeed, in addition, we are damaging the view of the United States around the world because it used to be the world looked to the United States and said: Look how well their Congress works. They

had this Great Depression. They took on and fixed all kinds of flaws in their financial system. They established insurance for bank accounts so there would not be runs on the banks. They replaced a flawed mortgage strategy, which involved callable balloon mortgages, with non-callable fully amortizing mortgages so we did not create a series of dominoes.

They took and created organizations, the Securities and Exchange Commission, to oversee stock markets so folks could have faith, invest in stocks, and put their capital in knowing there was a very good chance that capital would be well utilized because there were accounting standards and qualifications that block predatory practices on Wall Street.

The world saw the U.S. respond to World War II and convert our economy through enormous amounts of legislation in a single year to apply it to the war effort and take on the big challenge of defeating the Nazis.

Then the world saw America use its legislative power to build the largest middle class the world has ever seen. Those living wage jobs, every one of them means a foundation for a family. If we want to talk family values, then fight to have this body, this Senate, work on legislation that creates living-wage jobs. Quit paralyzing the Senate.

Then we have, of course, the fact of this new strategy in these recent months, a deliberate attack on the balance of powers. The Constitution envisioned three branches in balance. It has no hint of any kind that a minority of one branch should be able to undermine the operation of the other two branches. Some colleagues have seized upon a strategy of trying to undermine the integrity of our judiciary. Some colleagues have seized on a strategy of trying to undermine the capability of the elected executive branch, the President and his executive branch.

Read your history—balance of powers, not the ability of the minority or one branch to undermine the success of the other two branches. We need these three branches each doing their assigned roles.

We are at this point after this long set of strategies of paralysis, on motions to proceed, on legislation, on conference committees, on executive branch nominees, on judicial nominees. We have taken the first step toward restoring the function of the Senate, and we have said we should return to the notion of up-and-down votes as envisioned under advise and consent. This is as envisioned by Alexander Hamilton and the other Founders who railed against the notion that a minority would be able to block the will of a majority in the Chamber.

We have done that with nominations. In a continuation of a strategy of paralysis, we are here tonight rather than having voted much earlier in the

day. Instead of working on legislation that would create jobs, we are standing here through a series of nominations as the minority insists on wasting the valuable commodity of time in this Chamber.

I hope my colleagues who are intent upon creating this huge imbalance between the branches will reconsider, that they will decide they want to see this Chamber become what it was when I was first here in the 1970s and when I worked for Congress in the 1980s, a great deliberative body. What it was when we took on the Great Depression, what it was when we took on World War II, what it was when we built the great middle class, this is what the United States wants to see. May we make it so.

Thank you, Mr. President.

Mr. LEAHY. Mr. President, tonight we will vote on the nomination of Nina Pillard to the U.S. Court of Appeals for the D.C. Circuit. On Tuesday, we were finally able to invoke cloture on her nomination, after it had been unjustifiably filibustered by Senate Republicans for nearly 3 months after being favorably voted out of the Senate Judiciary Committee. The D.C. Circuit is often considered to be the second most important court in the Nation and should be operating at full strength. We are finally taking another step towards making this Court operate at full strength for the American people.

Nina Pillard is an accomplished litigator whose work includes 9 Supreme Court oral arguments, and briefs in more than 25 Supreme Court cases. She drafted the Federal Government's brief in *United States v. Virginia*, which after a 7 to 1 decision by the Supreme Court made history by opening the Virginia Military Institute's doors to female students and expanded educational opportunity for women across the country. Since then, hundreds of women have had the opportunity to attend VMI and go on to serve our country.

She has not only stood up for equal opportunities for women, but for men as well. In *Nevada v. Hibbs*, Ms. Pillard successfully represented a male employee of the State of Nevada who was fired when he tried to take unpaid leave under the Family Medical Leave Act to care for his sick wife. In a 6 to 3 opinion authored by then-Chief Justice William Rehnquist, the Supreme Court ruled for her client, recognizing that the law protects both men and women in their caregiving roles within the family.

She has also worked at the Department of Justice as the Deputy Assistant Attorney General in the Office of Legal Counsel, an office that advises on the most complex constitutional issues facing the executive branch. And prior to that, Ms. Pillard litigated numerous civil rights cases as an assistant coun-

sel at the NAACP Legal Defense & Educational Fund. At Georgetown Law, Ms. Pillard teaches advanced courses on constitutional law and civil procedure, and co-directs the law school's Supreme Court Institute. She has earned the American Bar Association's highest possible ranking—Unanimously Well Qualified—to serve as a Federal appellate judge on the D.C. Circuit.

Today, however, I have heard some unfortunate and unfair attacks on this fine woman. I have heard comments that she would be “the most left wing judge” in U.S. history; that she has extreme views on abortion and religious liberty; and that she would “rubber stamp” the most radical legislative and regulatory proposals. One might expect these outrageous accusations to come from right wing fringe groups, but to hear some of these outlandish accusations on the Senate floor is unfortunate.

So let me clear the record. Nina Pillard is one of the finest nominees we have had before this body. On the issue of abortion, Republicans have cherry picked quotes and taken them out of context to try to paint her as someone she is not. The truth is that taken as a whole, her writings have focused on bridging the gap between pro-life and pro-choice advocates by “finding common ground for ways to reduce reliance on abortion.”

More importantly, I cannot ignore the double standard of certain Senators on the issue of abortion. In 2002, the Senate unanimously confirmed President Bush's nomination of Michael McConnell to the Tenth Circuit by voice vote. Professor McConnell argued that *Roe v. Wade* was wrongly decided and urged the Supreme Court to overturn it. He applauded a Federal judge for refusing to convict anti-abortion protestors, even though they had clearly violated the law, because of his sympathetic reading of the defendants' motives.

Similarly, in 2002, the Senate confirmed William Pryor to the Eleventh Circuit, even though he called *Roe v. Wade* the “worst abomination in the history of constitutional law.” Another President Bush nominee, J. Leon Holmes, was confirmed to the Federal district court in Arkansas, even though he had argued that abortion should be banned even in case of rape because pregnancy from rape is as uncommon as “snowfall in Miami.” He had also written that wives should be submissive to their husbands. He was not filibustered. He was confirmed.

Each of these judicial nominees stated under oath in testimony before the Senate Judiciary Committee that they could set aside their personal beliefs and would interpret the law consistent with the Constitution and Supreme Court precedent. They were confirmed. Nina Pillard testified under the same oath that, “A judge's opinions and

views should have no role in interpreting the Constitution.” Are we to believe that only judicial nominees who do not support a woman’s access to abortion services are able to set aside their personal views to be fair and impartial judges? I cannot help but notice the glaring double standard that is imposed on Nina Pillard.

On the issue of religious liberty, Senate Republicans continue to misrepresent comments Ms. Pillard made about the possible outcome of a Supreme Court case to suggest she is hostile to religious freedom. In a 2011 briefing to educate the press on legal issues in *Hosanna Tabor v. EEOC*, she described the issue in the case, identified what was difficult about it, and offered a prediction of how the Court might resolve it. Her prediction turned out to be wrong.

If Senators, who have also sworn to uphold the Constitution, were held accountable every time they incorrectly predicted the outcome of a Supreme Court case, I am not sure how many of us would be left. Ultimately, she has testified that if confirmed she would uphold the Supreme Court’s precedent on the issue.

The suggestion that Ms. Pillard will be “the most left-wing judge in the history” is simply outlandish hyperbole, as demonstrated by the bipartisan support she has received. Viet Dinh, the former Assistant Attorney General for the Office of Legal Policy under President George W. Bush, wrote in a letter of support for her nomination that “Based on our long and varied professional experience together, I know that Professor Pillard is exceptionally bright, a patient and unbiased listener, and a lawyer of great judgment and unquestioned integrity. . . . Nina has always been fair, reasonable, and sensible in her judgments. . . . She is a fair-minded thinker with enormous respect for the law and for the limited, and essential, role of the federal appellate judge—qualities that make her well prepared to take on the work of a D.C. Federal Judge.”

Former FBI Director and Chief Judge of the Western District of Texas William Sessions has written that her “rare combination of experience, both defending and advising government officials, and representing individuals seeking to vindicate their rights, would be especially valuable in informing her responsibilities as a judge.”

Nina Pillard has also received letters of support from 30 former members of the U.S. Armed Forces, including 8 retired generals; 25 former Federal prosecutors and other law enforcement officials; 40 Supreme Court practitioners, including Laurence Tribe and Carter Phillips, among many others.

Despite having filled nearly half of law school classrooms for the last 20 years, women are grossly underrepresented on our Federal courts. We

need women on the Federal bench. A vote to end this filibuster is a vote to break yet another barrier and move in the historic direction of having our Federal appellate courts more accurately reflect the gender balance of the country.

I commend President Obama on his nominations of highly qualified women like Nina Pillard, Patricia Millett, Elena Kagan and Sonia Sotomayor. In each of these women, the Senate has had the opportunity to vote to confirm women practicing at the pinnacle of the legal profession. Once the Senate confirmed Justice Kagan, the highest court in the land had more women than ever before serving on its bench. With the confirmation and appointment of Nina Pillard, the same will be true for what many consider to be the second highest court in the land, the D.C. Circuit because she will be the fifth active female judge on the court. Never before have five women jurists actively served on that court at one time. I look forward to that moment and to further increasing the diversity of our Federal bench.

I urge my colleagues to vote to confirm this outstanding nominee. This Nation would be better off for Nina Pillard serving as a judge on the D.C. Circuit.

Today, the Senate will also vote on the nominations of Elizabeth A. Wolford, of New York, to be U.S. District Judge for the Western District of New York; Landya B. McCafferty, of New Hampshire, to be U.S. District Judge for the District of New Hampshire; Brian Morris, of Montana, to be U.S. District Judge for the District of Montana; and Susan P. Watters, of Montana, to be U.S. District Judge for the District of Montana.

Senate Republicans have continued to abuse the filibuster and required cloture to confirm all four of these non-controversial district court nominees. All four of these nominees were reported unanimously by voice vote from the Senate Judiciary Committee. They all have the support of their home State senators. With the filibuster of these four district court nominees, Senate Republicans have now filibustered 24 of President Obama’s district court nominees. Not a single district court nominee was filibustered under President Bush’s 8 years in office. I hope Senate Republicans come around so that we can work together to meet the needs of our Federal judiciary so that the American people can have the justice system they deserve.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. SCOTT. To change the rules our friends on the left had to break the rules. We are here tonight because the Obama administration and our friends on the left needed a distraction by invoking the nuclear option leading up to the vote on Nina Pillard of the D.C.

Circuit. They are attempting to quiet a disaster of their own making.

Please note that this is a court that will hear the ACA disputes. It was easy enough for them to paint a rosy picture of life after ObamaCare. For 3 years they did it, and they did their best to do so, but words could only go so far and no speech will help the failed implementation of the monster they have created.

Health care premiums for the average American family have already gone up by \$2,500 since ObamaCare has become law. I wish to say that one more time. The average premium that an American family will have to face and then pay is \$2,500.

As costs continue to rise for middle-class Americans, the median household income has dropped by more than \$3,600 under President Obama. If we take \$2,500 and add in the drop of income of \$3,600, the difference for the average American household under President Obama’s watch is significant. That doesn’t even take into consideration the skyrocketing costs and the increasing deductibles under ObamaCare.

According to the Wall Street Journal, the average individual deductible for what is called a Bronze plan on the exchange, the lowest-priced coverage is a \$5,000 average deductible. This is 42 percent higher than the average deductible today of \$3,589 one would currently purchase in 2013.

Tell me how this helps those in need. How does this help the most vulnerable in our society? The answer is simple. It doesn’t.

We are here because Democrats need a break from having this pointed out to them again and again as newspapers, magazines, and TV stations have been doing for the last several weeks.

In South Carolina we have about 4.7 million people and 600,000 or 700,000 folks do not have health insurance coverage. Think about that. There are 4.7 million South Carolinians, of which about 700,000 today do not have health insurance.

Under ObamaCare, we would hope that the number would go down, not up, that it would go down from 700,000 to 600,000 or 500,000 or 400,000. Over 430,000 of the 700,000 people are eligible for ObamaCare. The number is not going down. The number is going up because 150,000 South Carolinians have received cancellation notices.

Let us frame that a little bit. We have 700,000 uninsured, of which 430,000 are eligible for ObamaCare. Instead of seeing the number of uninsured go from 700,000 down to 600,000 or 500,000 or 400,000, we have seen the number go up because 150,000 people have received cancellation notices—150,000 South Carolinians have received cancellation notices.

Someone would obviously ask the question: How many folks have signed up for ObamaCare in South Carolina?

If 430,000 South Carolinians are eligible to sign up, we ought to answer the question of how many have signed up.

As of late November, only 600 South Carolinians have successfully signed up for ObamaCare. This means that under the implementation process of what some consider the solution to America's woes on health insurance, only 600 South Carolinians have been able to successfully sign up for ObamaCare, even though 430,000 are eligible and 700,00 do not have insurance. Only 600 of them have been able to sign up for ObamaCare.

When we think about those numbers, it reminds me of the challenges we face with going through the process of seeing the D.C. Circuit Court stacked to hear the disputes.

Part of the challenge we see is that ObamaCare hasn't worked, so stacking the court seems that it is the most likely option for our friends on the left.

When we started out having these conversations about ObamaCare, we started a conversation about those who are uninsured. I think every American in our country wants to see greater access to health insurance.

The vast majority of Americans do not want to see the government take it over, and now we understand why. In 2009—not 1999, but 2009—we had estimated for the unaffordable care act around \$900 billion. In 2011 they came back and said: Wait, wait, I need to take another look at this.

The estimate came back at \$1.8 trillion. In 2009, it was \$900 billion and in 2011 the number had already increased to \$1.8 trillion or a 100-percent increase in the estimated cost of the Affordable Care Act.

Only 2 more years later we could see that the number could perhaps eclipse \$3 trillion. All we are talking about is the up-front pricetag, the price of ObamaCare on the front. We haven't delved into the actual cost of ObamaCare because those estimates say that on the back end of the Affordable Care Act we are going to see a \$7 trillion increase or addition to our debt.

We started in 2009 with \$900 billion; in 2011, \$1.8 trillion; in 2013, perhaps over \$3 trillion, adding \$7 trillion to the deficit. That is not the whole picture.

Families in South Carolina still have to struggle with finding access to affordable health care, and ObamaCare is not simply providing the access. We see families such as the Hucks, the everyday American family. Mr. Hucks loves his family. He is in Greenville, SC. He loves his family. He spends 12 to 14 hours a day working as a financial adviser in South Carolina.

Mr. Hucks, unfortunately, faces the challenge of buying health insurance through ObamaCare. As he went through the process of trying to figure out what would happen—certainly he

liked his coverage, but, of course, he can't keep it, period. He can't keep it. He cannot keep his coverage.

As I was talking to Jason Hucks in Greenville 2 weeks ago, Jason currently has a Blue Cross Blue Shield high-deductible plan. Remember the word "deductible" because we will come back and have a conversation about deductibles. He has a high-deductible plan that covers him, his wife, and their two cute little boys.

Instead of having a conversation between Mr. and Mrs. Hucks about planning for the college education of those two fine young men, they are having instead a conversation about whether they can afford the health care coverage.

What has happened? Let us take a look. Their current plan was a \$10,000 deductible that cost them over \$415 a month.

To stay on the Blue Cross Blue Shield plan under ObamaCare, Mr. Hucks and his family would have to pay nearly \$1,000 a month—\$895—almost \$1,000 a month, more than doubling the premium. They will see their deductible increase by 150 percent.

A deductible that was \$10,000 is pretty high, significantly high. It will go to \$25,000 for this young family of four. That doesn't seem right to me; it doesn't seem fair.

We believe in fairness. For those who are most vulnerable, having access to \$25,000 before their health insurance company is able to start paying is quite a high price to pay. Digging into your savings account for \$25,000—because ObamaCare takes their \$10,000 deductible, and not the \$15,000, not the \$20,000, but the \$25,000—is simply not fair. This is not how we treat the most vulnerable in our society, by seeing their deductible go up by 150 percent. I simply don't understand. It is just wrong. It is not right.

Even if they were willing to switch companies, he would still see his rates rise almost 75 percent and his deductible would still rise from \$10,000 to \$12,000. No wonder they are trying to stack the D.C. courts. We see here a young family not planning for a 529 plan, not planning to send their kids to Clinton University or the University of South Carolina, but instead they are planning on tightening their belts because they have to have a budget that plans for not a \$10,000 deductible but a \$12,000 deductible, with a 20-percent increase in the deductible and a 75-percent increase in the cost. This is the effect of the Affordable Care Act. It becomes unaffordable for the average American family.

As for a plan with copays, Mr. Hucks says flatly that he can't afford to have a conversation about copays because a plan with a copay would skyrocket his premiums from \$415 or so to as high as \$1,200 or \$1,500 a month. So instead of being able to go see a doctor and have

a conversation and pay a 20-percent copay, instead of having the opportunity to do what many of us have been doing for the last decade-plus—pay a \$15 or \$20 or \$25 or \$30 copay when you go see your doctor—he has to first satisfy a deductible of not \$15,000 but now a \$25,000 deductible. This is higher than \$15,000. This is wrong. It is not right.

Mr. Hucks' family is an example of how it is not just premiums that are rising but deductibles are going through the roof. This is painful for a family who should be planning for college but instead is planning to spend more money on their health care because the Affordable Care Act is so unaffordable.

The New York Times recently quoted someone faced with this problem as saying the deductibles were so high—\$4,000 to \$6,000 a year—that it very much defeats the purpose of having insurance. I wonder why we say that. Well, think about it for a minute or two. Think about a family who has a \$4,000 deductible. What does that mean to the average family, where Americans are spending over 100 percent of their income? What that means to the average family is they have to figure out how to pay \$4,000 for visiting their doctors, getting their x rays, and having everything done at the doctor's office, getting their blood work done, before they can satisfy that \$4,000 deductible and their health insurance plan starts paying. Under ObamaCare, one would think that number would go down, but it doesn't. It goes up. As a matter of fact, it goes up quickly in the first year of ObamaCare. It goes from an average out-of-pocket expense of \$63.50 to over \$12,000—not \$4,000, not \$5,000, not \$6,000 but over \$12,000 in out-of-pocket expenses.

So I am looking forward to the day we have a serious conversation about a free market solution that would reduce the cost of health insurance and at the exact same time create greater access for the average person in America to afford a free market health insurance policy. That is where we need to go. That is where the conversation should be. Instead of having that conversation, we are having a conversation about deductibles jumping \$5,000, out-of-pocket expenses going up significantly. And I should have said that when you combine the out-of-pocket expenses and the deductibles, the out-of-pocket total for a year is the \$12,000. The average deductible is a little over \$5,000.

We are talking about a significant taking from the average American family—taking their money out of their pockets in the form of deductibles, taking money out of their pockets in the form of copays. And God forbid they actually go outside of the network. In many of these plans, we are talking about zero coverage out of network for ambulatory care. A family

would bear 100 percent of the cost. So don't travel to the wrong place with the wrong plan at the wrong time. You will find yourself stuck without benefits because, unfortunately, the ACA isn't affordable for most Americans. I find that sad.

We think we are having a conversation about nominees here today, and we think we are having a conversation about nominees because President Obama has somehow, some way been treated differently than President Bush and other folks. But the facts are simply inconsistent with the reality of the alternate universe that has been created by the left.

The PRESIDING OFFICER. All postcloture time has expired. The majority leader.

Mr. REID. Mr. President, we are going to have a confirmation vote on Cornelia Pillard. That will be the first vote. Then we are going to have—I don't believe there will be a need for a rollcall vote on the quorum. I think there will be enough Senators here that the Chair will be able to see clearly there are 51 Senators here. Then we will have a cloture on Executive Calendar No. 378, Chai Rachel Feldblum of the District of Columbia to be a member of the Equal Employment Opportunity Commission. Then, Mr. President, the next vote will be tomorrow morning at 9 a.m. This morning, yes; I am sorry.

We are going to do everything we can to finish our schedule before Christmas, but it is going to be pushing it. We will do our best. But this session doesn't end until the end of the year, so we are going to continue working until we get our work done. I am not going to yield back all of our time on all of our nominations. We are going to do those piece by piece.

I hope the body has been able to understand what a waste of time this has been, but we are going to confirm these nominations, and that is a step in the right direction.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Cornelia T.L. Pillard, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

Mr. COATS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from Delaware (Mr. CARPER) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator

from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Illinois (Mr. KIRK), and the Senator from Kansas (Mr. MORAN).

The result was announced—yeas 51, nays 44, as follows:

[Rollcall Vote No. 256 Ex.]

YEAS—51

Baldwin	Harkin	Murray
Baucus	Heinrich	Nelson
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Booker	Kaine	Sanders
Boxer	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Leahy	Stabenow
Casey	Levin	Tester
Coons	Markey	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murphy	Wyden

NAYS—44

Alexander	Fischer	Murkowski
Ayotte	Flake	Paul
Barrasso	Graham	Portman
Blunt	Grassley	Pryor
Boozman	Hatch	Risch
Burr	Heller	Roberts
Coats	Hoeven	Rubio
Cochran	Inhofe	Scott
Collins	Isakson	Sessions
Corker	Johanns	Shelby
Cornyn	Johnson (WI)	Thune
Crapo	Lee	Toomey
Cruz	Manchin	Vitter
Donnelly	McCain	Wicker
Enzi	McConnell	

NOT VOTING—5

Carper	Coburn	Moran
Chambliss	Kirk	

The nomination was confirmed.

MESSAGE FROM THE HOUSE

At 4:23 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1402. An act to amend title 38, United States Code, to extend certain expiring provisions of law, and for other purposes.

H.R. 3521. An act to authorize Department of Veterans Affairs major medical facility leases, and for other purposes.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1797. A bill to provide for the extension of certain unemployment benefits, and for other purposes.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted on December 11, 2013:

By Mr. CARPER for the Committee on Homeland Security and Governmental Affairs.

*Alejandro Nicholas Mayorkas, of the District of Columbia, to be Deputy Secretary of Homeland Security.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. COONS (for himself, Mr. BLUNT, Mr. SESSIONS, and Ms. HIRONO):

S. 1799. A bill to reauthorize subtitle A of the Victims of Child Abuse Act of 1990; to the Committee on the Judiciary.

By Mr. BARRASSO (for himself and Mr. SCHATZ):

S. 1800. A bill to require the Secretary of the Interior to submit to Congress a report on the efforts of the Bureau of Reclamation to manage its infrastructure assets; to the Committee on Energy and Natural Resources.

By Mr. MERKLEY (for himself and Ms. BALDWIN):

S. 1801. A bill to amend the Tariff Act of 1930 to include in the calculation of normal value the cost of paying adequate wages and maintaining sustainable production methods, and for other purposes; to the Committee on Finance.

By Mr. DONNELLY (for himself, Mr. INHOFE, Mr. LEAHY, Mr. WHITEHOUSE, Ms. HEITKAMP, Mr. COATS, Ms. COLLINS, and Mr. BLUNT):

S. 1802. A bill to provide equal treatment for utility special entities using utility operations-related swaps, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DURBIN (for himself, Ms. WARREN, Mrs. BOXER, and Mr. REED):

S. 1803. A bill to require certain protections for student loan borrowers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself and Mr. BEGICH):

S. 1804. A bill to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LEAHY (for himself, Mr. COCHRAN, and Mr. REED):

S.J. Res. 28. A joint resolution providing for the appointment of John Fahey as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

By Mr. LEAHY (for himself, Mr. COCHRAN, and Mr. REED):

S.J. Res. 29. A joint resolution providing for the appointment of Risa Lavizzo-Mourey as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SESSIONS (for himself and Mrs. SHAHEEN):

S. Res. 317. A resolution expressing the sense of the Senate on the continuing relationship between the United States and Georgia; to the Committee on Foreign Relations.

By Mr. DURBIN (for himself, Mr. ENZI, and Mr. MURPHY):

S. Res. 318. A resolution expressing the sense of the Senate regarding the critical need for political reform in Bangladesh, and for other purposes; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 38

At the request of Mrs. SHAHEEN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 38, a bill to amend title 28, United States Code, to prohibit the exclusion of individuals from service on a Federal jury on account of sexual orientation or gender identity.

S. 209

At the request of Mr. PAUL, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 209, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 489

At the request of Mr. THUNE, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 489, a bill to amend the Tariff Act of 1930 to increase and adjust for inflation the maximum value of articles that may be imported duty-free by one person on one day, and for other purposes.

S. 635

At the request of Mr. BROWN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 635, a bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

S. 636

At the request of Mr. MENENDEZ, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 636, a bill to amend title XVIII of the Social Security Act to allow certain hospitals in Puerto Rico to qualify for incentives for adoption and meaningful use of certified EHR Technology under the Medicare program.

S. 862

At the request of Ms. AYOTTE, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 862, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate.

S. 878

At the request of Mr. FRANKEN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 878, a bill to amend title

9 of the United States Code with respect to arbitration.

S. 947

At the request of Mrs. HAGAN, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 947, a bill to ensure access to certain information for financial services industry regulators, and for other purposes.

S. 1011

At the request of Mr. JOHANNIS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1011, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

S. 1069

At the request of Mrs. GILLIBRAND, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1069, a bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.

S. 1114

At the request of Mr. BROWN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 1114, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 1187

At the request of Ms. STABENOW, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1187, a bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt.

S. 1217

At the request of Mr. CORKER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1217, a bill to provide secondary mortgage market reform, and for other purposes.

S. 1235

At the request of Mr. WYDEN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1235, a bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on cell phone services, providers, or property.

S. 1271

At the request of Mr. RUBIO, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1271, a bill to direct the President to establish guidelines for the United States foreign assistance programs, and for other purposes.

S. 1302

At the request of Mr. HARKIN, the name of the Senator from Colorado

(Mr. UDALL) was added as a cosponsor of S. 1302, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide for cooperative and small employer charity pension plans.

S. 1417

At the request of Mrs. HAGAN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1417, a bill to amend the Public Health Service Act to reauthorize programs under part A of title XI of such Act.

S. 1419

At the request of Mr. WYDEN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1419, a bill to promote research, development, and demonstration of marine and hydrokinetic renewable energy technologies, and for other purposes.

S. 1510

At the request of Mr. COBURN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1510, a bill to provide for auditable financial statements for the Department of Defense, and for other purposes.

S. 1622

At the request of Ms. HEITKAMP, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 1622, a bill to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes.

S. 1659

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1659, a bill to amend the Higher Education Act of 1965 regarding proprietary institutions of higher education in order to protect students and taxpayers.

S. 1690

At the request of Mr. LEAHY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1690, a bill to reauthorize the Second Chance Act of 2007.

S. 1708

At the request of Mr. MERKLEY, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 1708, a bill to amend title 23, United States Code, with respect to the establishment of performance measures for the highway safety improvement program, and for other purposes.

S. 1712

At the request of Mr. HATCH, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 1712, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1725

At the request of Mr. VITTER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1725, a bill to amend the Securities Investor Protection Act of 1970 to confirm that a customer's net equity claim is based on the customer's last statement and that certain recoveries are prohibited, to change how trustees are appointed, and for other purposes.

S. 1735

At the request of Mr. ALEXANDER, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 1735, a bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to exclude from the definition of health insurance coverage certain medical stop-loss insurance obtained by certain plan sponsors of group health plans.

S. 1739

At the request of Mr. HOEVEN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 1739, a bill to modify the efficiency standards for grid-enabled water heaters.

S. 1740

At the request of Ms. LANDRIEU, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1740, a bill to authorize Department of Veterans Affairs major medical facility leases, and for other purposes.

S. 1747

At the request of Mr. REED, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 1747, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. 1797

At the request of Mr. REED, the names of the Senator from Ohio (Mr. BROWN), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 1797, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. RES. 299

At the request of Mr. SCHUMER, the names of the Senator from Nebraska (Mr. JOHANNIS) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. Res. 299, a resolution congratulating the American Jewish Joint Distribution Committee on the celebration of its 100th anniversary and commending its significant contribution to empower and revitalize developing communities around the world.

AMENDMENT NO. 2155

At the request of Mr. COBURN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 2155 intended to be proposed to S. 1197, an original bill to au-

thorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2244

At the request of Mr. HEINRICH, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of amendment No. 2244 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2365

At the request of Mr. MORAN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of amendment No. 2365 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Ms. WARREN, Mrs. BOXER, and Mr. REED):

S. 1803. A bill to require certain protections for student loan borrowers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1803

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Student Loan Borrower Bill of Rights".

SEC. 2. TRUTH IN LENDING ACT AMENDMENTS.

The Truth in Lending Act (15 U.S.C. 1601 et seq.) is amended—

(1) in section 128 (15 U.S.C. 1638)—

(A) in subsection (e)—

(i) in paragraph (1)(O), by striking "paragraph (6)" and inserting "paragraph (9)";

(ii) in paragraph (2)(L), by striking "paragraph (6)" and inserting "paragraph (9)";

(iii) in paragraph (4)(C), by striking "paragraph (7)" and inserting "paragraph (10)";

(iv) by redesignating paragraphs (5) through (11) as paragraphs (8) through (14), respectively;

(v) by inserting after paragraph (4) the following:

"(5) DISCLOSURES BEFORE FIRST FULLY AMORTIZED PAYMENT.—Not fewer than 30 days and not more than 150 days before the first fully amortized payment on a private education loan is due from the borrower, the private educational lender shall disclose to the borrower, clearly and conspicuously—

"(A) the information described in—

"(i) paragraph (2)(A) (adjusted, as necessary, for the rate of interest in effect on the date the first fully amortized payment on a private education loan is due);

"(ii) subparagraphs (B) through (G) of paragraph (2);

"(iii) paragraph (2)(H) (adjusted, as necessary, for the rate of interest in effect on the date the first fully amortized payment on a private education loan is due);

"(iv) paragraph (2)(K); and

"(v) subparagraphs (O) and (P) of paragraph (2);

"(B) the scheduled date upon which the first fully amortized payment is due;

"(C) the name of the lender and servicer, and the address to which communications and payments should be sent including a telephone number and website where the borrower may obtain additional information;

"(D) a description of alternative repayment plans, including loan consolidation or refinancing, and servicemember or veteran benefits under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) or other Federal or State law related to private education loans; and

"(E) a statement that a Servicemember and Veterans Liaison designated under paragraph (15)(F) is available to answer inquiries about servicemember and veteran benefits related to private education loans, including the toll-free telephone number to contact the Liaison pursuant to paragraph (15)(F).

"(6) DISCLOSURES WHEN BORROWER IS 30 DAYS DELINQUENT.—Not fewer than 5 days after a borrower becomes 30 days delinquent on a private education loan, the private educational lender shall disclose to the borrower, clearly and conspicuously—

"(A) the date on which the loan will be charged-off (as defined in paragraph (15)(A)) or assigned to collections, including the consequences of such charge-off or assignment to collections, if no payment is made;

"(B) the minimum payment that the borrower must make to avoid the loan being charged off (as defined in paragraph (15)(A)) or assigned to collection, and the minimum payment that the borrower must make to bring the loan current;

"(C) a statement informing the borrower that a payment of less than the minimum payment described in subparagraph (B) could result in the loan being charged off (as defined in paragraph (15)(A)) or assigned to collection; and

"(D) a statement that a Servicemember and Veterans Liaison designated under paragraph (15)(F) is available to answer inquiries about servicemember and veteran benefits related to private education loans, including the toll-free telephone number to contact the Liaison pursuant to paragraph (15)(F).

"(7) DISCLOSURES WHEN BORROWER IS HAVING DIFFICULTY MAKING PAYMENT OR IS 60 DAYS DELINQUENT.—

"(A) IN GENERAL.—Not fewer than 5 days after a borrower notifies a private educational lender that the borrower is having difficulty making payment or a borrower becomes 60 days delinquent on a private education loan, the private educational lender shall—

"(i) complete a full review of the borrower's private education loan and make a

reasonable effort to obtain the information necessary to determine—

“(I) if the borrower is eligible for an alternative repayment plan, including loan consolidation or refinancing; and

“(II) if the borrower is eligible for servicemember or veteran benefits under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) or other Federal or State law related to private education loans;

“(ii) provide the borrower, in writing, in simple and understandable terms, information about alternative repayment plans and benefits for which the borrower is eligible, including all terms, conditions, and fees or costs associated with such repayment plan, pursuant to paragraph (8)(D);

“(iii) allow the borrower not less than 30 days to apply for an alternative repayment plan or benefits, if eligible; and

“(iv) notify the borrower that a Servicemember and Veterans Liaison designated under paragraph (15)(F) is available to answer inquiries about servicemember and veteran benefits related to private education loans, including the toll-free telephone number to contact the Liaison pursuant to paragraph (15)(F).

“(B) FORBEARANCE OR DEFERMENT.—If a borrower notifies the private educational lender that a long-term alternative repayment plan is not needed, the private educational lender may comply with this paragraph by providing the borrower, in writing, in simple and understandable terms, information about forbearance or deferment options, including all terms, conditions, and fees or costs associated with such options pursuant to paragraph (8)(D).

“(C) NOTIFICATION PROCESS.—

“(i) IN GENERAL.—Each private educational lender shall establish a process, in accordance subparagraph (A), for a borrower to notify the lender that—

“(I) the borrower is having difficulty making payments on a private education loan; and

“(II) a long-term alternative repayment plan is not needed.

“(ii) CONSUMER FINANCIAL PROTECTION BUREAU REQUIREMENTS.—The Director of the Consumer Financial Protection Bureau, in consultation with the Secretary of Education, shall promulgate rules establishing minimum standards for private educational lenders in carrying out the requirements of this paragraph and a model form for borrowers to notify private educational lenders of the information under this paragraph.”;

(vi) in paragraph (8), as redesignated by clause (iv), by adding at the end the following:

“(D) MODEL DISCLOSURE FORM FOR ALTERNATIVE REPAYMENT PLANS, FORBEARANCE, AND DEFERMENT OPTIONS.—Not later than 2 years after the date of enactment of the Student Loan Borrower Bill of Rights, the Director of the Consumer Financial Protection Bureau, in consultation with the Secretary of Education, shall develop and issue model forms to allow borrowers to compare alternative repayment plans, forbearance, and deferment options with the borrower's existing repayment plan with respect to a private education loan. Such forms shall include the following:

“(i) The total amount to be paid over the life of the loan.

“(ii) The total amount in interest to be paid over the life of the loan.

“(iii) The monthly payment amount.

“(iv) The expected pay-off date.

“(v) Related fees and costs.

“(vi) Eligibility requirements, and how the borrower can apply for the alternative repayment plan, forbearance, or deferment option.

“(vii) Any consequences, including the loss of eligibility for alternative repayment plans, forbearance, or deferment options.”;

(vii) in paragraph (11), as redesignated by clause (iv), by striking “paragraph (7)” and inserting “paragraph (10)”;

(viii) in paragraph (14), as redesignated by clause (iv), by striking “paragraph (5)” and inserting “paragraph (8)”;

(ix) by adding at the end the following:

“(15) STUDENT LOAN BORROWER BILL OF RIGHTS.—

“(A) DEFINITIONS.—In this paragraph:

“(i) BORROWER.—The term ‘borrower’ means the person to whom a private education loan is extended.

“(ii) CHARGE OFF.—The term ‘charge off’ means charge to profit and loss, or subject to any similar action.

“(iii) PRIVATE EDUCATION LOAN.—The term ‘private education loan’ has the meaning given the term in section 140(a).

“(iv) SERVICER.—The term ‘servicer’ means the person responsible for the servicing of a private education loan, including any agent of such person or the person who makes, owns, or holds a loan if such person also services the loan.

“(v) SERVICING.—The term ‘servicing’ means—

“(I) receiving any scheduled periodic payments from a borrower pursuant to the terms of a private education loan;

“(II) making the payments of principal and interest and such other payments with respect to the amounts received from the borrower, as may be required pursuant to the terms of the loan; and

“(III) performing other administrative services with respect to the loan.

“(B) SALE, TRANSFER, OR ASSIGNMENT.—If the sale, other transfer, or assignment of a private education loan results in a change in the identity of the party to whom the borrower must send subsequent payments or direct any communications concerning the loan—

“(i) the transferor shall—

“(I) notify the borrower, in writing, in simple and understandable terms, not fewer than 45 days before transferring a legally enforceable right to receive payment from the borrower on such loan, of—

“(aa) the sale or other transfer;

“(bb) the identity of the transferee;

“(cc) the name and address of the party to whom subsequent payments or communications must be sent;

“(dd) the telephone numbers and websites of both the transferor and the transferee;

“(ee) the effective date of the sale, transfer, or assignment;

“(ff) the date on which the transferor servicer will stop accepting payment; and

“(gg) the date on which the transferee servicer will begin accepting payment; and

“(II) forward any payment from a borrower with respect to such private education loan to the transferee servicer, immediately upon receiving such payment, during the 60-day period beginning on the date on which the transferor servicer stops accepting payment of such private education loan; and

“(ii) the transferee shall—

“(I) notify the borrower, in writing, in simple and understandable terms, not fewer than 45 days before acquiring a legally enforceable right to receive payment from the borrower on such loan, of—

“(aa) the sale or other transfer;

“(bb) the identity of the transferee;

“(cc) the name and address of the party to whom subsequent payments or communications must be sent;

“(dd) the telephone numbers and websites of both the transferor and the transferee;

“(ee) the effective date of the sale, transfer, or assignment;

“(ff) the date on which the transferor will stop accepting payment; and

“(gg) the date on which the transferee will begin accepting payment;

“(II) accept as on-time and may not impose any late fee or finance charge for any payment from a borrower with respect to such private education loan that is forwarded from the transferor servicer during the 60-day period beginning on the date on which the transferor servicer stops accepting payment, if the transferor servicer receives such payment on or before the applicable due date, including any grace period;

“(III) provide borrowers a simple, online process for transferring existing electronic fund transfer authority; and

“(IV) honor any promotion or benefit offered to the borrower or advertised by the previous owner or transferor servicer of such private education loan.

“(C) MATERIAL CHANGE IN MAILING ADDRESS OR PROCEDURE FOR HANDLING PAYMENTS.—If a servicer makes a change in the mailing address, office, or procedures for handling payments with respect to any private education loan, and such change causes a delay in the crediting of the account of the borrower made during the 60-day period following the date on which such change took effect, the servicer may not impose any late fee or finance charge for a late payment on such private education loan.

“(D) APPLICATION OF PAYMENTS.—

“(i) IN GENERAL.—Unless otherwise directed by the borrower, upon receipt of a payment, the servicer shall apply amounts first to the interest and fees owed on the payment due date, and then to the principal balance of the private education loan bearing the highest annual percentage rate, and then to each successive interest and fees and then principal balance bearing the next highest annual percentage rate, until the payment is exhausted. A borrower may instruct or expressly authorize the servicer to apply payments in a different manner.

“(ii) APPLICATION OF EXCESS AMOUNTS.—Unless otherwise directed by the borrower, upon receipt of a payment, the servicer shall apply amounts in excess of the minimum payment amount first to the interest and fees owed on the payment due date, and then to the principal balance of the private education loan balance bearing the highest annual percentage rate, and then to each successive interest and fees and principal balance bearing the next highest annual percentage rate, until the payment is exhausted. A borrower may instruct or expressly authorize the servicer to apply such excess payments in a different manner.

“(iii) APPLY PAYMENT ON DATE RECEIVED.—Unless otherwise directed by the borrower, a servicer shall apply payments to a borrower's account on the date the payment is received.

“(iv) PROMULGATION OF RULES.—The Director of the Consumer Financial Protection Bureau, in consultation with the Secretary of Education, may promulgate rules for the application of payments that—

“(I) minimizes the amount of fees and interest incurred by the borrower and the total loan amount paid by the borrower;

“(II) minimizes delinquencies, assignments to collection, and charge-offs;

“(III) requires servicers to apply payments on the date received; and

“(IV) allows the borrower to instruct the servicer to apply payments in a manner preferred by the borrower.

“(E) REHABILITATION OF LOANS.—If a borrower successfully and voluntarily makes 9 payments within 20 days of the due date during 10 consecutive months of amounts owed on a private education loan, or otherwise brings a private education loan current after the loan is charged-off, the loan shall be considered rehabilitated, and the lender or servicer shall request that any consumer reporting agency to which the charge-off was reported remove the delinquency that led to the charge-off and the charge-off from the borrower’s credit history.

“(F) SERVICEMEMBERS, VETERANS, AND PRIVATE EDUCATION LOANS.—

“(i) SERVICEMEMBER AND VETERANS LIAISON.—Each servicer shall designate an employee to act as the servicemember and veterans liaison who is responsible for answering inquiries from servicemembers and veterans, and is specially trained on servicemember and veteran benefits under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) and other Federal or State laws related to private education loans.

“(ii) TOLL-FREE TELEPHONE NUMBER.—Each servicer shall maintain a toll-free telephone number that shall—

“(I) connect directly to the servicemember and veterans liaison designated under clause (i); and

“(II) be made available on the primary internet website of the servicer and on monthly billing statements.

“(iii) PROHIBITION ON CHARGE OFFS.—A lender or servicer may not charge off or report a private education loan as delinquent, assigned to collection (internally or by referral to a third party), or charged-off to a credit reporting agency if the borrower is on active duty in the Armed Forces (as defined in section 101(d)(1) of title 10, United States Code) serving in a combat zone (as designated by the President under section 112(c) of the Internal Revenue Code of 1986).

“(G) BORROWER’S LOAN HISTORY.—

“(i) IN GENERAL.—A servicer shall make available through a secure website, or in writing upon request, the loan history of each borrower for each private education loan, separately designating—

“(I) payment history;

“(II) loan history, including any forbearances, deferrals, delinquencies, assignment to collection, and charge offs;

“(III) annual percentage rate history; and

“(IV) key loan terms, including application of payments to interest, principal, and fees, origination date, principal, capitalized interest, annual percentage rate, including any cap, loan term, and any contractual incentives.

“(ii) ORIGINAL DOCUMENTATION.—A servicer shall make available to the borrower, if requested, at no charge, copies of the original loan documents and the promissory note for each private education loan.

“(H) ERROR RESOLUTION.—The Director of the Consumer Financial Protection Bureau, in consultation with the Secretary of Education, shall promulgate rules requiring servicers to establish error resolution procedures to allow borrowers to inquire about errors related to their private education loans and obtain timely resolution of such errors.

“(I) ADDITIONAL SERVICING STANDARDS.—The Director of the Consumer Financial Protection Bureau, in consultation with the Secretary of Education, may establish addi-

tional servicing standards to reduce delinquencies, assignment to collections, and charge-offs, and to ensure borrowers understand their rights and obligations related to their private education loans.

“(J) ARBITRATION.—

“(i) WAIVER OF RIGHTS AND REMEDIES.—Any rights and remedies available to borrowers against servicers may not be waived by any agreement, policy, or form, including by a predispute arbitration agreement.

“(ii) PREDISPUTE ARBITRATION AGREEMENTS.—No predispute arbitration agreement shall be valid or enforceable by a servicer, including as a third-party beneficiary or by estoppel, if the agreement requires arbitration of a dispute with respect to a private education loan. This subparagraph applies to predispute arbitration agreements entered into before the date of enactment of the Student Loan Borrower Bill of Rights, as well as on and after such date of enactment, if the violation that is the subject of the dispute occurred on or after such date of enactment.

“(K) ENFORCEMENT.—The provisions of this paragraph shall be enforced by the agencies specified in subsections (a) through (d) of section 108, in the manner set forth in that section or under any other applicable authorities available to such agencies by law.

“(L) PREEMPTION.—Nothing in this paragraph may be construed to preempt any provision of State law regarding private education loans where the State law provides stronger consumer protections.

“(M) CIVIL LIABILITY.—A servicer that fails to comply with any requirement imposed under this paragraph shall be deemed a creditor that has failed to comply with a requirement under this chapter for purposes of liability under section 130 and such servicer shall be subject to the applicable liability provisions under such section.”; and

(B) by adding at the end the following:

“(g) INFORMATION TO BE AVAILABLE AT NO CHARGE.—The information required to be disclosed under this section shall be made available at no charge to the borrower.”; and

(2) in section 130(a)—

(A) in paragraph (3), by striking “128(e)(7)”

and inserting “128(e)(10)”; and

(B) in the flush matter at the end, by striking “or paragraph (4)(C), (6), (7), or (8) of section 128(e),” and inserting “or paragraph (4)(C), (9), (10), or (11) of section 128(e).”

SEC. 3. STUDENT LOAN BORROWER BILL OF RIGHTS.

The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

(1) in part G of title IV (20 U.S.C. 1088 et seq.) by adding at the end the following:

“SEC. 493E. STUDENT LOAN BORROWER BILL OF RIGHTS.

“(a) DEFINITIONS.—In this section:

“(1) SERVICER.—The term ‘servicer’ means the person responsible for the servicing of any student loan, including any agent of such person or the person who makes, owns, or holds a loan if such person also services the loan.

“(2) SERVICING.—The term ‘servicing’ means—

“(A) receiving any scheduled periodic payments from a borrower pursuant to the terms of a student loan;

“(B) making the payments of principal and interest and such other payments with respect to the amounts received from the borrower, as may be required pursuant to the terms of the loan; and

“(C) performing other administrative services with respect to the loan.

“(3) STUDENT LOAN.—The term ‘student loan’ means a loan made, insured, or guaranteed under this title.

“(b) TRANSFER OF LENDER OR SERVICER.—If the sale, other transfer, or assignment of a student loan results in a change in the identity of the party to whom the borrower must send subsequent payments or direct any communications concerning the loan—

“(1) the transferor shall—

“(A) notify the borrower in writing not fewer than 45 days before transferring a legally enforceable right to receive payment from the borrower on such loan, of—

“(i) the sale, transfer, or assignment;

“(ii) the identity of the transferee;

“(iii) the name and address of the party to whom subsequent payments or communications must be sent;

“(iv) the telephone numbers and websites of both the transferor and the transferee;

“(v) the effective date of the sale, transfer, or assignment;

“(vi) the date on which the current servicer will stop accepting payments; and

“(vii) the date on which the transferee servicer will begin accepting payment; and

“(B) forward to the transferee servicer any payment with respect to such student loan, immediately upon receiving such payment, from a borrower during the 60-day period beginning on the date on which the transferor servicer stops accepting payment for such student loan; and

“(2) the transferee shall—

“(A) notify the borrower in writing not fewer than 45 days before transferring a legally enforceable right to receive payment from the borrower on such loan, of—

“(i) the sale, transfer, or assignment;

“(ii) the identity of the transferor;

“(iii) the name and address of the party to whom subsequent payments or communications must be sent;

“(iv) the telephone numbers and websites of both the transferor and the transferee;

“(v) the effective date of the sale, transfer, or assignment;

“(vi) the date on which the current servicer will stop accepting payments; and

“(vii) the date on which the transferee servicer will begin accepting payment;

“(B) accept as on-time and may not impose any late fee or finance charge with respect to such student loan for any payment forwarded from the transferor servicer during the 60-day period beginning on the date on which the transferor servicer stops accepting payment, if the transferor servicer received such payment from the borrower on or before the applicable due date, including any grace period;

“(C) provide borrowers a simple, online process for transferring existing electronic fund transfer authority; and

“(D) honor any promotion or benefit offered to the borrower or advertised by the previous owner or transferor servicer of such student loan.

“(c) MATERIAL CHANGE IN MAILING ADDRESS OR PROCEDURE FOR HANDLING PAYMENTS.—If a servicer makes a change in the mailing address, office, or procedures for handling payments with respect to any student loan, and such change causes a delay in the crediting of the account of the borrower made during the 60-day period following the date on which such change took effect, the servicer may not impose any late fee or finance charge for a late payment on such student loan.

“(d) ELIGIBILITY FOR DISCHARGE.—The Director of the Consumer Financial Protection Bureau, in consultation with the Secretary, shall promulgate rules requiring lenders and servicers to—

“(1) identify and contact borrowers who may be eligible for student loan discharge by the Secretary;

“(2) provide the borrower, in writing, in simple and understandable terms, information about obtaining such discharge; and

“(3) create a streamlined process for eligible borrowers to apply for and receive such discharge.

“(e) APPLICATION OF PAYMENTS.—

“(1) IN GENERAL.—Notwithstanding any other provision of this Act, the Director of the Consumer Financial Protection Bureau, in consultation with the Secretary, shall issue rules for the application of student loan payments that—

“(A) minimizes the amount of fees and interest incurred by the borrower and the total loan amount paid by the borrower;

“(B) minimizes delinquencies, assignments to collection, and charge offs;

“(C) requires servicers to apply payments on the date received; and

“(D) allows the borrower to direct the servicer to apply payments in a manner preferred by the borrower.

“(2) METHOD THAT BEST BENEFITS BORROWER.—In issuing the rules under paragraph (1), the Director of the Consumer Financial Protection Bureau shall choose the application method that best benefits the borrower and is compatible with existing repayment options.

“(f) SERVICEMEMBERS, VETERANS, AND STUDENT LOANS.—

“(1) SERVICEMEMBER AND VETERANS LIAISON.—Each servicer of a student loan shall designate an employee to act as the servicemember and veterans liaison who is responsible for answering inquiries from servicemembers and veterans, and is specially trained on servicemember and veteran benefits and options under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) and other Federal or State laws related to student loans.

“(2) TOLL-FREE TELEPHONE NUMBER.—Each servicer of a student loan shall maintain a toll-free telephone number for the servicemember and veterans liaison designated under paragraph (1), which shall be made available on the primary Internet website of the servicer and on monthly billing statements.

“(3) PROHIBITION ON DEFAULT.—Notwithstanding any other provision of this Act, a servicer may not report a student loan as delinquent, assigned to collection (internally or by referral to a third party), charged off, or in default, to a credit reporting agency if the borrower is on active duty in the Armed Forces (as defined in section 101(d)(1) of title 10, United States Code) serving in a combat zone (as designated by the President under section 112(c) of the Internal Revenue Code of 1986).

“(4) ADDITIONAL LIAISONS.—The Secretary shall determine additional entities with whom borrowers interact, including guaranty agencies, that shall designate an employee to act as the servicemember and veterans liaison who is responsible for answering inquiries from servicemembers and veterans, and is specially trained on servicemember and veteran benefits and options under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) and other Federal or State laws related to student loans.

“(g) BORROWER'S LOAN HISTORY.—

“(1) IN GENERAL.—A servicer of a student loan shall make available through a secure website, or in writing upon request, the loan history of each borrower for each student loan, separately designating—

“(A) payment history;

“(B) loan history, including any forbearances, deferrals, delinquencies, and defaults;

“(C) annual percentage rate history; and

“(D) key loan terms, including application of payments to interest, principal, and fees, origination date, principal, capitalized interest, annual percentage rate, including any cap, loan term, and any contractual incentives.

“(2) ORIGINAL DOCUMENTATION.—A servicer shall make available to the borrower, if requested, at no charge, copies of the original loan documents and the promissory note for each student loan.

“(h) ERROR RESOLUTION.—The Director of the Consumer Financial Protection Bureau, in consultation with the Secretary, shall promulgate rules requiring servicers to establish error resolution procedures to allow borrowers to inquire about errors related to their student loans and obtain timely resolution of such errors.

“(i) ADDITIONAL SERVICING STANDARDS.—The Director of the Consumer Financial Protection Bureau, in consultation with the Secretary, may establish additional servicing standards to reduce delinquencies, assignments to collection, and defaults, and to ensure borrowers understand their rights and obligations related to their student loans.

“(j) PROMULGATION OF RULES.—The Director of the Consumer Financial Protection Bureau, in consultation with the Secretary, shall promulgate rules implementing this section.”;

(2) in section 433 (20 U.S.C. 1083)—

(A) in subsection (b)—

(i) in paragraph (12), by striking “and” after the semicolon;

(ii) in paragraph (13), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(14) a statement that—

“(A) the borrower may be entitled to servicemember and veteran benefits under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) and other Federal or State laws; and

“(B) a Servicemember and Veterans Liaison designated under section 493E(f) is available to answer inquiries about servicemember and veteran benefits, including the toll-free telephone number to contact the Liaison pursuant to section 493E(f).”; and

(B) in subsection (e)—

(i) in paragraph (2), by adding at the end the following:

“(D) A statement that—

“(i) the borrower may be entitled to servicemember and veteran benefits under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) and other Federal or State laws; and

“(ii) a Servicemember and Veterans Liaison designated under section 493E(f) is available to answer inquiries about servicemember and veteran benefits, including the toll-free telephone number to contact the Liaison pursuant to section 493E(f).”; and

(ii) in paragraph (3), by adding at the end the following:

“(F) A statement that—

“(i) the borrower may be entitled to servicemember and veteran benefits under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) and other Federal or State laws; and

“(ii) a Servicemember and Veterans Liaison designated under section 493E(f) is available to answer inquiries about servicemember and veteran benefits, including the toll-free telephone number to contact the Liaison pursuant to section 493E(f).”; and

(iii) by adding at the end the following:

“(4) NOTIFICATION OF REPAYMENT OPTIONS AND ALTERNATIVES TO DEFAULT.—The Secretary shall require eligible lenders to, not later than 1 year after the date of enactment of the Student Loan Borrower Bill of Rights—

“(A) notify borrowers, in writing, in simple and understandable terms, about alternative repayment options, including income-based repayment, income contingent repayment, consolidation, and forgiveness options, as well as servicemember or veteran benefits under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) or other Federal or State laws;

“(B) provide borrowers, in writing, in simple and understandable terms, information about alternative repayment plans, including all terms, conditions, and fees or costs associated with such repayment plans in a format that allows the borrower to compare the current repayment plan with alternative repayment plans; and

“(C) offer to enroll such borrowers in alternative repayment plans, if eligible.”; and

(3) in section 455(d) (20 U.S.C. 1087e(d)), by adding at the end the following:

“(6) NOTIFICATION OF REPAYMENT OPTIONS.—The Secretary shall carry out, not later than 1 year after the date of enactment of the Student Loan Borrower Bill of Rights, the activities described in subparagraphs (A), (B), and (C) of section 433(e)(4) with respect to loans made under this part.”.

SEC. 4. KNOW BEFORE YOU OWE.

(a) AMENDMENTS TO THE TRUTH IN LENDING ACT.—

(1) IN GENERAL.—Section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by section 2, is further amended—

(A) by striking paragraph (3) and inserting the following:

“(3) INSTITUTIONAL CERTIFICATION REQUIRED.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), before a creditor may issue any funds with respect to an extension of credit described in this subsection, the creditor shall obtain from the relevant institution of higher education where such loan is to be used for a student, such institution's certification of—

“(i) the enrollment status of the student;

“(ii) the student's cost of attendance at the institution as determined by the institution under part F of title IV of the Higher Education Act of 1965; and

“(iii) the difference between—

“(I) such cost of attendance; and

“(II) the student's estimated financial assistance, including such assistance received under title IV of the Higher Education Act of 1965 and other financial assistance known to the institution, as applicable.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), a creditor may issue funds, not to exceed the amount described in subparagraph (A)(iii), with respect to an extension of credit described in this subsection without obtaining from the relevant institution of higher education such institution's certification if such institution fails to provide within 15 business days of the creditor's request for such certification—

“(i) notification of the institution's refusal to certify the request; or

“(ii) notification that the institution has received the request for certification and will need additional time to comply with the certification request.

“(C) LOANS DISBURSED WITHOUT CERTIFICATION.—If a creditor issues funds without

obtaining a certification, as described in subparagraph (B), such creditor shall report the issuance of such funds in a manner determined by the Director of the Consumer Financial Protection Bureau.”; and

(B) by adding at the end the following:

“(16) PROVISION OF INFORMATION.—

“(A) PROVISION OF INFORMATION TO STUDENTS.—

“(i) LOAN STATEMENT.—A creditor that issues any funds with respect to an extension of credit described in this subsection shall send loan statements, where such loan is to be used for a student, to borrowers of such funds not less than once every 3 months during the time that such student is enrolled at an institution of higher education.

“(ii) CONTENTS OF LOAN STATEMENT.—Each statement described in clause (i) shall—

“(I) report the borrower’s total remaining debt to the creditor, including accrued but unpaid interest and capitalized interest;

“(II) report any debt increases since the last statement; and

“(III) list the current interest rate for each loan.

“(B) NOTIFICATION OF LOANS DISBURSED WITHOUT CERTIFICATION.—On or before the date a creditor issues any funds with respect to an extension of credit described in this subsection, the creditor shall notify the relevant institution of higher education, in writing, of the amount of the extension of credit and the student on whose behalf credit is extended. The form of such written notification shall be subject to the regulations of the Consumer Financial Protection Bureau.

“(C) ANNUAL REPORT.—A creditor that issues funds with respect to an extension of credit described in this subsection shall prepare and submit an annual report to the Consumer Financial Protection Bureau containing the required information about private student loans to be determined by the Consumer Financial Protection Bureau, in consultation with the Secretary of Education.”.

(2) DEFINITION OF PRIVATE EDUCATION LOAN.—Section 140(a)(7)(A) of the Truth in Lending Act (15 U.S.C. 1650(a)(7)(A)) is amended—

(A) by redesignating clause (ii) as clause (iii);

(B) in clause (i), by striking “and” after the semicolon; and

(C) by adding after clause (i) the following:

“(ii) is not made, insured, or guaranteed under title VII or title VIII of the Public Health Service Act (42 U.S.C. 292 et seq. and 296 et seq.); and”.

(3) REGULATIONS.—Not later than 365 days after the date of enactment of this Act, the Director of the Consumer Financial Protection Bureau shall issue regulations in final form to implement paragraphs (3) and (16) of section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by paragraph (1). Such regulations shall become effective not later than 6 months after their date of issuance.

(b) AMENDMENTS TO THE HIGHER EDUCATION ACT OF 1965.—

(1) PROGRAM PARTICIPATION AGREEMENTS.—Section 487(a) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)) is amended by striking paragraph (28) and inserting the following:

“(28)(A) Upon the request of a private educational lender, acting in connection with an application initiated by a borrower for a private education loan in accordance with section 128(e)(3) of the Truth in Lending Act (15 U.S.C. 1638(e)(3)), the institution shall within 15 days of receipt of a certification request—

“(i) provide such certification to such private educational lender—

“(I) that the student who initiated the application for the private education loan, or on whose behalf the application was initiated, is enrolled or is scheduled to enroll at the institution;

“(II) of such student’s cost of attendance at the institution as determined under part F of this title; and

“(III) of the difference between—

“(aa) the cost of attendance at the institution; and

“(bb) the student’s estimated financial assistance received under this title and other assistance known to the institution, as applicable;

“(ii) notify the creditor that the institution has received the request for certification and will need additional time to comply with the certification request; or

“(iii) provide notice to the private educational lender of the institution’s refusal to certify the private education loan under subparagraph (D).

“(B) With respect to a certification request described in subparagraph (A), and prior to providing such certification under subparagraph (A)(i) or providing notice of the refusal to provide certification under subparagraph (A)(iii), the institution shall—

“(i) determine whether the student who initiated the application for the private education loan, or on whose behalf the application was initiated, has applied for and exhausted the Federal financial assistance available to such student under this title and inform the student accordingly; and

“(ii) provide the borrower whose loan application has prompted the certification request by a private education lender, as described in subparagraph (A)(i), with the following information and disclosures:

“(I) The availability of, and the borrower’s potential eligibility for, Federal financial assistance under this title, including disclosing the terms, conditions, interest rates, and repayment options and programs of Federal student loans.

“(II) The borrower’s ability to select a private educational lender of the borrower’s choice.

“(III) The impact of a proposed private education loan on the borrower’s potential eligibility for other financial assistance, including Federal financial assistance under this title.

“(IV) The borrower’s right to accept or reject a private education loan within the 30-day period following a private educational lender’s approval of a borrower’s application and about a borrower’s 3-day right to cancel period.

“(C) For purposes of this paragraph, the terms ‘private educational lender’ and ‘private education loan’ have the meanings given such terms in section 140 of the Truth in Lending Act (15 U.S.C. 1650).

“(D)(i) An institution shall not provide a certification with respect to a private education loan under this paragraph unless the private education loan includes terms that provide—

“(I) the borrower alternative repayment plans, including loan consolidation or refinancing; and

“(II) that the liability to repay the loan shall be cancelled upon the death or disability of the borrower or co-borrower.

“(ii) In this paragraph, the term ‘disability’ means a permanent and total disability, as determined in accordance with the regulations of the Secretary of Education, or a determination by the Secretary of Veterans that the borrower is unemployed due to a service connected disability.”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the effective date of the regulations described in subsection (a)(3).

(3) PREFERRED LENDER ARRANGEMENT.—Section 151(8)(A)(ii) of the Higher Education Act of 1965 (20 U.S.C. 1019(8)(A)(ii)) is amended by inserting “certifying,” after “promoting.”.

(c) REPORT.—Not later than 24 months after the issuance of regulations under subsection (a)(3), the Director of the Consumer Financial Protection Bureau and the Secretary of Education shall jointly submit to Congress a report on the compliance of institutions of higher education and private educational lenders with section 128(e)(3) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by subsection (a), and section 487(a)(28) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)), as amended by subsection (b). Such report shall include information about the degree to which specific institutions utilize certifications in effectively encouraging the exhaustion of Federal student loan eligibility and lowering student private education loan debt.

SEC. 5. REPORT ON STUDENT LOAN SERVICERS.

Not later than 1 year after the date of enactment of this Act, the Director of the Consumer Financial Protection Bureau, in consultation with the Secretary of Education, shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Education and the Workforce of the House of Representatives on private and Federal student loan servicers, including—

(1) any legislative recommendations to improve student loan servicing standards; and

(2) information on proactive early intervention methods by servicers to help distressed student loan borrowers enroll in any eligible repayment plans.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 317—EXPRESSING THE SENSE OF THE SENATE ON THE CONTINUING RELATIONSHIP BETWEEN THE UNITED STATES AND GEORGIA

Mr. SESSIONS (for himself and Mrs. SHAHEEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 317

Whereas Georgia is a highly valued partner of the United States and has repeatedly demonstrated its commitment to advancing the mutual interests of both countries, including through the deployment of Georgian forces as part of the NATO-led International Security Assistance Force (ISAF) in Afghanistan, where Georgia is currently the largest non-NATO contributor and serving without caveats in Helmand Province, and the Multi-National Force in Iraq;

Whereas, contrary to international law and the 2008 ceasefire agreement between Russia and Georgia, Russian forces have constructed barriers, including barbed wire and fences, along the administrative boundary line for the South Ossetia region of Georgia;

Whereas this “borderization” is inconsistent with Russia’s international commitments under the August 2008 ceasefire agreement, is contrary to Georgia’s sovereignty

and territorial integrity, creates hardship and significant negative impacts for populations on both sides of these barriers, and is detrimental to long-term conflict resolution;

Whereas the peaceful transfer of power as the result of the October 2012 parliamentary elections in Georgia represents a major accomplishment toward the creation by the people of Georgia of a free society and full democracy;

Whereas the presidential election of October 2013 marks another step in this transition to a free and open democracy in Georgia;

Whereas international election observers from the Organization for Security and Cooperation in Europe (OSCE) concluded that the election “was efficiently administered, transparent, and took place in an amicable and constructive environment [. . .]. Fundamental freedoms of expression, movement and assembly were respected, and candidates were able to campaign without restriction. [. . .] A wide range of views and information was made available to voters through the media, providing candidates with a platform to present their programmes and opinions freely”;

Whereas such election conduct is consistent with actions that demonstrate progress toward a mature and free democracy; and

Whereas, on November 29, 2013, Georgia initiated an Association Agreement with the European Union (EU), making Georgia a member of the Deep and Comprehensive Free Trade Area, removing significant trade restrictions with the European Union, and signifying an important preliminary step towards the signing and eventual implementation of the Association Agreement by all European Union members states and Georgia: Now, therefore, be it

Resolved, That the Senate—

(1) declares that the United States supports the sovereignty, independence, and territorial integrity of Georgia and the inviolability of its internationally recognized borders, and expresses concerns over the continued occupation of the Georgian regions of Abkhazia and South Ossetia by the Russian Federation;

(2) encourages the President to enhance defense cooperation efforts with Georgia;

(3) supports the efforts of the Government of Georgia to protect its government, people, sovereignty, and territorial integrity within its internationally recognized borders;

(4) reaffirms its support for Georgia's NATO membership aspirations, congratulates the Government of Georgia on the steps it has taken to further its integration with NATO, and commends the determination of the Government of Georgia to maintain its troop contribution to International Security Assistance Force and its willingness to extend its mission in Afghanistan beyond 2014;

(5) congratulates the Government and people of Georgia on the presidential election of October 27, 2013, commends the Government and people of Georgia on a peaceful and democratic transfer of power, and encourages all parties to work together constructively to maintain continued movement toward a free and democratic society;

(6) strongly encourages the Government of Georgia to defend the rule of law, improve the independence of the judiciary, and protect the rights of political opposition—all essential components of a free and open democracy and which can and should be demonstrated in the upcoming 2014 local elections;

(7) strongly supports a United States and international election monitoring mission

for this final phase of Georgia's election cycle;

(8) further encourages the Government of Georgia to refrain from politically motivated arrests and prosecutions;

(9) affirms that the path to lasting stability in this region is through peaceful means and long-term diplomatic and political dialogue; and

(10) remains committed to assisting the people of Georgia in their efforts to establish an enduring democratic society with strong institutions within the rule of law.

SENATE RESOLUTION 318—EXPRESSING THE SENSE OF THE SENATE REGARDING THE CRITICAL NEED FOR POLITICAL REFORM IN BANGLADESH, AND FOR OTHER PURPOSES

Mr. DURBIN (for himself, Mr. ENZI, and Mr. MURPHY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 318

Whereas the nation of Bangladesh was established in 1971 after a bitter war in which it split from Pakistan, and for many of the ensuing years until 1990, it was ruled by military governments;

Whereas political tensions have at times turned to violence in Bangladesh, undermining the democratic process;

Whereas the last parliamentary elections in Bangladesh originally scheduled for January 2007, were postponed indefinitely after the military intervened amid rising violence and questions about the electoral process's credibility;

Whereas a military-backed civilian caretaker government held power until December 2008 when Bangladeshis returned to the polls to elect a new parliament for the first time in many years;

Whereas ongoing antagonism between the country's two ruling parties, the Awami League and the Bangladesh Nationalist Party, distracts from the important needs of the country;

Whereas concerns have grown about religious extremism in the otherwise usually tolerant country;

Whereas the United States-Bangladesh relationship is strong and involves many shared interests, including regional economic integration, counterterrorism, counter-piracy, poverty alleviation, food security, regional stability, and mitigation of natural disasters;

Whereas bilateral trade between the United States and Bangladesh now tops \$6,000,000,000 annually, with major United States companies making significant long-term investments in Bangladesh;

Whereas the economy of Bangladesh has grown six percent per year over the last two decades, despite a range of challenges;

Whereas the poverty rate in Bangladesh dropped from 40 percent to 31 percent between 2005 and 2010—a notable accomplishment in a country in which poverty has been deep and widespread;

Whereas the Grameen Bank's revolutionary microfinance lending to the poor has helped reduce poverty not only in Bangladesh, but has served as an innovative and powerful model for helping the poor elsewhere in the world;

Whereas the Department of State, Congress, and other high profile international voices have recognized the Grameen Bank's innovative work and expressed great concern

over actions by the Government of Bangladesh that undermine the Bank's independence;

Whereas Bangladesh, an example of a moderate and diverse Muslim-majority democracy, is scheduled to have national elections on January 5, 2014;

Whereas, in 2013, hundreds of Bangladeshis died in violent clashes as a result of political violence and unrest, and some opposition and human rights activists have been arrested;

Whereas trials held by the International Crimes Tribunal in Bangladesh—set up to prosecute those responsible for atrocities committed during Bangladesh's war of liberation with Pakistan in 1971—have fallen short of international standards;

Whereas the Government of Bangladesh eliminated a constitutional provision requiring the governing party to cede power to a neutral caretaker government three months before an election;

Whereas the 18-member opposition coalition in Bangladesh called for numerous nationwide strikes and transportation blockades in 2013, resulting in dozens of deaths;

Whereas Bangladeshi students cannot attend school and complete mandatory exams due to the strikes and blockades and related violence;

Whereas many citizens of Bangladesh have had their work and daily activities disrupted due to the strikes and related violence, which come at a cost to the economy and stability of Bangladesh;

Whereas a stable, moderate, secular, Muslim-majority democracy with the world's seventh-largest population, and the world's fourth-largest Muslim population, will have lasting positive impacts in the region and beyond;

Whereas the success of the democratic process in Bangladesh is of great importance to the United States and the world; and

Whereas during the week of December 8, 2013, United Nations Assistant Secretary General Oscar Fernandez-Taranco visited Bangladesh to foster political dialogue between Bangladeshi political parties and leaders in order to bring a halt to violence and allow for a credible peaceful election: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the political violence in Bangladesh and urges political leaders in that country to engage directly and substantively in a dialogue toward free, fair, and credible elections;

(2) expresses great concern about the continued political deadlock in Bangladesh that distracts from the country's many important challenges;

(3) urges political leaders in Bangladesh to take immediate steps to rein in and to condemn the violence as well as to provide space for peaceful political protests;

(4) urges political leaders in Bangladesh to ensure the safety and access of observers in its upcoming elections;

(5) supports ongoing efforts by United Nations Assistant Secretary General Oscar Fernandez-Taranco to foster political dialogue between political factions in Bangladesh; and

(6) urges the Government of Bangladesh to ensure judicial independence, end harassment of human rights activists, and restore the independence of the Grameen Bank.

NOTICE OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources on Thursday, December 12, 2013, at 9 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the nominations of Dr. Franklin M. Orr to be Under Secretary for Science, Department of Energy, Mr. Jonathan Elkind, to be an Assistant Secretary of Energy, International Affairs, Ms. Rhea S. Suh, to be Assistant Secretary of Fish and Wildlife and Parks, Department of the Interior, and Mr. Tommy P. Beaudreau, to be an Assistant Secretary of the Interior, Policy, Management and Budget.

For further information, please contact Sam Fowler at (202) 224-7571 or Abigail Campbell at (202) 224-4905.

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a business meeting and hearing have been scheduled before the Senate Committee on Energy and Natural Resources on Tuesday, December 17, 2013, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the business meeting is to consider the nominations of Dr. Steven P. Croley, to be the General Counsel, Department of Energy, Mr. Christopher A. Smith, to be an Assistant Secretary of Energy, Fossil Energy, and Ms. Esther P. Kia'aina to be an Assistant Secretary of the Interior, Insular Areas.

The purpose of the hearing is to consider the nominations of Ms. Janice M. Schneider, Assistant Secretary of the Interior, Land and Minerals Management, Department of the Interior, Mr. Neil G. Kornze, Director of the Bureau of Land Management, Department of the Interior, Dr. Marc A. Kastner, Director of the Office of Science, Department of Energy, and Dr. Ellen D. Williams, Director of the Advanced Research Projects Agency-Energy, Department of Energy.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to Abigail.Campbell@energy.senate.gov.

For further information, please contact Sam Fowler at (202) 224-7571 or Abigail Campbell at (202) 224-4905.

AUTHORITY FOR COMMITTEES TO
MEETCOMMITTEE ON BANKING, HOUSING, AND URBAN
AFFAIRS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on December 11, 2013, at 3:30 p.m., to conduct a hearing entitled "Rebuilding American Manufacturing."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on December 11, 2013, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Continued Oversight of U.S. Government Surveillance Authorities."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FINANCIAL AND
CONTRACTING OVERSIGHT

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Subcommittee on Financial and Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on December 11, 2013, at 2 p.m. to conduct a hearing entitled, "A More Efficient and Effective Government: Streamlining Overseas Trade and Development Agencies."

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on December 11, 2013, in room 562 of the Dirksen Senate Office Building beginning at 3:45 p.m., to conduct a hearing entitled "Protecting Seniors From Medication Labeling Mistakes."

The PRESIDING OFFICER. Without objection, it is so ordered.

CONFIRMATION

Executive nomination confirmed by the Senate: Thursday, December 12, 2013:

THE JUDICIARY

CORNELIA T. L. PILLARD, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT.

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to report the motion to invoke cloture.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Chai Rachel Feldblum, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission:

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

QUORUM CALL

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair now asks the clerk to call the roll to ascertain the presence of a quorum.

The assistant bill clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 5]

Alexander	Grassley	Nelson
Ayotte	Harkin	Paul
Baldwin	Heinrich	Portman
Barrasso	Heitkamp	Reed
Baucus	Heller	Reid
Bennet	Hirono	Risch
Blumenthal	Isakson	Roberts
Blunt	Johanns	Rockefeller
Boozman	Johnson (SD)	Sanders
Boxer	Johnson (WI)	Schumer
Brown	Kaine	Scott
Burr	King	Sessions
Cantwell	Klobuchar	Shelby
Cardin	Landrieu	Stabenow
Coats	Leahy	Tester
Collins	Lee	Thune
Corker	Manchin	Toomey
Cornyn	Markey	Udall (CO)
Crapo	McCaskill	Udall (NM)
Donnelly	McConnell	Vitter
Durbin	Menendez	Warner
Enzi	Merkley	Warren
Feinstein	Mikulski	Wicker
Fischer	Murkowski	Wyden
Flake	Murphy	
Gillibrand	Murray	

The PRESIDING OFFICER. A quorum is present.

The question is, Is it the sense of the Senate that debate on the nomination of Chai Rachel Feldblum, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Illinois (Mr. KIRK), and the Senator from Kansas (Mr. MORAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 57, nays 39, as follows:

[Rollcall Vote No. 257 Ex.]

YEAS—57

Baldwin	Begich	Blumenthal
Baucus	Bennet	Booker

Boxer	Hirono	Nelson
Brown	Johnson (SD)	Pryor
Cantwell	Kaine	Reed
Cardin	King	Reid
Carpenter	Klobuchar	Rockefeller
Casey	Landrieu	Sanders
Collins	Leahy	Schatz
Coons	Levin	Schumer
Donnelly	Manchin	Shaheen
Durbin	Markey	Stabenow
Feinstein	McCaskill	Tester
Franken	Menendez	Udall (CO)
Gillibrand	Merkley	Udall (NM)
Hagan	Mikulski	Warner
Harkin	Murkowski	Warren
Heinrich	Murphy	Whitehouse
Heitkamp	Murray	Wyden

NAYS—39

Alexander	Fischer	McConnell
Ayotte	Flake	Paul
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Coats	Hoeven	Scott
Cochran	Inhofe	Sessions
Corker	Isakson	Shelby
Cornyn	Johanns	Thune
Crapo	Johnson (WI)	Toomey
Cruz	Lee	Vitter
Enzi	McCain	Wicker

NOT VOTING—4

Chambliss	Kirk	Moran
Coburn		

The PRESIDING OFFICER. On this vote the yeas are 57, the nays 39. The motion is agreed to.

NOMINATION OF CHAI RACHEL FELDBLUM TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant bill clerk read the nomination of Chai Rachel Feldblum, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2018.

The PRESIDING OFFICER. Pursuant to the provisions of S. Res. 15 of the 113th Congress, there will now be up to 8 hours of postcloture consideration of the nomination equally divided in the usual form.

The majority leader.

Mr. REID. Madam President, it is my understanding that if I yield back 40 minutes, the vote will occur at 9 a.m. tomorrow morning.

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. I yield back 40 minutes of the Democrats' time.

The PRESIDING OFFICER. The time is so yielded.

The Senator from Arizona.

Mr. FLAKE. Madam President, I rise to address the nomination and some other issues.

I want to say a few words about nominations. The Senate just confirmed President Obama's third nominee to the D.C. Circuit this year, and did so without the support of a single Senator from the minority party.

I have only been in the Senate for a year, but I understand the importance

of minority rights and the moderating effect that the minority has on the nominations and on legislation as a whole. Requiring the support of at least some of the minority Senators encourages both the nomination and appointment of more mainstream nominees.

I think in the case of executive nominees, it ensures the heads of executive agencies are responsible to both the minority and majority parties. Minority input reinforces the separation of powers and safeguards the ability of Congress to conduct effective oversight.

Let me give a couple examples of where I think this is important and something we have lost once the nuclear option was employed with regard to executive appointments.

Earlier this year we had the appointment of a person to head the Environmental Protection Agency. It is an extremely important agency. It is important to Arizona—particularly since Arizona has a lot of Federal, State, and public lands—where actions of the Federal Government are perhaps amplified, and so that was an extremely important appointment. I ended up voting for Gina McCarthy. I think she is a good nominee.

I understand that the President won the election, and he has the power to appoint his people and his team. Unless there are extraordinary circumstances, he ought to have that right. I have voted for nearly all of his nominees.

In this case, the head of the Environmental Protection Agency, while she was the nominee she knew she needed 60 votes. She knew she ought to see not just the Members of the majority party but those in the minority as well, and she made the rounds to my office as well as others.

We had a good meeting. For example, I explained the importance of the dust regulations that are promulgated by the EPA where Arizona has a problem. We have occasional dust storms that are not recognized as such, and sometimes we have to fill out paperwork that is costly and time consuming just to convince the Federal Government that an occasional dust storm does blow through. It has nothing to do with the air quality protections or provisions that have been put in place but just because of the conditions on the ground. The Environmental Protection Agency's guidance and regulations have not caught up to that.

She was understanding of that. She worked at the State level and agreed to talk to the stakeholders and interested parties in Arizona about this issue. She made good on that promise. We had that conference call a few weeks later, and it was the first time that many of these people in Arizona had been heard on the issue. They had a good meeting with the EPA, and I think it will lead to better regulations coming out of the EPA.

That was a product of the process we had here which requires nominees from the President to not just go to the majority party, but to go to the minority party as well. I fear that has been lost, and I think that is a shame. I wish we could go back to the system we had and the system the Senate has operated on for a long time.

When I gave my maiden speech on the floor a few months ago, I mentioned that the party holding the gavel is on a short leash. Bringing even the most noncontroversial resolutions to the Senate floor requires the agreement, or at least the acquiescence, of the minority party. I mentioned at that time that over the past decade both parties have chafed under these arrangements. Both parties have, at times, considered changing the rules that would in some measure make the Senate more like the House. I mentioned at that time, up to that time, that both parties had resisted that urge. They had been convinced by their own Members and others that it wasn't the way to go. Unfortunately, that is no longer the case, and I think this body, this institution will be the poorer for it. I hope we can return to the traditions of the Senate, one where consensus is the hallmark of this body. I hope we can get there.

Let me turn my attention to one of the issues that I think is a good example of what happens when one party moves legislation through this body too quickly, without consultations from the other party. It has to do with the Affordable Care Act. The Affordable Care Act passed with not a single Republican vote in the House or in the Senate. I think it is a good example of what can happen if legislation is rushed through without consultation or input from both parties.

Let me speak about some of the issues that have come up with the Affordable Care Act, better known as ObamaCare. The Wall Street Journal had an editorial the other day that talked about some of the issues that are going on with the enrollment data. It says:

Most of Washington seems to have bought the White House claim that 36 federal exchanges are finally working. . . .

They go on to explain what working really means:

A charitable reading suggests that ObamaCare's net enrollment stands at about negative four million. That's the estimated four million to five and a half million people who had their individual plans liquidated as ObamaCare-noncompliant—

They are liquidated because they were noncompliant with ObamaCare—offset by about 364,682 who have signed up for a plan on a state or federal exchange and the 803,077 who have been found to be eligible to receive Medicaid.

So if we take that and net it out, it means that net enrollment—people who now are covered by insurance of

some type—has gone down by about 4 million. I think when we consider things are picking up in terms of people signing up, they are still being dropped far faster from private insurance plans than they are being picked up.

It goes on, this editorial from the Wall Street Journal, saying:

HHS is boasting of enrollment for November that was four times as high as October, yet 62 percent of the total was in the state exchanges, some of which are marginally less prone to crashing than the federal version. Then again, 41 states posted sign-ups only in the three or four figures, including eight states that run their own exchanges. Oregon managed to scrape up 44 people. Among the 137,204 federal sign-ups, no state is reaching the critical mass necessary for stable insurance prices.

One problem they mention as well is that these figures are probably misleading. They say:

A larger problem is that none of these represent true enrollments. HHS is reporting how many people “selected” a plan on the exchange, not how many people have actually enrolled in the plan with an insurance company by paying the first month’s premium, which is how the private insurance industry defines enrollment. HHS has made up its own standard.

I think when we find out that there is probably a pretty large dropoff between those who actually enroll and those who actually sign up, then they will realize these figures are misleading as well.

Let me turn to another related issue. Michael Tanner of the Cato Institute had a piece the other day where he said:

The good news, if you want to call it that, is that roughly 1.6 million Americans have been enrolled in ObamaCare so far.

The not-so-good news is that 1.46 million of them actually signed up for Medicaid. If that trend continues, it could bankrupt both federal and state governments.

He notes:

Medicaid is already America’s third-largest government program, trailing only Social Security and Medicare, as a proportion of the federal budget. Almost 8 cents out of every dollar that the federal government spends goes to Medicaid. That’s more than \$265 billion per year.

As these Medicaid rolls expand, we know that is going to be a huge expense and probably a greater number of people signing up than anybody we thought would do. The Federal Government has committed to pick up 100 percent of the cost of new enrollees for a 3-year period, and then 90 percent thereafter. If the Federal Government makes good on that pledge, it may cost us a lot more than we figured, and it will increase the budget pressure on the Federal Government. If the Federal Government does what it often does and shifts those costs to the States, then the States are going to need to be prepared for a big increase as well.

Mr. Tanner mentions:

State governments pay another \$160 billion for Medicaid today. For most states, Med-

icaid is the single-largest cost of government, crowding out education, transportation and everything else.

New York spent more than \$15 billion on Medicaid last year, roughly 30 percent of all state expenditures. The Kaiser Foundation projects that over the next 10 years, New York taxpayers will shell out some \$433 billion for the program.

There are going to be increasing pressures on State budgets as well.

So these are some of the things we haven’t considered yet.

As we go into the new year, the next big shoe to drop will be in April or so when insurance companies actually see who is enrolling and who is not in the exchanges. I think everyone’s fear is that there are too few healthy 28-year-olds signing up and more who are more high-cost enrollees and the numbers just will not add up and the insurance companies will be forced to jack up their rates, which will make insurance even less affordable than it is today and could increase the pressures we are talking about both on the Federal Government, on State governments, and, most importantly, on families across the country.

I found of interest today a story by CNN. CNN looked at four stories after the ObamaCare so-called fix. They concluded in their headline “many are still left out.” Let me discuss briefly a couple of these and it gives some idea of what families are facing. This is exactly what I am hearing at home from neighbors and family and friends and exactly what I am experiencing enrolling in the Federal exchange as well—these kinds of cost increases. It reads:

In the face of mounting criticism, President Barack Obama announced last month that he would allow insurance companies to renew so-called “subpar” plans for existing customers. But nearly a month later, not everyone is seeing the benefit of this policy change.

They note that they spoke to four people in the days and weeks following the President’s announcement to see how they have been affected. The results were varied, and for some of them the future remains uncertain.

When we read through the stories it seems for everyone it is a pretty uncertain and more costly future.

The first person they talk to is a woman by the name of Catherine. She said it is a 280-percent increase in premiums for her family.

It was in September when Catherine received her letter. The much-maligned HealthCare.gov Web site had yet to be launched and approval ratings for the President’s signature health care law were on the upswing.

Catherine knew she would have to sign up for a new insurance plan but didn’t expect her options to be so costly. She is a mom and a Navy veteran employed part-time as a nurse. Her husband is a small business owner. Her employer offers insurance plans but because she was not working full-time, getting a policy to cover her family of three was expensive. Unfortunately for her, a provision in the new health care law states that

since her company offers plans that she could afford to cover herself but not her family, she does not qualify for a subsidy from the Federal Government, even though she is below the income threshold. She is, therefore, subject to an unusual loophole that requires her to pay the full premium of a new policy if she wants to cover her family or leave her job to get the subsidy.

So we are seeing a huge increase in premiums. She experienced a 280-percent increase in premiums. That mirrors what I have been hearing from others as well.

Greg and Linda live just down the street from me at home. I got an email from Greg, a friend of ours, the other day. He said that he and Linda, who are near 60 years old, had their insurance canceled because it was noncompliant with the new law. They went out and shopped on the exchange and found that the cheapest policy or the policy that most closely mirrored theirs—actually not as good as theirs but most closely mirrored theirs—was double their previous cost to more than \$800 a month. That is what I am hearing again and again and again. When we read through these stories, we see it again and again.

Here is another one, again from the CNN story:

By most people’s standards, Valentina Holroyd is in excellent health. She works out six to seven days a week and competes in triathlons with a group of equally high-energy friends. She participates in 10 or 12 races a year. She is a moderate Democrat who hoped that this new law would help people with preexisting conditions such as her husband get access to insurance and would allow people who could not afford insurance to get plans within their reach.

It goes on to say that she had a plan, but then everything changed in October. She was notified by her insurer that her plan could not be renewed for 2014. The comparable plan offered was a 29-percent increase in premiums with higher copays as well as significantly higher prescription drug costs.

The people I talk to, virtually all of them, are saying not only is there an increase in premiums but there are higher copays, higher max out-of-pocket costs. It is just not as affordable as it was before.

I think the fear all of us have is that as we go into the new year and we see the numbers of those who are actually signing up or not signing up, it simply means that rates are going to go up again and again. Once the employer mandate kicks in and a lot of businesses then unload their employees into the exchange, we are simply going to see the same problem. Only those who can afford it or those who are more expensive to insure will be signing up, by and large, and too few healthy individuals to lower the cost for everyone in a high pool, so costs will simply go up again.

We can’t have this go on for very much longer. This is called the Affordable Care Act, but I think most of us are finding it is anything but.

Let me just go to one more of these stories while I have time. This is a Connecticut psychologist by the name of Martin Klein, and he is someone who has had plenty of experiences dealing with insurance companies. He has been practicing in the State for 11 years, runs two offices.

Anthem Blue Cross Blue Shield sent him a letter notifying him that his plan would no longer be offered for renewal when it expires in January. They said he needed to shop on the exchange. He goes on to explain that it is simply not as affordable as his old plan.

As we go along in this coming year, we have to find out how we can actually make good on the promise that was given to have health care that is actually accessible and affordable for those who can't access it now. We all know the current system doesn't work very well. It needs to be changed. But change in this matter simply means that more people are uninsured and unsure about the future as well.

I appreciate the opportunity to be here and speak about this tonight and I yield the floor.

The PRESIDING OFFICER (Mr. DONNELLY). The Senator from Wyoming.

Mr. ENZI. Mr. President, good morning, Wyoming. In Wyoming it is midnight right now. I suspect there are people watching and probably wondering what the heck is going on. We are here at this hour dealing with a nonessential distraction, and it is being done so that it is a distraction from the mounting ObamaCare problems.

None of these nominees need to be confirmed, not even the circuit court judges, and maybe especially the circuit court judges. I was here when President Bush tried to fill those circuit court judges in the D.C. Circuit. And I remember Senator REID and the chairman of the Judiciary Committee making an impassioned speech that they were not needed, that the workload was too low in the District of Columbia, that they should not be approved. Of course, since they were in the majority, they had the capability to ever keep that from happening. But when the shoe is on the other foot, they need those D.C. court judges, even though the caseload has not gone up.

So they broke the rules to change the rules, and part of that was so that—we are calling it ObamaCare 2—it was so that the American people would be distracted from the problems they are having signing up for ObamaCare. Some of my constituents ask that I not call it “ObamaCare.” They ask that I call it “the Obama tax” because that is what the Supreme Court said was the legal part of it, that we can virtually tax anybody anything we want as long as we call it a tax. If we put it in the Commerce clause, oh, that will not work. But that is the ruling we got from the Supreme Court.

So right now the Democrats are trying to distract us from what is going on across this country; and, oh boy, is it going on across this country. So we should be dealing with the problems of ObamaCare. Each day the health care law is going to fail to live up to the promises made by the administration. How many people have heard the President say—and he started doing this clear back in the joint sessions of Congress so he could explain his law—he said: If you like the insurance you have, you can keep it. That has not been true almost since day one. It especially has not been true since some of the regulations have been put in place.

So we have a failed law. Let me tell you how bad it is failing. A couple weekends ago I got to Cheyenne, WY, early enough to address some school kids. I actually read a children's book to the kindergarten classes of the whole school. After I finished, a little girl came up. She could not have been any taller than that, and she said: Are we going to be able to fix this health care mess? When it has gotten down to kindergartners, you know that the adults are talking about it even more.

It is a problem. It is a problem that needs to be solved. We should not be playing “the Grinch that stole Christmas” and doing a whole bunch of non-essential appointments that could well wait until after Christmas or next year without hurting the courts at all. But, again, they want this outcry. They want this to detract from what is happening with ObamaCare.

Millions of people have lost their health care plans that they were told they could keep. Of course, the President has been forced now to admit that he broke his promise. But he did not remove the promise from the White House health care Web site. A week ago, it still said: If you like your plan, you can keep it, and you do not have to do a thing. I guess that might be partly true because he announced a new initiative that he said would really allow people to keep their existing health insurance plans this time. He should have added, if he wanted to be honest: for a short time. Because that is all he gave them. That is not even true because one thing he does not have the power under the Constitution to do is to rewrite or ignore the law.

We passed a law by this body and the House, and he signed it, and he continually talks about how that is settled law and you cannot change it. Then about twice a week he changes it without authority, ignoring the written laws passed by Congress.

So it would also mean that he would have to be willing to ignore a 2010 administration regulation that has prevented insurers from continuing to offer insurance for millions of individuals and small businesses. That is right. At the same time the President was promising out of one side of his

mouth that people could keep their health insurance, the other side was approving rules that would make that impossible. Everyone who was in the Senate at the time knew it. It was right there in the Federal Register. It was written by the President's own administration. Congress knew and the administration knew the President was not telling the truth. But he kept making the promise anyway.

When one party has 60 votes in the Senate, the minority party has very limited things that it can do. There are a few exceptions to the majority leader's control. But essentially he decides what the Senate can debate and vote on. I have noticed if an amendment comes up that he does not like, instead of having us vote on it, he pulls the bill down.

Now, that is not the way it used to be. We used to be able to put amendments in, and even if the majority did not like the amendment, we still had to vote on it. Of course, if they did not like it, they voted it down. But that does not happen anymore. A number of bills that we have done around here have been prevented from having amendments, and sometimes this negotiation process that the leader uses takes 2 or 3 weeks. The amendments could be voted on in a week if they were just allowed to be voted on. But this process of negotiating so that he can tell the minority what amendments he is willing to address of ours—that takes away the right for us to represent our constituents.

Problems are different in the West. Problems are different in Wyoming. Problems are different in big cities. You cannot have one size fits all that works for everything. The reason there are so many Members of the Senate and so many Members of the House is so that the unintended consequences might be found before a bill becomes law. That has not been the case around here. That definitely was not the case on ObamaCare.

So the leader has helped the majority to prevent us from being able to bring up any amendments on any number of topics, and that has led to what we are doing tonight. We are taking advantage of some of our rights as the minority to see if we are going to get a chance at all. Nobody ever expected one party to be able to dictate to the other party. Of course, the other side did have 60 votes, and when you have 60 votes you can do anything you want because there is no such thing as a filibuster if you can get all 60 votes.

Of course, you probably remember that the majority had to kind of buy some of those votes. Yes, there was the Nebraska “Cornhusker kickback,” and that Senator decided not to run again, and there has been the “Louisiana Purchase,” and that Senator is up for election. There was the Florida deal and the New York deal that dealt with

Medicare Advantage. Now, none of the rest of the States got those deals, and they had to be done. Those are places where there are a lot of seniors, and it was going to take away some of their capability for health care insurance that they already had. In fact, the bill stole \$716 billion from Medicare. Medicare is going broke, and it did it to make new programs. It did not do it to fix Medicare.

Tomorrow in the Finance Committee we are going to be marking up a doc fix, a thing so that doctors will be paid adequately, because there was a provision there that will continually reduce the amount they are getting. Of course, as you reduce the amount that a doctor can get, even in times of inflation, pretty quickly the doctors cannot afford to run their practice. When they cannot run their practice, they do not see Medicare patients. In fact, some practices shut down. Others sell out to the hospital. Do you think it is cheaper to get health care from a doctor or health care from a hospital? That drives up the cost again.

So one sure way to inject something not approved by the majority leader is to find an offensive regulation and petition the Senate for a debate and a simple majority vote. We have this thing called the Congressional Review Act, and that is exactly how it works. But you have to keep your eye on the Federal Register because that is where the administration reports what the effects are going to be and what the actual regulations are. Sometimes the regulations have more of an impact than the law itself, and that was the case in this instance. Again, it dealt with this: If you like your health insurance, you can keep it. But there was a regulation that came out in 2010 that took away that right.

Yes, I am the accountant. I read the bills, and now I even have to admit that I read the Federal Register. But there are a lot of dollars that are mentioned in there, and some of those are consequences of the bill. If you can catch one of those regulations within 60 days of the regulation's publication, and you can get enough people to sign the petition, you are guaranteed 8 hours of debate and an up-or-down vote. If you miss that date, it cannot be brought up again, and once it has been brought up, it cannot be brought up again. So if you lose the vote or you lose the opportunity, it cannot be brought up again. That opportunity is gone.

That is an opportunity that Democrats in the Senate squandered. Every single one voted to defeat my resolution, and many ridiculed the effort. Over the next few months their constituents are going to make them answer for this. I can tell, some of them are already antsy over it. They are already drafting bills, and, of course, when you draft a bill in the context of

a crisis, there is this legislative rule that if it is worth reacting to, it is worth overreacting to.

So, once again, it is not something that will be brought through the correct process and ironed out so there are not unintended consequences. They will have to pay a price. They need to pay attention when there is a rule that is going to affect people adversely. I have heard their arguments. There were a number of issues in this regulation, and there were two that they thought were good.

There is not any reason they could not have voted for the thing, gotten rid of it, and then brought those two back. That is how it ought to work. I really think that Congress ought to have the right to review every major regulation, and if we do not have a majority vote for that regulation, it should never go into effect.

A lot of the regulations are written by the administration. But the direction for doing the regulation comes from Congress. It is to get into a level of detail that we do not handle here, but maybe we should. Maybe that ought to be our biggest job: to make sure that the regulations are what we want to have happen, and to be sure that the unintended consequences are not even in the regulation. We have kind of given that away. But now we need to be sure we take back some oversight over that; otherwise, you have an administration that is a runaway. And that is the situation we have right now.

I fought against the new health care law for the past 4 years because I knew there was no way the President could keep all of the promises he was making about how the law would affect the average American. As an accountant and a former small business owner, I understood that you cannot mandate that everyone must purchase gold plated health insurance plans without increasing costs and causing millions of people to lose their existing insurance plans.

In fact, I have talked about exchanges, and the exchange that is there is not the one that I envisioned at all. I did not expect that the Federal Government would say: There are only four kinds of plans you can buy. You pick it out from bronze to platinum, but if you do not pick out one of our four plans, you cannot have a plan.

We did prescription Part D, and at that time there were only two companies that were providing seniors with prescription drugs in Wyoming. I was a little worried about what was going to happen if we opened the market a little bit. I was hopeful it would cause more competition, and that is exactly what happened. Instead of 2 companies providing the pharmaceuticals, 48 of them were interested in doing it. That created a little confusion, but there was an exchange that you could go into,

and you could list the drugs that you were taking, and when you hit the button it said: These are the companies that can provide that drug, and this is the price that you will have to pay.

Before that went into effect, it saved seniors 25 percent. That is what competition does. That is how the insurance plans should be set up. I have had a 10-step bill since before the President became a Senator that suggested how we could provide insurance for everyone.

Another thing that kind of fascinates me is the President talks about how we eliminated the caps for chronic illnesses so that nobody has to lose their insurance or lose their pay just because they have a chronic illness. Do you know what the flaw in that one is? If you are in Medicare, there are still caps. If you are a senior, there are still caps. We did not remove those. So even that is not a completely true statement.

So there is a little bit more here. If you cannot keep the health plans you like, then you are going to have a tougher time keeping the doctors and the hospitals you like. We are hearing those stories all over the Nation right now. Of course, the biggest problem—and the one that this little kindergarten was raising—was getting on the Web site to even be able to sign up for one of these policies that has more in it than what a family might want, particularly what an individual might want.

There is a lot of discussion on that. But that Web site is just the tip of the iceberg. That is what we have seen so far, the Web site failures. I think a lot of people have noticed that there are some Web site failures out there. In fact, I remember Jay Leno saying: You got to watch these health care sites because there are 700 sites already that are trying to steal your personal information, steal your identity. But he did point out that there is one way to know if you are on one of those phony sites: If you are able to sign up, you are on a phony site.

So, yes, there have been Web site failures. Here is what is coming: higher premiums, canceled coverages, you cannot keep your doctor. If you cannot see your doctor, do you have any insurance at all? I do not think so. And then there is the fraud and identity theft I mentioned and higher copays and deductibles. Pretty universal. There might be a few examples out there of where this has benefited someone, but most of the people are now paying through the nose and finding out that it is very hard for them to be able to afford the insurance they want.

So we should get ready for the next wave of disappointment and frustration from the expectations created by this President and his public relations machine as they come crashing up against the harsh reality of the real world.

ObamaCare casualties will continue to grow even if the President launches media blitz after media blitz—and those cost some money, incidentally—in an attempt to convince people that higher premiums, worse coverage, and a bigger debt for this country is a good thing.

One of the things we were able to get in the bill was a requirement that the Senate and the House come under the same rules as everyone else when it comes to exchanges. That has created quite a bit of consternation around here.

In the committee, it has improved things. I remember that about 4 months ago in the Finance Committee we were having a hearing with the people doing this Web site that has all of the failures. Both sides were asking intense questions because we wanted to be sure this would work.

One of the questions was: How is it coming?

They said: Oh, it is fine. We have already beta-tested it. It will work when it comes to October 1. Everything will work.

Well, I remember Senator BAUCUS saying: Can we get a list of the people who beta-tested it?

To my knowledge, he has never gotten that list because what we found out since is that it had not yet been tested at that time. So would that be considered a lie? I am not sure that all of the hearings are under oath. Maybe they ought to be.

But at any rate, it was not ready. As it turned out, there was 26 hours of beta testing. Talking to some of the other companies that would have liked to have tried to bid for a final project instead of bidding for a cost-plus job—that is what we got, a cost-plus job. Anyway, that complicates it, makes it more expensive, makes them earn more money. Talking to some of those other companies, they said that should have been beta-tested for at least 6 weeks to 6 months. Not only that, they should have had professional hackers trying to get into that system to see what is happening.

We keep having hearings on this issue. I remember at one of them Secretary Sebelius was there. We were asking about the security of the information. I am still trying to figure this out. She said the information goes in there, it pings around to the different people who need it, but none of it is stored on the system. Everybody is saying: So how do you retrieve your records? Well, I guess that is the problem so many Americans are having. They put in their information, they try to retrieve their records, and they cannot get their records. So it is a system that is fraught with a lot of problems and should never have happened. I guess that is what happens when you get in a hurry and you are not ready for it and you are more interested in

public relations and media blitzes than you are in getting it right.

I know the President went coast to coast and all over the place and he sent others trying to convince people that higher premiums and worse coverage and a bigger debt for this country is a good thing.

There was another interesting thing at our hearing. They said the premiums came down. So there were some extensive questions about that because there were not very many people who were aware of any of them coming down. The explanation was that the administration's estimate was that the prices would go up by 68 percent and they only went up by 45 percent. So that was a reduction in rates. No, that was an increase in rates. You cannot fool the American people that way. A lot of this is a smoke-and-mirrors attempt. It is not working.

So what is the opposition doing? We are doing a bunch of judges who do not need to be approved. That is to take the attention off ObamaCare. Well, we are not going to let that happen. The American public deserves to know what is happening with ObamaCare. The American public is concerned about it. We have kindergartners concerned about it. We have a lot of people concerned about it.

In fact, we had a cookie party at our office today. My wife bakes a couple thousand cookies every year. It is for the people who do the real work around the Senate. It is for the janitors and the carpenters and the electricians and the plumbers and the guards and people who work in the restaurants, and they all come by. I was surprised at how many of them were concerned about what is happening with their insurance and their ability to get on it. Some of them even recognized the effort I made in 2010 to get the Congressional Review Act—the only window we had to reverse that lie that if you like your insurance, you can keep it.

So during the health care debate, the President and his congressional allies also promised that the new health care law would reduce health insurance premiums for American families. I covered that briefly. I and my colleagues argued that rather than saving money, the new law instead would drive up the cost of insurance for millions of families. There is no way in there to increase the competition. If you are going to increase the competition, you need to have a sale of insurance across State lines and you need people to be able to go through an association to get a big enough group who can effectively negotiate with an insurance company. There are a lot of ways of getting that to increase. That did not happen. There also were some co-ops that were formed. Now it looks as though the money that went to the co-ops may have been money poured down the drain because apparently they are

not doing too well. So the disastrous planning and implementation of the healthcare.gov Web site made it difficult for Americans to learn just how much this partisan law has driven up costs.

We warned, when it was 60 votes that could pass the whole thing, that if the 60 votes passed the whole thing without a single Republican vote, they would be stuck with it. That is exactly where the majority is at the present time—stuck with it.

So people are learning how much their premiums are increasing. The more they do, the more people will not appreciate how the President's promise failed to reflect the reality of the new health care law. I think they really thought they might get to just kind of pick what they needed and find out what the cost was. That was my idea for how we ought to do it. I presented that at the summit with the President. He invited several of us after the bill passed. He should have done it before the bill passed, but he did it after the bill passed. A dozen of us and a dozen Democrats got invited to the Blair House to tell him what we thought should be in the bill. The strange thing about that was every time Republicans threw out an idea, he chopped it to bits. He did not comment on the Democratic ones. At the end of the day he gave a speech he had obviously written the day before because it did not deal with any of the ideas we had discussed on either side of the aisle. He obviously rejected every one of the Republican ideas.

I talked about exchanges and said: You should be able to go online, have a list of insurance possibilities. You could check whatever possibility you thought you needed. One of the things they talked about is if you are a 60-year-old lady who has had a hysterectomy, you probably do not need maternity care, so you would not check that box. But you would check the boxes that you thought applied, that you would really like to have. Then when you hit the "enter" key, it would bring up the list of the companies that would provide exactly what you wanted and tell you what the cost would be. You would not have to sit down with a dozen or two dozen insurance agents and hear their pitch for why they are the best. You would be able to tell what you wanted, and then you would be able to see who provided it and what it would cost. Then you would have choices. That would inspire competition, partly because each of the companies would know what the other companies were selling things for. That sometimes brings prices down as well.

So we had disastrous planning and implementation. People are starting to learn how much their premiums are increasing.

The President and his allies also promised that the new law would improve the economy and protect Medicare beneficiaries. I have often been wondering how that would work. We now know that the small businesses across the country are not hiring workers because of the impact of the health care law and the impact it will have on the bottom line.

I am traveling Wyoming, and I run into a guy who says: You know, I have this great business. It is time for me to expand. In this town I want to go to, there is a phenomenal location. It is the perfect location and the price is right. Should I expand?

One of the questions that I ask is, How many employees do you have? If he says 45 to 50, I say: I would take another look at it because you better see the effects ObamaCare is going to have on what you are trying to do. In most of those instances, they have not increased. There are a number of problems like that.

I was in a small business committee hearing. I was kind of wondering what "aggregation" meant. That is a pretty big word to use. But they were able to explain aggregation. An aggregation means this rule that if you work under 30 hours, you are considered part time. So we changed it from being under 40 hours to being under 30 hours before it was part time, and that has caused a lot of people to take two jobs and not get benefits from either of the jobs. So they are getting a reduction in pay because of this law.

But here is the kicker. That doesn't help the small businessman anyway. Here is how aggregation works. You have 10 employees at 29 hours; that is 290 hours. You divide by 30, and then you find out that you still have 9 2/3 employees. So by making this drastic cut, you were only able to reduce your numbers by one-third of an employee. Again, that is kind of a fraudulent situation to rope people into doing the ObamaCare thing.

Another way that aggregation works, according to this hearing I went to, is that if you own a piece of one business and you own a piece of another business but you do not own a majority of either of the businesses, the two have to be combined to figure out whether you have employees who come under ObamaCare. That is wrong. That is fraud.

These things ought to be very clear. I think that if we were able to get a vote on raising that part-time work back up to 40 hours, we would see a huge number of people who would vote for it or a huge number of people who would not be around here much longer. Of course, the Small Business Administration says that a small business is not 50 employees, a small business is 500 employees.

So just by changing those two things in ObamaCare, we could probably have

more jobs in the economy than the stimulus package ever provided. There are other changes we could make in ObamaCare that would have a bigger effect than the stimulus package. Oh, yes, that is right, that is not a very high mountain to climb, is it?

Another thing we ought to do is eliminate some of the regulations that have been put out there. I know of six regulations that if we got rid of them, it would not affect our way of life, but it would increase jobs and the economy more than the stimulus. We could have an increase in the economy around here, but we cannot do it if we keep loading up the businesses with more regulations. You know we had a government shutdown not too long ago.

I got an interesting letter from a trucker from Pinedale, WY. He said he was getting a little tired of all of the people who were riding in the wagon and how many fewer people were pulling the wagon. What he is referring to with that is that every time we expand the government, every time we do one of those new programs and put a whole bunch of new people on the payroll—heck, we got a whole bunch more just in IRS people who are supposed to be checking on ObamaCare. If you put them in the wagon and the private sector has to pull it, there will come a point where they cannot pull it anymore.

What he was suggesting was that if we wanted to really find out about America, that the private sector ought to have a shutdown. It would not take 16 days for us to realize the effect of the private market. That is something we have to watch out for because that is where the taxes come from.

Oh, yes, all of us in government pay taxes. None of us pay as much in taxes as we receive in wages. We are riding in the wagon, and it is getting tougher and tougher to pull.

ObamaCare is something that really loaded the wagon with the regulations they have to pull around. It is a tremendous burden. A small businessman can't read the thousands of pages of regulations. Do you know what. They have to.

I was able to get a review committee, and it was over \$1 million in costs in new regulations. That is a very severe committee. They do a very good job. I am pleased with the people who run it. Unfortunately, again we are missing an enforcement piece, so that again the regulation disappears for small businessmen. It is going to be very detrimental.

We try to do these one-size-fits-all things around here, which is what ObamaCare is. Well, it is four-sizes-fit-all. One-size-fits-all or four-sizes-fit-all won't take care of America. This is probably the most diverse country in the whole world and the most successful country in the whole world because it is so diverse. We have so many dif-

ferent kinds of people doing so many different things.

It has also been one of the most innovative countries in the world, and that is where we want be. We want to be inventing things for the world and having the other countries pick them up when they get a little older and steal them at that point. That is the way it has always worked. But we are taking away the incentives for these people to use their minds to create new things that will sell all over the world the way we are used to it. That is what has brought prosperity to the United States—inventiveness. We invented a new government, and it has worked very well up to now. We have invented all kinds of things from which the world has benefited. We need to make sure that what we do encourages that instead of discourages it.

This thing that the government knows best—I don't run into many people who think that is right. Most of them think the government doesn't have enough experience in business.

I go back to Wyoming almost every weekend, and I travel to a different part of the State. Over the weekend I try to get into a business or two. I try to find out what they do, how they do it, and, most importantly, how the Federal Government might interfere or help them. It is very valuable. I have found that if a person hasn't been in business, every business looks simple.

We should look at how people look at our jobs. It looks very simple. They don't expect that anybody is going to be speaking at 2:30 in the morning. They think all we do is vote, which is not true. We have to draft bills. But it is more difficult in the private sector than it is in government because people's wages, people's food, and people's housing rely on that business paying them.

Among the small business committee—and I keep explaining that one really hasn't been in business unless they wake straight up in the middle of the night in a sweat, saying: Tomorrow is payday. How do I meet the payroll? That is being in business, and it happens to every small businessman out there once in a while. For some of them, it is the end of that small business.

We have to watch out for those small businesses because those are the ones that grow into big businesses. Those are the ones that become a part of the world market. There is more opportunity for that now more than there ever was, but there won't be if we keep stifling them, if we keep piling regulations on so they spend all of their time reading the regulations that we did. Thousands of pages of regulations are turned out all the time. I read the Federal Register, and it is getting heavier to carry all the time.

We know that small businesses across the country are not hiring new

workers because of the impact of the health care law and what it will have on their bottom lines. If they are not profitable, they will be out of business. They are not like the government. They can't spend more money than they have. They don't understand why we don't understand. Why do we keep spending more money than we have coming in and doing it continually? I guess it is because we can sell bonds and we don't think there is going to be any consequence to it. If interest rates go up, we are not going to be able to do even national defense. So we need to be more careful about what we are doing and do things more timely.

Millions of Medicare beneficiaries are going to face reductions in their existing benefits as a result of the billions that were taken from Medicare. That was to fund the new law; it wasn't to provide more benefits for seniors. Most of the seniors have figured that out. I already mentioned that they have caps on their benefits even though the President promised there wouldn't be caps on benefits. There aren't caps on benefits if someone is out there working in the private sector, which, incidentally, makes it very hard to figure out the actuarial cost of a plan.

It is not quite 2014 yet, and most of the thousands of pages of the new law haven't even gone into effect. But each day it seems there is a new breaking story about what a debacle this health care law is turning out to be.

I received a letter from Jessica in Laramie, who explained how this health care law is negatively affecting her. Jessica's catastrophic health care plan, as a single adult, according to healthcare.gov, is \$297 per month. This is with the premium support from the Federal Government. I repeat, this is with the subsidy.

The University of Wyoming health insurance rate for a semester is \$452. This is over the course of 4 months. The university's rate is nothing new; it was available for students long before the Democrats forced their health care disaster through Congress.

Today, Jessica's premiums would cost more than any of her medical bills to date. Jessica recently fractured her foot—a very common injury—and that cost her less than \$300 in some medical bills. When they start looking at the Web site, they are going to find out that the deductibles have gone up dramatically.

One of the things that has been constrained and in some cases eliminated is health savings accounts. That is the right thing for young people to have. Of course, that doesn't pay for the older, sicker people, so we had to force them out of that system and get them into the regular system with everybody else and compress the prices so that the younger people are paying for the older people. I don't think they are going to stand for that for very long. I

think they are going to be upset about it. I think they are already upset about it. Health savings accounts provided them a way to have catastrophic insurance and the right to put money, tax free, into an account that could grow over time and provide for the deductible they have. That is very essential. If they keep putting money in the account tax free and it keeps growing, it might take care of their health care for the rest of their lives. I think it is a solution for everybody. Again, it is one of those where one size doesn't fit all, but it fits a lot of people, and they ought to have that option, but they don't.

Of course, the bill doesn't really allow us to do the flex spending accounts either. That is one where some people have the right, through their company's health insurance plan, to set aside some additional money to take care of health care during the year—again, tax free. Of course, since it is tax free and we want to raise taxes, we are going to eliminate that. Well, I don't want to. I think that was essential and we ought to have it. But the other side of the aisle decided it was terrible and we ought to eliminate it or reduce it and put extra requirements on it so there was less that you could get with it even though those are individual choices on health care expenditures that a person has to make with their own money.

That is one of the keys to bringing down health care expenditures—have people make their own choices with their own money. If people are making the choices with their company's money or the Federal Government's money, it doesn't make nearly as much difference. If they are not participating in a plan at all and they can get whatever they need and they can go to a very expensive place instead of a less expensive place, that is going to break the system, and that is some of where we are.

I mentioned Jessica's plan and how it is going to go up considerably higher than what her costs are for normal medical. Well, Jessica's mother also works for the State government and she has health care through the State. However, even though she is under the age of 26, Jessica is not allowed to join her mother's insurance plan. That is yet another example of a broken promise from the Obama administration. The President's flawed health care bill is a raw deal for our students and for our Nation.

Jessica said: It feels like the government is punishing everyone for the few people who have health care bills worth more than a house. It isn't remotely fair.

Students are paying the price, and they are realizing it. They know what a bad deal has been foisted on them.

Karen from Cody contacted me because her construction company had to drop their Blue Cross Blue Shield

health insurance plan. Why? The President's flawed health care plan mandates health care coverage for full-time employees who work more than 90 days for the company. The company was already providing health care plans for their employees, and now these folks can't keep the health care plan they like. Their employees are mostly young Americans, and they are trying to make their budgets work. They couldn't afford to sign up for health care plans that would reduce their pay. As a result, all of her employees will have to seek individual policies in 2014. Karen also said there is a lack of information on insurance plans. She doesn't know what doctors and what medical facilities will be included or even available in any health insurance plan next year. Karen is upset. I am upset too.

I have said for 5 or 6 years that if a person can't see a doctor, they don't have any kind of insurance. And that is what we are running into. Doctors are changing the way they operate, and they are saying: If you are on Medicare, I don't think I will be able to take you. We have problems with doctors who deliver babies because of the long tail on their potential liability, which goes until the child is of age. That creates a lot of other costs, but that is a different story.

It is time for Congress to heed the calls of the majority of Americans and repeal this partisan law. That isn't going to happen unless ordinary Americans continue to speak out and demand those who brought them ObamaCare keep their promises, every one of them.

I can go on about health care much more, and I may come back to it, but I am going to talk about the budget deal because I am a little upset about that.

One of the problems we have is that we are now in a mode of making deals instead of legislating. This body isn't designed to make deals, to send half a dozen people to solve a problem or, in this case of the budget deal, 2 people—one from the House and one from the Senate. Everybody else feels as if they ought to have some input. No—everybody feels their constituents should have some input, and that is what we are missing.

We send 2 people, 6 people, or 10 people to come up with a deal, we set a date so the media can crescendo up to that point, and then they bring us what the budget deal will be and we vote yes or no. We don't get to do any amendments. That is not how we are designed, and that won't work either.

I would like to talk about the recently announced Murray-Ryan budget deal. I hoped we would have an open process to finally come up with a solution to our Nation's spending problems, but that didn't happen. Instead, we have another backroom deal put together by two Members. That is bad for our country. It is tough on those individuals. They worked hard and came up

with something, but they didn't have all of the input from everybody. That makes it difficult too. It is usually done through amendments—amendments that are debated and voted up-or-down. But that doesn't happen anymore.

This budget deal increases spending and shows that one thing Democrats and Republicans can agree on is putting off the tough decisions. We can't keep on doing that. I just showed how we are piling it onto the young with ObamaCare. Now we are piling it onto them with the budget deal. Every man, woman, and child out there—a child who was just born today already owes \$50,000 in national debt. How would you like to carry that burden around and then be looking at student loans?

Incidentally, student loans were a part of paying for ObamaCare. People probably heard the controversy where the rates were to go to 6.88 percent. At that time the Federal Government was paying .86 percent for interest, so that other 6 percent was to go to help fund ObamaCare. But the students found that out and said: That is not fair. The President said: Yes, it is not fair. We are going to change that. We are going to knock it down to 3.44 percent. Well, that is still 3 percent the students are paying on ObamaCare. But the real kicker is that it was just extended for 1 year and it was only extended for 40 percent of the students attending college. That is wrong. When it came up the next time, several of us got together and did a little bill. That bill makes it more fair for 100 percent of the kids going to college. We set it as a slight fee above whatever the Federal Government is borrowing the money at. What that fee is when you enter into that loan will be the price of that loan for the life of the loan, and it will apply for 100 percent of the individuals. So we found a way, and it actually passed. I think everybody was relieved, although we have this habit around here of wanting to hold people hostage 6 months at a time. That is what we have been doing on the doc fix for quite a while.

But to get back to the budget deal, the plan does spend more than the current law. It charges people in States for more things and uses the money to increase the spending in nonrelated areas. Spending cuts are scheduled for outlying years. We say: Oh, yes, we are going to cut that stuff, but we are going to do it on the end of 10 years, but the so-called savings from that are used up right now.

Is there anybody in America who can go ahead and spend their future earnings now and not have to do it on the other end, when it actually comes due? That is what we have been doing for far too long. Those spending cuts are scheduled for outlying years and are called savings but are used up right away, and that just isn't real. Let's

call it what it is. It is not real, and it is wrong.

This bill has a lot of problems. It again raises rates for premiums that private companies pay the Federal Government to guarantee their pension benefits. I worked on a bill—the Pension Protection Act—several years ago, and the goal of that bill was to make sure companies that promised people pensions would result in people getting pensions. We wanted to do it without putting the companies out of business because then it falls on the Federal Government with this Pension Benefit Guaranty Corporation.

Two years ago, we raised the rates, and the PBGC could use the money, but that isn't where the money went. We put it into highways for 2 years. Ten years' worth of money, 2 years' worth of highways. Now we are raising that pension guaranty again by \$200 per person. How many companies do you think are going to keep their pension plans?

People might not be aware that pensions are voluntary in this country. They are not mandated. They are voluntary. Fortunately, there are a lot of companies that realize the value of maintaining their employees and so they have pension plans and they worry about those pension plans. They want to make sure they are going to be solvent so they can provide what they need to. They are liable for it. So it is wrong for us to increase a tax to say we are going to help make sure those are more secure and then the money never goes into the fund that insures it. Let's see. Should that come under the category of fraud?

So those savings from these rate increases will be spent on Federal discretionary programs, and employers are still in the process of implementing a \$9 billion rate increase to pay for the highways in last year's transit bill. So to put it simply, over 2 years the flat rate premium will have increased 40 percent, and over 3 years the variable rate premium will have increased over 100 percent.

If you are in business and you are looking at a 100-percent increase in your pension costs, you have to take a look at it and say there has to be a different way we can go, and that is going to mean a lot of people are not going to have pensions. They will have the pensions they have been promised to that date but not the pensions they were looking forward to at the time they retire. That is a huge tax and it will cause companies to end their voluntary pension and their retirement plans.

These pensions are completely voluntary, and if the cost to keep them goes up, companies may have to re-evaluate. Workers and their families will be forced to find other ways to save for retirement due to this increased tax on companies.

There isn't anything else you can call it. I notice they are trying to call

it a fee. The definition of a fee is if you don't participate, then you don't have to pay it. But that isn't what we are trying to do. We are trying to have companies provide pensions. We are not trying to have them realize they can't afford the pensions they are giving out because of increased charges by the Federal Government. So that is wrong.

Under this budget deal, they are again telling Wyoming, Montana, Utah, Colorado, New Mexico, and other States that allow for the production of minerals on their land that the Federal Government deserves more than half the revenue. Under Federal law, States are entitled to half the royalties collected by the Federal Government for energy production on their lands. To distribute the State's share, the law intends for the Minerals Management Service to divide the amount of mineral royalties collected by the two and to write a check for that amount and mail it to the States. But an even split isn't enough under this new budget. In an attempt to satisfy an insatiable appetite for spending, the budget bill plans to take more money away from our States—about \$40 million each year.

We had an interesting situation this last year when they did the sequester. The Federal Government said: OK. Our half of the money when it comes in is revenue. Your half of the money when it goes out is an expenditure. Therefore, we need to take the 5.3 percent out of that. When we heard that, we started passing a bill around and getting a lot of traction on it from both red and blue States saying: That is wrong. You can't take our money away. If you are going to take something out for sequester, it at least ought to come out of both halves, but it definitely doesn't deserve to come out of what is by law money that belongs to the State.

We raised enough furor, and it looked like that bill could pass—and I am sorry we didn't go ahead and pass it. The Federal Government decided they were wrong, so they have agreed they are going to pay back that 5.3 percent they stole from the States. But this budget puts about another \$40 million each year in there that the Federal Government is going to keep out of the State's half. That is money the States use for roads, for health care—yes, health care—education for children and more efficient environmentally friendly development of our energy resources.

It is money that finds its way directly to the people, not down some bureaucratic black hole. A disproportionate share of this funding—about \$20 million—comes from my home State of Wyoming, which supplies a disproportionate share of energy to this country. Yet the Federal Government still wants more. Unlike bureaucrats, we have to answer to our constituents.

Mine are telling me they do not want the Federal Government to take any more of our State's money. I am sure my colleagues will hear the same thing. Whenever you have some money, they are saying: OK. The States are rich now, compared to the Federal Government, and that is true for almost every State. So they are planning on how they can steal money from the States and give to it the Federal Government.

Worst of all, the so-called budget conference committee, for all practical purposes, did not exist. The agreement was the sole product of one House Member and one Senate Member. I sat on the conference committee, but I can tell you that I am hearing the particulars of the deal at the same time as the public. They weren't part of the process or the negotiations and neither were we. We did have a meeting to begin with, and everybody got to give statements for how they thought this deal ought to go, but there were no further meetings of the conference.

Any conference I have ever been on, once there was a deal made, you met again and you got an explanation of the deal and then all the sides voted. If it didn't receive a positive vote in the Senate and in the House, it wasn't passed on as a conference that was finished yet. You went back to the drawing board again.

I guess we are in a crisis here and decided we had to do something in a hurry, but that is the worst of all worlds when you do that. We were not a part of the process or the negotiations, and it is not the way this body was designed. Conference committees have a definite purpose.

Actually, the task should not have even been assigned to the Budget Committee. The task should have been assigned to the spending committees. We were at the point where in the calendar business there are already bills that the appropriators—the spending people—have put together for all 12 items. Those could have been brought up one at a time, probably would take 1 week for each of them, if amendments were allowed, and we would have wound up with a pretty good budget, in pretty good standing.

Of course, I am kind of fascinated. We are about to January, and in January I will have dozens of people visiting me. It is a long trip from Wyoming to come out here and they will come out here on individual programs of the Federal Government and they will say: Please, this is how important this particular program is. Please make sure we get funding for it.

One of them is Head Start. They actually think we get to look at the Head Start budget and make additions or subtractions from it. We don't even get to look at Health and Human Services or transportation or any of those. They all get lumped together sometime in

the year. There is no oversight. There are no decisions by the main body on how to spend \$1 trillion a year. That is the wrong way to do it.

So this is a symptom of the abandonment of the committee process. Instead of Representatives and Senators offering constructive amendments and debating spending bills in public, a couple of people and their staffs sit in a room and then present a take it or leave it right before a holiday or a manufactured crisis deadline.

We are going to have that yet on the Omnibus spending bill. Right now we are just doing a continuing resolution and allowing those agencies to spend one-twelfth of what they spent the year before, essentially. So they do not know what they get to do for the rest of the year. When the sequester hit, it was supposed to be 2.3 percent, so they had to take those cuts out of the last 4 months. The result was they had to take 5.3 percent out.

I mentioned Head Start. They came to me and they said: We can't afford to have a 7½-percent cut every year. I said: Where did the 7½-percent come from? They said: That is what we are being cut.

It looks to me like what happened is the bureaucracy in Washington took their 5.3-percent cut but stole 2.3 percent from the local folks in order to pay for the Washington bureaucracy. So it was the kids who suffered. The kids didn't get the money. More kids had to be taken off the roll instead of more kids put on the roll. If it is going to hurt, it ought to hurt in Washington. It shouldn't hurt out there where the kids are.

I have some solutions for it. One of them is the no government shutdowns. The way that would work is if those spending committees don't have their work done by the time they are supposed to, which would be October 1, each spending committee would have to take 1 percent off of what they are allowed to spend each quarter until they actually get their work done. I think that would be a little incentive for them to get their work done.

I also have a penny plan. A penny plan would cut one cent off of every dollar the Federal Government spends. That in conjunction with the sequester would balance our budget in just 2 years—just 2 years. That would be 3.2 percent for 2 years. I think the people would say: You know, that wasn't too bad—provided we didn't make it hurt.

That is one of the terrible things about government. They always like to pick the things people will notice, instead of eliminating things such as duplication. There is plenty of duplication out there. There is \$900 billion a year in the Federal Government in duplication. We ought to be able to eliminate half of duplication, shouldn't we? That would be a better deal than the sequester. But we don't do that. We

make it hurt. We want people to notice their item is being cut and then they complain and then we restore it and that is how you get to \$17 trillion worth of debt.

But with the penny plan everything would be on the table. It would have flexibility so it didn't have to hurt. We could get rid of that duplication.

Then, of course, I am also proposing a biennial budget. The way that would work is we would appropriate for every agency for a 2-year period so they know what they are doing for 2 years. They could actually do some planning. We shouldn't wait until we are 8 months through the year before we tell them how to spend their money for the last 4 months.

I have a little twist in my biennial budgeting. I would split the 12 spending bills into 2 categories. Right after an election, that year we would do the six bills that are tough, and then the next year we would do the six bills that are easy. Then we would actually be able to look at those individual items, and then a lot of these things that come up on the floor as extraneous amendments to other bills wouldn't need to be done because they would be done with the spending part they are supposed to do.

So those are a few plans right there. We do have a spending problem. We don't have a revenue problem. We shouldn't raise taxes in order for Washington to spend more. We can't spend our way to prosperity. That is more people getting in the wagon and less people pulling the wagon.

Identifying a process forward for tax reform is where part of the effort for the budget conference should be focused. If done correctly, tax reform will help to generate additional revenue through economic growth. Let me repeat that—not through new taxes but through economic growth to reduce the deficit and pay down the debt, and I am ready to make that happen.

We need to prioritize spending. Find the spending cuts that do the least harm and start there. It has worked in Wyoming. Our Governor knew he might be having an 8-percent cut in the revenues the State was going to get. So what did he do? He got ahold of all the agencies and said: I want to know what you would cut if you had to cut 2 percent; what you would cut if you had to cut 4 percent; what you would cut if you had to cut 6 percent; and what you would cut if you had to cut 8 percent.

Why did he do that? That gives him four lists to look at and he can see what that agency thinks is the most important to cut. What would be the least hurt to cut. That is exactly what they did. They wound up having to do a 6-percent cut and there wasn't a whimper. We could do that too.

I sit up nights worrying about our Nation's debt and how it will affect Wyoming children, my children, grandchildren. There is a chance to apply

reasonable constraints to impossibly high future spending, but instead we get more spending and no plan to solve the problem.

America wants a plan. There is nothing as universal as that. They tell me every time in Wyoming: We have got to quit spending more than we take in. I agree. Congress should have been working on Federal spending bills and a responsible budget for months, and the Senate majority put that work off.

I could go into some things on the Defense bill. I have a lot of things here, and over the next few days I will be talking about these. But what we are going through right now is, instead of these things that are really important to the American people and will really make a difference in their lives, we are working on judges which doesn't make any difference. There are plenty of judges out there already. But that is to detract us from these problems of ObamaCare and a budget. We have got to solve the real problems and quit worrying about whether the judges can be stacked in the District of Columbia so that the President can have his way. That is wrong.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from Utah.

Mr. LEE. Mr. President, I first thank my distinguished colleague, the senior Senator from Wyoming, who is a good friend and a fine example to all those who know him. People from both sides of the aisle can learn and benefit from my friend from Wyoming who, as a businessman, later as a mayor, as a devoted husband and father, has served his country well and has served his colleagues in the Senate well.

His remarks on the Senate floor tonight have been especially insightful, and I have learned something from him this evening as I do every time he speaks. He is one who reached out to me shortly after I arrived here in the Senate and has always shown to me great kindness. I have always been grateful for that, and I look forward to continuing to work with him in the Senate.

What is happening in the Senate right now is more than just an attempt by the majority to end debate on nominees. It is an attempt to shut out the American people from the political process.

President Obama and the majority party in the Senate are so dedicated to enacting their progressive agenda that they will do anything, even if it means running roughshod over the minority and ignoring the will of the people.

Our Founding Fathers drafted the Constitution to prevent this sort of thing from happening and to protect the rights of all Americans. They devised a constitutionally limited government, with a system of checks and balances, so that no one branch of government would wield unlimited power.

The whole idea of this system was to prevent the excessive abrogation of power, the excessive accumulation of power within the hands of a few.

Under our Constitution, the President's representative function is to faithfully execute the law and not to make it. Congress as a whole alone makes the laws, including a deliberative Senate whose majorities reflect minority views. Senate Democrats' recent actions are an assault on republican institutions and on the protections that they provide to all Americans.

The current administration and Senate Democrats view the Constitution as an impediment to the enactment of their agenda. This is why the President illegally amended the Affordable Care Act—a law passed by Congress—through executive action instead of asking Congress to amend it. It is also why Democrats are willing to break the rules of the Senate in order to change the rules of the Senate so that they can more quickly, more easily confirm the President's nominees.

Make no mistake. The executive and judicial nominees we are considering will be tasked with implementing and upholding President Obama's agenda. Congress is a representative body and is the only branch of government given the constitutional authority to make laws. We represent the people. When the President illegally changes the law or when he tramples on the rights of the minority in the Senate, he guarantees that the people will have no voice and no representation. These are not trivial matters. These are not matters that we can casually cavalierly cast aside. These are matters of great importance.

We have to remember what happened just a few short months ago, when we were told on July 2 of this year that President Obama had decided to change the Patient Protection and Affordable Care Act in several meaningful ways.

This of course was a law that was passed without consensus. It was passed without any semblance of bipartisanship. It was a law that was passed without a single Republican vote. Not a single Republican voted for it in the Senate; not a single Republican voted for it in the House. All 2,700 pages of this law—a law that wasn't read before it was passed, a law that we were told Members would have to pass in order to find out what was in it—this law took effect. Over time, as the American people learned about the law's contents, they didn't grow more favorably predisposed toward the law.

The law has in fact never enjoyed the support of a solid majority of Americans, but over time its popularity has tended to diminish. Perhaps seeing this, President Obama on July 2 of this year chose to wield his executive pen in such a way as to amend that law.

He chose, among other things, to announce that although the law contains

a number of deadlines, a number of start dates, that he would not be enforcing the employer mandate in the Patient Protection and Affordable Care Act. He would of course still be enforcing, as of the January 1 start date, the individual mandate. But he would not be implementing or enforcing, at least for the first year of the law's full operation, the employer mandate. Of course, he had no authority to do this. The Constitution sets in place a system for making law.

In order to become law, a legislative proposal has to make its way through the House of Representatives, has to make its way through the Senate, has to be passed by most of the people in the House and in the Senate, and then it has to be presented to the President consistent with article I, section 7, clause 2 of the Constitution before it may become law.

But of course, once it is law, it is law; and a law passed under one administration can't simply be vetoed or fundamentally altered by a subsequent President. In fact, it can't be vetoed or subsequently altered by even the same President who signed it into law in the first place. And yet, that is in some respects exactly what happened here.

The President modified the law. He was too impatient, too unwilling—too unwilling to defer to the legislative branch, too unwilling to respect the oath that he took to uphold, protect, and defend the Constitution from all enemies, foreign and domestic, too disrespectful of that very document, our founding document that has fostered the development of the greatest civilization the world has ever known. Too unwilling to defer to that document in order to follow its most basic precepts and its most basic commands.

He suggested that he needed to do this because the law wasn't ready to be implemented. He later suggested that he did this because he had to do it because, as he put it: Under normal conditions, under more ideal conditions, obviously the thing to do if you wanted to change the law would be to go back with that branch of government charged with making the law—that branch of government which passed it into law in the first place—Congress. But, as he pointed out, these are not ideal circumstances.

No, they are not ideal. Not ideal, because he controls only one division of the legislative branch of government, the Senate. The Senate is under the control of his party and the House of Representatives isn't.

This can hardly justify this kind of blatant usurpation of legislative authority. This can hardly justify a President taking upon himself the sole task of changing legislation. It is in fact an act of legislation unto itself. Yet this is what he did by a stroke of the executive pen. This is exactly what the Founding Fathers tried to protect

against, this kind of unilateral action by the executive, this kind of accumulation of power in the hands of the few—or, in this case, the hands of one person. Yet this is what he did, and he has done it on several occasions.

Some people have suggested that if what the President did was wrong, if it was unconstitutional, if it wasn't authorized by the Constitution—which it wasn't—if it wasn't authorized by an act of Congress, either the Affordable Care Act or some other statute—and it wasn't—then perhaps the courts can and should and must and will remedy the constitutional problem embodied in that act. There are some problems with that.

First of all, as we all know, not every unconstitutional act can necessarily be remedied in court. Many unconstitutional acts are themselves outside the purview of the Federal courts' ability to review. In some cases, an unconstitutional act might be something that the courts consider a nonjusticiable political question, not subject to the court's authority, or something that the courts aren't willing to wade into.

In other circumstances, an unconstitutional act might occur in a situation in which no one party is likely to be able to develop and establish article III standing in order to challenge that unconstitutional act.

In order to establish article III standing—in other words, in order to establish the right to sue in Federal court—article III of the Constitution requires that the plaintiff be able to establish that the plaintiff has suffered an injury in fact, an injury in fact that is fairly traceable to the conduct of the defendant, and, thirdly, that it is subject to redress by the authority of the court.

In this circumstance, one must ask the question: Does anyone really have standing? Can anyone really establish the kind of standing in order to challenge the President's refusal to implement and enforce the individual mandate while refusing or declining to enforce and implement the employer mandate of the Patient Protection and Affordable Care Act?

Who has standing to do that? Who has been harmed by that? One could suggest, I suppose, that an employer might want to look into that. But when they would examine the situation, most or all employers would probably have to acknowledge that they have been given a reprieve. So employers, No. 1, are not likely to be aggrieved by it in the sense that they are not likely to feel the need to sue; and, No. 2, if they were to try to sue, it seems to me they would have a very difficult time establishing in a court of law the fact that they had suffered an injury in fact.

Who else might do it? Most constitutional scholars would conclude—probably correctly—that a Member of Congress would lack article III standing

under the applicable Supreme Court precedent, *Flast v. Cohen* and other Supreme Court precedents. Merely being a Member of Congress is not necessarily enough to give a person article III standing.

So I think it is very difficult to reach the conclusion that anyone—at least obviously—has article III standing to sue.

So we cannot necessarily rely on the courts to be able to undo this constitutional damage, to be able to seek an adequate remedy in a court of law for this blatant insult to the U.S. Constitution. Even if they could, moreover, even if somebody could establish article III standing, even if somebody could come before an article III Federal judge and convince that judge that they have standing, would that Federal court be in a position to dispose of this case within the roughly 1-year period in which this provision of the law is effectively suspended? It takes a lot of time to litigate a case all the way through to completion, and I think it is doubtful whether somebody would be able to bring an action in Federal court and have it be fully litigated all the way through to judgment in the roughly 1-year period in which it would still be relevant.

If you could not get it done in that time period, then it would appear very likely that the case would be rendered moot at that point. So this, quite simply, is the kind of case in which no Federal suit is likely to be brought and if one is brought it would likely fail. So that is yet another reason why we as a Congress ought to be looking very closely at this, you see, because this is one of those many instances in which it is possible that someone can violate the U.S. Constitution, here the President of the United States, without the courts being in a position to effectively remedy that constitutional defect.

We too as Members of this body have taken an oath to uphold the Constitution of the United States. In my mind, that means doing more than simply refraining from that which the Supreme Court of the United States would obviously invalidate. To my mind, that means more than simply saying: If someone has violated the U.S. Constitution, then I am sure the courts will take care of it. We simply know that is not true. We know that in many circumstances—and I have just outlined a couple of them—the courts are not in a position to be able to remedy a constitutional defect, to be able to remedy a blatant insult to the Constitution and an absolute violation of the Constitution's provisions.

So we need to continue to hold this President accountable when he fails, quite blatantly in this circumstance, to do that which the Constitution requires. This is a question that I think is particularly important, not only in light of how this particular act of Con-

gress came to be, not only in light of how it was enacted and the fact that it is 2,700 pages long, that it has now resulted in 20,000 pages of regulatory implementing text but also in light of the fact that it was challenged in court; that is, the Patient Protection and Affordable Care Act was challenged in court as to its constitutionality, but it was upheld by the Supreme Court of the United States in a most unusual fashion. Let's talk about that for just a moment.

A number of States and a few others banded together and challenged in Federal court a few years ago Congress's power to enact certain provisions of the Patient Protection and Affordable Care Act. Among those provisions that they challenged were the individual mandate. The argument was Congress lacks the power asserted by Congress in the Affordable Care Act, pursuant to article I section 8 clause 3, the commerce clause, to tell individual Americans that they must buy a product—health insurance; not just any health insurance but that specific kind of health insurance that Congress in its infinite wisdom deemed absolutely essential for every American to purchase. The challenge asserted that Congress lacks this power under the commerce clause.

The lawsuit also alleged among other things that Congress lacked the power to tell States that the States had to expand their Medicaid Programs and gave the States no choice; that this, too, violated the Constitution, that it exceeded certain limitations on Congress's power because the courts have long recognized that Congress lacks the power to commandeer the States' legislative and administrative machinery in order to carry out a Federal program.

Congress has the power to encourage States, to ask States to do this, but it lacks the power to direct a State to do X or Y or Z. We cannot just tell a State to do something just because we want it to be done. We might be able to persuade the State to do something. We might even be able to fund the State, to offer funding in case a State wants to participate in a given program, but we lack the power to dictate to States that they do such a thing.

In this circumstance, the Patient Protection and Affordable Care Act was unmistakable in its clarity. It simply told the States they had to expand their Medicaid programs in the fashion outlined in the Act itself.

So these two core pieces, these two core aspects of this judicial challenge made their way up through the Federal court system, made their way up to the Supreme Court of the United States. The Court decided these two issues, as I said a moment ago, in a most unusual fashion. Turning to the commerce clause issue, the Court addressed that issue right after addressing another

issue that was sort of a jurisdictional question, an introductory question. The Court had to determine first of all, before it even got to the merits of the constitutional challenge as to the individual mandate in the Affordable Care Act—it had to address the question of whether the individual mandate and the enforcement mechanism attached to it could fairly be characterized as a tax, for purposes relevant to the so-called anti-injunction act, a Civil War-era statute that basically says that any time someone wants to challenge a tax in Federal court they have to wait until such time as that tax is actually being collected. Then that challenge is brought as against the attempted enforcement of the tax statute.

The Supreme Court of the United States, using centuries' worth of jurisprudence, looked at the language of the Patient Protection and Affordable Care Act, it looked at the manner in which it was written, and easily concluded, no, this is not a tax. This is a penalty. Because it is a penalty and it is not a tax, we, the Court, may proceed to consider the merits of the arguments brought up in this case, the merits of this challenge brought as to Congress's authority, *vel non*, to enact something like this, the individual mandate under the commerce clause. So the Court quickly dispensed with that issue and reached the merits of the constitutional question before it.

The Court then went on to conclude that Congress does, in fact, lack the power under the commerce clause, under article I, section 8, clause 3 of the Constitution, to tell individual Americans they must buy a particular product, health insurance; not just any health insurance but the specific kind of health insurance that Congress told the American people they have to buy in the Affordable Care Act.

The Court fairly easily and, in my opinion, correctly, decided that Congress lacks that power because of the fact that the power Congress has to regulate interstate commerce is meaningfully different than the power to compel individuals to enter into commerce, to regulate inactivity, to punish inactivity, to punish the failure to buy a particular product that the people might not want to buy.

You see, for a long time we had this understanding as Americans that the power given to Congress was in fact limited. We look at all the authorities granted to Congress under the Constitution, the overwhelming majority of which can be found in article I, section 8. All of these were limited and they were limited with good reason. They were limited with good reason because that played a very large part, that played a very significant role in how and why we became a country.

We broke away from Great Britain, not just because we grew tired of having a monarch but because we grew

tired of the authority of a parliament—a parliament that not only refused to grant us any representation but also a parliament that refused to acknowledge any natural limit on its power to regulate us, and it did in fact regulate us and it regulated us heavily, mercilessly. It taxed us overwhelmingly and it refused to recognize any meaningful—failed, refused to recognize any meaningful limit on its own authority.

That is one of the reasons we became our own country. That is one of the reasons the Founding Fathers put in place this system in which our national legislative body would be vested with only a few specifically listed or enumerated powers. The founding generation understood that each of those powers would in fact be limited, so much so, in fact, that James Madison described the powers given to Congress as few and defined and characterized those reserved to the States as numerous and indefinite.

During the first 140, 150 years or so of our Republic's existence, we as a people continued to recognize the necessarily limited nature of Congress's power. Much of that started to change during the New Deal era in which President Franklin D. Roosevelt, with the assistance of Democratic majorities in the House and in the Senate, pushed forward with a very progressive agenda, one that expanded not only the role of government in general but also the role of the Federal Government in particular.

Initially, the Supreme Court resisted and the Supreme Court acknowledged the fact that the powers granted to Congress under the spending clause and the commerce clause were, in fact, limited. But the more FDR and the more Congress pushed back against the Supreme Court, the more the Supreme Court seemed inclined to relent. Ultimately, we saw the Supreme Court of the United States back down in the late 1930s from its what had been previously more rigorous, more restrictive interpretations of the spending clause and of the commerce clause.

The Supreme Court ended up adopting a set of rules that would basically say that as long as Congress was acting broadly within the field of what could be loosely considered a regulation of interstate commerce, that the courts would stay away in second-guessing Congress's determinations.

The Court, starting out with a case called *NLRB v. Jones & Laughlin Steel* in 1937 and culminating in another case 5 years later in *Wickard v. Filburn* in 1942, ended up concluding that Congress may, without interference from the courts, regulate any activity that when measured and evaluated in the aggregate, has a substantial effect on interstate commerce. Regardless of whether the discrete activity in question might actually occur entirely intrastate, Congress would be able to

regulate that activity pursuant to its commerce clause authority, regardless of how intrastate that activity might be when viewed in isolation.

Under this very broad interpretation, Congress's power could, in a sense, be viewed as extending to virtually every aspect of human existence because, after all, almost everything we do when measured in the aggregate might well be understood to have a substantial effect on interstate commerce. Yet even under that broad analysis, that couldn't extend to what was being regulated in the Patient Protection and Affordable Care Act—in the individual mandated provision, which was inactivity. Remember, this is an enormous breadth that the Supreme Court said Congress could, without interference from the courts, regulate under its commerce clause authority.

In *Wickard v. Filburn* what was at issue was the cultivation of wheat. Congress adopted a statutory framework in which farmers would be severely restricted in how much wheat they could grow—how much they could produce of this or that agricultural commodity.

There was a farmer named Roscoe Filburn who committed a grave offense against the Republic. His offense did not involve dealing drugs; it didn't involve murder or kidnapping. His offense involved growing too much wheat.

Roscoe Filburn grew more wheat than Congress—in its infinite wisdom—viewed appropriate for any American to grow. He was fined many thousands of dollars, which during the New Deal era was an enormous amount of money because of the fact that he grew too much wheat.

Roscoe Filburn was fortunate in that he had access to some good lawyers, and his lawyers advised him on this. They represented him aggressively and competently in court. What they argued, relying on true facts, was that, yes, our client Roscoe Filburn did, in fact, grow wheat in excess of the limit imposed by Federal law, but the amount of wheat he grew in excess of the grain production limit applicable to his farm that year was grain that never entered interstate commerce.

In fact, it never entered commerce at all. You see, that grain never even left Roscoe Filburn's farm. He used it on his farm to feed his family, to feed his livestock, and he held on to the remainder of it to use as seed for a subsequent planting season.

In a very real sense that wheat was not part of interstate commerce at all. Nevertheless, the Supreme Court of the United States, lacking nothing in imagination, said that even that wheat was within Congress's almighty grasp—within the all-knowing, wise reach of the Federal sovereign. What the Court said was that the wheat grown by Roscoe Filburn in excess of the grain production quota was itself something

that when viewed in the aggregate, could substantially affect interstate commerce.

In other words, if lots of farmers everywhere—just like Roscoe Filburn—grew too much wheat, even if their wheat never entered interstate commerce, the growing of all of that excess wheat would inevitably have an impact on the supply and demand and ultimately the price and availability of wheat on the interstate market. Therefore, even that wheat which was entirely locally grown and locally consumed would be subject to Congress's reach.

Wicker v. Filburn thus erected an extraordinarily low barrier for Congress to clear in establishing that it had properly invoked its authority under the commerce clause. Yet even that extraordinarily low barrier was high enough to stop Congress from acting pursuant to the commerce clause in enacting the individual mandate under the Patient Protection and Affordable Care Act. Thus ended the Supreme Court's analysis in June 2012 when it ruled that Congress had exceeded its constitutional limits under the commerce clause in enacting the individual mandate.

Significantly, this was only the third time in about 75 years—only the third time since *NLRB v. Jones* and *Laughlin Steel* and *Wicker v. Filburn*—in which the Supreme Court of the United States recognized Congress had overstepped its limits under the commerce clause. This was a rare thing for the court to do. It was foreseeable because the individual mandate in the Patient Protection and Affordable Care Act went so far beyond anything that had ever been seen before. Yet it was only the third time in the last 75 years in which that had happened.

Then something different happened—something very few people on either side of the aisle in this body or on either side of the political divide in America generally had seen. After concluding that Congress lacked this power under the commerce clause, the Supreme Court, under the pen of Chief Justice John Roberts, proceeded to analyze the government's backup argument; that is, the argument that even if, as the Court had now concluded, Congress lacked the power to do this under the commerce clause, Congress still had the power to do this consistent with its power to impose taxes.

The Court went on to conclude that Congress did have this power. Strangely, the Court also went on to conclude that is essentially what Congress had done here.

This was odd on many levels. No. 1, the Court had already concluded, as it had to conclude in order to proceed to the case—as it had to conclude in order to exercise jurisdiction over this case—prior to the implementation of the law, prior to the collection of this alleged tax, that it was, in fact, not a tax but

a penalty. It was very strange that the Court was now basically saying: OK, it is a penalty and not a tax for some purposes, but it is a tax and not a penalty for other purposes. Yet that is what the Court did.

It was also strange that the Court did this for the additional reason that Congress had considered legislative proposals in a different, earlier iteration of the Patient Protection and Affordable Care Act that would have enforced the individual mandate by means of a tax.

Congress considered language that would have done that. Congress knew, and still knows, how to enact legislative language that imposes a new tax. Yet when it tried to use that language, language that under 100 years' worth of jurisprudence everyone understands would have imposed a tax, Congress could not get the votes to pass it even in what was then a Congress in which the Democratic Party dominated both Houses.

Even in that Congress they tried but failed to get the requisite number of votes to pass the individual mandate enforced by means of a tax. They could not do it. It was therefore very odd that the Supreme Court of the United States would interpret what Congress couldn't pass as a tax in such a way as to make it a tax for constitutional purposes when Congress itself didn't have the votes to do it.

In order to pass legislation raising revenue—in other words, in order to pass legislation imposing a new tax—the Constitution requires that legislation of that sort originate in the House of Representatives. Why is this? I think most who looked at the issue would agree it has to do with the fact that the House of Representatives is the entity within our Federal Government structure that is, by design, most representative of the people.

In the Senate we have elections every 6 years. In the House it is every 2 years. From the outset the House was the body in which the people were represented because, of course, at the outset the Senate was the body in which the States were represented. That is no longer the case. We are directly elected by the people.

But it was always the case, and still is the case, that tax legislation must start in the House because it is the body closest to the people and most responsive to the needs and the desires and the concerns of the people. It is therefore quite ironic that this law—this tax, as the Supreme Court called it—was put into place as a tax, not by the body within the Federal Government that is most accountable to the people, the House of Representatives, but instead by the body within the Federal Government that is the very least accountable to the people, the Supreme Court of the United States.

I believe this amounted to a usurpation of constitutional authority. I be-

lieve this amounted to a betrayal of the judicial oaths of the five robe-wearing men and women who signed on to that opinion. They did not have the power to legislate. They did not have the power to create a tax. They did not have the power to create out of whole cloth tax language out of penalty language—language that under a century's worth of jurisprudence, the Court's own precedence carrying stare decisis effect made clear it was a penalty and not a tax. Yet that is exactly what the Court did.

When people discover this—when they learn about and hear about it and dare to plow through the Supreme Court's opinion so they can understand what happens, they will inevitably ask: How can the Court do this? Does the Court have that power—the power to legislate, the power to impose a tax where Congress has not chosen to impose a tax? No, the Court doesn't have that power.

Then how can the Court do that? How could the Court do that? Why did the Court do that? The Court did that because it could, not because it could in the sense that it had the constitutional power to do it but because the Court has an exercise of raw political power. It chose to do so and did so.

This was a tragic day in American history. It is a day we should not soon forget and a day we should do all in our power to remedy. This decision was wrong. It was unconscionable. As a matter of jurisprudence, it was unforgivable.

The Court then went on to address the challenge related to Congress's power to compel the States to expand their Medicaid Programs. Medicaid, as we all know, is a program that is partially funded by the Federal Government but administered and partially funded by the States. In the Affordable Care Act, Congress directed the States—whether the States were so inclined—to expand their Medicaid Programs. It gave them no choice but to expand them and to expand them to a very significant degree. It expanded them in a way that would bring about not only significant costs to the States over the years but also very substantial administrative burdens as well. Yet the Affordable Care Act left the States with no choice. You must do this. Just do it because we are Congress and we are all powerful. You have to do it because we say so.

There is this anticommandeering principle embedded within our constitutional jurisprudence, rooted in the enumerated powers doctrine and rooted partially in the Tenth Amendment as well. It says that Congress lacks the power to commandeer States' administrative or legislative machinery to put in place, to carry out the legislature, to administer a Federal program. The Supreme Court of the United States concluded that Congress had violated

this anti-commandeering principle in passing the Patient Protection and Affordable Care Act, and in doing so in a way that left the States with no other alternative.

So this was the second constitutional defect in the Patient Protection and Affordable Care Act.

But, here again, the Supreme Court chose to rewrite the law a second time in order to save it. Ordinarily, what the Court would do in this circumstance—in that circumstance, after concluding that Congress had violated this anti-commandeering principle and that this aspect of the Affordable Care Act was, in fact, unconstitutional—the Court would be under an obligation to go into what is called severability analysis, to analyze whether or to what extent or in what way Congress might have intended to allow the rest of the statute's provisions to operate independently, notwithstanding the unconstitutionality of the provision deemed invalid by the court. In this case, quite steadily, the Supreme Court engaged in no such analysis. It never reached the severability question, even though it had been the discussion of extensive briefing and conversation and oral argument.

The Supreme Court didn't get into severability at all. The Court decided it just didn't need to. It didn't need to because the Court rewrote the statute in order to make it constitutional. The Court wrote into the law a carve-out provision. It simply said, We are going to read this law as though it gave the States an opt-out provision, as though it gave the States an option of deciding whether or not to expand their own Medicaid programs.

The only problem is the text of the Patient Protection and Affordable Care Act contained absolutely no such language. We can read through all 2,700 pages of that law, and we won't find any opt-out provision such as what I just described. No, the Court created this too from whole cloth. The Court did this in the absence of any text. This too amounted to a betrayal of the judicial oaths of those who signed their names to that opinion. This too was a blatantly unconstitutional act that was an insult to the high judicial office that those individuals occupy. That too is an insult to the constitutional system, which has fostered the development of the greatest civilization the world has ever known.

We can't likely overlook crimes against the Constitution. We can't likely overlook the usurpation of authority by the few. We can't likely overlook the fact that laws—our most fundamental laws—have been openly flouted in this case, nor will we soon forget the fact that it has occurred here.

So here are all of these reasons why some of us feel so strongly, so passionately that this law started with some

unconstitutional premises and has had its constitutional defects compounded over and over and over, as we have had the Supreme Court of the United States rewriting it, not just once but twice, in order to save it. We have the President of the United States rewriting it, in effect, legislating through the stroke of the executive pen several times now, because, among other things, he says the law is not ready to implement. He doesn't have the power to legislate on his own any more than the Supreme Court of the United States has the power to legislate, any more than the Queen of England has the right to legislate for the United States of America.

The legislative power belongs here. It belongs here in the Congress of the United States, and we must exercise that power. When someone else takes that power from us, when someone else independently exercises the legislative power, we must guard it jealously. We must protect it. I don't care whether one is a Republican or a Democrat, and I don't care whether one is President Obama's biggest fan or his most aggressive critic. The office we occupy here requires us, compels us to defend our institutional prerogative as Federal lawmakers. When someone else exercises that power—a power that does not belong to them but to us—we must protect it, not because it is ours but because it belongs to those we represent. It belongs to those who elected us to serve here, those who elected us and not someone else to make the laws. Whenever—to any degree—we overlook the fact that someone else has legislated, someone not vested with lawmaking authority, we do ourselves and our country a disservice and we reflect a certain cavalier disregard for the oath we have taken to uphold the Constitution of the United States, which was put in place to make the men and the women of the United States of America free.

There is another issue related to all of this that I think we need to touch on, which is the issue of excessive delegation of legislative authority to the executive branch. In some circumstances, we have a situation in which Congress may voluntarily relinquish some of its lawmaking power to the executive branch. I say it may do that, that it can do that, but that is not necessarily saying that it should do that. Perhaps the most influential political philosopher in America's founding era was Charles de Montesquieu. Charles de Montesquieu wrote that the power to legislate is the power to make laws, not the power to make legislators. He recognized, I think, that there was a natural temptation among elected lawmakers to want to pass the buck along to someone else, to want to give to someone else the task of making law.

We do this sometimes when we pass an extraordinarily broad law and then

we direct some executive branch agency to simply fill in the gaps, to effectively make the laws. The Affordable Care Act is replete with instances in which this kind of thing occurs, in which certain broad parameters are spelled out and in which we then say to this department or that department that it will have the power to promulgate rules carrying the force of generally applicable Federal law, which that same department or that same agency will then have the power to enforce.

So that is part of how we end up with 20,000 pages of implementing regulations already under ObamaCare—20,000 pages and counting—because we have a lot of instances in which we have delegated de facto lawmaking power. That too presents its own kind of constitutional problem—not necessarily a constitutional problem that the courts are inclined to recognize, but a sort of constitutional problem nonetheless, because the more we delegate de facto lawmaking power to an executive branch agency, the less we see that anyone is accountable to the people for our laws.

One can imagine, for example, if taken to an extreme, what this could look like. Let's suppose one day we just decide we are tired of debating and discussing and voting on and having to pass laws that are controversial, laws that are specific, laws that require us to get our hands dirty, laws that require us to make difficult decisions, so, once and for all, we are going to pass a law that everyone can get behind. It will be called the law of good laws. A law that says we shall have good laws and we hereby delegate to the herewith created U.S. Department of Good Laws the power to make and enforce good laws. We then pass that and we give this Department of Good Laws the power to issue regulations and to enforce those regulations. This is actually not all that different from what we do all the time and what has been done under ObamaCare to a very significant degree—about 20,000 pages of regulations so far, and that is still building.

One of the reasons this is a problem is because when the people don't like our laws, they can come to us and they can hold us accountable for laws that we may have voted to enact. They can choose to replace us with someone else, someone who wouldn't vote for that kind of law the next time they have the chance. But when the law that they don't like is not one that we have enacted but instead one that has been promulgated by an executive branch agency, the people come to complain to us and, in that circumstance, we say: Don't look at me; go to the executive branch agency; they are the ones who did it. They go to the executive branch agency, and they see that the people occupying the executive branch agency, as well mannered, well educated,

well intentioned, and well groomed as they might be, are not subject to elections, so they can't be voted out. They can't be fired by the people. That is why we are entrusted with the law-making power. It is not necessarily that we are the best equipped in every way to do it; it is that we stand subject to elections in 6-year intervals in the case of the Senate, and in 2-year intervals in the case of the House of Representatives. It is yet another reason why we ought to be more resistant, more concerned when it comes to enacting legislation that delegates an excessive amount of de facto law-making power to an executive branch agency.

It is yet another reason why I think we need to pass something akin to the proposal that has been introduced as the REINS Act, which would say anytime an executive branch agency issues a new rule, a new regulation deemed by the Office of Management and Budget to constitute a major rule, that major rule will take effect if, and only if, it is first passed into law by the House and then by the Senate and then signed into law by the President. Then and only then do I think we will be able to start to reclaim that legislative power which is rightfully ours, and that, more importantly, the American people will be able to hold Congress accountable for the responsibilities properly given to Congress under the Constitution. This is about allowing the people to be governed by those they choose. When we delegate excessively our own lawmaking power to executive branch agencies, we deprive the people of their right to have their laws written and enacted by men and women of their own choosing.

This is important, and it should be important to people of all political backgrounds, to people at every end, at every step, at every stage along the political continuum. This is an issue this is neither Republican nor Democratic, it is neither liberal nor conservative, it is simply American.

When we pass laws, we pass laws through democratically elected Senators and Representatives. We do not do it through nameless, faceless bureaucrats who, regardless of how well-educated and well-intentioned they may be, do not serve the people in the sense that they are not elected by the people. They are not subject to reelection. They are not subject to dismissal by the people.

We must hold that power here. That power belongs to us, not to bureaucrats. It belongs to us, not the President. It belongs to us and not to nine Justices wearing black robes across the street in the Supreme Court of the United States.

These are some of the things that are at stake. These are some of the reasons it is so significant that we have this prolonged, protracted effort by the President of the United States to usurp

power that is not his own. We must not facilitate the President in his ongoing effort to aggregate power, to accumulate power within the executive branch of government that is not his own.

That is why we need to stand up to the President. I am against some of these nominees he has pushed forward again and again and again trying to trample over the rights of the minority. We have to do that. We have an obligation to stand up to the President, especially because he is taking power that is not his own, and he is doing it, among other things, to move forward with ObamaCare, a law that a majority of the American people have never approved of and a law the American people are growing steadily more against every single day.

I see my time is expired.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KAINE). Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, the matter before us is that of a nominee to be Commissioner of the Equal Employment Opportunity Commission for a term expiring July 2018. This nominee was asked to serve as a Commissioner by President Obama and was confirmed by the Senate by a voice vote in December 2010 for a term ending July 2013. While her term expired at that date, she can continue to serve until the end of this congressional session, December 2013, so she is still in the position, continuing to serve.

I have gone through her entire biography, and I would have some questions if I were to have an opportunity to visit as a Senator today with this nominee to be Commissioner of the Equal Employment Opportunity Commission. I would like to ask the nominee if she is willing to forgo Federal employee insurance, which she currently has, to go onto the insurance now forced upon most of America through the President's health care law. Would she, who is now seeking nomination and seeking confirmation, be willing to do what Americans are being asked all around the country to do, people who received letters that said: Sorry, your insurance isn't good enough. Sorry, you can't keep your insurance regardless of what the President may have promised. What would this nominee say? Is the President's health care law good enough for her? Is what the President is promising to Americans good enough for her? I

shouldn't even say "promising"—offering, if they can get it, depending on whether the Web site is working on a given day, whether they can afford it, whether they want it, whether it works for them. Is this something this nominee would think is a good idea for her?

Because, of course, she is in position as Commissioner of the Equal Employment Opportunity Commission, I would like to ask the nominee regarding her views of employers who are being forced to change health care plans offered to their employees as a result of the Democrat-mandated and passed on party-line votes Obama health care law. What are her views on employers being forced to change health care plans offered to employees because of what this Senate body did?

I would also like to ask the nominee whether she believes an employer who requires some of his or her employees to join the exchange and is OK about exempting other employees—whether that would be a violation of the Equal Employment Opportunity Commission laws. Does she believe an employer who requires some of his employees to join the exchange while exempting others—would that be a violation of the laws. That is what the majority leader of the Senate has done. Do the laws not apply to the majority leader? Can he decide one way or the other?

We have heard his explanation. I know the Washington Post gave him three Pinocchios, meaning there is a considerable amount of untruth in his explanation. But what about this nominee before us today?

I would also like to hear her thoughts regarding whether people in power should have the right to change rules at any time in a manner that restricts the rights of those whom the rules were intended to protect because that is what has happened on this floor of the Senate in the last couple of weeks. A group broke the rules to change the rules in a way that has denied the minority rights that had been protected for centuries. So I would be interested in hearing what the nominee has to say about that.

It is interesting because the facts that have been brought forth on the floor by the Senate majority leader regarding the filibuster have actually been described as fraudulent: "Democrats' Filibuster Fraud."

On November 21, majority leader HARRY REID broke his promise not to employ the nuclear option when he and Senate Democrats eliminated the filibuster on nominations. They did so based on what Senator HATCH once described as a "filibuster fraud." ORRIN HATCH, a longstanding Member of this body, probably knows the rules better than any.

I believe they did it in an attempt to divert attention away from this ObamaCare nightmare—people faced with higher premiums, canceled coverage, people finding out they can't

keep their doctor, fraud and identity theft which is going on even until today and I think is going to continue to get worse in the future, and higher copays and deductibles.

One of our Senate colleague's staffers was trying to sign up for insurance on Monday, I understand was on a Web site that pretty much looked identical to the government Web site, and what he found was it took him to a page where they asked for his bank account number and his PIN number. I think everyone agrees that is not part of the health care Web site. This is a staff member who works for the Senate and found himself taken through the computer—I should say the broken Web site, easy to maneuver and manipulate—it took him to a page asking for his bank account number and his PIN number.

He then called the help line, spent several hours on hold waiting to talk to people, and they said: Just get off of that Web site. The folks he was talking to even seemed surprised to know that he logged in to what he thought was the correct Web site and what looked identical to the government Web site, but yet there was a problem there.

So I believe what we are seeing is an effort to divert attention away from the ObamaCare nightmare and ensure that the circuit court of appeals will be a rubberstamp for the President's agenda. And what has happened? The Washington Post looked at the comments by the Senate majority leader, who on November 21 said:

In the history of the Republic, there have been 168 filibusters of executive and judicial nominations. Half of them have occurred during the Obama Administration . . .

The Washington Post, which looked at it, said: Leader REID's figures confused cloture motions, which are requests to end debate, with filibusters, the response to those requests.

So just making a request isn't a filibuster; it is actually making a filibuster response to the motion.

They said: This was despite the clear admonition of the June Congressional Research Service Report that cloture motions don't correspond with filibusters.

Apparently Senator REID did not have a chance to read that or wanted to ignore it. It didn't fit the scenario or the story that he was trying to weave. They went on to say:

Since the majority leader files nearly all cloture motions, Senator Reid himself created the very statistic that he relied upon to force a rule change.

Senator REID himself by filing all these cloture motions, he is the one who created the very statistic that he relied upon to force a rules change.

Many of these, the Washington Post reports, were clearly unnecessary. In fact they say 32 percent of all cloture motions in the past 4½ years were withdrawn before a vote. Even the fact

checker of the Washington Post rejected the majority leader's claim. They said:

But we especially find it hard to get past CRS's admonition that the data in its report should not be used to calculate the number of filibusters, as Reid's office has done.

They have given him a couple of Pinocchios on that one too. It is fascinating that the majority leader of the Senate receives Pinocchio after Pinocchio in the Washington Post for continuing to distort or tell his version of a story which is just not true at all.

I believe all of this is in an effort to distract people from all of the issues that are damning and hurting the President's standing in the eyes of the American people.

It is interesting. You do not have to go too far back in the newspapers. You just go to Wednesday, December 11, yesterday. The Wall Street Journal, page 4, "Poll: Health Law Hurts President Politically."

The American people know this is the law that the President forced through, a party-line vote, in the middle of the night, Christmas—and it looks like we may be here Christmas again this year, because of an unwillingness of the Democrats to work together to accept Republican ideas, to talk with their colleagues. Let's see the subheadline here, "Obama's Job-Performanace Disapproval Rate Rises to All-Time High."

The President's disapproval rate of his job performance rises to an all-time high of 54 percent. Then it says "Even As Americans Upbeat On Economy."

So the President is at an all time high of his disapproval even at a time when people from an economic standpoint believe that things are not as bad as they may be. Why is it? Because of the health care law. People all across the country—the numbers are 5 million now who have lost their insurance, gotten letters from their insurance companies saying sorry, you have lost your insurance. It might have worked well for you.

I talked to folks at home in Wyoming, a ranch family. They have insurance. It works for them. It is what they wanted, it is what they had for many years, but they found out it didn't qualify because it was not good enough. It is interesting to hear the President say better insurance. Not better for them. More expensive, more things to cover that they don't ever need. The reason they lost their insurance is because it didn't fit the President's 10-point criteria. It didn't include maternity coverage.

A woman who knows I am a doctor, knows I practiced medicine in Wyoming for 24 years—and I talked to her at the Wyoming Farm Bureau meeting in Laramie a couple of weeks ago—said: I have had a hysterectomy. She said: Doctor, you know somebody who has had a hysterectomy doesn't need

maternity coverage. They are not going to have more babies.

So she lost insurance that the family has had. It worked for the family, and they could afford it. They had it included in their budget, and they lost it because she doesn't have maternity coverage, because she has had a hysterectomy. She had insurance that worked for her.

Who does the President think he is, to say that he knows better than she does, what is right for her and for her family? That is why the President is being hurt politically. It is the health law. It is the mandates on the American people. It is the President and the Democrats in this body saying: We know better than you do. We know what your kids need, we know what your family needs, we know what works in your life.

I will tell you, the President does not know. He has no idea what works for these people at home in Wyoming and that they have made intelligent choices, thoughtful choices. They know what works for them. He doesn't know their lives, and he doesn't know their needs. His disapproval rate—not surprising to me—is at an all time high, and it is well deserved because people are being faced with not just the Web site failures, which drew attention to this, that I believe made the Secretary of Health and Human Services the laughing stock of America because of her comments and how they played forth on the comedy shows, but also and more important, because of what is below the tip of the iceberg, the higher premiums. My friend in Wyoming has found that what she needs to do in terms of the insurance that the President said she needs—it is going to cause their premium to skyrocket. She is going to be forced to buy insurance because the law says all Americans need to buy insurance. She is going to be forced to buy insurance that really they don't need, they don't want, they are never ever going to use, they cannot afford, and it is money not going to be used for other things—for books for the kids, for food for the table, for things around the house. They are going to lose that opportunity. That is what this is all about.

That is why the President's numbers have dropped so significantly. It is interesting when you go through these statistics, findings—and this is a combined poll from the Wall Street Journal and NBC news—the health care law, whether it was a good idea or bad idea. According to this poll: bad idea, 50 percent, good idea, 34 percent—50 percent bad, 34 percent good.

Then they say what is the impact of this health care law on your family? That is what people wonder about. What does it mean to them? What does this mean to them personally? Because it was interesting. On the exit polling from the Presidential election last

year with Mitt Romney and Barack Obama, people across the country believed at that time that in response to the question of “cares for someone like me,” Barack Obama did much better, scored much higher than Mitt Romney.

Now the President is underwater because people are saying he doesn’t care about me; he doesn’t know about me; doesn’t care about me; is not thinking about me, is thinking about his legacy but not thinking what I am going to have to pay in premiums; not thinking about my insurance being canceled; not thinking about me not able to keep my doctor; not thinking about fraud and identity theft; not thinking about the higher copays and deductibles. Right now, in terms of the poll that was in yesterday’s Wall Street Journal by NBC news, whether this was going to have a positive or a negative impact on people’s lives, fewer than 1 in 8 Americans believe that this health care law is going to have a positive impact on them and their families. Fewer than 1 in 8. It is astonishing that fewer than 1 in 8 people think that this health care law is going to have a positive impact for them and their family.

Yet it was crammed down the throats of all Americans, forcing them to face all of these issues and costs related to that. The poll shows the President’s disapproval at the highest rate ever, 54 percent, going back from the time he was elected. In terms of how you look at this—start reading the article.

The federal health-care law is becoming a heavier political burden for President Barack Obama and his party, despite increased confidence in the economy and the public’s own generally upbeat sense of well-being, a new Wall Street Journal/NBC News poll suggests.

Disapproval of Mr. Obama’s job performance hit an all-time high in the poll, at 54%, amid the flawed rollout of the health law. Half of those polled now consider the law a bad idea, also a record high.

There was the flawed roll out and Web sites can be fixed. The Web site can be fixed—and that is why the Web site failure is only the tip of the iceberg. What has really gotten people mad is the 5 million letters, and we don’t even know how many letters went out in Illinois, Ohio, Texas. We don’t have those numbers yet. So the numbers of folks who lost their health care coverage that worked for them, that they liked, that number is, I believe, going to be higher than 5 million. So this is going to continue to roll out with people showing huge disappointment. I expect the President’s popularity to fall even further.

I think it is going to get even worse come January 1 as people start to go to a doctor and find out that maybe they think they bought insurance through the health care Web site and find out that they actually do not have it. We have people I have talked to that have put in all the information. They spent hours, but the Web site went down.

They came back for more hours but don’t have confirmation yet. They really do not know if they have insurance yet. They would like to know. They would like to see assurance. They would like to have confidence their government can get something right. They do not see it now. They don’t see the President doing what he promised.

The President was on television with President Clinton, at the Clinton World Summit in New York, just 3 or 4 days before the Web site was unveiled, and there was the President sitting with former President Clinton saying that this was going to be easier to use than Amazon. Cheaper than your direct phone bill, and if you like your doctor, you can keep your doctor.

Did the President really believe that or was he so detached, so disconnected from the reality of what is happening in this country that he was not even overseeing his job. This is his signature achievement. Yet it seems like he ignored the implementation process.

For those in this body who served as Governors, as chief executives of States, as the Presiding Officer of the Senate has done, you never let that happen. You might have tested it for yourself: What is it going to look like? I am curious, what happens when people sign on? How does it work? But just to push “go” and have this blind confidence that everything is going to be fine and not know and 3 or 4 days before on a world stage saying: Oh, easier than Amazon, I think is very distressing to many people. That is why the President’s performance shows such high disapproval, 54 percent. That is why, according to the Wall Street Journal poll and NBC news, the health law is hurting the President politically.

This is not just a survey of a couple of people. This survey is of 1,000 adults. It was conducted between December 4 and December 8. What it did is it found a sharp erosion, they say, a sharp erosion since January in many of the attributes of a President.

What are the attributes you would like to have in a President? What would a nation look to in a President? Attributes that say: This is what we want in our President. Honesty—that is what you would like to have, a President who is honest. Leadership ability to handle a crisis. They say that had kept President Obama aloft through the economic and political turmoil of his first term, but now it is not there anymore. The feeling about the President regarding his own honesty has dropped precipitously.

You do not want our country to have a President who the people think is not honest, but that is where we are right now. I will tell you, he brought it upon himself and he did it intentionally, he did it deliberately and he did it by looking into that camera and intentionally misleading the American peo-

ple about his health care law—not just in the lead-up to passing the law but continued all the way through. What does the President say? He said if you like your insurance, you can keep your insurance, period. It was his punctuation of that sentence that said there is nothing after that. He said if you like your doctor, you can keep your doctor, period. He has continued to say that.

It was interesting, even after the whole debacle, the letters going out, so many people finding their coverage had been canceled, the White House Web site continued with a video of the President saying, “If you like your coverage, you can keep your coverage, period.” If you like your doctor, you can keep your doctor, period. Is it any surprise that the American people no longer find the President trustworthy, honest? Is it a surprise, then, that the President finds that the health law is hurting him politically? Is it a surprise that the disapproval of his performance is now at an all-time high? That is what we are dealing with in this country, and yet the President continues to go forth and say, are the Republican ideas?

We have had idea after idea. We tried to visit with the President about those ideas. He wants to hear nothing. He wants to hear nothing. He wants his talking points and he doesn’t really have a clear understanding of what damage he has done to America with this law that has hurt so many families across the country and continues to cause pain and suffering and anxiety, and as a result anger, and as a result the health law hurts the President politically. Those are the issues that are in front of us. Those are the issues that are in front of us.

I have a letter from a gentleman who lives in Cody, WY, that I want to read and share. This came in a couple of days ago online.

For the most part people in Wyoming know me as Dr. BARRASSO. I have treated many of them. I have been involved with the Wyoming health fairs and taking low-cost blood screenings to people all around the Cowboy State. I still attend the fairs and visit the small communities. We did a poll there about why people go to health fairs. The No. 2 reason they go is for their health, and the No. 1 reason is to socialize and see other people in their community.

I know the Presiding Officer has seen similar things in his home State when he goes to activities that people go to, and they want to see one another.

This email is by a gentleman who wrote to me and knows about my activities at the health fairs and as a doctor.

He said:

Just got a quote from my insurance agent on Obama care insurance. From \$860 I currently spend per month for my family of 4, to \$2,400. All with the low deductible of \$10,000 per person per year.

That is the other issue: Higher copays and deductibles. This is a big part of what is happening with this health care law. I mean, it is interesting.

This is Monday's Wall Street Journal, dated December 9: "Deductibles Fuel New Worries of Health-Law Sticker Shock." That is what my friend from Cody, WY, is finding after being hit with the higher deductibles.

I will share some of the things the Wall Street Journal said and then get back to the letter from my friend in Cody.

It says:

The average individual deductible for what is called a bronze plan on the exchange—the lowest priced coverage—is \$5,081 per person a year, according to a new report on insurance offerings in 34 of the 36 states that rely on the federally run online marketplace.

That is 42 percent higher than the average deductible of \$3,589 for an individually purchased plan in 2013 before much of the federal law took effect.

"Deductibles Fuel New Worries of Health-Law Sticker Shock."

Right under the article, "Health Site Snafus Plague Maryland." I understand that is a State that has their own exchange. That is not even a Federally run exchange. When the President says the States are doing such a great job, and if we let the States do all of these things, we wouldn't have all of these problems. Maryland is having huge problems, as are quite a few of the States.

Getting back to the letter written by this gentleman from Cody, WY, who was hit with an incredibly high deductible—higher than the average. The average is over \$5,000, which is higher than it was last year for people around the country. He said:

I'm not sure what planet they think I live on, but there is no way I can spend more than ½ of my monthly income on insurance. For the first time in my adult life I will soon be without insurance.

What does President Obama have to say about that? How does the ObamaCare health care law—I thought it was written in a way that people would get insurance, not lose insurance. Wasn't that the purpose of this? This gentleman said this is the first time in his life he will be without insurance. Why? Because of the law.

He said: "What does it matter if my 18-year-old children can stay on my insurance plan if I can't afford to keep one?"

I mean that is the big talking point on the other side of the aisle; young people up to age 26 can stay on their parents' health care plan. I think it is a good idea to allow young people to stay on their family's insurance plan. Of course the President tends to add in that it is free, and it is not free. There is a cost to that. I think it is a good idea to help with families.

As this gentleman from Cody, WY, says:

What does it matter if they can stay on the insurance plan if I can't afford to keep one? Also all the air time to pre existing conditions are meaningless if I can't afford to keep a plan.

I feel greatly blessed to have the good paying job that I have. It puts me above the pay level that would allow me to get any subsidies.

He has a family of four and can't get subsidies. He said: "By the way, with the system in place this year, I wouldn't have needed subsidies." With the current system he wouldn't need subsidies, but when he goes from \$860 to \$2,400, he can't afford it even though he doesn't qualify for subsidies. Yes, we see the genius of the Obama health care law by ignoring what happens in real people's lives.

I think it is interesting to see that the people who wrote this law wrote it behind closed doors. I know the President said this evening he was not a Member of this body at the time, but it was written behind closed doors through that door of the Senate. The people who knew the most about what is in that law, they seem to be the very people who have been excluded by the majority leader from having to live under it. Those are the people who got the exemption, and they are the ones who know what is in it.

It is so ironic that the majority leader of the Senate would say that his people who helped to write this law don't have to live under it. The Washington Post calls him on it. Yet the rest of America has to live under what is not good enough for the majority leader's own staff. It is ironic and sad to see a day like this come to our country.

As this gentleman says, he has never needed to have subsidies before. He said: "I have never needed them in the past and would like to continue to never get a handout from my government." This is an independent individual. He doesn't want a subsidy. He is not asking for a subsidy. He just wants the insurance that worked for him and his family for all of these years, and now he has no insurance.

He said:

I employ about 35 people with my company. When we first opened about a year and ½ ago we were talking about getting some sort of coverage. It became very clear that we will not be able to do this . . .

They have 35 employees, so under the 50, but still wanted to do the right thing. He wanted to give people coverage. He said:

It became clear that we will not be able to do this, and have stopped any of our plans to provide this in the future. We also know for sure that we cannot afford to ever employ more than 50 people as we continue to grow, there is an upward limit on how many people we will hire.

That is as a result of the law and not because the business is not there and not because the economy won't support it. It is not because they don't want to

employ more people, and not because they don't want to help their community. Because of the health care law, they are putting a cap on the size of their business.

He said:

Simple economics, Obamacare is a job killer in Wyoming. It has never been easy to be in business, that is part of the fun of being successful. It is discouraging when our federal government limits the American dream for everyone.

The Federal Government is limiting the American dream for everyone. He said: "I am thankful for your efforts, but from my office chair in Cody, it is already too late."

I know I am not the only person in this body who is getting letters like this. I know people who actually voted for the health care law are getting letters like this. I am not sure what kind of responses they are giving them. We call these people. The staff has worked with them, and I visit with them when I get home on the weekends to listen to folks.

But when we look at that sort of letter and that sort of well thought out rational approach from somebody who is working and has had insurance their whole life, that provides for his family and builds a business in a community, hires people, wants to provide insurance and now says: Not going to provide insurance, going to limit our growth, and my family loses insurance—why? It is because of a health care law that I think the President—I don't know if he had any idea of what the impact of this was going to be. We came to the floor on this side of the aisle day after day and week after week talking about why when you read the law, it is a real problem. We talked about why the concerns expressed by the American people should have been listened to but regrettably were not listened to, and why I think it is a terrible mistake and very harmful to the American people.

It is not just the Web site. It is the higher premiums that my friend from Cody is hearing about because his coverage was canceled because it wasn't good enough according to the President.

We will get to whether he could keep his doctor or not in a second. We have talked about higher copays and higher deductibles, and those are the things we are facing now in this country. People are noticing them around my State and all around the 50 States. Doctors are noticing it.

I was in my medical office last week talking to some of my colleagues—my former medical partners. They are being swamped right now with folks coming in for care. This is not just in the middle of Wyoming. This is all across the country.

I talked to a surgeon yesterday on the faculty at Duke University. He had the same story there. So we are seeing

it east and west and north and south. Doctors' offices are being swamped with patients who have insurance now.

The President's health care law was to make sure that more people got more insurance and coverage after the first of the year. These are people who have insurance now and are afraid they will not have it after the first of the year. They don't know if they will have it. If they had to go onto the exchanges, they haven't gotten confirmation from the exchanges yet. They are anxious about that; they are also angry.

They don't know if they are going to be able to keep their doctor, which gets to the point of "can't keep your doctor." So what they are doing is going to their doctors' offices now and saying: I have been putting this off for a while—my shoulder that has been bothering me or my hip or my knee, and I want to get it taken care of now while I know you are still my doctor. I know that I can still come to you at least until the end of the year, and I know for sure I still have insurance right now.

Hospitals, medical offices, and clinics are all being swamped by patients trying to get caught up with things they may have put off for a while. They don't know what will happen come January 1st, and I will tell you neither does the President of the United States. I think the President doesn't know what will happen on January 1.

I think he is standing there with his fingers crossed and hoping it doesn't get any worse. I will tell you. I think it will get worse with more people, with sticker shock of higher premiums, and coverage canceled. People are going to find out all across the country they can't keep their doctor.

Fraud and identity theft is going to get worse as more cases get reported, and we are going to see more and more people not being able to pay their deductibles.

I wanted to spend a second on this issue—on the whole issue of the President's promise that if you like your doctor, you can keep your doctor. As a doctor, there is a very special relationship between a doctor and a patient and a patient and a doctor. It goes both ways.

I think it was very telling, as well as distressing to many people, this past Sunday when on one of the Sunday news shows, Ezekiel Emanuel, Rahm Emanuel's brother, who is a professor at the University of Pennsylvania and a physician in the academic setting—one of the interviewers asked him: Was it a true statement, "If you like your doctor, you can keep your doctor?" He said: The President never said you could go to all of these other people and specialists. The interviewer said: Wait a second. Let's get back to if you like your doctor, you can keep your doctor. Ezekiel Emanuel basically said

if you like your doctor, you can keep your doctor if you are willing to pay more. That is not what the President said. The President used the punctuation point, used that period at the end of his sentence: If you like your doctor, you can keep your doctor, period. Now we have Ezekiel Emanuel on the Sunday shows saying: Well, the President never really said that. But he did. He said it dozens of times.

Folks in this body have asked me about the bond between a doctor and a patient, and I think the President knew very well about that bond when he made the promise that if you like what you have, you can keep it. So I put pen to paper and had an editorial in yesterday's *Investor's Business Daily*—Wednesday, December 11, 2013—called "A Special Bond Deeply Severed By ObamaCare." I would like to share some of those thoughts with my colleagues today because I think that is a special bond. As a doctor, I know what that bond is like with my patients.

I write in this column:

A central architect of the president's health care law admitted this week that the often repeated promise that "if you like your doctor, you can keep your doctor" simply isn't true.

Instead, Dr. Ezekiel Emanuel explained that if you like your doctor, you will simply need to pay more to keep your doctor.

I write:

As a physician, I know firsthand how this will hurt many Americans.

Families look to doctors as trusted friends, as confidants and as counselors and turn to them for advice in making life and death decisions.

In Wyoming, patients have included me in graduations, in weddings, and asked me to serve as a pallbearer. They have asked me to pray with them, to referee family disputes, and to provide reassurance when a doctor they did not know was called in to consult.

I go on:

Norman Rockwell's painting "Doctor and Doll" tells the story.

I think people here can kind of visualize that picture.

A little girl holds up her doll as the trusted family doctor listens to the doll with his stethoscope. The caring, compassionate physician takes the time to reassure the concerned little girl.

The doctor-patient relationship is a very special bond. It requires faith and trust for a patient to allow me to cut into their body to remove a tumor, to replace a worn-out joint, to fix a broken bone, to repair a torn ligament and, above all else, to do no harm.

The President knew of the special relationship between people and their doctors. That is why when he was trying to gain support for his health care law, he made a clear and simple promise to the American people. The President said, "If you like your doctor, you can keep your doctor, period."

Now people across the country are finding they can't keep their doctor.

The same law that has caused millions of Americans to lose the health insurance that worked for them is now causing people to lose their doctors.

People shopping for insurance on government exchanges and people going to the Web

site are being forced to purchase insurance for things they don't want, don't need, or will never use.

To keep costs down, many of these policies limit the doctors and limit the hospitals that patients can use.

So not just the doctors, the hospitals as well, including the Mayo Clinic and Cedars-Sinai Medical Center—they are excluded from many insurance networks.

Some of the best children's hospitals in the country are also excluded from the exchanges. This means a child with cancer—

And there have been articles about this—

may lose access to his or her doctor and the specialty hospital because of this law.

Come January 1, there are kids in this country who are not going to have the ability under their new plans to go to the hospitals that have been treating these young people.

In New Hampshire—

There are two Senators here from New Hampshire, one on either side of the aisle.

In New Hampshire, 10 of the state's 26 hospitals—

So there are 26 hospitals; 10 of the State's 26 hospitals—

are excluded from the only carrier offering insurance in the exchange.

There is only one carrier in the exchange. I remember the President talking about all of this competition. There is 1 carrier in the exchange. There are 26 hospitals in the State, and 10 of them are excluded from the only carrier that is offering insurance.

I will tell my colleagues that this next sentence is fascinating.

The head of the medical staff of one of the excluded hospitals—

This is the chief of staff of the hospital—

learned that her plan does not even allow her to seek treatment at her own hospital where she is the chief of staff.

It is unbelievable.

We take a look at that and say: How could this have happened? But that is the law that was passed, and that is the 7-foot tower of regulations that has come out from the bureaucracy.

I write:

The situation could be equally bad for seniors on Medicare.

For seniors on Medicare, if you can't keep your doctor, it is a really big deal. It is sometimes difficult for a senior on Medicare to find a doctor. If they get one and then they like that doctor, they want to keep the doctor. As we have seen, seniors sometimes move to other communities to be closer to their kids and grandkids. To find a doctor is a struggle, it is a challenge, but I think the situation could be equally bad for Medicare, and here is why, and I wrote about it in this editorial in the *Investor's Business Daily* yesterday:

Thousands of doctors caring for seniors on Medicare Advantage—

And about one in four people is on this program called Medicare Advantage.

Thousands of doctors caring for seniors on Medicare Advantage have been dropped from their networks. Those Medicare patients will now be challenged with finding a new doctor to take care of them.

The president's health care law is making it harder for doctors as well as patients.

It is not just the patients; it is very hard for doctors.

Doctors know their patients' health history, they know their families, they know their lives. Doctors value the personal relationship as much as the patient does.

That's why people become doctors in the first place—to take care of their patients.

In my graduating class, the way we felt about it—and I was invited back to speak at the commencement. I think it was about the 30th year after I had graduated that I got invited back as a guest speaker, talking to those medical students who were graduating. That is the same reason people continue to go into medicine. They want to take care of patients. They are intellectually stimulated and challenged by all the new advances, but people go into medicine to take care of their patients.

In this editorial, I say:

Even if someone is able to keep their doctor, they won't necessarily be able to spend as much time with that doctor as they might like. That's because nearly two-thirds of the doctors expect to spend more time on paperwork under the requirements of the new law.

So doctors are going to have to spend more time on paperwork. Some of this is done with computers, with electronic medical records, but there are still paperwork-keeping activities. It is interesting because so often doctors have the computer in the office with the patient, and patients feel the computer that is mandated under the health care law is interfering, with the doctor looking at the computer screen rather than looking at the patient. So this is all having a significant impact.

I conclude by saying:

This is not at all what the president promised. People all across America put their faith and trust in Barack Obama when they elected him President.

It's the same kind of faith and trust they have in their doctor. When patients lose trust in their doctor—or citizens lose trust in their president—it is extremely difficult to regain.

That is why—going back to yesterday's Wall Street Journal: "Health Care Law Hurts President Politically"—the disapproval rate has risen to an alltime high of 54 percent. Fifty-four percent disapprove of the President.

I go on to say in this article, which is what happens:

I continue to hear from my patients in Wyoming. They have always had my home phone number. They are anxious. They are angry. They call me at home. They know what they wanted from health care reform. What they wanted was access to quality, affordable care.

That is what the President talked about in his speeches, but that is not what he delivered in his health care law.

That's not what they got with this law. Now, many face losing the doctor who has always been there for them.

If President Obama wants to regain the trust of the American people, he will sit down with Republicans to deliver reforms that will help all Americans and fully protect the doctor-patient relationship.

After all—

And I hear this at home in Wyoming—

President Obama has his own doctor at the White House who is dedicated to his care. I'm sure he values that relationship just as much as other Americans value their relationship with their doctor.

So that is what I felt when I wrote this article called "A Special Bond Deeply Severed By ObamaCare" in yesterday's—December 11—issue of Investor's Business Daily, that people can't keep their doctor and there are great concerns about that, and they are being impacted in so many ways.

It is interesting. Since this health care law passed, I have come to the floor just about every week with a doctor's second opinion about the health care law to talk about ways that I felt this health care law was bad for patients, bad for doctors and nurses, physician assistants, and others who take care of patients, and why I thought it was terrible for the taxpayers. But it seems that in recent weeks we can pick up any newspaper and there is a story basically saying this law is bad for people.

This is the New York Times, and they support the law. This past Monday, Robert Parry, a well-known journalist who writes frequently on the topic of the health care law and on health exchanges, said:

Premiums may be low, but other costs can be high. For months, the Obama administration has heralded the low premiums and medical insurance policies on sale in the insurance exchanges created by the health care law, but as consumers dig into the details—

Which is something I was asking for on this Senate floor a number of years ago when the law passed: Will the Democrats please dig into the details to see what impact this is going to have on people in terms of higher premiums, in terms of canceled coverage, in terms of trying to keep their doctor, in terms of higher copays and deductibles, in terms of people on Medicare trying to find a doctor to take care of them.

As consumers dig into the details, they are finding that the deductibles and other out-of-pocket costs are often much higher—

Often much higher; not a rare case—than what is typical in employer-sponsored health plans, which says that the exchanges are not going to be helping many people.

I found it interesting—talking a little about people not being able to keep their doctors but also not being able to

keep their hospitals—why is that? I think we are seeing a number of these exchanges and policies being offered. They realize that the people who go to certain hospitals have more serious conditions, likely more expensive, and as a result don't include those hospitals.

In the Financial Times this week, "Healthcare insurers cut costs by excluding top hospitals." This was Monday of this week, and we are seeing this week after week, which is why I have been coming to the floor with great regularity to share with this body what people across the country are seeing.

It says:

People buying insurance plans under "ObamaCare" will have limited access to some of the leading U.S. hospitals, including two renowned cancer centers, as insurers try to cut costs.

There is a picture of MD Anderson Cancer Center at the University of Texas. It says the plan will not cover treatment at the Houston cancer center. I didn't even get into that in my article. I talked about pediatric hospitals, and I talked about New Hampshire hospitals. But we are talking about major cancer hospitals that are not included in the exchanges for the most part, and that is what we are seeing all across the country. You can kind of compare it to what kind of car you could buy. What kind of coverage can you get. But the bottom line is people were misled by the President and people feel deceived by this President.

Tuesday's Washington Post: "Under health law, insurers limiting drug coverage." "Costs may soar for those with HIV, other ailments." This is not on the back page. This is on the front page of the Washington Post. This is all as a result of what the Democrats, in a party-line vote, passed and forced upon the country.

That is what is going on here. We have a health care law that people are very uncomfortable with, and they are going to continue to let the President know that, which is why he is being hurt, his disapproval is the highest ever, and what has been sharply eroded are folks' belief in this President's honesty and his leadership ability to handle a crisis.

This is a crisis for the President. This is a crisis for the country. What is the President doing about it? He is blaming the Republicans for a law that passed with no Republican votes. He is blaming the Republicans for an idea that was his and was forced through on party-line votes, without Republican input, written behind closed doors, right through those doors over there, by people who have now been excluded, do not have to go under the health care law. Yet in the Washington Post: "HARRY REID's explanation for why not all of his staff is going on 'ObamaCare'"—and the big three

Pinocchios. Remember the story of Pinocchio, the boy whose nose grew whenever he told falsehoods. That is what the Washington Post has to say about the majority leader of the Senate in not making all of his employees live under what the rest of the country is having to deal with right now.

I think it is very distressing. That is what we are facing. The country is facing higher premiums. Are people going to not have Christmas because they are, instead, having to use that money to pay their January premium? Are they going to not pay the January premium? How does that play into all this? Are they going to decide: I don't think I am going to have insurance, like my friend from Cody who wrote to me, who has had insurance all of his life but not now.

We have a Senator from Wyoming, the other Senator, the senior Senator, MIKE ENZI. He was one who was also sounding the alarm during this entire debate. He saw the impacts beforehand. It was interesting. There was a letter to the editor in the Powell Tribune, a newspaper in Wyoming, that talked about what we saw coming with this health care law. It was written by someone from Gillette, a Marion Scott. The headline is: "ENZI saw ACA impacts beforehand. . . ." It says:

Dear Editor:

Fox News had a very interesting and informative program Tuesday evening Nov. 6 on "The Kelly Files with Megyn Kelly."

As anyone who watches Fox News knows, they are covering the beginning effects of the Affordable Care Act, also known as ObamaCare, as it is being implemented. Megyn Kelly began her program stating she had a special guest who had predicted three-and-one-half years ago almost exactly what will happen when the ObamaCare law goes into effect this October.

Her special guest was our own Wyoming senior Senator Mike Enzi and he had made his predictions in a speech on the Senate floor three-and-one-half years ago. He was then called a fearmonger and radical right-winger.

And he was. That is what they called him, as Senator ENZI went to the floor because of his concerns that you would not be able to keep your insurance. He had actually read the Federal Register, saw the regulations that came out, and he said: Millions of people are going to lose their insurance. He said it from right here at this desk over here. He came to the Senate floor. He said it 3½ years ago, and those on the other side of the aisle voted against Senator ENZI's proposal that would actually let people keep their insurance. It was the regulations regarding grandfathered insurance policies, that people would be able to keep their policies. That was the vote. Those on this side of the aisle all voted to allow people to keep their policies because that is what the President promised them. Folks on the other side of the aisle voted against Senator ENZI's proposal.

But those on the other side called Senator ENZI "a fearmonger and radical right-winger."

It says:

Senator Enzi was probably one of a very few elected officials who had actually read the bill.

Senator ENZI, it says, was one of the few elected officials who actually read the bill. I believe that. Who can forget NANCY PELOSI saying: First you have to pass it before you get to find out what is in it. That video has been played and played again and again. I believe that many of the people who voted for it never did read it. I believe they did not read the bill. I believe they did not really understand it, and part of it is, I believe, they actually believed the President when he said: If you like what you have, you can keep it. If you like your insurance, you can keep it. If you like your doctor, you can keep your doctor. So they took this as an article of faith.

I read the bill. Senator ENZI read the bill. I know a number of our Members who read it were very concerned and came to the floor and spoke about different parts of the bill. I can remember Senator SUSAN COLLINS standing here with her sign about the impact on small businesses and how detrimental it was going to be. I remember Senator Olympia Snowe down here on the floor focusing on how it was going to impact businesses in Maine. Yet all of these concerns that we raised, which are now coming home to roost today, were ignored on the other side of the aisle.

This woman continues and concludes by saying:

With this kind of representation in the Senate I would ask Wyoming voters this question. Is now a good time to send a new Senator to Washington and lose this experience and seniority?

I will tell you, I am proud to stand with Senator ENZI, and he saw it coming. He saw it coming 3½ years ago with the amendment on the Senate floor. We voted that way, and the Democrats voted essentially to confirm that people would lose their insurance. They were not going to be able to keep it even if they liked it.

So these are the problems that continue to plague the health care law, continue to plague folks all around the country, as they are trying to deal with something they never anticipated. You kind of think a year in advance: What is going to happen with our kids? What is going to happen? Are we going to need to do something with the car? Patch a hole in the roof? How do we kind of budget for the year? I will tell you, my friend in Cody, WY, never ever saw it coming that he was going to have to go from \$860 a month to \$2,400 a month for health insurance.

We know that at least 5 million people have gotten letters that they have lost their insurance. For them, I do not think they are going to find it is going

to be a very happy holiday season, a very Merry Christmas. I think they are going to be trying to figure out: Do I have insurance or do I go without it, as what is going to happen with my friend there. Those are the things we are looking at.

Then, of course, there is the Web site. It is just interesting. This is an article in this week's Jackson Hole News & Guide in Jackson Hole, WY. "New health care glitches plaguing Jacksonites. Marketplace insurance companies try to mail paperwork to Jackson street addresses." But they only get mail in post office boxes there.

But that is how the Web site was set up. It was not set up so there would be a separate area if you do not have a street address. They need a physical address, but in some places you do not get mail that way, in many places around the country, in certain rural American locations. But the people who wrote it, the people who did this whole thing were rather clueless about how the country works, rather clueless about what happens in people's homes, in people's families, in people's communities. I am sure they are very smart people and got degrees from advanced places but really do not have an idea of what is going on out there.

I also found it interesting that even when the President tried to tell success stories of people who may have had some success under this, it does not even pan out.

A story on CNN: "Woman Hailed by President as Obamacare Success Story Now Can't Afford Obamacare."

CNN reports that a woman the President hailed as an ObamaCare success story just realized she won't be able to afford ObamaCare because it is too expensive.

It is too expensive. This is the tragedy. This is a national tragedy, this Obama health care law. It was a self-inflicted wound on our country. No foreign enemy did this to us. The President of the United States, who gave speeches that painted a broad picture of a better world, has delivered a much worse world for folks through this legislation.

I think this is devastating to the country, to patients, to doctors, to the nurses, the caregivers, and to the taxpayers. The reason we needed health care reform in the country was because of the cost of care. That is what this was all about, trying to help people get the care they need from a doctor they choose at lower cost. That is what we were really focused on.

So we needed reform. We needed the right kind of reform—reform that actually lowers patients' costs, improves health, and protects the vulnerable. So that means more affordable insurance options. It means helping people with preexisting conditions. It means protecting quality care for older Americans. We do not have any of that with this President's health care law. This

is causing costs to go up, causing quality to go down, causing people to lose their doctor. The President, time and time again, in speech after speech, talked about providing coverage, but not providing care. As a doctor will tell you, there is a huge difference between coverage and care.

This whole thing was predicated on printing up and giving out to people Medicaid cards. Medicaid is a broken system. States will tell you, Governors will tell you, that in many States Medicaid is the No. 1 cost driver of the State. In our home State, it was No. 1 when I was in the State senate. What it meant is that money that went to that then was not able to be used for teachers or schools or students or roads or public safety officers. It is a huge cost driver.

So the issue is we needed to deal with the cost of care. The President says: Put them all in this Medicaid system. What is it? Forty percent—some high number of physicians do not want to take patients on Medicaid because in a sense the reimbursement to doctors who take care of those patients is low enough that you could not even afford to keep the doors of the clinic open if all you saw were Medicaid patients all day.

So doctors want to see and take care of everyone. The idea was to put all these additional people on Medicaid, give them Medicaid cards. But this whole health care law did nothing adequately to address the need for more health care providers. So now you have more people with so-called coverage, but it is empty coverage, it is not quality care because there are not enough people to actually take care of the patients who are now being covered. It is like giving people a bus ticket when there is no bus coming. They can just stand there, but it does not mean they can actually get care. But the President continued to focus on coverage, and coverage does not equal care.

So you take a look at the problems families face with cost and access, and what the President is trying to provide is coverage, but we have seen higher premiums, coverage canceled, which is coverage that worked for many people. Some of these are now being forced into trying to find something. People are losing their doctor and have higher out-of-pocket costs, higher copays, higher deductibles.

You read some of these stories of somebody saying: If I have to pay all this every month, why should I even sign up? Why don't I just pay the fine? Why should I pay all this every month and then have such a high deductible when I am never going to use that much care. Maybe they never will use that much.

So the logic behind this whole thing is baffling to many who have kind of ignored it, I think until now, until October 1 when the Web site went live and

subsequently crashed repeatedly. But now they are saying: Hey, I have lost my insurance. That has been the real fracture point, when people see they have lost their insurance that has worked for them. To replace it is going to be something that does not work as well for them and their families and is going to be more expensive.

So we see the public reaction to the law. It is a reaction related to the premiums, related to trying to use the exchanges, and related to whether employers stop hiring, which we have seen from my friend in Cody, WY. We have seen the issues of reduced work hours because there is the regulation, if you are working more than 30 hours a week you get counted toward that 50 employees. So many businesses have lowered the work hours for people, which affects their take-home pay.

The President had some thoughts on that. He said we will just delay the employer mandate for 1 year. That is the mandate in the law that everyone has to—at work they have to supply insurance to the employees. The President may have had some idea that things were going to get sticky for him and he was going to become a little more unpopular with the individual mandate. So he pushed off the employer mandate for 1 year, unilaterally. When is the law the law and when is the law something that the President can take a page out, throw it away and say: Well, we will move that back a year. It has happened about 14 times in this law.

Even when the House tried to give the President authority to do what he did, the Democrats blocked that. It is astonishing. What about the individual mandate? We are going to be fining people—the government. The President is going to be fining people; whether it is a fine, a tax, a penalty, depending on how the Supreme Court states. That is going to go into effect January 1.

The people may not even be able to buy the product they are being fined for not having come January 1. So is the President going to delay the individual mandate as well? There was a vote in the House, a number of people voted with bipartisan support for that. I think it is going to be challenging in the days ahead for the President to get ahead of the situation the country is facing.

The newest numbers were out yesterday with the signup. The Associated Press reported on that:

Health care signups pick up the pace in November playing catchup with a long way to go. President Obama's new health insurance market last month picked up the dismal pace of signups, the administration reported Wednesday. Employment statistics showed 364,000 people had signed up as of November 30 under the health care law. Although that is more than three times the October total, it is less than one-third of the 1.2 million people officials had originally projected would enroll nationwide by the end of November.

So crunch time is coming. Consumers who are afraid they do not have insurance, they have until December 23, if they want to keep their coverage January 1. But as I said earlier, that is why we are seeing so many people across the country who do have insurance going to doctors now—the doctor they know, the doctor they like—to take care of problems that may have been kind of put on the back burner but that they would like to have taken care of now because they are not sure what is going to happen January 1: not sure if they are going to be able to go to the same doctor, not sure if they are going to be able to go to the same hospital, not sure if they are going to be able to have insurance, even though they think they may have insurance. Those are the things the American people are facing.

So as we come to the floor to discuss this nominee, the number of questions I have are those related to what she would think about employers changing things, people not signing up, others being forced to sign up; should she have to live under the law of the land as a government employee, when the Senate majority leader says, well, his people—some of his people do, some do not. These are questions one would expect to have answered. I know we are going to vote on that nominee in a couple of hours. But I think this is something the nominee should be thinking about as we take a look at this health care law and the devastating impacts it is having on people all across the country.

Take a look at what is happening for consumers, people who do not work in Washington, people who do not live in Washington. What you see is that the costs are going to be crippling to them. I stand here amazed that that gentleman from Cody, WY, tripled the cost. I do not know that everybody is going to face that. But the President promised that costs would go down. He promised his health care reform would save American families I think he said \$2,500 per year by the end of his first term.

I remember—and I have seen the reel of him saying it—fifteen times he said that. Your insurance premiums will go down by \$2,500 by the end of the first term. Go down? They have gone up significantly, thousands of dollars. They have gone up. This is as he was a candidate running for President. He promised his health care reform would save American families \$2,500 by the end of his first term.

But for many Americans it is driving the premiums way up; in some cases doubling them, in some cases tripling them. It is happening on the exchanges. It is happening for people who are trying to shop not on the exchanges but if they have lost their policy and have to start paying for a lot of other things, whether it is pediatric dental

care, pediatric ophthalmology care. All of those things drive up the costs.

That is the sticker shock of the health care law. So as people continue to learn more about the law, they are going to continue to become more and more displeased, which is why I think we are going to go back to this headline: "Health care law hurts President politically." I know for people in this body that is a big deal. For the President that is a big deal, because the last time I had a chance to speak face to face with the President, he was taking a lot about polls.

But as a doctor, I am more concerned about how the health care law is hurting people's health, hurting their families, hurting their families economically, hurting the help they need, the care they need, interfering with life choices, impacting their quality of life, costing them in terms of disposable income in terms of money they could use for other things, and it is all because of the health care law.

I am going to continue to come back to the floor on a regular basis to talk, not about the Web site failures because that is just the tip of the iceberg. I expect that the Web site is going to get fixed. It is going to take them a while. It is going to take them a lot longer than they ever suspected, because the day it happened, they described the Web site problem as being a result of heavy traffic. We know on that same day, worldwide, many Web sites had much more traffic. The site broke down with I think less than 1,000 people logging on.

But they said it would be fixed almost immediately. It was not. Here we are. They said it would be fixed by the end of November. So they gave themselves 2 months. It was not. Somebody testified not too long ago in the House to say the back end has not been built, there is 30 to 40 percent of it which has not even been put together.

Ultimately the Web site will get fixed, but the higher premiums are going to continue, people trying to buy insurance for their family that meets the criteria the President has set out which is not based on criteria that works for families or necessary for families. It is just these 10 things government has decided that they think they know what is best for families, when I think families know what is best for them and what they would look for with health insurance and health care.

So we are going to continue to face higher premiums. People are going to continue to have their coverage canceled. It is not just the individuals. Next year when the employer mandate goes into effect, when businesses are forced to make a decision: Do I try to buy health insurance that meets all of those high demands that government says has to be included? Do I meet all of that and face these double or triple

higher premiums or do I say just go to the exchanges?

People who work, will they lose their employer-based insurance? I think we are going to see more and more of that. Even the Congressional Budget Office, which took a look at this health care law, said it will happen. They said there are employers who will no longer provide insurance who are providing it now. There are different numbers from different assessments as to how many people are going to be forced off their employer-based insurance, how many folks will lose it. I do not know. I have seen different ranges. But it starts in the low millions and it goes into the tens and twenties and thirties of millions and even higher than that.

So those are the folks who will be losing and having their coverage canceled. Then will those people be able to keep their doctor? The answer there is many will not. Many will not. Many of those who have lost their insurance now are not going to be able too keep their doctor, even if they want to, and even if their doctor wants to keep them.

Doctors do not even know if they are going to be included in a number of these exchanges. They cannot find out, when they go and look and try to see if they can get on the Web site, where are they covered, where are they not included? This has been so poorly thought out and so poorly executed. It has left patients in the lurch, it has left hospitals in the lurch, and it has left doctors in the lurch.

I am astonished that all of those people still have the faith and confidence in the President, which is probably another reason why people do not look to the President now as having either honesty or leadership ability to handle a crisis—to see such a precipitous drop in the view of the President's ability to handle a crisis. Because if they cannot get this right, what happens in terms of a national disaster? How could he respond quickly when he had 3½ years to put together a Web site that apparently he paid very little attention to?

So we are looking at the higher premiums, the canceled coverage, cannot keep your doctor, the higher copays and deductibles are going to continue to plague this country and people. I know people on both sides of the aisle are going to get letters to this effect.

I know the Presiding Officer, when he goes home every night to his home State, hears from people. You stop and fill up with gas, you hear from people. I am hoping other colleagues of ours will actually read their mail, go home, listen to people, to see how devastating of an impact this health care law is having on their lives, their individual lives.

Will there be some people who benefit from this health care law? Oh, yes. But the pain it is causing for millions and millions of Americans is not at all

what the President promised them: You like what you have, you can keep it with your insurance. Not true; insurance premiums drop \$2,500. Not true; If you like your doctor, you can keep your doctor. Not true.

So I come to the floor to discuss a nominee who very likely is not going to ever have to be living under the President's health care law, is going to go under some other health program, paid for with taxpayer dollars that those taxpayers are not going to have in their own pockets to pay for their own premiums, while she enjoys a government insurance program paid for in a different way by their taxpayer dollars, where she is likely to be able to keep her doctor, not be subjected to the higher premiums, not be subjected to canceled coverage, not be subjected to losing her doctor, not be subjected to the fraud and identity theft, and not be subjected to the higher copays and deductibles.

I would say, if it is good enough for the people of America—that is what President Obama wanted for them—if it is good enough for Members of this body, except for those the majority leader said, oh, no, they know what is in it so they do not need to live under it, I think it ought to be good enough for this nominee as well.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

Mr. CORNYN. Mr. President, as we continue this week's vote-arama on executive branch nominations, I wish to remind the American people how we got here today and what it means to the future of our great country and our system of government.

Over the last 5 years President Obama and his administration have repeatedly bent the law to serve their own purposes in a way that I think is unprecedented in my experience. We saw this when he gave special treatment to union pension funds during the Chrysler bankruptcy process. We saw it again during the Solyndra bankruptcy. We saw it when President Obama unilaterally announced a moratorium on the enforcement of certain immigration laws. We saw it when the administration unilaterally issued waivers from the 1996 Welfare Reform Act and the 2002 No Child Left Behind law. And, of course, we have seen it multiple times with the President's signature legislative—accomplishment, if you can call it that—ObamaCare, which effectively became a law that means whatever the President wants it to

mean. Indeed, without any real legal authority, the administration has unilaterally delayed the employer mandate, unilaterally delayed the income verification required in the ObamaCare exchanges, unilaterally delayed the cap on out-of-pocket expenses, and has unilaterally delayed other insurance regulations.

Meanwhile, the Internal Revenue Service has been hauled into court because it has said that it will flout the text of the law by issuing ObamaCare tax subsidies in the Federal exchange even though the law that Congress passed and the President signed made clear that those subsidies may only be used in the State-based insurance exchanges.

I constantly get asked by my constituents back home whether Congress can do something about it. My response ordinarily is, well, the Congress under our system of government passes the laws, but it is the executive branch's obligation to enforce those laws. Indeed, that is the oath the President takes when he is inaugurated—to uphold and defend the laws and to faithfully execute those laws.

I think we have seen the kind of havoc that can be wreaked when the executive decides to pick and choose which laws to enforce based on expediency, political or otherwise. We used to say that we are a nation of laws and not of men. Indeed, that is one of our country's—indeed, our economy's—great strengths.

There is a great little book written by a Peruvian economist on the nature of capital, which, of course, is so important to our economic growth. The point he makes is there are a lot of entrepreneurial societies in the world, but one of the things that really distinguishes the U.S. economy and our success relative to those other entrepreneurial societies is the rule of law. It is the things, for example, that mean that when you invest money in a piece of real estate or in a contract or in some other investment, you know with reasonable certainty that investment will be protected against arbitrary action by either government or some other person, which, if you think about it, really is one of the unique characteristics of the U.S. system of laws because we know with reasonable certainty that if those rights are breached, if that investment is stolen, if it is nationalized by the Federal Government, you can go to court and seek compensation for that law-breaking.

Well, if President Obama wanted to continue to legislate in this time and effect from the White House by changing the laws Congress passed, he should have stayed in the Senate. But his responsibility—indeed, his sacred oath—is to enforce the laws even if those laws prove awkward or inconvenient.

One of the other important aspects of being a nation of laws is that if, in

fact, it turns out that those laws prove inconvenient or awkward or undesirable for some reason, we have the capacity through the legislative process to change those laws. That is sometimes referred to as a conversation or a dialog that the branches of government have with one another.

So Congress passes laws that the President signs, and then if they are being implemented either by the executive branch or by administrative agencies that are part of the executive branch and they turn out not to have the result Congress thought they would have or the President thought they would have, the great thing about our system of government is we have the capacity to change those laws when they prove to have resulted in unintended consequences or when they prove inconvenient or awkward or otherwise undesirable.

I believe that, notwithstanding the greatest hopes and, I would grant, the good faith of those who actually thought ObamaCare was going to work—it sounded pretty good. The President said: If you like what you have, you can keep it, and if you think your premiums are too high, the average family of four is going to see their premiums go down by \$2,500. And if you like your doctor, you can keep your doctor. Well, all of that sounded pretty good, especially when you looked at the public opinion polling back in 2009 when the President first started saying those kinds of things because 88 to 90 percent of the people polled said they liked what they had. So when the President said they could keep it, they said: OK; that is fine. I guess this is all about dealing with that 10 or 12 percent of people who had no coverage or who had what they viewed as inadequate or otherwise undesirable coverage.

So I understand that some people may have been lulled into this idea that this is the best thing that has happened in terms of health care delivery in a long time. As a matter of fact, we have talked about this approach for many years. Even before I got to Congress, during the Clinton administration we had HillaryCare. That was another grand scheme to basically commandeer the health care delivery system in the country that, in a way—again, I would grant the good faith of those who actually thought they could make it work, but it didn't work, at least as manifested in ObamaCare. And now we are confronted not with the grand theory and good intentions but with the hard facts and the reality that ObamaCare has proved to be an unmitigated disaster.

Whether you are one of ObamaCare's biggest cheerleaders or whether you were a skeptic like me and voted against it because you did not think it was going to work, I think it is incumbent upon us to try to figure out how to come up with an alternative, to hit

the reset button and to pivot to patient-centered health care reform that leaves the choices not in the hands of bureaucrats and the Federal Government but leaves the choices in the hands of hard-working American families and patients, where doctors whom we choose and trust can work with us to come up with the best solutions rather than having the Federal Government say: We have done a cost-benefit analysis, and you are out of luck. You're not worth it. The Federal Government, the bureaucracy doesn't think you should get that kind of treatment.

Well, what I don't want is for any President, including this President, to unilaterally waive or change or refuse to enforce a law for political reasons. And that is what has happened. We have watched the President's poll numbers plummet as the American people, who by and large during his first term of office and now during the first year or so of his second term of office wanted this President to succeed—I think the fact that President Obama's Presidency was historic in many ways, as the first African-American President ever elected in this country, gave all of us a sense of pride that our country had come so far—over, admittedly, a long period of time but so far that a person who back at the beginning of our country might have been considered less than a fully human being would now be the President of the United States. That gave us all hope in the future and hope in this great experiment known as America, to have the first African-American President of the United States.

So this President was elected in 2008 and reelected in 2012 with a huge reservoir of good will and hope that he would be successful. Indeed, all of us, regardless of our political stripes—whether we are conservatives or liberals, whether we are Independents, Republicans, or Democrats, we are Americans first and we want America to succeed. That is what we want more than anything.

It is also important to remember that our system of government is important to our success over these last couple of centuries and that we haven't gotten here by accident. We have gotten here because of our Constitution, because of the genius of checks and balances between coequal branches of government. That is a lesson this President seems to have forgotten; that too often he decides to go it alone or do an end run around Congress because he can't get what he wants.

Well, we are not guaranteed, any of us, in political life or in life in general, to get everything we want. We know that particularly when it comes to legislation—things like health care reform—nobody gets everything they want if, in fact, it is going to be a bipartisan product.

But rather than attempting a bipartisan product, this President and our friends across the aisle decided to jam the American people and to jam the minority party in Congress and to pass a law which now they own lock, stock, and barrel.

Again, I am willing to concede the good faith and good intentions of those who thought this would work, but now we have gone from theory to evidence and experience, and we know it hasn't worked.

Well, thankfully, in our three co-equal branches of government, we have not just the legislative branch that passes the laws and the executive branch that is supposed to enforce the laws, we have a third branch of government; that is, the judiciary. And they have done their part—but they are not through yet—to stop executive overreach and uphold the rule of law.

I have heard some of our colleagues say: Well, the Supreme Court has upheld most of ObamaCare and it is the law of the land—as if it is somehow sacrosanct and can never be changed. Well, that is just not true, at least not under our system of laws. As I said to begin with, if we find that the laws we passed result in consequences we did not intend or we find that the American people are dissatisfied with it and it leads to undesirable results, we can change it, and that is the way our system works.

We are not bound forever by any law. We can change them because that is the way our system works. So when people say it is the law of the land, get over it, move on down the road, that is not an American perspective, at least under our Constitution.

As I said, we have seen a number of times where this President and this White House have simply ignored laws, refused to enforce laws, and overreached. For example, the District of Columbia Circuit Court has demanded that this administration follow the law on issues related to corporate governance, emissions requirements, recess appointments and the disposal of nuclear waste. This is the same court that this majority leader, Senator REID, and his political party have decided to stack. They decided to break the rules of the U.S. Senate that have been in effect a long time in an overt power play in order to stack this second most important court in the Nation, the D.C. Circuit Court, by breaking the Senate rules in order to deny the minority a voice in the confirmation process and to confirm these nominees in what we are engaged in this week, which is another overt power play.

But the stated reason for doing that, and the supposed necessity of doing that, is because the senior Senator from New York, the majority leader, and others say they are not happy with the way the D.C. Court of Appeals has

ruled on cases involving the Obama administration. But as I said a moment ago, in at least four of these big areas, the D.C. Circuit Court has upheld the administration's point of view in important appeals before the court.

At the same time, the D.C. Circuit Court has also ruled in favor of the administration on some issues related to health care, embryonic stem cell research, and several other major environmental matters. But notwithstanding those successes in terms of policy approval by the D.C. Circuit Court of this administration's policies and of the bureaucracy's interpretation of those policies, we know that the majority leader was bound and determined, along with his allies in the other party—that they were bound and determined to make sure the D.C. Circuit Court of Appeals would issue no rulings which would undercut or fail to enforce this administration's policies. So they decided to pack this court, which is what this process we are engaged in this week is all about, with ideological allies who would rubberstamp their agenda.

When the minority in the Senate—and, by the way, I am not just talking about my rights or Senators' rights. We are just representatives. I represent 26 million people. When the majority leader shuts me out of the amendment process or the opportunity to have a say in the advice and consent over the nomination of judicial nominees or executive branch nominees, he is not affecting my rights *per se* but the rights of 26 million Texans, to have their voice heard in this process. That is something he ought to think about and reconsider.

We know the nature of the Senate has been fundamentally transformed under the leadership of Senator REID. When I first got to the Senate, which was a while ago—it doesn't seem like that long ago, but it has dramatically changed—we had an open amendment process. We would actually have bills come to the floor, legislation such as the national defense authorization bill, and we would spend up to 3 weeks debating and offering amendments on that important piece of legislation. As we have heard at different times, the national defense authorization bill is viewed as so important by both political parties and by the entire Senate that we have passed a Defense authorization bill for I think at least 50 consecutive years. That is quite a tradition. But instead of doing that, Majority Leader REID decided to cut off the opportunity for the minority to offer amendments to this important piece of national security legislation.

When we were able to block cloture in order to protest that in order to provoke, hopefully, a negotiation which would result in a process whereby minority rights would be respected and an opportunity to amend this legislation

provided, now we learn that as part of this end-of-the-year sprint to Christmas, that in addition to jamming through these nominees, the majority leader's intention is to take a bill that was basically negotiated among four Members of Congress, that would be the four Members of the Armed Services Committee, both the chairman and ranking members on both sides of the Capitol, to fill up the amendment tree, file for cloture, and pass it in the last week we are in session.

It is beyond outrageous, this transformation in the Senate. I think what shocks many of us the most is that Majority Leader REID is an institutionalist, and by that I mean it as a compliment. He has been in the Senate a long time. He understands how the Senate works and why the Senate rules are so important. Yet nobody in my memory has done more to undermine the institution of the Senate and its rules and traditions than the current majority leader. For what purpose? For short-term gain.

Why do I say it is short-term gain? They can get away with it when they are in the majority, but it is temporary, because during the time I have been in the Senate I have been in the majority and I have been in the minority. I have to admit, being in the majority is a lot more fun. But in other words, what I am saying is this short-term power play by the majority party in the Senate to break the Senate rules, to jam through legislation and to deny my 26 million constituents in Texas an opportunity for me, on their behalf, to offer amendments to important legislation affecting the national security of the United States is an outrage. It is an outrage.

I will give just one example. Four years ago at Fort Hood, TX, Nidal Hasan, a major in the U.S. Army, killed 11 people and wounded about 30 more. This is about 4 years ago. You will remember it. The reason it took so long for him to be brought to justice—I am not sure I understand exactly why—but there was some concern, and a concern I shared, that if we identified this for what it truly was, which is a terrorist attack on our own soil, it might undermine the fairness of his trial and give him some grounds to appeal and perhaps escape the just punishment for what he did.

Major Hasan, when there was initial review of what he did and evidence that he had shown absolutely clear signs of being radicalized and joining the fight of Islamic extremists against the United States of America, against his own government, that those were completely ignored by the military, by the Army, in an exercise of political correctness. Even though he stood up that day and he said Allahu Akbar, "God is great," in the traditional cry of Al

Qaeda and Islamic extremists and others who were bent on suicide and homicidal acts, initially when that was reviewed, the conclusion by the politically correct police here when they reviewed it was this is workplace violence. In other words, they refused to call it what it was, which was a terrorist act on our own soil.

I do not fully understand the reticence to identify it for what it is because we all know we had at least one other major terrorist attack on our own soil on September 11, 2001, when approximately 3,000 Americans were killed by one of the most horrific terrorist acts to occur in our lifetime and hopefully ever—hopefully it will never occur again.

After that, the Department of Defense decided to use its discretion to award the people who were injured or killed in that incident the recognition and benefits they deserved under our laws—Purple Hearts and other death benefits. But when I and my colleagues on the other side of the Capitol, Congressmen JOHN CARTER and ROGER WILLIAMS, sponsored legislation to recognize that this attack at Fort Hood that cost the lives of 11 Americans, including 10 members of the U.S. military and 30 more people were shot and injured, many of whom bear those wounds even today—when we filed legislation on the national defense authorization bill in order to amend that bill in order to give that same recognition to these 11 Americans who lost their lives and the 30 more who were injured in that terrorist attack on that day at Fort Hood, TX, in Killeen, TX, some 4 years ago, that amendment has been shut out of this process.

Do not be confused. This is not about denying me my rights as a Senator. This is about denying those 11 Americans who lost their lives that day justice, and the 30 more who survived that attack, the benefits they are entitled to by virtue of being a victim of a terrorist attack on our own soil—again.

There are real human consequences to the machinations of the majority leader and this revolutionary change in the nature of the Senate, denying the rights of the minority to be heard and to offer legislation on behalf of our constituents. That has such far-reaching impact.

In many ways I think what we are experiencing this week and what we have experienced recently is an attempt to distract the American people from the train wreck known as ObamaCare. If I had voted for the President's signature legislative proposal and I was one of the Democrats who voted for it, since no Republican voted for it, I would want to change the subject too. As someone who served in this Chamber for 11 years, it saddens me that our Democratic friends choose to obliterate the Senate rules and gravely weaken minority rights for petty par-

tisan reasons. Again, it is so shortsighted it is just unimaginable. It is as if Members of this body have attention deficit syndrome, where they are so focused on immediate gratification that they forget or they ignore the long-term consequences of this revolutionary change in what once was called the world's greatest deliberative body, which is no more the world's greatest deliberative body, at least under this majority leader and under his rule-breaking regime.

Over the years leading up to last month's showdown, the majority leader repeatedly promised not to use the nuclear option. Again, I know this is about process. The eyes of the American people begin to glaze over when we talk about the internal processes and operation of the Senate. But as I attempted to demonstrate a moment ago, they have real-world consequences. Tell that to the people back at Fort Hood who lost their family member in this terrible terrorist attack on our own soil, committed by an American citizen wearing the uniform of the U.S. Army, where he joined the enemy, Islamic extremists, was radicalized by the same person who essentially tutored the Underwear Bomber who was arrested in Detroit, who tried to blow up another airplane on that day. Those people are the ones who are suffering the negative impact of the undermining of this institution by the majority leader. Well, the majority leader repeatedly promised not to use the nuclear option, but he broke that promise.

My experience in public life is—again, we all have different ideas about how to accomplish our goals and hopefully improve life for the American people, but one of the things that are even more important is the personal relationships between Members of the Senate.

There is a lot of good work that can get done when there is good faith and trust between Members of the Senate, and, indeed, those are not the kinds of things that typically make their way into the newspapers or that people pay much attention to because they are done quietly behind the scenes, cooperatively and collaboratively. But when the majority leader—the leader of this institution—breaks his word repeatedly about undermining the Senate rules in a partisan power grab, it necessarily undermines the trust that has come to be the important glue to this institution, and because it is important to this institution, it is important to the country. When we learned that trust is unjustified and that his promise is hollow and meaningless—well, it reminds me of another American who has made extravagant promises to the American people that were obviously false and could not and cannot be relied upon. I am talking about the President's promise in ObamaCare that

if you like what you have, you can keep it. I saw a poll recently that said 37 percent of the respondents in that poll believe the President is honest and trustworthy.

I didn't vote for this President, but he is still my President. The ability of the President of the United States to actually govern and to be respected—not only here in America but around the world—and viewed as a person of character and substance, well, it is completely undermined by the kinds of false promises this President has made in ObamaCare.

It is not just limited to health care; it has broad ramifications and a huge ripple effect. In terms of the way that, for example, Bashar al-Assad in Syria used the President's redline on the use of chemical weapons—if Bashar al-Assad thinks this President is not going to be honest or trustworthy in terms of his statements, then his threats of a redline simply will not be believed.

It is the same thing in Tehran, where 19,000 centrifuges are spinning and enriching uranium in Iran's pursuit of nuclear weapons—a goal which, if achieved, and which is not too far off in the distant future, will destabilize the Middle East and will threaten not only a regional war but a larger conflict because if Iran gets a nuclear weapon—Iran is not just any average nation state. It is a state sponsor of international terrorism in the form of Hezbollah and other support, particularly directed at our ally and friend, the nation of Israel.

Iran has been killing American soldiers in Afghanistan and Iraq for many years through their training and support for our more obvious adversaries there, through the design and importation in Iraq, for example, of explosively formed penetrators that will melt through the metal of our vehicles and other protective armament that our military uses and, as I said, resulted in the deaths of multiple American GIs. So Iran is not our friend.

So when the President says: This is another redline, well, our enemies can read our newspapers. They read the same polls we read. They see a President making false statements that cannot be relied upon, and it undermines his credibility when it comes to our enemies—people who want to wipe Israel off the face of the map. That can have very dangerous consequences, obviously, because when people don't believe what America says through the voice and in the person of our Commander in Chief, the leader of the free world, it emboldens our enemies.

They push the envelope in North Korea, Iran, Syria, and other places around the world. This is not a minor issue. When the President acts as if the law does not apply to him and if the law means just what he says it will—meaning at any given moment—it is as

if the law doesn't really matter and his word cannot be trusted.

Just a few other thoughts on how ObamaCare was passed. I remember being in this Chamber on Christmas Eve in 2009. I think it was 7 in the morning. It may have been 7:30 in the morning when we had the vote on the ObamaCare passage—at least the initial passage. It passed with 60 Democratic votes and no Republican votes.

I often pointed out that before ObamaCare, every major domestic reform in modern U.S. history—from civil rights, to Medicare, to welfare reform, to No Child Left Behind—enjoyed significant bipartisan support at the time of its passage. Why is that important? Well, because ObamaCare was a pure partisan power play. It was shoved through on a party-line basis without a single Republican vote and despite high levels of public opposition.

I remember people were told: Well, we just haven't done a very good job of messaging and explaining or when ObamaCare is implemented, people will learn to love it. Well, we now know that jamming through legislation which basically commandeers one-sixth of the American economy is a recipe for disaster. It is a bad way to pass any major law, let alone a measure that affects everyone in the country because our health care delivery system affects every man, woman, and child in our country.

ObamaCare is a part of a broader pattern that should be deeply disturbing to anyone who cares about our Constitution and the checks and balances that the Framers of our Constitution knew would be so important to maintaining consensus and maintaining balance.

Today's Democratic leaders seem to believe that might makes right and that inconvenient legislation can be swept aside by Executive fiat and that when the Senate rules prove to be an obstacle to obtaining what they want, such as stacking the second most important court in the Nation in order to be a rubberstamp for the bureaucracy's ideological zeal, well, they can sweep aside those rules too.

This debate is about far more than policy differences. It is about the respect for the rule of law and respect for our Constitution, it is about preventing the executive branch from running roughshod over Congress, and it is about safeguarding the constitutional government.

If we need any more examples about the Obama administration's abuse of power, I am prepared to provide that. We know the Obama administration showed contempt for the normal legislative process in a number of ways. When Congress refused to enforce card check for labor unions, the administration turned to unelected bureaucrats at the National Labor Relations Board, the NLRB. When Congress refused to,

on a bipartisan basis, pass cap-and-trade energy taxes, the administration turned to unelected bureaucrats, the Environmental Protection Agency. Indeed, now President Obama has authorized the EPA to regulate virtually every aspect of the American economy without congressional approval even though the EPA itself has acknowledged that its proposed greenhouse gas rule would not have a notable impact on carbon dioxide emissions during the next decade.

The Obama administration is acting in a lawless manner in other ways as well. In early 2011, more than 2 years before the Supreme Court ruled on the Defense of Marriage Act, President Obama ordered his Justice Department to stop defending the law even though it was passed with an overwhelming bipartisan majority of Congress. It was signed into law by President Bill Clinton and broadly supported by the American people. The right way to deal with that is not for the executive branch to refuse to enforce the law, but it is to come back to Congress and say: You know what. We think things have changed. Congress ought to reconsider.

Rather than do that, the President decided to have the Justice Department refuse to enforce the very law Bill Clinton signed.

Then there is the Independent Payment Advisory Board. This is part of ObamaCare—one that perhaps has one of the most pernicious impacts because what it does is it puts unelected bureaucrats in charge of deciding health care for your mother, your father, your grandmother, or your grandfather—in other words, whether Medicare beneficiaries can get the health care they need. How do they have an impact? Well, these 15 bureaucrats, under this ObamaCare-created bureaucracy, will have the authority to decide what sort of health care Medicare pays for. This is just a way to ration access to care. So if these 15 bureaucrats on IPAB—the Independent Payment Advisory Board—say: You know what. We think you are too old; we don't think it is worth it for you to get a hip replacement so you can walk and be productive and mobile; we don't think it is worth it for you to get bypass surgery; we are not going to pay for it, the Federal Government will not pay for it, and so it will not be delivered.

What is worse is that IPAB's recommended Medicare cuts automatically take effect unless a congressional supermajority votes to cut health care spending by an equivalent amount.

Columnist George Will said:

This is a travesty of constitutional law-making: An executive branch agency makes laws unless Congress acts to achieve the executive agency's aim.

This is the Constitution turned on its head. Indeed, IPAB makes a mockery of our constitutional system of separation of powers, and it should be repealed immediately.

Not only has the administration used unelected bureaucrats to sidestep the normal legislative process and disregarded the rule of law for transparently political or ideological reasons, it has also fostered a culture of deception and intimidation.

One example is Operation Fast and Furious. This has particular impact to my State, which is a big border State. My colleagues will recall that Operation Fast and Furious was this bone-headed idea wherein the Bureau of Alcohol, Tobacco, Firearms and Explosives would actually allow weapons to go from American gunshops into the hands of the drug cartels without interdiction. I guess the idea was once they got in the hands of the cartels, we would somehow trace them and know who the bad guys are, but it broke down along the way. So many of these guns were simply not recovered and no doubt have been used to kill many people in Mexico, as well as an American citizen, Border Patrol agent Brian Terry, 3 years ago.

Attorney General Holder, who is administratively responsible for the Bureau of Alcohol, Tobacco, and Firearms, repeatedly obstructed a congressional investigation into Fast and Furious, and his sworn testimony was repeatedly contradicted by the Justice Department itself, by their own memos. One DOJ official—a U.S. attorney in Arizona—tried to smear a whistleblower by leaking a private document. The Department of Justice's own inspector general called this behavior inappropriate for a Department employee and wholly unbecoming a U.S. attorney. A separate DOJ official was forced to resign her position after she was caught collaborating with leftwing bloggers to slander both whistleblowers and journalists.

Then there is the IRS scandal. It is almost hard to keep up with all of the scandals, but we can't let these get away from us because they are so important to get to the bottom of one of the most important governmental bodies in the U.S. Government, and that is the Internal Revenue Service that, again, touches all of our lives. We found out, of course, that IRS agents were deliberately targeting people based on their political views. At least one conservative activist, Catherine Engelbrecht from Houston, TX, was targeted by multiple agencies, including the IRS, the FBI, the Bureau of Alcohol, Tobacco, and Firearms, and the Occupational Safety and Health Administration, OSHA.

We also know the administration—or at least the bureaucracy—has targeted political donors. The 2012 Obama campaign bullied private citizens who donated money to Gov. Mitt Romney, including a man named Frank VanderSloot whose experience was chronicled by Kimberley Strassel in the Wall Street Journal. In April of

2012, Mr. VanderSloot found himself, along with seven other Romney donors, condemned by an Obama campaign Web site for being “less than reputable.” The Web site suggested that quite a few of the eight donors had placed themselves on the wrong side of the law and had gotten rich at the expense of so many other Americans. Mr. VanderSloot was singled out because—or I should say he was singled out as a “bitter foe” of the gay rights movement.

Mr. VanderSloot didn’t run for public office. He didn’t volunteer to be treated like this. He is an American citizen who was engaging in a constitutionally protected right to provide financial support to a political candidate of his choosing. Rather than keep the fight on the political opponent—Governor Romney—the Obama campaign went after the donors. Mr. VanderSloot didn’t have a criminal background, nor did any other of the Romney donors who were similarly targeted. But shortly after he was denounced by the Obama campaign in this manner, a Democratic opposition researcher began researching his divorce records. Meanwhile, the IRS decided to audit 2 years’ worth of his tax filings, and the Labor Department announced a separate audit of the immigrant workers employed at his cattle ranch.

As Kimberley Strassel wrote for the Wall Street Journal: “Every thinking American must henceforth wonder if Mr. VanderSloot has been targeted for inquiry because of his political leanings.”

We also know this administration has harassed journalists. Although President Obama said this administration would be the most transparent administration in American history, it has proven not to be so. In the case of FOX News correspondent James Rosen, the Obama Justice Department tracked him down like a common criminal simply for doing his job. The Department of Justice tracked Rosen’s movements, got a search warrant to examine his private emails, and even obtained his parents’ phone records. This is a journalist. As a Washington correspondent for the New Yorker magazine noted: “It is unprecedented for the government, in an official court document, to accuse a reporter of breaking the law for conducting the routine business of reporting on government secrets.”

We also know the Obama Justice Department has conducted a disturbingly intrusive investigation into the phone records of journalists who work for the Associated Press, and, as I said, displayed an unprecedented level of contempt and obstruction for the Freedom of Information Act.

Washington lawyer Katherine Meyer has filed FOIA cases under six different administrations dating back into the late 1970s. FOIA is the shorthand for the Freedom of Information Act, of

course. Last year, she told Politico that “this administration is the worst on FOIA issues—the worst.” So much for the President’s claim to be the most transparent administration in this Nation’s history.

In 2011, the Obama-Holder Justice Department received a mock award from the nonpartisan National Security Archive which said that the DOJ had shown the “worst open government performance” of any Federal agency that year. This is the agency that is supposed to enforce the Freedom of Information laws, and it was recognized as demonstrating the “worst open government performance” of any agency that year. Among other things, the Department of Justice was cited for its mistreatment of whistleblowers and its efforts to undermine the Freedom of Information law.

Speaking of whistleblowers, we know the State Department has also punished U.S. diplomats for cooperating with congressional investigators looking into the September 2012 terrorist attack that killed four Americans at Benghazi, Libya. This is so outrageous that it bears recall that Susan Rice, the President’s U.N. Ambassador, showed up on five, I believe it was, Sunday morning talk shows and claimed the attack at the American consulate in Benghazi that took the life of four Americans was precipitated by a video that was deemed to be disrespectful of the religion of Islam. It turns out that wasn’t true, and for a long time the administration denied this was even a terrorist attack—something which it now acknowledges. But when people come forward, such as the whistleblowers, diplomats who knew the Ambassador and those who lost their lives on that terrible night in September of 2012, then they are punished, not welcomed as truth tellers, to get to the bottom of this terrible incident in Benghazi, Libya.

Then we know that further intimidation continued with ObamaCare in 2010. Actually, this preceded the Benghazi intimidation. In 2010, various health insurance companies began alerting their customers that ObamaCare was going to force them to raise premiums. This is back in 2010. Fast forward to 2012. That is what has happened. So first of all, people saw the Web site was a problem and now that is getting fixed, and now they are experiencing cancellations, and then there is the sticker shock where their premiums have gone up. In 2010, when the insurance industry tried to tell their own customers their premiums are going to go up because of this law, Kathleen Sebelius, the Secretary of Health and Human Services, responded by threatening to punish these companies and bar them from participating in the ObamaCare exchanges.

It is quite remarkable. I think in any other context we could call this thugery, intimidation, abuse of power.

A few years later, we learned that Secretary Sebelius was shaking down private companies to help fund the implementation of ObamaCare because Congress, believing it had been misled in so many instances regarding ObamaCare, had refused funding. It is very disturbing to learn that the same IRS official who led the division that targeted people because of their political beliefs is now in charge of administering large portions of ObamaCare.

As I said a moment ago, one of the biggest casualties in all of this—particularly as it relates to the false promises of ObamaCare—is the President’s own credibility. The other day I had a chance to speak on this topic and I said, “ObamaCare is the single biggest case of consumer fraud in American history.” Anybody else under any circumstance would find themselves hauled into court and be called to account. If a private citizen or a private company had spoken out, they would be sued for money damages. They would likely be put out of business because there would be an injunction granted or perhaps punitive damages.

When the President speaks on behalf of the United States, whether it is in domestic affairs such as ObamaCare or whether it is on international matters such as the red line on chemical weapons in Syria or the red line on Iranian nuclear aspirations, it should count for something. But according to a new NBC Wall Street Journal poll, only 37 percent of Americans give President Obama a “very good” rating for “being honest and straightforward”—37 percent. That compares with 63 percent in January of 2009. So the President’s reputation for honesty went from 63 percent in January 2009 to 37 percent on December 11, 2013, or at least that is the date the Wall Street Journal and NBC reported the results.

We know when the President’s approval rating—particularly his approval rating for honesty and truthfulness—is damaged, all of those who trusted the President as he led them down the gangplank with the implementation of ObamaCare are bound to get pretty nervous, because while the President was able to move the actual implementation of ObamaCare past his own reelection in 2012—this law was passed back in 2010. Yet the President himself was able to avoid accountability, by and large, by pushing the implementation past his election in November 2010. But 2014 will be a mid-term election. The President will not be on the ballot, but his allies will be on the ballot—people who trusted him, as he told them and he told the American people that you are going to be able to keep what you have if you like it, even though he knew it wasn’t true. We know that from as far back as 2010.

Senator MIKE ENZI led the effort to expand the grandfathering flexibility in the Health and Human Services

rules, and that was defeated on a party-line vote. All of our Democratic friends voted against expanding the flexibility of these grandfathering provisions back in 2010 when HHS and, indeed, the Congressional Budget Office estimated that as many as 78 million Americans on employer-provided plans would find they would no longer be able to keep their coverage either.

So there is going to be a day of accountability in November of 2014, as those who, perhaps unwisely, trusted the President, who believed in this big government scheme that simply has not worked—and that many of us believed would never work—there will be a day of accountability.

My hour has come and gone, and I see the Senator from Oklahoma on the floor. In conclusion, I ask unanimous consent that a summary of stories from Texans who have been affected by ObamaCare be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STORIES FROM TEXANS WHO HAVE BEEN
AFFECTED BY OBAMACARE

TEXANS CONTINUE TO WRITE IN WITH PAINFUL STORIES OF HOW OBAMACARE HAS AFFECTED THEM AND THEIR LOVED ONES

My husband and I are self-employed. We have coverage through BCBS of TX. Our current premium for us and our 2 children is \$854 per month. Our premium was raised to \$854 from \$814 three months ago. We have a \$6000 family deductible, and an out of pocket amount of \$12,000. We have been very happy with our policy. However, I created an account on healthcare.gov to see if we could get a cheaper policy with similar coverage.

The cheapest insurance coverage offered on the website is a Bronze package with 60% coverage and monthly premium of \$1189. This is the cheapest policy with less coverage than what we currently have!

TEXAS RESIDENT,
Austin, Texas.

"I worked 34 years for AT&T/Lucent/Avaya and took an early retirement in 2001 with pension and healthcare. I became Medicare eligible this year as I turned 65, however my wife is only 59 and remains on my employer group plan. This month we were notified that Avaya would stop providing all pre-65 healthcare to retirees and their dependents. Living on fixed income this additional expense is taking me out of the middle class and putting me financial jeopardy for my remaining years."

DON WHISENANT,
Mesquite, TX.

"Because of health conditions, both my wife and I are in the Texas State High Risk Pool and have been for at least 12 years. Now because of Obamacare, at midnight on December 31st, we are no longer going to be covered by an insurance policy that covers my heart condition and my wife's epilepsy. While the State High Risk Pool is expensive (\$2300.00/month) it is about half of what ACA is, our \$1000.00 deductible will jump to over \$7000 and possibly up to \$10,000.00 with half the benefits. This law needs to be repealed."

CHUCK MARSH,
Canadian, TX.

I am one of those whose plan was canceled. I have a high quality, admittedly high de-

ductible, PPO plan from a major carrier. There is nothing discount or low quality about it. The ACA offering is for the same coverage and the same deductible. There are two differences in the ACA plan from mine. The first is that it includes maternity and pediatric care, which in our fifties my wife and I don't need. The second difference is the ACA plan premium is 65% more per month than my current plan.

The president said I could keep my plan, at 65% less for the same high quality coverage offered by the ACA option I want to keep it. For Americans who have to purchase their health care independently, the ACA is deeply flawed. Please help.

GLENN BARLOW,
Plano, TX.

Obamacare has caused my mother to lose her insurance because she no longer meets the minimum for coverage. My father went back to work for insurance and his company won't give it to him because he is older than 65 so he has to go on Medicare. Most doctors in his area won't take it and the ones that do offer sub-par care. He needs a hernia surgery and they won't cover it because of his age. No one wants a hernia surgery unless they need it. My husband switched jobs for a pay raise. It ended up being a pay cut because of the crippling cost of insurance. We now pay close to \$24,000 a year for insurance and we can't afford to use it because it covers so little. We were promised all these things wouldn't happen.

CHRISTINE ROBINSON,
Round Rock, Texas.

I am writing to add my name to the growing list of your constituents that will be canceled from coverage next year. I am self-employed, a small business owner insured through Blue Cross Blue Shield Texas. Apparently my current plan is "substandard" as it does not offer maternity coverage. Something you can imagine is vitally important to a single male of 54 years age.

ANTHONY DEVITO,
Fort Worth, TX.

"We get our employee coverage from Pepsico the #43 company on the Fortune list. Everyone enrolled with our BCBS was canceled.

That policy is not what you seem to expect. We had birth control, prenatal, substance abuse, psychiatric, family counseling, chiropractic. In the last 3 years they paid out over 300,000 dollars for me alone in things like open heart surgery, new corneas, 21 days in the hospital, 5 days in ICU. In total for those 3 years I paid 7,500 and they paid 300,000+. That is NOT the sub-par insurance that Obama says he canceled.

I was canceled because it isn't ACA compliant. The replacement is much higher and the deductible is 1250 and the out of pocket is 6,000. If my next 3 years is like the last 3 it would cost me 21,750 instead of 7,500. How is that better?"

CLINT McLAUGHLIN,
Dallas, TX.

Mr. CORNYN. I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, I enjoyed listening to my colleague for Texas. I will just comment to him, we are just beginning to see the series of untruths about what the President and his allies have said about this bill. I practiced medicine for 25 years, I deliv-

ered over 4,000 babies, I had a broad-ranging general practice, and I was belittled on this floor for the statements that are now coming true by the very colleagues who voted for the unaffordable care act.

Let me just outline for you four things that are going to be untrue.

You cannot keep your insurance. Whether you like it or not, you are not going to be able to keep your insurance. You cannot keep anything. I am going to read a story in a minute about a young man who could not afford his employer-based plan but went shopping, had a vasectomy so he could qualify for his insurance because it did not have maternal coverage. They did not want more children. His wife wanted to stop working. He had a wonderful plan. He cannot do it now. Now he cannot get insurance because he cannot afford it, and he makes about \$500 too much to qualify for any subsidy.

So you cannot keep it.

The second thing is you cannot keep your doctor. I am experiencing that right now. MD Anderson in the Senator's own State is not covered by any of the plans. I have had a recurrence of cancer. My doctors now are at MD Anderson. I cannot use them under the unaffordable care act, unless I want to go and spend \$70,000 or \$80,000 on my next procedure out of my own pocket. I will have to go somewhere where the care is not what I would deem it.

The third untruth is every family is going to save \$2,500. It is going to be about the opposite. Because everybody is going to be spending about \$2,500 more.

Then, finally, what I was belittled on, that the quality of care is going to go down when they said the quality of care is going to go up. Access is going to be harder, not easier.

So when the American people really find out—the intention behind trying to fix health care was a good one. The system was broken. We do need to do things. But the untruths associated with this attempt to micromanage people's lives in a market—that was not perfect—I want to tell you, this is going to be so much worse than what we had in terms of real care and real outcomes. When it comes to individuals, most important is the relationship between the doctor and the patient. It is not just for the patient. The doctor having a relationship with the patient makes for much better judgments in terms of the quality of care they give and the insight into caring for the whole of that person. We are wrecking that. We are going to wreck that.

Mr. CORNYN. Madam President, will the Senator yield for a question?

The PRESIDING OFFICER (Mrs. McCASKILL). Without objection, it is so ordered.

Mr. COBURN. I am happy to yield.

Mr. CORNYN. I just ask my colleague, I am aware of his own experience that he just recounted here with

the fact that MD Anderson—the world class hospital located in Houston that is really the premier cancer treatment facility in America and perhaps even in the world—they are not in the exchanges so the Senator cannot continue his treatment there.

Can the Senator explain how that happens because I think a lot of people think if they like their current doctor and they like their current hospital facility, they are expecting that when they sign up for ObamaCare they are going to be able to continue to see that doctor and go to some same high-class health care facilities. How did that happen?

Mr. COBURN. I have not researched it yet. I guarantee my colleague, I will research it, and I will find out. But the fact is, the leading cancer centers—Sloan-Kettering, the same thing—the leading cancer centers in this country probably could not reach an agreement at a price low enough that would pay for their costs for this advanced cancer care, so they did not offer them a contract because they would not cut their prices enough for the insurance.

So here is the main point. We promised to increase access. What you are really seeing is decreased access. I cannot go to Chris Logothetis. The No. 1 urologic oncological specialist in the United States—I cannot go see him under my insurance. I can. I am fortunate enough. I had a career before I was in the Senate. I will pay. But think about how many people are not going to be able to see Chris Logothetis and go to MD Anderson and have their life saved through the latest advances in pure biochemical and medical research put forward by a lot of people from Texas; some money from the NIH, there is no question; some from the Milken Institute, private money that has gone into research. We all seem to think that NIH is the only one who funds research around this country. There are a lot of entrepreneurs who fund tons of it.

So as to this idea of access, we can say you are going to have access. It is just like in Medicaid. Oklahoma chose not to expand Medicaid, and I agree with that. The reason is we are never going to send the States the money. It is an impossibility, if you look at our budget situation, for us to ever keep the promise that the unaffordable care act said we would do for the States.

But here is what is happening: People who are going to be signed up for Medicaid—and there is a whole other story about people who are put in Medicaid who are not eligible and will not be able to sign up who the whole system has kicked wrongly into Medicaid—you can sign up for Medicaid. Where is your doctor? Seventy-five percent of the doctors in California are not even going to sign up for the Affordable Care Act.

In Oklahoma, a recent survey said, of the doctors over age 52, 60 percent are

retiring in next year. Age 52—our best doctors, the ones with the most experience, with the most gray hair. They have seen it all. They have the best differential diagnosis. They are hanging it up.

Now we have all these rules coming with the Affordable Care Act on what you have to do on electronic medical records. You have ICD-10—66,000 codes now versus 10,000 that the doctor is responsible for picking. What we have is a mess on our hands.

The final fifth lie is the denial of the problems that ObamaCare, the unaffordable care act, has caused and sticking our head in the ground and saying: Well, it is not causing any of those things.

It is going to be the most disruptive thing that has ever happened in this country to one-fifth of our economy.

Mr. CORNYN. Will the Senator yield for one other question?

Mr. COBURN. I would be happy to yield.

Mr. CORNYN. To the Senator's point about Medicaid, in Texas, I believe the number is basically only one out of every three doctors—about a third of doctors—will see a new Medicaid patient because it reimburses at about 50 cents on the dollar of what a private insurance plan will. I know there is the problem of coverage versus access that the Senator alluded to. But I wanted to just ask the Senator about that sometimes our friends who supported this legislation said: If you care about getting people with preexisting conditions coverage or if you care about young people being able to stay on their parents' health insurance coverage, you have to take the whole enchilada; in other words, you have to accept all 2,700 pages of ObamaCare, and that is the only way you could address these concerns.

Are there ways to address some of these legitimate concerns, such as preexisting conditions, without embracing all of ObamaCare?

Mr. COBURN. Sure. One of those things is adverse selection, where sicker people raise the costs for everybody in the pool. But if, in fact, you looked at the Nation as a whole, and you had a law that said for any insurance company that is cherry-picking only healthy people, a portion of their profits will go into a pool at the end of the year for people with high-risk illnesses, that is what Switzerland does. It works wonderfully. What it does is it changes the behavior of the insurance company. They cover everybody.

So the whole idea behind insurance is to spread the risk. We did not have good risk rating. There is no question we need to address it. The Senator was on a bill with me, the Patients' Choice Act, which actually would not have created any of this mess and actually would have created a market with some of the parameters that would

have spread the risk and had real indemnification in the country, but also would have had market forces driving it and still let you choose what you want.

The biggest problem with the unaffordable care act is it takes any discretion away from you about what is best for you and your family. It does it two ways. One is in terms of the details of what you can and cannot buy. I have 63-year-olds who have to buy maternity coverage.

But the final point I would make in that regard is that it takes away your ability to do what is your free and correct right to not buy health care if you do not want it. What is freedom about? You have to buy health care? We say: It does not really do it. It just charges you a tax, right? Even though we said it was not a tax, we somehow got it twisted around, and the Supreme Court says this is now a tax. I have not figured that one out yet. I hope the Senator has.

What does that have to do with freedom? If I choose to not buy a product—what if I choose not to buy high-definition cable? Is there a penalty for that? In other words, does Washington really know better? I think we have seen in the last 10 years, in my experience in the Senate, we are really the last ones to know, and the common sense of the American people is far greater than most of the ideas that were ever thought about coming out of here, other than some of the original founding documents that our Founders had.

So I would make one other comment on Medicaid. There is a recent study out of Oregon, which has done a good job of expanding its Medicaid. But when they went to look at what the difference was of expanded Medicaid, what they found out was that you were still, in Oregon, better off if you did not have Medicaid. You were better off if you had no insurance at all than if you had Medicaid. That is because we downward select through Medicaid, because of its pricing, to not the best of the health care system.

So when they looked at the control of diabetes, when they looked at high blood pressure, when they looked at the control of heart disease and congestive heart failure—when they looked at all those things—they found one thing that was better: the treatment of anxiety.

That was it. So in Oregon, when they actually looked at the study—and part of that is because, even though you say you got Medicaid, if you do not have a great doctor-patient relationship, where someone can get in your face who loves you and cares for you and cares about your health, and says: You have to do these things to change, you are going to change. So there is no impact.

So running it from Washington versus having real markets with a real

safety net like the Patient Choice Act, which had a real safety net so that people are auto-enrolled who are irresponsible against catastrophic illnesses, is not a much better answer.

The other thing that is going to happen—I predict in April—is that you are going to see another uproar in this country. That is when the seniors in this country pay their taxes and they find out that the little meager interest income they got off their savings because of what the Federal Reserve is doing, or the few dividends they got, 3.5 percent of that is going to now come to “pay for ObamaCare,” because that is called investment income—3.5 percent.

So whatever your tax rate is, if you have any earnings on an investment, you are going to be paying that. You know, I will never forget Christmas Eve morning 2009—not having an opportunity to go over the Patient’s Choice Act or have it voted on through the raw, brute political force of this body and ignoring the rights of the minority. We voted on the bill that many of us predicted—I am not worried about the exchanges. They will get that fixed. That is just the incompetency of management. They will get it fixed. It will eventually work and work well.

What will not work is the rest of it. It will not work. Just look at centralized management everywhere else in the Federal Government. It is inefficient, most of the time ineffective, oftentimes complicated by fraud or incompetence. We are going to do that to one-sixth of our economy. We are doing to it one-sixth of our economy.

The other thing that is going to happen in April of this year is people who have a health insurance policy through their employment, not buying through an exchange, are going to see their personal contributions through their employer rise significantly. That is because the insurance industry is going to have to pay for all of this. They are going to have adverse selection in what is being signed up on the exchanges.

The insurance companies that sell to the medium-size businesses and the smaller businesses who are not in a risk plan, they are going to be raising the costs for small businesses. So what is probably going to happen is that those small businesses are either going to markedly increase their employees’ share or they are going to drop insurance all together and pay the fine—pay the tax or pay the fee, whatever it is. Pay the penalty. But the individuals, the people who we said we were helping, then will not be with the insurance that they had. They will be back to an exchange with a price, even with subsidies that are greater, 1. No. 2, with a copay that is greater—2. And, No. 3, with a massive deductible which is at 6,000 or 7,000 bucks, and all you really have is catastrophic coverage. Why did we not just do that? Why did we not just write catastrophic coverage for ev-

eryone in the country and let the market work on the rest of it?

That does not allow the elites in our society to make decisions for you. That is what we have done.

Let me share another story. This is from Tina Wilkerson. Tina called in. She has been a school cafeteria worker for a long time. For the last 14 years she has worked 40 hours a week for 10 months out of the year. She works for a food contractor company.

She has now been changed to a seasonal employee because of ObamaCare, so that her employer can avoid the ObamaCare mandates. It was costing her about \$400 a month for a health care premium, which included medical, dental, vision, plus life insurance, plus a short-term disability policy. She went to the Web site, looked at plans. With her subsidy, she pays \$645 a month premium, with a \$12,000 deductible, does not have vision care, does not have dental care, does not have life insurance coverage, and does not have disability coverage.

That is middle income in Oklahoma. Here is someone who, because of what we have done, is now far worse off—far more exposed in her attempt to do good. I will give my colleagues credit. Their ambitions, their goals are worthy; they were worthy. But the results are a disaster and will become much worse of a disaster.

I want to spend a little bit of time talking about the fact of what is really going to happen in the medical world. I have four former partners. I go by there sometimes on Friday and visit. You cannot believe the morale in the medical community today—unbelievably negative. You talk about worried. Think about the average physician. They have an undergraduate degree. They spend 4 years in medical school. They then spend 3 or 4 years in specialty training. So they have 12 years at a minimum of higher education.

They come out all excited about actually doing good, real good, making a difference in individual people’s lives—whether it is holding a hand when somebody is going through a rough time or diagnosing a very serious disease. The payment for being a physician is the relationship with a patient. It does not have anything to do with money. It has to do with helping your fellow man. I want to tell you, that is totally upside down right now. If you do not think that makes a difference when you have a doctor walk into a clinic setting, and you are sitting there on an exam table, and that doctor is focused on: How am I going to pay the overhead? How am I going to buy the next piece of equipment that I need to care for you the way I need to care? How am I going to buy insurance for my own employees? How am I going to pay for the necessary bills?

Oh, by the way, I have got the Independent Payment Advisory Board com-

ing that is going to tell me what I can and cannot do as a physician, regardless of how I am trained, regardless of what I know, regardless of how much gray hair, regardless of how much experience I have in terms of really caring for folks, I am going to have a group of unelected, appointed bureaucrats decide what I can and cannot do for you.

Then on top of that, we have ICD-10. Most people do not know that. That is a diagnostic code manual that has just been expanded from some 10,000 diagnoses to over 66,000 with Federal penalties if you do not explicitly get it down to the detail. It is not enough that you broke a metacarpal in your hand, you now have to label which hand, which finger, and describe in subsets the fracture. Your nurse cannot do that for you. You have got to do it. So now we are taking more time, and the penalties are going to be severe if you do not do it right.

As a matter of fact, they will not pay you for Medicare or Medicaid if you have not done that. There is no significant benefit to the health care community, but certainly a mandated bureaucratic cost on every physician practicing in this country that will offer no long-term benefit to the individual patient.

So now you have a doctor walking in. He may have been up all night the night before delivering a baby, carrying this added burden of all of this bureaucratic mess that the affordable/unaffordable care act placed on physicians in this country. Think that has any impact on diagnostic skills, on compassion, on empathy? Think it will impact care? It certainly will. It is going to have a devastating impact.

I want my physician focused on me. I do not want him worried about the Federal Government. I do not want him worried about IPAB. I do not want him worried about ICD-10. I do not want him worried about whether or not they have met the requirements of electronic medical records. I want him worried about me. I want him concentrating on me.

So we have put this big distraction out there because we know better than the market, than the trained professionals, and the arrogant assumption that we know better than the average American about what they need because we have already told them what they must buy. We have told them, if you do not buy what you must buy, here is the penalty. Thank goodness the young people of this country have figured that out.

Which brings us back to the integrity of the statements of the President. What did he say? We have seen all sorts of rationalization evidence: If you like your insurance now you have got, you can keep it. Is that right? Right now, for 5.8 million, and soon to be 15 million Americans that is not true. They

knew it was not true when they said it. But it sounded good.

Second deceitful thing: If you like your doctor, you can keep your doctor, period. Oh, really? Can I if I did not have individual separate means to keep Chris Logothetis? No, no. You cannot keep your doctor. You can have a new doctor, based on what your insurance company—based on what the pricing mechanism has. You can have one of those doctors. But if your doctor is not on that list, you cannot keep him.

So somebody may have delivered all of your babies, taken care of your parents, delivered your baby's babies, cared for your husband's heart attack, knows everything about your family, knows your psychosocial profile, knows your emotional needs, someone who has really been your ally in life—that is gone for millions and millions and millions of Americans.

But oh, no: You like your doctor, you can keep your doctor. Every one of my colleagues voted against MIKE ENZI's bill to allow you to keep your insurance under the grandfather clause. Every one. MIKE ENZI knew what was going to happen. He put a bill on the floor. All of my colleagues said: No, we do not want you to be able to keep your insurance. It does not work that way. What about the deceit of this? Is it significant? Sure it is. It is a matter of trust.

Third thing. The promise of President Obama, who said, on average, that your health insurance costs will go down \$2,500 a year. I do not know who told him that, whether it was Dr. Emanuel or who. I do not know what whiz-bang accountant or financial forecaster told him that. But it is just the opposite of that. Probably the average American is going to spend about \$2,500 more trying to get equivalent care to what they had, not keeping their same insurance and not keeping their doctor.

Then, finally, the deceit that is assumed but not spoken, is that your doctor is going to make decisions for you and with you about your health care.

When the independent advisory board gets going, it will be not only about Medicare, it will be about everybody. If a group of unelected bureaucrats thinks I shouldn't run a non-stress test on a pregnant woman whom I am watching closely and they say I can't do that, I won't be able to do that.

We are going to be having a group of people practicing medicine in this country who don't know the patient, don't know the situation, don't have their hands on the patient, haven't ever touched the patient, making decisions about what kind of care that patient will get.

When we try to unwind the unaffordable care act, we have a routine chorus of noes. So the consequence is, who is going to be held accountable?

A total disruption of the indemnification market in this country is now oc-

curring in terms of health care insurance. When the insurance companies look at what their ratios are in terms of young to old, in terms of higher risk patients who cost more versus younger patients who cost less, they will make a calculation this spring about what their fees will be for next year.

The ObamaCare administration did something else deceitful—intentionally deceitful. Before the election next fall, they don't want you to know how much the health care costs are going to rise, and so they changed the date on which you will make a selection for next year and on which those prices will go through until after the November elections next year because they know that if you know the significant increase in costs that are going to come next year—not just this year but next year—based on the adverse selection and the mix of all of the insurance companies in this country—they know that the rise in your insurance health cost is going to be significant. So what did they do? They passed a little rule, and they changed the day to make the knowledge available to you, the purchaser, come after the election. So you won't be a fully informed voter knowing that your insurance costs are going to rise 20 or 25 percent again next year under the unaffordable care act—the unaffordable care act.

We are in a mess in a lot of ways. We are going to continue to see significant disruptions in the health care in this country. We are going to see a continuous decline in the quality of health care in this country—just the opposite of what they promised—because we are disrupting the doctor-patient relationship. I know this, having practiced for 25 years. I know what it takes to really care for someone. I know what it means to be in a room and spend the time that it takes to listen, to find out what is really going on, to find out why the patient is really there. We are going to drive down all of that.

We have this payment system in Medicare which pays on the basis of procedure—which is a dumb system—instead of paying on the basis of time that is spent with a patient. What most people don't recognize is that all reimbursements in this country for physicians—unless a doctor is in concierge medicine, which is another thing I will talk about in a minute—force doctors to spend less time with their patients because as we crank down reimbursements, either through Medicaid or through the insurance or through Medicare, and a doctor has fixed overhead which has been markedly expanded under the mandates associated with the Affordable Care Act, less time means less quality care. Less time means less quality care.

There was an interesting study done recently about how long—after your doctor comes into the room and asks “why are you here today?” how long

before you are interrupted because the doctor is in a hurry to get to the next patient. It is 6½ seconds.

So our reimbursement mechanism, mandated by the Federal Government—another positive aspect of us meddling in the markets—is decreasing the time, the quality, and the quantity of health care that patients rightly deserve when they are sitting in your office.

What is the market doing about this? There is this growing expanse of what are called concierge doctors where, for a certain fee, that doctor is yours no matter how many times per year you want to go to him or them. No matter what your needs are, they are available to you 24 hours a day, 7 days a week, 365 days a year. How does it work? Well, most people can't afford concierge medicine. It is about \$1,000 a year that you pay. Insurance doesn't reimburse you for it. You pay \$1,000, and they are available. You get a comprehensive, thorough health care screening exam once a year. All of your tests are included in that as far as blood tests and laboratory tests at a physician's office. Then if you have a need at any time during that year, you have access to that physician.

What do we find? The first studies that have come out on that, where we take the time pressure off the doctors and let them actually practice medicine the way they were trained, show that they order 40 percent fewer tests. Isn't that interesting?

The axiom in medicine that every doctor is trained with is if you will listen to your patients, they will tell you what is wrong with them, whether it is cancer or diabetes or heart disease or anxiety or depression or hypertension. But it takes time, it takes interaction, and it takes a great differential diagnosis. The unaffordable care act is destroying that. This is why you are seeing this little blurb out in the market where you see concierge medicine because now the reason they are ordering fewer tests is they spend about five times as long with a patient because they are not in a hurry to get to the next patient because they are not making their money by filling out a code and filing it with an insurance company. There is a complete relationship between the physician and their patient.

I would like to return to this gentleman named Brian who is from Oklahoma. He and his wife have two children under 5 years of age. They believed what the President said when he told them they would keep their health insurance plan and their doctors if they liked them. Brian recently called my office and said: That isn't true. That was a lie to me. It was deceitful. It was untrue.

Brian works in Tulsa, and the company he works for, he felt the insurance cost was too much, so he didn't

take insurance from his employer, and he went on the private market and bought, through Community Care in Tulsa, a plan he and his wife could afford. His wife decided to quit working, stay home, and raise their two kids. He was paying a \$330 premium, but it didn't cover maternity care, and they didn't want any more children, so he underwent a vasectomy, which is an elective procedure, to make sure he wouldn't have more children.

On November 1, Brian received a letter in the mail stating that as of November 1 of this next year he would be terminated from his current plan and he would have to find a plan that satisfied the new mandates that the wisdom of Washington said had to be in there—maternity care. He spent hours on the ACA Web site, and what he found were plans that ranged in costs from \$800 to \$1,100 per month—four times what he was paying. He can't afford that. He didn't qualify for a subsidy, but he can't afford that.

So now what does he do? He had plan for \$330 a month that met his needs and covered what he and his wife thought they needed covered. He is a young man. What is going to happen to Brian? Brian is going to get taxed, not because he doesn't want to buy health care, not because he can't afford the \$330 or even \$400 or \$500 a month, but because he can't afford \$800 or \$1,100 a month. So now Brian is going to be without health care—I am going to say it again: without health care—and then we are going to fine him, we are going to tax him because we designed a system that took him out of the market. It didn't put him in the market; it took him out of the market.

What have we done? We had an opportunity to fix that with the Enzi amendment, to grandfather all of these plans in, and all of my colleagues on the other side of the aisle said no.

So here is Brian with a wife at home and two small children under 5, and he is stuck in no man's land. Do you think he thinks President Obama is truthful? No. Does he think those who touted the Affordable Care Act are truthful? No. He has lost confidence in his government.

That is really where we are in our country today. We are in a crisis of confidence with Washington. It was never meant to be. If you read the enumerated powers—as a matter of fact, we have an Enumerated Powers Act. It has 36 cosponsors. It says simply that if you bring a bill to the floor, you have to state what section of the Constitution gives you authority to legislate in that area based on what article I, section 8 of the Constitution has to say. Disappointingly, there is not one of my colleagues on the other side of the aisle who is a cosponsor of that bill. It doesn't stop you from offering the bill, it just says please reference where in the Constitution you have the author-

ity to legislate in this way. None of our colleagues believe the Constitution has any bearing on what we do by the fact they will not even cosponsor that bill.

The very thing our Founders emphasized was our authority to make or change law. That is fundamental, structural to this country. As we have ignored—as does the affordable-unaffordable care act—the enumerated powers, the consequences to our country are monstrous.

This book contains, through the middle of November, all the emails my office has gotten on the Affordable Care Act from a State of just 4 million people. We are just 4 million people. There is not much positive in here. As a matter of fact, there is not one positive story in here. They are all stories similar to Brian's and Tina's—identical. Had care; don't have care now. Had an affordable plan; don't have an affordable plan now. Had a doctor; don't have that doctor now.

As a matter of fact, one of the stories in here is from somebody who had their doctor for 35 years and can't have that doctor anymore. It is not because the doctor doesn't want the patient, and it is not because the patient doesn't want the doctor. It is because the unaffordable care act has decided that will not work in our system anymore.

We have heard through the press that we didn't have any ideas on health care. My colleagues know that isn't true. Senator BAUCUS stood right over there on December 8, when we tried to bring up the Patients' Choice Act. That did everything in terms of the goals which the Affordable Care Act did, without raising taxes, without disrupting the indemnification market in this country, creating a true safety net for those who could not afford health care, and created auto-enrollment for the irresponsible. We were never allowed to vote on that.

It was very similar to what we are seeing now with the Defense authorization bill. We have to pass one, but you can't have your say. My 4 million people don't count when it comes to the Defense authorization bill because they do not like the amendments I might offer.

Under the Constitution, it is illegal for the Pentagon not to give a report of how it is spending its money. It is a violation of the Constitution. We have an Audit the Pentagon Act. It has real teeth in it. There is somewhere between \$50 billion and \$100 billion worth of waste a year in the Pentagon. We will never manage the Pentagon if we can't measure what they are doing. Yet we don't get an opportunity to offer that. It is a smart good government amendment. But it is not in there, and it is not ever going to get offered. Why? Because the majority leader in this body has decided he will decide what amendments are offered and what amendments will not be.

This is no longer the greatest deliberative body. This is a mimic of the House of Representatives—the exact opposite of what our Founders intended the Senate to be. Their genius was they created a House of Representatives to be responsive to the populace demands of our country. That is why elections are every 2 years for the House of Representatives.

When the Senate was first formed, it was an appointed body by the State legislature and it was for a 6-year term. Jefferson wrote the rules—the first rules under which the Senate would operate—and the Senate was designed to make sure there could never be a tyranny of the majority, as we see today; that the minority rights of those in opposition would never be limited. For the first 130 years, it took absolute unanimous consent to do anything in this body. The rules were always changed—when the rules changes were made—with a two-thirds vote of those duly sworn and present, until November of this year.

Are things raw in the Senate right now? You bet. And they are going to stay that way because the very genius behind our Founders was to force consensus and compromise in the Senate, something the majority leader doesn't believe in. We saw the raw, brute political power with the unaffordable care act. Not a single Republican voted for that bill. It was forced through with a 60-vote margin in December 2009 on Christmas Eve morning.

Now we see more raw, brute political force, not because it had to be that way but because leadership is lacking, an understanding of the traditions and history of the Senate. CARL LEVIN explained why he didn't agree with that. We didn't listen to one of the senior Members who has been here a long time, who understands the history of the Senate, and so consequently we find ourselves in a situation where consensus is not derived, the mechanism to force consensus has been diminished, long-term thought goes out the window, and bipartisanship will as well.

I wish to spend another minute or two talking about the Defense Authorization Act and the waste in the Pentagon. A little over 1 year ago I put out a report on the Pentagon. In the Pentagon's budget is \$67 billion a year which the Pentagon spends on items that have nothing to do with defending this country. I put out that report in the hopes the Senate Armed Services Committee would look at that report and say: We ought to take all this out of the Defense Department.

Do my colleagues realize the Defense Department has 112 science, technology, engineering, and math programs—110 separate programs. That doesn't have anything to do with defending the country. They have 138 green energy programs, spending billions of dollars every year on them.

That should be at the Department of Energy, not in the Pentagon. It costs \$50,000 a year to educate a child on a military base in this country—four and a half times what it costs to educate anybody anywhere else in this country. That doesn't have anything to do with defending the country either. Why?

So we have \$67 billion that not one aspect of was acted on in the Defense Authorization bill. That was not taken out. Let's have the military defend this country and not do all these other things that don't have anything to do with defending the country.

Oh, by the way, if we moved that \$67 billion out, it is estimated we could save about \$15 billion in overhead absorption by moving medical research to the NIH, where it belongs, instead of the billions of dollars we send to the Pentagon for medical research that doesn't have anything to do with extraneous diseases that our combat forces might encounter in odd places around the world.

So \$67 billion, and we could have saved \$15 billion. That \$15 billion is three-quarters of what the new "agreement" between the House and the Senate on the budget for the next 2 years is. We could have saved that. That is \$15 billion that would have paid for training; \$15 billion that would have bought more ships; \$15 billion that would have worked on missile defense, now that we are going to need it since Iran is going to eventually be armed with a missile-based nuclear weapon. But we didn't do it.

We have the Government Accountability Office that in the last 3 years has identified duplication throughout the Federal Government coming close to the tune of \$250 billion. One committee in the House has actually acted on their report. Of that \$250 billion, perhaps \$50 billion or \$40 billion could be saved by eliminating some duplication. Yet not one committee in the Senate acted on the recommendations of the Government Accountability Office to eliminate duplication—not one. Not one bill came to the floor.

We have tried to insert a lot of it, but we can't offer amendments anymore. We don't have the opportunity—the 4 million people in Oklahoma—to have a say on what happens. They see what is not happening, and they wonder why we don't fix these things.

Let me create a scenario for a minute. What do my colleagues think would happen in the country if we actually did the things the Government Accountability Office recommends we do? What would the people think if we eliminated the duplication, if we eliminated the fraud, if we eliminated the waste? The confidence of the American people in this Congress would rise because we are actually addressing the problems. We are actually addressing the key components that put us in deficit every year.

It is true—my colleagues all tell me—the biggest problem is our entitlements. That is true. But it doesn't mean we don't worry about the smaller problems. As a matter of fact, I am reminded—as I see the Presiding Officer in the Chair—that I owe Senator KING some information on some programs I forgot to give him that he asked me for in November. But if in fact we did all those things, if our committees were charged, through the leadership of this body, to eliminate the duplication, consolidate the programs, and save the money because we need the money right now, we need to not be charging it to our children, what would happen to the confidence in this country? It would rise. We would actually be doing what the people expect us to do. Nobody in the real world gets to do what we do—ignore the real problems, don't act on the real problems and say: It is too hard. It is too difficult.

I yearn for bipartisanship, for consensus. I yearn for a system that forces us into consensus—not all my way, not all somebody else's way but somewhere in the middle. That requires using the rules of the Senate and a long-term vision of where our country needs to be going and not caring about what a political career looks like but caring about what our country looks like.

We have lost focus on what is important. It is not my career, it is not the career of the distinguished Senator from Iowa, it is what happens to our country. We have our eye on the wrong ball. I do too. I admit it. We degenerate to the easiest thing to be critical about.

I am human. I admit to that as well. It doesn't have to be that way.

Mr. President, I see that the majority leader and several others are on the floor. I yield the floor in anticipation of our vote.

Mr. HARKIN. Mr. President, I rise in enthusiastic support of the nomination of Chai Feldblum to serve a second term at the Equal Employment Opportunity Commission. Commissioner Feldblum has served with distinction at the Commission since 2010. She is a respected professor of law, and one of America's premier experts on employment discrimination and civil rights laws.

I have had the pleasure of working personally with Commissioner Feldblum first on the passage of the Americans with Disabilities Act in 1990, and more recently in 2008 on the passage of the Americans with Disabilities Amendments Act. She was a tremendous help to me in both of those efforts.

Chai Feldblum has a fierce intellect and a passionate commitment to ensuring equal opportunity for all. Perhaps the most important quality in a Commissioner at this critical agency, Commissioner Feldblum has the ability to listen to all sides and to make careful

decisions about the allocation of the scarce resources that Congress provides to the EEOC. That ability to listen carefully, to search for compromise, and to forge consensus are skills that I have observed during our work together, and that I know she brings those skills to the EEOC.

She has built close working relationships over the course of her career with both worker advocates and the business community. This explains why her nomination has broad bipartisan support here in the Senate and in the employment community as a whole.

I have here letters of support from the Society of Human Resource Managers, the U.S. Business Leadership Network, and a letter signed by leading attorneys in the labor and employment bar. The signatories on that letter include five former GOP Commissioners and officers of the EEOC and the Department of Labor. Speaking of Ms. Feldblum, these attorneys say, and I quote, "Commissioner Feldblum has been one of the leading lights in the employment law field. She is a tireless contributor to the employment law bar and to educating stakeholders on employment law issues."

I ask unanimous consent that these letters be made part of the RECORD.

I would also like to note the critical role the EEOC plays in ensuring that people with disabilities are protected from employment discrimination, and in interpreting and enforcing the employment provisions of the Americans with Disabilities Act, ADA. My committee last year issued a report, *Unfinished Business: Making Employment of People with Disabilities a National Priority*, that focused attention on the fact that employment rates for people with disabilities remain far below the employment rates for any other group. The report noted that people with disabilities participate in the workforce at less than one-third the rate of the general population, and that workers with disabilities dropped out of the labor force at a much higher rate during our recent recession. Given these harsh realities, it is critical to have a Commissioner at the EEOC who understands disability law and is committed to enforcing the employment rights of people with disabilities. Given the role that Commissioner Feldblum played not only in passing the ADA and the ADA Amendments Act, but in the implementation of those laws, it is invaluable to have someone with her expertise at the EEOC.

I am not alone in that view. I have a letter here signed by 38 separate disability organizations in support of her re-nomination. I ask unanimous consent that this letter be included in the RECORD.

Commissioner Feldblum's confirmation will ensure that the EEOC has a full complement of members, and that the agency is able to move forward

with the critical work of ensuring equality in the workplace. While much progress has been made in recent decades, discrimination in the workplace persists. Today, too many employment decisions are based on insidious stereotypes and prejudices rather than an employee's talent, ability and qualifications. Too many hardworking Americans face hiring discrimination, harassment, unfair treatment or even termination, not because of lack of skills or poor performance but because of their age, race, sex, disability or some other irrelevant factor.

Commissioner Feldblum brings to the EEOC a determination to work on a bipartisan basis to craft practical solutions, and to work to make America's workplaces more fair and free from discrimination.

The EEOC's mission is simple: to promote equality of opportunity in the workplace and enforce Federal laws prohibiting employment discrimination. Unfortunately, the agency must fulfill this broad mission without sufficient resources. The EEOC is constantly being asked to do more with less. Just in the past year, as the result of sequestration and across-the-board cuts, the EEOC has seen its budget drop from \$360 million to \$343 million. Meanwhile, the EEOC continues to handle an increasing number of complaints—almost 100,000 each in 2011 and 2012!

At least in part thanks to strong management and setting clear priorities, in 2011 the agency managed to reduce its backlog for the first time in almost 10 years. Together with Chairman Berrien and the other members of the Commission, Commissioner Feldblum has played an important role in developing a strategic plan that allows the EEOC to create a system that rewards effective investigations and conciliations, and does not incentivize the closure of charges simply to achieve closures.

I urge my colleagues to support the re-confirmation of this excellent, highly qualified nominee. I look forward to her confirmation and to her continued service on the Equal Employment Opportunity Commission.

The PRESIDING OFFICER (Mr. KING). All time has expired. The question is on the Feldblum nomination.

Mr. COBURN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Chai Rachel Feldblum, of the District of Columbia, to be a Member of the Equal Employment Opportunity Commission?

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr.

MANCHIN), the Senator from Maryland (Ms. MIKULSKI), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Alabama (Mr. SHELBY) and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Alabama (Mr. SHELBY) would have voted "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 41, as follows:

[Rollcall Vote No. 258 Ex.]

YEAS—54

Baldwin	Gillibrand	Murphy
Baucus	Hagan	Murray
Begich	Harkin	Nelson
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Booker	Hirono	Reid
Boxer	Johnson (SD)	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Landrieu	Stabenow
Casey	Leahy	Tester
Collins	Levin	Udall (CO)
Coons	Markey	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murkowski	Wyden

NAYS—41

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Paul
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Isakson	Thune
Corker	Johanns	Toomey
Cornyn	Johnson (WI)	Vitter
Crapo	Lee	Wicker
Cruz	McCain	

NOT VOTING—5

Kirk	Mikulski	Shelby
Manchin	Rockefeller	

The nomination was confirmed.

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to report the motion to invoke cloture.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Elizabeth A. Wolford, of New York, to be United States District Judge for the Western District of New York.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

QUORUM CALL

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair now asks the clerk to call the roll to ascertain the presence of a quorum.

The assistant legislative clerk called the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 6]

Alexander	Franken	Moran
Baldwin	Gillibrand	Murkowski
Barrasso	Hagan	Murphy
Baucus	Harkin	Murray
Bennet	Hatch	Nelson
Blumenthal	Heinrich	Paul
Blunt	Heitkamp	Portman
Booker	Heller	Pryor
Boxer	Hirono	Reed
Brown	Hoeven	Reid
Cantwell	Inhofe	Sanders
Cardin	Isakson	Schatz
Carper	Johanns	Schumer
Casey	Johnson (SD)	Scott
Coburn	Johnson (WI)	Sessions
Cochran	King	Shaheen
Collins	Klobuchar	Stabenow
Corker	Landrieu	Udall (NM)
Cruz	Leahy	Vitter
Donnelly	Lee	Warner
Durbin	Markey	Warren
Enzi	McCain	Whitehouse
Feinstein	McConnell	Wyden
Fischer	Menendez	
Flake	Merkley	

The PRESIDING OFFICER. A quorum is present.

The question is, Is it the sense of the Senate that debate on the nomination of Elizabeth A. Wolford, of New York, to be United States District Judge for the Western District of New York, shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Montana (Mr. BAUCUS) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from Alabama (Mr. SHELBY).

Further, if present and voting, the Senator from Alabama (Mr. SHELBY) would have voted "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 55, nays 41, as follows:

[Rollcall Vote No. 259 Ex.]

YEAS—55

Baldwin	Franken	McCaskill
Begich	Gillibrand	Menendez
Bennet	Hagan	Merkley
Blumenthal	Harkin	Mikulski
Booker	Heinrich	Murkowski
Boxer	Heitkamp	Murphy
Brown	Hirono	Murray
Cantwell	Johnson (SD)	Nelson
Cardin	Kaine	Pryor
Carper	King	Reed
Casey	Klobuchar	Reid
Collins	Landrieu	Sanders
Coons	Leahy	Schatz
Donnelly	Levin	Schumer
Durbin	Manchin	Shaheen
Feinstein	Markey	Stabenow

Tester
Udall (CO)
Udall (NM)

Warner
Warren
Whitehouse

Wyden

NAYS—41

Alexander
Ayotte
Barrasso
Blunt
Boozman
Burr
Chambliss
Coats
Coburn
Cochran
Corker
Cornyn
Crapo
Cruz

Enzi
Fischer
Flake
Graham
Grassley
Hatch
Heller
Hoeven
Inhofe
Isakson
Johanns
Johnson (WI)
Lee
McCain

McConnell
Moran
Paul
Portman
Risch
Roberts
Rubio
Scott
Sessions
Thune
Toomey
Vitter
Wicker

NOT VOTING—4

Baucus
Kirk

Rockefeller
Shelby

The PRESIDING OFFICER (Mrs. HAGAN). On this vote the yeas are 55, the nays 41. The motion is agreed to.

VOTE EXPLANATION

Mr. BAUCUS. Madam President, I thought I had voted on the last vote but apparently it was not registered. Had it been registered, I would have voted aye.

I thank the Chair.

NOMINATION OF ELIZABETH A. WOLFORD TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW YORK

The PRESIDING OFFICER. Pursuant to the provisions of S. Res. 15 of the 113th Congress, there will now be up to 2 hours of postcloture consideration of the nomination, equally divided in the usual form.

The majority leader.

Mr. REID. On behalf of the majority, I yield back 57 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Hampshire.

MCCAFFERTY NOMINATION

Mrs. SHAHEEN. Madam President, I appreciate the 3 minutes to be on the floor in support of the nomination of Landya McCafferty to the Federal district court for the District of New Hampshire. If confirmed, Landya will be the first woman to serve on the Federal bench in New Hampshire. But it is not Landya's gender that matters; it is her professional experience and her personal qualities that make her stand out. She has widespread bipartisan support throughout the New Hampshire legal community and she will make an excellent addition to the Federal district court in New Hampshire.

She is currently the U.S. magistrate judge for the District of New Hampshire. Her Federal court experience includes clerking for two district court judges and at the First Circuit Court of Appeals. Landya has also prosecuted professional misconduct cases for the New Hampshire Supreme Court Attorney Discipline Office, served as an appellate and trial attorney in the highly regarded New Hampshire public de-

fender program, and worked in private practice as a civil litigator.

Landya is an innovator. As a magistrate judge, she has become a nationally recognized expert and teacher on how to use technology to achieve a more efficient and paperless workflow in the Federal court system.

She was unanimously rated "well qualified" by the American Bar Association's Standing Committee on the Federal Judiciary—their highest rating.

Landya is also active in the legal community outside the courtroom. For the past decade she has lectured at continuing legal education seminars on various topics, primarily on legal ethics, and has also presented guest lectures on legal ethics and civil procedure at the University of New Hampshire School of Law.

I am pleased that this morning, after several months, we are finally going to get a chance to vote on Landya McCafferty, who is a well-qualified, noncontroversial district court nominee. She has the support of Senator AYOTTE, who also represents New Hampshire.

I have no doubt Landya McCafferty will be an outstanding Federal district court judge, and I urge my colleagues to support her nomination when the vote comes up this morning.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Madam President, I rise to discuss the nomination of Elizabeth Wolford to be U.S. district judge for the District of New York.

I am new here. I am just completing my first year in the Senate. But I believe this nomination gives us all an opportunity to discuss how government is or is not working in Washington, DC.

I know when I travel the State of Nebraska—and I am back in the State most weekends and put on hundreds of miles; we are a big State, but as I travel the State of Nebraska, people always ask me: How are things going in Washington? How are you doing in Washington? I can't help but compare what we do in Nebraska to what we are doing now in Washington, DC, because in Nebraska we have a pretty unique system. We are unicameral, we have one house, we are nonpartisan, and we get things done.

We have an agenda set up every day in the Nebraska legislature, and we follow that agenda. We have bills listed. We go through those bills, and, most importantly, we take votes. As a State senator in the State of Nebraska, I have an opportunity to rise and debate with my colleagues on the issues before us. I have the opportunity to sit at my desk in the chamber in the Nebraska capitol and write out an amendment, take it up to the desk, have it discussed, and then have it voted upon.

I believe the Nebraska way is a good example for what we could do here in

Washington because we have so many important issues before us that are not being debated. I am speaking basically to an empty Chamber right now. We aren't debating the big issues before this country. We are not acting upon the big issues that are before this country. We certainly are not voting on those issues.

We have a system in the Senate where amendments are not accepted. That whole concept is very foreign to me, because, as I said, in Nebraska we are able to file amendments and we are able to have those amendments voted upon. We also respect the rights of the minority, for although we may be officially nonpartisan, we do belong to political parties. We have a right to express our views on an issue, to represent our constituents, and to express their concerns. Those rights are respected, they are valued, and they are upheld.

I can tell my colleagues I had bills that were filibustered in the State, and those filibusters would last, in one case, 16 hours. But in the end, after those views of the minority were expressed, we took a vote on the issue. In Nebraska, we take up those issues. We defend the rights of our constituents to be heard, and that is what this body should do as well. We should honor the rights of all of our constituents and have their views be heard.

Being from Nebraska, we don't have as many people as some of the other States. But within this body, every Senator is equal. Every citizen has equal representation. That is a principle, and that is a value that must be respected.

I am sorry to say I believe we are at a point where that principle, that value is no longer respected within the U.S. Senate.

I see my colleague from Nebraska is in the Chamber, Madam President. I ask unanimous consent that the Senator from Nebraska and I be able to enter into a colloquy.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FISCHER. Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNIS. Madam President, I appreciate the opportunity to enter into this colloquy with my colleague from Nebraska.

We have a rather unique experience. For 6 years I was the Governor of Nebraska, and when Senator FISCHER was elected to the unicameral, I was actually coming to Washington to be the Secretary of Agriculture, so we did not work together. But we both worked in the same system.

I would like to get a legislative perspective about how the Nebraska unicameral works. I saw it from the Governor's office, but, of course, I was not on the floor every day. That is not

typically what a Governor would do—to go to the floor every day. But Nebraska is a pretty Republican State. I think we all recognize that. We know that. It is a nonpartisan unicameral. So not only is it a one-house system, but the senators do not run as Republicans or Democrats. They run on a nonpartisan ticket.

I would also say that our voter registration in Nebraska is public record. So, of course, the media, when we would run for office, would always look up how we were registered or they would ask us. I do not remember a time—maybe there was a time, but I do not remember a time—when Democrats had the majority in the unicameral by their voter registration.

I would like the Senator from Nebraska to explain how the majority party, Republicans, worked with the minority party in terms of committee assignments, how they would work with the minority party in terms of chairs. Would a member of the minority ever get a chance to be a chair of a committee? How does that work? And I would like the Senator to talk a little bit, if she would, about how this system works on a day-to-day basis in terms of the relationship between the majority and the minority. Maybe it will be instructive today.

Mrs. FISCHER. Madam President, I am so very fortunate to have Senator JOHANNIS as the senior Senator from Nebraska. He has a wealth of experience as a former Governor, as a former Secretary of Agriculture, and as a U.S. Senator. So he has definitely been a mentor to me. I believe, perhaps, Nebraska can mentor the Senate through the trying times we are facing right now.

As Senator JOHANNIS said, we are nonpartisan. We do not caucus. We do not have majority or minority leaders because we are nonpartisan. So we do not have that leadership structure in our State that we have here in the Senate.

In the State of Nebraska, if you want to be part of leadership, you stand on the first day of a legislative session, and you have to nominate yourself and run for that position. So you would nominate yourself for speaker and then we do a secret ballot. It is 25 votes, and you would be speaker because there are only 49 of us. Then we go through the committees, and we have 14 standing committees. So as chair of the transportation and telecommunications committee, I had to stand on the floor of the legislature and nominate myself, which is hard to do, but you nominate yourself, and then your colleagues, your peers, decide who the chairman will be.

We had Republicans and Democrats who were committee chairs. In fact, this past year in the legislature, even though officially there is a majority of Republicans, many of our chairmen—in fact, I think it was the majority—were

Democrats because you are rewarded for the hard work you do, for your integrity, for your honesty, for being willing to listen to all sides and work with everyone to reach consensus.

So it is a unique system, it works for our State, and it is that ability to work with each other to try and build those coalitions so you can get your 25 votes on an issue, on a bill that you have, that makes us so very special with regard to other States and also with regard to the U.S. Senate, because we do work together.

The coalitions change. The coalitions change depending on the issue. You can find allies all across the spectrum—from more liberal members to more conservative members. If you have a good idea that is going to benefit the people of the State, your peers are willing to come forward and work with you.

I know Senator JOHANNIS as Governor had to draw up budgets and send those budgets, then, to the legislature and have our appropriations committee go through that process dealing with his agency heads. Then the appropriations committee would bring that package to the floor. Here again, we would debate it. I do not know if the legislature always agreed with Senator JOHANNIS during his time as Governor, but perhaps he could give us some insight into how we came together on budgets and were able to work through that as well.

Mr. JOHANNIS. Madam President, I would love to be able to stand here today and say to my colleague from Nebraska that every time I submitted something to the legislature they loved it, blessed it, and passed it. But that did not happen. There was a give-and-take process that would occur. The budget is actually a perfect example. Like this system, the Governor of Nebraska gets the first shot. The Governor, soon after the legislature would go into session in January of each year, would submit a budget. We have a long session. It is a 90-day session 1 year, and then next year it is followed by a 60-day session. In the 90-day session we would do the full budget exercise. Typically, in the 60-day session we would do the fine tuning. It was a biennial budget that would be passed.

I quickly learned if I was going to have any success, whether it was the budget or any other initiative, I had to reach out on an individual basis and convince each senator of the merits of my idea I was proposing. This was not a situation where I had the ability to go to the majority leader and say: Get your people in line. Crush the minority and pass my budget. That would never happen in Nebraska. It would not happen with the majority—typically that would be Republican in Nebraska—and it would not happen with the minority, which is typically Democratic in Nebraska.

I always said as Governor that most days the one thing that the unicameral

could almost unanimously agree upon is that they were mad about something when it came to the Governor. But the reality is we worked through these things. There was give-and-take. There were things that I wanted that I did not get. There were things that I did want that they would have to give in and compromise on. It never failed, we would pass a budget by the end of the legislative session.

I have said many times looking back on my time as Governor that at the start of the legislative session—the 90-day session—there was one thing I could guarantee to Nebraskans. That was that by the end of the session a budget would be passed. The second thing I could guarantee is, without gimmicks, that budget would balance. We had a simple philosophy. We would not spend money that we did not have. No. 3, I could promise Nebraskans that we would not borrow money to make that budget balance because, you see, in Nebraska we are limited by our constitution. We are only allowed to borrow \$100,000, which I am sure when the constitution was written many, many decades ago that was a very handsome sum of money. Today it does not get you very far. So at the end of day we had to balance the budget.

Some of my greatest allies as Governor were Democrats. Some people who fought me the hardest on certain issues were Republicans. But we had to work through that.

I would ask my colleague from Nebraska, does she ever remember a time in the 8 years she was a Nebraska senator where she was in a meeting where her Republican colleagues said to her: Let's figure out a way to silence the minority and get our way on every vote because we have the majority. We could win every vote if we do that. Let's figure out a way to break the rules so we can change the rules so this minority means nothing anymore in this legislative body when it comes to these issues.

I ask my colleague from Nebraska, did that ever happen?

Mrs. FISCHER. Madam President, the people of Nebraska would never stand for that to happen in our State. As I said, we are very proud of our unicameral system and how we are able to work together. Of course, we know who is a Republican and who is a Democrat in the Nebraska legislature. But as I said, we are able to cross that aisle, which does not exist in Nebraska, by the way. We do not sit separate from each other. We are able to reach out and work together. We have this system that is so open and so transparent. We work with the Governor—or perhaps in Senator JOHANNIS' case not work with the Governor—on the issues. But we are able to have that dialog with our chief executive. We are able to have that dialog with each other.

We have a committee process where every bill that is introduced has a public hearing. Any person can walk into the hearing room and come forward and testify before a legislative committee in the State of Nebraska. Senators then have the opportunity to ask questions to be able to gain more information, not just from people who are invited to come and sit on a panel before a legislative hearing but from citizens who step forward and are willing to take that time away from their jobs, their families. Some may have to travel a great distance since we are a very big State in order to get to the capital to be at a hearing and express their views. I believe in most cases—at least in my experience—every individual who would come before a legislative hearing in the State of Nebraska was treated with respect, whether they agreed with a majority of the members on the committee or they had a disagreement.

It is a respect for those views that are different from your own that I believe is so very valuable as a legislator, to be able to hear, to be able to question.

That is why it truly saddens me that we are seeing a rules change here in the Senate, where I believe the views of the minority will no longer be considered.

It has been my experience here so far that I have been able to have meetings with nominees, nominees who are coming before the committees that I sit on to be confirmed. They come to my office. I am able to ask them questions. I am able to express to them the concerns I have heard from the people in my State and hopefully get answers from them. It does give us an opportunity to establish a relationship where we are going to be able to work together in the future but, more importantly, it gives me the opportunity, as the Senator from Nebraska who happens to be in the minority, to have that chance to question the nominee for Commerce Secretary. With the rules change, now that requires 51 votes, and even as a committee member, those nominees do not even have to come and introduce themselves to me.

That is not fair. It is not fair to the people of my State because every State citizen needs to be represented here in the Senate. That is what is so very—or what used to be so very special about this body.

You look through history—I know Senator JOHANNIS is a great student of history—you look through history and you read about the debates that happened on the Senate floor. I remember earlier this year when we were all in the Old Senate Chamber and we got to experience that feeling of being open and honest with our colleagues, without the cameras going, and truly being able to air some grievances. I thought

that was helpful. It was a very moving experience for me as a new Senator to be there. But I think perhaps the Senator would agree with me that we have lost that spirit of the Old Senate Chamber and of the Senate Chamber in which we are standing.

Mr. JOHANNIS. Madam President, I remember that night well. It occurred just some months ago. The nuclear option was being threatened. Many had worked very hard to avoid that.

Keep in mind that the nuclear option was not just discovered this year or last year; Senators have known of the nuclear option for a long time. We have been down this road before when Republicans were in the majority. Fortunately and wisely, they backed off. A group of I think 14 Senators got together and said: You know, we have to figure out a way to deal with this. And they did. They got a lot of criticism. I remember that. I remember the criticism was that they caved in, they gave in, they compromised, and that they should not have compromised and all of the things that you hear. But at the end of the day, leadership backed off of doing exactly what happened here right before Thanksgiving.

Well, that night we went into the Old Senate Chamber. Anybody who has ever visited that room, you walk in and you feel the history of that place immediately. Some of the great Senators in our Nation's history have spent time in that room arguing for the great causes of the day. It is a remarkable place. The doors were closed. There was no staff in the room. There was no media in the room. There were no cameras recording everything we were saying. This was a meeting of the Senators who were there to try to figure out whether there was a way forward.

I will not talk about the specifics of who said what to whom on this, that, and the other, but I will tell you about the atmosphere. I felt the atmosphere was extremely tense and uncomfortable, especially at the start of the meeting. We were really hopelessly divided on the issues we were facing. But the conversation began. People started making points on all sides of these issues.

In the context of that meeting and some things that had happened previously, a picture started to come together. The picture was that we had agreed as Senators—most of us, not all of us; some had disagreement with what we were doing—that there were certain executive branch appointees that, if there was no objection from any Senator, could move forward through the process really unimpeded. If a single Senator had an objection and said: Wait a second, I have had a dealing with this person, or whatever, that is very problematic, well then they have to go through the whole process. But we set aside hundreds of executive branch appointees. We said:

Look, there is no good reason to force them through this process when there is no objection. Democrats, Republicans, and Independents shook hands on that, and that became the way we operate today.

Another piece of the context was that there was discussion about some things we could do with the rules. At this very lengthy night meeting, like gentlemen and gentlewomen, we shook hands and we had a way forward. It took a while to develop it. It took a while after the meeting to flesh it out. There was give-and-take. Some were concerned that it did not embody what we agreed upon. I personally thought we gave too much on our side, but at the end of the day I thought it made sense as a way forward to avoid the nuclear option. We reached an agreement. As I said, we shook hands. That put the issue to bed.

As I would talk to my colleagues on the other side of the aisle, we would say to each other: You know, that was a good meeting. It has only happened twice since I have been here—once on the START treaty and once on this. We congratulated each other for finding that way forward.

But then we started to hear just a couple of weeks ago that the agreement was not holding, not because either side had violated it but because all of a sudden the majority, led by Senator REID, decided they wanted to revisit this whole issue. I felt we had put the nuclear option in a lockbox, locked it up, and thrown away the key. I felt we had come to an agreement as a Senate that the damage to our Nation and its citizens in employing the nuclear option was too great a price to pay. That is what I came out of that meeting believing. That is what I continued to believe as I talked to my colleagues on the Democratic side of the aisle.

So what happened? If the agreement was not violated, if people were living by the agreement and a whole host of nominees had gone through the process, some of whom I did not like a bit but they got the votes necessary—they were confirmed, they had gone through the process. So what was different about a couple of weeks ago versus when we walked out of that meeting that evening? Well, I would ask my colleague's thought on that, but I think I know what that was about. I am going to continue to talk about this in the days ahead as we talk about this nuclear option and what it is doing to our country.

What happened is this: ObamaCare started to roll out. I remember the day ObamaCare passed. As I said last night, I was sitting in a chair right in front of Senator FISCHER. It was my first couple of years here in the Senate. What happened before Thanksgiving in the breaking of the rules to change the rules reminded me exactly of what happened with ObamaCare. The Democrats

had the votes. It was a very unusual time in our Nation's history. They had 60 Senators and they had the majority in the House and they had the Presidency. Under the rules, they could stop debate and pass anything they wanted to pass. That Christmas Eve day, I remember feeling, as a member of the minority, I was told to sit down and shut up because my viewpoint on ObamaCare meant nothing. What mattered that day was raw, sheer political power. They had the 60 votes. I sat there during the rollcall vote. I heard every Democrat vote for one of the worst pieces of policy ever passed by this body. I felt that day as though I was told to sit down and shut up.

Then a couple of weeks ago, when ObamaCare was literally melting down before our eyes, people were being thrown off their insurance plan, they were beginning to realize what the cost of this was going to be, and they were beginning to realize that the promise that "if you like your plan, you can keep your plan, period" was a political gimmick. It was a lie. They were being thrown off their plans, and they could not even get on the Web site. All of a sudden, our colleagues on the other side of the aisle began to realize their jobs were at stake. Their numbers were crashing. All of a sudden, after we shook hands like gentlemen and gentlewomen after a very tense meeting and we implemented what people agreed would be implemented, we came back to revisit the nuclear option.

I would like to offer one additional thought about what this means. The rules of the Senate have been changed on occasion. It is not something we do very often around here, but on occasion they have been changed. The rules contemplate a way to change the rules: Two-thirds of the Senators have to agree to the rules change.

How did this come about? Let me explain that. The majority leader asked for a ruling of the Chair. Basically, the ruling got to the question of how many votes it takes to confirm somebody. That ruling was properly decided. The majority leader announced: I want to appeal that ruling.

That ruling was, in fact, appealed. How does one successfully appeal a ruling of the Chair with the majority vote, and that is exactly what happened. The Democrats fell in line, and I had the same feeling that day before Thanksgiving that I had on that Christmas Eve Day when ObamaCare was passed. The feeling I had, as a Member of the minority, was that every single Member sitting in those chairs, the majority, the Democrats, were saying to my colleagues and me: Sit down and shut up.

I said last night that I have a tremendous amount of respect for a man who served here for many years with great distinction, admired by everybody. I got to know him a little bit as

he had not passed when I came to the Senate. Senator Robert Byrd was probably the finest historian of the Senate, maybe ever. He would come to the floor and talk about the beautiful history of the Senate, this institution, and the sacred rights of every single Senator to come to the floor, argue, make their point, and offer an amendment.

Under the rules, the amendment doesn't even have to be germane to get a vote on it.

This beautiful institution worked for over 200 years under that rule, under that philosophy. Unbelievable.

It worked through wars, it worked through the 1918 flu pandemic. It worked through attacks on our Nation, 9/11, and Pearl Harbor.

Somehow, some way, great men and women came into this Chamber and figured out a way to make this body work until 2 weeks ago, when by sheer political force the majority pulled out of Pandora's box the nuclear option.

I ask my colleague from Nebraska to offer her thoughts as a new Member. I look forward, as the senior Senator from Nebraska, to watching the junior Senator from Nebraska.

I am not running again. What impact is this going to have? How does the Senator implement the desires, wishes, and dreams of Nebraskans who elected the Senator and sent her to Washington under circumstances such as this?

Does the Senator worry that what is going to happen will not just stop; that it will be Supreme Court appointments at some point and it will be legislative activity. I wish to hear those thoughts.

Mrs. FISCHER. In watching the Senate before I arrived and in studying the Senate throughout history, the beauty of this body has been the individual rights of every single Senator.

With the change we have seen, I believe those rights are diminished, which translates into the people who live in States that are represented by the minority will not be heard in this body.

I have been surprised, I have been shocked, and I have been hurt by comments from the majority, where I am referred to as an obstructionist, where my colleagues on this side of the aisle are referred to as extremists, anarchists.

I don't even know how to respond to the question of the Senator because nothing could be further from the truth. How I view this body is as one that should have an agenda. We should have Members on the floor participating in debates on bills following an agenda and taking votes, but we don't see that.

Instead, we see the two of us and our friend and colleague, the Presiding Officer, speaking to an empty Chamber, speaking to the TV cameras. That is not the way the Senate is supposed to operate. We are supposed to be doing the people's work.

I say to the Senator I don't know what we are obstructing, because as a member of the Armed Services Committee, we passed the National Defense Authorization Act out of committee in May. We passed that out of committee in May. We could have taken it up in June. We could have taken it up in July, September, and October. Instead, we seem to be in this crisis management mode in one of the greatest bodies in the world. That makes no sense.

I am ready to do the work, but until these bills appear on the agenda, how do we do the work? Why do we wait until we have a few days left in the year to take on what I believe is our most sacred responsibility, the defense of this country, our national security, our military men and women, our veterans.

The committee passed out a great bill in a bipartisan vote. It has passed in the Senate for the past 50 or 51 years. Yet we are against a time limit that was manufactured.

As I said, the bill came out in May. Why wasn't it on the agenda? Why can't we have amendments to it—very important amendments.

I happen to have a good amendment with Senator CLAIRE McCASKILL, a Democrat from Missouri, and Senator KELLY AYOTTE, a Republican from New Hampshire, that we believe makes the provisions in our committee bill dealing with sexual assault even better, even stronger, that will protect victims. We are not allowed to have that amendment.

Again, that is a foreign concept to me, as a Senator, not being allowed to have an amendment on a bill that should have been brought up on the floor months ago so we could have had a debate on this truly No. 1 priority of our country. Instead we have crisis management.

I don't know about the Senator from Nebraska, but I don't respond well to crisis management. I like to have time to make wise decisions, to have major discussions, to gather information, to represent our constituents, to represent the American people.

The American people demand more. They demand us to be better. I can't even imagine what folks think when they know we are speaking to an empty Chamber, when we should be talking about the big issues of the day, when we should be talking about the National Defense Authorization Act, when we should be talking about sexual assault in the military, when we should be talking about how are we going to make sure our military men and women have the resources they need to keep them safe so they can return to their families and return to their families whole.

We should be talking about Iran. We should be talking about Benghazi, but we are not because we are not allowed to have that legislation before us.

As a new Senator, I can tell the Senator I am very frustrated. I know when the Senator is back in the State he hears, as I do, that the people of Nebraska are frustrated as well. I believe they reflect the views of the people of this country. They expect more from us. They expect us to be better. They expect us to do our job.

How can we do our job when we are not allowed to vote on legislation that addresses the truly pressing issues of our day?

I say to my colleagues on the other side of the aisle, yes, I am frustrated. I am upset. I am angry that I am not able to represent the people of my State by taking a vote, by taking a vote on amendments that all Senators feel are important as well. It is not only Republicans offering amendments that don't get heard, it is Democrats as well.

I would imagine the Presiding Officer is very frustrated. This has to change. I don't know how long it has been going on, but we can change this. We can change this by having an agenda that works, an agenda that brings bills up by a leader who is going to have an open amendment process.

Instead of us coming to the floor and addressing a camera, we need to be able to debate each other and have our voices heard because we are representing those voices back home. They expect that.

We need to do this. Maybe I am naive, but I think we can do it. I think we can still come together and be able to work together. Sometimes we hear the terms "obstructionist," "extremist," and "anarchist." Enough of that.

It is not only Republicans who are demanding their rights and who are exercising their rights. I know we have Democratic colleagues who have put holds on nominations. They are not obstructionist. They are not extremist. They are exercising their rights as Members of the Senate. They are exercising their rights to have questions from their constituents answered.

I will defend their rights to put holds on nominations until they get those questions answered.

We don't always hear about that though. We don't hear that it is all of us in the Senate who have that duty to make sure we can have our constituents' concerns answered; so we can have a project in our State that is being held up for one reason or another addressed; so we can bring forward a question—from our Governor or our State or our State legislature—that an agency has not addressed in a timely manner, and where we as Senators can push a little harder to get an answer from a nominee or an agency. That is checks and balances. That is a balanced government. That is transparency. That is accountability.

It is not allowing the executive branch to get everything they want. None of us gets everything we want.

Senator JOHANNNS made the comment that as Governor it is give and take. As a State senator I can tell you I had to compromise on bills that I thought were great the way I had them drafted, but you need to compromise with your colleagues, with the Governor, and with the President, in order to truly represent all the people in this country.

I am sorry to say this country is polarized. This country is polarized and the Senate is polarized. If we could show some leadership here—if we can take on these hard issues, make tough decisions, and make hard choices—then we would be good examples to our country and we would have a brighter future. We need to show some leadership. We were elected to make these hard choices for the American people so that we can go forward.

With that, Mr. President, I yield the floor so that my colleague has time to address issues before us.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from Nebraska.

Mr. JOHANNNS. I thank my colleague for being with me for this colloquy. I appreciate so much the legislative experience Senator FISCHER brings to this body. It is very extensive. She was regarded as the leader in the Nebraska unicameral and chaired an extremely important committee. She would be too modest to point this out, but at the time when our road system needed funding, she figured out a way not only to identify funding—and not by raising taxes but by better efficiency and better management, and it was a significant amount of funding—but she then built the coalitions necessary to actually get that passed. Back home, today, that is getting rave reviews. So I thank her for that because I drive on those roads and I know she does too.

My colleague mentioned the Defense bill, and nothing could be a better example of what we are dealing with here. This bill came out of the Armed Services Committee, which has a reputation for being one of the most bipartisan committees in the whole Senate system. It is not about Republicans and Democrats on that committee, for a whole host of reasons. One is there is just great leadership on that committee, and there has been great leadership in the past, but the focus is on the national defense of our United States and our allies.

For 50-some years we have passed a Defense authorization bill. It is one of the things, even when nothing else could get done, that we would get done. The hallmark of that is that it is a very open process. The bill comes out of committee—this one came out in May—and the amendment process starts, and we might go days working our way through that bill. It is very normal. It is very much a part of the process. At the end of it, typically that bill is passed with very strong bipartisan support.

What has happened that we would get a bill in May that has bipartisan support in this committee, it comes out of the committee ready for floor action, and we can't get to that bill except right before the holidays? We all know who controls the floor. Democrats control the floor. They are in the majority. The majority leader, through the election by Democrats, controls the floor. So it feels to me as though we are saying to our United States military: You are not important enough that we would give you 2 or 3 weeks in June or July, September or October to work through this huge package of spending. In fact, we are going to relegate you to the last hours before the Christmas break. Then the majority leader is going to say to those of us in the minority: By the way, I will pick your amendments. I think some of these amendments are pretty tough amendments for my people to vote on, so I will pick the amendments.

So what has happened to the right of every individual Senator to come to the floor of the Senate and offer their idea on a piece of legislation or, for that matter, any other important issue facing our United States?

This is like sending a message to the military from the Democrat majority that says: Look, you are important enough to get a few hours before we break, and we all go back and enjoy a big ham dinner for Christmas, and we open our presents while you are off fighting in Afghanistan or wherever you have been ordered to serve.

I don't think that is right. There isn't any reason why this bill can't get done. It has been done for 50-some years. What is so tough about it? There isn't any reason why this bill can't get called up in the summer. There isn't any reason why we can't deal with this bill in June. It came out of committee in May. There isn't any reason why we can't use these months leading up to now—the end of the year—to pass this bill.

There are few guarantees in the Senate these days, but one guarantee I can make is that if you allow this Defense authorization bill to go through the regular process, allow Senators to offer their amendments, come to the floor, debate their amendments, and pass or not pass those amendments, at the end of the day that bill will pass.

Instead, what has happened is the bill is put on the floor right before a holiday break and the majority leader says: I will decide whose amendments are going to get heard. I will be the one picking the amendments, and we have to get this done. If you don't agree with the way I want to do things around here, then you are an obstructionist, you are an anarchist.

Wait a second. I should have a say about that bill. It authorizes billions and billions of dollars. I should be able to go home to Nebraskans and say that

I gave my best effort with an amendment that I supported or sponsored or whatever, and at the end of the day I won or I lost. After all, that is what they elected me to do.

It is not just what happened with the nuclear option, it is the way this Senate is being operated by those who are in the majority—Democrats. Never in the history of this institution has a leader filled the amendment tree, which is a fancy Washington way of saying I'm taking away the amendments from the minority, more times far and away than any other majority leader. When he does that, when he takes away the right to amend, he silences the minority because we don't control what comes to the floor. We are not in the majority. We don't control when a bill is going to be heard. We are not in the majority. So the only thing we can do as a minority is offer an amendment and plead our case.

Senator FISCHER mentioned a perfect example of the point I am trying to make. She says that she and others, on a bipartisan basis, have an amendment on sexual assaults, which we know is a very serious problem. Now, some might find this surprising, but I want her amendment to go further. I don't think it goes far enough. I don't think she would mind me saying that. I signed on to an amendment offered by Senator GILLIBRAND. I was one of the early ones to sign on. It is a bipartisan amendment, and it has over 50 cosponsors. That is the amendment I want.

I think this is an important issue. I see these young men and women come to my office, and they are proud as proud can be. They have just signed up or they want to go to the military academy, and it breaks my heart to think they may be subjected to sexual assault in the military. I believe we can't be tough enough. I believe we can't work hard enough to create an atmosphere that is so inhospitable to the sexual offender that they would never think of being in the military. I want to go as far as we can and I want to argue that point. I believe there will be Nebraskans that will agree with me and perhaps disagree with me. Why shouldn't we have that bill on the floor?

The PRESIDING OFFICER. All postcloture time has expired.

The question is, Will the Senate advise and consent to the nomination of Elizabeth A. Wolford, of New York, to be United States District Judge for the Western District of New York?

Mr. JOHANNIS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The result was announced—yeas 70, nays 29, as follows:

[Rollcall Vote No. 260 Ex.]

YEAS—70

Ayotte	Graham	Murphy
Baldwin	Grassley	Murray
Barrasso	Hagan	Nelson
Baucus	Harkin	Portman
Bennet	Hatch	Pryor
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Reid
Boxer	Heller	Rockefeller
Brown	Hirono	Sanders
Burr	Johnson (SD)	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Stabenow
Casey	Landrieu	Tester
Coburn	Leahy	Thune
Collins	Levin	Udall (CO)
Coons	Manchin	Udall (NM)
Corker	Markey	Warner
Donnelly	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Flake	Mikulski	Wyden
Franken	Moran	
Gillibrand	Murkowski	

NAYS—29

Alexander	Enzi	Paul
Barrasso	Fischer	Risch
Blunt	Hoeven	Roberts
Boozman	Inhofe	Rubio
Chambliss	Isakson	Scott
Coats	Johanns	Sessions
Cochran	Johnson (WI)	Shelby
Cornyn	Lee	Toomey
Crapo	McCain	Vitter
Cruz	McConnell	

NOT VOTING—1

Kirk

The nomination was confirmed.

The PRESIDING OFFICER. The nomination is confirmed.

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to report the motion to invoke cloture.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Landya B. McCafferty, of New Hampshire, to be United States District Judge for the District of New Hampshire.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

QUORUM CALL

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair now directs the clerk to call the roll to ascertain the presence of a quorum.

The assistant legislative clerk proceeded to call the roll and the fol-

lowing Senators entered the Chamber and answered to their names:

[Quorum No. 7]

Ayotte	Feinstein	Mikulski
Baldwin	Franken	Moran
Barrasso	Graham	Murphy
Baucus	Grassley	Murray
Bennet	Harkin	Nelson
Blunt	Hatch	Paul
Booker	Heitkamp	Portman
Boozman	Heller	Pryor
Boxer	Hirono	Reid
Brown	Hoeven	Roberts
Burr	Inhofe	Rockefeller
Cantwell	Johanns	Sanders
Cardin	Johnson (SD)	Schumer
Carper	Kaine	Sessions
Casey	King	Shaheen
Chambliss	Klobuchar	Shelby
Coats	Landrieu	Stabenow
Coburn	Leahy	Tester
Coons	Levin	Thune
Corker	Manchin	Warner
Cornyn	Markey	Warren
Crapo	McCain	Whitehouse
Cruz	McConnell	Wicker
Durbin	Menendez	
Enzi	Merkley	

The PRESIDING OFFICER. A quorum is present.

The question is, Is it the sense of the Senate that debate on the nomination of Landya B. McCafferty, of New Hampshire, to be United States District Judge for the District of New Hampshire, shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. HATCH (when his name was called.) "Present."

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 58, nays 40, as follows:

[Rollcall Vote No. 261 Ex.]

YEAS—58

Ayotte	Hagan	Murray
Baldwin	Harkin	Nelson
Baucus	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Booker	Kaine	Sanders
Boxer	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Manchin	Udall (CO)
Collins	Markey	Udall (NM)
Coons	McCaskill	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murkowski	
Gillibrand	Murphy	

NAYS—40

Alexander	Crapo	Johanns
Barrasso	Cruz	Johnson (WI)
Blunt	Enzi	Lee
Boozman	Fischer	McCain
Burr	Flake	McConnell
Chambliss	Graham	Moran
Coats	Grassley	Paul
Coburn	Heller	Portman
Cochran	Hoeven	Risch
Corker	Inhofe	Roberts
Cornyn	Isakson	Rubio

Scott
Sessions
Shelby

Thune
Toomey
Vitter

Wicker

ANSWERED "PRESENT"—1

Hatch

NOT VOTING—1

Kirk

The PRESIDING OFFICER. On this vote, the yeas are 58, the nays are 40, and one Senator responded "Present."

The motion is agreed to.

NOMINATION OF LANDYA B. MCCAFFERTY TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW HAMPSHIRE

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Landya B. McCafferty, of New Hampshire, to be United States District Judge for the District of New Hampshire.

The majority leader is recognized.

Mr. REID. On behalf of the majority, I yield back 57½ minutes.

The PRESIDING OFFICER. Pursuant to the provisions of S. Res. 15 of the 113th Congress, there will now be up to 2 hours of postcloture consideration of the nomination equally divided in the usual form.

The Senator from New York.

UNANIMOUS CONSENT AGREEMENT—H.R. 3548

Mr. SCHUMER. Mr. President, as if in legislative session, I ask unanimous consent that if the Senate receives H.R. 3548 from the House of Representatives and the bill is identical to S. 1689, as introduced, then the bill be considered as having been read three times and passed; and that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I wish to thank my colleagues, in the Christmas spirit, despite these contentious times, for letting this bill move forward. Let me just briefly explain.

On Christmas Eve, 2012, nearly one year ago today, the 125-member West Webster Volunteer Fire Association—a volunteer fire department outside of Rochester—faced an unimaginable tragedy when four of their brave members were wounded, two fatally, when they responded to a fire but in instead faced an ambush of unspeakable proportions.

While many of our families across our Nation were waking up last Christmas Eve morning preparing Christmas dinner, shopping, wrapping presents or picking up family from the airport, four families in Webster, NY, were instead confronting a heart-wrenching tragedy.

The call of a house on fire came in to the West Webster Fire Department at

5:30 a.m. that morning, December 24. It was a cold, snowy morning, still dark, but the everyday heroes from the West Webster Fire Department courageously did what they volunteered to do on behalf of their neighbors and on behalf of their hometowns. They left their homes and their families to put out a fire.

Instead, this routine call turned into a tragedy which shocked this community and people throughout the country and even the world. What they didn't know was that the fire was intentionally set by the home's owner in order to lure these innocent firefighters into a senseless sniper ambush. The sniper was hiding behind a berm amid the chaos of the fire and began shooting at the responding firefighters.

The firefighters were confused at first to hear popping sounds; they thought it might be the fire, but Lieutenant Mike Chiapperini, who was also a Webster police officer, knew better and shouted to his fellow volunteers to take cover, but it was too late.

Firefighter Hofstetter was shot in the pelvis while trying to alert dispatchers on the radio to the situation.

Ted Scardino was shot in the shoulder, and 5 minutes later shot in the leg. A 16-year volunteer lay there bleeding for an hour, enduring the December cold while sustaining second-degree burns on his head.

Lieutenant Chiapperini and firefighter Kaczowka both died in the ambush.

As news of this horrific senseless Christmas Eve tragedy spread, well meaning people from Rochester, New York State, the Nation, and the world reached out to the West Webster Fire Association to offer their support and prayers.

Not realizing that collecting and distributing the funds to the family would jeopardize the association's tax exempt status with the IRS, the association accepted donations from generous people all around the Nation wanting to help the poor families who suffered so on that day. They collected these donations for the victims and their families. They wanted to give these donations to the victims and their families. It defies reason that they would be unable to do so because of a technicality in the Tax Code.

Just as we did after 9/11 and again after a similar fire department tragedy in California, it is our obligation to make sure the West Webster Volunteer Firemen's Association can now distribute to these families the contributions their neighbors and unknown countless generous others wanted them to have. With the passage of this legislation, that will happen.

I thank my colleagues, particularly on the other side of the aisle. I know these are contentious times, and this was done truly in the Christmas spirit, and I thank them.

WOLFORD CONFIRMATION

One more brief moment. We just confirmed to the U.S. district court the first woman to serve on the Federal bench in the Western District of New York, Elizabeth Wolford. She is going to be a great judge. Ms. Wolford is right out of central casting for the role of a Federal judge. Not only will the legal community of Western New York be well served by her ascension on the bench, the entire community will benefit from her leadership, wisdom, and judgment.

It is an honor to have nominated and to now confirm Elizabeth Wolford, the first woman to represent the Western District of New York, a very distinguished bench.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I wish to speak about where we are right now. We are moving toward confirming a number of individuals with the majority deciding that the majority could do that by themselves. Apparently, they had the right to change the rules, which I guess means there really are no rules and the majority can change the rules any day they want.

What we are seeing now with the health care implementation is what happens, frankly, when one side decides they don't want to make any effort necessary to get even one other person from the other side to agree with them on moving forward with something as big as the health care legislation. That should have been an example to us, but apparently the example was the example that they, the majority, can do whatever the majority wants to do.

Let me share for a few minutes some of the things I am hearing in our office from people who are contacting us to tell us the problems they are having that they didn't anticipate.

This is a letter from Pam from Chesterfield, MO. She says: My husband and I have always played by the rules and carried insurance. I had no idea we were going to have to change plans and go to the exchange, but our provider apparently doesn't want to have individual plans any longer because it is too costly to figure out the complexities that would apply to individual plans.

Then Pam says: At least for now, my husband and I are not getting health insurance, and I guess we have to hope for the best. What a mess, she says. So much for playing by the rules. I never expected the two of us to be uninsured. But, now, she thinks that is what is likely to happen.

Jennifer, a college student from St. Louis said that she initially supported the Affordable Care Act. She worked part-time at a Home Goods store where she had what she thought were great health benefits—or at least the health benefits she wanted—and where she

could work as many hours as she wanted. But, she says, because of the health care plan, her employer reduced the maximum number of hours she could work to 24 hours.

So, she says:

My name is Jennifer, a hard-working student from St. Louis, MO, and I would like to share my emerging problems. At first I was supportive of the Patient Protection and Affordable Health Care Act. Insurance for everyone—that sounds so appealing, but now that it has affected my life in a negative way, I am not so sure I can be supportive anymore. I have worked for my employer for almost 3 years while going to school. It has been an excellent place to work until now, and now not only do I not have the health care benefits I had before, but I am not able to work as much as I was able to work before.

Carla and her husband are farmers from Oreck, MO. They farm full-time; neither of them is employed off the farm. They have two sons, one just graduated from college and just went to work; another is a junior in college. They have one full-time employee on the farm. Her family provides their own insurance. In order for them to have insurance they have had a health savings account through Humana. Their deductible is \$10,000, and they still pay a little over \$500 a month or \$6,057 a year for their family insurance. But she tells me beginning January 1, 2014, their deductible goes to \$12,600. Their premium goes to \$11,422, an 89-percent increase in a family that provides their own insurance. By the way, they provide insurance with dollars they earned and they pay taxes on, so we can add another premium to that and find out how this family, that has done all they could to have insurance for their family, now has an 89-percent increase in their insurance and a deductible they hope they never use. But if they do, it is a big problem if they use that deductible. The deductible is going to be over \$12,000.

If a family is paying \$11,000 for premiums and then they develop health care needs, they pay another \$12,000 before their insurance helps them, that is \$23,000 a year before their insurance benefits them in any way for a family that had insurance coverage that, until right now, they thought was working for them while doing all they could to have it.

Catherine from Springfield, MO, says a few weeks ago she was informed she was going to lose her health coverage because of the President's health care plan. She has been concerned that she might not be able to sign up because the Web site wasn't working. Whether the insurance costs more or not wasn't as big of a concern to her as having insurance. She says: The nightmare that is ObamaCare is going to affect us in a major way, and the stress of what is coming is affecting many people. Not only are we losing health insurance plans we liked, and possibly the doc-

tors we trust, but the new coverage is not as good and it costs us more. This is—to paraphrase the Vice President, "a big deal", she says.

Ken writes:

Dear Senator Blunt. I am writing to inform you of my recent experience with health insurance and the ACA. My wife and I make a decent income but are far from wealthy. On September 30 I received a notice that due to the ACA, my employer-sponsored health insurance plan would no longer be available. Yesterday—after worrying about this since September 30, apparently—yesterday, he continues—I discovered that my employer was able to renegotiate an early renewal and our monthly premium will only increase by 12.5 percent. However—by the way, 12.5 percent is a pretty good increase by my books except the ones that compare what is happening right now. However,

he continues,

I have been made aware that next year my plan premiums will increase by a minimum of 39 percent.

So it increased 12.5 percent this year, and they have already notified this family that their increase will be a minimum of 39 percent next year, and his deductible, according to him, will double. So reading his letter further, he says: So I guess I will not be able to keep my insurance and my costs will not decrease as the President said they would.

Carol from Republic, MO, says her monthly premiums have gone from \$600 to \$800, and the part-time jobs she and her husband both had at the local community college have actually gone down because they are not able to teach as much as they were able to teach before, because the community college has decided they can't let any of their part-time faculty work more than 30 hours. So their income went down, their expenses went up, in both cases because of the President's decisions on health care and the legislative decisions on health care in both cases. We know this has impacted the workplace, part-time workers, people holding their workforce down so they wouldn't be covered, holding their worker hours down so they wouldn't have to pay the penalty if they didn't offer insurance or offer the insurance for the first time at levels they hadn't had before.

Now we are also seeing—not only did the hours of work go down, but the cost of health insurance goes up. Surely, we can come up with a better plan than that.

Christian from St. Peter's, MO, just learned that his wife's employer will start excluding him from their family coverage and that he now has to receive insurance in some different way. It looks like he is going to be able to do that with his employer for \$1,300 more per year. This is actually the best story I have told so far—only \$1,300 that this family used to have to spend for something else, and they are now spending for health care. He says: I am

not sure who ObamaCare benefits, but it sure isn't my family.

These stories are just examples of some of the things we are hearing.

Last weekend I noticed that one of the architects of the President's health care bill, Dr. Zeke Emanuel, on Fox News to Chris Wallace, said that what the President really should have said—and this is his exact quote: "If you want to pay more for your insurance company that covers your doctor, you can do that."

I don't know what he is looking at, and some may be able to find their doctor for more money, but in our State some of the health care providers aren't on the exchange.

I read the other day that more than half of the hospitals in New Hampshire aren't on the exchange. So if your doctor happened to work for more than half of the hospitals in New Hampshire, there is no amount of money you can pay on the exchange and keep your doctor, because your doctor is no longer available through the way that you are told by the health care act that you can get insurance as an individual.

The President promised that. He said: My plan begins by covering every American. If you already like your health insurance, the only thing that will change for you under this part is the amount of money you will spend on premiums, and that will be less.

I think we are going to quickly see not only are people losing insurance, but for most people the premiums are not going to be less and the deductibles are going to be higher, not lower.

This is going to be a story that is going to affect American families as nothing the Federal Government has done in a long time, and maybe nothing the Federal Government has done ever.

If you truly want to impact the lives of families, impact their health care. Somebody told me one time: When everybody in your family is well, you have lots of problems. When somebody in your family is sick, you have one problem.

We are dealing with the one focusing problem for American families: their access to health care that they can afford with decisions they like.

I yield back.

PRAYER

The PRESIDING OFFICER. Pursuant to the order of February 29, 1960, the hour of 12 noon having arrived, the Senate having been in continuous session since yesterday, the Senate will suspend for a prayer by the Senate Chaplain.

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who gives us so much more than we deserve, when the days are dreary and the long nights weary,

we are still indebted to You for Your generous mercies. May Your blessings provide our lawmakers with the willingness to see and do Your will. Living by the principles of Your sacred revelation, may they do nothing to cause them shame. Give them respect for diverse viewpoints, open their hearts to Your love, their minds to Your truth, and their wills to Your service.

We pray in Your gracious Name. Amen.

The PRESIDING OFFICER (Mr. COONS). The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I rise to continue the discourse my esteemed colleague, the good Senator from Missouri, was engaged in on the Senate floor just a minute ago, talking about the importance—the importance—of bipartisanship as we work to craft policy for this country, policy that all Americans can support and policy that truly moves our country forward.

So whether we are considering nominations or whether we are considering legislation, we need to find ways to come together and come up with solutions that the American people support across the board in a bipartisan way. So as we consider these nominations, we have to consider the fact that now the Senate will be approving these nominations with essentially a 1-party vote, 51 votes.

Right now, the Democratic Party has the majority in the Senate, so they can put judges on the bench, confirm other nominations without any Republican support whatsoever. Of course, under that approach, at some point the reverse may very well be true, that nominees may be confirmed—whether it is judicial nominees or other types of appointments—with only Republican votes if the Republicans are in the majority without any Democratic votes. Why does that matter?

Why it matters is because, again, I go back to my earlier statement that in crafting policy, crafting laws and making appointments, nominations to the bench, we need to do it in a way where we garner broad support across the country.

More than 300 million people's lives are affected dramatically by all of these things, by who those appointees are, the offices they hold, what they do with the laws we pass. So if we are going to impact everybody in the Nation with these laws, with these appointments, we have to make sure there is input, consideration by and, if you will, from both sides of the aisle.

That is how we get the kinds of policies and we get the kinds of nominees and we get the kinds of judges and Justices that truly will have the support of people across this great country. I believe that is what we need to truly build the kind of future we want for ourselves and for our prosperity.

As we talk about nominees, we consider also implementation of the Af-

fordable Care Act. This is a huge topic of discussion in our country right now, and it is going to continue to be a huge topic of discussion. You are talking about one-fifth to one-sixth of our economy engaged in health care. So this is something that touches every single American in their daily life in a big way. It is so important we get it right.

As was the case with my esteemed colleague from the State of Missouri, he was presenting anecdotes, presenting stories, real stories, real-life stories, of people who are impacted by the Affordable Care Act and how they are impacted. It is very important we do that because we need to know how people's lives are affected by the Affordable Care Act and what we can do to make sure they have the best health care possible.

By the way, I think of hopefully building bipartisan support to get the kind of health care reform we truly need. I am going to present some of these real-life cases, as my colleague from Missouri just did, and I am going to start with one that talks about the marriage penalty created by ObamaCare, the Affordable Care Act. This is from someone in Grand Forks, ND, who writes in about the marriage penalty created by the Affordable Care Act. This citizen writes:

My husband and I met with the primary health insurance carrier in ND and were told that our current coverage, under the guidelines of the Affordable Care Act, will cost us at least another \$400 more a month, and our deductible will increase from \$2,000.00 to \$12,000.00, and because we are married, we cannot choose individual plans, which would be a much lower deductible. In essence, we are being punished for being married. We are looking at paying more than \$1500.00/month in health care, because we are only 61 years old and not eligible for Medicare for another 4 years—[that is] \$18,000 a year for health care!

We were told that part of the problem is the provisions in the law require us to choose a plan that has maternity benefits. How does this make sense for seniors to be forced to buy coverage that does not apply to them? We agree that benefits shouldn't be denied to people but it is not fair to be forced to buy coverage that does not apply.

Well, let's delve a little deeper into exactly what this individual is writing about. What is the marriage penalty that is, in fact, created by ObamaCare? Let's talk about that.

The ObamaCare tax subsidies actually create a marriage penalty. They create a disincentive for individuals who are cohabiting to become legally married. From the standpoint of marriage, the subsidies represent a hidden tax on marriage whereby married couples purchasing their coverage on the exchanges will be subsidizing similarly situated but cohabiting single adults who earn the same or more income.

In 2011, the House Oversight and Reform Committee held a hearing on the topic of ObamaCare's penalty against

marriage. But since then little has been devoted to this topic in the House or the Senate.

So how does it work? It works through the requirement of household income when calculating the ObamaCare tax subsidy.

For those persons not eligible for Medicare earning up to 400 percent of the Federal poverty level, the law entitles them to a tax subsidy in the form of a refundable credit so long as they purchase their coverage on the ObamaCare exchanges.

To calculate income, however, the law requires the reporting of household income rather than individual income. Household income includes the income of any family member residing in the household, such as a spouse, but not that of a cohabiting unmarried partner.

So when a person shops on the exchange's Web site for a plan, he or she must first provide the financial information and identity of all family members in the household, even if none of those persons intend to purchase their insurance on the exchange because that information is required to calculate subsidy eligibility.

Subsidy eligibility is then calculated using a complicated formula involving household income in relation to the poverty line, family size, and the price of plans offered through a State's marketplace.

The value of the subsidy awarded to an eligible person adjusts on a sliding scale in proportion to household income, up to 400 percent—up to 400 percent—of the Federal poverty level. Above 400 percent of the Federal poverty level, no tax credit. Right.

The marriage penalty results when a spouse's income causes an otherwise eligible individual to no longer be eligible for the subsidy and could cost a married couple in their household in excess of \$10,000 a year in lost subsidies versus two individuals who are cohabiting but not married.

So let's go through an example.

According to the Kaiser Family Foundation's health reform subsidy calculator, a 62-year-old individual in a high-cost area who earns \$46,000 a year, which is equivalent to 400 percent of the Federal poverty level, would be entitled to \$7,836 in a government tax credit. However, if that same individual earns an additional \$22 or \$46,022 a year—just over \$46,000 a year—which is now 401 percent of the Federal poverty level, they lose the entire credit. They lose the entire \$7,836 credit.

Similarly, any married couple that earns more than \$62,040—400 percent of the Federal poverty level for a family of two—earns too much to qualify for a subsidy. But that same couple if unmarried and cohabiting could earn up to \$45,960 each—or \$91,920 total—and they are still eligible for subsidies in a high-cost area such as New York State, for example.

So the limit for a married couple is just over \$62,000. OK. So for a married couple, you can earn up to \$62,040 before you lose the credit, but it is almost \$30,000 higher for two people living together who are not married. They can earn \$91,920 for an unmarried cohabiting couple. So if you have two people living together, they each get the individual exemption, which is more than \$45,000. So they can earn \$91,000-plus together—they still get the credit—but for a married couple, just over \$60,000. Mr. President, \$62,000 is the limit. So you can earn \$30,000 more if you are living together and still get the credit than you can if you are married. That is the marriage penalty. So why would we design a health care program that discourages or penalizes marriage?

Further, according to the Congressional Budget Office, the tax subsidies are projected to be the biggest deficit-increasing component of ObamaCare, and CBO estimates they will add \$100 billion to the deficit by 2018 and grow even more thereafter. By 2019, CBO estimates that about 19 million people will be receiving the subsidies to purchase their insurance through the exchanges.

As I say, I became aware of this problem when I was contacted by a North Dakota couple. I read that short vignette. We looked into it, and it is, in fact, true. This is just one of the many problems created by ObamaCare, or the Affordable Care Act, which is why Republicans have said: Look. We need to replace this with a comprehensive, step-by-step, market-based approach that truly is focused on competition and choice, that empowers individuals, empowers people across this great Nation to choose their own health care insurance and their own health care plan.

We can absolutely do that. That is why I am here on the floor and others are here on the floor continuing to talk about Americans and their everyday lives and the challenges they face because of ObamaCare.

I have more of these stories from North Dakotans, people in my State who are facing real challenges because of ObamaCare.

So often we hear: Well, wait a minute, if we are not going to do the Affordable Care Act, if you do not like the Affordable Care Act, then what is your solution?

We continue to put solutions forward, solutions such as expanded health savings accounts, which, combined with high-deductible policies, can create tremendous incentives for young people to purchase health care; more competition across State lines, which can help give citizens more choice and reduce costs; tort reform, which can help bring down cost; reforming Medicare to create the right incentives; giving States more control over Medicaid. The list goes on. We

will continue to advocate for those types of solutions—real solutions that empower Americans to choose their own health care insurance and their own health care providers.

Let me read some more letters from North Dakotans who talk about the challenges they are facing because of ObamaCare, the Affordable Care Act.

This individual from Hankinson writes:

I am writing about the health care mess ObamaCare is creating. I am a retired teacher running a daycare with my wife. Hence, I am self-employed. I buy my own health care through Medica. Under the new ObamaCare rules, my monthly premium is going from \$302 to over \$500 per month.

I am 58 years old, not on any medications and have no illnesses. Because of this forced health care, I am supposed to pay a 60-percent increase in health care coverage. If I drop my health care coverage, the government will hunt me down and fine me. Please stop this ObamaCare boondoggle.

From Harvey, ND, a disgruntled grandpa who has to pay for maternity care:

The Affordable Care Act is an excellent example of an oxymoron. Since the Affordable Care Act was passed, my insurance rate has escalated an additional \$4,000 per year, not the \$2,500 reduction that President Obama speculated. I have yet to find anyone whose health care costs have declined. Oh, yes. I just received my cancellation notice from Blue Cross Blue Shield. Thank you very much. I was happy with my Blue Cross Blue Shield plan. I had a low deductible, prescription and hospital coverage, everything that I needed.

Now, as a grandfather, I will be paying for maternity, pediatric dentistry, contraception, drug, alcohol recovery, et cetera. The government has bloated my policy with useless fluff so my premiums will support others' subsidized policies.

The President said, "If you like your health care plan you can keep it. Period." The truth is, if you can't afford health insurance, you can afford ObamaCare if someone else pays the premium for you. Also all of these years I have paid taxes on things that I possess or purchase. Please explain why I have to pay a tax if I choose not to purchase ObamaCare.

From Fargo, ND, a retired couple faced with canceling their own wellness center membership to pay for ObamaCare. This individual writes:

Last week Blue Cross Blue Shield of North Dakota sent my wife and I a letter stating that the health insurance coverage we carry is no longer acceptable or allowable under the new health care law. It was a health insurance package that we had selected after retiring from the field of education 2 years ago. It was a great package for us since we are both in good health. It offers us lower premiums, a higher deductible, which, by the way, we wanted, and more than adequate coverage for us.

Now, we have to look at other more expensive health care packages which we do not want, some of which will include wellness center coverage. Well, we go to a wellness center here in Fargo, pay for it ourselves, and it costs us considerably less than any of the new packages that include it.

So if I have this right, the following needs to take place for us. 1. We can no longer keep

our present insurance that we wanted to begin with. 2. We can, however, select another package that will cost us, at the very least, an additional \$1,800 in premiums per year. Remember, this is being paid for out of our retirement check. 3. The plans include a wellness center option, which we currently have at our own expense at a cost of \$600 a year.

So based on the law's requirements, it will cost us another \$1,200 if we discount our current \$600 wellness cost over and above what we now pay. All of this for insurance we do not want. There is an old saying from our neck of the woods: If you want something screwed up, give it to the government. Sorry, but this new law makes that old saying prophetic.

From Bottineau, ND, a couple faces cancer treatment and tripling costs with ObamaCare. This individual writes:

Here is my story on ObamaCare. I have a Blue Cross Blue Shield policy that I have had for many years.

In 2008 my wife was diagnosed with a very aggressive breast cancer. We did all of the treatments, surgeries, et cetera. The insurance paid all but the deductible and the coinsurance, just as it was supposed to. We had no problems. Our deductible has been \$500, with an 80/20 copay up to an out-of-pocket maximum of \$5,000.

Now my wife's cancer has reoccurred and we are starting all over. On the Affordable Care Act policy, to keep my premium close to what we have had, our deductible will be \$4,000 each, and our out-of-pocket maximum will be \$12,500 per year. By the way, the premium will be over \$1,200 per month, an increase of over 140 percent. That is not affordable care.

So which policy is more substandard? A retired couple from Fargo, ND, writes:

Upon visiting with my Blue Cross Blue Shield rep, he informed me that our present affordable plans—we currently have two single plans, one for each of us—will no longer exist under the Affordable Care Act. We will have to switch over to Blue Direct, which does not allow single plans, but family plans only. This will then force us to pay \$1,200 per month, or \$14,400 per year, compared to our present cost of \$6,000 per year.

Let me repeat that.

This will then force us to pay \$1,200 a month or \$14,400 per year compared to our present cost of \$6,000 per year. What sense does that make? Why do I want to give up a plan that is one I selected for us, and is very affordable, and change it over for one that will cost us another \$8,400 per year? I can definitely see where this is headed. It will send both my wife and I back to the workforce to be able to pay for a health insurance policy that we do not want.

So why can't I keep my health insurance policy that I already have? I like it. I want to keep it. But Uncle Sam says no. Why? I understand the need to take care of those who do not have insurance and cannot get insurance for medical reasons. But why take away from millions of us that do have insurance and want to keep it?

You have seen that in the numbers, right? I believe Secretary of Health and Human Services Kathleen Sebelius testified in front of the House either yesterday or the day before and indicated that there are something like 360-some-

thousand signups for ObamaCare. But the statistics are in the range of 4 to 5 million as far as the number of policies that have been reported as canceled so far since ObamaCare came into effect. These are the real stories behind those statistics. These are the real-life stories of people who have been impacted behind these statistics.

From Bismarck, ND, a young working family has seen their costs skyrocket.

Dear Senator Hoeven, I am a young pharmacist in Bismarck who graduated from North Dakota State University in 2011. I have the job I have always wanted, although it is with a small pharmacy, so my employer cannot afford health insurance for the seven employees who work there. So my family and I went out and did the responsible thing: Qualified medically, back when you had to, and bought what I thought was the perfect health insurance plan.

For the whole family, it was this easy. High deductible. No coverage except preventive, until we paid \$2,500 per person or \$5,000 per family. My premium started out at an amazing \$666 a month in 2011, went up a few dollars in 2012, and increased by 12 percent in 2013 to \$762.30 a month. Still quite affordable.

This year we had our third child, along with experiencing some health issues with one of our other children. My wife obviously met her \$2,500 maximum and ended up needing surgery and nearly died from complications, and spent a couple of nights in the hospital. My insurance worked just like it was meant to. That meant that \$7,000 was paid 100 percent. As of now, we have only paid \$4,100 in out-of-pocket costs. I think that is pretty darn good coverage for that premium.

My policy does not qualify for the new Affordable Care Act regulations. So it will end at the end of April, according to Blue Cross Blue Shield. Fine. Whatever. But what really upsets me is that my current coverage, which assumes a lot of responsibility on myself, falls into the "gold" category on the ObamaCare exchange based on the maximum out-of-pocket limits.

We are a young, generally healthy family. I do not need to save nickels and dimes throughout the year to cover copays and whatnot. I need a responsible limit that I know I am not going to spend over. On the exchange, if I match my same premium, then I end up with a maximum out-of-pocket limit of \$12,700—\$12,700. How affordable is that?

If I want a plan similar to the plan I have now, then I have to spend over \$900 a month, or \$150 a month more. That is \$2,000 per year more for coverage I do not like. This is very frustrating. Please fix this mess.

From Kensal, ND, this is from a family who is unable to afford the rising premiums.

I just got an insurance letter that said my family's monthly premium was going from \$385 to \$840 per month. I cannot afford that and keep the heat on this winter. That represents over half of my take-home pay. I am now thinking that I will have to get divorced just to keep my health insurance for my three children and my wife. Keep the government shut down forever if this is how you want to treat the hard-working class.

From Donnybrook, ND, self-employed family business owners see rising costs. They write:

My husband and I farm and have three children, ages 4, 2, and 7 months old. Because we are self-employed, we carry our own health insurance. Last week we received notice that our premium will be increasing by 43% due to the Affordable Care Act. We will also be losing the freedom to cater our health plan to meet our individual needs. We are very healthy non-smokers, and our children have yet to see a physician for anything more than a well-child check-up. Our health history is spotless. Our previous premiums were anything but "cheap," making this 43% premium increase unbelievable [to us, and unaffordable].

From Argusville, ND, self-employed face canceled policy. They state:

About a year ago, my husband left his job and started his own computer software consulting company. Contrary to what we have been led to believe, we were able to find affordable insurance for our family. We have three children under 18. We found a family policy for about \$480/month. This past year (2013), it was moderately increased to about \$520/month, which we thought was a reasonable increase. We were very happy with the insurance.

However, today, I received a letter stating that due to the new healthcare law, our insurance premium for the next year would go up to \$918.21.

They are going from \$520 a month to \$918.21 a month.

Continuing:

This means we are facing a \$400/month increase in our insurance premium. This amounts to a \$4,800 tax increase for our family. We are a middle income/small business-owning family. This is an outrageous intrusion by the Federal Government into an area that it had no business going. It WAS possible for the self-employed to get their own insurance. There WAS a safety net through state and Federal programs for people who couldn't get insurance. The Affordable Care Act is not affordable, and was not ever necessary.

What we are seeing is people in all different walks of life in different situations, some working for themselves, some working for small businesses, some working for large companies, some retired, some with kids, and some elderly, but what is the consistent theme? What is the consistent theme? Higher costs, less choice, and not being able to get policies that fit their needs because of this standardization.

From Enderlin, ND, small business loses employee coverage. This constituent writes:

My husband is a Veterinarian who has been in practice for over 40 years. We have 5 employees for which we provide the best health coverage that money can buy. We pay all their premiums. Last week, we received a cancellation letter from the insurance company. We believed President Obama when he said that because we had insurance for our employees, and because we have less than 50 employees, we could keep our insurance. At no time did we receive information by letter or email or on the Internet about the fact that if you changed anything in your policy you would not be grandfathered in. We had one person retire, hired a new employee, and an employee's husband came onto the policy, changing the deductible, which has meant that we have now lost our insurance. This will mean a much larger premium! We work!

We are not happy about this situation. The President lied! This will mean no raises and we will not be able to hire anyone.

Park River, ND, rising costs for the young invincibles.

Our family has had health insurance all of our adult lives. My son, aged 28, also had his own health insurance with Blue Cross Blue Shield of ND. He is single. His policy was cancelled because of ObamaCare. His premiums are now tripled and his deductible will be over \$6,400.00. That is unacceptable. No person can afford to pay a \$6,400 deductible. If he fell into the poverty level to be eligible for the tax subsidy, then he could get better coverage for less money under this law. That is also unacceptable. We all have worked to afford health insurance on our own . . . and now it is not affordable, nor are the deductibles affordable. He was happy with his own policy, one that he could afford, and with better coverage for him. And now the government is mandating what he can afford. How is this acceptable?

I have one more I am going to read from a young family in Thompson, ND. In this case, the family's policy was canceled just before their baby was to be born.

They write:

My daughter and her husband are expecting their first child in January, and on Friday they received a letter from their insurance carrier stating that due to the new health law reform they would no longer be covered. So, in January, when the baby is to be born, they may have no health insurance. Our president stated on more than 28 different occasions that if you liked your health insurance, you could keep it. My question to you is: What are you going to do about it? Will you hold him accountable to his word?

We listen to all these real-life stories from people in my State—and they reflect stories from people across this country—and that is why it is so important that we do get the kind of health care reform that this country needs and that these citizens so very much want. It truly makes a difference. As we debate this important issue, I think it makes an incredible difference.

This isn't me saying "OK, we need to do it" or any one of us saying "OK, this is what we need to do." We are hearing from Americans—in this case, from my State of North Dakota. But as Members come down and speak on the floor on this issue, we are hearing from 300 million Americans across this free country. We are hearing real stories about real hardship and what they are going through.

I go back to where I started this discussion; that is, why it is so important that as we approach these issues we take a hard look at ObamaCare and the Affordable Care Act. It was passed with only Democratic votes, no Republican votes whatsoever.

It is as I said before: If we are going to get the kinds of policies that truly work for the American people, we have to come up with policies that can garner bipartisan support, support from both sides of the aisle. I truly believe

they have to be the kinds of policies that empower our people, that empower our people to choose their own health care provider, that empower them to choose their own health care insurance.

I go back to the types of solutions I talked about earlier. These are the kinds of solutions that we have put forward in legislation, that we will continue to put forward in legislation, and we ask for Members of this body and the House to join us on a bipartisan basis and pass market-based solutions that truly empower people. These are such things as expanded health savings accounts combined with high-deductible policies.

Think about young people going out into that market and buying health care insurance, maybe for the very first time. Maybe they have been operating without health care insurance and they say: You know what. I have to get health care insurance.

Think about it. Think about what works for them. If we take a health savings account, a high-deductible policy, low premium—they are healthy, don't think they are going to get sick—that is the kind of thing that will encourage them to buy health insurance. If they have more choice and more competition, not only are they going to get it at a more affordable price, but they are going to have more options from which to choose. Likewise, let's make sure we provide for more competition across State lines so they are not only then looking at companies in their State but companies from across the country. More choice and more competition brings down prices.

As we look at health care costs, let's look at tort reform. There is no question that lawsuits are driving the cost of health care higher. We can do something about that.

Affordability is a huge issue we have to address as part of the right kinds of reforms for health care. When we talk about reforms, we have to reform Medicare to create the right incentives.

What do I mean by that? Now, under Medicare, if someone lives in a State where they have high costs, regardless of outcome, the Federal Government provides more reimbursement under Medicare in that State than they do in a State that has lower costs even though they may have better outcomes. Does that make sense? Think about it. Think about that for a minute.

A person has Medicare—and it is vitally important health care for seniors across this Nation, but the incentive is not to reduce costs. The way the program works, it actually increases cost because States with higher costs, regardless of outcome, get more reimbursement under Medicare than States with lower costs even if the States with the lower costs have better outcomes.

Let's reform Medicare to have the right kinds of incentives, to encourage savings, to encourage better outcomes, and to encourage preventive care. We can do that. That is a win-win. We get better care at a more affordable price, and we help address the debt and deficit of this Nation. Those are the kinds of reforms that work for Americans.

For Medicaid, Medicaid provided for individuals with low income, let's empower the States. Let's give the States more flexibility, more control. Rather than a Federal one-size-fits-all, give those States more control to truly not only improve health care outcomes but to do so at affordable costs, and reward them for controlling costs.

These are the kinds of solutions that will not only produce better health care that I believe our providers can get behind and support because it rewards them for managing costs and good outcomes, which is what we want, but it also truly is how we address the deficit and make sure we save these programs—Medicare and Medicaid—and keep them sound for the future so that we not only can rely on them today but for years to come. We make sure that we save and protect those programs by creating the right kinds of reforms. Those are the kinds of reforms that truly empower people and give them the opportunity—which I think we all want—to choose their own health care providers and their own health care insurance.

As we go through these issues, again, I want to emphasize the need—and I come back to the reason I am on the floor—not only to talk about the right kind of health care reform but to go back to the issue before the Senate today: the nominations that we face and determining how we come together as a Senate, as a body, and we get Members on both sides of the aisle who come together and say: OK, how do we make sure that we have bipartisan solutions, that we create a bipartisan Senate where we are making sure that, as we look at confirmation of these nominees, there is an investment from both sides in getting it right and that there is input, deliberation, consideration, and debate on getting it right for the American people?

Whether it is health care, whether it is energy, whether it is good ag policy, whether it is law enforcement, whether it is support for our military, whether it is anything else, how do we make sure that all of us—because it is incumbent upon all of us—how do we make sure we have protected what this institution has provided for since the inception of our country; that is, bipartisan consideration, deliberation, and debate that produces the best outcome for the American people.

We have nominations that we are going through now and that we will continue to go through. We have important policy matters we need to get

done now for the American people, such as a budget, Defense reauthorization for the defense of our Nation, a farm bill that needs to be passed, and an energy policy that we need to address—all things that can truly move our country forward. As we do that, we need to come forward with solutions that will truly be bipartisan. To do that, we need to have a very sincere and direct dialog as a body and Member to Member to come up with solutions to determine how we are going to make sure we are doing the very best job for the American people. That is what this is all about. We are here to do the work of the American people.

And you know, we look across this vast, wonderful Nation, and there are people who are Democrats and people who are Republicans and people who are Independents, and we serve that whole spectrum. We serve them all. We are faced with a real challenge right now to make sure that bipartisanship continues in this Senate and in this Congress.

I am going to turn to another matter before us that is incredibly important. It is a matter that is truly bipartisan. It is bipartisan, and I am going to use this as an example of how bipartisanship can and does work in this body and in the House. It is a matter we should be voting on right now, and I sincerely hope we will be voting on it in a few short weeks when we return, and that is the farm bill.

I am a member of the Agriculture Committee, a member of the agriculture appropriations subcommittee, and I am also a member of the conference committee that is working to reconcile the differences between the farm bill that has been passed in the House and the farm bill that has been passed in the Senate. I bring up this example purposely, because we are focused on how we operate in a bipartisan manner to meet the challenges this Nation faces, and we are at a point where we need to redo the farm bill. We need to put a new long-term, 5-year farm bill in place. Right now we are operating under an extension. I use this as an example of a truly bipartisan approach.

I use the farm bill for another reason too. As we go through this process, where confirmation of nominations are now being done essentially on a partisan basis—not a bipartisan basis but on a partisan basis—and as we talk about ObamaCare, which was passed on a partisan basis—not a bipartisan basis—I want to bring up an example of how things should work on a bipartisan basis.

When we look at the farm bill, the breakdown in terms of how the votes have gone, it hasn't been Republican and Democrat. We have had both. We have had some Republicans and Democrats voting against it and some Republicans and some Democrats voting

for it. It really is focused on what is the policy and what best serves this great Nation.

Here is the other reason I bring it up right now. We are trying to address the deficit and the debt this country faces; right? This year CBO says the deficit is going to be somewhere between \$650 billion and \$700 billion—the deficit. The debt is \$17.3 trillion. We must address the deficit and the debt. So as we work on a new farm bill, we are not only reforming the current farm bill, which is operating under an extension, we not only make reforms that make for a better farm program, but we are going to save on the order of \$25 billion to \$30 billion to help reduce the deficit and the debt.

Isn't that what we should be doing across government on a bipartisan basis—coming up with better policy that actually reduces the deficit and the debt, controls spending, reduces spending and helps our economy grow? That is what we are doing with the farm bill, and that is what we should be doing in these other areas as well.

So as we continue to work on the farm program, I had hoped we could be to the point where we would be voting this week or next on the Senate floor and in the House as well. It doesn't look like that is going to happen, but we are very close. We can have a framework in place this week or next so that we can vote on it as soon as we return in January, and that is what we need to do.

The current farm bill, the current extension, expires at the end of the year, meaning we need to get a new farm bill in place—not an extension but a new farm bill. We have put the framework in place. We are there. We now just need to get people to agree and we need to get the bill to the House and to the Senate floor. I believe we are absolutely there. We just have to have the will to make it happen and to make it happen on a bipartisan basis. Not only is it vitally important we pass this farm bill, but it truly can be an example in terms of how we approach other policy as well on a bipartisan basis.

At this point, Mr. President, I see the leader is here and I would ask of the Chair as to my time allotment and also the time for the next vote.

The PRESIDING OFFICER. All time has now expired.

The question is, Will the Senate advise and consent to the nomination of Landya B. McCafferty, of New Hampshire, to be United States District Judge for the District of New Hampshire.

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN) and the Senator from Illinois (Mr. KIRK).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 79, nays 19, as follows:

[Rollcall Vote No. 262 Ex.]

YEAS—79

Ayotte	Grassley	Murphy
Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Hatch	Paul
Bennet	Heinrich	Portman
Blumenthal	Heitkamp	Pryor
Booker	Heller	Reed
Boxer	Hirono	Reid
Brown	Isakson	Rockefeller
Burr	Johnson (SD)	Rubio
Cantwell	Johnson (WI)	Sanders
Cardin	Kaine	Schatz
Carper	King	Schumer
Casey	Klobuchar	Shaheen
Chambliss	Landrieu	Stabenow
Coburn	Leahy	Tester
Collins	Lee	Thune
Coons	Levin	Toomey
Corker	Manchin	Udall (CO)
Cruz	Markey	Udall (NM)
Donnelly	McCain	Warner
Durbin	McCaskill	Warren
Feinstein	Menendez	Whitehouse
Flake	Merkley	Wicker
Franken	Mikulski	Wyden
Gillibrand	Moran	
Graham	Murkowski	

NAYS—19

Alexander	Enzi	Roberts
Barrasso	Fischer	Scott
Blunt	Hoeven	Sessions
Boozman	Inhofe	Shelby
Coats	Johanns	Vitter
Cornyn	McConnell	
Crapo	Risch	

NOT VOTING—2

Cochran Kirk

The nomination was confirmed.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to report the motion to invoke cloture.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Patricia M. Wald, of the District of Columbia, to be a Member of the Privacy and Civil Liberties Oversight Board.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

QUORUM CALL

The ACTING PRESIDENT pro tempore. Under rule XXII, the Chair directs the clerk to call the roll to ascertain the presence of a quorum.

The assistant legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their name:

[Quorum No. 8]

Alexander	Franken	Merkley
Ayotte	Gillibrand	Mikulski
Baucus	Grassley	Murkowski
Begich	Harkin	Murray
Bennet	Heinrich	Paul
Blumenthal	Heitkamp	Portman
Booker	Heller	Pryor
Boozman	Hirono	Reid
Boxer	Hoeven	Rockefeller
Brown	Johnson (SD)	Rubio
Cantwell	Kaine	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Sessions
Casey	Landrieu	Shaheen
Coburn	Leahy	Shelby
Coons	Lee	Stabenow
Corker	Levin	Tester
Cornyn	Manchin	Thune
Crapo	Markey	Toomey
Cruz	McCain	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	McConnell	Warren
Feinstein	Menendez	Whitehouse

The ACTING PRESIDENT pro tempore. A quorum is present.

The question is, Is it the sense of the Senate that debate on the nomination of Patricia M. Wald, of the District of Columbia, to be a Member of the Privacy and Civil Liberties Oversight Board, shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN) and the Senator from Illinois (Mr. KIRK).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 57, nays 41, as follows:

[Rollcall Vote No. 263 Ex.]

YEAS—57

Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Booker	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Cantwell	Klobuchar	Schatz
Cardin	Landrieu	Schumer
Carper	Leahy	Shaheen
Casey	Levin	Stabenow
Collins	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murkowski	Wyden

NAYS—41

Alexander	Cruz	Johnson (WI)
Ayotte	Enzi	Lee
Barrasso	Fischer	McCain
Blunt	Flake	McConnell
Boozman	Graham	Moran
Burr	Grassley	Paul
Chambliss	Hatch	Portman
Coats	Heller	Risch
Coburn	Hoeven	Roberts
Corker	Inhofe	Rubio
Cornyn	Isakson	Scott
Crapo	Johanns	

Sessions
ShelbyThune
ToomeyVitter
Wicker

NOT VOTING—2

Cochran

Kirk

The ACTING PRESIDENT pro tempore. On this vote the ayes are 57, the nays are 41. The motion is agreed to.

NOMINATION OF PATRICIA M. WALD TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

The ACTING PRESIDENT pro tempore. The clerk will report the nomination.

The bill clerk read the nomination of Patricia M. Wald, of the District of Columbia, to be a Member of the Privacy and Civil Liberties Board for a term expiring January 29, 2019.

The ACTING PRESIDENT pro tempore. Pursuant to the provisions of S. Res. 15 of the 113th Congress, there will now be up to 8 hours of postcloture consideration of the nomination equally divided in the usual form.

The assistant majority leader.

Mr. DURBIN. Mr. President, I yield back the majority's time on this nomination.

The ACTING PRESIDENT pro tempore. The time is yielded back.

The Senator from Ohio.

Mr. PORTMAN. Mr. President, I would like to speak on the nomination.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

Mr. PORTMAN. Mr. President, I am glad to have this opportunity to come to the floor of this great body to talk about issues that are of great concern to the people of Ohio whom I represent and to the country. We are facing a lot of challenges right now. Certainly health care costs are on the rise, as we have seen, but jobs are also hard to come by.

There is a middle-class squeeze going on out there where paychecks are down and health care costs are up, and belief in the American dream, as a result, is on the decline. Some say for the first time since polling has begun people think that future generations are not going to be as well off as we are. This is sad, and there is work we can and should do to address this.

It starts with dealing with some of the gridlock in Washington and getting some things done. One of my concerns about what the majority has done in terms of taking away the rights of the minority to be heard on nominations is creating a very tough environment to break through that gridlock and get things done.

I think about the judiciary. Today we are talking about a court judge who is up for a nomination and the question is whether she is going to be confirmed. Right now, under the current rules that exist, Republicans have no voice, in essence, because the 50 votes from Democrats—and there are 55 Demo-

crats—can put up a judge and get the votes and put anybody through they want.

Under the system that has prevailed in this body for decades, and one consistent with the intention of the Founders, you have to get 60 votes. In other words, the minority would have some voice, and specifically Republicans, in that there are 45 of us and we would have to supply about 5 votes. That makes a big difference in terms of the kinds of judges who are nominated and ultimately confirmed.

There has been a lot of discussion about what is going on here on the floor in terms of ending the ability of the minority to have their voice heard. I think we also need to focus a little on what impact this will have on the judiciary.

When someone is appointed to the D.C. Circuit Court—somebody was recently confirmed yesterday and the day before for that body—these are lifetime appointments. Instead of having to go through a process where you have to figure out how to get some Members of the other party to support you, right now—under the new rules that were done by breaking the rules, and again, inconsistent with the intent of the Founders who allowed their voices to be heard—they don't have to get the minority. They can do it with just 50 votes. Again, with 55 Democrats, there is no need to consult with Republicans or to get any support. In fact, they can allow five Democrats to vote the other way.

I worry this will polarize the judiciary. I think we are polarized enough in this place. I think Washington is becoming dysfunctional for a lot of reasons, but one is this increased polarization. Now to have this rule change only creates a difficult environment to get work done, but it will also put judges on the judiciary with lifetime appointments; these judges who, frankly, are more liberal under the Democrats and more conservative under the Republicans than they would otherwise be.

In States such as mine where there is a Republican Senator and a Democratic Senator, we work together to try to put judges forward. Democrats realize in the majority they have now, they have to get some Republican support, so they work with us. You tend to get center-left judges nominated and confirmed right now.

Again, under the new rules that Leader REID and the Democrats have insisted on, that will not be required. Why would you have to consult and work with your counterpart in your State or Republicans on the other side of the Chamber?

When there are 50 votes, you can put forward any judge you want. I do think this will result in judges who are not center left but left and not center right but right. This will polarize the judiciary more, and that concerns me.

I hope, as we are thinking about how we deal with our own procedures—and I know this is an issue that has been debated a lot in the last few weeks because of the decision the Democratic leadership made to take away this right—we also think about what impact this will have on the judiciary. Do we want a more polarized judiciary where some of these ideological differences make it difficult for them to operate just as it makes it difficult for the Congress to operate? I don't think so.

I don't think that is what the American people want, and I know it is not what the Founders intended when they gave the minority a voice in this body, and I hope we can get back to a regular order where we have a limitation on amendments that is reasonable with reasonable time limits so we can get our work done.

Let's allow amendments to be offered. Let's allow the voices to be heard. Let's allow—in the case of these nominations—input from the other side.

I am very concerned about where this is headed. The logical extension of what the Democrats have done, of course, is to extend this to legislation as well, which I think creates more of a problem than we have already in terms of legislation being passed here that is not reflective of the will of the people, that is not subject to the checks and balances we would have under a rule where we have to get 60, not 50, votes in order to pass legislation.

A prime example is ObamaCare. Let's be honest. The reason it got through the Senate was because a special provision was used called reconciliation, which is supposed to be used for budget matters, revenues, and spending.

I believe that was an inappropriate use of reconciliation as do many other observers who are objective observers and have followed this place for a long time.

ObamaCare was pushed through, not with 60 votes—because after the election of Scott Brown in Massachusetts, they didn't have 60 votes to get ObamaCare through because not a single Republican would support it because Republicans supported an alternative plan. So without a single Republican supporting it, Democrats chose to ram it through with 50 votes. That is all they needed because they used this so-called reconciliation provision that, again, is supposed to be for budget issues, not health care.

I think the results are now plain to see. We have law in place that is affecting my constituents and affecting the constituents of every Senator, that has very negative consequences. Did we need to do something to reform the health care system? Yes. Was the status quo acceptable? No. Is it acceptable now? No.

There are smart reforms to reduce costs, smart reforms add more choice, to allow markets to work better in health care, to not only provide for better quality and better choice but also lower costs. Those were not pursued. We still have the opportunity now to do that.

I talked earlier about the fact that health care is a big concern to the American people. It certainly is among my constituents in Ohio. We do a tele-townhall meeting periodically. We had a couple of them last month where I will get maybe 25,000 Ohioans on the phone at any one time and talk to them about the issues of the day and hear their questions and concerns.

During the tele-townhall meeting, we ask a poll question, such as what is the most important issue you think is facing the country? We ask whether it is national security and terrorism, energy policy and costs at the pump, health care and health care costs, jobs and the economy, or some other issue.

It is interesting in that every single tele-townhall meeting I have had over the past few years has always been that jobs and the economy is the No. 1 issue. Again, there may be 25,000 people at any one time. When we asked the poll question, that has been the No. 1 question. Usually the No. 2 issue is debt and deficit and spending.

The last two tele-townhalls we did last month—guess what the No. 1 issue was. It was not jobs and the economy or debt and deficit. It was about health care because people are so concerned about what ObamaCare is doing to them and their families.

I will let them speak for themselves. Some of us were on the floor a few weeks ago talking about this, but since that time I have received a lot of stories from people I represent.

Here is one from Susan from Batavia which is in Clermont County in southern Ohio. She says:

I am a single mom. I pay for my own health insurance. I am active and fit. I have cycled over 4,000 miles this year. I am seldom sick. In the 3 years I have paid for my own insurance, I went to the doctor once for illness. My rate was \$146 a month. In September I received a letter from Anthem saying that my plan does not meet the requirements of the Affordable Care Act and will be discontinued as of January 1, 2014. I was offered the same coverage I had—not for \$146 a month but for \$350 a month.

To Susan from Batavia, thanks for your story and letting us know what is happening and how this is affecting you as a single mom who is taking care of herself, doing the right things, and had a plan that worked for her and was told, no, the government knows best. You can't have your plan. Here is the plan you have to have, and in order to have comparable coverage we are going to raise your rates by over double.

This is from Mike from Westlake in northeast Ohio. Mike says:

I own a small business. Our health insurance rates for single employees under 30

went from \$198 per month last year to \$650 per month this year. That is a 260-percent increase thanks to ObamaCare. This bill is going to put small businesses out of business.

Here is one from William from Columbus, OH:

We were paying \$540 per month but received a letter from Anthem stating that the rates would increase to \$662 per month beginning September 2013 and then \$1,014 per month in September 2014 as a result of the requirements per ObamaCare. If that wasn't bad enough, our family doctor of 25 years informed us that he will end his practice on January 1, 2014. The reason being is the government requirements of ObamaCare just made it too difficult to continue.

That is William from Columbus, talking about an issue of price, obviously, going from \$540 a month to \$1,014 per month. But it is also about choice because his doctor is stepping out because of ObamaCare.

Rachel from Solon says:

My family owns a small business. We were notified that our current health care plan is substandard at \$860 per month. To comply, we now must pay \$1,880 a month. This is beyond outrageous.

That is what Rachel says. I agree with her: \$860 to \$1,880 per month—more than double—in order for her to have health care as a small business owner for her and her husband.

Jon from Dublin:

We currently have a high-deductible plan from Anthem and pay \$331 per month. We are perfectly happy with our plan. It provides wellness visits for free, which is what we really need, and then catastrophic coverage in case of something very unpleasant. When I recently reviewed our coverage and tried to renew it, I asked what an equivalent plan would cost under the exchange. The quote I received was for \$833 per month.

Remember, he was paying \$331 per month. He likes his plan with wellness visits and catastrophic coverage. It goes from \$331 per month to \$833 per month.

Back to his letter:

The deductible even went up from \$11,000 to \$12,700.

So this notion that people have to get out of these plans because their deductible is too high—the one that is acceptable based on ObamaCare and this top-down approach is now a higher deductible.

He says:

My family simply cannot afford this plan.

Here is Sarah from Raymond, OH. Sarah writes—and this is painful. These are painful. But Sarah writes:

I am literally crying right now because of our insurance. My family's new monthly cost starting January 1 is \$323.82 biweekly and \$647.64 a month, a difference of \$420 in what we currently pay, and the new plan offers less with more out-of-pocket expenses. The ACA has failed and it is hurting my family, not helping.

Here is Chuck from West Chester:

I tried to give this health care thing the benefit of the doubt. I went to the Web site and all the estimates are more expensive

than my canceled policy. My canceled policy was not only cheaper; it was better, and I don't qualify for any subsidies. Do I have any choice besides paying more money?

Chuck, I am probably not qualified to give advice, but I will anyway. Your choice is to pay a penalty or pay more. That is what the government is telling you. That is what ObamaCare is telling you.

Cynthia from Canton, OH:

I am a substitute teacher. Recently I received notice that I was not getting jobs every day like I have been for most of the past 13 years. I am a good, dependable sub, and I work for \$70 a day before taxes. I contacted the school system and was told that they are watching any sub to prevent over 30 hours a week because of the Affordable Care Act.

Cynthia's letter to me, unfortunately, is something that I am hearing all over the State of Ohio. It is that people are being told: We need to keep you under 30 hours. She is finding out as a substitute teacher in Canton, OH, that she can't get the jobs she used to get because they are telling her they want to watch the subs to prevent anybody getting more than 30 hours a week because of the Affordable Care Act. My colleagues probably know this: Under the act, if a person works over 30 hours a week, that person is considered full-time; therefore, the company has to provide the health care insurance that, again, this top-down approach insists on; not the health insurance you may want or your employer may think is appropriate, but the health care insurance that the Affordable Care Act thinks is appropriate. So companies are telling folks, as in the case of this substitute teacher—private and public sector—we need to keep you under 30 hours because we simply can't afford that kind of health care.

Here is Mark from Urbana, OH:

My wife and I are farmers. We have our own private health insurance, which is not cheap. We just learned that our insurer is canceling our plan and that the ObamaCare plan will double our premiums to more than \$1,000 per month. My wife is 55 years old. We do not need maternity coverage or free birth control or so much other coverage mandated by ObamaCare. We are modest, middle income people. What we need in this country is a policy to make health care more affordable. We can do this if we let Americans determine their own health care needs and shop for the best and most affordable care. Why not medical savings accounts for everyone? They would be privately owned so that no one is chained to their employer-sponsored plan. Why not require that health care providers post prices of their services? We can come up with much better alternatives to ObamaCare. Please help us.

I agree with him. We can come up with much better alternatives, including letting people save money for their own health care. Why should we want to discourage that? By the way, those HSA savings accounts that Mark is talking about that he would like to see for everyone, those are made less attractive because they take away some of the health care tax benefit.

So we are moving the wrong way. We are moving away from people taking care of their own health needs and encouraging them again to focus on wellness and prevention, understanding that it is their dollar that is at stake and allowing them to build up a little nest egg if they are healthy and if they are able to avoid a health problem, and if they do have a problem, they have coverage, with a high deductible, and they have coverage to take care of it. People should be able to make that decision on their own if that is what is best for them and their family.

Here is Brian from Mentor:

My family's Aetna plan has been canceled due to ObamaCare. My old plan was \$454 per month with a \$5,000 per person deductible. The same deductible policy to buy a new plan is \$1,038 per month—

more than double for Bryan.

Dean from Sandusky:

Ever since I lost my job in 2009, I have been purchasing my own health insurance. Last month, I received a letter in the mail stating that my plan is being canceled due to the ACA. I was told to look at plans on the exchange, which I did, and found a comparable plan that is over twice the cost of what I now have. In addition, this is over half of my monthly pension. I simply cannot afford this.

I have always been a responsible, hard-working, self-dependent person. Now, because of the actions of our government, for the first time in my life I will not have health care coverage. I am 59 years old now and I need this coverage. I am outraged, to say the least. How can our government do this to us? I will remember this come election time.

That is Dean from Sandusky. He lost his job and picked up a plan on the individual market that worked for him. He is now going to have to pay twice as much. He can't afford it. He is not covered. He is on a fixed income. It sounds as though he is going to go without coverage.

By the way, new polling data is out showing that a lot of young people are going to go without coverage. One number is 28 percent of them are; another number is closer to half. I don't know how many. But a lot of young people I talk to say they would rather pay the penalty and take the risk than be covered. That is a problem for them, but it is also a problem for the Affordable Care Act because it is based on those people coming into the system and, frankly, providing the ability for others to get coverage under the risk pools that are set up under ObamaCare.

So the stories I have told are real people facing real problems and they are problems that Washington created for them and their families. They were fine with their coverage. They liked their coverage. I know my colleagues on the other side of the aisle have their own stories about people who are getting coverage and benefiting from it, particularly those with preexisting conditions. I understand that. But these stories really obscure the ques-

tion we should be debating on the floor. I agree we should cover people with preexisting conditions, and so do most Republicans. The question is how do we do it.

So when Democrats come to the floor and tell me, ROB, you have all of these stories about people who cannot afford health insurance anymore and are having a really hard time on the individual market, but we will tell our stories of folks with preexisting conditions, my answer is that I also believe we ought to cover those people. I don't dispute that. We want to get coverage for more Americans. That is not the question we are debating. The real question is whether ObamaCare, with its mandates, its top-down, centralized controls is the way to accomplish those goals.

If the President and my friends on the other side of the aisle believe that the only way to increase coverage is to make everyone pay more, to force millions of Americans to give up their insurance, to make people lose their doctors, then they should say that is what their plan is because that is what is happening.

A lack of honesty and transparency, in my view, is one of the great failures of the Affordable Care Act. I believe ObamaCare was sold to the American people under false pretenses. President Obama famously said, "If you like your health care, you can keep it." He said, "If you like your health care, you can keep it, period." But the one thing he could not do then was keep his word. He had to have known it then. All of the information coming out indicates that was knowledge he should have had, yet he kept saying it. What began as a broken Web site and cancellation notices has turned into sticker shock for millions of Americans who are seeing their health care costs soar under ObamaCare. By the way, as I said earlier, these rising costs are not a mistake in ObamaCare; they were intended in ObamaCare. Under ObamaCare, millions of Americans have to pay more for insurance in order for the program to work. The Web site can be fixed. I assume it will be at some point, although they are certainly having a tough time with it. But this basic premise that is the heart of ObamaCare that other people's costs have to go up, and pretty dramatically, cannot be fixed.

The reason goes back to a critical choice made at the beginning of the health care debate. There are different approaches to covering the uninsured, covering those with preexisting conditions. The approach favored by Republicans, at least many Republicans, including me, would create real economic incentives to bring the uninsured into covered access to health care while taking critical steps to reduce the costs of health care. One of the reasons people aren't covered is cost. The best

way to lower the number of the uninsured is to make it easier and less expensive for people to get insurance in the first place.

The President chose to take a very different approach. He chose not to focus on the costs, which have gone up; not to focus on providing incentives for people to get coverage, but instead a top-down, centralized approach. He turned to mandates. ObamaCare requires that all Americans purchase insurance. It mandates what type of insurance that coverage includes, and it requires that private insurers accept all comers, including those with preexisting conditions.

Again, we all want to ensure that those with chronic conditions receive health care, but it also changes the way health insurance underwriting works. Normally, insurance works by pooling resources for some future harm. So for those who have preexisting conditions, obviously the harm is already present and their premiums are not going to be able to pay for their care, for the most part. That is why these high-risk pools in States are something I support and others support, providing tax incentives for that. But the offset is these often have astronomical costs. That is how ObamaCare was designed.

So this notion of these costs are going up and we didn't intend that—of course they intended it. It is exactly the way they intended it. ObamaCare needs more money than these policies would provide, so these private plans we talked about earlier—people in the individual market—many of which are high deductibles, low cost, catastrophic plans, many of the people who have these plans are young people who are relatively healthy. These folks were forced to buy insurance they didn't need because ObamaCare needed the money. The plans they had met the needs of those people—met the customers' needs—but, frankly, didn't meet the government's needs. So those plans were regulated out of existence, padded with extra benefits and consumer protections that many of those who chose this policy didn't want, as Mark from Urbana said, and will never use. Sometimes these policies are double or triple, and we have heard cases where they are five, 10 times more.

What we have seen in the individual market is only the beginning. Next year, the same mandates and government outreach that have hit the individual market will come to effect for the employer-based market as well, where the vast majority of us get our health care, through our employer. So at some point 80 million Americans will likely see their health plans canceled or sold and replaced by—when the employer-based market comes under the ObamaCare mandates, which, as we recall, is going to happen about a year from now, because it was put off for a

year—that was the delay the President put in effect—we are going to see much more of this.

Again, there is a better way. There is a way to put this partisanship behind us and do this together. We talked earlier about the fact when you cram something through with all votes on one side of the aisle and ignore the other, we tend to get a policy that doesn't work for the American people.

That is exactly what we are seeing here. There is a better way, and we still need to pursue it. Instead of having less choices and higher costs for all Americans, there is a way to put together a plan that actually helps people.

This is something that Republicans and Democrats alike need to focus on. Instead of a top-down, centralized, government-knows-best solution, we need to go to solutions that actually reduce the costs of health care and provide more choice in health care. It can be done.

ObamaCare should be repealed and replaced, in my view, but it should be replaced. The status quo is not acceptable. I think the failures of ObamaCare point the way as to what we should do—reduce the costs. There are steps we could take today; for instance, remove the shackles of government regulations from the market. Let health care insurance and health care be less expensive. Let health care insurance be sold across State lines. That is something you can do with Federal legislation that will provide more competition. It will lower the cost. There are some areas in my State where there are only a couple plans. I am told under ObamaCare, in some States there are only a couple plans. You want to have more competition, not less.

We should give people the ability to get health care on their own. We talked about health savings accounts. We should help create a healthy, vibrant individual health care market by giving people a tax incentive to purchase health insurance comparable to incentives they would receive with employer-provided coverage where there now are tax incentives to provide health care coverage. Let's deal with these frivolous lawsuits. That reduces the costs.

So I appreciate the fact that one of my colleagues has joined me on the floor and is going to continue this discussion. But I wish to go back to where we started. It does not have to be this way. What we are doing in the Senate by taking away the rights of the minority is not going to help us with regard to getting better judges. It did not help us in terms of cramming ObamaCare through with 51 votes rather than the normal 60 that should have been required. It does not help for us to now continue down this track of a government, one-size-fits-all approach to health care. We have heard the stories.

We see what is happening and have not even hit most Americans yet because they get coverage from their employer.

Instead, let's work together. Let's provide more choice. Let's reduce the costs. Let's ensure that everybody has access to health care that works for them and their families. If we do that, the American people might regain a little bit of trust in this institution and in this town.

Madam President, I would like to yield the floor, if I could, for my colleague and your colleague from North Dakota.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from North Dakota.

Mr. HOEVEN. Madam President, I thank the esteemed Senator from Ohio for his remarks and express my support for his remarks as well.

Myself and other colleagues have been on the floor today talking about the need to work in a bipartisan way. Obviously, the business before the Senate right now is nominations, and we want to emphasize again the importance of advice and consent in the nomination process but that it needs to be on a bipartisan basis.

The change that, of course, has been made is that now the majority party can vote through, confirm a nomination without any input, any consent, any debate from the minority party. That is an issue not only in terms of the nomination process, the confirmation process of advise and consent, but that is also very much an issue in legislation.

The importance of bipartisanship, whether it is in advise and consent in the confirmation process or whether it is in passing legislation, is seen because we have a country of more than 300 million people—Republicans, Democrats, Independents—but at the end of the day, if we are going to have broad-based public support for the work we do, for the legislation we pass, it has to be done in a bipartisan way.

My colleagues have been pointing that out in terms of the confirmation process. Also, they have been pointing that out in the context of the Affordable Care Act and ObamaCare. That is legislation that was passed on a partisan basis. One party, and one party only, voted for that legislation. What we have seen is that does not work.

To get broad-based support for any legislation—let alone something as important as reform of health care—both parties have to be part of that work product. That is the only way we are going to get broad-based support across this great Nation on the important issues we face.

Earlier today I read story after story from people from our great State expressing real challenges, real difficulties—the higher costs, higher deductibles, higher premiums, higher copays—they are facing as a result of

the Affordable Care Act. I talked about the need to engage in the right kind of health care reform, the kind of health care reform that truly empowers individuals to pick their own health care insurance and their own health care provider; the need to pass the kind of legislation that will help us provide expanded health savings accounts tied with higher deductible policies that will encourage our young people to purchase health care insurance because they will be able to do so with lower premiums; the need for tort reform to help bring down health care costs; the need to increase competition across State lines so people have more choice, and with that competition, lower prices when it comes to choosing their health care insurance; and I talked about the need to reform Medicare, as the Presiding Officer knows, to provide the right incentives.

Look at our great State of North Dakota. We have lower health care costs than most other States, and we have very good outcomes. For that we get not more Medicare reimbursement but less. That is exactly the wrong incentive—providing more reimbursement to States that have high costs regardless of outcome and lower reimbursement for States even with lower costs and better outcomes; in essence, getting less reimbursement, getting penalized for good performance. That is exactly the wrong approach and why we so desperately need to make reforms that create the right approach.

These are the kinds of solutions we are advocating that we will continue to advocate to put in place for the American people. We need Members on both sides of the aisle to come together with a step-by-step, comprehensive approach, market-based approach, that will truly create more choice, more competition, and empower people—empower people—the great citizens of this country to take control of their health care decisions and make the decisions that best suit them and their families.

I see that my colleague from the great State of South Dakota is in the Chamber. As always, I am very pleased to see him, and at this time I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Thank you, Madam President. I thank my colleague from North Dakota—both colleagues from North Dakota who are here in the Chamber—and I appreciate his leadership as a former Governor, understanding these issues such as health care, which do profoundly impact the people whom we all represent in the Dakotas. There are some unique challenges, obviously, of meeting the health care needs of people in our States because we have a big geography, lots of wide open space. We do not have the big population centers that are in other places in the country,

and so health care delivery and coverage of health care, health care insurance and access to it are enormously important to the people we all represent.

I would say it has become abundantly clear that the American people are rejecting ObamaCare, which is the law that was passed several years ago in the Senate, in the house, signed into law by the President. I remember being here at the time and voting on that on Christmas Eve. We were actually here. It was December 24, 4 years ago, I think now, in 2009. We were right up here until the end, and this was, I would say, jammed through the Senate.

The majority had the votes. They were not all that concerned about having participation or input from those of us who served in the other party—as a consequence of that just shoved this thing through right on Christmas Eve. I think that was an unfortunate way in which to conduct the business of the Senate, to enact major legislation. It is very rare around here that legislation of that consequence that literally impacts one-sixth of the American economy is shoved through on a partisan party-line basis.

So that is the way it was done. We said at the time—many of us were down here on the floor over and over predicting that because of the way this was structured it was going to lead to higher insurance premiums, it was going to lead to fewer jobs in our economy, a lot of stress on employers that were trying to create those jobs. All of that is coming to fruition as we hear now reports day after day after day across this country—from my State of South Dakota, other States across the country—from people who are feeling the very real and harmful impacts of the ObamaCare legislation, both in terms of higher premiums but also canceled coverages, higher deductibles, things that affect the pocketbooks of millions of Americans and issues that are discussed and debated at kitchen tables, but they are profoundly important to the economic well-being of people in this country.

When you are seeing the dramatic increases in premiums, the dramatic increases in deductibles, the loss of coverage, the canceled coverages we are seeing across the country right now, it is very disturbing to people. That is why I think you have seen this widespread rejection of ObamaCare.

Interestingly enough, yesterday Health and Human Services released new enrollment numbers for the exchanges for October and November. Over the course of those 2 months, in my State of South Dakota, just 372 South Dakotans—or less than one-half of one-tenth of 1 percent of my State's residents—signed up for health care on the exchanges.

Ten other States also had fewer than 1,000 people sign up.

Oregon, which embraced ObamaCare very early on, had just 44 enrollments. Think about that—44 enrollments to show for 2 months thanks to their Web site, which suffered an even more catastrophic failure than the Federal Web site.

In all, there were 364,682 enrolled in the exchanges during the months of October and November—not even one-quarter of the number the administration had projected after 2 months. To meet its goal of 3.3 million signups by December 31, the administration would have to sign up almost 3 million people in the next 3 weeks or more than 145,000 every single day.

Considering that the administration has averaged fewer than 6,000 enrollments a day over the past 2 months, I would not want to put a lot of money on them being able to meet that goal. It is obvious from the sluggish enrollment numbers that the American people are rejecting ObamaCare. But if anyone needs more proof, three new polls came out last week, all reporting strong opposition to the law among the American people.

The Pew Research Center poll reports that 54 percent of the American people disapprove of the President's health care law.

According to Pew's most recent survey, the percentage of Americans who think the health care law has “had a negative effect on the country” rose 11 percent just since September of this year.

In the Wall Street Journal/NBC News poll released yesterday, the President's disapproval rating reached an alltime high of 54 percent. When asked what issue shaped their view of the President this year, 60 percent cited ObamaCare.

The same Wall Street Journal poll also found the number of Americans who think the President's health care law was “a bad idea” reached an alltime high.

Quinnipiac University also released a poll yesterday that found that 57 percent of the American people oppose ObamaCare.

The President's health care law has never enjoyed strong popular support. But Democrats and the President argued that public support for the law should not be judged until the law's benefits were in effect.

The law is now in effect. People can buy insurance on the exchanges. Yet opposition to the law is not declining; it is the opposite that is happening. It is actually rising. Opposition to the law is increasing over time as more and more people become aware of the impact on their personal economic well-being.

Quinnipiac reported a 10-point jump in opposition to the law between October 1 of this year and December 11.

Meanwhile, support for the law, already low, dropped a further six points over the same time period.

Even worse for the President, it is not just Republicans and Independents who are fleeing the President's signature law. Many of the President's strongest supporters, those who initially supported his health care law and helped reelect him last year, are deserting the President.

The Pew Research Center found a 10-point drop in support among African Americans since September and a 9-point drop in support among Hispanic Americans—both groups who strongly supported the President in the last election.

The Wall Street Journal/NBC News poll also found “faith in Mr. Obama has dropped noticeably in recent months among young voters and Hispanics, two groups that had been among his steadiest supporters.”

So the question, I guess, is why are the American people and even the President's strongest supporters rejecting ObamaCare? Why, now that the law is mostly in effect, is opposition growing rather than declining?

Well, I think the answer is very simple. It is because the law has failed to deliver on the President's promises. From rising premiums, to canceled health plans, to lost doctors, ObamaCare is doing the exact opposite of what the President promised it would do. The President said his new law would reduce the cost of health care. In fact, he claimed families would see their premiums fall by an average of \$2,500 a year. But that promise fell apart almost immediately after ObamaCare was enacted. In fact, what we are seeing out there is that the average family has seen its health care premiums rise by more than \$2,500 since the law's passage. Now that the law is being implemented, those numbers are only going higher. Those families who are lucky enough to keep their plans have been receiving insurance renewal notices with staggering premium increases. Premiums are doubling or even tripling for many families, and deductibles are increasing as well. Imagine getting a \$600-a-month increase in premiums. That is \$7,200 a year. How on Earth is a working family, a middle-class family in this country supposed to be able to afford that?

The President would like you to believe that these Americans' updated, more expensive health plans are far superior to what they had before. But, in fact, many of these plans were as good or better than what these families are getting now. Many of these plans are falling short of people's expectations because they have higher deductibles. Of course, with all of the mandated coverages that are in many of these plans, there are all kinds of things that people who are subscribing, trying to get on the exchanges, are finding they do not need. I have had people in my State of South Dakota who are in their fifties and sixties who are asking why

they need to have things such as maternity coverage.

You see that as these letters and emails and phone calls are coming into your office and people are finding out about the specifics—the details, if you will—of these various plans, they are rejecting them not only because they have higher premiums, but they are also plans that are not sufficient or adequate compared to what they are currently experiencing with the plans they had before. Now thousands of families around the country are going to be struggling to pay huge premium increases without receiving any additional benefit.

The situation is no better on the exchanges. While there are certainly plans with low premiums on the exchanges, many of those plans have deductibles that are so high that, barring some catastrophic illness or injury, the family might as well not have insurance at all. A family without insurance who typically pays \$8,000 a year in health care costs may see no benefit at all from an insurance plan with a \$12,000 deductible. In fact, they may spend more on health care because now they have to pay high insurance premiums as well. So you have higher insurance premiums, higher deductibles, meaning in many cases that they are not going to reach the threshold that would trigger a payment from their plan, and so they are getting no additional benefit, but they are paying way more for the same or worse coverage.

In addition to promising a new era of affordable health care, the President also promised that nothing would change for people who liked the health care they had. He repeated many times—we have all seen the videos of this—that if you like your health care plan, you can keep it. He even went so far as to say “You can keep it, period” to make it even more emphatic. “If you like your doctors, you can keep your doctor, period.” But Americans are now finding out that was not even close to being true. Millions of Americans have seen the health care plans that they liked canceled by insurance companies in response to new ObamaCare regulations. So far, more than 5 million Americans have lost their health care plans as a direct result of ObamaCare. In fact, today, millions more Americans have lost health care than have gained it under the President's signature law.

Millions of Americans are also realizing that they cannot keep their doctors or their hospitals. ObamaCare put in place scores of new regulations on insurance companies and the plans they offer. To meet all of the ObamaCare requirements while still getting their plans approved, insurance companies have been forced to drastically shrink their networks of doctors and hospitals. As a consequence,

many families are finding that their new health care plans force them to give up doctors they have been seeing literally for years.

That may not sound so terrible to some of us if we do not have a close relationship with our doctors, but what if you are a cancer patient who relies on your network of doctors and oncologists to coordinate your life-saving care?

More than one cancer patient has spoken openly in the press about the struggle to find a replacement health care plan after having their original plan canceled as a result of ObamaCare, a plan that covers all of the doctors and the medicines they are currently using.

Joan Carrico, a nurse from Michigan and a cancer patient, published a heartbreaking column on CNBC yesterday updating readers on her struggles to find a health care plan that covers all of her care. I will let her words speak for her and the other Americans in her position:

I can't begin to describe how devastated I am. Many people like me, who are in a difficult health crisis and fighting to regain good health, are finding it very difficult—if not impossible—to make sure that we can keep our doctors and receive the chemotherapy and other treatments and medicines that are keeping us alive. . . . I'm scared and wondering what surprises are around the corner.

Well, Ms. Carrico brings up another thing people may lose under ObamaCare besides their doctors and their health care plans; that is, their medications.

Forbes published an article this week outlining the reasons ObamaCare may cause millions of Americans to lose access to the medications they are currently taking. The author points out that many exchange plans have steep cost-sharing requirements for prescription drugs. Purchasing a bronze plan, for example, the article points out, means you will likely be responsible for 40 percent of a drug's cost. That may not be so bad if we are talking about a common antibiotic, but that gets very expensive when we are talking about more sophisticated drugs, such as cancer drugs and other life-saving treatments.

The second reason patients may lose access to their medications, according to Forbes, is that some plans simply may not cover the prescription drugs that person has been taking. Out-of-pocket limits, the article notes, do not apply if the drug you are taking is not on your new insurance company's “approved” list of drugs. You may find yourself paying for a very expensive drug without any benefit at all from your new insurance plan.

In addition to higher costs and the loss of their doctor and health care plans, there is another reason Americans are rejecting ObamaCare. ObamaCare is not just bad for health

care, it is bad for the economy. New health care regulations are discouraging businesses from hiring and expanding their businesses.

Earlier this week a CBS News article reported that “nearly half of U.S. companies said they are reluctant to hire full-time employees because of the law.” The Hill reported on a recent survey by the National Association of Manufacturers that found that 77 percent of manufacturers cite soaring health care costs as the biggest issue facing their business. The title of the Washington Post article on the health care law's impact on small businesses says it all: “Health care law's aggregation rules pose a compliance nightmare for small businesses.” That is the headline of the Washington Post.

Small businesses are responsible for a majority of the job creation in this country. If we look at some States around the country, my State of South Dakota being a good example, most of the jobs, a huge proportion of the jobs created in States like mine are created by small businesses, but the health care law is discouraging them from hiring, drowning them in regulations, and promising stiff new requirements if they have 50 or more employees. I can't tell you how many times, when I am traveling in my State of South Dakota—or, for that matter, traveling outside my State but specifically in my State of South Dakota—when I am talking to businesses, to people who are creating jobs, investors, the uncertainty associated with this health care law and the new costs because of its mandates and its requirements are making it more difficult and more expensive for them to create jobs.

So what are we seeing as a result of that? We are seeing a slower, much more sluggish economy; chronic high unemployment; and fewer jobs, particularly for people who are coming out of college. Younger Americans in particular are paying a dear price because of the slow economy. When businesses do not hire, the economy suffers. Every American who has spent weeks, months, or years struggling to find a job suffers too.

I know my Democratic colleagues here in the Senate know all of this. That is why some of them are starting to run away from ObamaCare too. Democrats in Congress may have supported the law, but now that they have seen how it looks in reality, some of them—particularly those running for reelection—are eager to distance themselves from it. No one running for reelection wants to be too closely associated with the law that is raising Americans' health care costs, taking away their health care choices, and hurting an already struggling economy.

The American people have spoken. They do not like ObamaCare. They do not want ObamaCare. They cannot afford ObamaCare. It is time for Democrats in Congress to start listening. I

always think it is never too late to do the right thing. I hope that as more Americans start to weigh in and start to engage in the discussion about how this is impacting them personally, that will have such a profound impact on Members of Congress here in Washington, DC, that they will come to the conclusion that many of us reached a long time ago; that is, this is a bad, flawed bill, built upon a faulty foundation that is destined to fail, and that the best thing we can do is pull it out by the roots and start over in a way that makes sense for the American people, that addresses the challenges we have in our health care system in America today but does it in a way that does not require the government to take over literally one-sixth of the American economy and create political control—command and control from here in Washington, DC, over literally one-sixth of the American economy.

One out of every six dollars in our economy today is spent on health care. Think about that. There are very few areas where you can say that complete, total government intervention impacts that big of a swath of our economy. Unfortunately, government intervention is impacting way too much of our economy. As a consequence, we are paying a price in the form of fewer jobs, chronic high unemployment, and a slower, sluggish, anemic economy, which is making it more difficult for people to find jobs and more difficult for us to get ourselves out of what is a very difficult economy.

My hope would be that before this is all said and done—and I do not know when this will happen; hopefully sooner rather than later because I think the sooner we make that adjustment and decide this was the wrong course and reverse course and go in a different direction, the less damage we will do to people's livelihoods, to their personal economic circumstances, and the less damage we will do to the overall economy in this country. I hope that realization comes sooner rather than later. But I think what will drive it—I have maintained all along that ultimately the only thing that can really change this is the American people because clearly we have a President of the United States for whom this is his signature achievement. Unless he starts hearing from the American people, he is unlikely to change.

We have a lot of people here in the Senate—every Democrat here today who was here in 2009 voted for this. Not a single Republican who was here in 2009 voted for it. That is probably one of the reasons this is such a failed policy. It did not have input or buy-in from the other side. It did not get some of the best ideas coming to the forefront.

There was a much better way to do this. Many of us who have been around here for very long have been proposing

solutions to address health care challenges that have been rejected by Democrats here in Congress.

We have talked a lot over the years about allowing people to buy insurance across State lines. Why wouldn't we create interstate competition? Competition in a free market economy generally, as a matter of principle and as a matter of practice, drives down price. If we create more competition and give people more choices, that tends to drive down prices. That is a fairly basic economic principle.

Why wouldn't we allow small businesses to join larger groups where they can get the benefit of group purchasing power and thereby put downward pressure on the cost of health care in this country?

Why wouldn't we allow for expanded opportunities for people to take care of their own health care circumstances by allowing for expanded, larger health savings accounts, opportunities for people to put money aside in an account, perhaps buy a catastrophic policy with a high deductible but tax free. They can put money aside that allows them to cover some of those health care costs that don't reach that catastrophic level.

What about finally doing something to reduce the cost of defensive medicine, which means we would have to reform our medical malpractice laws in this country and weed out a lot of the junk lawsuits that clog our legal system and make it so much more expensive to deliver health care. I talk to physicians all the time for whom concern about liability is a major issue. It creates overutilization. You take all this great technology we have in America today, and you have physicians who are worried about being sued. Of course, they are probably going to run duplicative tests. Anybody who is involved in the delivery of health care in this country knows very well about the cost of practicing defensive medicine. There have been many studies done on it, all of which conclude that it adds significantly to the cost of delivering health care in this country. There are differences of opinion about how much that is, but there is no question that it is a factor in the high cost of health care.

There have been proposals. There are a number of my colleagues on this side of the aisle who have suggested allowing people to have their own personal, refundable tax credit for the purchase of health insurance and to create equity between the tax treatment of health care that people can get through their employer with that which they would be able to get in the individual marketplace.

Again, the principle is greater choice, greater competition, and therefore lower prices. It is a fairly straightforward and simple formula when it comes to a market-based approach to

how we deal with the health care crisis we have in this country.

Clearly, we have programs such as Medicare and Medicaid where the government is fairly heavily involved in the delivery of health care in this country. That too is an area where we need to be looking at how we can reform and make those programs work more efficiently, more effectively, in a way that hopefully maximizes the return the taxpayers get on those particular programs.

If we look at programs such as Medicare, there was a good example a few years ago, which was Medicare Part D, which is the only program I can think of since I have been here—or, for that matter, since I have been following policies that have been put in place over time—that has actually cost less than what it was projected to cost. Why? Because it allowed for competition. It created a private component where private insurance companies would vie for, would bid for the business of senior citizens across this country when it comes to their medications. As a consequence of that, we have seen those costs come down to a reasonable level. It actually has cost less than what was anticipated.

That is a principle we could start to apply in other areas. There are a number of things that could be done to reduce the cost of delivery of health care when it comes to the component of it that the government is heavily involved with.

But the point, very simply, is that whenever we create more choices, when we create more competition, it has a downward impact on costs. It drives costs down. So why weren't a lot of these things considered or incorporated into ObamaCare when it was passed? Well, we all know the answer to that. It is because the majority party, which had the votes, decided to do it their way. They decided to go their own way, and as a consequence we ended up with a bill, a piece of legislation, and now a huge new program that has been an utter disaster.

I think any objective observer would come to that conclusion based upon the rollout of the Web site and everything subsequent to that that impacts costs; that impacts people's ability to keep the plan they have and the doctor they have; that impacts to the economy, which is overburdened with the cost of regulation in the new law; as well as the many—and I say "many"—taxes that were included in the new law. There were many new taxes included, not to mention lots of cuts to Medicare, which, interestingly enough, were double-counted. That was allowed to be used as "savings" put in the Medicare trust fund, therefore extending the lifespan of Medicare. At the same time, that was going to be spent on the new health care proposal.

Only in Washington, DC, could someone get away with an accounting convention that would allow someone to double-count revenue, which is essentially what happened. We raised that question many times, and eventually we had a letter from the Congressional Budget Office that said: Yes, this is double-counting revenue. You are spending the same money twice.

Yet the majority party had the votes. Around here, it is a function of math: If you have the votes, you can do pretty much whatever you want. And that is what they did. We are paying a dear price for that, but the people who are really paying the biggest price are the American people, who are seeing these increased premium costs, increased deductibles, fewer jobs, slower economy, and lower take-home pay. That is the bottom line.

It boils down to basic economic terms. What we are talking about is a slower, more sluggish, anemic economy, chronic high unemployment, and lower take-home pay for middle-class America. In fact, if we look at average household income, which is something we use as a metric to measure people's overall economic situations, the average household income in this country, since 2009 when the President took office, has decreased by about \$3,700 per family. There are a lot of things, obviously, that contribute to that, but I don't think it is any surprise that when you drive up the costs of something that everybody needs in this country—and by that, I mean health care—in the form of higher premiums and higher deductibles, it is inevitable that you are going to see a lot of people's household incomes impacted by that. Then you couple and layer on top of that the impact it has on the economy. When you have a sluggish economy creating fewer jobs, that, too, has a very devastating impact on people's personal economic circumstances and livelihood. So average household income, since the President took office, has gone down by about \$3,700—lower take-home pay. That is another of the results and the outcomes and the ultimate impacts, if you will, of policies created in Washington, DC, that make it more expensive and more difficult to create jobs in this country.

As I said earlier, I think ultimately what will get us to where we really can change this, change course, change direction, take this thing which is headed for the cliff and turn it around and move it in the other direction, is going to be the American people. If every Senator, every Member of Congress, if the White House is hearing what I am hearing from people in South Dakota, perhaps there is some hope that we can persuade enough people in Congress that we have to change the direction we are heading.

I would like to share a few things that I heard from people in my State of South Dakota.

A male constituent from Sioux Falls, SD, wrote and said:

I just received notice that our health insurance will go up almost 60 percent due to the ACA, from \$718 per month to \$1146 per month. We will also lose our prescription drug benefit and office co-pay benefit until each of us reaches a \$5,000 deductible. We have maternity benefits now and pediatric dental and vision care, although I am 64 and my wife is 59. This will cost us an additional \$5,000 per year.

For somebody who is trying to make ends meet in this country, trying to get the mortgage paid, trying to put a little aside for their kids' education, \$5,000 is real money. That is a tangible impact of this law on the economic circumstances, the standard of living, the quality of life this particular couple is experiencing in America today.

ObamaCare is sticking hard-working Americans with higher costs for unnecessary coverage. Families were denied the ability to keep their plans—the plans that best fit their needs, lifestyles, and budgets.

The following is a letter we received from a female constituent from Wilmot, SD:

My husband and I have four small children and purchase our own health care. My husband runs his own small business and I am privileged to stay at home. We are very healthy, so we have always purchased a plan with a large deductible, so we can afford a reasonable premium.

Today we received our letter from our health insurance provider letting us know that next month our premium will be jumping 232 percent! That's over \$500 more a month—and we barely use our health insurance.

We currently live in an 1,800 square foot house and have been trying to find something bigger. This jump in our monthly health care premium could prevent us from being able to afford any kind of monthly house payment.

ObamaCare is cutting into the carefully planned budgets of American families, holding them back from the futures for which they have carefully budgeted. This is an example of a family who is trying to get by—four small kids—and they buy their own health care in the individual marketplace. The husband is self-employed, runs his own business, and the mom has been able to stay home and care for those four kids. They work very hard staying healthy and very rarely use their health insurance policy. They are going to see a 232-percent increase, over \$500 more a month. They live in a 1,800-square-foot house. They had hoped to be able to find something a little bit bigger, and they aren't going to be able to because of the consequences of ObamaCare.

A female constituent from Spencer, SD, writes:

Thanks to ObamaCare, my monthly premium will increase over 100 percent, which equals 45 percent of my monthly income. My daughter lost her insurance, as well. The ACA is not affordable, and if I could tell the President so, I would. My private insurance did change.

The Obama administration has broken its promise that Americans who wanted to keep their plans could. We are also learning that this law simply isn't affordable for many middle-class families, such as this lady from Spencer, SD, whom the Obama administration said it would protect when they said: "If you like your insurance plan, you can keep it, period." A lot of Americans took that to the bank. Clearly, they should have known better. The double talk coming out of Washington, DC, is not only frustrating a lot of Americans, it is creating cynicism and a lack of trust and confidence, which is going to make it difficult to do big things in the future.

A male constituent from Rapid City, SD, wrote:

I know you did not vote for this—

Thank you—

but I wanted to tell you. My health care premium went from \$640 a month to \$1080 a month. My deductible went from \$3600 to \$5000. I feel like the federal government has stolen over \$5000 a year from me.

Americans feel betrayed by this law, likening the increased rates to theft by their own government. That is the level of frustration people across this country are feeling. They are frustrated, they are discouraged, they are despondent, and they want something to give. They want something to change. They know we can't continue down this path and expect that any of these families are going to be able to provide a better standard of living and a better quality of life for their children and grandchildren. The family has over a \$400 increase in their monthly premium and a \$1,400 increase in their deductible. That is the effect on this constituent in Rapid City, SD.

A constituent family from Watertown, SD, writes:

You need to know how ObamaCare is harming my life and health care. We were one of the families that lost their health care plan. We heard President Obama say, "if you like your health care, you can keep it." That was a lie. Our new health care plan is going to cost our family \$21,600 a year compared to the health care plan of 2013 which cost us \$7,335.96. That is a 300-plus percent increase. We are a healthy family of six people. We are outraged and upset.

Madam President, these letters and calls to my office echo similar complaints from American families back home in my State of South Dakota and all across the country. ObamaCare is costing this family more money and denying them the plan they want. That is the real life, real world impact.

If you think about it, this is really pretty staggering. This new health care plan is going to cost this family over \$21,000 a year compared to \$7,335 today. A 300-plus percent increase for a healthy family of six. You can't blame them when they say they are upset and outraged. Who wouldn't be. Who wouldn't be.

This is from a small business owner from Brookings, SD, who writes:

In the mail today was a letter from my health care insurance provider . . . and, well, guess what? Thanks to the great ObamaCare plan, my monthly premium almost doubled, and my deductible doubled. I'm a small business owner, and I would like to hire an employee next spring. . . . Well, that's not going to happen. When will those we elect to Washington ever do something to help people and small businesses?

Madam President, ObamaCare is not only slamming individuals, it is hitting the small businesses, the job creators that Washington needs to be protecting. ObamaCare is stopping employers from expanding their workforce.

In a bigger place, in a big city, this may not have the same domino effect or the ripple effect that it does in a small State such as South Dakota where you have a small business owner, such as this gentleman from Brookings, SD, who wants to expand his business, wants to hire another employee but is saying that is not going to happen, and the reason it is not going to happen is because of this huge increase in their monthly premiums—almost doubling the monthly premium, and doubling the deductible.

I don't know how an employer in this country today, who is trying to grow a business, expand the business and provide for themselves and their families, perhaps put a little aside to use for the kids' college education or perhaps put a little aside for retirement, deals with the doubling of probably one of their biggest costs of doing business, and that is the cost of health care. You double your premiums; you double your deductible.

This is from a mother in Garretson, SD, who writes:

Next year, our insurance is changing, and I will lose my family practice doctor of 22 years—the doctor that delivered all my children and that has cared for our teenage children all their lives. We will also lose all the backup doctors our family has seen when we couldn't see our regular doctor. I was happy with my insurance, and now I have to lose my doctor.

This is more testimony from people losing their plans and doctors, which the Obama administration—President Obama himself—repeatedly, over and over, told the American people they could keep. Families are losing their trusted doctors.

Whether it is a doctor, a hospital, or prescription drug coverage, these are all real life examples, real world examples of the impacts of ObamaCare that point to just one thing, and that is this law, No. 1, doesn't work, and No. 2, it can't be fixed. There is no way we will be able to address what most people care about when it comes to their health care—and that is the cost—when we require the people who provide that health care coverage to deal with more mandates, more requirements, higher taxes, all of which are going to get passed on and paid for by the very people in this country who are

just trying to make ends meet and make a living and provide for their families.

Those are seven examples from my State of South Dakota. I could go on, because there are many more examples. There are examples from people all across the country. But I think the point that needs to be made here—and can't be made often enough—is that these are real world economic impacts that are affecting every day Americans in a way that is making it more difficult for them, making their economic circumstances more complicated and more difficult.

What, if anything, should we here in Washington take away from this? First off, as I said earlier, this doesn't work. Let's start over. Let's do this the right way. It is not too late to do that. It is never too late to do the right thing. We could, if we decided to pull this thing out by the roots and start over, come up with a whole series of reforms that would move us in a step-by-step direction toward the ultimate goal, and that is to address the health care challenge we face in America today; that is, the cost.

I don't think there is any American family, any individual, as they think about having to purchase health care—and particularly if you are a young healthy person, obviously, you don't want to pay a lot for it because you are probably not going to use a lot. Yet those are the people who will get hit the hardest. I can't tell you, if you are in your 20s, how much more you are going to have to pay to get health care coverage in this country, simply because the law requires what they call the community rating band be narrow so that people who are healthier and younger are going to pay much more to cover people who are less healthy. That is a reality in the legislation and it is a reality now in terms of the way it is being applied and being implemented.

So we are looking at a lot of people in this country—for sure younger Americans, but Americans of all ages as well—who are looking at higher cost because of these regulations and mandates and requirements that are being imposed upon the insurance companies and health care providers in this country. The new taxes, which I mentioned a little bit earlier, are also something that ultimately get passed on.

When we were debating this, the Democrats argued that we would have \$½ trillion in tax increases and \$½ trillion in Medicare cuts and that was how this was to be financed. It turns out when it is fully implemented the cost is much higher. What they did is they front-end loaded some of the revenues and back-end loaded the costs. When the Congressional Budget Office looked at it, in a 10-year window, they said there will be about a \$1 trillion cost.

When it is fully implemented, and we see the full impact of the cost and the

revenues together, the 10-year cost is more like \$2½ trillion. So it was a massive expansion of the Federal Government—literally the largest expansion of the government in 50 years. It was literally a takeover of one-sixth of the American economy. That is what health care represents in this country.

So if we think about that in those terms, how much this thing is going to cost—and at the time they said: Don't worry, it is all paid for. It will not add to the deficit—we are finding out now more and more information, with more and more analysis being done, and it is coming to light that, in fact, it is going to cost way more than what was initially expected. I think this is the tip of the iceberg, the tip of the iceberg in terms of the cost to the American taxpayers. Again, this is financed by higher taxes, all of which get passed on to the very people in this country this is supposed to help.

The Medicare cuts that were proposed to help pay for this, many of us said at the time were cutting hospitals, cutting home health agencies, cutting nursing homes, cutting hospices—which is what this did. This was all designed to take \$½ trillion. But again, when it is fully implemented, it isn't \$½ trillion, it is \$1 trillion, when you look at the full 10-year implementation. But taking this out of Medicare was, No. 1, going to help pay for all the new benefits that would happen under ObamaCare; and No. 2, somehow—somehow, don't ask me how—it was going to be credited to the Medicare trust fund, thereby extending the life of Medicare.

How do you do that? How do you, with a straight face, say we are going to take—let's just use the conservative number used by the Democrats on the floor—\$½ trillion out of Medicare, use it to finance a new entitlement benefit and somehow be able to say we are going to credit the Medicare trust fund and that this is actually going to prolong the lifespan of Medicare? It was absolutely stunning at the time that we were having this debate and we raised these issues. But people would say: The CBO says this, the CBO says this. That is because CBO uses some pretty strange accounting conventions that aren't used anywhere else in the world. Anyplace else in the world you would be in jail for doing something like that, for double counting revenue—spending the same money twice. But that is essentially what happened.

Many of us at the time, as I said, raised this issue on the floor and tried to point out we are spending the same money twice. At that time it fell on deaf ears. To me, that is again a symptom of a process that is geared to get a result with a majority vote driven through here, jammed through here, forced through here on Christmas Eve. We all had that vote Christmas Eve morning, and all I can say, as someone

who was here and observed that entire process, we tried our best to warn the American people about what was going to happen.

It is too bad we didn't at the time decide, as we usually do when we do major legislation—major legislation that has enormous consequence for the American people—to do it in a bipartisan way that incorporates the best ideas of both sides of the aisle and perhaps gets a big bipartisan vote. Usually, when you pass major legislation around here, you are sort of hoping for 70 to 75 votes, perhaps even more, because you have the buy-in, everybody has been involved in helping shape and formulate that legislation. But that wasn't the case when this passed.

Again, I understand. This becomes a function of math. You have the votes or you don't. That is the way this place operates. At that particular time, 60 votes was something the majority had the luxury of and didn't seem to care a whole lot about what Republicans had to say. The President was bent on getting his initiative through and getting it his way. Today, that is the reason, in my view at least, we are where we are, with a piece of legislation the impacts of which are now being fully felt by the American people, and their conclusion is what I think their conclusion should be: This is a really raw deal.

I can't tell you, as I think about the broader context, beyond just the world and the space of health care when it comes to public policy, how these decisions that are made here, major policy decisions, impact the broader economy. There is no question, there is no debate about the impact this is having on the economy.

If you talk to any small business person in this country, anybody who has the responsibility of providing health insurance for their employees, who has the responsibility for hiring and employing people and, hopefully, paying them a living wage and benefits that go with it, there is no question this is having a detrimental impact on the overall economy, which continues to sputter along at a 1 to 2 percent growth rate. The best thing we could do, if we want to really help the American people and really improve the standard of living and the quality of life for people in this country, is to first get people unemployed back to work; but, secondly, get the economy expanding at a faster rate.

We are growing at 1 to 2 percent a year instead of 3 to 4 percent, and that has a profound impact in not only the number of jobs created but also the wealth that is created. When we think about an economy that is growing at 3 to 4 percent versus an economy that is growing at 1 to 2 percent, the difference in the gross domestic product, the difference in the total economic output is substantial. In fact, it is dramatic.

What does that mean? It means a lot, not the least of which is that government revenues are a lot lower than they otherwise would be. If you had a more robust economy, growing at a faster rate, people are working, people are investing, they are making money and they are paying taxes.

We have this debate around here like it occurs in some sort of vacuum or static environment. Republicans come in here, those of us who believe in limited government, and we talk about doing what we can to make government more efficient and make it cost less.

Democrats believe that we ought to have more revenue, more taxes; and the problem isn't that we spend too much, it is that we tax too little. That is a fundamental philosophical debate that we have here on a regular basis. One of the reasons, by the way, why it is so hard to reach a significant budget agreement: There is a profound difference in the way we view the world and how we get our country on a more sustainable fiscal path.

There are those of us who believe in spending reforms, lower spending, a more limited role for the government and think that is what we ought to be doing. Democrats by and large believe that we just need a little more tax revenue. If we just raise taxes a little bit more, we could do more here in Washington for the American people. I happen to be of the view that the American people can do just fine for themselves if you allow them to keep more of what they earn.

The reality is that there is a third way, and that is to grow the economy. We can reduce spending, we can raise taxes. We ought to reduce spending. We ought to reform spending in a way that changes this fiscal trajectory which we are on today, which becomes increasingly problematic the farther we get down the road in the future.

But in addition to reducing and reforming our spending programs in this country, we also ought to be looking at growing the economy and actually making the pie bigger. Because that is a surefire way, a certain way of getting the kind of growth in the economy which would allow Federal revenues to go up rather than down.

We have seen this over time historically. If history is any sort of guide and we go back to the 1920s under Coolidge or to the 1960s under Kennedy, a Democratic President who understood the importance of reducing marginal income tax rates or Reagan in the 1980s or more recently in the last decade President George W. Bush, when you reduce taxes on income and investment, you don't get less revenue. You get more because it changes the behavior of the American people. People have an incentive then to invest, to go to work. That generates not less revenue but more and puts us in a situa-

tion where we are much better off, not only in terms of our economy and the opportunities it provides the American people but also to the fiscal track we are on as a Nation.

I see my colleague from Kentucky is here. I know he has some observations on this issue of ObamaCare, the economy generally, and other matters before us. But certainly one of the reasons we are here is because we have this rush to approve all of these nominees to these various agencies of government—many agencies which are guilty of the very overreach which has contributed to where we are with regard to ObamaCare. We have too many regulatory agencies with way too much power and are circumventing the will in many cases of the Congress to accomplish an agenda that is very contrary to the very things I just talked about, which are economic growth and job creation.

But through the Chair, I yield the floor for the Senator from Kentucky. I believe Senator PAUL is here to take up the measure.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Kentucky.

Mr. PAUL. Madam President, as we enter into the Christmas season, I think it is a good time to talk about stories to describe sort of pastorally where the Senate is. So I have a story today I would like to tell about how the Senate works—or doesn't work.

So it came to pass that the filibuster was dismembered, dishonored, and indefinitely detained.

With the end of the filibuster came the end of any semblance of comity and compromise on Capitol Hill. The party that never cared much for the rule of law broke the rules of the Senate to change the rules.

Senate rules for nearly 2 centuries allowed the filibuster. The filibuster was simply a requirement that 60 percent of Senators must approve nominations and legislation. This super majority requirement actually fostered more centrist solutions and compromises.

In order to change the rules, though, and kill the filibuster, it required a two-thirds majority to change the rules. However, the party which doesn't and hasn't concerned themselves with the rule of law simply broke the rules.

When the Chair said: That is against the rules, they said: We don't care if it's against the rules. The rules are whatever we say the rules are.

The best way to put this in perspective: You are watching a tennis match. The ball is clearly a foot out of bounds. The umpire says, "Out of bounds." Instead of going by the rules, you have everyone vote. So the audience at Wimbledon votes that it was in bounds when it was really out of bounds.

That is what we have here: We have no more rules and we have no more comity. We have no more compromise.

What we have is poison—poison that has been given to us by people who have no concern for the rules.

Historically, it has always required two thirds of the Senate to change the rules. But, for the first time, we break the rules to change the rules. So when the parliamentarian rules to Senate Democrats that: You're breaking the rules, they say: No, it really wasn't out of bounds. It was in bounds or we don't care that it was out of bounds. We don't care what the rules say. We want our way. We are impatient. We want our nominations, and we want them now. We don't care about the history of the Senate. We don't care about the history of the Congress. We want our way or we will pick up our toys and we will go home. We want it now. We want it now. We want all of it. We don't want to talk with the other side. We don't want compromise. We don't want discussion. We don't want negotiation. We want our way or the highway.

The rules, it seems, aren't binding upon the Senate Democrats. To them, the rules are living, breathing, evolving, and apparently optional.

We shouldn't be surprised, though. We shouldn't be surprised that a party that believes in a living, breathing, ever-evolving, whatever-you-want-it-to-be Constitution, might not think the rules of the Senate are important.

We shouldn't be surprised that the party that believes that morality is unfixed, unhinged, unchanged, unchained to any constants, that all ethics are a situation that this party might break the rules—we shouldn't be surprised.

Is anyone really surprised that such a party with no apparent concern for the burden of debt they are placing on every American family would break the rules to get their way?

We are told they are upset because the Senate just takes too long. They want their way, and they want it now. They want their people confirmed. They don't want to talk to the other side. They won the election. They want their way.

So now they have it. They have bullied and brayed, and they have won the day. The iron-fisted rule of the rule-breakers has now begun.

There will be no return. Are they going to return to the rules halfway, partway? No. I predict they will only go further. If they don't get their way, if they don't get it quickly enough, I predict they will break the rules further.

What passed for gridlock before this will pale in comparison to the poison that seeps from the hands of those who are careless and reckless with the law.

Where the filibuster once created conversation, the iron-fisted rule of the rule-breakers will stifle it. For you see, contrary to popular belief, the filibuster actually fostered compromise, dialogue, and often results. In ex-

change for the release of nominations, in exchange for the cooperation of the minority party with the majority party, often there were votes on legislation that not everybody wanted. There were discussions, there were amendments, there was dialogue, because we were forced to talk to each other because one side couldn't always get what they wanted. They couldn't slam their fists down in angry tantrum and say: My way or the highway. We want what we want. We don't care what 50 percent of America wants or what 47 percent of America wants. We want our way, and we want it now.

The tantrum used to not work. But now we will live in an era where the iron-fisted rule-breakers will throw their tantrum and they will get whatever they want.

Contrary to popular belief, the filibuster led to dialogue. Every week, the majority party talked to the minority party. There was a meeting each week in which the agenda for the week was set through dialogue and discussion and compromise, behind the scenes, not always out in public. But there was discussion and compromise every week, because the majority party could not rule with an iron fist.

But now, in the era of the iron fist, in the era of the iron-fisted rule-breakers, why will there be any discussion? Why not just roll over the opposition? Why allow debate? Why have debate? Why have discussion? Why have dialogue? Why have votes? It has been getting less and less—as the grip gets tighter and tighter, there is less debate. There is less voting. There are less amendments. I don't think the American public likes that. I think the American public disavows this place and is unhappy with Congress in general because of a lack of dialogue. But that is where we are headed. We are headed towards less dialogue, not more.

In the past, Republicans and Democrats would come together. They would agree to votes. They would schedule them for the week. They would agree to dialogue; they would agree to nominations; and they would agree to quick and easy votes for noncontroversial nominees.

But if there is to be no rules, what incentive is there for cooperation? If it is to be my way or the highway—if the majority party is simply to roll over, if they are to beat their iron fists upon the table and say: My way or the highway; we don't need you; we don't care that half the country disagrees with our policy, it is our way or the highway; that is the way it is going to be, then I think there will be less dialogue and less compromise.

Historically, the filibuster encouraged a reluctant President to cooperate with oversight from the Congress. This isn't a Republican or Democrat thing. This is about the separation of powers. This is about the checks and balances

to power. This is about a President who might say—or not say—whether or not he would kill Americans with a drone.

This is about using the filibuster to get information from a reluctant President. This is about a filibuster that allowed Congress to get information and to force a President to say: I will not kill Americans with drones.

This is about a reluctant President being asked: Will you detain Americans? Can you put an American in jail without a trial? Can you send an American to Guantanamo Bay?

How do we get those answers from a President who is reluctant to answer? Through the filibuster.

The filibuster is an empowerment of Congress. It really isn't Republican versus Democrat. The filibuster is about Congress having power to counterbalance a Presidency. Information about malfeasance or transparency can be pried from a President in exchange for nominations.

Quite typically, holds on nominations were used to get information, were used to force people to testify. Recently, I had questions for the nominee for Homeland Security. I asked him: Does the Fourth Amendment apply to third-party records? This is a big constitutional question, and there are answers. I might not have agreed with his answer. He said he had no legal opinion on the Fourth Amendment.

I asked him: Can one warrant from a secret court apply to all telephone records? Can every American who has their records with a phone company have their records looked at through one warrant? Is that consistent with the Fourth Amendment?

And this nominee said: I really don't have an opinion on the Fourth Amendment. I really haven't thought that much about the Constitution. But he is going to lead one of the largest agencies in our government that may well have to do with spying on Americans, and yet has no opinion on the Fourth Amendment.

So what would the filibuster do? Historically, the filibuster would stop his nomination. What would a hold do? Would it be petulant? Maybe at times. But for the most part, holds were placed on nominees who wouldn't answer questions. So if you wanted answers from nominees and you didn't want them to get up there and say I don't recall, 49 times, I can't remember, I don't have an opinion today, sir, on the Constitution; then you would hold their nomination. You would hold their feet to the fire.

The filibuster, holds, about slowing things down—this is about the separation of powers. This is about the checks and balances. Currently we have a President who apparently thinks he is more than a President. He thinks he has a few monarchical powers. He believes more he is a monarch than he is a President because he thinks he

can amend legislation. More than 20 times ObamaCare has been amended after the fact. They do not come back to Congress. So what would the filibuster do? What would a hold do? It would say to that President: You will obey the Constitution. We have no way to get him in court on these matters. It is very difficult to prove or disprove the constitutionality by a challenge. The beauty of our Founding Fathers is they separated the powers. One of the powers of Congress is the filibuster. It is placing holds. By doing that we check a rebellious or an adventurous President who thinks he can take this power upon himself.

Montesquieu, who is one of the people we look to about the separation of powers, once wrote: When you allow the legislative power to gravitate to the President, when you allow the President to take this power and he can legislate or do whatever he wants, you are allowing a tyranny. That is why Montesquieu wrote you have to separate these powers so no one body of people, no one grouping within government would assume or absorb too much power. That is what is happening here, by giving up our power for petty partisan reasons.

Let's be very frank with each other. The Senate Democrats have, for petty partisan reasons, taken away the power of Congress, taken away one of the checks and balances on a rogue Presidency. These checks and balances are not something we should stoop to the level of petty partisanship over. By allowing us to do so, what has happened is we have allowed ourselves to give up one of the great checks and balances that was one of the beauties of our Constitution.

The loss of the filibuster truly weakens Congress and it makes the executive, regardless of party, more powerful and less likely to be transparent and less likely to compromise. In short, when you give power to the party in the minority, when you have that power in the party that is in the minority, it works to coax compromise out of people.

In the era of filibusters and holds, someone such as myself who is new to the Senate could place a hold on the Federal Reserve Chairman and release it in exchange for a vote auditing the Fed. Auditing the Fed passed through years ago in the House. It is a transparency bill. We should know what decision happened. Congress created the Fed. People are getting personally wealthy off the policies of the Fed. There is a revolving door between the Fed and the Treasury and the people who sell the Treasury bonds. There are Treasury Secretaries who leave employment in government and make \$160 million a year buying and selling the securities that are bought from a bank that we are not overseeing properly.

There are all kinds of reasons why we should audit the Fed. Every Republican

in the House voted for it, 100 Democrats voted for it. You rarely have a bill that 350 out of 435 Representatives voted to audit the Fed. It has been over here for 3 years. It has been held hostage by the Senate majority. The only way the minority party ever gets any votes on anything is by using their leverage, by using the leverage of the filibuster, by using the leverage of a hold—I think often to get something good. There are a lot of things that need to be discussed that are never discussed in this body.

Whether your phone calls, the records of your phone calls, the records of your e-mail should be looked at by your government without a warrant, without an individualized warrant, is something that should have a debate here. We are, in the next week, supposed to go back on the Defense authorization bill. The Defense authorization bill, in 2011, allowed for the first time in our history an American citizen to be held indefinitely. It allowed for the first time an American citizen to be sent from America to Guantanamo Bay and held in a foreign prison in a foreign land, forever, without charge, without trial, without lawyer, without accusation.

When I had the debate on the floor with another Senator over this in 2011, I said, incredulously, you mean an American citizen could be sent to Guantanamo Bay without a jury trial, without a trial by a jury of his peers? He said, yes, if they are dangerous.

Who gets to decide who is dangerous and who is not? Are these questions we would want debated on the floor? One year ago we voted to get rid of indefinite detention; 67 Senators voted to get rid of indefinite detention. Then, secretly in conference committee, it was stripped out by a minority of one or two Senators. So this year we have been prepared for 6 months to have a vote on whether an American can be detained in prison without a trial. We will get no vote because of the iron-fisted rule of the rule breakers. The rule breakers have decided no debate, no dialog, no compromise, no discussion of questions until we tell you it is time—and it never seems to be time.

You have to think about this because there have been times in our history when we have detained Americans unjustly. You have to think about how important a jury trial is for everyone and you do not have to go far back in our history to see times when we made mistakes. Remember Richard Jewel, falsely accused, unfairly accused of being the Olympic bomber in Atlanta about a decade ago. If he had been a Black man in 1920 in the South, he might not have survived a day. Fortunately, he lived in an era when we believed in trial by jury, when we believed that no one should be detained without a trial by jury, no one should be kept in prison without a trial. For

goodness' sake, can there be anything more American than that? Yet the law of the land says that is no longer true.

Anybody in our society who ever thinks they have been treated unfairly, whether one is an African American or Japanese American who can remember what happened to the Japanese Americans in World War II, should be horrified that our current law says an individual, an American citizen, can be detained.

The President says: I am a good man and I will never use it. He signs into law the authority for all Presidents for all time to indefinitely detain American citizens without a trial. Yet he says: I am not going to do it. That is not a lot of comfort to those of us who believe in the law. I believe the appropriateness or the ability for us to get to dialog and discussion is important; that the American people want it and that the filibuster actually aided that. I think it aided it. It forced us to have discussion. Without the filibuster, I do not think there will be discussion. I do not think compromise will occur. It was infrequent before. I don't think it is going to occur without the threat of filibuster. The Senate will now be run with an iron fist, a fist clenched so tightly, a power wound so closely that dissent will no longer be heard. Debate will be stifled and amendments to legislation will become nonexistent. They are already rare.

Washington described the Senate as the saucer that cools the tea that boils over from the cup of the House of Representatives. The Senate was that saucer that cooled the tea, deliberating, gave review and time for calmer minds to prevail. The Senate was one of those items that our Founders established to separate our Republic from the whims of an unrestrained majority, from the headlong dash of an unrestrained mobocracy. I think the public will be burned more often as the Senate becomes less saucer and more boiling caldron. The loss of the filibuster will lead to more enmity and less compromise. The death of the filibuster is the death of negotiation. Why negotiate if you do not have to? Through brute force and a disregard for the rule of law, Senate Democrats have found temporary victory—but at what cost?

We will now become the other House of Representatives. Will debate and amendment then become a thing of the past? Will an iron fist smash the saucer that once cooled the tea? Make no mistake about it, the death of the filibuster is the death of dialog. All power that is taken from the minority party is a leverage that is taken from possible compromise. One day I believe those who have seen fit to break the rules to change the rules will regret their actions. The question is, When cooler heads prevail, will there be anybody left with the spirit of compromise?

All one has to do, to see what happens when there is no debate, when there is no dialog, when there is no compromise—all one has to do is look at the health care fiasco. It was passed without any discussion with Republicans—no input, zero input from Republicans. Why? Because at the time, even though we still had the filibuster, Senate Democrats were 60 and Republicans were 40. They did not have to talk to us.

When the majority party does not have to talk to the minority party, they will not. So with ObamaCare, with the unaffordable health care plan he has given us, there was no discussion, no debate—60 Democrats, 40 Republicans. We got a bill that is completely and entirely their baby—no compromise.

The same thing in the House. It passed by brute force by a majority of Democrats and no Republicans.

What we have now is something that is completely unworkable and does not represent the American people. I will be the first to admit we are divided. Not everybody is Republican, not everybody is a Democrat. But the interesting thing is it is about 50–50. It is not 80–20. It is not that everybody or the vast majority in the country want it one way or the other, it is almost 50–50. But instead of having 50–50 solutions come out of here, what is coming out of here is my way or the highway.

You look back, about 1 month ago when the government was shut down, we were trying to open the government. Every day we tried to open the government. We said what about just delaying ObamaCare a little bit? What about delaying just the individual mandate? No way. We will not negotiate with a gun to our head, the President said. The President bellowed: I will not negotiate. You can't make me negotiate. I will not compromise.

Immediately after the government opened back up he did exactly the same thing we were asking for, he delayed the individual mandate. Of course he did it unconstitutionally and illegally because he did it without the approval of Congress. That is the way it has been from the beginning. This is something that we as Americans should be extremely worried about. This is the stuff of kings, this is the stuff of monarchs, and this is the stuff of tyrants because he thinks he can do the legislation by himself.

But if there is no recourse to come back to Congress, what happens? ObamaCare is a story of favoritism, it is a story of dispensing favors to your contributors, your friends. Should not we have a government where your campaign contribution buys you a different sort of scrutiny? It is no longer equal protection under the law, it is protection based on contribution history.

We have given waiver after waiver to special interest groups. You can see

them with a big smile plastered on their face when they come out of the White House. There are special interest groups that have been to the White House hundreds of times. Meanwhile, the Secretary in charge of putting up ObamaCare and getting it started was there once. But hundreds of times special interests came. They paid first. They gave their campaign contributions. They paid, they got access to the White House, and they got a waiver.

Why would McDonald's get a waiver and not Burger King? Why would one business get a waiver and not another? Why would a union get a waiver and not another business that is not union? Is that equal protection under the law? Is that the way we are going to live? That is the way you will live if you allow all the power to gravitate to one person who has no checks and balances.

That is why we are supposed to have a separation of powers. That is why we are supposed to live under a rule of law. Legislation is messy and it takes a while. They no longer have the 60 votes to have his way or the highway. They cannot get everything they want so they do it by executive fiat. But realize that an executive can dictate for good and for harm or does one person always know what is best for the country? So we have been dictated to, all of these changes with ObamaCare, but the bottom line is more people are now losing their health insurance than are gaining it. Those who are gaining it, those who have been forced into ObamaCare, will recognize a few things. They are losing their freedom of choice and they are being forced to pay more.

There are two things that are irrefutable about ObamaCare: You have lost your freedom of choice and you are being dictated four plans. Where there was once hundreds of plans you could purchase for insurance, there are four plans left in America you can choose from, and they are more expensive. Why? Because you are told your kids have to have pediatric dental coverage. What if you don't have any kids? You are being told you have to have infertility coverage. What if you are not married? You are told you have to have pregnancy coverage. What if you are not married? The thing is that what has been outlawed is cheaper insurance policies.

Let's think back to the original problem. Eighty-five percent of Americans had health insurance, right? Fifteen percent of Americans didn't. Of the 15 percent who didn't have health insurance, one-third of them were eligible for Medicaid, and we could have helped them by fixing some eligibility with Medicaid or actually trying to help people sign up. One-third of the 15 percent who were uninsured, some reports said, were not here in the country legally, and then one-third of the 15 percent made between \$50,000 and \$75,000,

but they did not buy insurance because they were young and healthy and decided to roll the dice and they perceived health insurance as being too expensive.

The main impediment to the body of people we could have gotten insured was expense. What have we done to help them? We made health insurance more expensive for them. If you are young and healthy, you should want a high deductible with few mandates. That is very cheap. What does ObamaCare give you? It gives you a high deductible and gives you a million and one things you don't need or don't want and it is very expensive. Really what we have done is taken away freedom of choice and given you something you don't want and made it more expensive.

This is the danger of having one-sided, one-party rule. There is no debate and no discussion. And that is what happened with ObamaCare—a lopsided result, a misbegotten legislation that doesn't work, can't work, and is leading to disaster.

Some have said: How can we fix it? Can we make ObamaCare less bad? I am not positive we can. Some are saying—and the President came back unilaterally and said: OK, I will give you another year. Look at it from the perspective of the insurance company. They can offer the cheaper policies for 1 more year. What incentive do they have? You are being told that within a year you have to buy more expensive insurance. Does the insurance company have any incentive to sell insurance that is less expensive again? If you are mandated to buy something more expensive, why would they do something less expensive? Now everybody in the country will be forced to buy something more expensive.

A lot of young people will say: Well, it is more expensive, and the penalty is not that bad for my income. Maybe I would be better off without insurance. Besides, now I can buy it anytime I get sick.

Other than the penalty—there is no incentive to buy health insurance when you are healthy other than the penalty.

Many people may say: I will just wait until I have chest pain, when I am rolling into the emergency room, or until I get in an auto accident, and then I will buy my insurance.

This is about choice versus coercion. We have one party that has decided they know what is best for you. They feel you are not smart enough to take care of yourself. They feel they should be—in a benevolent way—your parents. So you have a party that has decided they will take care of you from cradle to grave, but don't worry, it is free. No big deal. It is free. We are going to give you free health care.

Mark my words. There is nothing free about this. You will pay for this. If

you had insurance before, you will pay for this with more expensive insurance premiums. If you didn't have insurance before, you will pay for this with more expensive insurance than you could have bought before.

The question is, How do you make it work? It only works now—if it is going to work at all—through coercion. You are forced to buy something. To me, that is antithetical to what the American Republic was founded upon. We were founded upon freedom of choice. You have freedom of choice every day in the things you purchase. Why is the one thing you are not allowed to have is the freedom of choosing your health insurance?

Realize what this stems from. This stems from allowing government to get so completely in one hand that there are no checks and balances. There are checks and balances between the branches of government, and there are checks and balances between the parties. If you let one party get too strong of a hold in Congress, you will get something that is not the product of compromise and not the product of discussion.

Also, if you weaken the body of the Senate—which was intended to slow down legislation—by taking away the ability to filibuster or to place holds on nominees, once you do that, you are going to get away from compromise.

I think it is important that people know, when they look at this and say: Well, that is just obstruction; Republicans with their filibusters and holds are just obstructing the process, if the process is to run headlong away from the Constitution or to run head over heels and trample the Bill of Rights, you would want things to cool off. You would want that saucer the Senate was that allowed the tea to boil over and cool off.

So the question we really have is, Do we want checks and balances? That is a big question. We have gotten to the point in our history where so much power has gravitated to the President—not just this President; Republican Presidents also. This is not a 4- or 8-year evolution; this is a 100-year evolution toward a stronger Presidency. We have now allowed Presidents to go to war without congressional authority. We have allowed them to trample over civil liberties without congressional authority.

We now allow regulatory regimes to write so many rules that your elected officials have little to say over what laws you live under. For example, we complained that ObamaCare was 2,000 pages. The Democratic leader in the House of Representatives said: Don't worry; you can read about it after we pass it. That was a mistake, and that is why so many people still don't understand this piece of legislation.

To top it off, this was a 2,000-page bill, but then 20,000 pages of rules were

written. Unelected bureaucrats are writing most of the rules. For example, when ObamaCare passed, believe it or not, I think the original legislation would have let you keep your doctor, period. There was a regulation written 3 months after the bill was passed that changed it and said: You can keep your doctor, but you have to pay more, and it has to obey this rule.

Let's just say you can maybe keep your doctor if President Obama likes your doctor. This rule was not written by Congress. It wasn't part of the legislation. This is a rule that was written afterward.

About 3 months later, as they are writing 20,000 pages of rules, a rule comes up that says: If your insurance ever changes, it is not grandfathered in and you will lose your insurance. It will be canceled. You will be forced to be canceled.

The reason millions of people are having their insurance canceled is because the President authorized this through his bureaucracy without the permission of the Senate.

However, it gets more interesting. Occasionally, when a regulation is passed, we can try to stop it. So 3 months after ObamaCare was passed, they passed this regulation that says: You will be canceled. Millions of people were being canceled because President Obama and his team wrote this regulation.

One Republican Senator, Mr. ENZI from Wyoming, stood up and said: No, we will vote on this. We will vote on whether your policy can be canceled. So what happened? It came back. And guess what. The regulation that says your policy can be canceled if it ever changed—the regulation that is allowing millions of people to be canceled—every Democrat in the body voted for it, including a few of them who are running headlong away from the President. They can't get away from the President fast enough. They are running headlong away from the President and saying: Oh, I didn't know that rule was going to be there. I really thought you could keep your doctor.

Bunk. They all knew it. They all voted directly on it. Not only did they vote for ObamaCare, 3 months later they voted for the rule that is allowing millions of people to have their insurance canceled.

So these Senators who are saying: Mr. President, we might need to fix this, and I have a solution, all voted for the rule. We had a direct vote in the Senate on the rule that says: If you like your doctor, you can't keep your doctor. The whole idea when the President said: If you like your doctor, you can keep him, period—which we have now found to be false—we had a chance to fix it. We had a vote in this body. Every Senate Democrat voted to allow your insurance to be canceled. So if you are one of the millions of Ameri-

cans who have had your insurance canceled, you can thank the Senate Democrats. Every Senate Republican voted to say you should not have your insurance canceled. Every Senate Democrat voted to allow your insurance to be canceled if it ever changes.

While some people have been wondering how many people are going to lose their insurance because of ObamaCare, the answer is everyone because insurance changes gradually over time. So within a few years everybody's insurance policy will change and you will be canceled. Everyone in America will lose their insurance. They will be canceled eventually, and they will have to buy ObamaCare. So people went from having hundreds of choices for insurance to having four choices in America.

Really what this debate is about is whether you believe in freedom of choice, whether you think you are smart enough to rule over your own destiny or whether you want a paternalistic government that makes these decisions for you. Are we so insecure as a people that we need the nanny state? Do we need the nanny state to take care of us? Do we not want choice? Why don't we extend it to all things? Health care is important, but so is food. Why don't we have the government decide what type of food we eat? Why don't we have the government decide how much we can charge? God forbid we charge too much for food. Shouldn't food be cheap and economical and affordable?

Maybe the government should own the farms. If the government can distribute health care and health care is so important, so is food and water. How can we let anybody in the private marketplace determine water? How can we let private people control water? Shouldn't we let the government be in charge of everything?

The bottom line is this: We shouldn't let the government be in charge of anything that can't be handled by the private marketplace, which means very little should be handled by the government. The reason you want minimal government is that government is not very good at stuff. I tell people that it is not that government is inherently stupid—although that is a debatable point—it is that the government doesn't get the same signals we get.

In the private marketplace, you get signals. You have to make a profit or you have to meet a payroll. So there are different signals that come. As far as health care and the government running it, there is no signal. They get no feedback. Right now they have a Web site that would have sent any private business into bankruptcy. This would have been a failed initiation, and the company would have gone bankrupt. No company could roll out something as bad as this, but no private company would. The private company is influenced by the marketplace, and they

have to make good decisions. The government doesn't make good decisions because it is not required to. That is why when you have a choice on whether something should be done by government or the private marketplace, you want the private marketplace.

Milton Friedman often talked about this. This is a truism of all government: Nobody spends somebody else's money as wisely as they spend their own. The private marketplace will inevitably make better decisions because it is a cruel master. In the marketplace, you have to please consumers all the time, every day. They vote. You have heard the term "democratic capitalism." There is nothing more democratic than consumer and capitalism voting every day, and the people who are rewarded are those who give a product that people want to buy, and they do it in an efficient manner, so people are forced to be efficient. They are forced to have good consumer service.

The consumer is king only in the private marketplace. The consumer is treated as a stepchild if it is government. You are treated with reckless abandon by government. As a physician, I dealt with the government for decades and decades. You know what. It takes at least an hour to get someone on the phone. When you get them on the phone, they tell you they can only answer two questions. If they are not in a good mood, you have to call again. You have to get on the phone again and wait an hour to talk to another bureaucrat who may be surly and may have had a bad day and will probably get a bonus anyway.

If you want government to take over your health care, think of the case of Jonathan Beal. He worked for the EPA for 11 years. He told his boss that he was a spy and that he worked for the CIA. He took 6 months off at a time for years and years. He always got bonuses for good employment, good behavior, and good productivity for 11 years. This is what goes in government. Would that happen for a week or 2 weeks in a private industry? No way would that happen. The government is so big and vast, they have no idea who all is even working in government. We are going to turn that over, our health care system. The bottom line is it will not be efficient, it will not try to save money; it will try to spend money, and it will not lead to us having lower premiums, it will lead to having higher premiums.

Thomas Payne said that government is a necessary evil, and he was right. That sounds kind of harsh, but the thing is we need to have government, but because government is inefficient, we should keep what government does to a minimum. There are certain things we probably can't have private industry do, including a national defense, an Army, a Navy, an Air Force. Government needs to be in place for

that. We have decided with most of our infrastructure to have government involved. We have some private entities involved as well. But do we want government involved in every one of our affairs? Do we think government is going to be distributing goods very well?

Think of it this way: Tomorrow we nationalize grocery shopping. We nationalize and everybody gets insurance and it will be subsidized. When people go to Walmart, they will just pay a \$20 copay. Do my colleagues think they will buy less or more there? People will empty the shelves.

The other day—my colleagues may have heard that food stamp cards stopped working and they didn't have any limits; people just kept loading up thousands and thousands of dollars' worth of stuff. They trashed the whole place, carts were everywhere, and then someone turned the cards back on and there were limits and people had to leave the store. When there are no limits, people will spend without limit. The same goes with health care. So when government gives us something for free, the tendency is to use it. So what we find, for example, with Medicaid—a big part of ObamaCare is the expansion of Medicaid. I wish to help people who can't help themselves. There are a lot of people who are missing both legs and on dialysis and they have \$10,000-a-month insurance. I think we can find a way to help these people. But we have now added able-bodied people to this, generation after generation of able-bodied people, so instead of a temporary hand up, a helping hand, we have turned it into something permanent.

But it is also the most rapidly rising cost in State governments, so State governments, I believe, will ultimately succumb to this burden. In our State it will be a 50-percent increase in Medicaid. In fact, for most of the people signing up around the country, three-fourths of them in my State are signing up for prehealth care. It is not truly free. We are going to pay for it. Anybody who is working will pay for it. But the thing is that what they are signing up for is free.

I think if we expand our safety net beyond sort of those who are not able-bodied or we expand it to make it permanent for people, what it becomes is a drag on the economy and a drag on everything and it disallows or prevents us from growing as an economy.

We have been having this debate for a while. The President has decided that people who are working just have too much money and he has to take from those who are working to give to those who aren't working. That is not how we get more jobs; that is how we make the pie smaller. If we keep dividing up the pie and shifting the pie from those working to those nonworking, it doesn't help anybody. It divides the pie

smaller. There have been times in our country where we have greatly grown the pie, but we have to get beyond these petty things.

The President preaches fear and envy, class warfare. He preaches that if your neighbor has three cars, send me and I will take one of their cars. I will get some of your neighbor's stuff and I will give it to you. The problem is it doesn't make us rich as a nation.

There has been a discussion for thousands of years about whether it is good or bad to spend time coveting your neighbor's wealth. It isn't healthy personally or spiritually for our country. If I labor my whole day saying my neighbor has a Mercedes and I don't—I should instead be saying maybe my son or daughter will be working at the Mercedes dealer selling to somebody who is buying a Mercedes. Instead of feeling jealous and envious of others, I should be saying we are all interconnected and we want more people to rise and be part of the top 1 percent. Instead of taking a meat-ax to those who are successful in our society and trying to drive them down, we should try—in the 1920s, Coolidge took the top rate from 70 percent down to 23 percent. We had a boom. Employment thrived. He balanced the budget. We did it again under Kennedy in the 1960s. Unemployment was once again cut in half. By the time we get to Reagan, the rates had risen to 70 percent again, and Reagan said our economy will boom if we lower rates on everybody, and he did. He lowered rates from 70 percent at the top rate—the top 1 percent. He lowered their rates. He didn't raise their rates. He didn't say covet thy neighbor. He didn't say I will get you one of your neighbor's cars. He said lower the rates and the economy will boom, and it did. We lowered the rates from 70 on the wealthy to 50 to 28 and we had a decade-long boom with millions of jobs created.

We have to have this debate as a country. We can't say the debate is over. If we say the debate is over and that what we need to do is just divide it up, pass the money around, we are going to be talking about a shrinking pie that we pass around.

We also have a pie right now that has millions of people unemployed. So how are we going to grow this economy? Are we going to grow our economy by saying let's tax people more? It is exactly the opposite.

I was in Detroit last week talking about how we could help Detroit. We can't send money from Houston to Detroit and bail them out. It doesn't work. One, because it is just like when the President did his government stimulus. When the President chose to pick winners and losers, he wound up with a bunch of losers because no central planner knows who is going to win and who is going to lose. Nine out of ten businesses fail. That is why we don't

want government choosing the winners and losers.

When they do that, they choose people such as Solyndra. One, it was a little bit unfair on the face of it. The guy who ran the company was the 20th richest man in the country. What business does the middle class—that the President says he is so proud of—what business does the middle class have giving money to the 20th richest man in the country? It turned out people didn't want his solar panels.

But that is the government picking winners and losers, many times based on campaign history and based on environmental politics. It is picking winners and losers and it doesn't work. Why? Because the marketplace, when it winnows out and finds who will be successful in business, who is a harsh task master, but it asks all of you—it asks 300 million Americans every day to vote on which businesses will succeed. So you get to vote every day. So there is a big difference between reducing taxes for those who are in business and trying to stimulate the economy and taxing people in Houston, bringing it up here, and then passing it out to people I think might be good at business in Detroit. No one knows that. No one has that knowledge. Only the marketplace can decide who is a good risk and who is a bad risk.

Banks are part of that, but the consumer votes every day on which businesses are good and should receive more money.

So my plan is basically economic freedom zones. Let's lower the taxes in impoverished areas. Let's don't tax Houston and bring a bunch of money up to Detroit and say: Here, you are going to succeed. The same thing will happen to that money that happened to the last 50 years' worth of money; that is, it was stolen, some of it was misappropriated, some of it was given to the wrong people.

But if we are to lower the taxes for the people in Detroit, I think we could truly help them. My plan would lower the personal income tax to 5 percent for everybody in Detroit. It would lower the corporate tax to 5 percent. We might find people in the suburbs who want to move back into Detroit if their income tax is 5 percent. That is a good thing. People would pay those taxes. Instead of being envious of these people, instead of saying they might buy another car, I might be saying they might buy that car from somebody selling it in Detroit.

The thing is that economic freedom zones and reducing taxes I think would help spur the economy.

There are 20 counties in eastern Kentucky that have unemployment 1.5 times the national rate. A large degree of our unemployment is due to the President and his war on coal. He always talks about a balanced solution, but he doesn't balance his hatred for

the coal industry with jobs. He doesn't balance his so-called like for the environment with jobs. When we look at regulations, we should preserve the environment, and we have many Federal regulations that I do agree with on the environment. We shouldn't be able to dump chemicals in a stream. I agree completely with that. The Clean Water Act says you cannot discharge pollutants into navigable waters of the United States. I agree completely. But do we know what they have done over the last 30 years? They have taken that commonsense regulation, which we can probably all agree to, and they now say dirt is a pollutant and your backyard is a navigable stream.

So we have actually put people in prison for putting clean dirt on dry land. As a consequence, I think we spend less time protecting the Ohio River and more time meddling with some property owner. We have gone crazy with regulations because they are now written by unelected bureaucrats. They are not written by people we can unelect; they are written by bureaucrats.

We have to get back to some common sense with these issues. We have to look at how injurious this is. Even things that are well-intended, we think, well, gosh we have to protect the bald eagle and we have to have endangered species protected. I agree. I have two bald eagles in my backyard. They have come for the second year and they are fascinating. They live on the pond behind my house and it is fascinating to see them. But what we have done in the name of protection for the environment and protection for certain species is we have gone nuts with it.

In my State, we are protecting the Indiana bat. I had a guy come up to me and he said: The Indiana bat? They came up to my property and they took a survey and they found one bat. It was already tagged as a brown bat. The scientists had a big fight. Two of them said it was an Indiana bat and the other two said a brown bat, but did they tell me I had to do anything to help the bat? No. They just charged me money to cut down trees on my own land. So it isn't about the bat; it is about money. They charge \$2,400 per acre to chop down your own trees.

Another city in my State, Grand Rivers, when it rained, the sewage was flowing into the river overflowing and they were overcapacity and wanted to have a new sewage plant. They couldn't do it because the EPA was saying we need to know how many pocketbook muscles there are. Are we going to stop the building on the planet? No. What it does is cause hundreds of thousands of dollars to be spent looking at this.

The bottom line is, remember, separation of powers is important, and the loss of the filibuster I think is leading toward a one-sided party rule and leaning toward less power here and more

power in the executive branch, I think all to the detriment of the voter.

At this point, I see my colleague from Oklahoma has arrived, and I yield the floor.

Mr. INHOFE. I thank my good friend from Kentucky.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Since he was talking about the EPA, the overregulations there, I happen to have been privileged when we were in the majority to be the chairman of the committee called the Environment and Public Works Committee. It does a lot of very important things in terms of highways and roads and infrastructure. What the Senator from Kentucky was talking about is all the overregulations that come from that. I am very sensitive to that.

That is not why I am here tonight. In fact, I wish to talk a little bit about the nuclear option, about how this has changed things around here, and it is somewhat of a crisis level we have arrived at. Before I do, I wish to share something on ObamaCare. A lot of things have been said on this floor about the problems with ObamaCare. I wish to elaborate a little bit about that in a minute but not right now. I only wish to say that 2 months ago, when my good friend from Texas, Senator CRUZ, and 11 of us were concerned about trying to do something to stop ObamaCare and we took some pretty drastic steps—he actually stayed up and spoke all night—I did not, but I spoke during the evening and again in the morning. But I told a story at that time. It puts it into a context that people don't understand.

The story was this: Keep in mind this was 2 months ago. I said it has been admitted by Obama and by many of the leaders—even the leader of the Senate—that the ultimate goal of ObamaCare would be the single-payer health care system, very much like what was talked about back in the early 1990s when Bill Clinton was President and Hillary had her Hillary health care and at that time I think it was ultimately going to be a single-payer system. As my colleagues well know, a single-payer system by definition is socialized medicine, and that was what it was going to be at that time. I remember talking—and we ultimately did defeat it, but at that time I asked the question, I said: Wait a minute. You are talking about socialized medicine. It doesn't work in Denmark or Sweden or Canada or in the UK. Why do you think it would work if you were doing it? They never tell us this, but they say it may not work somewhere else, but if I were running it, it would work. We defeated that back in the 1990s.

Now, some time has gone by, and we have very much the same situation. We have a system that is edging into socialized medicine, a single-payer system. This is what they want. This is

what liberals normally do want. They somehow think that government can run things better than people can.

So I told this story, I say to my good friend in the Chair. Keep in mind, this was 2 months ago. It had been less than a year before that when something happened to my wife—and my wife is just a year younger than I am—something happened, and all of a sudden she found out she had to have emergency open-heart surgery. It was a valve that was the problem at that time. We did some research. She immediately had open-heart surgery. It was successful. She is great now. They replaced the valve, and she is in really good shape.

But the point I am making is that if this had happened and we had been citizens of Canada—we went and checked—someone that age with that kind of an emergency would have to wait 6 months before they could determine whether they were going to allow them to have that operation. If it were in the UK, it would be 2 months. She would not have lasted that long.

That was to let people know that when it hits close to home, it really means lot more, instead of just talking about how many people are not happy with the enrollment and all this stuff.

Well, ironically, what happened to me 5 weeks ago was exactly the same thing. I ended up having to have emergency surgery. I had four heart bypasses. I got to thinking. Just a few weeks before, I had been talking about my wife. I would not be here now. That is how serious this is. Because those individuals who are talking about ObamaCare, they really want a system that the government is running, and it has not worked anywhere else in the world. In cases like mine, I would be on the waiting list and I probably would not have made it this far and would not have been here today.

I only say that—and I want to elaborate a little bit on that shortly, but I need to get in something very significant that is going to take place.

First of all, I do not like the idea of what is going on right now. I am very much upset that we had the nuclear option. I think most people—and it has been said over and over on the floor—constitutionally, we have a system that is set up that puts the Senate in a position where there has to be a supermajority that will ratify the various treaties and will confirm nominees. Well, the nominees who are confirmed are confirmed with a supermajority. Consequently, that would preclude one party from being able to control the confirmation of nominees.

Well, the makeup of the Senate today and for the next year is going to be 53 Democrats dominating, which means, of course, they can always get the 53 votes for confirmation but not any more, not enough to reach 60. So they changed all that, and that is wrong. They should not have done it.

So now we are going through this operation, and I decided that rather than to stay here during this Christmas season for the next few days just voting no on judges, I am going to say right now that I am going to vote against all the judges, but I am not going to be around here to do it. I will say this though.

JAMES NOMINATION

There is one vote that is coming up, and I am going to appeal to the leadership that I hope the confirmation of Deborah Lee James to be Secretary of the Air Force does not come up until this next week because I want to be here for that, and I would hope it could be postponed until Monday. The reason for that is I think that is a great appointment. I do not remember in the years I have been here—and I am the ranking member on the Senate Armed Services Committee—I do not remember anytime when we have had someone who is as qualified at the outset as she is. She has an incredible background for this position. I have met her. I have talked to her. I have talked to her about the concerns about the readiness, which is very serious right now. Our readiness capabilities are lower than they have ever been since World War II. I know she is the right person to be at the helm to take care of that.

It was not long ago that through the sequestration or preparing for sequestration they made a decision to ground one-third of the combat-coded Active squadrons. Now, let's keep in mind that she is nominated to be Secretary of the Air Force, so this is something she would directly be interested in and concerned about.

What they did was, in order to—I suppose at that time the motivation was to try to save money. They grounded one-third of the combat-coded Active squadrons. That was in April of this year. It was not until 3 months later that they decided this is not good because you have the idle airplanes, the idle pilots. Pilots were resigning; they were upset because they were not being used. So they reinstated the squadrons that had been closed.

General Welsh, a great general, the commander of the Air Force, made the statement, and made it in a very articulate way, that it is going to cost us more to reinstate and to requalify the pilots and to make sure the planes are back in flying order than just the amount of money that was saved during that 3-month period.

That is really quite a statement. It is very serious. He said it could cut the flying hours by 15 percent in the months to come—and it has—as a result of that closure.

Well, I have to say to Ms. James that I am convinced you are going to be confirmed as Secretary of the Air Force. I will do all I can to make sure you are confirmed. But you are walking into a hornet's nest. It is a real se-

rious problem there. The things that are happening to our military, which I am going to talk about in just a minute, are very serious.

She has a background. She served with a technical defense contractor in Virginia. It was the SAIC Technical and Engineering Sector. She was the executive vice president for communications and government affairs and the senior vice president for homeland security. Prior to that, she served as vice president for international operations marketing at United Technologies. That was all the way from 1998 to 2000. She served as Assistant Secretary of Defense for Reserve Affairs from 1993 to 1998, overseeing all matters pertaining to the Guard and Reserve forces. So she has probably as much preparation, background, expertise, education, and knowledge as anyone who has ever been nominated to be Secretary of the Air Force.

I hope we will be able to have that vote maybe on Monday as opposed to some time in the next few hours since I want to be here. I want to be one of the first to congratulate her.

(Mr. COONS assumed the Chair.)

THE BUDGET

Mr. INHOFE. Let me say something about the budget. I try to think of things other people have not talked about. I do not even know right now whether I am going to be for or against this budget, but I had looked, and I was very alarmed. The minority staff on Armed Services did some research, and it came out that there are some parts of this act that we did not know were there. It would include an annual adjustment for retired pay and retainer pay for retired members of the Armed Forces under age 62. This penalizes current and future military members who have served our Nation for over 20 years.

Now, keep in mind, people go into the military quite young sometimes, knowing that the time they would serve would be for 20 years—many of them longer but most of the time 20 years. That is kind of a given. They do this predicated on the assumption that retirement benefits and all these things are going to be there. They are making a career decision, I say to the Chair, and that is very significant.

To come along with a bill that supposedly saves \$6.2 billion—there are about 2 million retirees. Of those, just under half are under the age of 62. They would see a steady erosion of their retired pay, approaching 20 percent of their retirement pay by the time they reach age 62.

The 1-percent annual reduction to uniformed service retired pay cost-of-living adjustment—those are the COLAs—for those under age 62 will have a devastating, long-term impact for those who retire at the 20-year point. It implements an annual adjustment to retired pay of the “Consumer

Price Index -1%'' beginning in December of 2015. What that means in summary is that you could have a gunnery sergeant retiring at age 42, and by the time he is 62, this bill would cause him to receive in his retirement pay approximately \$72,000 less than he would otherwise. So it is a big deal.

This has not been discussed on the floor, and I think that as we get into the discussion we are going to have on the budget, we have to keep these things in mind. Again, I have not decided yet because I know it is not an easy job. I know we had a Democrat and a Republican working very hard on it. But that is one thing that I believe can be changed. In fact, it would have to be changed before I would support it.

NATIONAL DEFENSE AUTHORIZATION ACT

Well, we went through something, and I want to talk a little bit about the National Defense Authorization Act. Every year we have a National Defense Authorization Act. That act is more important than anything else we do around here, in my opinion.

If you read the Constitution, it will say that providing for the Nation's defense is our major concern. This is what we are supposed to be doing. So we have always had—in fact, for 51 consecutive years we have passed an NDAA bill prior to January. It has always been that way. This is a budget that must take place.

This is very disturbing to me because the House passed an NDAA bill some time ago. We in the Senate Armed Services Committee, way back—was it May or June—we passed the NDAA out of our committee, not unanimously but almost unanimously, and it was bipartisan, had strong bipartisan support to come to the floor. Well, it never came up. And why it never came up is not that important right now. The fact is that we are now in a position where we have to do it and have to have one come up, and it has to be this coming week.

So, anyway, we put together a bill. There is something a lot of people do not understand because it is not very often used, but when the House and the Senate are not able to put something together, they go to the big four. They get the committee of jurisdiction—in this case, the Senate Armed Services Committee. So they had the chairman and the ranking member—the ranking member is the one who has the most rank from the minority, and that is me in the case of the Senate—and then the chairman of the House and the ranking member of the House. Four people. We sat together 10 days ago here in Washington and put together a bill, taking the best parts out of the House bill, the best parts out of the Senate bill, and put together this thing, and it is one that I think—when people understand it—it is one for which I do not know of anyone who would really oppose it.

The problem we are having is that the way it was done was not the way it

should have been done. It should have been done as it has been done in the past; that is, to take about—in the last 10 years, it has taken 9 days on average to pass this bill, where we have all of the amendments processed and people come forth with amendments. Well, that did not happen this time. So what we did in this bill is we took 79 of the amendments that people had in the House and the Senate—Republicans and Democrats—we did 79; that is, 41 Republican amendments and 38 Democrat amendments. These are ones that had been submitted on the Senate floor, and we were able to go ahead and put these into the bill.

So we have a good bill. It is out there. We really need to do it. People are concerned about the process. I am concerned. We are going to get busy to make sure this does not happen in future years. We do not want it to happen. But we do not want our service people, who are in harm's way today, to be paying for the fact that we had a procedure that was wrong. We have a vehicle here. We have a bill. It will come up for consideration. It will come over from the House, and I anticipate in the first part of the week we will have this bill.

What does it do? First, it authorizes 37 special and incentive pays, including reenlistment bonuses and certain health bonuses. Here, we are talking about people who are considering reenlisting. Right now they are in the service.

I mentioned a minute ago some of the aviators. Well, this is mostly the Army and the Marines and the Navy. These people are making career decisions. They make career decisions predicated on what they anticipate is going to be out there, and what is going to be out there is what kind of a bonus they will get at the time. Of course, in the event this does not happen, they would not be entitled to these bonuses, if we do not pass this bill. That is how significant it is.

When you talk about certain health professional bonuses, they would expire also.

These health benefit bonuses are very significant, because these are the people who are the health providers for our Wounded Warriors, not just the ones that are in our hospitals today but also in hospice care. We cannot do that to them.

However, if we do not pass this bill, that is going to be a real serious problem. There has been a lot of talk about sexual assaults. We have two Senators, both Democrats, Senator GILLIBRAND and Senator MCCASKILL, who disagree with each other but who have amendments. So what we did is take parts of each one of those amendments—27 specific reforms to support victims and to encourage sexual assault reporting and an additional nine enhancements to the military justice system.

Arguably the one on the floor who knows most about this would be our friend Senator GRAHAM. I think he has looked at these and agrees that these provisions are really very significant, and things that are not going to be there otherwise. These would have been in the House bill and in the Senate bill in the regular procedure to pass these bills, but they will not be there if we do not pass this one bill. They are there.

Gitmo. I look around the Chamber, and it seems like there is such a diverse attitude toward what we have done in the past and will do in the future with Gitmo. That is Guantanamo Bay down in Cuba. I have often said from this podium that is one of the few good deals that we have. We have had Gitmo since the year 1904. It costs \$4,000 a year. Half the time Castro does not collect it. So it is a pretty good deal which you do not often get in the government.

It is very expensive to house people there. But it does perform a function that cannot be performed anywhere else. So last year in the National Defense Authorization bill, we put a provision in there, fortunately at that time, that would restore the 1-year prohibition on transferring Gitmo detainees to the United States and to prohibit constructing any type of facility to house them if they are successful in doing that.

That was not good. It should have been forever. But it expires now. That means if we do not have this bill, we will cede that to the President. The President will have total control. If he wanted to take every one of these terrorists out of Gitmo and send them to Yemen or put them in the United States, he could do it. So that is probably one of the most significant parts of this bill.

So this restores the 1-year prohibition on transferring Gitmo detainees to the United States, and it prohibits the construction or modification of facilities in the United States to house Gitmo detainees.

Our training ranges. This bill provides DOD with access to millions of acres of Federal land. Keep in mind, it does not cost anything; it is Federal land—for military tests and training ranges that are really absolutely necessary for the readiness of our combat forces.

We have all heard about end strength. The Obama administration I have often said I think will go down in history as the most antidefense President ever. One of the things that we know is going to happen is the end strength will continue to reduce. This bill allows the Army and the Marine Corps' top people to make the decisions as to where this end strength is going to be reduced and by what amount. By doing this, they can accelerate the strength reduction and save a considerable amount of money. So they will

have the flexibility to draw down faster, save money, do it quicker and do it better. Without this bill, they cannot do that.

Military construction. You know, no other military construction can take place. But what is worse than that is, on military construction that has already been started, that is new construction, they would have to stop that military construction. When you do that then you come back later and start it again, it costs millions and millions of dollars more, a lot more money.

Here is another good example of another area that would be a huge savings. Right now we are working on several aircraft carriers. One is CVN-78, the USS Ford. It is a huge project. It is 75 percent completed. We have already spent \$12 billion on it. In the absence of this bill, that construction would have to stop. Now, I know that we would come to our senses and maybe in a few months come up with a CR that might have money that would go toward this.

But that is still—when you stop and then start up again, it would be millions, hundreds of millions of dollars of cost. That is corrected in this bill. Not to say anything about the number of people who would be immediately released: 4,300 ship builders who work directly on the ships, and about 1,500 who work indirectly. So it is an economic issue for a lot of people. That is important but not as important as the fact that it is going to cost hundreds of millions of dollars if we do not pass this bill.

The LCS. This allows the littoral combat ship construction to continue in the shipyards. That is in Alabama and Wisconsin. Again, it does not happen if this bill is not passed. That is not going to happen.

Special operations. I think we are all familiar with the special ops guys. I know the chair is very familiar with that. These are the ones who go out there in harm's way and take the risk and are specially trained. The commander there is Admiral McRaven. That is his No. 1 priority—the preservation of special operations forces and families after the 12 years of sustained combat by authorizing various human, resiliency and family care programs. In other words, these people, many of them have families. The families are cared for in a way that has been certainly well deserved by the fighter that they represent. Yet those programs would stop in the absence of this.

So I think that is very important. Just looking at the human end of it, the families, the mothers and the kids that are back there. They have special needs because of the sustained deployments that these great troops have. I would mention also, that in addition to some of the things that we have talked about in using some of the Federal land, this includes land use agreements

to ensure special operations. That is what we were just talking about, so the special operations forces have sufficient access to training ranges, including the Chocolate Mountain Aerial Gunnery Range in California, which serves an indispensable role in training Navy seals.

In fact, when you go and you watch them, you see that you cannot train our Navy seals without this facility. So this takes care of that.

Lastly—I could mention a whole lot more—one of the significant things people are taking about is waste in the Pentagon. This provides for an audit of the Department of Defense. It requires a full audit of DOD no later than March 31, 2019. It will take a long time to do this. It has never been done before. This bill will call for the beginning of this process.

We all know about the nuclear triad. The nuclear triad gives us that nuclear capability in our bombers, ICBMs and our submarine-launched ballistic missiles. This bill prohibits the elimination of one of those three legs. We have seen a lot of programs. You could save so much money if you eliminate the submarine element of that.

But in order to adequately protect America, it is important that we have all three legs. So that nuclear triad—and remember that phrase. That is the one where one leg would be eliminated in the absence of this bill.

The prohibition on tech transfers with Russia. This would prohibit the transfer of some missile defense technology to Russia and strengthen the Congressional oversight of the administration's efforts with regard to the United States and Russia's missile defense cooperation.

You know, if we do not do it, the President is going to do it. I would hope that anyone who would be voting in this Chamber knows that is a key issue, and it should be a key issue. We recognize, if we do not continue to take control of that in the Congress, then that would automatically go to the President. I do not think we want that to happen. We all saw what happened in the first budget that the President had. I would never forget that, because I went over—I knew that he was going to be antimilitary, antidefense. So I went over to Afghanistan to respond to it, knowing full well that we were going to have to do something to let the American people know how bad that budget was on the military.

In that first budget of President Obama's, it was 4½ years ago, almost 5 years ago, he did away with our only 5th generation fighter, the F-22; did away with our new lift capacity, the C-17; did away with the Future Combat System, which is the only advancement we have had in about 30 years in our ground capability.

He did away with the ground-based interceptor in Poland. Now, let's keep

in mind, the ground-based interceptor in Poland is one that we were putting there because we have currently 33 ground-based interceptors here in America, but they are on the west coast. That is where the threat was at that time. Now things have changed. We found out in the year 2007—it was not even classified. Our intelligence said that Iran is going to have the nuclear capability and a delivery system by 2015, and 2015 is just a little over a year away from right now.

So we knew that way back in 2007. We started building a ground-based interceptor in Poland, with a radar in the Czech Republic. I thought we were doing very well. We had to give them the assurance that we would not pull the rug out from under them if they would cooperate. Then that went out. That was withdrawn in the President's first budget 4½ years ago.

Now we are faced with that threat. Because if something comes into this country from Iran, it is going to come from the East. If there is a lucky shot from the west coast, that is fine. But I do not have that confidence that could happen. So I say that because it fits in with the missile defense. It directs the administration in this bill to make improvements and modernize the ground-based midcourse defense system. That is what we are talking about here.

Without this, that could probably—not probably, possibly—be the most significant thing that we have been talking about here, because now we are talking about an incoming missile to the United States.

The BRAC process, the Base Realignment and Closure Commission. We have had five of them since 1987. Whether you are for a base closure or not, that is not as significant as it is that we are at a time in history where we have the greatest need to put back some of the money that has been taken out by this administration into our defense system. As good as a lot of BRAC systems are, the fact is that the first 3 to 5 years of the BRAC, it costs money, it does not save money. That is what we cannot let happen. So we restrict the use of funds to conduct a round of base realignment and closures for the coming year, because people are talking about that.

Here is a big one too that means a lot. It means a lot to my son, Jimmy, who is real big time into Second Amendment rights. We are from Oklahoma. We actually believe that stuff. We believe in the Second Amendment to the Constitution, I say to my friend in the chair.

There is a treaty called the U.N. Arms Trade Treaty that the U.N. has. I am the wrong one to talk about this, because I have never seen anything good come out of the United Nations. But in this case it is worse than usual. The UN Arms Trade Treaty is one that our Secretary of State has already

signed onto. But it has to be ratified by the Senate.

Well, in this bill, it restricts the funding to implement the U.N. Arms Trade Treaty without the Senate's advise and consent on the treaty. Well, that is important. In fact, it reminds me a little bit of what happened when we had the budget vote a few months ago. At that time, I am trying to remember now, but I think it was 5 o'clock in the morning. You would be surprised the kind of amendments you can get passed at 5 o'clock in the morning.

So at 5 o'clock in the morning, I had an amendment that said that we would not allow the United States to join—to be a part of the U.N. Arms Trade Treaty. That was good. But this reinforces that and says that—it restricts it. So if we were to do it, even if the Senate were to do it, it would restrict the funding so it cannot happen.

So I would say to all of my friends out there who believe in Second Amendment rights, who have been concerned that through a U.N. treaty you could lose the Second Amendment rights, do not worry about it because we would have it. If we pass this bill, you are going to be well taken care of.

So I feel very good about the provisions in this bill, I really believe that, when you stop and think about the fact that we actually had 79 amendments that were agreed to in this bill that we tried to pass before.

The Senate Armed Services Committee adopted its version of the NDAA by an overwhelming bipartisan majority in June, and yet we know what has happened. We know why it is necessary because this is the last shot we actually have at a bill.

The House, at 11 o'clock Friday morning, will go out of session. They will be adjourned for this year. The week after that the Senate will. That shows the time we have to get all of this done. That is why there are those individuals who say: You don't have to adopt a bill that the four of you put together. Even though it may be good, we want to have a lot of amendments and go through that process. Unfortunately, there is not time because if we did that it would have to go over to the House. They are already adjourned as of 11 o'clock Friday morning.

We are out of time and the only choice we have now is either to adopt this or not have a bill at all. As frustrated as I am about the process, we have a commitment to provide our military men and women the support that they require, and we have a bill that will do that. If we fail to pass the NDAA, it would send a terrible signal to all of our troops over there.

I have a card of some of the things that we would lose that I mentioned on that rather lengthy list may not happen until next year, may not happen until the first part of the year. Some of

them would take place in February and some in March. What would happen is a question that was asked by our fine Senator FISCHER from Nebraska.

She said: What would happen at the end of this year on December 31. What provisions would we lose if we don't pass this bill?

The answer is there are several of them, and I will highlight a few of them. One would be the bonus for new officers in critical skills, the incentive bonus for conversion to military occupational specialty to ease personnel shortages. For those of us who have been in the military, that is called the MOSSs.

The incentive bonuses for transfer between armed forces. Someone who is transferred from one area to the other, we have the obligation to pay his expenses and without those bonuses, we wouldn't be able to do it.

Aviator officer retention. I mentioned a minute ago that one-third of the combat squadrons were deactivated, they were grounded and the pilots with them. I talked about that and how General Welch gave us a good documentation. That endured for 3 months. At the end of the 3 months the amount of that money that was saved by grounding that equipment was far offset by the amount to get people back up to the correct qualifications.

One of the things that would happen is the aviator officer retention bonus. This is to keep these pilots in the service, because it costs much less to retain a pilot than it does to retrain one and start from scratch. I know that. We have a couple of the Rangers in my State of Oklahoma in Vance Air Force Base where I will be tomorrow. That is one of the largest centers that we have training pilots.

Our problem is a pilot shortage. One of the reasons is because, as I just said, if they are grounding these airplanes these pilots finally say: If I can't fly, I am getting out of here.

There have been a lot of them who have left. The only thing that would hold them would be the existing aviator officer retention bonus. This gives a bonus for someone to re-up.

If anyone has been in the services, they will remember—as I do from the U.S. Army—that when they are trying to get people, to encourage people to re-up, it is a lot cheaper to retain someone than it is to retrain them. We give them bonuses. We did that when I was in the service. That is a bonus they would not get.

With already a serious problem with a shortage of pilots, we have to do something about that. That would abruptly stop December 31. That means the pilots making this decision may not even know this. They may decide they are going to do it and then they find out they don't have a retention bonus.

The assignment pay or special duty pay, this would be for transfers. This

would be something you would not be able to do, as well as the hardship that would have to be borne by the military.

Healthcare professionals bonus. This is important. If we go out to Walter Reed and see the great job that is done by the professionals with our wounded warriors, it does impress people to see what is going on. I am very excited to see that program has been good. But these health care professionals operate on a bonus or special pay. That would stop December 31.

I know they are committed, they would stay as long as they could, but some of them couldn't afford to do that. This would stop on the January 31.

Reenlistment bonus for active members, that would stop also.

What I am saying is we are going to have to do this bill. It is absolutely necessary. I am not the only one who says that.

If we look at General Dempsey—talk about the deteriorating condition of our military now—keeping in mind that with this President over 4½ years ago, over this 10-year budget, he has taken over \$487 billion out of the military, if we have Obama sequestration as it is designed now, that will be another \$500 billion. That is a total of \$1 trillion.

General Dempsey is the top military person in the military. He is the chairman of the Joint Chiefs of Staff.

He said:

But I will tell you personally, if ever the force is so degraded and so unready, and then we're asked to use it, it would be immoral to use the force unless it's well-trained, well-led and well-equipped.

Admiral Winnefeld, the second in charge, the vice-chairman of the Joint Chiefs of Staff, said: "There could be for the first time in my career instances where we may be asked to respond to a crisis and we will have to say that we cannot."

Secretary Hagel, I opposed his confirmation when he was in. Actually, I think he has improved so much more than I thought he would since that time. He is not afraid to talk about these things. He said: "If these abrupt cuts remain, we risk fielding a force that over the next few years is unprepared due to a lack of training, maintenance, and the latest equipment."

It is America he is talking about. This is the Secretary of Defense.

Another thing General Dempsey said—in fact, I carry a card around with me because a lot of people don't believe this. General Dempsey at one time in February 2013, this year, told the Senate Armed Services Committee that: We are putting our military on a path where the force is so degraded and so unready that it would be immoral to use force.

General Odierno, the Commander of the Army, said: Additionally, it is unlikely that the Army would be able to

defeat an adversary quickly and decisively should they be called upon to engage in a single, sustained major combat operation.

When we talk about a major combat operation, we are talking about one they used to call the combat operations where major contingencies are on a regional basis.

Our policy, since World War II, has been able to do this to defend America on two regional fronts. That has gone out the window and we are not able to do that anymore.

Secretary Hagel also said: "If sequester-level cuts persist"—which is what we are talking about, the second half trillion that Obama would be taking out of the military—"we risk fielding a force that is unprepared."

I can't imagine hearing that from our own Secretary of Defense, but it is there.

I wish to show us why our choices are down to only one choice.

On this chart if we look at December, today is the 12th. The House leaves at 11 o'clock Friday morning. They are gone, they are gone for the rest of the year. Anything we do that has to go to the House, they won't be there. It can't be done. We work for 1 more week starting the December 16, this coming Monday, and we go all the way through the week where we will be in session. Anything we would do or pass or amend could not go to the House, and that means we would go into December 31 without any kind of advance authorization. On that basis it is significant and that shows we actually have to do it.

I think I mentioned this. I have a chart, but I don't have it in front of me—show since 1970 we always have had our Defense authorization done before January. The only two exceptions to that were when they were vetoed by the President on two occasions and we had to override the veto. Nonetheless, that is why this month is the last chance we have to do it.

I would mention that there is such popular support for this around the country that we have extremes—not really extremes—but publications generally considered to be on the progressive or moderate side and some conservative.

This is one where both the Heritage Foundation and the Washington Post say let's pass the defense deal. It has to pass.

The Heritage Foundation has an extra paper that if there is time later on I may make some quotes from that.

The Washington Post says:

With the end of 2013 rapidly approaching, Congress has an opportunity to rise above a year of massive dysfunction and prevent major disruptions in U.S. defense operations. The leaders of the Senate and the House armed services committees have managed to fashion a bipartisan version.

That is what we are talking about when I say the big four, so this is what we are talking about.

Continuing:

It's a decent compromise that the leaders of both chambers ought to embrace and bring to a vote in the coming days.

A failure to do so would be a new political low for this Congress. The NDAA has been passed 51 consecutive years, even when much of the rest of government had to make do with temporary authorities. But much more than political symbolism is at issue. Though defense funding ultimately must be provided by appropriators, the authorization bill extends vital Pentagon authorities and ultimately sanctions new operations.

If no bill is approved by Jan. 1, combat pay and bonuses for U.S. troops in Afghanistan and elsewhere would be suspended; work on major weapons systems, including a new aircraft carrier, would be halted at considerable cost; and support for the Afghan army and the disposal of Syria's chemical weapons would be interrupted at a critical moment.

The bill also contains important measures to combat sexual crimes in the military.

We talked about that, but this is being editorialized, not by me on the floor of the Senate, but by the Washington Post.

They talk about Guantanamo Bay and they say:

... advance the closure of the Guantanamo Bay prison—

It could take place in the absence of this legislation.

Continuing:

Though a proposal was favored by Sen. Kirsten Gillibrand (D-N.Y.), providing for the prosecution of sex crimes outside the military chain of command, it was not included—did not receive a Senate vote—some three dozen other reforms in legislation would make the punishment of these crimes more likely while providing more protections to victims.

Let me conclude this editorial by reading the next-to-the-last paragraph.

It says:

Other measures in the bill ought to attract broad bipartisan support. The effects on defense of the so-called sequester would be eased by transferring money to operations and training from less essential accounts, such as construction and staffing in office headquarters. The Pentagon is still vulnerable to a \$50 billion sequester cut in January unless a separate budget deal can head it off. But passage of the authorization act would prevent the worst disruptions of ongoing operations.

It goes on to say that this is in the House and the House, very likely, is going to pass it, and send it over to the Senate, and they strongly support it.

We have letters from all of the Armed Services to us and to the leader, Senator HARRY REID. This one is from Martin Dempsey. He is urging us to pass this. It is not only me and a handful of Senators, this is the military speaking. He is the top military personnel.

He said:

I write to urge you to complete the National Defense Authorization Act this year. The authorities contained therein are critical to the Nation's defense and urgently needed to ensure we all keep faith with the men and women, military and civilian, selflessly serving in our Armed Forces.

He goes on to say, "This is the most significant concern we have right now," that we may not be able to pass this bill.

We have a letter from General Welsh. General Welsh, if you remember, is the chief of the Air Force. He is the one who is so upset with the fact we had grounded some of our combat squadrons. He says:

The FY14 NDAA contains critical authorities that enable us to protect the American people while keeping promises to our active duty, Guard, Reserve and civilian Airmen. If this important legislation is not enacted I worry about significant impacts to Air Force operations that could jeopardize the missions we are tasked to perform.

He goes on to say how important that is; that it is a matter of life and death to many of the airmen who are out there.

We have the same thing from General Amos of the Marine Corps, who says:

... our hard-won gains on the Twenty-nine Palms land expansion will be threatened, and the construction of the next generation aircraft carrier, the USS Gerald R. Ford, will stop. Passage of the this vital legislation will prove to our Marines and Sailors our unwavering support.

That is what we are talking about because those are the guys who are out there.

I see my good friend from Arizona Senator MCCAIN, and I would say I have been talking about the degraded condition of our military right now and how much worse it is going to be if we are not able to do this bill that I have outlined in some detail. Hopefully, we will be successful in doing that.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I ask unanimous consent to engage in a colloquy with my friend from Oklahoma.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. First, I thank the Senator from Oklahoma for his leadership and his dedication to getting this authorization bill passed. I think my friend from Oklahoma would agree with me there is no reason we are where we are today.

Is it not true this bill was passed out of the Armed Services Committee in May and here we are now in December just now contemplating bringing it to the floor of the Senate?

Mr. INHOFE. I would say to my friend that is true, but also, over in the House they did it the way it should be done. They passed it out of committee, they got it to the floor and passed it. Ours was passed by a huge bipartisan margin. We only had three or four vote against it, and that was way back in—I think it was the last of May or 1st of June. It should have been done back then instead of waiting until 1 week before we are out of here.

Mr. MCCAIN. With all due respect, one has to wonder about the priorities of the group and the leader who sets

the agenda for the Senate. One of the real advantages of being in the majority is you set the agenda. So rather than take the bill to the floor, as we have for 51 years—for 51 years the Congress of the United States has taken up and passed a Defense authorization bill—we are now here in December, with the House of Representatives going out of session tomorrow, and we are faced with an unsavory parliamentary situation where we are having to maneuver in a way that a “message”—and my friend from Oklahoma can correct me if I am wrong—a message that cannot be amended, otherwise it would have to go back to the other body, which is going out of session, which would then take us into January.

I ask my friend from Oklahoma: Isn't that where we are, and isn't that a commentary on the concern my friends on the other side of the aisle, the majority leader, has about the men and women who are serving in the military?

We will talk a little about what a failure to pass a Defense authorization bill is. But we are now in a situation which is a disservice not only to the men and women who are serving but to all of us—to every one of the 100 Senators—because every one of these Senators would want to have an amendment to make this bill better and that will impart to the rest of the body their knowledge, their expertise, and their priorities. So what are we doing? We are asking Members on this side of the aisle and the other side of the aisle to accept a piece of legislation without a single amendment to it. That, my friends, when we are talking about the defense of this Nation, is absolutely outrageous.

Would my friend from Oklahoma agree?

Mr. INHOFE. It is right up here. It shows the House, on Friday, at 11 o'clock, is out of here. They are gone. They are adjourned. If something should happen—we were to amend something—they are not there. So it can't be done. This is where we are now. We only have these 5 days that are left.

A lot of people have said—and I would ask my friend from Arizona if he agrees with this—well, we can come back in January and do this. But then look at this. We come back on the 6th of January, and the CR—the continuing resolution—is here. I can assure you, from past experience, that will dominate the floor. They are certainly not going to have time to do it. So the only shot we have is up here.

But also important, I read a list of things before my good friend came in, that expire on December 31, and those are things that are happening right now to all of our pilots. My colleague certainly knows about that. They have bailed out. They are gone now. They are so upset with what is happening

with the grounding of our squadrons. If we take away their reenlistment incentive, are we going to have any pilots left?

Mr. MCCAIN. So we have established, by the calendar and by what has happened since May, that, obviously, the majority and the majority leader had a higher priority for whatever the hell it is we did rather than the defense of this Nation. That is a fact. I would challenge anyone on the other side of the aisle to come and argue differently. It is outrageous.

Now that we have established that, could I ask my friend what happens—and I know he has gone through it—what happens to the men and women in our military if we do wait until January, if we do wait until February or March or don't act at all?

For example, one of the best examples I have seen is that right now a married sergeant in the U.S. military who is serving as a helicopter crew chief in Afghanistan, beginning on the 1st of January—please correct me if I am wrong—will lose \$890 a month; is that correct?

Mr. INHOFE. That is correct.

Mr. MCCAIN. So we send people into combat, and while we dither around here we are going to keep the men and women who are serving in harm's way from getting the benefits they have earned and deserve and are theirs by law. But we are not going to act, at least until January, perhaps.

I know the Senator from Oklahoma has gone on with a very long list about the completion of ships, about the health programs, and about a number of other issues, but I wish to focus for 1 minute on one area with my friend from Oklahoma.

I think all my colleagues are aware, and the American people are aware, there is a serious issue in the U.S. military. It is a very serious issue and it is the issue of sexual assaults. It is the issue the Senator from Oklahoma has spent untold hours in discussions and debate and learning about this issue because it is a terrible thing that is going on in our military today.

Under the leadership of the Senator from Oklahoma and the distinguished chairman of the committee, Senator LEVIN, we have—and with the participation of every member of the committee, under their leadership—come up with a way to, at least to a significant degree, address this problem in the military.

There are still some controversial aspects of it that are not necessarily either side of the aisle but just a different viewpoint. But I would argue and ask my friend from Oklahoma, is it not true that we have made significant improvements in the Defense authorization bill on the issue of sexual assaults?

These changes, after hearings, after debate, after discussion were put into

law and they were agreed to as being very necessary measures to try to bring this terrible situation of sexual assaults in the military under control. I ask my colleague from Oklahoma if this isn't, among many others, an issue that needs to be addressed.

Mr. INHOFE. I respond to my friend that it was addressed in the House bill and in the Senate bill, but the Senate bill didn't pass, so this is all that is left. Specifically, 10 days ago, we were meeting and putting this together—the big four, as they call it. It had 27 specific reforms in this area to support victims, to encourage sexual assault reporting, and, in addition, nine enhancements to the military justice system.

I mentioned our good friend from South Carolina, who is probably the expert in this area, and we consulted him, along with a lot of the other people, both Senator GILLIBRAND and Senator MCCASKILL had amendments and we have bits out of each one of those amendments they had. They are both better off than they were before. But without this, we got nothing—no changes at all.

So we have made great progress in this bill in the sexual assaults, as well as I mentioned Gitmo too which is a very controversial issue.

Mr. MCCAIN. Would the Senator agree that even though there is significant difference between Senator GILLIBRAND and Senator MCCASKILL, they were in agreement with the many provisions my colleague just pointed out, which, whether we address their disagreements or not, they were both agreed these are very important measures they both agree on, that the entire committee agreed on in addressing this issue of sexual assaults in the military.

Mr. INHOFE. That is exactly right. As you point out, they were apart on a lot of issues, but what we did was to take those areas that will improve the situation and adopted them, and they are a part of this bill. So the whole issue of sexual harassment will not be addressed at all in the absence of this legislation. Of two of the very significant provisions that are here, certainly that is one of them.

I mentioned a minute ago the other one. I know we have had differences of opinion between us on the whole Gitmo thing. Yet we have a provision in there now that I think satisfies us both until we all have time to sit down and work these things out.

The bottom line is this: We have things where it would cost huge amounts of money. If you just take the CVN-78, they would have to stop construction, after we have already spent \$12 billion, and after it is 75 percent done. That cost would be tremendous, especially when we all know we will go back and reinstate it. But this wouldn't be just millions, it would be hundreds of millions of dollars. That is

what is going to happen if we don't pass this bill.

Mr. MCCAIN. I know long ago both the Senator from Oklahoma and I served in the military, which is not too relevant anymore, but both of us keep track of the military. We visit our military installations, and we spend time with the men and women who are serving both here and overseas. We are in communication with them. It is part of our privileges as their representatives, whether they happen to be in our home State or serving overseas in harm's way. When you talk to these young people—and they are the bravest of the brave and we all know the best of America—they do not understand why, when they are serving in combat and they are entitled to some additional pay because of being in danger, that will not happen. They do not understand why the bonus of special duty and incentive pay will lapse. They don't understand why that should happen. They do not understand why we are not addressing the issue of sexual assaults in the military. Many of them are deeply concerned about that.

By the way, I would also add—and I think my friend from Oklahoma will agree—this issue impacts on recruiting the most highly qualified young Americans.

So here we are on December 12 and we have still not completed our duty, our obligation to the men and women who are serving. They rely on us. They rely on us to take care of them. They rely on us to provide them with the weapons and the capabilities and the pay and benefits and to take care of their families. They rely on us. I am getting feedback from them that they are now beginning to believe we don't care that much. Frankly, I can't argue with that because why are we here in December? Why are we here in December? The fiscal year ended on 1 October. They ask: Why is it that you in Congress can't act to provide us with the tools we need to carry out our mission of defending the Nation?

Frankly, I don't have a very good answer, but maybe the Senator from Oklahoma does.

Mr. INHOFE. My colleague is fully aware, because no one has spent more time over in these areas of hostility than my good friend from Arizona, that when you talk to these guys, and you sit in the mess hall with them, one of the things—and we know this is true because we have both had experience in the military—they are talking about is their careers.

They are talking about their careers. Right now our retention is as good as it has ever been. What is going to happen to our retention if all of a sudden we renege on the reenlistment bonuses that they all depend upon? They all talk to each other. About the time that stops on December 31, I have great fear over what is going to happen to our retention rate.

I talked about in the very beginning about what has happened in the military in the last 4½ years, and I read all of the statements from our commanders, from Dempsey, and actually even the Secretary of Defense, talking about what a crisis it is. They all said it is much more of a crisis if we don't pass this bill. This isn't going to help us like it should. We should be in much better shape than this even if we pass it. But we have to pass this or all those things we talked about which are going to be affecting our troops directly are going to take place.

Mr. MCCAIN. I finally say to my friend, I thank him for his leadership. I thank him for his willingness to really short circuit what should have been a 2- or 3-week exercise, where every Member of the Senate would have had the opportunity to propose amendments, to debate those amendments.

My colleague just mentioned the issue of detainees which is still something that deserves great scrutiny by this body. The issue of surveillance is clearly one that needs debate and discussion on the floor of the Senate. There are so many issues that we are not discussing in the slightest because we are now entrapped by a process which doesn't allow us to pass a single amendment to this absolutely vital piece of legislation.

I thank my friend from Oklahoma for understanding that even though we are placed in this incredibly unsavory situation where we are not able, every Member of the Senate who chooses to—and as the Senator from Oklahoma knows well, when we consider the Defense authorization bill, there are literally hundreds of amendments that we consider because of the interest and the commitment that all of our colleagues have. We are not going to be able to do that this time. But it seems to me too, at least we ought to get the bill passed so we can get our Defense Department and the men and women who are serving in it in the kind of condition they deserve.

Mr. INHOFE. I thank my friend from Arizona for coming down and showing what a traumatic situation we have right now. I hope two things come from this. First of all, that we go ahead and pass the NDA bill and then make sure that next year we are there to make sure this doesn't happen again in the same way it has happened.

I ask unanimous consent to have some testimonials printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OKLAHOMANS ARE HIT HARD BY OBAMACARE

It took me three days to sign up for ObamaCare due to website glitches. When I finally got through, I saw my own premium rise 20% and my out of pocket costs go up. But this is nothing compared to what Oklahomans are experiencing. In just a week's

time, I received more than 400 stories from my constituents impacted by ObamaCare.

Julia in Broken Arrow said that to keep her family's current plan, they will pay an additional \$1,400 in premiums and another \$4,000 out-of-pocket.

Lloyd, from Tecumseh, says he is dropping his current insurance and choosing to pay the penalty after learning his monthly premium will jump from \$592 to \$1,952.

Stacy, a mother of three in Oklahoma City, shared with me that her family's health insurance premiums will increase 20%, with an additional \$6,000 in out of pocket costs per person, up to \$18,000.

Joy of Oklahoma City said her family's deductible is increasing by \$2,000 and they will have to pay out of pocket for prescriptions. This will create significant financial difficulties for them as her husband is battling cancer.

Greg and his family, who live in Oklahoma City, are worried about having to choose between making a monthly mortgage payment of \$1,100 or an insurance payment of \$1,197.

Jim, with employer coverage in Choctaw, is facing a deductible increase of \$4,000.

Janice is currently on a COBRA plan in Sapulpa. On a new exchange plan, she will be paying \$240 more each month.

Paul, who says he is in good health and rarely requires a visit to the doctor's office, will be paying \$70 per month.

Ralph, who has employer-based insurance in Durant, will pay \$80 more each month.

David from Owasso let me know his family's premium and deductible will increase by \$318 a month and \$500, respectively.

Linda in Pryor says ObamaCare has doubled her deductible and increased her out of pocket costs by 30%.

Darrell, who has a group plan in Cashion, is expecting his premiums to go up 40% and his deductible to double.

Ed, a widow in Oklahoma City, will be paying \$250 more in premiums every month.

Linda, from Chelsea, says her family's deductible has increased \$700.

Roger, who is on a fixed income in Comanche, says his premiums have doubled.

Peggy in Boise City said her deductible has increased 250%.

An employer in Tulsa says he must choose between a 128% premium increase or a 500% increase in deductible for his staff.

A small business owner in Oklahoma City reports that the cost of the insurance he provides to his employees has gone up 41% and will cost him \$1,000 per month more. Because of the mandate to have insurance, more of his employees are now electing coverage, which will drive his costs up even more.

A family of four in Shawnee is facing a 20% increase in premiums and a \$1,500 increase in deductible.

A single father of two and small business owner in Lawton says he will be paying 24% more in monthly premiums.

A family of three in Miami is choosing to go without insurance and pay the penalty rather than see their premium double and deductible increase by \$3,200.

Nancy from Oklahoma City said she probably should be one to support Obamacare due to her income, but can't because "it is not the right answer". She believes the government doesn't have the right to tell her how to live or define what is "affordable" for her.

Sharon from Oklahoma City went onto the website. Despite entering in her full name, social security number and address, her identity was not able to be verified. She said she spent 5 weeks trying to get someone to assist her and at this rate she is ready to give up and pay the fine.

Erin from Beggs is a wife and a mother of three. She was dropped from her insurance company and instructed to enroll in Obamacare. She has tried to access the website since it was "fixed" and has not been able to get past the first step. She is repeatedly kicked off and has to re-enter her information every time she goes on the site.

Janice from Sapulpa spent over 40 hours attempting unsuccessfully to apply for insurance on Healthcare.gov. She finally asked for them to send her a paper application and when it arrived, it was in Spanish.

The OKC Chamber of Commerce can no longer offer insurance plans to its members since the plans don't meet mandated requirements, impacting 1,400 businesses.

A 50-year-old female from Chandler said she and her husband were dropped from their insurance plan. The plan offered to her now includes maternity care and pediatric dental care—neither of which she needs—and will cost over 200% more per month.

Cyndee of Suphur lost her family's insurance plan while she was still in a critical time frame for treating her cancer. She called this a "scary" experience. She had this plan for 10 years until ObamaCare deemed it unworthy. Cyndee wrote to me about her new plan under ObamaCare and said: "No one wants affordable insurance more than me, but at \$1,100 a month, just for me—one person—it's certainly not affordable."

A married father of two from Muskogee was also dropped from his insurance plan. The plan offered to him as comparable in coverage would cost him and his family 46% more than what they used to pay.

Another male, from Edmond, was dropped from his employer sponsored health care. The plan he had through his employer provided him with a 75% employer subsidy on his deductible and covered 100% of his medical bills.

Rockey from Enid said he and his wife's hours were cut at work to 25 hours a week because of the employer mandate. Now that they work part time, they are no longer eligible for coverage through their employer and Obamacare is not affordable for them.

Jessie from Moore said her husband's employer is considering dropping spouse and dependent coverage due to the rising costs of health insurance.

Debbie of Frederick said she is fortunate enough to still have insurance through her employers, but because of mandates in the Act, their family doctor of 30 years has had to eliminate hospital visits from his services. Any time Debbie is in the hospital, the doctor who knows her health the best can no longer be on the front lines of helping make health decisions with her in the most crucial circumstances.

Donna from Elgin said not only have her insurance costs gone up, but two of her doctors have left their practice. She cannot afford the new health insurance, and is having troubling finding new doctors.

Roderick from Shawnee said within a three-month period, three of his doctors have chosen to retire. He is worried about finding new doctors his insurance will cover.

This is devastating. We absolutely need to bring the cost of healthcare down, but ObamaCare is clearly doing the opposite. My colleagues and I have supported common-sense ideas like purchasing insurances across state lines or enacting tort reform. We could have started here, but instead, President Obama forced America down a destructive path that will likely end in a single-payer option. We must repeal ObamaCare and put

common sense healthcare reform in its place. I'll continue this fight to ensure Oklahomans have quality, affordable health care options.

Mr. INHOFE. I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, as we consider some of the nominations before us, we are reminded that one of the reasons we have all these problems around the country associated with ObamaCare and all our constituents are being impacted in such a negative way by higher premiums, higher deductibles, higher taxes, and fewer jobs is because of the overreach of government.

This is a perfect opportunity for us to discuss the fact that overreaching government—in this case, government which has literally taken over one-sixth of our economy—is causing great harm to the American people and that there is a much better approach most of us here advocated when this was debated. Of course, at the time we didn't have the votes. This was passed in a party-line, partisan way and, as a consequence, we are seeing now the results and the impact on the American people, all of which are very harmful to their own economic circumstances.

I have a personal example from the emails and letters coming into my office of the adverse impact of ObamaCare. This comes from a female constituent of mine in Wilmot, SD. She writes:

My husband and I have four small children and purchase our own health care.

My husband runs his own business and I am privileged to stay at home.

We are very healthy, so we have always purchased a plan with a large deductible, so we can afford a reasonable premium.

Today we received our letter from our health insurance provider letting us know that next month our premium will be jumping 232 percent! That's over \$500 more a month—and we barely use our health insurance.

We currently live in an 1,800 square foot house and have been trying to find something bigger. This jump in our monthly health care premium could prevent us from being able to afford any kind of monthly house payment.

... ObamaCare is cutting into the carefully-planned budgets of American families, holding them back from the futures for which they have carefully budgeted.

This is just one example of the harmful economic impact ObamaCare is having on countless Americans from my State of South Dakota.

The PRESIDING OFFICER. The Republican leader.

Mr. McCONNELL. Mr. President, I realize Democrats want to deflect attention of the impact of ObamaCare from our constituents. That is one of the reasons we are having these nominee votes. But our constituents have the right to be heard, so I wish to share some thoughts from a constituent of mine in Owensboro, Cheryl Russell. Here is what she wrote:

We got a letter from our insurance company saying our current policy will not meet the affordable care act, which means it will go away.

According to our insurance company, we will have to take pediatric dental and vision insurance, [even though] we don't have kids. They said it was because of ObamaCare.

...

She goes on:

Another plan . . . will cost us over \$150.00 more a month plus our deductible goes up to \$5700.

Please keep taking a stand against Obama Care . . . not only are we going to lose our insurance, but when we go to a different policy we have to pay more. . . .

We are 58 & 56 years old. We will have to work the rest of our lives just to pay for our insurance. . . .

This isn't fair and it isn't right.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I wish to share a couple letters I received just today.

I was talking earlier in the day on some of these situations and again what happens when one side thinks they can do whatever they want to do and the consequences of that.

This letter is from Paul from East Prairie, MO, in the Missouri bootheel:

Upon hearing the potential changes coming January 1st, I decided to investigate the stories I heard. I learned that in 2014 my family's premium would go from \$597/mo with two \$5000 deductibles to \$1119/mo with two \$4300 deductibles. My cheapest option is \$1,085.00/mo with a \$12,700 deductible.

Not only was this unaffordable, it was pointless to have insurance.

Certainly, I agree with that. If your deductible is \$12,700 and you are paying over \$1,000 every month to get insurance, what is that? It is certainly not affordable health care.

Here is a letter from Tom in St. Louis, who said:

My company is a great company to work for, but unfortunately our health insurance policy went from \$490 to \$690/month. That is \$200/month that I can't put towards my kids' education. That is a lot of money for a working guy to come up with every month. My co-workers are struggling with this increase too. I will look into all the options available and hope we do not have doctor changes. We are familiar with the plan we had and we liked it.

A third one from Sherri in Holts Summit, MO. She had a preexisting condition and was in the high-risk pool. She said:

I saw the price, the co-pays and the deductibles and I can't afford it.

So it looks like I will suffer on and have even less money while having a policy I won't be able to afford to use.

We are getting those letters every hour of every day. I think it is not what the American people thought they were going to get.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, there is more wrong with the Affordable Care Act than just the Web site not working. In fact, the Web site is just a symptom of bigger problems.

Similar to my colleagues, I wish to share the problems Iowans have with the Affordable Care Act. So I come to the floor today to share just one of hundreds of emails, letters, and phone calls from my constituents in Iowa expressing sticker shock about the Affordable Care Act.

A working mother in Decorah, IA, who lost her employer-sponsored coverage for her family because of rising costs, wrote to me and said the following:

... comparable plans do not seem to exist on the healthcare exchange. The closest we can come (and still see our own doctors) cost almost \$1050 per month. This represents a 247% increase in cost over our prior employer provided plan—and with much higher deductibles!

My husband is a self-employed small business owner. We covered our family of 4 on my group health plan, which includes a 21 year old adult daughter in college, who is not a legal tax dependent. If we receive any 'subsidy', it will be insignificant in relation to the total jump in our out of pocket costs related to the so called "Affordable Care Act".

The general public seems to believe that anyone who does not qualify for premium subsidies can easily afford a premium increase—no matter how outrageous. Yet an increase of almost 250% in our personal cost of providing an inferior policy for our family—which represents an increase in costs of roughly 20% of our gross income—can only be described as an absolute disaster.

I think this email from a real person who is really living this train wreck of a health care law speaks for itself.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, part of our job as Members of the U.S. Senate is to help people who have problems. This has been a very difficult time for many Americans and difficult for me as somebody who wants to be able to help people with a problem.

As my colleagues have indicated, the letters, the phone calls, the conversations, the emails continue to come. The one I wish to highlight to my colleagues is from a person who describes herself as a 62-year-old female retired teacher from Wichita. She says she considers herself a middle-class American.

She indicates in her letter that her current health policy expires at the end of this year, less than a month away. Here is what she says in her letter:

When I inquired why, I was told the policy no longer meets the guidelines under ObamaCare.

Yet, in the previous 2 years, my premiums have increased 25% and 28% respectively to which the answer from [my insurer] was that it was to help pay for ObamaCare.

Now I can't even have that plan any longer.

It had a \$500 deductible and \$1,500 Max out of pocket expense per year, with a \$300 premium per month.

After over 20 hours online, and multiple calls and online chats, I finally was able to

see some numbers for healthcare costs from the Obamacare Marketplace, only to learn that the premium is 1.5 times what I currently pay, and the deductible is 4.5 times higher (and it's a different insurer).

A plan [from my current insurer] was double the premium.

I will not qualify for tax credits, as my projected income for 2014, which includes some tax free interest income and social security, places this middle class retired American, over the threshold of any kind of subsidy.

I'm sad that my well laid plan for retirement, now will redirect my earnings to pay for healthcare, much of which I will never use.

At 62 and having had a hysterectomy, prenatal care is NOT an issue I will face, nor will I ever need female reproductive disorder treatment, as those parts are gone, but I will have no discount for not needing those coverages.

So I'm paying a higher premium for other women to have them?

I'm very frustrated at these changes.

It's the middle class that will be hit the worst by this mandate, and I fear that many will opt for the government fine because now they truly won't be able to afford the cost of healthcare.

One more question, how will folks who can't even make the premium payment, ever be able to pay the outrageous deductible?

Honestly, \$6,500 out of pocket expenses per person per year?

That's crazy, who will be able to pay that? And then who will end up paying it? This is NOT a solution for the Middle Class Americans!

Surely we can develop a policy, a program of caring for Americans without doing damage to people who already had insurance.

I yield the floor.

Mr. FLAKE. Mr. President, I am pleased to take the floor today and join my colleagues in opening the mailbag. All of us have received a lot of mail and email and faxes and texts from individuals who are being harmed by this law.

For example, Steve from Peoria, AZ, is looking at the premium for his policy through his employer going up in response to ObamaCare nearly 20 percent. In addition, his employers have told him to brace for more impacts like rising prices—all customers are going to get this—and falling salaries for new hires as well.

Leanne from Eager, AZ, is facing what she calls "sky high" rates now thanks to ObamaCare. If this is not bad enough, it looks as if she and her husband will have to put off buying their parents out of their family business. It looks likely that Leanne's parents are going to have to keep working for a while.

Cristian from Flagstaff, a young husband and father who has a young boy, says he might see his premiums actually decrease marginally. However, thanks to ObamaCare and thanks to changes his employer is making in response to ObamaCare, he is looking at higher copays, higher deductibles, and a decrease in the level of coverage. He

is looking at "a large increase in my responsible portion of my medical bills."

ObamaCare is far from ideal for those in the workplace, those looking to retire, and for new families.

With story after story like these, we clearly see that the Affordable Care Act is a misnomer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, I rise today to speak on behalf of nearly 7,000 Nebraskans who have contacted my office with concerns about ObamaCare. The sticker shock has hit Nebraskans hard.

A woman from Palmyra writes:

This is the first time I have ever written my Senators. We just received our insurance letter telling us that they no longer would have our health insurance policy and the closest policy under the ACA would up our monthly premium from \$590.14 to \$932.24 for our family of 6. How is this affordable?

A constituent from Holdrege writes:

I cannot believe the letter I got from Blue Cross today. It informs me that I have to switch my coverage, and my new selected plan will cost me \$1,116.74, per month. That's a \$571.58 per month increase than what I have now. That's almost double my mortgage payment.

Also, why am I forced to carry coverage that I don't need or want? At 58, my wife and I are not going to have any more kids. I don't believe I'm going to qualify for any government subsidies. Our planned budget includes our current health care policy. There is no way we can afford the suggested new policies.

This law is anything but affordable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I join my colleagues as one who has received tweets and hits on the Web site, emails, phone calls ringing the phone off the hook, written letters, responses that I hear as I talk to people back in Indiana. These are not Republicans, Democrats, liberals, conservatives; they are all of the above. They are not writing to say: Stand with the Republican Party. Stand with this. Stand with that. They are writing to say: Wait a minute. The President promised that we would not have an increase in our premiums. He promised that if we liked our doctor, we could keep our doctor. He promised this would be affordable.

Tell that to Deborah from Logansport, who said that her increases in premiums will strain an already strained budget. I think she speaks for millions of Americans, tens of millions of Americans—a lot of Hoosiers, that is for sure.

Doug, a small business owner from Bloomington, told me that he expects his company health insurance to increase over 30 percent next year and, he said, "this will preclude me from providing wage raises to our employees

and will make hiring additional employees much less attractive, if not impossible."

The President promised a lot. The worst thing you can do to your constituents, the people you represent, the people who put their trust in you, is overpromise and underperform. This could be the biggest gap between overpromising and underperforming of anything any President has said in the history of the United States. And he punctuated his statements with "period," meaning "take it to the bank. Count on it. Trust me. Your premiums won't increase." It is sad.

It is sad, but it can be corrected. We can work. We can repeal this now. We can work together on a bipartisan basis. We can fashion a reasonable, affordable solution to providing Americans who are uninsured with insurance, creating the kinds of products through an open market system, a competitive system that will deal with this problem. We do not have to keep swallowing this so-called Affordable Care Act. It simply will not go down.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON of Wisconsin. Mr. President, last night I read a number of emails we received of the hundreds we received from constituents in Wisconsin specifically talking about the problems they have had in losing their coverage and certainly finding this law not being affordable.

They use words like "scared," "begging for help," feeling they were just collateral damage in this scheme that simply is not protecting patients or offering affordable care. They cannot fathom that this is actually happening to them because they knew it was not supposed to.

Today I rise to read an email received from Steve Walrath from Beloit. Steve writes: I am 54 years old, in good health and no prior conditions. I just received my health insurance renewal bill. I used to have affordable and user-friendly health care that cost about \$290 a month with no copay. According to my renewal letter from Dean health care, my choices are now \$854 a month with a 10-percent copay, up to \$1,315 a month with a zero-percent copay.

Let me put that in perspective. He was paying \$290 a month with no copay, so if he wants a similar plan he will now experience a 440-percent increase, up to \$1,315. If he wants to pay a 10-percent copay, it will be a 285-percent increase. This was not supposed to happen. This is not what President Obama promised the American people, the citizens of Wisconsin.

Steve goes on to write:

Where is the promise of reduced insurance rates under the Affordable Care Act? What choices do you want me to make after January 1? Dental care or health insurance? An occasional night out or health care? Helping my kids get settled into home ownership or health care? What choice do you want me to

make? This increase of over 300 percent is a betrayal of the laws you passed and promises you made. "Can't be denied coverage" doesn't mean we can afford it. Not when it's more than my mortgage payment. Which of the above choices do you want me to make after January 1?

That is just the sad fact. The Patient Protection and Affordable Care Act is not protecting patients, it is not providing affordable care, and it is not about choice. It is about coercion, and I am asking the President of the United States and I am asking our Democratic colleagues here in the Senate and the House to work with Republicans to start limiting the damage, to start repairing the harm that is being caused to citizens of Wisconsin and America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, in Utah I have a program that I call the Mobile Office. It is a way for many of my constituents, many of whom live some distance from my two offices in the State, to meet with members of my staff in order to discuss various concerns they have with the Federal Government, concerns that arise from their interaction with any of various Federal programs and agencies. It allows us to help these constituents, and it provides vital information that I can use to better represent them back here in Washington.

At one meeting in Davis County, a man attended who wanted to tell us about his experience with ObamaCare. He owns two small food stores and a 7-Eleven. He is also an immigrant, having come to the United States just 12 years ago to seek a better life for himself and for his family. He gives back to his community. He contributes to his economy and provides jobs for people who live in his town. Now ObamaCare is threatening all of that. His insurance premiums for his family are going to be rising by \$200 a month. This cost will destabilize his personal finances and may well force him to make cutbacks or to let some of his employees go.

These are the real human costs of ObamaCare. It is not what the President promised, and it is turning out to be an absolute, unmitigated disaster for families all across this country. It is time to start over and develop a health care system that works for everyone.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, the Affordable Care Act promised accessibility, affordability, and choice. As we heard from the stories told here tonight, it delivered on none of the above.

I join Senator LEE, Senator JOHNSON, and the others to call on Congress to come together. Let's fix this flawed

program before it is too late and before we destroy health care in the United States of America.

I get constant communication from my State about the problems that are there. This one that I want to read from Beth Hatfield demonstrates the fear, confusion, and lack of accessibility the health care plan has at this time.

I have tried many times over the past few weeks to purchase a health insurance plan for myself on the healthcare Web site. I finally was able to complete an application, but have not been able to choose a plan yet. Twice I asked questions on the "live chat" option, but they were not able to answer my questions, instead they [told me to make a long distance call to the help desk. I did, but I couldn't get an answer there either]. I was disappointed to find out that in order to "compare plans" you first needed to enroll. In what other shopping experience do you have to sign up before you actually shop?

Now I saw on the news that my personal information may be compromised from the Web site. This makes me angry, especially since it seems they knew all along [this problem existed].

Is anyone going to be able to do anything about protecting my information? I need health insurance. I am not working and my COBRA policy is expensive [and runs out soon].

I need someone to help me, and I need them to help me now.

Thank you for the opportunity to be heard.

I yield.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I just found out PolitiFact, which is a group who takes a look at what politicians say each year, just came out with what they are describing as the "Lie of the Year." PolitiFact, "Lie of the Year." It is none other than that of President Barack Obama, "If you like your health care plan, you can keep it," called by PolitiFact the "Lie of the Year."

It is not surprising that those of us from around the country are getting letters, emails, and calls from folks at home who are finding out they cannot keep it. They listened to the President, they believed the President, who has now had his statement listed as being the "Lie of the Year."

I have a letter from Cody, WY, from a man who said:

Just got a quote from my insurance agent on a Obama care insurance. From \$860 that I currently spend per month for my family of 4, to \$2,400 per month.

He said:

All with the low deductible of \$10,000 per person per year. I'm not sure what planet they think I live on, but there is no way I can spend more than 1/2 of my monthly income on insurance. For the first time in my adult life I will soon be without insurance. What does it matter if my two 18-year-old children can stay on an insurance plan if I can't afford to keep one? Also, all the airtime to preexisting conditions is meaningless if I can't afford to keep a plan.

I feel greatly blessed to have the good paying job that I have. It puts me above the pay

level that would allow me to get any subsidies. By the way, with the system in place this year I wouldn't have needed subsidies.

Because he was paying something he could afford.

I have never needed them in the past and would like to continue to never get a hand out from my government.

This is what I expect to hear from the people of Wyoming—not looking for a handout from the government and able to take care of themselves. They are rugged individuals.

What this constituent has gotten from a Presidential promise turns out to be the lie of the year. He sees an increase in his health insurance from \$860 a month to over \$2,000 a month.

He said:

I employ 35 people with my company. When we first opened about a year and ½ ago we were talking about getting some sort of coverage. It became very clear that we will not be able to do this, and have stopped any of our plans to provide this in the future. We also know for sure that we can not afford to ever employ more than 50 people, so as we continue to grow, there is an upward limit on how many people we will hire.

Here is an individual who has a business and has hired 35 people. He is not going to provide insurance because the costs are too high. He says that he is never going to have more than 50 employees. The opportunities may be there—wanting to put people back to work—but, no, there is a cap at 50. Why? Because of the health care law that has been forced down the throats of the American people. It was voted along party lines by Democrats in the House and in the Senate. So here we are, hurting the economy and hurting people's health.

He goes on:

Simple economics, Obamacare is a job killer in Wyoming.

ObamaCare is a job killer not just in Wyoming but all across the country.

He said:

It has never been easy to be in business, that is part of the fun of being successful. It is discouraging when our federal government limits the American dream for everyone.

I am thankful for your efforts, but from my chair in Cody, it is already too late.

A failed Web site is just the tip of the iceberg. Web sites can be fixed, but what can't be fixed is the destruction this health care law is doing to the health of America in terms of canceled policies. We now have over 5 million policies that have been canceled across the country. Five million people have letters saying: We are sorry, but your policy is canceled. Why? Maybe they didn't have the type of insurance the President deemed good enough for them.

I received a letter from a lady who lives in Newcastle, WY. She is a rancher. I talked to her at our Farm Bureau meeting in Wyoming. She said: I lost my insurance because the President didn't deem my policy good enough because it didn't include maternity cov-

erage. She knows me and knows I am a doctor. She said: Doc, I had a hysterectomy; I don't need maternity coverage. She knows whether she needs maternity coverage. The President of the United States doesn't have a clue. Yet he is the one who determines what kind of coverage she needs because it is the President who decided that he will be the one who will decide what the American people need, not them. She knew what worked for her and her family and what they could afford as far as a deductible.

There are people across my State who have absolute levels of anger and anxiety, and it is reflected in the letters I continue to get.

The front page of yesterday's Wall Street Journal talked about the amount of deductibles. The deductibles in the bronze policy are the cheapest and average over \$5,000 per person. A husband and wife will have a \$10,000 deductible before they even get to the insurance. Yet they have to buy expensive insurance with these huge deductibles in order to comply with the individual mandate the Democrats have forced on the American people, that you have to buy it whether you call it a fee, a fine, or a charge. Call it what you will—a tax.

So we have the fact that the costs are too high and, of course, the deductibles.

I am going to continue to come back. I will be back later this evening with more letters, but I appreciate your attention.

Mr. LEAHY. Mr. President, I commend the Senate for confirming Judge Patricia M. Wald to be a member of the Privacy and Civil Liberties Oversight Board, "PCLOB". The Senate previously confirmed Judge Wald to this post on August 2, 2012. The President renominated Judge Wald to this position in March, and the Judiciary Committee favorably reported the nomination without objection months ago. Like many other nominees, her confirmation has been held up on the floor for months by Senate Republicans.

During her tenure on this important oversight board, Judge Wald has served with great professionalism and dedication. And last month, she received the Presidential Medal of Freedom, the highest civilian honor that the President can bestow.

For the past several months, our Nation has been engaged in a national debate about the ever-growing need for limits on the government's surveillance powers. The House and the Senate are considering bipartisan legislation to rein in those expansive powers, in an effort to better protect Americans' privacy and to increase transparency and oversight. The PCLOB is also expected to issue an important report on the government's surveillance programs to the President and Congress.

Today's confirmation vote will ensure that the Privacy and Civil Liberties Oversight Board remains at full strength as the board continues this work to safeguard our constitutional rights. Democrats, Independents, and Republicans alike have supported the work of this non-partisan board. I commend the Senate for confirming this well qualified nominee, so that the PCLOB can continue to carry out its important responsibilities.

The PRESIDING OFFICER. All postcloture time has expired.

The question is, Will the Senate advise and consent to the nomination of Patricia M. Wald, of the District of Columbia, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2019?

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Illinois (Mr. KIRK).

The result was announced—yeas 57, nays 41, as follows:

[Rollcall Vote No. 264 Ex.]

YEAS—57

Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Booker	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Cantwell	Klobuchar	Schatz
Cardin	Landrieu	Schumer
Carper	Leahy	Shaheen
Casey	Levin	Stabenow
Collins	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskey	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murkowski	Wyden

NAYS—41

Alexander	Enzi	Moran
Ayotte	Fischer	Paul
Barrasso	Flake	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rubio
Chambliss	Heller	Scott
Coats	Hoeben	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Lee	Vitter
Crapo	McCain	Wicker
Cruz	McConnell	

NOT VOTING—2

Inhofe	Kirk
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The nomination was confirmed.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Brian Morris, of Montana, to be United States District Judge for the District of Montana.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Michael F. Bennet, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin.

QUORUM CALL

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair now directs the clerk to call the roll to ascertain the presence of a quorum.

The bill clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 9]		
Alexander	Gillibrand	Murray
Ayotte	Graham	Nelson
Baldwin	Grassley	Paul
Baucus	Hagan	Portman
Begich	Harkin	Pryor
Bennet	Hatch	Reed
Blumenthal	Heinrich	Reid
Blunt	Heitkamp	Risch
Booker	Heller	Roberts
Boozman	Hirono	Rockefeller
Boxer	Hoeven	Rubio
Brown	Isakson	Sanders
Cantwell	Johanns	Schatz
Cardin	Johnson (SD)	Schumer
Casey	Johnson (WI)	Scott
Chambliss	Kaine	Sessions
Coats	King	Shelby
Coburn	Klobuchar	Shelby
Cochran	Landrieu	Stabenow
Collins	Leahy	Tester
Coons	Lee	Thune
Corker	Levin	Toomey
Cornyn	Manchin	Udall (CO)
Crapo	Markey	Udall (NM)
Cruz	McCain	Vitter
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Murkowski	Wyden
Franken	Murphy	

The PRESIDING OFFICER. A quorum is present.

The question is, Is it the sense of the Senate that debate on the nomination of Brian Morris, of Montana, to be United States District Judge for the District of Montana, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. HEINRICH) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mr. BEGICH). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 57, nays 40, as follows:

[Rollcall Vote No. 265 Ex.]

YEAS—57

Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Hatch	Nelson
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Booker	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Cantwell	Klobuchar	Schatz
Cardin	Landrieu	Schumer
Carper	Leahy	Shaheen
Casey	Levin	Stabenow
Collins	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murkowski	Wyden

NAYS—40

Alexander	Enzi	Paul
Ayotte	Fischer	Portman
Barrasso	Flake	Risch
Blunt	Graham	Roberts
Boozman	Grassley	Rubio
Burr	Heller	Scott
Chambliss	Hoeven	Sessions
Coats	Isakson	Shelby
Coburn	Johanns	Thune
Cochran	Johnson (WI)	Toomey
Corker	Lee	Vitter
Cornyn	McCain	Wicker
Crapo	McConnell	
Cruz	Moran	

NOT VOTING—3

Heinrich	Inhofe	Kirk
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The PRESIDING OFFICER. On this vote the yeas are 57, the nays are 40. The motion is agreed to.

NOMINATION OF BRIAN MORRIS TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MONTANA

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Brian Morris, of Montana, to be United States District Judge for the District of Montana.

The PRESIDING OFFICER. Pursuant to the provisions of S. Res. 15 of the 113th Congress, there will now be 2 hours of postcloture consideration of the nomination equally divided in the usual form.

The majority leader.

Mr. REID. Mr. President, it is my understanding there is 2 hours equally divided; is that right?

The PRESIDING OFFICER. The leader is correct.

Mr. REID. I yield back 59 minutes.

The PRESIDING OFFICER. The time is yielded back.

The Senator from Florida.

SPACE LAUNCH LIABILITY INDEMNIFICATION EXTENSION ACT

Mr. NELSON. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3547, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 3547) to extend the application of certain space launch liability provisions through 2014.

There being no objection, the Senate proceeded to consider the bill.

Mr. NELSON. Mr. President, today, I am asking for unanimous consent to pass H.R. 3547, as amended, a bill to extend government liability, subject to appropriation, for certain third-party claims arising from commercial space launches. The bill supports the competitiveness of the United States commercial space industry.

This industry, which grew in part out of the successes of NASA, is vital both to the economy and to national security. Our U.S. space companies offer us new opportunities to send astronauts into space on U.S.-built vehicles and to continue launching communications satellites and conducting important scientific research on the International Space Station.

This bill helps to ensure the strength of the space industry by continuing to provide Federal launch liability protection from third-party losses for commercial launches. Congress first established this indemnification regime in 1988 and has seen the need to extend the policy many times since then. It is important to note that it has never cost the United States a single dime.

This indemnification helps domestic launch companies compete in the global launch market. Many international competitors enjoy similar protections in their various home nations.

However, indemnification protection is set to expire on December 31st of this year. Without indemnification, each company would "bet the company" every time they launch.

As chairman of the Science and Space Subcommittee, I have worked with other Senators to thoroughly consider this issue. In a hearing this May, we discussed indemnification in detail. It was clear that extending indemnification was necessary.

This bill therefore extends the indemnification for 3 years, until 2016, giving Congress the ability to continue to review this policy while providing the commercial space industry the stability it needs.

I would like to especially thank Senator THUNE and his committee staff for their work on this bill. I would also like to thank Senators CRUZ, FEINSTEIN, HEINRICH, KAINE, RUBIO, THUNE, MARK UDALL, TOM UDALL, WARNER, and WICKER, all of whom worked with me on this effort.

Mr. NELSON. Mr. President, I ask unanimous consent that the Nelson amendment which is at the desk be agreed to; the bill, as amended, be read a third time, the title amendment be agreed to, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2544) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. LAUNCH LIABILITY EXTENSION.

Section 50915(f) of title 51, United States Code, is amended by striking “December 31, 2013” and inserting “December 31, 2016”.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 3547), as amended, was passed.

The amendment (No. 2545) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: “A bill to extend Government liability, subject to appropriation, for certain third-party claims arising from commercial space launches.”.

Mr. NELSON. Mr. President, what we have just passed is the indemnification bill on commercial space launches.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. NELSON. I thank the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I and my colleagues stand here holding the floor in defense of fair and free debate, and the longstanding traditions of the Senate that promote consensus.

We are here working on nominations because the majority leader has determined that is the agenda for today. But there are important issues we need to move to: the Defense reauthorization bill, the Water Resources Development Act, the farm bill, the budget, and other vitally important legislation. We need to move to these bills and we need to deal with them in a bipartisan way. Instead, we continue to work on nominees. We are working on nominees without the discussion and the debate and the consideration and, most importantly, without that bipartisan consensus which has always been a hallmark of the Senate. Because of the unilateral change to the longstanding rules of the Senate, that consensus is no longer required for advice and consent; a simple partisan majority will do.

I would use time today to talk about need for bipartisanship, bipartisanship in nominations, but also bipartisanship in the important legislation that we need to address for the good of our country, legislation such as the right kind of health care reform. I have provided real-life stories from citizens from my State about the impact that the Affordable Care Act, ObamaCare, is having on them and their lives and why we need to replace it with market-based reforms, a step-by-step comprehensive approach that fosters choice and competition. We have put forward proposals to do that.

I have also used time today to talk about other important issues that we need to advance on a bipartisan basis; for example, the farm bill. We need a 5-

year farm bill. We are currently operating under an extension. That extension expires at the end of the year. We need to get a farm bill in place, and a farm bill is a great example of how we do things on a bipartisan basis, not only in the Senate but also in the House.

I wish to talk about another subject that is vitally important to our country, to our economy, to job creation, and to national security, that also needs to be advanced and needs to be advanced in a bipartisan way, and that is energy.

I want to provide a specific example; that is, the Keystone XL Pipeline. I know the Presiding Officer wishes to see that project approved. That is the point. This is a project that will create jobs, create economic activity, it will create greater energy security, it is something that we can work on with our closest friend and ally in the world, Canada. It is something that goes to national security so we are no longer dependent on the Middle East for oil, and it is something that is supported on a bipartisan basis and there is strong support from the American people.

The polls show somewhere between 70 and 80 percent of the American public supports this project and wants to see it move forward.

It has now been more than 5 years since the permit applications were submitted to the State Department for the Keystone XL Pipeline project—more than 5 years in the application process and still no decision—an exhaustive review process, including five environmental impact statements, showing no significant impact to the environment. The most recently issued draft statement was only last spring. The consent of every single State along the route of the pipeline is in place. Every single State on the route supports and approves the project, with the backing of a majority of Congress. Legislation to approve the project has passed in the House and we have passed it in the Senate only to have the President turn it aside.

As I said a only minute ago, it has the support of the American people. More than 70 percent—in the most recent poll—of the American people support moving forward with this project. Despite all of this support, the Keystone XL Pipeline project is still awaiting decision from the President of the United States.

The long wait for approval is troubling enough, but it represents a larger issue for our Nation and begs a bigger question for all of us who serve our States and the American people in this institution: How will America ever build an all-of-the-above energy policy if the President takes more than 5 years to approve only one piece of a comprehensive plan?

The Presiding Officer has seen this issue before in his State when it comes

to the Alaska pipeline, how for years and years it was worked on until it was finally approved. Once approved, not only is it a vitally important piece of infrastructure for the State of Alaska, but contrary to all the concerns that were raised in regard to the Alaska pipeline, such as the environmental concerns, it has proven to work and work very well.

They addressed the concerns and the project was approved. The same is true for the Keystone XL Pipeline.

To recount briefly, this \$7 billion, 1,700-mile high-tech pipeline will carry oil not only from Alberta, Canada, to refineries in Oklahoma and the Texas Gulf Coast, but it will also carry growing quantities of sweet crude from the Bakken oil fields in North Dakota, my State, and also Montana—light, sweet, Bakken crude, the highest quality oil produced.

Even by modest estimates it will create more than 40,000 jobs. There have been a lot of estimates out there, some much higher. But the State Department itself, the administration's own State Department has come out after more than 5 years of study and said that this project will create more than 40,000 jobs. At a time when unemployment is still 7 percent, these are good jobs, jobs that put Americans back to work.

It will create more than 40,000 jobs, boost the American economy, and raise much-needed revenues for States and the Federal Government. It is not raising revenues by raising taxes, it is raising revenues through economic growth. That is the way to do it—not higher taxes but through economic growth.

Further, and perhaps most importantly, it will help put our country within striking range of a long-sought goal, a vitally important goal for our country, true energy security. For the first time in generations, the United States—with its friend and ally Canada—will have the capacity to produce more energy than we use, truly, North American energy independence, eliminating our reliance on oil from the Middle East, Venezuela, and other volatile parts of the world. This is something Americans very much want.

When we see in the polls they support this project by more than 70 percent, it is with a clear recognition of what are we doing getting oil from the Middle East when we should be getting it from ourselves in this country and from our closest friend and ally Canada. We absolutely can do it, we can do it to an extent that is beyond our needs, and we can do it in short order, easily within the next 5 years if we approve projects such as this one.

Now we produce about 60 percent of our fuel domestically. We still import 40 percent, much of it from the Middle East, and other areas of the world that are hostile to our interests.

The question is why would we want to import oil from an unstable region

of the world when we can import it and when we can work with our closest friend and ally Canada, as well as move it from parts of our country that produce that oil, such as my State and others, and transport it to our refineries.

The 40 percent that we don't produce domestically has to come from someplace else. Why not from our closest friend and ally Canada. With a true all-of-the-above approach to energy development in this country, including projects such as the Keystone XL Pipeline project, I absolutely believe we can be energy independent within 5 years.

The argument has been advanced that the oil sands will increase carbon emissions and that failing to build the Keystone XL Pipeline will somehow reduce emissions.

Let us look at the facts. Let us look at this claim more closely. Today an ever increasing percentage of new recovery in the oil sands is being accomplished in situ. That means with technology that makes the oil sands carbon footprint comparable to conventional drilling.

In fact, the oil sands industry has reduced greenhouse gas emissions per barrel of oil produced by an average of 26 percent since 1990 and with some facilities achieving reductions as high as 50 percent—a 50-percent reduction in carbon emissions. Today heavy crude from the Middle East—and even from California—produces more carbon emissions over its life cycle than the Canadian oil sands.

Also, we need to factor in that if the pipeline is not built from Alberta to the United States, a similar pipeline will be built to Canada's Pacific coast.

What does that mean? That means from there the oil will be shipped on tankers across the Pacific Ocean, a much larger and more sensitive ecosystem than the Sandhills—which, of course, have been at issue in terms of the route of the pipeline. It will be shipped across the ocean to be refined in facilities in China with weaker environmental standards and more emissions than our refineries in the United States.

The United States, moreover, will continue to import its oil from the Middle East, again on tankers so that again has to be transported across the ocean. Factor in the cost of trucking and railing the product to market overland, and the result, contrary to the claims of opponents, will be more emissions, more CO₂ emissions, and a less secure distribution system without the Keystone XL Pipeline than we will have if it is built.

In fact, the administration's own State Department has released three draft Environmental Impact Statements finding "no significant impacts" on the environment.

Let me read that again. In fact, the administration's own State Depart-

ment has released three draft Environmental Impact Statements finding "no significant impacts" on the environment.

What does the administration do? They delay and ask for another Environmental Impact Statement.

What is going on?

In its latest analysis in March, the State Department concluded that "there would be no substantive change in global greenhouse gas emissions" associated with the Keystone XL Pipeline.

That raises another important point. The White House has said repeatedly they "don't want to get ahead of the process," but the President effectively abandoned the process more than 2 years ago when he halted the project by executive action. Had he not, the State Department, in keeping with the usual process, would have issued a decision on the permit by December of 2011. That is according to a letter that was sent to me by Secretary Hillary Clinton, Secretary of State at that time, which she sent to me in August 2011.

I wish to point out that this body, the Senate, as well as the House of Representatives, has embraced the Keystone XL project with bipartisan majorities. Congress has expressed support for the Keystone XL with two majority votes in the Senate and several bipartisan letters to the President. The American people have also expressed overwhelming support for the project, as I have stated.

In a Harris poll released this summer, 82 percent of voting Americans voiced support for the Keystone XL Pipeline project. I want to emphasize that and say it again. In a Harris poll released this summer, 82 percent of voting Americans voiced support for the Keystone XL Pipeline project. According to Harris, 9 in 10 Republicans and nearly 80 percent of Democrats and independents believe the pipeline is in our national interest.

In July, Senator LANDRIEU and I led a bipartisan group of our colleagues to introduce a concurrent resolution declaring the Keystone XL Pipeline project in the national interest of the United States and calling on President Obama to approve it.

The resolution notes that every study conducted by the State Department, including the Department's draft Environmental Impact Statement issued in May, has found no significant impacts to the environment.

This is the text of S. Con. Res. 21.

Expressing the sense of Congress that construction of the Keystone XL Pipeline and the Federal approvals required for the construction of the Keystone XL Pipeline are in the national interest of the United States.

IN THE SENATE OF THE UNITED STATES

July 31, 2013

Ms. LANDRIEU (for herself, Mr. HOEVEN, Mr. PRYOR, Mr. DONNELLY, Mr. BEGICH, Ms. HEITKAMP, Mr. THUNE, Mr. RISCH, Mr. COR-

NYN, Mr. JOHANNIS and Mr. BARRASSO) [a bipartisan group] submitted the following concurrent resolution; which was referred to the Committee on Energy and Natural Resources.

CONCURRENT RESOLUTION

Expressing the sense of the Congress that construction of the Keystone XL Pipeline and the Federal approval required for the construction of the Keystone XL pipeline are in the national interest of the United States.

Whereas safe and responsible production, transportation, and use of oil and petroleum products provide the foundation of the energy economy of the United States, helping to secure and advance the economic prosperity, national security, and overall quality of life in the United States;

Whereas the Keystone XL pipeline would provide short- and long-term employment opportunities and related labor income benefits, such as government revenues associated with taxes;

Whereas the State of Nebraska has thoroughly reviewed and approved the proposed Keystone XL pipeline reroute, concluding that the concerns of Nebraskans have had a major influence on the pipeline reroute and that the reroute will have minimal environmental impacts;

Whereas the Department of State and other Federal agencies have conducted extensive studies and analysis over a long period of time on the technical, environmental, social, and economic impact of the proposed Keystone XL pipeline;

Whereas assessments by the Department of State found that the Keystone XL pipeline is "not likely to impact the amount of crude oil produced from the oil sands" and that "approval or denial of the proposed Project is unlikely to have a substantial impact on the rate of development in the oil sands";

Whereas the Department of State found that the incremental life cycle greenhouse gas emissions associated with the Keystone XL project are estimated in the range of 0.07 to 0.83 million metric tons of carbon dioxide equivalents, with the upper end of this range representing 12/1,000 of 1 percent of the 6,702,000,000 metric tons of carbon dioxide emitted in the United States in 2011;

Whereas after extensive evaluation of potential impact to land and water resources along the 875-mile proposed route of the Keystone XL pipeline, the Department of State found, "The analyses of potential impacts associated with construction and normal operation of the proposed Project suggest that there would be no significant impacts to most resources along the proposed Project route (assuming Keystone complies with all laws and required conditions and measures).";

Whereas the Department of State found that "[s]pills associated with the proposed Project that enter the environment are expected to be rare and relatively small" and that "there is no evidence of increased corrosion or other pipeline threat due to viscosity" of diluted bitumen oil that will be transported by the Keystone XL pipeline;

Whereas, the National Research Council convened a special expert panel to review the risk of transporting diluted bitumen by pipeline and issued a report in June 2013 to the Department of Transportation in which the National Research Council found that existing literature indicates that transportation of diluted bitumen proposes no increased risk of pipeline failure;

Whereas plans to incorporate 57 project-specific special conditions relating to the design, construction, and operations of the

Keystone XL pipeline led the Department of State to find that the pipeline will have “a degree of safety over any other typically constructed domestic pipeline”; and

Whereas, the Department of State found that oil destined to be shipped through the pipeline from the oil sands region of Canada and oil shale deposits in the United States would otherwise move by other modes of transportation if the Keystone XL pipeline is not built: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) construction of the Keystone XL pipeline will promote sound investment in the infrastructure of the United States;

(2) construction of the Keystone XL pipeline will promote energy security in North America and will generate an increase in private sector jobs that will benefit both the regions surrounding the Keystone XL pipeline and the United States as a whole; and

(3) completion of the Keystone XL pipeline is in the national interest of the United States.

I have worked toward approval of the Keystone XL Pipeline—first as the Governor of North Dakota and now as a Senator—because I believe it is just the kind of project that will grow our economy and create the jobs our country so desperately needs, and it will do so with good environmental stewardship. At the same time, it will reduce our dependence on the Middle East for oil, which is what the American people have sought for decades.

The Keystone XL Pipeline project is long overdue. For the benefit of our economy, our environment, and our long-term energy security, this project needs to be approved and it needs to be approved without delay.

As I say, we can do these things. We can do these things and so much more, but it takes a bipartisan effort. It takes bipartisanship. We have to find a way to tackle these tough issues for the benefit of the American people and we have to do it in a way that has always been the hallmark of this institution—the Senate—and that is on a bipartisan basis.

Earlier today I read accounts I received from citizens of my State who have been impacted adversely by ObamaCare. ObamaCare is an example of what I am talking about, an example of something that was passed on a partisan basis rather than on a bipartisan basis. So when we look across this great country, it is very understandable why the public support is not there. This was a policy passed solely with votes from one side of the aisle, in the House and in the Senate. We need to pass legislation in a bipartisan way. We need policies for this country, particularly on these big issues, that can garner bipartisan support if we expect the American people to truly support the policies as well.

I would like to read several more accounts, true stories, that I have received in my office from people from our State about the impact that ObamaCare is having on their lives.

The first one comes from Crystal, ND. It is a frustrated senior, not eligible for Medicare, seeking ways to cut back to afford ObamaCare. This individual writes:

Just who is this health care reform law helping? My insurance broker, American Family, is no longer carrying medical insurance—so they lose. The average American that goes out and earns a paycheck—he loses. Doctors don't like it, so how many new doctors will there be? I just got off the phone with the insurance brokerage company that has taken over my former broker's customers. I learned that if I sign up before the end of the year, I can save by NOT having maternity coverage (what a laugh!). But, after 2014, I HAVE to have maternity coverage! Can you see all of us senior citizens walking around pregnant? So, with the cheapest coverage I WILL be paying \$473 MORE per month than my current coverage, and my premium will be \$1,288.00 per month! That's a 37% increase per month! Next year, the rate will increase to cover maternity. And, if you have children under 18, you HAVE to have dental, and maybe vision too. I already try to conserve on our monthly expenses, have heat set to 55—and when guests are here, I set it to 65. I turn lights off, don't smoke, don't drink (even quit drinking pop). I don't eat out, don't even go out to drive to get the mail every day, and don't buy new clothes, and don't go to visit family like I used to. What should I cut out of our monthly expenses? Take weekly showers? Get the mail once a week? Eat once a day? Hibernate? Get a third job? Cut out the grandkids' events? So, “affordable health care”. . . I wonder how many heart attacks there will be after Americans open up their health insurance bill in 2014, and even more in 2015! Cause it will be a shocker.

Here is another story from an independent North Dakotan in Minnewaukan who suggests seceding from the Union over ObamaCare.

I would like you to know what the health care reform law is doing for my family. The insurance company we have had since 1994 is no longer going to offer health insurance, starting April 2014. When I called to get quotes to replace my current health insurance policy, I learned I would have to pay \$200 more for a plan with a deductible that is twice the amount that I currently have. Then, when I eventually have to go on an ObamaCare policy, I will have to pay for maternity, which I haven't had for 17 years and have not needed. Plus, I will have to pay for children's dental and vision, which my family won't be able to use because my children are 18 and 20 years old. The health reform insurance policy will cost me twice as much as I am paying now. So, please tell me how this is going to help me! The only thing this is doing is giving another freebee to those who choose not to work. This is very frustrating, and I am starting to believe that seceding from this Union and making our country much better for the residents of North Dakota. We certainly have enough of our own resources to take care of ourselves. I hope you are trying to change the health care reform bill.

Here is one from a hardware store owner who is unable to grow his business due to ObamaCare.

I just received my renewal from Blue Cross Blue Shield for my 5 employees, and the premium for the same coverage went up from \$2,179.50 per month to \$3,090.40 per month. I

am a small town hardware store owner. Where is this money to come from? I am so frustrated by the lack of understanding that our country's government officials have regarding the policies they create. It appears we all need to go on welfare [to survive]. Most people [who] work and generate the money are feeling hopeless. I don't think you have a clue as to the frustration that is out here. I was looking to expand and grow my business, but the drain I believe ObamaCare will have on the already strained economy will be much greater than in the Great Depression.

So, as a small business owner, why should I invest in the future? So our U.S. Government can continue its “business as usual?” I think not.

I present these stories and others I presented earlier in the day, along with those from my colleagues, because they are real stories from real Americans across the country who are suffering because of ObamaCare. We have put forward the kind of market-based solutions to replace ObamaCare that empower people—empower them to choose their own health care insurance and their own health care provider—and we need to go to work to provide the right kind of health care reform. We need to do that on a bipartisan basis.

I think that by presenting these stories, it is not just a case of Members of the Senate or Members of Congress saying: Hey, this is what I think is happening. These are real stories. These are people telling us what is happening to them in their lives and we need to take heed and we need to address the very real and very valid concerns they are raising and we can do it. We absolutely can do it.

I come back to where I started my comments after our last vote. We are here today voting on nominations. Due to the change in the Senate rules by the majority party, advise and consent no longer requires participation or any votes whatsoever from the minority party. That creates a situation now where judges, other nominees can be approved solely by one party. We have seen what happens when one party and one party alone can confirm appointees or can pass laws such as ObamaCare. It doesn't work. It doesn't work for our country. That is why the Senate was set up to require bipartisanship, to require consensus so as we pass the important policies and laws that will help lift our country and move it forward, we have the broad base of support from both sides of the aisle across this great Nation. That is what is required to make things work.

That is why it is incumbent on all of us in this institution to reach out and find ways to make sure we have that bipartisanship so we create the kind of policies that will truly move our country forward. That is what the American people have sent us here to do.

I see my esteemed colleague from the great State of Utah is on the Senate floor and at this time I yield to him.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I have certainly enjoyed the remarks of the distinguished Senator from North Dakota. He has done a terrific job in the Senate and made a real difference, and I personally appreciate it very much.

We all know we are here for one basic reason: I believe our friends on the other side believe that by creating this kind of a fuss and problem, they can get off of the issue of ObamaCare, which is a disaster, and everybody knows it, including them.

The fact is that I think they have gone from one extreme debacle to another in their desecration of this body by getting rid of a rule that is absolutely critical to this body—a rule of protection to the minority.

I can hardly wait for those on the other side of the aisle, who have never been in the minority, to get in the minority and realize what they have done is basically destroyed the thing which has made the Senate the greatest deliberative body in the world.

The cloture rule—rule XXII—was put in place to allow the majority to end filibusters. In the early part of the last century they couldn't get anything done, so they came up with rule XXII so they could invoke cloture, end the debate, and get back to whatever the Senate decided was the appropriate business. It has worked amazingly well and it would continue to work amazingly well, except for the fact that our colleagues on the other side have made the Senate no better than the House of Representatives.

The Senate was always supposed to be different from the House of Representatives. It was supposed to be the body that would be more deliberative. It was Washington who said to Jefferson that the Senate is the saucer which cools the tea. They were right. The Senate is the saucer which should cool the tea. It should cool debates around here. But now it is just whatever the majority wants, and they vote in unison. They vote in unison because they are supported in unison by a number of very well-heeled groups, especially including the unions, which Democrats are basically afraid of crossing. It is a pitiful shame.

I would like to chat just a little bit about this filibuster because it is a time-honored instrument which both sides have used. But I think there have been gross misrepresentations of what the filibuster is by the leadership of the other side, and these gross misrepresentations should never have been spoken on the floor. I don't know how they keep a straight face when they do it.

On November 21, 2013, the majority used a premeditative parliamentary gimmick to change more than two centuries of Senate confirmation practice. As a result, for the first time since 1806, the minority cannot extend debate on any nominations except for

those that go to the Supreme Court. Democrats accomplished this on a purely party-line vote and by a maneuver designed to avoid scrutiny.

It would be hard to imagine a crisis so grave, a conflict so intractable that the only option was to fundamentally alter the very nature of this institution and further politicize the very confirmation process. I am here to say that the crisis the majority said could only be solved that way never existed.

The majority leader claimed on November 21 that this crisis was, as he put it, caused by “unprecedented obstruction” of nominations to both the judicial and the executive branches.

More specifically, he said there had been 163 filibusters of judicial and executive branch nominations, half of them during the Obama administration.

By the way, that is totally false and they know it. I don't know how they can stand on the floor and make these bald-faced assertions.

The only solution to the problem, the leader said, was simply to ban nomination filibusters.

I notice the majority leader made no attempt to either define the filibusters he was counting or to identify the nominations on his filibuster list. That was an odd omission because doing so would surely have proved his point. Wouldn't it? No.

There was a very good reason the majority leader simply threw out a big number and did identify the filibusters he claimed justified rigging the confirmation process. If he had simply listed those filibusters, we all would have seen dozens and dozens of nominations the Senate had confirmed, many without opposition at all.

Since I took my first oath of office on January 3, 1977, the Senate has confirmed more than 1,700 nominations to the U.S. district courts, the U.S. courts of appeal, and the U.S. Supreme Court, and they have defeated two—two—in all of that time the last 37 years. We confirmed 78 percent by unanimous consent without any rollcall vote at all. Two-thirds of the rollcall votes we did take were unanimous. Think about that. Where is the problem?

No President gets every single appointment he or she wants, but every President gets the vast majority.

During his first term, for example, President Obama was 30 percent behind his predecessor in nominations. They were sloppy in putting forth nominations. But he ended up only 10 percent behind in confirmations. That could only mean the Senate handled his judicial nominations efficiently.

During his second term, so far the Senate has confirmed more than twice—twice—as many judicial nominees as it had by this point in President Bush's second term.

The Congressional Research Service says the Senate is confirming President Obama's appeals court nominees

faster than the Senate confirmed President Bush's. In fact, President Obama has already appointed one-quarter of the entire Federal judiciary.

I can also comment on how executive branch nominations referred to the Finance Committee have been handled. Nearly 80 percent of the nominations sent to the committee during the 112th Congress have so far been confirmed.

Looking at executive branch filibusters overall, the same Democratic leaders who last month voted to abolish nomination filibusters voted to filibuster President Bush's nominees to be Assistant Secretary of Defense and EPA Administrators and twice voted to filibuster his nominees to be a U.N. Ambassador.

They must have thought very differently back then about whether the President deserves his team. We have heard a lot about that from current Democrats. Their actions then spoke more loudly than their words do today about whether they think all nominees do deserve an up-or-down vote. Look at the past. Look at what they have done. It is hypocritical.

However, the majority will not acknowledge those facts and others like them because those facts do not fit the spin they are putting on this.

It is hard, after all, to claim an obstruction crisis when so many nominees are confirmed and are being confirmed. So the majority instead makes a claim about what they call filibusters because that sounds bad to most people, and most people will not know whether the claim is even true. Calling something a filibuster does not make it so.

A filibuster occurs when the Senate cannot vote on passage of legislation or confirmation of a nomination because an attempt to end debate on it fails. That is why filibuster reform always focuses on making it easier to end debate.

The filibuster rule XXII came about after the turn of the last century because they couldn't get anything done in the Senate and they needed a way of bringing things to cloture so they could vote. We are headed into the same kind of disaster without this important rule.

It takes two steps to detect a filibuster—a cloture motion and a cloture vote. You can't have a filibuster without both. As we can see, a vast majority of what our leader has claimed are filibusters are not because they haven't had a cloture vote.

A cloture motion is a request to end debate and a cloture vote answers that request. A filibuster occurs when a cloture vote fails and debate cannot be ended. That is the definition of a filibuster.

Some people listening to this might already be wondering whether these details matter, whether the difference between a cloture motion and a cloture

vote or the definition of a filibuster are all that important after all. I am here today to say these details do matter because the truth matters.

The truth matters when Senators claim there is a crisis that needs a solution when there isn't.

The truth matters when the majority prohibits the very tool they used so successfully in the past against Republican nominees.

The truth matters when the entire confirmation process is going to be rigged and the judiciary further politicized—such as the D.C. Circuit Court of Appeals.

I have been on the Judiciary Committee 37 years. I chaired that committee. I was ranking on that committee. I can tell you never in the history of that committee has it been so brazenly ignored.

The truth matters because the American people need to know what their Senators are doing.

The truth was in short supply on November 21. The majority leader claimed 168 filibusters, but he was not counting filibusters at all. The majority leader was counting cloture motions, not filibusters. He had the habit of calling up a bill and almost immediately filing cloture as though there was a filibuster, when nobody intended to filibuster. Then, in prior years, he would fill the parliamentary tree so in the greatest deliberative body in the world we could not have amendments. The minority could not have amendments.

There is a time to fill the tree, but it is only after there has been a full and fair debate and amendments have had their opportunity to be brought forward. They do it to cut off amendments—unless the majority leader approved of whatever the amendments were.

I think it is nice to protect your fellow Senators on the majority side with legitimate ways of doing it, but this isn't one of them. That alone is causing a lot of discontent on our side because the majority leader was counting cloture motions, not filibusters, and claiming they were filibusters when they weren't. He was counting requests to end debate, not the answers to those requests.

Most people probably do not know that the majority leader files nearly all cloture motions—as he did just a few days ago—by adding 10 more to the list. So if the majority leader claims there are too many cloture motions filed on nominations, he has only himself to blame.

Under President Obama, half of the cloture motions filed on nominations do not result in a cloture vote at all. The rest just vanish into thin air, obviously, because they never should have been filed in the first place. Yet that is a scheme used by the other side, and then they claim this side is being obstructionists.

Two-thirds of the cloture votes that do occur on nominations pass. There has been no discussion of that by the other side. Two-thirds of them pass, preventing filibusters altogether.

Here is the filibuster fraud: The majority leader has been using the cloture rule more effectively than in the past—or should I say more obnoxiously than in the past—to prevent filibusters of President Obama's nominations while telling us about unprecedented obstruction. The truth is exactly the opposite of what he has claimed and what other Democrats on the other side of the aisle have claimed.

Perhaps the most astounding fact of all is that nearly 90 percent of Obama nominees to the executive or the judicial branch on whom cloture motions were filed have been confirmed. The majority told us that this was about obstruction, about how the minority was using the filibuster to prevent President Obama from appointing people. It is no wonder that the majority leader did not show the list of the nominations he claims have been filibustered. The claims are a fraud.

The majority created this crisis and damaged this institution by claiming that ending debate is really a filibuster and that confirming nominations is really obstructing them. Up is down, left is right, and confirmations are filibusters.

All of this is more than a little ironic since the Democrats were the ones who pioneered using the filibuster to defeat majority-supported judicial nominees. The first judicial nominee with clear majority support to be defeated by a filibuster was Miguel Estrada in 2003, one of the finest lawyers in the country. They didn't want him on the D.C. Circuit Court of Appeals because they knew getting on that court is a fast track to the U.S. Supreme Court. In fact, Democrats were so intent on keeping him off the D.C. Circuit that they filibustered Miguel Estrada, this Latino man, seven times—a record that stands to this day. I know. I was there. I was fighting for Miguel Estrada, as were all Republicans.

As of November 21, when the majority said there was an unprecedented filibuster crisis, there had been 12 cloture votes on Obama judicial nominations and 6 of them had failed. In other words, there was no obstruction. At that same point in the Bush administration, there had been 26 cloture votes on judicial nominations, and 20 of them had failed. Democrats used the filibuster to defeat Republican nominees to the Fifth Circuit, the Sixth Circuit, and the Ninth Circuit.

Three-quarters of all votes for judicial nomination filibusters in American history have been cast by Democrats, and they have the gall to stand on this floor and suggest that Republicans are using the filibuster to stop nominees.

The majority leader alone—at least before complaining of too many filibusters—voted no less than 26 times to filibuster Republican judicial nominees. As I said, the same Democratic leaders abolishing nomination filibusters today voted to filibuster President Bush's nominees to be Assistant Secretary of Defense and EPA Administrator and twice voted to filibuster his nominee to be United Nations Ambassador. I do not know what the majority understands the word “unprecedented” to mean, but this certainly is not it. This is why the truth matters.

As of November 21, when the majority leader claimed that there had been 168 nominations filibusters, only 56 cloture votes on executive or judicial nominations had ever failed and only 17 of those filibustered nominees had not been confirmed. The crisis that the majority claimed turns out to be a myth, a tale for the fiction section of the library. This is why the truth matters.

Let's not forget what the majority did on November 21. Rule XXII, the one that provides a way to end debate, is a written rule, a time-honored rule. It says what it says, and it says that ending debate on any matter before the Senate, with the exception of rules changes, requires three-fifths of all Senators. It said that on November 21, and it says that today. The technical term for what the majority leader did that day was to raise a point of order, but in practical terms, the majority leader asked the Presiding Officer to say that three-fifths actually means a majority vote. He might just as well have asked the Presiding Officer to say that Christmas is on December 29 or that the Nation's Capital is in Salt Lake City, UT. The Presiding Officer stated the obvious, that three-fifths means three-fifths, because that is what the rule says. That is what the Presiding Officer, advised by the Parliamentarian of the Senate, said—three fifths means what it says: three-fifths. That is what the rule says.

By a purely party-line vote, the majority said otherwise—that three-fifths is actually a majority—by overruling their own colleague in the Chair. This sounds absurd because it is. Now we are forced to act as if we cannot read, to suspend the most basic ability to understand the English language and set aside our common sense. We are forced to pretend that the rules of this body say what they do not mean and mean what they do not say. This, frankly, reminds me of “The Wizard of Oz,” where Dorothy and her friends were before the image of what they thought was the great and powerful Oz. Her dog Toto pulls on the curtain to reveal a little man frantically operating dials and buttons and speaking into a microphone. The image commands: “Pay no attention to that man behind the curtain.”

On November 21 the majority told each of us to pay no attention to the

three-fifths in the cloture rule. That was quite a trick. The real question was why the majority would concoct such a fraud in order to rig the confirmation process. What could be so important that the majority would go through such contortions, peddle such myths, and play such word games? It certainly was not to solve a filibuster crisis, that is for sure. No, it was for a much more base political reason.

The President and the majority here in the Senate deliberately set up this political confrontation in order to implement a political agenda that could not get through Congress. That agenda requires actions and decisions by the two groups of Federal officials who are not directly accountable to the American people: bureaucrats in the executive branch and judges in the judicial branch.

The President appoints those two categories of officials but only with the consent of the Senate. For more than 200 years the process of deciding whether to give that consent included the right of the minority to slow things down and, yes, even block the most controversial nominees.

I have given you the numbers. Only 17 executive or judicial nominees who were filibustered were not eventually confirmed. But the majority wants it all. They want a clear path to stacking the executive branch with officials who will issue the rules and stacking the judicial branch with judges who will approve those rules.

The D.C. Circuit Court of Appeals is a perfect illustration of where much of the regulations are evaluated by the courts, and they want them decided in favor of President Obama. They want the courts to legislate from the bench that which they could never get through the Senate or the House of Representatives. This is a power grab—nothing more, nothing less. It appears that the ends justified the means, that short-term political gains justified long-term institutional damage.

I urge my colleagues, from the freshmen to the senior Members, to take some guidance from our own predecessors. Senator Mike Mansfield, a leading Democrat, majority leader in the Senate, had served in the minority and later became majority leader. In 1975, when Senators also proposed forcing a rules change by simple majority, he said that this tactic would “destroy the very uniqueness of this body . . . and diminish the Senate as an institution of this Government.” It would, he said, “alter the concept of the Senate so drastically that I cannot under any circumstances find any justification for it.” That was the Democratic leader in the Senate, a man of unquestionable integrity.

As I have explained here today, the majority has certainly not provided any justification for doing away with the filibuster rule either. There is no

filibuster crisis. I think I have made that case. There is only a desire by the majority to win every time, to have everything they want when and how they want it. Most of the executive and judicial branch nominations the majority claims were filibustered were actually confirmed. Even in this town, known famously for masterful spin, that will surely go down as legendary. The majority abolished nomination filibusters by claiming nominations that were confirmed were actually obstructed—when they were confirmed. This amounts to filibuster fraud. That is why we are here today, because the truth matters. The integrity of the Senate matters.

I can only hope there is time for those two concepts to still prevail. What the Democrats have done here is not only extremely dangerous, it is outrageous. They have taken one of the things that really make the Senate the great body that it is and have desecrated it. They have done it because a number of the Democrats over here have never been in the minority. They do not realize how awful that rule-change is. They do not realize that the filibuster is a rule of freedom that protects the minority and makes the Senate debate on these matters.

I once said I would fight to my death for the filibuster rule because it is what makes the Senate different from the House of Representatives. The House of Representatives is the people's body. They can do anything once they get a rule and get 50 percent plus one of the votes—anything. It was structured that way. The Senate was structured another way. Our young new Senators on the other side don't seem to understand that.

I have chatted with a number of more senior Senators who have been through being in the minority, who have been through some of the battles here. Let me tell you, they are as concerned as I am that this body is totally damaged by this breaking of the rules, destroying the rules for purely partisan purposes. They can talk about how they just want the Senate to work all they want to. The Senate is never going to work as well without this rule. The minority will never be protected as well without this rule.

I have to say that I hope we can get this rule put back in place. Even though it is a disadvantage to Republicans right now because they now have three more liberal judges on the D.C. Circuit Court of Appeals, which was divided four to four, Republicans appointees to Democrat appointees—four to four. Now they stack it, the most important court in the country as far as regulatory affairs are concerned and administrative law is concerned, so they can pass through that court the Obama administration's regulatory measures and desires without having to face real debate.

There was a reason why the Founding Fathers created the three separate governmental powers, because each of those powers is to protect our country. They are making it so that regulatory matters, administrative matters, and so forth there is really only one-sixth who are Republicans.

ORDER FOR CORRECTION

Mr. HATCH. Mr. President, there was an incorrect reference to the House bill number in a consent agreement earlier today with respect to the Fallen Firefighters Assistance Tax Clarification Act. I ask unanimous consent that the previous order be modified to reflect the correct House bill number—H.R. 3458.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HATCH. I yield the floor.

The PRESIDING OFFICER. All postcloture time has expired.

The question is, Will the Senate advise and consent to the nomination of Brian Morris, of Montana, to be United States District Judge for the District of Montana? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. BLUNT), the Senator from South Carolina (Mr. GRAHAM), the Senator from Oklahoma (Mr. INHOFE), the Senator from Illinois (Mr. KIRK), and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 75, nays 20, as follows:

[Rollcall Vote No. 266 Ex.]

YEAS—75

Ayotte	Gillibrand	Murkowski
Baldwin	Grassley	Murphy
Baucus	Hagan	Murray
Begich	Harkin	Nelson
Bennet	Hatch	Portman
Blumenthal	Heinrich	Pryor
Booker	Heitkamp	Reed
Boxer	Heller	Reid
Brown	Hirono	Rockefeller
Burr	Johnson (SD)	Rubio
Cantwell	Johnson (WI)	Sanders
Cardin	Kaine	Schatz
Carper	King	Schumer
Casey	Klobuchar	Shaheen
Coats	Landrieu	Stabenow
Coburn	Leahy	Tester
Cochran	Lee	Thune
Collins	Levin	Toomey
Coons	Manchin	Udall (CO)
Cruz	Markey	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Flake	Mikulski	Wicker
Franken	Moran	Wyden

NAYS—20

Alexander	Enzi	Risch
Barrasso	Fischer	Roberts
Boozman	Hoeven	Scott
Chambliss	Isakson	Sessions
Corker	Johanns	Shelby
Cornyn	McConnell	Vitter
Crapo	Paul	

NOT VOTING—5

Blunt Inhofe McCain
Graham Kirk

The nomination was confirmed.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Susan P. Watters, of Montana, to be United States District Judge for the District of Montana.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

QUORUM CALL

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair now directs the clerk to call the roll to ascertain the presence of a quorum.

The assistant legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 10]

Alexander	Enzi	Mikulski
Baldwin	Feinstein	Murkowski
Barrasso	Franken	Murray
Begich	Gillibrand	Nelson
Blumenthal	Harkin	Portman
Blunt	Hatch	Pryor
Booker	Heller	Reed
Boxer	Hirono	Reid
Brown	Hoeven	Risch
Cantwell	Isakson	Rockefeller
Cardin	Johnson (SD)	Sanders
Carper	Johnson (WI)	Schumer
Casey	Kaine	Shaheen
Chambliss	King	Shelby
Coats	Klobuchar	Stabenow
Coburn	Landrieu	Thune
Cochran	Leahy	Toomey
Collins	Lee	Udall (CO)
Coons	Levin	Warner
Corker	Markey	Warren
Crapo	McConnell	Whitehouse
Cruz	Menendez	Wicker
Donnelly	Merkley	Wyden

The PRESIDING OFFICER. A quorum is present.

The question is, Is it the sense of the Senate that debate on the nomination of Susan P. Watters, of Montana, to be United States District Judge for the District of Montana, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. CORNYN. The following Senators are necessarily absent: the Senator

from South Carolina (Mr. GRAHAM), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Illinois (Mr. KIRK).

The yeas and nays resulted—yeas 58, nays 39, as follows:

[Rollcall Vote No. 267 Ex.]

YEAS—58

Baldwin	Harkin	Murray
Baucus	Hatch	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Collins	Manchin	Udall (CO)
Coons	Markey	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murkowski	
Hagan	Murphy	

NAYS—39

Alexander	Cruz	Moran
Ayotte	Enzi	Paul
Barrasso	Fischer	Portman
Blunt	Flake	Risch
Boozman	Grassley	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Thune
Corker	Lee	Toomey
Cornyn	McCain	Vitter
Crapo	McConnell	Wicker

NOT VOTING—3

Graham Inhofe Kirk

The PRESIDING OFFICER. On this vote the yeas are 58, the nays are 39. The motion is agreed to.

NOMINATION OF SUSAN P. WATTERS TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MONTANA

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Susan P. Watters, of Montana, to be United States District Judge for the District of Montana.

The PRESIDING OFFICER. Pursuant to the provisions of S. Con. Res. 15 of the 113th Congress, there will be now be up to 2 hours of postcloture consideration of the nomination equally divided in the usual form.

The majority leader.

Mr. REID. Mr. President, if I yield back 1 hour of the majority's time, what time would the next vote occur?

The PRESIDING OFFICER. At 9:15 p.m.

Mr. REID. I yield back 1 hour.

The PRESIDING OFFICER. The time is yielded back.

The Senator from Mississippi.

Mr. WICKER. Mr. President, we are now on Calendar No. 349, Susan P. Watters of Montana to be U.S. district judge for the District of Montana. I note on the Executive Calendar this

nomination came before the Senate from the committee on September 19. It is my understanding that this nominee was cleared by our side of the aisle and could have been brought up on any Monday afternoon by a voice vote.

I think Members might be wondering and certainly people within the sound of my voice tonight might be wondering why we are spending time to-night in a protracted debate on three district court nominees—Landya B. McCafferty of New Hampshire, Brian Morris or Montana, and now Susan Watters of Montana to be confirmed—when there has never been a district court judge in the history of our Republic prevented from serving because of a filibuster.

To me, we have gotten to this point because of the heavyhanded overreach of the majority in trampling on the rights of folks on our side of the aisle. We find ourselves—temporarily, I hope—in the minority. That has a way of changing from time to time. But it is the sort of overreach that I am reminded of from 2009 when a supermajority in both Houses rammed through ObamaCare and caused all of the grief that we currently are facing and that real, live Americans are having with the so-called Affordable Care Act.

It actually might be in one way beneficial that we are spending this time on something that could have been done so quickly because it gives us an opportunity to point out that we should be right now, at this moment, working on the National Defense Authorization Act and also on the budget—two matters that are pending that must be addressed by this Senate before we can go home and take a day or two with our constituents and loved ones for the Christmas holiday. But it gives me an opportunity, as the budget comes over tonight from the House of Representatives, to point out one of the most onerous provisions in the budget, which has just passed with sweeping bipartisan support in the House of Representatives.

I will stand before this body tonight and say that I cannot vote and will not vote for this budget, and I hope that even yet Members of the Congress and the American public will listen to the broken promise that is contained in this budget that will be coming forward. We will perhaps get back to the nomination in a moment.

We should note two things about this budget. It asks for an additional contribution for pensions for Federal employees, but it does not do it to current Federal employees. As you enter the Federal service after the beginning of the year, you pay an additional amount that is withheld from your paycheck for your pension. That is hard to do, it is distasteful to do, but at least it is fair to the people who join the Federal service under one set of rules.

On the other hand, the budget that comes over to us from the House of Representatives and that I will oppose when it eventually does come up for a vote hopefully next week does to retired servicemen what we were persuaded not to do to Federal employees: It breaks a promise to retired service people who have already served their time. This is what it does. It says to every retired servicemember under the age of 62: You are not going to get your COLA anymore. Each year until you get to be 62, you are going to get your COLA, less 1 percent. I can tell you that this is not a matter of nickels and dimes to the people who have stepped forward, joined the military, volunteered for a career in the military, done their 20, and now are going to be told, if this budget passes next week: We are sorry. We are changing the rules way after the game has begun.

I ask unanimous consent to have printed in the RECORD a letter to me from VADM Norb Ryan, U.S. Navy, Retired, president of the Military Officers Association of America.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEAR SENATOR WICKER: On behalf of the over 380,000 members of the Military Officers Association of America (MOAA), I am writing to express our strong opposition to the proposal within the Bipartisan Budget Act of 2013 which penalizes future uniformed service retirees and current retirees under the age of 62.

Even though the budget deal would help ease the harmful effects of sequestration for two years for the Department of Defense—something we support—doing so on the backs of service members who serve our Nation for over 20 years is just shameful.

Reducing working age retiree annual cost-of-living adjustment by one percent until they reach the age of 62 is simply a tax.

Service members who retire at the 20 year point would feel the full negative financial effects of the proposal by reducing their retired pay by nearly 20 percent by the time they reach age 62.

For example, an Army Sergeant First Class (E-7) retiring this year with 20 years of service would see an average loss of over \$3,700 per year by the time he or she reaches age 62—a cumulative loss of nearly \$83,000. For a Lieutenant Colonel (O-5), the average annual loss would be over \$6,200—a cumulative loss of over \$124,000.

This proposal also flies in the face of the principles that guide the ongoing congressionally-mandated review of military compensation and retirement.

Congress wisely removed the BRAC-like, “fast-track” rule so that the appropriate committees would have adequate time to assess impacts that any recommended changes to the retirement system would have on retention and readiness.

In addition, the guiding principles to the Military Compensation and Retirement Modernization Commission (MCRMC) include a grandfather clause to protect current retirees and service members from any changes to their retirement which this proposal blatantly disregards.

Currently serving members look at how they, their families, retirees, and survivors

have been treated when making career choices. If Congress arbitrarily cuts the retirement benefit for those who have served their country for over 20 years, there could be an unintended impact on uniformed service career retention, and ultimately, national security.

Sincerely,

VADM NORB RYAN, USN (Ret),

President,

Military Officers Association of America.

Mr. WICKER. Let me point out what the retired vice admiral says.

On behalf of the 380,000 members of the Military Officers Association of America, I am writing to express our strong opposition to the proposal within the Bipartisan Budget Act of 2013 which penalizes future uniformed service retirees and current retirees under the age of 62. Even though the budget deal would help ease the harmful effects of sequestration for 2 years for the Department of Defense, something we support, doing so on the backs of servicemembers who served our Nation for over 20 years is just shameful.

I would interject at this point that I have to agree with that statement.

The vice admiral goes on to say:

Reducing working age retiree annual cost of living adjustment by 1 percent until they reach the age of 62 is simply a tax. Servicemembers who retire at the 20-year point would feel the full negative final effect of the proposal by reducing their retired pay by nearly 20 percent by the time they reach the age of 62.

This is the pertinent part of the letter I am having printed in the RECORD, and my colleagues should hear me on this:

For example, an Army sergeant first class, E-7 retiring this year with 20 years of service would see an average loss of over \$3,700 per year by the time he or she reaches age 62, a cumulative loss of nearly \$83,000.

That is what this bipartisan budget resolution does to the retired military enlisted people who have volunteered to serve our country for 20 years and who joined under one set of rules—\$83,000 lifetime taken from this retired E-7.

For a lieutenant colonel, O-5, the average annual loss would be over \$6,200 annually, a cumulative loss of over \$124,000.

Mr. CHAMBLISS. Would the Senator yield?

Mr. WICKER. I will yield on this, absolutely, to my friend.

Mr. CHAMBLISS. I know the Senator from Mississippi was on Active Duty in the Air Force for several years and has stayed in contact with many members of the military not just as a result of his service on the Armed Services Committee but because he is very keenly interested in the welfare of the men and women in our military.

If I am hearing the Senator from Mississippi correctly on this particular issue, what he is saying is that an E-7 who served in Iraq, served in Afghanistan, conceivably served multiple tours in Iraq and Afghanistan, maybe even was awarded major meritorious recognition, is now going to have the promise that was made to him about

his retirement reduced retroactively. Do I understand that correctly?

Mr. WICKER. The rules, if this budget passes and is signed into law by President Obama, will be changed on this individual retroactively. The result will be that, instead of the retirement pay he signed up for and agreed to under the law when he did his duty, he will experience an \$83,000 loss, lifetime.

Mr. CHAMBLISS. Mr. President, again if I may inquire of the Senator, you, as I say, have been very close to any number of military personnel through the years you have served in this body as well as your service in the Mississippi Legislature. Just by virtue of the fact of practicing law in Tupelo, MS, what is the opinion of the Senator from Mississippi as to the morale influence a provision such as this is going to have on our men and women in the military, not just those who are retired but Active-Duty military today?

Mr. WICKER. I can only imagine that it is a severe blow to morale. Also, it has to make people who are willing to step forward and risk their lives, be separated for months and years from their loved ones, it has to make them wonder, what else is being promised to me that is going to be taken away?

Mr. CHAMBLISS. The Senator also mentioned the reduction in Federal retirement pay—and we have to figure out ways to save money. We all know and understand that. There is a change in the pension for Federal retirees, but it is all prospective going forward.

Mr. WICKER. Right. We do not do anything to any other Federal employee retroactively, only the military in this budget. I cannot imagine how the public could think that is fair.

Mr. CHAMBLISS. I am very sympathetic, even though I never served on Active-Duty in the military as you did. But this is very strange. It is very difficult to understand why we would penalize the men and women who have worn or do wear the uniform of the United States versus a very similar provision for the men and women who serve the Government of the United States in a very honorable way, but we are treating them very differently, it seems like almost discriminatorily.

Mr. WICKER. I will tell you who else believes it is discriminatory. I have a list of members of the military coalitions listed in a letter to the Honorable HARRY REID and the Honorable MITCH MCCONNELL dated December 11, 2013. I ask unanimous consent to have this letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE MILITARY COALITION

Alexandria, VA, December 11, 2013.

Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC.

Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate, Washington, DC.

DEAR MAJORITY AND MINORITY LEADERS:
The Military Coalition (TMC), a consortium

of uniformed services and veterans associations representing more than 5.5 million current and former servicemembers and their families and survivors, appreciates the Bipartisan Budget Act of 2013 which helps to ease the harmful effects of sequestration on the defense budget; however, we wish to express our grave concern and strong objection to the proposal within the Act that specifically seeks to penalize current and future military members who have served our nation for over twenty years.

The 1 percent annual reduction to uniformed service retired pay Cost of Living Adjustment (COLA) will have a devastating financial impact for those who retire at the 20 year point by reducing retired pay by nearly 20 percent at age 62.

While portrayed as a minor change, a 20 percent reduction in retired pay and survivor benefit values is a massive cut in military career benefits and an egregious breach of faith.

The Coalition believes that service in uniform is unlike any other occupation. Roughly one percent of the nation's population is currently serving and shouldering 100 percent of the responsibility for our wartime and national security requirements. The benefits connected with this service have been earned through 20 or more years of arduous military service.

Ending the harmful effects of sequestration is a top priority for our nation's security and military readiness, but to tax the very men and women who have sacrificed and served more than others is simply a foul.

Congress mandated the Military Compensation and Retirement Modernization Commission (MCRMC) in the FY 2013 National Defense Authorization Act and wisely removed the "BRAClike", fast-tracking rule so that the appropriate committees would have adequate time to assess any recommendations that could significantly impact retention and readiness. Moreover, any changes that the MCRMC recommends will grandfather the existing force and retirees to keep promises that have been made by our nation's leadership.

This radical proposal basically kills the grandfather-concern addressed by both Congress and the Administration and actually eliminates the appropriate review process failing to consider longterm readiness and retention outcomes in order to meet an arbitrary deadline so that Congress can go home for the holidays.

The Secretary of Defense succinctly warned on July 31, "It is the responsibility of our nation's leadership to work together to replace the mindless and irresponsible policy of sequestration. It is unworthy of the service and sacrifice of our nation's men and women in uniform and their families."

The Military Coalition shares the Secretary's concerns.

Currently serving members look at how they, their families, retirees, and survivors are being treated when making career decisions. If Congress arbitrarily cuts the retirement benefit for those who have served their country for over 20 years, there could be a lasting adverse impact on uniformed service career retention, and ultimately, national security.

Sincerely,

THE MILITARY COALITION.

Mr. WICKER. I simply say, in answer to the distinguished Senator from Georgia, here are the groups who are expressing outrage, dismay, and strong opposition to this provision:

The Air Force Sergeants Association; Air Force Women Officers Associated;

AMVETS; AMSUS; Association of the United States Navy; Chief Warrant Officer and Warrant Officer Association, U.S. Coast Guard; Commissioned Officers Association of the U.S. Public Health Service, Inc.; Enlisted Association of the National Guard of the United States; Fleet Reserve Association; Gold Star Wives; Iraq & Afghanistan Veterans of America; Jewish War Veterans of the United States of America; Marine Corps League; Marine Corps Reserve Association; Military Officers Association of America; Military Order of the Purple Heart; National Association for Uniformed Services; National Guard Association of the United States; National Military Family Association; Naval Enlisted Reserve Association; Society of Medical Consultants to the Armed Forces; the Military Chaplains Association of the United States of America; the Retired Enlisted Association; United States Army Warrant Officers Association; United States Coast Guard Chief Petty Officers Association; Veterans of Foreign Wars of the United States; and Vietnam Veterans of America.

This distinguished list of organizations consisting of members and former members of the U.S. military have registered their opposition.

I can only hope at this point that Members of the Senate will listen. This is a so-called savings of \$6 billion out of an \$80 billion package.

Surely we could find \$6 billion without putting an \$80,000 penalty on the back of an E-7 retired enlisted person who is not rich, who served honorably under one set of rules and who has been now told sorry.

I have to say when people see the government not keeping its promises, I think it is destructive to our system of government. It is exactly the sort of thing we are seeing with ObamaCare. It is not being overly repetitive to remind my colleagues that the President of the United States, Barack Obama, repeatedly, over and over, promised the American people that they could keep their insurance.

For example, in a speech at the American Medical Association on June 15, 2009, President Obama stated:

That means that no matter how we reform health care, we will keep this promise to the American people: If you like your doctor, you will be able to keep your doctor, period. If you like your health care plan, you'll be able to keep your health care plan, period. No one will take it away, no matter what.

These are the words of the leader of the free world. Of course, we know from story after story of real people who are being hurt by this law that time after time after time again, in thousands of homes across the United States of America, that promise, just as the promise made to the servicemen, is being broken.

If the Senator from Georgia will indulge me, let me give one example of a

family of real individuals, honest, hardworking Americans who feel that another promise is being broken in the form of the so-called affordable health care.

I received an email from a father in Greenville, MS, who is concerned about his 27-year-old son. For the past 6 years his son was covered under a policy provided by Humana. When the healthy 20-year-old first received coverage, the policy protected against a major medical emergency and the cost was only \$70 a month.

The President told the American public: "If you like your health care plan, you'll be able to keep your health care plan."

According to this father in Greenville, MS, this policy is no longer available, and the plan available for his son will now cost just under \$350 per month as opposed to \$70 a month—a broken promise. The healthy 27-year-old who works in the automotive industry has been working since he was 20. He now questions whether he can afford to insure himself at all because his cost has quadrupled. His discretionary income will now taken a huge hit—as the discretionary income of these retired heroes will take a huge hit—and the higher premiums will cause uncertainty in his family.

I know my friend from Georgia may want to give some examples of some people in his home State. Once again, in this instance, a promise has been made, a very explicit promise. In a very blatant way that promise turned out not to be the case at all.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. I thank the Senator from Mississippi for giving me an opportunity to speak for a minute. I wish to get to some anecdotes, but first it has been nearly 4 years since the Democrats in the Senate and the House forced the passage of the President's signature law, the Affordable Care Act or what is commonly known as ObamaCare.

It is a title the President has embraced during the promising times and distanced himself from during the very difficult times we are going through now. It has been kind of an interesting dynamic to watch.

Instead of working in a bipartisan fashion to enact a health care law that would bring more competition into the private insurance market through market-based solutions, President Obama and the Democrats structured a deal behind closed doors across this hall that we are looking at on the west side of the Capitol. They structured that deal without any Republican input, giving the Federal Government more control over Americans' health care decisions.

The Senator from Mississippi and I were here on the floor, and we both fought tooth and nail to stop the passage of ObamaCare.

On Christmas Eve, 2009, we came to the floor of the Senate and voted against what I think is the worst piece of legislation that has passed in the Congress in the 19 years the Senator and I have been in Congress. I have been saying for years that ObamaCare caused more problems than it solved, and with the passage of every single day, that is being shown as the painful truth.

Although the White House has stood behind this terrible piece of legislation, some of my colleagues across the aisle have brought into question now the ability of it to stand on its own two feet.

Who can blame them. This has become a major political issue, not only expensive, but it is a political issue. The law continues to be marked by red flags. We have heard a few of the Democrats go as far to say even that it is a train wreck, and they are exactly right.

We have heard from the American people as well. They are rightfully upset that they have been repeatedly lied to and misled about this law by the President of the United States. The American people don't deserve a law filled with broken promises marked by disaster after disaster. The law is fundamentally broken and Americans deserve better.

I noticed yesterday, in a hearing, the Secretary of HHS reported that nearly 365,000 individuals have selected plans from the State and Federal marketplaces, a number that is far below the administration's goal. I think their goal—and the Senator may correct me—is 7 million by the end of March.

I notice also that the State of Oregon has spent \$300 million setting up their exchange. As of this morning there were 40 people, 40 citizens of Oregon had signed up. The fact is that this law is not working. It is becoming more and more expensive every day. As we talked about in 2009, when we were debating this bill, it is going to be the largest mandatory expenditure that the U.S. taxpayer has ever seen.

The Senator is correct. I have a whole book of anecdotes and I wish to mention some.

First, Linda of Douglasville wrote to me about her dropped coverage. She said:

We lost our Gold plan. All of our costs will go up next year considerably. It is harder and harder for us to really retire!

My husband, who is 71, still has to work part time to pay for our rising costs.

Linda, from Hampton, GA, also writes:

In 1997 I retired from Motorola, Inc. after having a career there for almost 30 years. One of my benefits was a retiree secondary insurance plan, after Medicare, that provided coverage for medical and prescriptions; my monthly premium for that coverage was \$127.

Effective January 1, 2013 Motorola withdrew their insurance coverage for retirees.

Under ObamaCare they simply could not afford it. I could go on and on. I

know the Senator from Mississippi has some other anecdotes that he would like to mention, and I will engage on some others on my side shortly.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. I thank my colleague from Georgia. Let me mention a husband and wife in Hernando, MS. They are small businesspeople. As the Chair is aware, that is how we create jobs in the United States of America. We love it when a big manufacturing plant moves in, but it is the small businesses throughout this great land that create the bulk of the jobs, and we appreciate it.

ObamaCare has hit the small businesses so hard and hurt their ability to create jobs.

This particular small business couple in Hernando, MS, tell me their private insurance plan that they have offered their employees in the past will not be grandfathered and the new plan they are forced to offer their employees will have a 7-percent premium increase in 2014—that is real money—and a 66-percent premium increase in 2015, according to their insurance agent.

Perhaps they believed the President when he said: "If you like your health care plan, you'll be able to keep your health care plan, period."

Perhaps they believed Members of the majority party, such as the distinguished majority leader from Nevada who said it not only means making sure you can keep your family's doctor or keep your health care plan if you like it but also that you can afford to do it.

Perhaps they believed that, but instead a 7-percent premium increase is hardly affordable at that and then a 66-percent premium increase, which is a blow. Their small group plan they offered to their eight employees currently costs \$491 per month per employee. By 2015 the plan will cost this small business couple over \$800 per month per employee.

These are real stories. These are real facts. It is going from \$491 per month per employee to \$800 per month per employee. I wonder how many jobs they will be adding to that small business. This plan doesn't include dental or vision.

They pride themselves, this small business couple, on providing their employees quality, affordable health care that they help supplement. But with the frequent changes the President is making to the law, they are uncertain whether they will be able to cover the enormous cost.

As small business owners, it is impossible for them to expand. They will not be able to hire additional employees with the uncertainty of the future.

Let me mention one other example and then perhaps Senator CHAMBLISS can have a moment to speak on some Georgians.

The next example is a family of four living in Corinth, MS, in the northeast corner of our State. They are full-time employed parents who currently do not have health care. They spent a month and a half trying to sign up for coverage for themselves and their two children. The least expensive plan they could eventually find after spending countless hours trying to navigate the Web site will cost them just under \$800. For a working family in Mississippi with two young children to care for, this cost is an almost impossible burden on this family of four.

It may be that the Senator from Georgia has examples similar to these.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. The American people want affordable health insurance. The title of the law even centers on the word "affordable." I am not sure how anybody could possibly argue that ObamaCare is affordable when the letters I am receiving from constituents over and over every single day, time and again, reference a significant increase in their total health care costs. Virtually 100 percent of the letters we are getting indicate that not only are the monthly premiums going up, but the deductible is going up, their copays are going up, and it is simply going to be more out-of-pocket expense than either actively working individuals or retired individuals ever thought they would have to pay for health care.

Terra from Columbus writes to explain what is happening to her children.

I carry medical insurance for my two adult children because they cannot afford it on their own.

Let us remember, ObamaCare covers children up to 26 years of age.

Being one that has always had medical insurance and knowing the value of it if something bad happens, I have also made sure that they both had some type of coverage when they became adults. The sad part is I have gotten a letter on both and now their insurance will be canceled because I as their parent can no longer afford to pay it for them either. We received a letter which shows where their old policy covers everything and I mean everything, but because of ObamaCare's requirements to carry everything, a new policy will cost us twice as much each month. With me being unemployed and my husband the only one working we have no choice but to drop their coverage.

Wynell, from Roswell, GA, wrote:

My private coverage was superb. But now, my insurance premiums are going from \$319 a month to \$769 a month and not only that, my copay is increasing from \$5 to \$20 for my primary care visits and \$5 to \$50 for specialist visits. I will be responsible for \$500 per day out-of-pocket cost if I am hospitalized (before my hospital costs were included) and I will also have to pay for any tests (before all my tests were included). And apparently, subsidies do not apply to me.

Loretta, from Canton, GA, writes:

I received a letter from my insurance company dated September 25, 2013. I had until

November 15 to choose to remain with my current coverage until December 2014. My rate increased by 16 percent. According to the letter, the Affordable Care Act premium will increase by 139 percent. My former plan did not include maternity. I'm 60 years old. I don't need maternity. My new plan will include maternity. My old plan was great for preventive care. I paid nothing for immunizations including tetanus and flu shots. I paid a \$30 copay for a doctor visit. My prescriptions have been very reasonable. The new plan requires a network of doctors and hospitals. The premiums were between 150 percent and 200 percent above what I'm paying now. I did not enroll but have received numerous e-mails reminding me to enroll. So far, I'm hoping I can keep my premium at the 16 percent increase for 2014. Otherwise, I will not have health insurance. I can't afford the new premium.

Kevin, from Roswell, GA, wrote:

We are a family of four. We have and want a catastrophic-only high deductible health plan with low monthly premiums and full coverage once we hit our deductible. We like our plan.

This is very typical of a lot of families who were promised by the President, if you like your plan, you can keep it.

We were paying \$500 a month until July of this year. I had bladder cancer in November of 2012 which was successfully removed and I require no follow up treatment, just biannual checkups, so I expected an increase in my premium this year. In fact, our premium did go up to \$560 a month in July. On November 1, I got the letter telling us our premium was now going to \$902 a month, a 60 percent increase. After three separate calls, I got the information that the \$902 a month change was "Option B," which is an ObamaCare-compliant plan which covers abortion, birth control and maternity care. Since we could not have children, we adopted two kids, so that coverage is 100 percent completely unnecessary for us. "Option A" we came to find out a few weeks later, was the option to keep our plan with an increase to \$617 a month. This plan will be canceled on December 31, 2014, at which point we will be forced to get an ObamaCare-compliant plan costing much more and covering things we will never, ever need.

Now, I am sure the Senator from Mississippi has received dozens and dozens of these letters, just as we have in my office. Knowing the State of Mississippi has a lot of rural areas, as my State does—in fact, I live in a rural area—there is a huge discrepancy created by ObamaCare between insurance premiums in rural America versus insurance premiums in more urban areas. Many of these premiums and deductibles are so high that it defeats the purpose of having health insurance.

This really does hit close to home for me because I truly live in a rural part of our State. In two of the regions in Southwest Georgia designated by ObamaCare, there is only one insurer—one insurance company—that is offering coverage, and the premiums in that corner of our State are much higher than in the rest of our State. It is the poorest part of our State.

In region one, which includes Albany, GA, the least expensive silver plan for

a 21-year-old healthy Georgian is \$360 a month. That is the highest rate in the State. In region 15, which is also in that part of our State, the same plan is \$330 a month.

You have to remember these are people who are paying zero today because they aren't covered. They are either going to have to pay a fine or they are going to have to take that coverage.

In metro Atlanta the cheapest silver plan for a 21-year-old is \$179.20 a month, matching the rate in regions in northeast as well as northwest Georgia, which are more populated. That is half the rate of an individual in southwest Georgia where the average median income is the lowest of any part of our state.

So needless to say, households in rural southwest Georgia often do not have the same income as those in the northwest and northeast part of the State, yet they are being stuck with the highest premiums.

I could go on and on about these anecdotes and about the serious economic consequences ObamaCare is going to cause for individuals in my State, but I want to turn it back over to the Senator from Mississippi for some additional comments.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, indeed, this does hit rural America much harder, but it hits all Americans hard.

I would ask unanimous consent if the Senator from Georgia and I may speak as if in a colloquy.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WICKER. I didn't hear any debate during 2009, in the extensive hours I stood on the floor and listened to the other side propose this, explaining that in situations as in Georgia, folks in the metropolitan area would pay half the premium that folks down in rural southwest Georgia would pay. That was never something the majority party, in proposing this so-called affordable act, said: Now, we are going to have to live with this, we just want you to know that.

This is a total surprise, and one of the myriad unintended consequences of this unfortunate law. Did my colleague hear any warning about that to the American people?

Mr. CHAMBLISS. The Senator is exactly right. Obviously, we both spent an awful lot of time on the floor of the Senate debating this. As we talked about, we were here voting on Christmas Eve of 2009 against this bill when it passed with 60 Democratic votes. No Republican in the Senate voted for the bill. No Republican in the House of Representatives voted for the bill. It passed with all Democratic votes.

If the Senator will recall that famous quote by the then-Speaker of the House, Speaker NANCY PELOSI, she said: What we have to do is pass this

bill and then we will figure out what is in it.

Well, guess what. What we are talking about here is just one of the myriad of consequences the American people are now finding out is in that bill, and they have every right in the world to chastise everybody who voted for that bill who didn't read it, because these are the real out-of-pocket consequences to hard-working, taxpaying Americans that were never talked about on the floor of this Senate or the floor of the House.

Mr. WICKER. My friend and colleague has very effectively gone chapter and verse into what this law is doing to families in Georgia, to small businesses in Georgia, to potential job creators in Georgia and all across the United States of America. But it is not just families and small businesses, it is also local governments.

The Senator from Georgia and I came here after the 1994 elections on a promise, among other things, that we would fight against unfunded mandates on local governments. What we are finding out about ObamaCare is that it is absolutely an unfunded mandate on, for example, small towns and small counties that make up the bulk of the population in my State of Mississippi.

Let me just give a couple of examples of what it is doing to municipal governments. A city employee in Batesville, MS, tells me he recently attended a meeting of city workers and their health care provider. They were told their premiums will rise over 9 percent because of the President's health care law. This will be an increased cost of \$55,000 to \$60,000 that the city will have to cover to provide health care coverage for their employees.

Presumably, they do not have a printing press in the back of city hall, so they are going to have to put an extra tax on the people of Batesville, MS, to cover the additional unfunded mandate the Affordable Care Act puts on the city of Batesville.

I could also mention, and will also mention, at the other end of the State on the gulf coast the city of Ocean Springs, MS, reported it will see a premium increase for their little budget of \$47,000 to provide health care under the new improved ObamaCare. This is a 13 percent increase because of the President's health care law. The city currently covers 100 percent of the employee premiums. The mayor of Ocean Springs, who I know happens to be a Democrat, said:

We're going to have to find \$47,000 from somewhere.

Presumably, it will come from the taxpayers of Ocean Springs, MS, and other small towns and rural counties around the State of Mississippi.

We are all human. I have made many mistakes during my life, and some of the mistakes I have made have been in my capacity as a legislator. I served in

the State senate for 7 years. I have been in the U.S. House and Senate for some 19, along with my good friend from Georgia. I would hope that when I have seen mistakes that I have made legislatively I have been willing to go back and revisit those decisions and say: We are all human. We didn't get it right this time, and we ought to fix it.

That is one of the real disturbing things to me about this ObamaCare law. We see that the rollout was disastrous. We see that the effect on towns, counties, families and businesses is disastrous, and at the end of the day we are still going to have over 30 million Americans uninsured—the same amount we were targeting for coverage, supposedly, with the passage of ObamaCare. I would hope colleagues from both parties at this point would see where this has led us and agree there is a reason Congress meets every year. We can alleviate the problems that have arisen. We can correct the mistakes that have been made.

I appreciate people such as our colleague from Montana, Senator MAX BAUCUS, who at least said the law's implementation, he thought, was going to be a huge train wreck, noting that small businesses have no idea what to do, what to expect. I appreciate that sort of candor from one of the architects of the act.

It would seem to me, that being the case, it is incumbent on people who feel that way to say that we need to revisit this. We need to pull this law out root and branch and replace it with something that cuts the cost of insurance, that slows the growth rate of health care expenditures and uses market forces and competition, which we use in every aspect of our society except for health insurance.

I appreciate our colleague from West Virginia, Senator JAY ROCKEFELLER. He is retiring at the end of this Congress, but he said the health care law was beyond comprehension.

I think we would get over 60 percent of Americans agreeing with that. The law is beyond comprehension and the most complex piece of legislation ever passed by the Congress.

I appreciate that sort of candor as compared to the position that, as far as I can tell, is still held by the majority leader, the Senator who controls the flow of legislation on the floor of the Senate and who would have to be involved in bringing a corrected bill to the floor.

Our majority leader said this earlier this year: "This legislation is working, and it will be working better once we get the Web site up." Boy, how nonprophetic that was.

And I love this quote: "ObamaCare is wonderful for America," said the majority leader of the U.S. Senate, HARRY REID of Nevada. "ObamaCare is wonderful for America. Get over it."

I would hope I would be willing, if I had made such an egregious mistake,

to say we need to come back and revisit this issue—for the benefit of American families, for the benefit of small businesses that want to create jobs, for the benefit of small cities that having to increase their taxes and do without other services to cover this unfunded mandate.

So I publicly implore my colleagues at this moment to agree that this didn't work. I never thought it would work, but some people did. But it hasn't worked. I guess it is the reason we have elections every 2 years. But I would hope that, even before the 2014 elections, Republicans and Democrats could come together and say: We got this wrong. We need to fix it, and we need to do it for the right reasons. We need to do it for the future of this country and for American families.

Mr. CHAMBLISS. The Senator from Mississippi mentioned the way this came about and the comments of the majority leader that I can't believe he really believes. It is hard for me to believe he thinks this is working. He is not a fool.

I also listened to the debate, as we talked about earlier, on the floor leading up to the vote on Christmas Eve 2009. I listened to the debate last night and today by some of our colleagues. I thought our colleague from Nebraska, Senator JOHANNIS, made a very profound statement.

We are fortunate to serve, in my opinion, in the greatest legislative body in the world. The Senator and I spent a number of years in the House, and that is a great institution also. They are both unusual from a constitutional legislative standpoint. But in the Senate there are certain rights of the minority that you don't have in the House.

The American people know and understand what has happened here; that is, 2 weeks ago the Democrats in the Senate broke the rules of the Senate to change the rules of the Senate, and they did so in a very arbitrary and almost mean-spirited way that basically ignored the arguments of the minority. The minority in the Senate has always had rights—up until this rule change a couple weeks ago.

The Senator from Nebraska said today that when we were debating on this floor during the late fall leading up to the vote in December 2009, that because the Democrats had 60 votes, they looked to the minority on our side of the aisle and they said: We don't care what you say. His direct quote was, "Sit down and shut up." And the Senator felt a very eerie feeling taking place 2 weeks ago during the debate on this floor, where the Democrats broke the rule to change the rule, and they looked on this side of the aisle and said: We don't care what the Parliamentarian says. We don't care what the rules of the Senate have been for decades and decades. We are going to

change those rules, and you all can sit down and shut up.

I thought what Senator JOHANNIS said was pretty significant, and he was right on track.

I will mention one other major concern I have with this bill that I am sure my friend from Mississippi has also heard, and that has to do with the safety of personal information relative to this new health care system. ObamaCare opens the door to fraud and identity theft like we have never seen in a public program. When individuals visit the exchange and apply for health insurance coverage, they have to provide sensitive personal data, such as Social Security numbers and income and tax return information. This information is then stored in a Federal data service hub. The proper security safeguards for that Federal data hub and other components of the Web site have not been put in place. Despite repeated warnings about this, the administration insisted on moving forward.

If the rollout of healthcare.gov is an indication of what is to follow, then I agree with Americans who have serious reservations about the security of their personal information when applying for health insurance coverage through the exchanges.

The Presiding Officer and I sit on the Intelligence Committee together, and we hear during our daily briefings about cyber attacks taking place against the U.S. Federal Government, against private entities in the United States, as well as against individuals inside the United States.

I can only imagine, with all the problems we have seen with getting up and simply having this Web site of healthcare.gov running, that some 15-year-old sitting in his garage somewhere in America—or maybe Beijing or Teheran—looking to have some fun could hack into the computer system and retrieve all the personal information of any individual they wanted to, including their Social Security number.

Mr. WICKER. Or more than have fun; engage in real mischief and real harm to American citizens.

Mr. CHAMBLISS. The Senator is exactly right. And we obviously know what that would lead to. Those hackers attacking America today are getting proprietary information as well as financial remuneration, unfortunately, in too many instances. And to open your personal information book to the Federal Government is something that rightfully, in my mind, has the American people upset, and it is a provision in this health care plan that certainly is not popular. As NANCY PELOSI said, let's pass it, and then we will read it and figure it out. But here we go again. It is another provision in there nobody knew anything about. We had no debate, as the Senator from Mississippi referred to earlier about another issue

of the floor of the Senate, regarding having to provide personal information.

Mr. WICKER. If I can underscore that, there is no question that because of the Snowden matter and because of other breaches of confidentiality and security, Americans are more and more concerned about this issue.

I note that our colleague from Maryland, Senator MIKULSKI, said about ObamaCare that it is causing fear, doubt, and a crisis of confidence. And I have to feel that some of the lack of confidence the American people have is the very real concern about security.

It is no wonder that a Pew survey released this week shows that 54 percent of Americans disapprove of the health care law and only 41 percent are in favor of it. Yet my friend mentioned the former Speaker, the current minority leader in the House of Representatives, who just this year said: The implementation of this law is fabulous. Fabulous. She compared it to the Declaration of Independence guarantee of life, liberty, and the pursuit of happiness. According to the former Speaker, this is what this is all about.

I think Americans and more Members of this body are concluding that this law isn't fabulous, contrary to what the former Speaker said; that ObamaCare is not wonderful for America, contrary to what the current majority leader of the Senate said. I hope that we could even yet revisit this.

I think we only have about 5 minutes to go. If I may comment for one brief moment about the breaking of the rules to change the rules that occurred.

One would have thought that hardly any nominations were getting through. To hear our friends on the other side of the aisle justify the reason for changing years and years of precedent and for going back on an agreement we made midyear, an agreement we made back in January, and a Gang of 14 agreement made by some of the most distinguished people ever to have served in the Senate—as a matter of fact, the facts are these: Hundreds of executive nominations on this Executive Calendar have been approved with the slightest blip by this Senate, Republicans and Democrats. Only four nominees were felt to involve such extraordinary circumstances that we were determined to prevent those individuals from taking office for very good reasons, we thought, by the use of the 60-vote rule—only four out of hundreds this year. Yet that was given as an excuse to the American people to break the rules to change the rules.

It was a sad day. It is the kind of overreach we are seeing this week, which gets us back to the matter at hand and is the kind of very unfortunate overreach that has visited so much pain and hardship on the American people in regard to their health care and their health insurance coverage.

Mr. CHAMBLISS. I will close my comments with two additional anecdotes that really strike at what Middle America is all about and what suffering and economic pain Middle America is going through right now as a result of ObamaCare.

Michael from Dunwoody, GA, wrote in and said:

I had a really great policy for \$277 a month. The premiums were paid by my Flexplan from my employer and the excess my employer paid to my flex each month kept my balance increasing. I now have about \$35,000 accrued.

My provider cancelled that plan and my Flex now offers a lesser plan. The premiums went to \$550 a month. I actually joined AMAC and used their service to find a plan from a different provider. I must now pay the premiums out of my own pocket as President Obama won't allow me to use my own money from my flex plan to pay these premiums.

HOW IS THIS LEGAL?

I thought it was my money; apparently it's only my money if I buy what Obamacare says I can buy. I had to choose a plan with a \$5,000 deductible to make my premiums affordable.

Lastly, Mary from Powder Springs writes:

I am an educator with the Cobb County School System. As a reactionary measure to Obamacare, the State Board of Community Health gave state employees only one company option for our health insurance this year.

My premiums were going to be \$1,800 per year higher, my deductible was going to be \$2,000 higher, and the percentage of what was covered went down. We decided to go with my husband's company plan, but wonder what will happen to that coverage next year when the employer mandate goes into effect.

Michael and Mary are two average, ordinary Americans we ought to care about in this body. Yet we are throwing them under the bus with ObamaCare.

So as we move forward over the next year, I am in hopes we can continue to engage on this because these problems are going to get more frequent and they are going to get more disastrous from a financial and a lack of coverage standpoint. There is going to be an opportunity for this body to come together to look at really changing the ObamaCare plan that passed in 2009. Let's come together on a plan that is meaningful, that truly does provide affordable and meaningful health care coverage for all Americans.

The PRESIDING OFFICER (Mr. KING). All time has expired.

The question is, Will the Senate advise and consent to the nomination of Susan P. Watters, of Montana, to be United States District Judge for the District of Montana?

Mr. CHAMBLISS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 77, nays 19, as follows:

[Rollcall Vote No. 268 Ex.]

YEAS—77

Ayotte	Franken	Murkowski
Baldwin	Gillibrand	Murphy
Baucus	Grassley	Murray
Begich	Hagan	Nelson
Bennet	Harkin	Portman
Blumenthal	Hatch	Pryor
Booker	Heinrich	Reed
Boxer	Heitkamp	Reid
Brown	Heller	Rockefeller
Burr	Hirono	Rubio
Cantwell	Isakson	Sanders
Cardin	Johnson (SD)	Schatz
Carper	Johnson (WI)	Schumer
Casey	Kaine	Shaheen
Chambliss	King	Stabenow
Coats	Klobuchar	Tester
Coburn	Landrieu	Thune
Cochran	Leahy	Toomey
Collins	Lee	Udall (CO)
Coons	Levin	Udall (NM)
Corker	Manchin	Warner
Cruz	Markey	Warren
Donnelly	McCaskill	Whitehouse
Durbin	Merkley	Wicker
Feinstein	Mikulski	Wyden
Flake	Moran	

NAYS—19

Alexander	Fischer	Roberts
Barrasso	Hoehn	Scott
Blunt	Johanns	Sessions
Boozman	McCaïn	Shelby
Cornyn	McConnell	Vitter
Crapo	Paul	
Enzi	Risch	

NOT VOTING—4

Graham	Kirk
Inhofe	Menendez

The nomination was confirmed.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Deborah Lee James, of Virginia, to be Secretary of the Air Force.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

QUORUM CALL

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair now directs the clerk to call the roll to ascertain the presence of a quorum.

The assistant legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 11]

Alexander	Feinstein	Murkowski
Ayotte	Fischer	Murray
Baldwin	Flake	Nelson
Barrasso	Gillibrand	Paul
Baucus	Hagan	Portman
Begich	Harkin	Pryor
Blunt	Hatch	Reid
Booker	Heinrich	Risch
Boxer	Heitkamp	Roberts
Brown	Heller	Rockefeller
Burr	Hirono	Rubio
Cantwell	Hoeven	Sanders
Cardin	Isakson	Schatz
Carper	Johnson (SD)	Schumer
Casey	Johnson (WI)	Scott
Coats	King	Shaheen
Coburn	Klobuchar	Shelby
Cochran	Landrieu	Stabenow
Collins	Leahy	Tester
Coons	Lee	Thune
Corker	Levin	Toomey
Cornyn	Manchin	Udall (CO)
Crapo	Markey	Warner
Cruz	McCain	Warren
Donnelly	McCaskill	Whitehouse
Durbin	McConnell	Wicker
Enzi	Merkley	Wyden

The PRESIDING OFFICER. A quorum is present.

The question is, Is it the sense of the Senate that debate on the nomination of Deborah Lee James, of Virginia, to be Secretary of the Air Force, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 58, nays 39, as follows:

[Rollcall Vote No. 269 Ex.]

YEAS—58

Baldwin	Harkin	Murray
Baucus	Hatch	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Collins	Manchin	Udall (CO)
Coons	Markey	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murkowski	
Hagan	Murphy	

NAYS—39

Alexander	Coats	Enzi
Ayotte	Coburn	Fischer
Barrasso	Cochran	Flake
Blunt	Corker	Grassley
Boozman	Cornyn	Heller
Burr	Crapo	Hoeven
Chambliss	Cruz	Isakson

Johanns	Paul	Sessions
Johnson (WI)	Portman	Shelby
Lee	Risch	Thune
McCain	Roberts	Toomey
McConnell	Rubio	Vitter
Moran	Scott	Wicker

NOT VOTING—3

Graham	Inhofe	Kirk
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The PRESIDING OFFICER. On this vote the yeas are 58, the nays are 39. The motion is agreed to.

NOMINATION OF DEBORAH LEE JAMES TO BE SECRETARY OF THE AIR FORCE

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Deborah Lee James, of Virginia, to be Secretary of the Air Force.

The PRESIDING OFFICER. Pursuant to the provisions of S. Res. 15 of the 113th Congress, there will now be up to 8 hours of postcloture consideration of the nomination equally divided in the usual form.

If no one yields time, time will be equally charged.

The Senator from Alabama is recognized.

RULES OF THE SENATE

Mr. SESSIONS. Mr. President, we are definitely proceeding in an unusual manner at this point in time in the history of the U.S. Senate. We are moving under regular order. Nominations are being processed in regular order. Votes are being held. Debate is being shut off by the appropriate procedures. But it is unusual from what we have been doing all year and what we have been doing historically. So I guess the question is, how did we get to this point? What has happened in the Senate that has caused the difficulties we now have?

I believe it is becoming clear to our colleagues that actions that have been taking place in recent days have altered the very nature of the Senate, have eroded the collegiality that makes this body work on a daily basis, the kind of actions in which people unanimously agreed to allow things to happen different from the regular order, that allowed things to be proceeded up and go faster and move forward. It has been done on a regular basis.

But we have had a conflict, an alteration in the rules of the Senate that is so serious that it impacts the very nature of this institution and causing great concern. We have a lot of new Members in the Senate, and they have not seen how the Senate operated just in the—what?—16, 17 years I have been here. I have seen the great change, and it is a concern to me, and it is even different from that more classical operation before I came here.

It is not healthy, it is not good, and it cannot be allowed to just happen without any discussion, without any

full understanding of how the majority leader of the Senate has accrued to himself powers never before allowed to be held by the majority leader of the Senate. It has altered the very nature of the debate here and the processes that involve our constitutional responsibility.

So I believe we need to talk about it. I believe we need to understand it, and somehow we need to alter what has happened.

I remember when I came to the Senate. Senator Robert Byrd loved the Senate. Senator Robert Byrd said there are two great Senates: the Roman Senate and the U.S. Senate. He gave all of us new Members a lecture about the great heritage of which we are a part. He wrote a book on the rules of the Senate.

We have had rules for quite a number of years. The standing rule of the Senate is rule XXII. It is a clear, simple directive passed by two-thirds of the Members of the Senate duly chosen and sworn.

This is what rule XXII says. It is not confusing. It is very clear. It was adopted by two-thirds of the Senate.

It says: A motion signed by 16 Senators—that is, to negotiate something, to shut off debate, you have to have 16 Senators to file a motion—a motion signed by 16 Senators to bring to a close the debate upon any measure, motion, or other matter pending before the Senate—any measure, motion, or other matter pending before the Senate, which includes nominations—shall be decided by three-fifths of the Senators duly chosen and sworn, except on a measure or motion to amend the Senate rules, in which case the necessary affirmative vote shall be two-thirds of the Senators present and voting.

Crystal clear. The rules of the Senate are to be decided by two-thirds. To bring to a close debate upon any measure, motion or matter pending before the Senate requires three-fifths, 60 votes out of our 100. That is the rule of the Senate. That has guided us for generations. It has worked well. I am going to talk a little bit about this, and I could go into even greater detail and say that the process has been working very well.

Senators on the Republican side have treated the nominees of President Obama very well, far better than were the nominations of President Bush when he came here in 2000. When I was here in 2000, his nominees were hampered, filibustered for the first time in history, held by some of the same people who now with great outrage attack those who have blocked and filibustered a few of the Obama nominees—just a few.

So it is really almost unbelievable to me that we are at this point of the rules process of the Senate. So how did it happen? Precisely what happened? I think the American people need to know.

Senator REID, apparently irritated that he was not able to have three judges confirmed to the District of Columbia Circuit bench, decided that he was going to change the rules. Senator SCHUMER said he was going to get those nominees confirmed one way or the other.

I am the ranking Republican on the budget committee. This country is spending money it does not have on things it does not need on an absolutely regular basis. We are wasting taxpayers' money. So the actions of the President and the Senate majority that filled three seats on the District of Columbia Court of Appeals were scrutinized.

In my opinion, I believe it is uncontested that these positions did not need to be filled. They just didn't. They do not have enough work on that court to need these judges. The average caseload per judge on the D.C. Circuit was 149 per judge—149. Well, what does that mean? Is that a lot or not a lot? It is not a lot. It is the lowest number by far of any circuit in America. The caseload has been steadily declining.

I have been chairman in the Judiciary Committee of the court subcommittee that deals with these issues. Senator GRASSLEY was there before I came. I have been ranking member and am now ranking member on that subcommittee. We have been watching the D.C. Circuit. The cases continue to decline. So with 8 judges now active on that court, they are down to 149 cases per judge. Well, is that a lot? How about my circuit, the Eleventh Circuit Court of Appeals in Atlanta, GA, covering Florida, Alabama, and Georgia? How many cases do they have per judge? Hold your hat: 740. That is how many my court handles per judge.

They say they do not need more judges. In fact, they prefer not to have the court get so large that there will not be a coherent court and be able to have consistency in the law. That has been their tradition for many years, more than 20 years. They do not want more judges. Actually, we know that the judges on the D.C. Circuit have said they do not need more judges. We know they took off last summer. They take off long summers, unlike any other court of appeals, from May 16 to September 16. They did not hold court from May 16 to September 16.

The next lowest circuit in America has almost twice as many cases per judge as the D.C. Circuit. I know that our frugal Presiding Officer, as Governor of Maine, as part of that Yankee frugality for which they are famous, he knew how to manage his money when he was Governor. It costs \$1 million a year, we are told, to maintain a Federal judgeship. That is a lot of money. So we are adding three judges to the D.C. Court of Appeals who absolutely are not needed—absolutely are not needed.

This Senate refused to confirm them. We voted not to confirm these judges and blocked moving the final vote. They lacked the three-fifths vote to confirm those judges. But Senator SCHUMER said: We are going to get them done one way or the other. We do not worry about principle. We do not worry about law. We do not worry about the heritage of the Senate. We do not worry about whether we need those judges. We are going to put them in anyway.

Well, I did not pay much attention to that. I did not think he was serious about that, I have to tell you. I thought our Democratic colleagues would really understand that we have confirmed almost all of the President's nominees. Only two or three prior to that had failed out of the whole 6 years he has been in office. President Bush lost five on 1 day—good nominees—for no other reason than they had a classical view of restraint on the part of a judge.

We do not need these judges. As a matter of fact, Senator GRASSLEY and I offered and passed legislation that moved one of the D.C. Circuit judges to the Ninth Circuit Court of Appeals in California, a liberal circuit. But that circuit wanted more judges and appeared to need more judges to handle the caseload.

We moved one. We have legislation to move others to someplace in America where they are needed because we are going to have to fill and add some judgeships around the country because, unlike the D.C. Circuit, some of the areas in our country are adding cases and are needing judges and are short of judges. So good management simply says that you take them from where you do not need them and you move them to places where you do need them and you serve the interests of the American taxpayer and you protect the money they send us. We have a holy charge to protect every single dollar extracted from every American.

The former Speaker, the Democratic leader in the House, NANCY PELOSI, said: We have cut all we can cut. We cannot find any more waste in our government. There is nothing left to cut.

Well, there are places left to cut. These three judges on the D.C. Circuit are just one of thousands, tens of thousands of places we could save the money we are spending that we do not need to be spending, that does not help America, does not make us stronger and does not benefit the rule of law.

So how did it happen? What happened that so upset Senator REID? The majority leader is one of 100, puts his britches on one leg at a time. He does not get to dictate to this Senate. He gets to stand right there, and because his Presiding Officer is selected by Senator REID—he is the majority leader—the Presiding Officer will always recognize him first.

It is done when Republicans have the majority. It is done when the Democrats have the majority.

He asked for recognition and received it. This is how he changed the rules of the Senate that require a three-fifths vote to shut off debate. Remember, a change of the rules of the Senate is supposed to take a two-thirds vote, 67 votes.

He said to the Presiding Officer at that point, the President pro tempore of the Senate, Senator PATRICK LEAHY, chairman of the Judiciary Committee, a man who is most experienced in all of these matters—this is what Senator REID said, and it makes the hair on the back of my neck stand up.

I talked to a reporter, an experienced, well-known reporter, the other day. He was talking about it, and he said—he didn't ask for confidentiality. He probably used my name.

He said: I didn't think he was going to do it, and when it started, everybody in the newsroom just stopped and we looked.

Wow. Because this was a big deal. This was a huge event in the history of the Senate. This is what Senator REID said and everybody needs to know how it happened.

He said, "I raise a point of order that the vote on cloture under rule XXII for all nominations other than for the Supreme Court of the United States is by majority vote."

The vote on cloture to shut off debate, he moved that under rule XXII. He said "under rule XXII" that the vote on cloture to shut off debate for all nominations "other than for the Supreme Court"—he thought of that, I suppose—"is by majority vote."

Rule XXII says, "... a motion signed by sixteen Senators, to bring to a close the debate on any measure, motion, other matter pending before the Senate ... shall be decided ... by three-fifths of the Senators duly chosen and sworn."

The majority leader of the Senate, knowing precisely what rule XXII said, stood right there and asked the chairman, the Presiding Officer, to pretend that this is not a rule of the Senate and that only a majority vote is needed. That is what he said.

What did Senator LEAHY say? The transcript shows Senator LEAHY is the President pro tempore of the Senate. He said, "Under the rules, the point of order is not sustained."

It is exactly right. Senator REID's petition that it ought to be decided by a majority vote couldn't be sustained because it is absolutely in violation of the rules of the Senate. Senator LEAHY so ruled, as he was advised, I am sure, by the Parliamentarian, also selected by Senator REID.

There is no question about this. There is absolutely no question about it.

But there is this little deal that on a matter where a Parliamentarian rules

on matters dealing with the rules of the Senate, somebody can ask and appeal the ruling of the Senate, an appeal of the whole Senate to check to decide whether the Parliamentarian is correct.

They used this corrective measure to allow the will of the Senate to interpret the rules of the Senate, to break the rules of the Senate. That is what they did, lemming like, my Democratic colleagues, surely not understanding what they did, one by one they walked up and voted or voted from their chairs in support of Senator REID.

All but two of the Democratic colleagues voted—over 50, a majority voted—to say that the rules of the Senate don't mean what they say and they will just ignore them.

The net effect was that once that was ruled, then cloture could be shut off, debate could be shut off with a simple majority. That became the rule of the Senate in a way contrary to the rules of the Senate which say “—except on a measure or motion to amend the Senate rules, in which case the necessary affirmative vote shall be two-thirds.

“To change that rule of the Senate that says it takes 60 votes to shut off debate through a majority to shut off debate would take two-thirds. They just ignored that.

The reason it is so important is every other rule, tradition, and standard of the Senate is at stake. A very wise Senator, CARL LEVIN of Michigan, a longtime Democrat, chairman of the Armed Services Committee on which I sit, I have watched him work all the years I have been in the Senate and I have been very impressed. He and I don't agree on many of the substantive issues and how we approach spending, taxes, and regulations. He knows how to preside in a committee to give everybody a fair shake. He said we shouldn't do this. He pleaded with his Democratic colleagues not to vote in this fashion.

He said that if you can change a rule in this fashion, if you can alter the rules of the Senate this way, there are no rules. There is no power, no protection for the minority, other than the simple power of the majority vote. There is nothing in this Senate if we follow this precedent that can't be changed by a simple ruling of an appeal of the chair and all those rights that have always protected the minority.

That is a very dangerous thing. It was played with and talked about by the Republicans on one occasion when the entire ground rules of the Senate for confirmation of judges was altered. We found ourselves with a stunning filibuster of 10 of the first 12 nominees President Bush submitted for the court of appeals, but it was never executed. An agreement was reached to alter that.

Indeed, when this tension rose at the beginning of this year, Senator REID

agreed that changes in the process gave the majority party and the President more power to expedite nominees and gave them more power over the minority. He was able to secure that agreement in a way consistent with the heritage of the Senate. He said at that time he was not going to seek to change the rules of the Senate again.

I wish to say this should not be looked at as a little matter. It is a very big matter. I am extraordinarily troubled by it. That is part of what is happening now.

I wish to mention one more thing on a chart I have that talks about the caseload for the D.C. Circuit. Look at these numbers. This is the Eleventh Circuit, 720 cases per judge, not 740, as I said earlier. Look at these caseloads per judge until you get down to the D.C. Circuit, 149 per judge.

We didn't need to add three judges. The existing, active judges, not counting the vacancy, just 8 active judges, only have 149 cases per judge. We don't need to add one new judge.

The President was determined to try to shove that through, and that he did, and got us into all of this turmoil when the Senate didn't agree—three-fifths of the Senate not agreeing to move forward to a final vote resulting in the lack of confirmation of those judges. That is where we are.

In the Fifth Circuit in Texas, there are 488 cases per judge; the Ninth Circuit in California, 472 cases per judge. The Second Circuit, handling some of the more complex cases in America, Manhattan in New York, there are 440 cases per judge. We can see the caseload averages around the country.

The average is 384 cases per judge. That is about 2½ times the number of cases that the D.C. Circuit has per judge. That is why there were objections to the nominees. I said when this happened most of these nominees would probably be confirmed, because if it hadn't been for the low caseload, that there was not a question—I suggested, without going into detail, the nominees were probably qualified and it would be unlikely that they would be filibustered because of lack of qualifications, although I was probably wrong in that for at least one of them. Pillard's nomination represents a judge whose views on the law are so outside the mainstream that I don't believe, having studied that record subsequent to those remarks, she should have been confirmed on the merits.

My basic view, as I stated from the very beginning, is not a question of the merits of the nominees. The question was do we need to spend \$3 million a year for these three judges when we have other circuits that need judges and they don't need them there.

I will share with you what President Obama was looking for in his nominee.

Ms. Pillard went to Yale and Harvard. She also spent 6 years with the

American Civil Liberties Union and the NAACP Legal Defense and Education Fund. She is a long-time member of the very liberal activist American Constitution Society. They believe in activist judges and advocate for that. In recent years an activist conservative legal movement has—she has been a professor at Georgetown. She has written many controversial articles and has a record exclusively devoted, it seems to me, as a very extreme, progressive, judicial philosopher who says judges do not need to be objective and are empowered to read the meanings of the Constitution to advance an agenda. It seems to be in harmony with President Obama's openly stated views about what he looks for in judges, and that is a judge who is empathetic. He has empathy.

What does that mean, “empathy”? What it means is he wants a judge not committed to law. That is what it means.

What is empathy? Feelings, ideology, politics—that is what it sounds like to me.

The American heritage of law is based on objective criteria, the rule of law. Judges take an oath to serve under the Constitution of the United States and the laws of America. They are under them. They serve the law. They don't write the law. They don't amend the law. They don't change the law. They don't change the meaning of words in our laws or our Constitution to meet some empathetic feeling they have, some political agenda they have. And the American people are on to it. They know this is happening too much. They do not like it. They want it to stop. They do not want this kind of judge on the bench.

But many of our great law schools, many of our judicial philosophers and writers think this is all great. They think we need this kind of thing. We need to advance the law. That is what they say, and the hero to them is the one who comes up with some gimmick to reinterpret the plain meanings of our Constitution to have it say what they want it to say at a given time—to help decide a lawsuit they would like to see helped to advance an agenda.

It is really part of a post-modern approach to life, to law. Senator REID's nuclear option execution is also a post-modern power thing. It is the result, it is the end, it is the ideology, it is the revolution. Advance the cause. No rules apply.

Some may say: JEFF, you are too hard. You shouldn't say that. That is exactly what it is, I have to say, in my belief. Remember, in 2001, when President Bush got elected, there were virtually no filibusters. A few judges had problems that were held up for a while, but there were no filibusters of judges. The Democrats met in retreat—Laurence Tribe, Marcia Greenberger, Cass Sunstein were there, according to the

New York Times, and they came out of the retreat with a decision, and the decision was to alter the ground rules of confirmations. They immediately accepted the two nominees President Bush had submitted that were Democrats. One of them hadn't been confirmed under President Clinton so he renominated them. They took those two and confirmed them. They blocked ten great judges, great nominees, and this went on for over a year.

There was vote after vote after vote, and they steadfastly—Senator SCHUMER, the leader—blocked those judges from being voted on by a filibuster, because there weren't 60 votes to shut off debate to effect cloture. So this went on for an extraordinary time, and at some point the threat was that the nuclear option would be executed. So a group of Senators met and said: Look, let's not change the rules of the Senate by breaking the rules of the Senate. Let's reach an agreement. And this is what they said. They said: You shouldn't filibuster judges any more unless there are extraordinary circumstances to justify it. Normally, you should just vote yes or no for the judge. In most cases yes or no should be the vote, and serious filibusters of nominees should not occur except for extraordinary circumstances.

I thought that was OK. I didn't really think we should filibuster, period. But it seemed to be a reasonable compromise in a political body that would do the right thing for the confirmation process. We have been operating under that since 2002, I guess it was when that agreement was reached. I thought it was pretty good, actually. I was sort of proud of the way that came out. Therefore, President Obama has had very few filibusters.

But when this gang of 14 reached their agreement, and it sort of was adopted by the Senate, there were ten judges being filibustered out of the first batch of judges President Bush had nominated. What came of it was that five were confirmed and five failed. So on one day, five judges were defeated without, in my opinion, anything like a justifiable basis to defeat those judges. But that is the way it was. We agreed to it. Five judges were blocked and never got to serve; five more were confirmed.

And who orchestrated that? It was Senator REID. He complained mightily when anybody would even think about ending the right to filibuster a judge, and Senator SCHUMER was leading the filibusters.

So when the three judges that were nominated for absolutely unneeded seats on the D.C. circuit were blocked, you would have thought this was the first time in history anybody had ever been blocked from being a judge in this Senate. And they went and changed the rules of the Senate. It is just unbelievable to me that we are at this point.

I truly believe that President Obama's nominees were treated fairly. I believe they have been evaluated fairly, and only a very few have been blocked.

On one day Senator REID filed cloture on 17 nominations. It was totally set up, and do you know what he said? He said it was because we were filibustering these. Every time he filed cloture he said a filibuster was occurring. None of these judges were blocked. All of these judges got confirmed. There was not even a vote on cloture for the 17. Yet when he claimed there was some unprecedented number of filibusters in the Senate, he is counting that. There has not been this situation.

So this is part of the tension we are involved in, and we remember that brooding over all of this is the Affordable Care Act—Obamacare—and how that legislation was opposed by a substantial majority of Americans, consistently 2 to 1. Virtually 2 to 1 consistently the American people rejected Obamacare. They told this Congress not to pass it. We did everything we could on the Republican side to keep it from passing. We pleaded with our colleagues not to do this.

But, oh no, they had to pass it. President Obama wanted it, and they were going to pass it. We would find out later what was in it. That was literally the gist of what happened.

Senator Scott Brown from Massachusetts—liberal Massachusetts, the home of Ted Kennedy, who believed in government's involvement in health care—was elected on a promise in Massachusetts to be the vote to kill it. There was a vacancy. Senator Kennedy's death had created this vacancy, and Senator Brown campaigned to kill and be the vote that would deny the Democrats the 60th vote, in essence.

So what did they do? They used the reconciliation budget process to pass this monumental policy change in America in a way that kept Scott Brown—and the American people, through the electoral process—from ending this piece of legislation that put us in the position we are in today, where you don't get to keep your doctor, you don't get to keep your health care, where deductibles are going through the roof, where the price of insurance is going up, where people are not being hired, where two-thirds of the people who get a job this year in America only get a part-time job, which is clearly being driven by business interests in trying to avoid being caught up in the obligations of the Affordable Care Act. But the Democrats insisted.

Senator REID has used every parliamentary maneuver possible to block any votes that would actually fix this bill or alter it in any way.

So I just have to say we are at a point where we have to wonder whether democracy is happening in the Senate.

So we go back home. People get elected to the Senate. They campaign, and they say they want to go to Washington and change ObamaCare. Have we had a single vote this year to change ObamaCare? No, because Senator REID knows how to fill the tree and block any votes and keep it from happening. We are not voting on it.

The House has repeatedly passed all kinds of legislation and sent it to the Senate, supposedly to cause us to respond to it, to review the legislation, to have votes, offer amendments and see what kind of response we would have to fixing the problems with ObamaCare. But what happens? Senator REID obstructs that process. He does not allow these votes to occur. They might as well have thrown their legislation down the well.

What good is it for the House to send a bill to the Senate if it never gets brought up on the most important issue facing our country today—health care? We can't even have a debate about it or vote about it. Is this the great Senate that Robert Byrd referred to?

What about the Defense bill? The Defense bill is over here now. It spends over \$500 billion—about half of the discretionary spending the United States Congress spends. What are we told? We are told the Senate is too busy. We can't bring up the Defense bill and have an amendment. No more amendments. The two little amendments that were voted on in an entire week are all we are going to get. No more amendments will be accepted. We are going to pass the bill as it is or we can vote no on it.

Why? Why? Because Senator REID knows there are some very important issues involved in the Defense bill and they are controversial. People have different views about them, and some people on his side of the aisle don't want to vote on those because they have to stand up before their constituents and before America and before the world and actually cast a vote and be accountable for their tenure in the Senate.

Members on this side, such as Senator TOM COBURN, have ideas to fix the Defense Department and to save money. But Senator REID won't give him a vote on it, and he objects. Senator REID says: Senator COBURN, you are obstructing. You are one of those Republican obstructionists. You don't get a vote, Senator COBURN. I decide who votes here. I have filled the tree. I know how to fill the tree. I am the majority leader, and if you want a vote, you have to ask me, and I'm not giving you any more votes. I have had enough of you guys.

That is kind of the way it has been. It is the way it has been with the ObamaCare bill and with the Defense bill. The very idea that national security is at stake and we have a \$500 billion Defense bill—now, I'm on the

Armed Services Committee, and we tried to work together. We basically had an almost unanimous vote on it. Last year we had a unanimous vote on the Defense bill. But there are still matters we carry to the floor with the full understanding there will be debate and votes on those disputed issues and the whole Senate would get to vote on them. They are not being allowed to vote on those.

This is unusual, colleagues. This has never happened in the history of the Senate. There was a study that found in the last 28 years previous to Senator REID, the tactic of filling the tree to limit debate was done 40 times. Since Senator REID has been the majority leader, he has done it 77 times. It is every time, really. He is in complete control of the amendment process in the Senate.

We had a Democratic colleague who said he thought he had to get approval of the Republican leader, Senator MCCONNELL, before he could get his amendment voted on. Why? Well, Senator REID says the Republicans filed 20 amendments. Senator REID says: You can only have three. So he starts with Senator MCCONNELL, and Senator MCCONNELL says: That is not enough, Senator REID. You can get five, but I want to approve them. I suppose Senator MCCONNELL may say: How many are you going to have? I want to know what they are before I reach an agreement with you.

So I suspect it may be true that we have Democratic Senators having to ask the minority leader of the Senate for approval to get their amendments up.

That is not the way this should operate. It has never operated that way. Our history is open and free debate, unlimited debate in which the great issues of our time can be discussed here and actually voted on. And our constituents back home, if they don't like the way we are voting, can vote us out of office and send somebody else up here. So politics is driving it. There is no other reason.

The contention is that there wasn't enough time to vote on the Defense bill, but the Defense bill was on the floor an entire week. We could have had 10 votes a day, 15 votes a day easily on the Defense bill.

Senator INHOFE, the ranking Republican on the Armed Services Committee, told Senator REID he had limited the number of amendments that Senators on our side had to 25, and those could have been done easily in a week. But what was also true, as Senator INHOFE noted, was that a lot of those votes would actually never occur because a person would realize they didn't have the votes to pass, the manager of the bill would agree to some of the amendments, or something else would happen. So it is very unlikely that many votes would have been cast.

But that is what we have done in the past. We have had 2 and 3 weeks of time spent on the Defense bill, and we have had multiple amendments—30, 40, 50 amendments—and that has just ended.

So here we are, at a time when our country has a crisis on its hands, the American people are suffering from a massive takeover of health care that was rammed through this body against their will, and they still remain steadfastly opposed to it. Those of us who share those same concerns and want to change and alter this bill that is damaging to our economy, that is hammering the middle class, we can't even get votes on it because we have a leader who has dictated how things are done here.

This has to end. It has to end. It cannot continue. I don't see how any Member of this body can go back home if they are a Democrat and say: I couldn't get up an amendment.

Why?

Well, Senator MCCONNELL wouldn't let me.

I go back home to my State, and others go back home to their States, Senator TOOMEY goes back to Pennsylvania and says: I offered all these amendments to improve ObamaCare.

His constituent says: Well, did you vote on it?

No.

Why not?

Senator REID wouldn't let me.

Where did this become part of the history of our country? Is this what we teach our children in grade school about how democracy is supposed to work? No. It has to end.

I appreciate the opportunity to share these remarks tonight. We are at a point where this Senate has to stand, reverse the trends that have been going on, and ensure that we operate in an open way. People have to vote and vote and vote so they can be held accountable to the people who sent us here. And when we make people mad, they have every right to vote us out of office. We don't have any right to come here and hide under our desks, not to expose ourselves, not to let people know how we really feel and how we have really been moving the country.

So I think the tea party rightly has concerns about that kind of thing, and I hope we can make progress to improve this situation that is essential for our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise as we consider the nomination of Deborah Lee James as Secretary of the Air Force, and I wish to touch on some of the points that were made by the Senator from Alabama.

I wish to state how much I appreciate his leadership, especially as the rank-

ing member of the Budget Committee, his consistent leadership and fighting for fiscal discipline and putting our country back on a sustainable fiscal path, his commitment to an open amendment process, the opportunity to have vigorous debate in the Senate so that this body can work its will, and, of course, his work on the Armed Services Committee. I appreciate all of that, and I appreciate him being here tonight.

I do think it is important we have a discussion about how we got here, a discussion about the circumstances that have led to this completely unprecedented moment.

In the entire history of the Republic, we have never found ourselves in this circumstance where a majority party has decided that they alone should have sole say in who shall be appointed to the executive branch and who shall have the lifetime appointments to our Federal bench. I am one who believes this will very likely have very detrimental effects because when one party can ram through their choice without having to give any regard whatsoever to what the other party thinks, then what do we get? We get legislation like ObamaCare and we have extremes in the nominations that will eventually be confirmed.

Any President comes under pressure from the extremes within his or her party to put the most extreme people in positions of power, and the Senate has played a vital role in moderating that extreme, that tendency, that pressure, because it has virtually always been the case that neither party has 60 votes. Very seldom has it been the case that a party has had over 60 votes. So it has almost always been necessary that there be some broad bipartisan consensus on the people who will populate powerful posts as regulators and lifetime appointments to the bench.

That is no longer the case. There is no such check, and I fear that the consequences will be very detrimental: extremism in the regulatory agencies, volatility as we move from one administration to another and we have these swings, and probably the most disturbing of all is the real danger that the greatest source of pride Americans can have in their Federal Government, which has been an independent, non-partisan judiciary—that very judiciary becomes a creature of the political and becomes captured by the political branches of government. That is the danger, and that is why it is important we consider how we got here and why we got here.

It is particularly extraordinary when we consider the statements of some of the leaders on the other side of the aisle, Democratic leaders who for years were passionately opposed to doing exactly what they did last month. The majority leader himself just a short time ago said:

The right to extend the debate is never more important than when one party controls Congress and the White House. In these cases, a filibuster serves as a check on power and preserves our limited government.

Senator SCHUMER, the senior Senator from New York, put it this way:

The checks and balances which have been at the core of this Republic will be evaporated by the nuclear option. The checks and balances say that if you get 51 percent of the vote, you don't get your way 100 percent of the time.

That was Senator SCHUMER and Senator REID. There are many other quotes on the record in which they vigorously opposed the notion of denying the minority any say in the confirmation process when it was discussed but never implemented some years ago. So why would they have such a 180-degree reversal? Why would their opinion and that of the vast majority of my Democratic colleagues have changed to the point where they would actually take this absolutely unprecedented step?

Senator REID gave an explanation on the day he inflicted these changes on this body. I will quote from Senator REID's explanation. He said:

There has been unbelievable, unprecedented obstruction. For the first time in the history of our Republic, Republicans have routinely used the filibuster to prevent President Obama from appointing his executive team or confirming judges.

That is what Senator REID said. So it has been about Republicans obstructing the President from appointing his executive team and confirming judges.

Well, let's consider the case of judges to start. Let's take a look at this chart. Since President Obama has been President, there are some very simple, very easily verifiable facts we can look at.

The President has sent nominees for the Senate to consider since he became President. The Senate has confirmed 215 of those nominees, but the Senate has blocked 2 of his nominees. These are verifiable facts. They are not in dispute. These are the numbers. In total, the President has sent us the names of 217 candidates for judgeships, and 215 were confirmed and are sitting judges and 2 were blocked.

There is another category of nominees; that is, the executive branch nominees—the various agencies and regulatory bodies that are subject to senatorial confirmation. The President has sent us a total of 1,494 nonjudicial executive branch nominees. The Senate has confirmed 1,492. The Senate has blocked two.

The math is not that complicated. The President has nominated and sent to the Senate for our consideration a total of 1,711 altogether, and the Senate has confirmed 1,707. The Senate has blocked four. If you do the math, that is a confirmation rate of 99.8 percent.

So of all the nominees the President has sent to this body to be confirmed, we haven't actually confirmed every

one; we have only confirmed 99.8 percent of them. Of the 1,711, we have blocked 4.

I would suggest that the power of advice and consent—the Constitution says advice and consent; it doesn't just say advice. If it just said advice, then that would clearly imply that the President could ignore the advice if he chose. But it doesn't just say advice; it says advice and consent. The power to consent clearly and obviously implies that under some circumstances that consent would be withheld. If not, there is no meaning to this at all.

So I would suggest it is patently absurd to suggest that a 99.8-percent confirmation rate is a pattern of obstruction, as we have been accused of. So that can't be the real reason, obviously. Obviously, this kind of record of almost universally approving Presidential nominees can't possibly be the real reason we had this unprecedented power grab and rules change.

So what was the real purpose? What was the real motivation behind this very dramatic development? I am here to tell you that I think it is very clear what the real motivation was. The motivation was to pack the D.C. Circuit Court of Appeals so that a partisan group of judges would validate an agenda that this administration and many of our friends on the other side of the aisle want to impose.

That is an outrageous thing to say in some ways. Some people might think that is quite an accusation. What would be my basis for saying something like that? It would be the fact that Senator REID and Senator SCHUMER told us that was their reason. They said so. I will get to their quote, but let me explain why this has been done.

The fact is that elections have consequences. The President of the United States was elected. The Republicans have been enormously deferential in confirming his nominees, among other things.

But in 2012 the President wasn't the only person on the ballot. The entire House of Representatives was on the ballot, and the American people chose to reelect a Republican majority in the House of Representatives. Those elections have consequences as well, and one of the consequences of that election—the set of elections that produced a Republican majority in the House and left many Republicans in the Senate—is that the more liberal aspects of the President's agenda can't pass in Congress. They are not supported by a majority of the American people. They are not supported by majorities in Congress. Things like cap and trade, card check, the war on coal, and recess appointments don't have support. I don't think they have broad support in either body, certainly not enough in the House of Representatives to pass.

So what is a President to do if he can't get his legislation passed but he

nevertheless wants to pursue an agenda? Well, one way a President could choose to do this—especially one who is not interested in working with the minority party—and let's face it, ObamaCare is the clear example that this President is not interested in the input of Republicans. That was jammed through without a single Republican vote in either the House or the Senate. There was no input from Republicans. There was no consideration for what the minority party considered. There was not a broad consensus.

It is not surprising that a very short time later there is a big majority of the American people who do not support this bill because it was never designed with enough input and enough buy-in to have that broad consensus. If a President is not interested in working with the minority party and he cannot get his legislation through because there are not enough members of his party in Congress, the alternative is to try to impose it through the regulatory process, through the agencies, through the regulators, through the executive branch, which has become enormous and enormously powerful.

There is only one big hurdle for a President to try to go down this road and that hurdle is that eventually people who are the victims of an overreaching group of regulators and administrators and agency heads, they have recourse. If they think that a given regulator is acting unfairly or illegally or unconstitutionally, they can go to court and in fact people do that. Guess what court ends up hearing the appeals and making what is very typically the final decisions, as a practical matter, regarding Federal regulations. Why, it is the D.C. Circuit Court of Appeals. That is the way our Federal system works.

In fact, the D.C. Circuit Court has generally been upholding the laws. I believe the evidence is very clear that it is a capable, competent, nonpartisan group of talented judges who make decisions as they see fit. They call balls and strikes, as referees ought to. Among their decisions, for instance—I am sure I do not agree with all of them but they did block what I thought was an illegal overreach by the EPA, inconsistent with the laws regulating EPA. They did not believe the President had the right to decide when Congress was in recess and make appointments that suited him when we were not able to deny consent. That was the D.C. Circuit Court's decision. This, and several others, were completely unacceptable to some of my Democratic friends. It was unacceptable this independent, nonpartisan court might reach decisions that were inconsistent with the liberal agenda.

How do we know this was unacceptable? We have some quotes. The senior Senator from New York, Mr. SCHUMER, discussed this. He was speaking to a

group of supporters. It is on the record. He complained that the D.C. Circuit overturned the EPA's ability to regulate existing coal plants. He complained the SEC cannot pass rules unless they do what is called a cost-benefit analysis. He complained they struck down the administration's illegal recess appointments to the NLRB. He told a group of supporters that Democrats "will fill up the D.C. Circuit one way or another."

That was the quote. It was pretty straightforward, I will give him that. It is pretty candid. We do not like the decisions that are coming out of this court so we will pack the court with people who agree with our ideology.

Senator SCHUMER was not the only one to make this case. Senator REID had this to say of the D.C. Circuit:

They are the ones who said the President can't have recess appointments. They have done a lot of bad things. So we are focusing very intently on the D.C. Circuit. We need at least one more. There are three vacancies. We need at least one more and that will switch the majority.

This is Senator REID on the D.C. Circuit: "We need at least one more," obviously referring to a judge. "We need at least one more and that will switch the majority." I think it is pretty clear what was going on here.

Now fast-forward to a few weeks ago. There was just one obstacle to putting the people who would agree with Senator SCHUMER and Senator REID on the D.C. Circuit Court and render the decisions they wanted. The obstacle was Republicans were not interested in going along with the scheme to pack the court for ideological purposes. They didn't think that was a very good idea. They thought it was probably better to have judges who were not there to try to advance a political agenda but believed their job is to apply the law as written and make sure it is consistent with the Constitution as opposed to pursuing a political agenda.

Despite the fact that Republicans had to that point confirmed 99.8 percent of all the President's nominees, that was going a little bit too far, to simply blatantly pack the D.C. Circuit Court, and we said no to the three nominees who were people they were intending to pack that court.

When we did, Senator REID, after publicly promising he was not going to change the rules this way just this past summer, nevertheless did exactly that. Despite the fact the Senate rules are very clear to change the rules requires a vote of 67 Senators, precisely so there would be a broad consensus behind the rules, Senator REID changed the rules with a mere 51 votes. He broke the rules so he could change the rules so the Democratic majority can now steamroll through and rubberstamp all of the President's nominees, including those necessary to pack the court so they can pursue the agenda they want

to pursue. This is not my speculation. These are the quotes from the man who helped to organize this effort.

It is, frankly, very reminiscent in a lot of ways of ObamaCare: Steamroll through Congress, one party, no input from the other party, the minority party, and a complete disaster. By the way, the other big similarity is the broken promises. Senator REID clearly, unambiguously, unequivocally, unconditionally made the promise that he was not going to change the rules and then he did.

Then what have we been hearing about ObamaCare? One broken promise after another.

What I am going to do for the remainder of the time that I consume this evening is remind all of us of some of the promises that were made. Then I am just going to read a small sample of the emails that have been coming into my office from Pennsylvanians who have learned firsthand, the hard way, the painful way, just how untrue these promises were.

The first one is maybe the most famous of the promises. This is the President's repeated promise, echoed by many others, and I will quote: "If you like your health plan you can keep your health plan." I don't know how many times the President said it, but we have all seen it, we all know it. But what is particularly maddening is we also know something else. We know everybody who said this always knew this was not true. It was not true because the design of the bill forbids people from keeping health insurance plans in many cases—not all cases but many cases—and the authors of the bill and the supporters of the bill and the people who voted for the bill knew full well that one of the purposes of the bill was to establish government-approved standards for all insurance plans.

If your plan did not meet those standards, you were going to lose your plan. So this is what some folks have written to us about this promise, that if you like your health plan you can keep your health plan. This was just 2 days ago, a gentleman from Lancaster County from Pennsylvania wrote:

As my Congressional representative, you need to know how ObamaCare is harming my life and health care.

I work for a small construction company. My cost for family health care was already over \$11,000 per year. We received notification that our policy was being cancelled since it did not comply with the requirements of the "Affordable Care Act."

Our company looked for the best rates they could find for comparable coverage which did comply. They chose a new insurance company. We just recently were given the costs for next year. My cost to cover myself and my family will be over \$17,500 per year (a 59-percent increase). Even with that, the deductibles and out of pocket maximums are higher. This is not "Affordable Care." This would eat up a major part of my income.

I attempted to log onto the healthcare.gov website several times, but always get kicked

out. I do not hold up much hope that I will get any better rates, because I do not qualify for a credit.

We were already struggling to live on my take home pay. We cannot afford to have it reduced by over \$6,500. We may have to drop health coverage for my wife or kids, and pay the penalty.

I suspect this law will result in many more people losing their health care, at the expense of a few getting free or reduced healthcare.

Another from a gentleman from Cumberland County last week.

My wife Barb and I have been trying for almost three weeks to get signed up. . . . all income and health info and private information is on the unsecured Web site and the application is accepted . . . but we have not been able to get on and pick the plan or get our price. . . . so nobody has been paid. Thus our cancelled insurance ends on December 31st and we look to be out.

A BIG mistake by the folks that voted for this . . . I've had cancer a couple times, my wife has had cancer and we both see our doctors when needed. This ACA will ruin many families if we can't get on to an insurance plan.

These folks are not only losing the insurance they have, but they have not been able to get an alternative plan.

A woman from Lebanon County, Pennsylvania, last week sent me this email.

We had our healthcare discontinued, and after an appeal were able to get it reinstated, but only for this year. Currently we have a healthcare savings plan, with a deductible of \$3,000 a year. . . . In the new plan, our deductible would increase to \$12,000 . . . and our premiums would increase to \$9,000 a year. How is a middle class married family supposed to pay for that?

This is absolutely ridiculous, and this is our situation. I hope every government worker has to purchase their plan through this plan.

A gentleman from Delaware County sent me this email last week.

I am 66 and I am on Medicare. My wife, Mary Ann is 63. Her insurance company canceled her "longstanding" policy due to the requirements of the ACA. Her "new" policy costs \$350 more per month. We are on a strict budget. . . . We are the hard working middle class. Who stands for us?

A small business owner in Cumberland County, Pennsylvania, December 3, 2013:

I am a small business owner with 3 employees looking for health insurance. My old policy is being canceled and was offered a replacement policy which is 68% higher than the old policy with higher deductibles. I went through the healthcare.gov site and was quoted an individual policy for my family which is 74 percent higher, with higher deductibles.

When do I see affordable health care for my family?

I have been self-employed for 19 years and have paid for my insurance all these years myself. With deductibles I am looking at \$26,000 out of pocket for health insurance this year. Please Help!

Another promise that we heard—these were people, real people who were demonstrating how untrue was the promise that you could keep the health

insurance plan that you have. But there was another promise we heard frequently and that promise was, "If you like your doctor, you will be able to keep your doctor, period." The President added that flourish at the end, "period," just to emphasize. These are the President's words: "If you like your doctor, you will be able to keep your doctor, period."

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:33 a.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1471. An act to authorize the Secretary of Veterans Affairs and the Secretary of the Army to reconsider decisions to inter or honor the memory of a person in a national cemetery, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1992. An act to amend the requirements relating to assessment of Israel's qualitative military edge over military threats, and for other purposes.

H.R. 2019. An act to eliminate taxpayer financing of political party conventions and reprogram savings to provide for a 10-year pediatric research initiative through the Common Fund administered by the National Institutes of Health, and for other purposes.

H.R. 2319. An act to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994.

H.R. 3212. An act to ensure compliance with the 1980 Hague Convention on the Civil Aspects of International Child Abduction by countries with which the United States enjoys reciprocal obligations, to establish procedures for the prompt return of children abducted to other countries, and for other purposes.

ENROLLED BILLS SIGNED

At 3:11 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1471. An act to authorize the Secretary of Veterans Affairs and the Secretary of the

Army to reconsider decisions to inter or honor the memory of a person in a national cemetery, and for other purposes.

H.R. 2871. An act to amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency, and for other purposes.

H.R. 2922. An act to extend the authority of the Supreme Court Police to protect court officials away from the Supreme Court grounds.

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

At 8:22 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3695. An act to provide a temporary extension of the Food, Conservation, and Energy Act of 2008 and amendments made by that Act, as previously extended and amended and with certain additional modifications and exceptions, to suspend permanent price support authorities, and for other purposes.

The message further announced that the House agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 72. Concurrent resolution providing for corrections to the enrollment of H.J. Res. 59.

The message also announced that the House recedes from its amendment to the amendment of the Senate to the joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes, and agrees to the amendment of the Senate with an amendment, in which it requests the concurrence of the Senate.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1992. An act to amend the requirements relating to assessment of Israel's qualitative military edge over military threats, and for other purposes; to the Committee on Foreign Relations.

H.R. 3695. An act to provide a temporary extension of the Food, Conservation, and Energy Act of 2008 and amendments made by that Act, as previously extended and amended and with certain additional modifications and exceptions, to suspend permanent price support authorities, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CARPER, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 1360. A bill to amend the Improper Payments Elimination and Recovery Improvement Act of 2012, including making changes to the Do Not Pay initiative, for improved detection, prevention, and recovery of im-

proper payments to deceased individuals, and for other purposes (Rept. No. 113-124).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. UDALL of New Mexico (for himself and Mr. HEINRICH):

S. 1805. A bill to designate the Organ Mountains and other public land as components of the National Wilderness Preservation System in the State of New Mexico, to establish the Organ Mountains—Desert Peaks National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BROWN (for himself and Mr. PORTMAN):

S. 1806. A bill to amend the Federal Home Loan Bank Act with respect to membership eligibility of certain institutions; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. FEINSTEIN (for herself, Mr. COBURN, Mrs. HAGAN, Ms. COLLINS, Mr. TOOMEY, Mr. FLAKE, Mr. CORKER, Mr. BURR, Mr. RISCH, and Mr. MANCHIN):

S. 1807. A bill to amend the Clean Air Act to eliminate the corn ethanol mandate for renewable fuel, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LEE (for himself, Mr. VITTER, Mr. INHOFE, Mr. ROBERTS, Mr. COBURN, Mr. RUBIO, Mr. HATCH, Mr. BLUNT, Mr. WICKER, Mr. RISCH, Mr. GRAHAM, and Mr. COCHRAN):

S. 1808. A bill to prevent adverse treatment of any person on the basis of views held with respect to marriage; to the Committee on the Judiciary.

By Mr. TESTER (for himself, Mr. GRASSLEY, and Mrs. MCCASKILL):

S. 1809. A bill to amend chapter 77 of title 5, United States Code, to clarify certain due process rights of Federal employees serving in sensitive positions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. GILLIBRAND:

S. 1810. A bill to provide paid family and medical leave benefits to certain individuals, and for other purposes; to the Committee on Finance.

By Mr. ALEXANDER (for himself, Mrs. FEINSTEIN, Mrs. SHAHEEN, and Mr. BEGICH):

S. 1811. A bill to amend title 49, United States Code, to prohibit voice communications through mobile communication devices on commercial passenger flights; to the Committee on Commerce, Science, and Transportation.

By Mr. CORNYN:

S. 1812. A bill to provide emergency funding for port of entry personnel and infrastructure; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1813. A bill to establish a program to provide guarantees for debt issued by or on behalf of State catastrophe insurance programs to assist in the financial recovery from earthquakes and earthquake-related events; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MANCHIN (for himself, Mr. ROCKEFELLER, Mr. SCHUMER, Ms.

KLOBUCHAR, Mrs. MCCASKILL, and Mr. COONS):

S. 1814. A bill to encourage, enhance, and integrate Silver Alert plans throughout the United States and for other purposes; to the Committee on the Judiciary.

By Mr. BEGICH:

S. 1815. A bill to amend the Public Health Service Act to include occupational therapists as behavioral and mental health professionals for purposes of the National Health Service Corps; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself, Mr. LEE, and Mr. SCHUMER):

S. 1816. A bill to amend the Trademark Act of 1946 to provide for the registration of marks consisting of a flag, coat of arms, or other insignia of the United States, or any State or local government, and for other purposes; to the Committee on the Judiciary.

By Mrs. BOXER:

S. 1817. A bill to require the Secretary to implement standards for short-term custody of individuals held in facilities of U.S. Customs and Border Protection and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. REID (for himself and Mr. HELLER):

S. 1818. A bill to ratify a water settlement agreement affecting the Pyramid Lake Paiute Tribe, and for other purposes; to the Committee on Indian Affairs.

By Mr. BEGICH:

S. 1819. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide eligibility for public broadcasting facilities to receive certain disaster assistance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. SHAHEEN (for herself, Mr. COBURN, and Mrs. FISCHER):

S. 1820. A bill to prohibit the use of Federal funds for the costs of official portraits of Members of Congress, heads of executive agencies, and heads of agencies and offices of the legislative branch; to the Committee on Homeland Security and Governmental Affairs.

By Ms. HIRONO (for herself and Mr. HELLER):

S. 1821. A bill to accelerate the income tax benefits for charitable cash contributions for the relief of victims of Typhoon Haiyan in the Philippines; to the Committee on Finance.

By Mr. DURBIN:

S. 1822. A bill to amend the Higher Education Act of 1965 to establish fair and consistent eligibility requirements for graduate medical schools operating outside the United States and Canada; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MURPHY (for himself, Mr. JOHNSON of Wisconsin, Mrs. SHAHEEN, and Mr. DURBIN):

S. Res. 319. A resolution expressing support for the Ukrainian people in light of President Yanukovich's decision not to sign an Association Agreement with the European Union; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 204

At the request of Mr. PAUL, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Indiana (Mr. COATS) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 204, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 313

At the request of Mr. CASEY, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 526

At the request of Mr. BAUCUS, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 526, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 583

At the request of Mr. PAUL, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 583, a bill to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and preborn human person.

S. 641

At the request of Mr. WYDEN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 641, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 865

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 865, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 912

At the request of Mr. MCCAIN, the name of the Senator from Rhode Island

(Mr. WHITEHOUSE) was added as a cosponsor of S. 912, a bill to allow multi-channel video programming distributors to provide video programming to subscribers on an a la carte basis, and for other purposes.

S. 994

At the request of Mr. WARNER, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 994, a bill to expand the Federal Funding Accountability and Transparency Act of 2006 to increase accountability and transparency in Federal spending, and for other purposes.

S. 1005

At the request of Mr. PORTMAN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1005, a bill to establish more efficient and effective policies and processes for departments and agencies engaged in or providing support to, international conservation.

S. 1011

At the request of Mr. JOHANNES, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1011, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

S. 1046

At the request of Mr. SCHATZ, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1046, a bill to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994.

S. 1114

At the request of Mr. BROWN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1114, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 1116

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1116, a bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes.

S. 1187

At the request of Ms. STABENOW, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1187, a bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt.

S. 1406

At the request of Ms. AYOTTE, the names of the Senator from Rhode Island (Mr. REED), the Senator from California (Mrs. FEINSTEIN) and the Senator from Vermont (Mr. LEAHY) were

added as cosponsors of S. 1406, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1476

At the request of Mr. REED, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 1476, a bill to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration, and for other purposes.

S. 1491

At the request of Ms. LANDRIEU, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1491, a bill to amend the Energy Independence and Security Act of 2007 to improve United States-Israel energy cooperation, and for other purposes.

S. 1505

At the request of Mr. THUNE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1505, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from definition under that Act.

S. 1610

At the request of Mr. MENENDEZ, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from Rhode Island (Mr. REED), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1610, a bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

S. 1614

At the request of Ms. KLOBUCHAR, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1614, a bill to require Certificates of Citizenship and other Federal documents to reflect name and date of birth determinations made by a State court and for other purposes.

S. 1652

At the request of Mr. SCHATZ, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1652, a bill to amend the National Energy Conservation Policy Act to provide guidance on utility energy service contracts used by Federal agencies, and for other purposes.

S. 1659

At the request of Mr. DURBIN, the names of the Senator from California (Mrs. BOXER) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1659, a bill to amend the Higher Education Act of 1965 re-

garding proprietary institutions of higher education in order to protect students and taxpayers.

S. 1697

At the request of Mr. HARKIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1697, a bill to support early learning.

S. 1728

At the request of Mr. CORNYN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1728, a bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to improve ballot accessibility to uniformed services voters and overseas voters, and for other purposes.

S. 1759

At the request of Mr. SANDERS, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1759, a bill to reauthorize the teaching health center program.

S. 1761

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1761, a bill to permanently extend the Protecting Tenants at Foreclosure Act of 2009 and establish a private right of action to enforce compliance with such Act.

S. 1765

At the request of Mr. CORKER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1765, a bill to ensure the compliance of Iran with agreements relating to Iran's nuclear program.

S. 1766

At the request of Ms. AYOTTE, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1766, a bill to provide for the equitable distribution of Universal Service funds to rural States.

S. 1779

At the request of Mr. TOOMEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1779, a bill to amend the Safe Drinking Water Act to exempt fire hydrants from the prohibition on the use of lead pipes, fittings, fixtures, solder, and flux.

S. 1797

At the request of Mr. REED, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1797, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. 1798

At the request of Mr. WARNER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1798, a bill to ensure that emergency services volunteers are not counted as full-time employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

S. 1802

At the request of Mr. DONNELLY, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1802, a bill to provide equal treatment for utility special entities using utility operations-related swaps, and for other purposes.

S. RES. 317

At the request of Mr. SESSIONS, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. Res. 317, a resolution expressing the sense of the Senate on the continuing relationship between the United States and Georgia.

AMENDMENT NO. 2384

At the request of Mr. CORNYN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 2384 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. COBURN, Mrs. HAGAN, Ms. COLLINS, Mr. TOOMEY, Mr. FLAKE, Mr. CORKER, Mr. BURR, Mr. RISCH, and Mr. MANCHIN):

S. 1807. A bill to amend the Clean Air Act to eliminate the corn ethanol mandate for renewable fuel, and for other purposes; to the Committee on Environment and Public Works.

Mrs. FEINSTEIN. Mr. President, I rise to introduce The Corn Ethanol Mandate Elimination Act of 2013, a bill cosponsored by my distinguished colleagues: Senators TOM COBURN, KAY HAGAN, SUSAN COLLINS, PATRICK TOOMEY, JEFF FLAKE, BOB CORKER, RICHARD BURR, JAMES RISCH, and JOE MANCHIN.

This legislation would eliminate the Federal corn ethanol mandate from the Renewable Fuel Standard, RFS, while leaving the requirement that oil companies purchase and use low-carbon "advanced biofuel" in place.

Let me briefly explain why this legislation is necessary.

The Renewable Fuel Standard, a statute enacted in 2007, requires oil companies to use 16.55 billion gallons of renewable fuel in 2013. This annual requirement increases to 36 billion gallons in 2022.

Every year, the law directs that an increasing portion of this mandate be met using low-carbon "advanced biofuel" that is not derived from corn starch and lowers lifecycle greenhouse

gas emissions by at least 50 percent. I strongly support this provision to lower the carbon emissions from our fuel supply.

However, 14.4 billion gallons in 2014, and 15 billion gallons each year after, of the RFS mandate established in statute is met using corn ethanol, which amounts to a corn ethanol mandate.

There are two major problems with continuing to mandate the consumption of more and more corn ethanol in the United States each year.

First and foremost, the policy has led us to divert 44 percent of the U.S. corn crop from food to fuel, about twice the rate in 2006.

As the Associated Press laid out in a recent detailed investigation, the use of corn for ethanol is artificially pushing up food and feed prices while damaging the environment. The investigation found conservation lands are disappearing.

Before Congress enacted the corn ethanol mandate, the U.S. Department of Agriculture Conservation Reserve Program grew every year for nearly a decade. But in the first year after the corn ethanol mandate, more than 2 million acres were removed. Since Obama took office, 5 million more acres have been repurposed.

The AP also found that farmers have broken ground on virgin land, which it described as “the untouched terrain that represents, from an environmental standpoint, the country’s most important asset.”

Using government satellite data, the AP estimates that 1.2 million acres of virgin land in Nebraska and the Dakotas alone have been converted to fields of corn and soybeans since 2006.

Since 2005, the AP calculates that corn farmers increased their use of nitrogen fertilizer by more than two billion pounds.

The nitrates from this fertilizer wash into our rivers and flow to the Gulf of Mexico, where they feed algae. When the algae die, the decomposition consumes oxygen, leaving behind a “dead zone.”

This year, the AP reports the dead zone covered 5,800 square miles of sea floor, about the size of Connecticut.

Using more and more corn for ethanol, in drought years as well as years with bumper crops, has had economic consequences as well as environmental effects.

Higher feed prices have cost our beef, poultry, restaurant, and dairy industries dearly.

According to recent testimony in the House of Representatives, from October 2006 to July 2013, poultry and egg producers have had to bear the burden of higher feed costs totaling over \$50 billion.

Joel Brandenberger, the President of the National Turkey Federation, estimates that the RFS cost the turkey in-

dustry \$1.9 billion in increased feed expenses last year.

According to a recent Price-Waterhouse-Coopers study, the federal mandate on corn-based ethanol substantially raised prices and costs throughout the food supply chain. If the RFS mandate were left unchanged, it would increase chain restaurant industry costs by up to \$3.2 billion a year.

But the damage has probably been greatest in California, where dairymen are drowning under a combination of low milk prices and high feed costs.

The milk producers’ group Western United Dairymen reports that more than 400 dairies have gone out of business in the past 5 years, including 105 in the past year alone.

“California’s remaining 1,500 dairies are fighting for survival,” the group said in a recent statement.

The bottom line is increased feed prices associated with corn ethanol have bent this industry to its breaking point.

But the corn ethanol mandate in the Renewable Fuel Standard also presents an additional problem.

As Corporate Average Fuel Economy, CAFE, Standards required by the Ten in Ten Fuel Economy Act drive down gasoline consumption, oil companies face a “blend wall” as the RFS mandate exceeds the limit at which ethanol can be blended into the fuel supply—determined to be 10 percent of total gasoline consumption.

This blend wall is about 13.4 billion gallons of ethanol—well below the 2014 corn ethanol statutory mandate of 14.4 billion gallons.

According to EPA: “EPA does not currently foresee a scenario in which the market could consume enough ethanol . . . to meet the volumes . . . stated in the statute.” This situation is likely to increase gasoline prices.

While EPA has proposed using a creative statutory interpretation to reduce the RFS volumes in 2014, unfortunately EPA’s proposal would reduce the advanced biofuel side of the RFS mandate by more than 41 percent, while it proposes to reduce the corn ethanol portion of the mandate by only 10 percent.

The Corn Ethanol Mandate Elimination Act would address the blend wall directly, thereby allowing EPA to continue increasing volumes of low carbon advanced biofuel.

This legislation would eliminate the corn ethanol mandate, but it’s important to point out it would by no means eliminate the corn ethanol industry. Refiners will continue to blend corn ethanol into the fuel supply in the absence of a mandate for two reasons.

First, ethanol is the preferred octane booster used to increase the efficiency of gasoline.

Second, the wholesale price of ethanol is currently 65 cents per gallon

less than the wholesale price of unblended gasoline, meaning blenders lower their costs and increase profits when they add ethanol to gasoline.

The multi-billion dollar corn ethanol industry will compete directly with oil based on price without a mandate, and the economic benefits of mixing corn ethanol into gasoline would remain.

I am aware that the advanced biofuel industry is working to scale and commercialize their technologies, and their investors seek regulatory and economic certainty during this period.

I am also fundamentally committed to the vitally important public health protections provided by the Clean Air Act.

That is why I would like to make it crystal clear that this legislation is a narrow bill repealing the corn ethanol mandate. Senator COBURN and I jointly made this clear when we agreed to the following statement:

“We are opposed to a mandate on the use of corn ethanol and plan to introduce the Corn Ethanol Mandate Elimination Act to repeal this unwise policy. The bill’s language will explicitly clarify that the legislation has no effect on the low-carbon advanced biofuel provisions in the Renewable Fuel Standard, and we are both committed to opposing any amendment to the bill that would broaden its scope to amend, revise or weaken the advanced biofuel provisions or other public health protections provided by the Clean Air Act.

If provisions threatening public health were successfully added to the Corn Ethanol Mandate Elimination Act, we would no longer support the bill.

I also understand that some in the advanced biofuel industry argue that legislative changes to the corn ethanol portion of the Renewable Fuel Standard could reduce certainty for their industry.

Respectfully, I disagree. The current law is not providing this industry with the certainty it needs.

While EPA has some flexibility under the RFS statute to adjust RFS mandated volumes, most of that flexibility rests in EPA’s power to reduce the amount of “advanced biofuel” mandated under the RFS.

EPA’s ability to reduce the corn ethanol mandate under current law and current circumstances is far from clear. Its proposal to reduce the corn ethanol mandate in its recently released draft rule for 2014 will be subject to aggressive legal challenge.

EPA’s lack of discretion has led EPA to propose a rule drastically reducing volumes for advanced biofuels, including biodiesel, by 41 percent, while it proposes only a modest 10 percent reduction in corn ethanol volumes.

Unless The Corn Ethanol Mandate Elimination Act is enacted, EPA will likely carry forward its proposal to dramatically reduce “advanced

biofuel" volumes in order to address the blend wall. We believe eliminating the corn ethanol mandate is a much more responsible alternative.

This legislation has strong support from the prepared food industry, dairy, beef, poultry, oil and gas, engine manufacturers, boaters, hunger relief organizations and environmental groups. I would like to list all the organizations that have expressed support for this bill:

ActionAid USA; American Bakers Association; American Frozen Food Institute; American Fuel & Petrochemical Manufacturers; American Meat Institute; American Sportfishing Association; Americans for Prosperity; BoatU.S.; California Dairies, Inc.; California Dairy Campaign; California Poultry Federation; Clean Air Task Force; Competitive Enterprise Institute; Dairy Producers of New Mexico; Dairy Producers of Utah; Environmental Working Group; Freedom Action; Georgia Poultry Federation; Grocery Manufacturers Association; Idaho Dairymen's Association; Indiana State Poultry Association; International Snowmobile Manufacturers Association; Iowa Turkey Federation; Marine Retailers Association of the Americas; Michigan Allied Poultry Industries, Inc.; Milk Producers Council; Minnesota Turkey Growers Association; National Cattlemen's Beef Association; National Chicken Council; National Council of Chain Restaurants; National Marine Manufacturers Association; National Restaurant Association; National Taxpayers Union; National Turkey Federation; Nevada State Dairy Commission; North American Meat Association; North Carolina Poultry Federation; Northwest Dairy Association; Oregon Dairy Farmers Association; Oxfam; South Carolina Poultry Federation; South East Dairy Farmers Association; Southeast Milk Inc.; Specialty Equipment Market Association; Taxpayers for Common Sense; Texas Poultry Federation; The Poultry Federation; Virginia Poultry Federation; Washington State Dairy Federation; Western United Dairymen; and the Wisconsin Poultry & Egg Industries Association.

The Corn Ethanol Mandate Elimination Act of 2013 would fix both of the problems with the current Renewable Fuel Standard.

First, it would eliminate the unnecessary pressure on corn prices and corn production, allowing the multi-billion dollar corn ethanol industry to compete directly with oil based on price, not mandates.

Second, it reduces RFS mandated volumes below the blend wall.

The bill addresses both problems while maintaining the RFS provisions that encourage the development, deployment and growth of cellulosic ethanol, algae-based fuel, green diesel, and other low carbon advanced biofuels,

maintaining a market for the innovative, nascent, domestic industry that this statute was designed to build up.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1807

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Corn Ethanol Mandate Elimination Act of 2013".

SEC. 2. ELIMINATION OF CORN ETHANOL MANDATE FOR RENEWABLE FUEL.

(a) REMOVAL OF TABLE.—Section 211(o)(2)(B)(i) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)(i)) is amended by striking subclause (I).

(b) CONFORMING AMENDMENTS.—Section 211(o)(2)(B) of the Clean Air Act (42 U.S.C. 7545(o)(2)(B)) is amended—

(1) in clause (i)—

(A) by redesignating subclauses (II) through (IV) as subclauses (I) through (III), respectively;

(B) in subclause (I) (as so redesignated), by striking "of the volume of renewable fuel required under subclause (I)," and

(C) in subclauses (II) and (III) (as so redesignated), by striking "subclause (II)" each place it appears and inserting "subclause (I)"; and

(2) in clause (v), by striking "clause (i)(IV)" and inserting "clause (i)(III)".

(c) ADMINISTRATION.—Nothing in this section or the amendments made by this section affects the volumes of advanced biofuel, cellulosic biofuel, or biomass-based diesel that are required under section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)).

(d) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall promulgate such regulations as are necessary to carry out the amendments made by this section.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 180 days after the date of enactment of this Act.

By Mr. MANCHIN (for himself, Mr. ROCKEFELLER, Mr. SCHUMER, Ms. KLOBUCHAR, Mrs. MCCASKILL, and Mr. COONS):

S. 1814. A bill to encourage, enhance, and integrate Silver Alert plans throughout the United States and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today to reintroduce the Earthquake Insurance Affordability Act.

This bill will help families and communities quickly recover after major earthquakes by encouraging local investment in mitigation and insurance coverage.

You see, in California, the State with the greatest exposure to earthquake damage, only about 1 in 10 homeowners has insurance to pay for earthquake damage. Other States, including Washington, Oregon, Alaska, Tennessee, Missouri and Arkansas, also have significant earthquake risks and low rates of earthquake insurance.

Insurance coverage rates are so low that many believe it has now become a national crisis.

Because when homes aren't structurally sound, and insurance is lacking, local earthquake recovery costs quickly become America's costs.

The math is simple: less insurance means more Federal spending after a disaster.

For example, the August 2011 Virginia earthquake was devastating to homeowners in and around Spotsylvania County. Most of those homeowners did not have an insurance policy that covered earthquake damage.

Mr. CANTOR, the House Majority Leader, summed it up: "Obviously the problem is most people in Virginia don't have earthquake insurance. That is going to be a hardship. If there needs to be money from the Federal Government, we'll find the money."

Congress did ultimately find that money. A Federal disaster declaration was made, and homeowners received more than \$16 million to cover uninsured losses.

But with bigger disasters come bigger uninsured losses.

Consider the costs of Hurricanes Katrina and Sandy.

The GAO estimates that the federal government provided about \$26 billion to homeowners who lacked adequate insurance in response to Hurricanes Katrina, Rita, and Wilma.

Congress provided \$16 billion housing recovery for Sandy victims.

The bottom line is this: Uninsured homeowners drive up federal disaster spending. So if we can find a way to convert uninsured homeowners into insured homeowners, we will lower federal disaster spending and save American taxpayers millions each year.

The Earthquake Insurance Affordability Act will do just that. It will make earthquake insurance more affordable and expand access to coverage. It will dedicate non-federal funding to earthquake loss-mitigation programs to make houses and communities more resilient.

At its core, this legislation would authorize a private-market debt-guarantee program. The U.S. Treasury would guarantee certain debt issued by eligible state earthquake insurance programs following a catastrophic earthquake.

The debt would be limited in amount, and pre-arranged, and the eligible State programs would be highly credit-worthy.

By definition, this legislation is designed to promote the use of private capital to finance earthquake risk. So this means that private capital, not Congressional appropriations, will support rebuilding homes and restoring communities.

The Federal guarantee will assure that qualified insurance programs can sell debt at reasonable rates, even during difficult post-disaster market conditions.

By lowering interest rates, insurance programs can spend less on interest and reinsurance, and instead invest that money on rate reductions and mitigation.

Rate reduction is the key goal; because uninsured homeowners overwhelmingly attribute their lack of insurance to the high price of these policies.

The California Earthquake Authority, the largest earthquake-insurance provider in the state, estimates the Earthquake Insurance Affordability Act will allow them to lower premiums and direct millions of dollars into mitigating homes.

That means the bill will not only lower insurance rates, but thousands more homes would become more earthquake-resistant.

Every homeowner who benefits from this legislation is one less homeowner who will rely on Federal disaster benefits after a catastrophic earthquake—that's millions of taxpayer dollars saved.

I know some of my colleagues will be concerned about putting the full faith and credit of our Federal Government behind insurance programs that are working to pay off catastrophic damages. I shared these concerns; and that is why the bill mandates strict criteria for determining how and when an insurance program can access a Federal guarantee.

First, the program must be an independent, State-run program.

Second, the program must be not for profit. The benefits of a Federal guarantee must go to policyholders, not shareholders.

Third, and most importantly, only financially sound programs are eligible. Before any Federal guarantee is offered, the Treasury Department must carefully confirm, then certify, that the program can repay the debt it incurs.

What is more: as a condition getting approved by the Department, the program must cover all actual and expected costs of conducting these credit reviews and administering the program.

Because of these key features, initial estimates from Congressional Budget Office staff affirm that this legislation brings no budgetary impact.

An independent assessment by the RAND Corporation also found that a program such as this would likely save tens of millions of dollars during a major disaster.

The bill brings other benefits to the taxpayer as well. Under a new provision added to the bill this year, participating State insurance programs must dedicate 2 percent of their Federal guarantee toward mitigating vulnerable properties and providing earthquake-hazard education.

Again, these mitigation funds will bring real benefits to homeowners, without appropriating Federal funds.

According to the United States Geological Survey, there is a 99.7 percent chance that a magnitude 6.7 earthquake will strike California within the next 30 years.

Even more concerning—the USGS forecasts a 46 percent chance that a much more devastating magnitude 7.5 or higher earthquake will occur in California during the same period.

The question is what are we doing to prepare?

Will we stick with the status quo; a system where the Federal Government comes in after the fact and spends billions to try to clean up the mess but leaves the community just as vulnerable to the next disaster?

Or will we apply the lessons from disasters like the 1994 Northridge earthquake where we spent the equivalent of more than \$10 billion, and transition to a system where homeowners are encouraged to share the financial burden by purchasing earthquake insurance and making their homes stronger?

In the current budget environment, the choice cannot be simpler. We cannot continue to spend billions on disaster relief when reliable, cheaper options are available.

With a few simple steps, the Earthquake Insurance Affordability will create an affordable mechanism to help our country prepare for, and recover more quickly from, the major earthquakes that we all know are just around the corner. I urge my colleagues to quickly adopt this critical legislation.

By Mr. DURBIN:

S. 1822. A bill to amend the Higher Education Act of 1965 to establish fair and consistent eligibility requirements for graduate medical schools operating outside the United States and Canada; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1822

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Foreign Medical School Accountability Fairness Act of 2013".

SEC. 2. PURPOSE.

To establish consistent eligibility requirements for graduate medical schools operating outside of the United States and Canada in order to increase accountability and protect American students and taxpayer dollars.

SEC. 3. FINDINGS.

Congress finds the following:

(1) Three for-profit schools in the Caribbean receive more than two-thirds of all Federal funding under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) that goes to students enrolled at foreign

graduate medical schools, despite those three schools being exempt from meeting the same eligibility requirements as the majority of graduate medical schools located outside of the United States and Canada.

(2) The National Committee on Foreign Medical Education and Accreditation and the Department of Education recommend that all foreign graduate medical schools should be required to meet the same eligibility requirements to participate in Federal funding under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) and see no rationale for excluding certain schools.

(3) The attrition rate at United States medical schools averaged 3 percent for the class beginning in 2009 while rates at for-profit Caribbean schools have reached 26 percent or higher.

(4) In 2013, residency match rates for foreign trained graduates averaged 53 percent compared to 94 percent for graduates of medical schools in the United States.

(5) On average, students at for-profit medical schools operating outside of the United States and Canada amass more student debt than those at medical schools in the United States.

SEC. 4. REPEAL GRANDFATHER PROVISIONS.

Section 102(a)(2) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)(2)) is amended—

(1) in subparagraph (A), by striking clause (i) and inserting the following:

“(i) in the case of a graduate medical school located outside the United States—

“(I) at least 60 percent of those enrolled in, and at least 60 percent of the graduates of, the graduate medical school outside the United States were not persons described in section 484(a)(5) in the year preceding the year for which a student is seeking a loan under part D of title IV; and

“(II) at least 75 percent of the individuals who were students or graduates of the graduate medical school outside the United States or Canada (both nationals of the United States and others) taking the examinations administered by the Educational Commission for Foreign Medical Graduates received a passing score in the year preceding the year for which a student is seeking a loan under part D of title IV.”; and

(2) in subparagraph (B)(iii), by adding at the end the following:

“(V) EXPIRATION OF AUTHORITY.—The authority of a graduate medical school described in subclause (I) to qualify for participation in the loan programs under part D of title IV pursuant to this clause shall expire beginning on the first July 1 following the date of enactment of the Foreign Medical School Accountability Fairness Act of 2013.”.

SEC. 5. LOSS OF ELIGIBILITY.

If a graduate medical school loses eligibility to participate in the loan programs under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) due to the enactment of the amendments made by section 4, then a student enrolled at such graduate medical school on or before the date of enactment of this Act may, notwithstanding such loss of eligibility, continue to be eligible to receive a loan under such part D while attending such graduate medical school in which the student was enrolled upon the date of enactment of this Act, subject to the student continuing to meet all applicable requirements for satisfactory academic progress, until the earliest of—

(1) withdrawal by the student from the graduate medical school;

(2) completion of the program of study by the student at the graduate medical school; or

(3) the fourth June 30 after such loss of eligibility.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 319—EX-PRESSING SUPPORT FOR THE UKRAINIAN PEOPLE IN LIGHT OF PRESIDENT YANUKOVYCH'S DECISION NOT TO SIGN AN ASSOCIATION AGREEMENT WITH THE EUROPEAN UNION

Mr. MURPHY (for himself, Mr. JOHN-SON of Wisconsin, Mrs. SHAHEEN, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 319

Whereas, according to a poll conducted in November 2013, a majority of the people of Ukraine supported signing an historic trade and political agreement with the European Union;

Whereas a closer association between Ukraine and the European Union has been supported by Ukrainian civil society, business leaders, and politicians across the political spectrum and would bring lasting political, democratic, and economic benefits to the people of Ukraine;

Whereas Ukraine successfully passed much of the legislation required to conform to European Union standards for signing an Association Agreement;

Whereas, on September 22, 2012, and November 18, 2013, the Senate unanimously passed resolutions calling for a demonstrable end to selective justice in Ukraine and expressing its belief that Ukraine's future lies with stronger ties to Europe, the United States, and others in the community of democracies;

Whereas the experience of countries such as Poland, Lithuania, Latvia, and Estonia provides a positive example of increased economic opportunity, enhanced personal freedom, and good governance, which can also be realized by Ukraine;

Whereas the Government and people of Ukraine have the sovereign right to choose their own foreign policy and economic course, and no other country has the right to determine their political and economic orientation, nor decide which alliances and trade agreements they can join;

Whereas, on November 21, 2013, President Viktor Yanukovych suspended Ukraine's preparations for signing the Association Agreement one week before a critical European Union Summit in Vilnius, Lithuania;

Whereas the abrupt reversal on the eve of the summit following Russian economic coercion and to protect the narrow interests of some officials and individuals in Ukraine prompted hundreds of thousands of Ukrainians all across the country, especially young people and students, to protest the decision and stand in support of furthering Ukraine's Euro-Atlantic integration;

Whereas international nonprofit and non-governmental organizations provide essential care to needy Ukrainians, yet face direct threats and challenges to their existence and administrative and regulatory impediments, including challenges to operating with the tax-exempt status necessary to maximize the use of funds on the ground and threats to the fabric of civil society vital to democracy in Ukraine;

Whereas, on November 30, 2013, at Independence Square in Kyiv, special division po-

lice dispersed a peaceful demonstration of students and civil society activists who were calling on President Yanukovych to sign the Association Agreement;

Whereas approximately 35 individuals were detained or arrested, and dozens were hospitalized, some with severe injuries;

Whereas, on December 9, 2013, raids were conducted on three opposition media outlets and the headquarters of one opposition party;

Whereas, on December 11, 2013, Ukrainian authorities conducted an overnight police operation in an attempt to forcefully take control of Independence Square, but were resisted by brave Ukrainians who filled the square and rebuffed the police action;

Whereas all three former Presidents of Ukraine have underscored the need to refrain from violence and the importance of engaging in a dialogue with the opposition; and

Whereas Ukraine faces an impending economic crisis that can only be solved with long term economic reforms: Now, therefore, be it

Resolved, That the Senate—

(1) stands with the people of Ukraine and supports their sovereign right to chart an independent and democratic future for their country;

(2) urges leaders in the United States and the European Union to continue working together actively to support a peaceful and democratic resolution to the current crisis that moves Ukraine toward a future in the Euro-Atlantic community and a long-term solution to Ukraine's economic crisis;

(3) encourages demonstrators and members of the opposition and civil society in Ukraine to continue avoiding the use of violence and engage in a dialogue of national reconciliation;

(4) urges all political parties to refrain from hate speech or actions of an anti-Semitic or other character which further divide the Ukrainian people when they need to be united;

(5) calls on the Government of Ukraine to refrain from further use of force or acts of violence against peaceful protestors, and to respect the internationally-recognized human rights of the Ukrainian people, especially the freedoms of speech and assembly;

(6) condemns the decision by Ukrainian authorities to use violence against peaceful demonstrators on November 30, December 1, and December 11, 2013, and calls for those responsible to be swiftly brought to justice and all detained nonviolent demonstrators to be immediately released; and

(7) notes that in the event of further state violence against peaceful protestors, the President and Congress should consider whether to apply targeted sanctions, including visa bans and asset freezes, against individuals responsible for ordering or carrying out the violence.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2544. Mr. NELSON proposed an amendment to the bill H.R. 3547, to extend Government liability, subject to appropriation, for certain third-party claims arising from commercial space launches.

SA 2545. Mr. NELSON proposed an amendment to the bill H.R. 3547, *supra*.

TEXT OF AMENDMENTS

SA 2544. Mr. NELSON proposed an amendment to the bill H.R. 3547, to ex-

tend Government liability, subject to appropriation, for certain third-party claims arising from commercial space launches; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. LAUNCH LIABILITY EXTENSION.

Section 50915(f) of title 51, United States Code, is amended by striking "December 31, 2013" and inserting "December 31, 2016".

SA 2545. Mr. NELSON proposed an amendment to the bill H.R. 3547, to extend Government liability, subject to appropriation, for certain third-party claims arising from commercial space launches; as follows:

Amend the title so as to read: "A bill to extend Government liability, subject to appropriation, for certain third-party claims arising from commercial space launches.".

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, December 18, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to mark-up S. 1417, Newborn Screening Saves Lives Act of 2013; S. 1719/H.R. 3527, Poison Center Network Act; and the nominations of David Weil, of Massachusetts, to serve as Administrator of the Wage and Hour Division, Department of Labor; France A. Cordova, of New Mexico, to serve as Director of the National Science Foundation; Steven Anthony, of the District of Columbia, to serve as a Member of the Railroad Retirement Board; and James H. Shelton III, of the District of Columbia, to serve as Deputy Secretary of Education; as well as any additional nominations cleared for action.

For further information regarding this meeting, please contact the Committee at (202) 224-5375.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on December 12, 2013, at 10 a.m. to conduct a hearing entitled "Assisting the P5+1 Interim Nuclear Agreement with Iran: Administration Perspectives."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during

the session of the Senate on December 12, 2013, at 10:30 a.m. in room SD-50 of the Dirksen Senate Office Building.

The Committee will conduct a hearing entitled, "Forecasting Success: Achieving U.S. Weather Readiness for the Long Term."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on December 12, 2013, at 10 a.m. in room SD-215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on December 12, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled "Accreditation as Quality Assurance: Meeting the Needs of 21st Century Learning."

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on December 12, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. BARRASSO. Mr. President, I ask unanimous consent that privileges of the floor be granted to the following members of my staff, Ryan Lojo and Abbie Golden, during the pendency of today's session of the Senate, December 12, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATIONS

Executive nominations received by the Senate on Thursday, December 12, 2013:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN W. RAYMOND

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. MARGARET C. WILMOTH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. BENNET S. SACOLICK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOSEPH ANDERSON

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF NAVAL OPERATIONS AND APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5035:

To be admiral

VICE ADM. MICHELLE J. HOWARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

ADM. MARK E. FERGUSON III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JOSEPH P. MULLOY

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

RANDOLPH S. WARDLE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

NACY J. ALOUISE
KENNETH J. BACSO
JOSHUA A. BERGER
STEVE D. BERLIN
DEREK D. BROWN
JENNIFER C.R. CLARK
WENDY N. COX
TOBY N. CURTO
LARRY W. DOWNEND, JR.
DANIEL J. EVERETT
ANDREW D. FLOR
MICHAEL C. FRIESS
DAVID J. GOSCHA
PHILLIP B. GRIFFITH
SEAN G. GYSEN
LAKEYSIA R. HARVIN
PATRICIA K. HINSHAW
NATE G. HUMMEL
SCOTT E. HUTMACHER
ROBERT C. INSANI
WILLIAM J. JOHNSON
MICHAEL D. JONES
MATTHEW J. KEMKES
JEREMY M. LARCHICK
SCOTT E. LINGER
HOWARD T. MATTHEWS, JR.
MARVIN J. MCBURROWS
SUSAN K. MCCONNELL
ANDREW M. MCKEE
MICHAEL J. MEKETEN
ISAAC C. SPRAGG
KATHERINE K. STICH
JAY L. THOMAN
CASEY Z. THOMAS
JACQUELINE TUBBS
MATTHEW C. VINTON
LAJOHNE A. WHITE
STEFAN R. WOLFE
CORY J. YOUNG

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MICHAEL R. SAUM

CONFIRMATIONS

Executive nominations confirmed by the Senate December 12, 2013:

THE JUDICIARY

ELIZABETH A. WOLFORD, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NEW YORK.

LANDYA B. MCCAFFERTY, OF NEW HAMPSHIRE, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW HAMPSHIRE.

BRIAN MORRIS, OF MONTANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MONTANA.

SUSAN P. WATTERS, OF MONTANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MONTANA.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

PATRICIA M. WALD, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2019.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

CHAI RACHEL FELDBLUM, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2018.

NOMINATION OF DEBORAH LEE JAMES TO BE SECRETARY OF THE AIR FORCE—Continued

Mr. TOOMEY. This was also something that everybody who had anything to do with this bill knew was going to be untrue. Insurance plans differ. Some cover certain doctors, others cover other doctors. Since some plans were certainly going to be canceled, inevitably some people were going to lose the plans that covered their doctor. This was no great mystery, and it was not some unintended and unforeseeable consequence. It was part of the design of the bill. Yet people were told: If you like your doctor, you will be able to keep your doctor.

I got this email from a woman who lives in Westmoreland County. She says:

I have been self-employed for 13 years and have never been without health insurance. 3 years ago I was diagnosed with multiple sclerosis. Having an expensive preexisting condition was not a problem for me as I had never let my insurance lapse. My medications cost (without insurance) \$4,000+ per month. I received notice several weeks ago that they were going to cancel my plan and were doing so as of Jan. 1 and I had to sign up for new coverage through the health insurance exchange.

My staff reached out to this woman to see if we could help. It turns out that where she lives and given her circumstances there were two different plans available to her. One plan covered her doctors, the other plan covered the medicine she needed to treat her multiple sclerosis. Neither plan would do both. What kind of a choice is it that this woman is going to have to make?

I have another email that arrived last week:

I finally got to where I could compare plans on the government website, only to find that my insurance premiums would go from \$512 per month for a plan with a \$500 deductible/\$2500 out of pocket plan to \$799 for a plan with a \$500 deductible and a \$2700 out of pocket expense.

Where is the savings? None of the plans include my current doctor, whom I want to desperately keep. Obamacare is such a disaster!!! Please stand firm and continue to work towards REPEALING it.

Finally, there is one more false promise—I am going to give some examples of responses I have gotten—and

that is the promise that premiums for a family would decrease by \$2,500 per year. In fact, the data I have seen suggests that on average premiums in the individual market have been increasing. Consider the case of some of the people who have reached out to my office from Pennsylvania.

This is a small business owner from Carbon County, PA, who sent me this email last week. He said:

I have had an HSA high deductible plan . . . for several years for my employees. I have paid 100% percent of the premiums and contributed 50% of the deductible every year that they paid the other 50% percent. I just received notice that my insurance premiums are going up 100%.

What can be done to enforce the president's statements that we can keep our current plans? There is no way I can pay this new premium. My employees will be the ones hurt the most. They loved the coverage they had and I hate that we can no longer provide this benefit.

Here is an email I got from a father of two from Bucks County, PA.

I received notice last week that my healthcare will more than triple. Currently I am paying \$265 a month for me and my two young sons . . . my monthly premium will go up to \$836 a month!!!

The president promised "you can keep your plan" and "families will save \$2500 per year" . . . I can keep my plan. I just can't afford it . . . I do qualify for subsidies . . . \$80 bucks a month.

I got this email from a man from Mercer County, PA, 2 days ago.

I just became another Obamacare victim. Because my employer's health plan costs are going up almost 100% I will have \$400 less in my pocket each month. At 58 I will have to cut way back on how much money I can put into my local economy. Obamacare needs to be scrapped.

This email is from a man from Crawford County, PA:

I am a small business owner, and I speak with many vendors in my field. One of said vendors says that his monthly cost would increase to \$9.00 an hour on insurance alone. Another said he feared he would not even be able to stay in business because of the insurance costs. My own situation is just as dire. Currently, I personally pay about \$1,500 a month for insurance, and under Obamacare I have seen costs go up by \$375. On top of that, my wife, who is an insurance agent, fears that she will lose her coverage next fall due to the law.

Here is an email I got last week from a father from Luzerne County.

Please keep fighting the disaster that is happening to the thousands of working men and women that will be losing their health care along with some of us retired folks.

Our son is one of them and the alternative is unthinkable—his plan cost doubled to \$300 a month . . . but the deductible is \$4500. Now how can anyone say everyone will have affordable health care insurance on top of the statement no one will lose their plan or doctor if they are satisfied with them? Your fight is hard, but our prayers are with you.

Here is an email I got from a small business owner from Cumberland County, PA. He writes:

I am a small business in the Carlisle area. We have been in business for 30 years . . . I

offered insurance to the full time employees for many years . . . If it weren't for the rising costs of health care I could hire another employee because we could use the help but with the anticipated increases I won't be able to. I have been told by our insurance carrier that we can expect up to 50% increases.

Finally, a small business owner from Chester County, PA, wrote this email last week:

We just got our Insurance coverage options for my small business. Previous rate was \$470.00 per month with \$0.00 deductible, a good plan. The new plan is \$692.00 per month with a \$2,000.00 deductible, a bad plan. OK, I cannot keep my plan. To get close to the one I need to pay more and incur a ridiculous deductible.

This is not free market. I don't like the government telling me what is best for me.

I have several older employees and their rates are up over \$1,000.00 per month each. I cannot pay for their insurance and they cannot afford to either. I am forced to drop the plan or remove them from employment.

This is out of control.

This is a small sample of the emails I have gotten. I am one Senator from one State. The fact is the vast majority of people who experience these problems don't send an email to their Senator.

So we have this tiny little sliver of the hundreds of thousands—actually millions—of Americans who are suffering from the direct consequences—and I would argue intended consequences—of this bill. They are unable to keep their health insurance plan, unable to keep their doctors, not experiencing savings but, rather, experiencing increases in costs. These are just a few of the terrible consequences of Obamacare.

There are many others I could cite, but I was just focusing on broken promises tonight. There are too many to list.

I do want to also stress that these are symptoms of a completely and impossibly flawed bill. The real underlying problem of Obamacare is something that Friedrich Hayek warned us about; he called it the fatal conceit. This is the idea that a small group of really smart people can know more than the combined, accumulated knowledge and wisdom that is disbursed across an entire population. It is an absurd notion. Yet it is at the heart of all kinds of big government plans, socialism everywhere, and it is clearly at the heart of Obamacare.

The idea is that these Mandarins who are so smart and know so much, they should be able to force their will on everyone else. It is an extraordinarily insulting premise that this is based on, but it is.

The premise is that individual men and women across America are certainly not qualified, they are certainly not smart enough to know what is good enough for them. They should not be free to decide what kind of health plan they want to buy for their family.

There are tradeoffs that you make when you buy something like a health insurance plan, such as how important is a higher deductible versus lower premiums or the importance of having maternity coverage or the importance that someone might attach to a particular doctor.

All of those judgments, which are so personal, are taken away from individuals in ObamaCare. That is not for Americans to decide. You will take the plan that is available to you and approved by the government, period. By the way, you are breaking the law if you don't, and you will be assessed a fine.

This is outrageous. This is not the society we have always been, but it is really just the most recent and egregious example of this warning that Hayek gave us—this arrogance of big government. I would argue that it is an offensive affront to the freedom of the American people, and it is predictably and sensationally a failure.

I note the absence of a quorum.

The PRESIDING OFFICER (Mr. BOOKER). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

(Mr. MURPHY assumed the Chair.)

(Mr. DONNELLY assumed the Chair.)

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KING). Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I ask unanimous consent to speak until the top of the hour.

The PRESIDING OFFICER (Mr. PRYOR). Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I come to the floor today, as I have over the past several years, to talk about issues affecting this country. I know there is a nomination we are discussing on the floor, and I have concerns about the issues related to that nominee and the way that nomination has been brought forward because it was done by what I believe to be an abuse-of-power move in a way that resulted in voting in the middle of the night, discussions in the middle of the night—all, in my opinion, to distract from the disaster of the Obama health care law.

The Obama health care law continues to affect people all across the country. What we saw on October 1 in the great debacle of the rollout of the Web site was really just about a Web site on October 1. But come January 1, it will be about real people who have lost their insurance who are going to be hurt personally in terms of their own health by this terrible law.

So I come to the floor, as I have week after week since the law passed, to talk about concerns I have as a doctor, someone who has practiced medicine in Wyoming for 24 years as an orthopedic

surgeon, taking care of people from around the State, and someone who as a medical doctor was director of a program called the Wyoming Health Fairs aimed at giving people low-cost blood screens, having health fairs people can attend from around the State where they can check their blood results and visit with doctors and nurses and others in the community about issues of heart disease, diabetes, all aimed at preventing disease, early detection of problems, and lowering the cost of their care.

So I had great interest when this health care law was proposed and while watching it unfold. The concerns I had as it was passed continue today, and I think more and more Americans are seeing that those concerns are being realized in their own lives. And that is what it is about—people's lives.

The Web site failures are just the tip of the iceberg. What people are seeing now all across the country are higher premiums, and there are stories rampant around the country.

I still recall the President of the United States saying that by the end of his first term, insurance premiums would be down \$2,500 per family. Instead, families are paying much more for health insurance. There are concerns, obviously, because of canceled coverage. Around the country, over 5 million folks, I understand from recent accounts, have received letters saying that they have lost their insurance, that their insurance will be canceled effective January 1.

The President promised: "If you like your doctor, you can keep your doctor." But now we are seeing that many people aren't keeping their doctors. Even though they like their doctors and want to keep their doctors, they can't.

There are issues of fraud and identity theft that we are hearing about on a daily basis. The chief of staff of one of the Members of the Senate was applying on the Obama health care Web site, the government Web site, trying to get insurance just this Monday, and it sure looked like the Federal Web site and he thought he was on the Federal Web site and was putting in information. Then it goes to a screen where they wanted to know his bank account number and his PIN number.

He said: This can't be right.

He called the help line and spent over an hour on the phone, and they ultimately said: No. Get off of that. It can't be the Federal Government Web site. Get off of it.

He was focused enough to think, this can't be right, but the fraud is going to be rampant, we know that, and identity theft as well.

And then we are seeing huge problems with higher copays and deductibles.

I have with me a couple articles. Wednesday's Wall Street Journal has

their recent poll numbers. "Health Law Hurts President Politically." The sub-headline is that the disapproval rate of Obama's job performance rises. "The disapproval rate of the President's job performance now rises to an all-time high of 54 percent," it says, "even as Americans are upbeat on the economy." So it is not the economy that has people so disappointed and disapproving of the President.

Let me read a couple paragraphs because this is about the President of the United States and what we would want in a President of the United States in terms of credibility with the American people.

The Federal health-care law is becoming a heavier political burden for President Barack Obama and his party, despite increased confidence in the economy and the public's own generally upbeat sense of well-being, a new Wall Street Journal/NBC News poll suggests.

They go through how the poll was conducted, but people across the country believe the NBC/Wall Street Journal poll is a true reflection of what is happening nationwide.

It says:

Disapproval of Mr. Obama's job performance has hit an all-time high in the poll, at 54 percent, amid the flawed rollout of the health law. Half of those polled now consider the law a bad idea, also a record high.

This is a big-time survey of 1,000 adults, and this is really a disturbing part for us as a nation and should sadden all America:

The survey of 1,000 adults conducted between Dec. 4 and Dec. 8 found a sharp erosion since January in many of the attributes—honesty, leadership, ability to handle a crisis . . .

These are abilities we want in a President. We want a President who is honest and who is perceived by the public as honest. We want a President who can handle a crisis and is perceived by the public as being able to handle a crisis. But they say there has been "a sharp erosion since last January in many of the attributes—honesty, leadership, ability to handle a crisis—that had kept Mr. Obama aloft through the economic and political turmoil of his first term."

The poll goes on and asks: In terms of the impact of the President's health care law, is this going to have a positive impact on you and your family? Fewer than one out of eight people in the country today believes this health care law will have a positive impact on them and their family. We are changing the entire health care system of the country, and only one out of eight people believes it is actually going to help them?

The performance of the President is considered to be very bad, a significant disapproval, and it is because of the health care law.

People look at this and they say: What does this mean to me? How is this going to affect my life? Those are

the issues we talked about here. People are being hit with the incredible increased costs. They say: Well, there are some policies that may be a little bit cheaper, the so-called bronze policies. So the New York Times took a look at that. Again, these are articles from just this week.

This is from Monday, December 9: "On Health Exchanges, Premiums May Be Low, but Other Costs Can Be High." This is by Robert Pear this Monday, a well-known writer who does his research and gets the facts. He says, "But as consumers dig into the details . . ."—boy, that is a key phrase because I believe that so many people who voted for this health care law never looked into the details, didn't know what it meant, didn't know what was going to be in it because NANCY PELOSI famously said: First you have to pass it before you get to find out what is in it. Well, Americans are now looking at it, digging into it.

Robert Pear in the New York Times said:

But as consumers dig into the details, they are finding that the deductibles and other out-of-pocket costs are often much higher than what is typical in employer-sponsored health plans.

So what they actually have to pay out of their pockets is much higher than in employer-sponsored health plans.

Well, people really care about what they have to pay personally for things.

The same day, the Wall Street Journal, Monday, December 9, page 1.

"High Deductibles Fuel New Worries of Health-Law Sticker Shock"—the same information that we have seen there in the New York Times.

It says the average individual deductible for what is called the bronze plan on the exchange, the plan I was talking about a little earlier, which is the lowest priced average deductible is \$5,081 a year, according to a new report on insurance offerings in 34 of the 36 States that rely on the federally—Washington-run—online marketplace. That is 42 percent higher than the average deductible last year on plans that were purchased. This is before the Federal law took place. "High Deductibles Fuel New Worries of Health-Law Sticker Shock."

I heard the President say the States that have done it have done it very well. It is astonishing. When you turn to the second part of this article, page A6 says "Deductibles Fuel New Worries of Health-Law Sticker Shock." What about the States doing their own plan? The headline above that: "Health-Site Snafus Plague Maryland," a State that has decided to do their own Web site.

This is from Monday:

Maryland is struggling to fix its troubled health-insurance website more than two months after it opened, showing how technology woes are affecting more than just the federal system.

We see it is not just the Web site—one article about the bad Web site, the

next article is about higher copays and deductibles. Interestingly, the official in charge of Maryland's insurance marketplace resigned after criticism of her decision to take a vacation in the Cayman Islands during Thanksgiving week. New statistics released Friday showed just a trickle of customers signing up for private coverage in the State.

It is interesting that States are having problems and the Federal Government is having problems. People wanted to keep their insurance. They wanted to keep their insurance. They liked their insurance.

I talked to a woman—a rancher in Wyoming—at the Farm Bureau meeting. She lost her insurance. Her insurance worked very well for her and her family, but she lost it because it didn't meet President Obama's criteria of the 10 different standards that had to be met. She knows me and called me Doc because I had known her, and I am a doctor in Wyoming. She said it is interesting that the reason she lost her insurance is because it didn't include maternity coverage.

She said, Doc, I had a hysterectomy. I don't need maternity coverage. She said, I know I don't need maternity coverage, but apparently President Obama believes she needs maternity coverage. The Democrats in the Senate believe she needs maternity coverage.

The question is, Who is the best judge for you and your family? Is it the government or the Democrats who believe they know better than you do or the freedom-loving Americans who believe they can make their own decisions about their lives and their families and what insurance they want or do not want.

People wanted to keep their insurance. They weren't allowed to, but the President said they could. Time and time again, the President said people could keep their insurance if they liked their insurance. I think that is one of the major reasons the President's credibility has dropped.

As a matter of fact, there is a non-partisan fact checker called PolitiFact, and each year they go through lots of comments and lots of statements that are made, and they came out last night with their lie of the year. They do this every year—the lie of the year. The lie of the year that came out from PolitiFact for the year 2013 was: If you like your health care plan, you can keep it. We all know who said it—the President of the United States.

They go on to say he didn't just say it once. We counted dozens of times that President Barack Obama said if people like their health plan, they can keep it. They go on to say:

It was a catchy political pitch and a chance to calm nerves about his dramatic and complicated plan to bring historic change to America's health insurance system. "If you like your health plan, you can

keep it," President Barack Obama said many times, but the promise was impossible to keep.

This fall, as cancellation letters were going out to approximately 4 million Americans, the public realized the President's breezy assurances were wrong and, therefore, they have given it the lie of the year.

People saw this coming. Republicans saw this coming. My colleague from Wyoming, Senator MIKE ENZI, saw this coming. That is why he came to the floor years ago and said: People are going to lose their coverage. People are going to lose it. He brought a resolution to the floor because he actually reads the Federal Register, and he saw the regulations that came out.

He came to this floor with legislation to say: Wait a second. If you truly believe people can keep their coverage, you have to adopt this piece of legislation so people truly can keep their coverage. Yet we saw Republicans vote with Senator ENZI, saying let people keep their coverage. We saw Democrats say, forget it, Senator ENZI, we don't believe you are right.

The President was wrong; Senator ENZI was right.

There was a letter to the editor in the Powell Tribune in Powell, WY, with the headline "Enzi saw ACA impacts beforehand, shows value of Senator ENZI."

Dear Editor: Fox News had a very interesting and informative program Tuesday evening Nov. 6 on "The Kelly Files with Megyn Kelly."

As anyone who watches Fox News knows, they are covering the beginning effects of the Affordable Care Act, also known as ObamaCare, as it is being implemented. Megyn Kelly began her program stating she had a special guest who had predicted three-and-one-half years ago almost exactly what will happen when the ObamaCare law guess into effect this October.

Her special guest was our own Wyoming senior Senator MIKE ENZI and he had made his predictions in a speech on the Senate floor three-and-one-half years ago. He was then called a fearmonger by the Democrats and a radical rightwinger. Senator ENZI was probably one of a very few elected officials who had actually read the bill.

Senator ENZI reads all the bills. He understands the bills and the implications and then reads the Federal Register so he knows what is in them. He then brings to the floor thoughtful pieces of legislation to actually make things better for the American people, not worse.

What we are now seeing is that people can't keep their insurance. They are losing their insurance, their doctor, and losing their hospitals. It is interesting in terms of being able to not even keep your doctor, not being able to go to the hospital you prefer.

I would like to talk for a few seconds about the doctor-patient relationship and why when the President says: "If

you like your doctor, you can keep your doctor, period," that actually caused comfort for people. But, again, that is another broken promise. It is not necessarily ranked by PolitiFact to the level of, "If you like your coverage, you can keep your coverage," because people have gotten the letters. Next year we will see more and more people who will not be able to keep their doctor.

As a doctor, I wrote an article that appeared on Wednesday of this week in *Investors Business Daily* called "ObamaCare Disrupts the Delicate Relationship Between Patient and Doctor." I would like to share parts of it now specifically because this past weekend on one of the Sunday talk shows Rahm Emanuel's brother Ezekiel Emanuel, who was one of the architects of the President's health care law, which was written behind closed doors, was on one of his talk shows responding to a question about the President's comment, "If you like your doctor, you can keep your doctor." Can you really keep your doctor?

What I wrote in this column December 11 was:

A central architect of the President's health care law admitted this week that the often repeated promise that "if you like your doctor, you can keep your doctor" simply isn't true.

Instead, Dr. Ezekiel Emanuel explained that if you like your doctor, you will simply need to pay more to keep your doctor.

As a physician, I know firsthand how this will hurt many Americans.

I write about how families look to doctors as trusted friends, confidants, counselors, and turn to them for advice in making life-and-death decisions.

In Wyoming, patients have included me in graduations, weddings, and asked me to serve as a pallbearer at funerals. They have asked me to pray with them, referee family disputes, and provide reassurance when a doctor they didn't know was called in to consult.

Norman Rockwell's painting "Doctor and Doll" tells the story. A little girl holds up the doll as the trusted family doctor listens with a stethoscope. A caring and compassionate physician takes the time to reassure a concerned little girl.

The doctor-patient relationship is a very special bond. It requires faith and trust for a patient to allow me to cut into their body to remove a tumor, to replace a wornout joint, to fix a broken bone, to repair a torn ligament, and above all else, to do no harm.

The President knew of that special relationship between people and their doctors. That is why when he was trying to gain support for the health care law, he made a clear and simple promise to the American people. The President said: "If you like your doctor, you can keep your doctor, period."

Now people all across the country are finding out that they can't keep their doctor. The same law that has caused

millions of Americans to lose the health insurance that worked for them is now causing them to lose their doctor.

People who are shopping for insurance on government exchanges are being forced to purchase insurance for things they don't want, don't need, and will never use. To keep costs down, many of these policies limit the doctors and hospitals that patients can use.

Some of the Nation's premier hospitals—including the Mayo Clinic and Cedars-Sinai Medical Center—are excluded from many insurance exchanges in their networks. Some of the best children's hospitals in the country are also excluded from the exchanges. This means a child with cancer may lose access to his or her doctor and their specialty hospital. Why? Because of the law.

In New Hampshire, 10 of the State's 26 hospitals are excluded from the only carrier that offers insurance in the exchange. The head of the medical staff at one of the excluded hospitals in New Hampshire has learned that her plan does not even let her, the chief of staff of the hospital, seek treatment at her own hospital.

The situation can be equally bad for seniors on Medicare. Thousands of doctors caring for seniors on Medicare Advantage have been dropped from their networks. Those Medicare patients are now going to be challenged to find a new doctor to take care of them.

The President's health care law is making it harder for doctors as well as for patients. Doctors know their patients. They know their health history, they know their lives, and doctors value the personal relationship as much as the patient does.

People become doctors in the first place to take care of their patients. Even if someone is able to keep their doctor, they will not necessarily be able to spend as much time with them as they might like to. That is because nearly two-thirds of doctors expect to have to spend more time on paperwork under the requirements of the law.

This isn't at all what the President promised the American people. People all across America put their faith and their trust in Barack Obama when they elected him President. It is the same kind of faith and trust they have in their own doctor. When patients lose trust in their doctor, as citizens they are now losing faith in their President, it is extremely difficult to regain that trust.

So I continue to hear from my patients in Wyoming. They have always had my home phone number. They are anxious. They are angry. They know what they want from the health care reform. They want access to quality affordable care. That is not what they got with this law. Now many face losing the doctor who has always been there for them.

If President Obama wants to regain the trust of the American people, he will sit down with Republicans to deliver reforms that will help all Americans and fully protect the doctor-patient relationship. After all, President Obama has his own doctor at the White House, a doctor who is dedicated to the President's care. I am sure the President values his relationship just as much as other Americans value their relationship with their doctor.

I continue to come to the floor. I see my colleagues are arriving. I would call their attention to this issue, as they say we have to make the coverage for all these things, they feel they know what is best for American patients, we need to provide psychiatric insurance an coverage, and I have voted to provide parity for psychiatric care, but yesterday's New York Times article by Robert Pear, "Fewer Psychiatrists Seen Taking Health Insurance." So the insurance the President is providing for people doesn't actually help them. It maybe makes the President feel better, but it is not helping people get care.

The President has been very confused and used the word "coverage" when he should have been talking about actual health care for people, providing physicians to take care of them so people can get what they need in health care reform, the care they need, from a doctor they choose, at lowers costs.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The question occurs on the nomination.

The question is, Will the Senate advise and consent to the nomination of Deborah Lee James, of Virginia, to be Secretary of the Air Force?

Mr. BARRASSO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from South Dakota (Mr. JOHNSON), the Senator from Maryland (Ms. MIKULSKI), the Senator from West Virginia (Mr. ROCKEFELLER), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Missouri (Mr. BLUNT), the Senator from Indiana (Mr. COATS), the Senator from Oklahoma (Mr. COBURN), the Senator from Tennessee (Mr. CORKER), the Senator from Idaho (Mr. CRAPO), the Senator from South Carolina (Mr. GRAHAM), the Senator from Utah (Mr. HATCH), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay."

The PRESIDING OFFICER (Mr. LEVIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 79, nays 6, as follows:

[Rollcall Vote No. 270 Ex.]

YEAS—79

Ayotte	Gillibrand	Murray
Baldwin	Grassley	Nelson
Barrasso	Hagan	Paul
Baucus	Harkin	Portman
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Heller	Reid
Boozman	Hirono	Rubio
Boxer	Hoeben	Sanders
Brown	Isakson	Schumer
Burr	Johnson (WI)	Scott
Cantwell	Kaine	Sessions
Cardin	King	Shaheen
Carper	Klobuchar	Shelby
Casey	Landrieu	Stabenow
Chambliss	Leahy	Tester
Cochran	Lee	Thune
Collins	Levin	Toomey
Coons	Manchin	Udall (CO)
Cornyn	Markey	Udall (NM)
Cruz	McCaskill	Warner
Donnelly	McConnell	Warren
Durbin	Menendez	Whitehouse
Enzi	Merkley	Wicker
Feinstein	Moran	Wyden
Flake	Murkowski	
Franken	Murphy	

NAYS—6

Fischer	McCain	Roberts
Johanns	Risch	Vitter

NOT VOTING—15

Alexander	Corker	Johnson (SD)
Blunt	Crapo	Kirk
Booker	Graham	Mikulski
Coats	Hatch	Rockefeller
Coburn	Inhofe	Schatz

The nomination was confirmed.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Heather Anne Higginbottom, of the District of Columbia, to be Deputy Secretary of State for Management and Resources.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

QUORUM CALL

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair now directs the clerk to call the roll to ascertain the presence of a quorum.

The legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 12]

Ayotte	Franken	Murphy
Baldwin	Gillibrand	Murray
Barrasso	Hagan	Nelson
Baucus	Harkin	Portman
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Heller	Reid
Boozman	Hirono	Risch
Boxer	Hoeben	Rubio
Brown	Isakson	Sanders
Burr	Johanns	Schumer
Cantwell	Johnson (WI)	Scott
Cardin	Kaine	Sessions
Carper	King	Shaheen
Casey	Klobuchar	Shelby
Chambliss	Landrieu	Stabenow
Cochran	Leahy	Tester
Collins	Levin	Thune
Coons	Manchin	Toomey
Cornyn	Markey	Udall (NM)
Cruz	McCain	Vitter
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Moran	Wyden
Flake	Murkowski	

The PRESIDING OFFICER. A quorum is present.

The majority leader.

Mr. REID. Mr. President, I have an announcement. I realize everyone is tired, anxious, and some are a little concerned about everything.

I have had, especially late last night and early this morning, conversations with Republicans and Democrats as to what we should do this weekend.

The next set of votes will come shortly before noon today. Then we will have another set of votes this afternoon. Absent consent, the Senate will vote late Saturday, about 10:30 or thereabouts, on confirmation of Jeh Johnson to be the Secretary of Homeland Security.

The Senate has already received a budget bill from the House. We expect momentarily to receive the Defense bill from the House. I wish to have the Senate process these important bills as quickly possible. I plan to move to proceed on these bills as soon as we can. That would be as soon as we handle the pending nominations that are now before this body.

Thereafter, there are certain things we need to do before Christmas break. We need to do those two important bills, the budget and defense. We have to do the Chair of the Federal Reserve system. There is an Under Secretary of State that is very urgent, according to John Kerry. We have a Deputy Secretary of Homeland Security, Under Secretary of Department of Interior, the head of the Internal Revenue Service, and the remaining judge on the D.C. Circuit. There have been requests from everybody—I shouldn't say that—lots and lots of people to do other things, but we are limited as to what we can do before next weekend. There are some other nominations that we are happy to discuss with individual Senators.

So it would be my suggestion that we go ahead and do this vote; during this vote, and prior to the next series of votes, I will meet with the Republican

leader to see if there is a way we can give some time, especially to the staff, over the weekend. These people have worked extremely hard, and I haven't heard a complaint from a single one of them, quite frankly.

I went up last evening and visited the court reporters. We have 18 court reporters, and up on the 4th floor they have been sharing—for a little respite—two beds and taking naps, or at least trying to lie down and rest for a bit. They are working in 15-minute shifts, and they have been doing that for days now. So if we can work that out, I would be happy to do that.

My goal is we would wind up at the same place on Monday in the evening as we would wind up if we did all this stuff over the weekend. So I am happy to be as cooperative as possible. Christmas is on its way, and there are certain things we need to have done. There are lots of other things we need to do, but we are probably not going to be able to do those.

So I have laid out for everyone a broad scope of the schedule. I will meet with my friend the Republican leader and see if there is some way we can do this; otherwise, we will just proceed on.

The good news is that following the vote this afternoon, we wouldn't have anything until tomorrow night under the schedule as now listed.

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate be brought to a close on the nomination of Heather Anne Higginbottom, of the District of Columbia, to be Deputy Secretary of State for Management and Resources.

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from South Dakota (Mr. JOHNSON), the Senator from Oregon (Mr. MERKLEY), the Senator from Florida (Mr. NELSON), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Hawaii (Mr. SCHATZ), and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Missouri (Mr. BLUNT), the Senator from Oklahoma (Mr. COBURN), the Senator from Tennessee (Mr. CORKER), the Senator from Idaho (Mr. CRAPO), the Senator from South Carolina (Mr. GRAHAM), the Senator from Utah (Mr. HATCH), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay."

The yeas and nays resulted—yeas 51, nays 34, as follows:

[Rollcall Vote No. 271 Ex.]

YEAS—51

Baldwin	Franken	Murkowski
Baucus	Gillibrand	Murphy
Begich	Hagan	Murray
Bennet	Harkin	Pryor
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Reid
Boxer	Hirono	Sanders
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Landrieu	Tester
Casey	Leahy	Udall (CO)
Collins	Levin	Udall (NM)
Coons	Manchin	Warner
Donnelly	Markey	Warren
Durbin	McCaskill	Whitehouse
Feinstein	Menendez	Wyden

NAYS—34

Ayotte	Grassley	Risch
Barrasso	Heller	Roberts
Boozman	Hoeben	Rubio
Burr	Isakson	Scott
Chambliss	Johanns	Sessions
Coats	Johnson (WI)	Shelby
Cochran	Lee	Thune
Cornyn	McCain	Toomey
Cruz	McConnell	Vitter
Enzi	Moran	Wicker
Fischer	Paul	
Flake	Portman	

NOT VOTING—15

Alexander	Graham	Merkley
Blunt	Hatch	Mikulski
Coburn	Inhofe	Nelson
Corker	Johnson (SD)	Rockefeller
Crapo	Kirk	Schatz

The motion was agreed to.

NOMINATION OF HEATHER ANNE HIGGINBOTTOM TO BE DEPUTY SECRETARY OF STATE FOR MANAGEMENT AND RESOURCES

The PRESIDING OFFICER. The clerk will now report the nomination.

The assistant bill clerk read the nomination of Heather Anne Higginbottom, of the District of Columbia, to be Deputy Secretary of State for Management and Resources.

The PRESIDING OFFICER. Under the provisions of S. Res. 15 of the 113th Congress, there will now be up to 8 hours of postcloture consideration of the nomination, equally divided in the usual form.

Who yields time?

If neither side wishes to yield time, the time now will be equally divided.

The Senator from Kansas.

Mr. ROBERTS. Mr. President, I wish to take a short time here to discuss a situation which I think is gaining some attention in the actual news media on a continuing basis.

But with the Affordable Care Act and what we are doing or not doing here on the floor of the Senate with regards to the 51–50 controversy, perhaps we overlooked the number one obligation we have as Members of this body, and that is our national security, the defense of our individual freedoms, and the part we play in determining the same kind of objectives—liberty and freedom—all throughout the world. I am talking about foreign policy, and I am talking about the very dangerous situation that we face with regard to Iran.

On November 24 the United States, Germany, France, China, Great Britain, and Russia signed an interim agreement with Iran regarding its nuclear weapons program. The President and Secretary John Kerry, former colleague, have applauded this deal.

The President has claimed: We have opened a new path forward toward a world that is more secure. The Secretary of State, who came before us this week and gave Senators a briefing, argues: This is why we had sanctions in the first place.

With all due respect, I disagree. The world, it seems to me, is not a safer place, and in 6 months I do not believe we will be one step closer to dismantling Iran's ability to produce a nuclear weapon.

This administration is asking us to trust a regime which has been clear on its intentions, quite frankly, to wipe Israel off the face of the planet—their words—and, is the world's largest state-sponsor of terrorism, sponsor of the Assad regime, Hezbollah, and Hamas.

I don't think that represents a step toward security. I think that is misguided at best. This, to me, is not a good plan. I would even reverse that to say it is a bad plan.

At this moment, the administration is asking—rather pressuring—Congress to back down from additional sanctions which many of us have supported and think would certainly a better thing to do at this particular time. At any rate, this is not a request that I can oblige. Sanctions are, indeed, the reason that Iran has decided to come to the table. But coming to the table and honestly negotiating are certainly two different things.

If the reports are true, the administration has been holding secret talks with Iran for months. I do not know what was discussed during those talks. I am not sure that anyone in the Senate really does know. What did the State Department, the Treasury Department, and the President offer to bring Iran to the public stage? It seems to me that should be transparent. So I think the Congress and the American people are left to wonder with regard to transparency what was arranged before this deal or this peace plan?

The bigger problem is that it has taken painstaking effort on the part of those like myself and others in this body who care about our Nation's security and the security of our allies to implement sanctions to the strength that we have today. It has taken a decade. It has taken six actions by the Security Council of the United Nations, 10 years of work, and a tremendous effort to finally get people on board. But now the President is asking us to back off after we have gained the support of the international community and just begun to make inroads.

The administration is offering to cut back now on these sanctions and to

allow the Iranian government to continue enriching the uranium. Why? It is widely accepted that the Iranians have no real use for enriched uranium to use for nuclear power because Russia provides fuel supplies for its sole operational nuclear power plant. But they do have use for enriched uranium to contribute to the assembly of a nuclear weapon.

Why should we back off and only get promises? Why should we not keep applying pressure on Iran through sanctions until they give up their entire program? It seems to me that it would be in our best interests that Iran would commit to several things for this deal to be a true step for security. I am just going to mention a few. No. 1, let's just get to the heart of the matter: Public acceptance for the Jewish State of Israel and to allow for the peaceful co-existence of the Israeli people in the Middle East. Nobody in Iran has agreed to that. That is the main issue, the right of Israel to exist. That should be the foundation that we have to start all talks.

Then we should have reporting and inspection access to the Parchin facility, and full details of the undeclared nuclear activities.

Third, dismantling of Iran's plutonium-producing heavy water reactor at Arak. Fourth, the construction of new centrifuges has to stop. Last, an end to all enrichment. Unfortunately this agreement fails to include any of these points.

If the purpose of sanctions was to get Iran to the negotiating table, how did we walk away without getting what we need, a complete end to Iran's nuclear program? Difficult, but certainly the overarching and primary goal. For a decade, Iran has openly disregarded the tenets of the nuclear nonproliferation agreement, legally binding resolutions passed by the United Nations Security Council, and mandatory inspections by the International Atomic Energy Association, the IAEA. All of this, completely disregarded by Iran's regime.

But the President believes we should trust them. Why? Because Hassan Rouhani has been elected President? On the international scene he certainly is a smiling presence. It is well accepted, however, that the Supreme Leader, Ayatollah Khamenei, does actually control everything in Iran, including its nuclear policy, meaning that Mr. Rouhani's election equates with no change in Iran, except in regards to its public face.

It seems to me this is why we cannot back off now. Many of my colleagues, in particular—Senator KIRK and Senator GRAHAM—are working on a new phase of sanctions. They are tough sanctions and I am right there with them.

I do not have any faith with regard to where the Iranians claim they will be in six months. Israel's Prime Minister,

Benjamin Netanyahu, has called this a "dangerous blunder." He has warned "Israel has the right and the obligation to defend itself by itself against any threat."

It concerns me that the administration has no Phase II plan in place for the end of this 6-month period. If in fact we ease the sanctions, which we are doing, and people take advantage of easing those sanctions and are doing business with Iran, to put those same sanctions back in place, or tougher sanctions back in place, is going to be very difficult. One of my colleagues described this as once the toothpaste is out of the tube you can't put it back. Ten years, six different attempts in the Security Council finally taking a stand—how do you put back the sanctions that we have had in place that brought Iran to the table if in fact at the end of this period no progress is being made? Not to mention the tougher sanctions that we have proposed.

It is a real concern. The administration's hope, of course, is that this leads to a stronger long-term agreement. I hope this works out but I am highly skeptical. When the interim agreement is up, I think Iran will remain capable of producing a nuclear weapon in a mere few weeks because we are not asking more of this regime. At that moment we must have very strong sanctions in place to make sure that Iran does not weaponize with regard to its nuclear capability.

I fully support a new round of sanctions, and I will continue to work with my colleagues to ensure that these are passed before the 6-month period is over. Unfortunately, if we do not take this kind of action, Iran is set to gain everything while the United States loses, not just the United States but Israel and Europe as well. Ending Iran's nuclear weapons program entirely is what I consider a path toward a world that would be more secure.

In today's issue of the Wall Street Journal, there is an editorial called "Mood-Music Diplomacy On Iran." Basically, it simply states more sanctions would strengthen the United States leverage with Tehran. It closes by saying that Secretary Kerry "now likes to quote Ronald Reagan's 'trust but verify' mantra for dealing with Iran." But it goes on to say, "But the Gipper's real legacy was to show resolve when it counted. The Obama administration and their opposition to new sanctions with a delayed trigger feeds suspicions," according to this editorial, "that it is eager to accept just about any agreement with Iran." And it states, "Members of Congress from both parties who want a good and credible deal can help by passing this sanctions bill."

I think that is advice well taken.

I yield the floor.

THE PRESIDING OFFICER (Mr. KAINE). If there is nobody who seeks

recognition, the time will be equally divided.

Mr. ROBERTS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PRYOR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRYOR. Mr. President, I yield back the Democrats' time on this nomination.

The PRESIDING OFFICER. All Democratic time is yielded.

Mr. PRYOR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HIRONO). Without objection, it is so ordered.

Mr. COATS. Madam President, we are now in about the third day of a somewhat tortured process that was the result of a power grab that has changed the tradition of the Senate, a tradition which held for about 225 years.

Republicans are frustrated with the successful attempt made by the Democratic Party under its leader to change the rules—to break the rules to change the rules. So we end up with no rule, no rule relative to protecting the rights of the minority.

I know it is easy for those who have been elected in recent years and who have never served in the minority because they simply don't have the experience of what it is like to be subject to a leader and a party which basically says: We don't care what you think, we don't care what you say, we don't care what you do, none of it will be allowed unless we give you consent to do it. I know a lot of my friends across the aisle have said: It is your party that is holding things up and you are making the Senate a dysfunctional institution. What they haven't done is ask: Why are you doing this?

First of all, I don't believe we are the ones making it dysfunctional, but even if one thinks that, the question has not been asked: Why are you doing this? We are doing this because we have 3 years, or more, of pent-up frustration under the leadership of this majority leader who has essentially turned the Senate into the House of Representatives.

People say: Well, what is wrong with that? Majority vote rules on just about everything else we do, so why shouldn't majority vote rule here? The Senate was not set up that way. It is famously

known that the Senate was set up to be a place where tempers could be cooled, passions could be cooled, something could be debated and worked on. And if major legislation is passed that affects this country significantly, it is passed in a bipartisan fashion, following thorough debate. And we have always had a provision which basically says those in the minority will have their right to participate in the debate and have their right to offer amendments.

We have been shut down from offering amendments, and there has been growing frustration on our side because this is not how the Senate has worked traditionally. This has not how it has worked historically. This is not how it has worked according to the Founding Fathers' determination of protecting the Senate, giving Members an extra long term, giving Members the opportunity to use the agreed-upon rules to allow the right of someone in the minority to speak up.

Democrats are going to rue the day when they made this move, when they jammed this down our throats and said: If you don't like it, tough. Because at some point the pendulum will swing, and I think maybe sooner than a lot of people think; 2014 looks like a turnaround year. If it is, they are suddenly going to find themselves in the minority, and we will see what happens and whether they will learn what it is like to be denied the opportunity to be elected to the Senate and be a Member of this body, to be 1 of 100 people who are chosen to represent their States and represent the United States of America, and yet be shut down from having any opportunity whatsoever to have a voice in what goes forward here, shut down from offering your thoughts, your amendment, and the ability to represent your State, and to be told by the majority leader: I will decide whether you can have an amendment. And, by the way, I will use procedures to make sure you can't have your amendment debated.

I have had the privilege of serving on two different occasions. I came in early 1989 and served 10 years in the Senate. I don't recognize the Senate today. I came back in 2010, 12 years later, and I don't recognize this place. This is not the Senate I joined in 1989. It was under Democratic control, like today, but it is different now. George Mitchell was the majority leader at that time. The Democrats had the majority. They controlled the Senate. I had served 10 years in the House of Representatives, along with my colleague from Kansas, Senator ROBERTS, who is here listening to me speak, and I appreciate that. We have gone through this same experience. But when I served before under Democratic leadership I realized what the difference was between the upper Chamber and the lower Chamber.

Under the genius of our Founding Fathers, the lower Chamber is elected

every 2 years to represent the immediate concerns of the people of their State or their districts, and the Senate is given the opportunity to step back and take a broader look and work to fashion bipartisan support so something major that impacted the American people and impacted our constituents was debated and worked out through the process and gave us an opportunity to say: Wait just a minute. Do we want to rush to judgment or do we want to just step back and look at the larger picture?

So as a minority Member of the Republican Party in 1989 and following all the way up to 1995, I enjoyed and revered the opportunities I had to represent Hoosiers. Former Members of the House would ask me: What is the difference between serving in the House and serving in the Senate? And I would say: In the House, the majority party rules and you are lucky if you can get the Rules Committee over there to allow you to have an amendment on a particular bill.

Every once in a while it would happen and you would say: Wow. This is special. But in the Senate, every minority Member can offer any amendment to any bill at any time.

That is a great privilege that had been afforded to us and a necessary privilege. Because without it, you get stuff rammed down your throat that doesn't have bipartisan support, and you are denied the opportunity to participate, to amend, to adjust, to be a part of fashioning something that can be accepted by the American people with support from both sides.

So this boiling-up frustration that has been happening is increasing under the leadership of this majority leader, who simply says: I am going to turn this into the House. I am going to change the 225-year tradition of this institution to something entirely different, and forget it, you guys on the other side, you in the minority. You don't have the rights you once used to have.

I respected majority leader George Mitchell. He was tough. He ran this place like clockwork. We were in late at nights a number of times, but every Member of the minority had the opportunity and the right to offer an amendment, the right to participate, and the right to be heard. George Mitchell, as majority leader, recognized those rights and he would say: Guys, ladies, you can offer any amendment you want. We will take it up. We will have a vote on it. You may win, you may lose, but you have that right.

So the reason we are frustrated, and the reason we are using some procedures now, which are denying all of us a lot of sleep to make plans for the Christmas season with our families is that this frustration with the majority leader has boiled over. The last insult was basically saying: Forget it. Forget

the rules, forget the procedures, and forget the courtesy. Forget the privilege. Forget the rights you have enjoyed for all these years in the Senate. We are going to turn this into a different place and you just take it or leave it. So we are kind of left with very few resources in being able to express how we feel.

I think there is an easy solution to our problem, and it starts, No. 1, with an understanding of the frustration each side has, but it has to include the understanding of why they are frustrated. It is not just the Democrats who are frustrated with the Republicans trying to use techniques that will allow us to at least have a say in how things are working here but also frustration among Republicans. We're frustrated that bill after bill, time after time, we have amendments we would like to offer, amendments that represent the wishes of the people of our States, our constituents and we are being denied that opportunity by the majority leader.

Mr. ROBERTS. Would the distinguished Senator yield?

Mr. COATS. Not everyone calls me distinguished, but I am happy to yield to someone who does but also a good friend.

Mr. ROBERTS. There is a good reason for that. We both came to the House at the same time. We were sorry to lose the Senator to the Senate.

I truly appreciate what the Senator has said. It reflects conversations we both have had to try to educate, to get to know or understand a little better what our colleagues across the aisle are doing and why this is taking place and describe what our frustrations are. But the Senator has summarized them very well.

I urge my colleagues across the aisle to take the Senator's suggestions—and plea on behalf of us all—to heart and would encourage everybody who has nothing else to do around here to read the CONGRESSIONAL RECORD and the Senator's remarks and take them to heart.

I remember so well, when I came to the Senate in 1996—and the Senator was here—I had an amendment I wanted to offer. Being a Member of the House for 16 years, what we had to do in the House was to check with the chairman. We served in the minority and then the revolution came in 1994 and things changed. But then, we had to go to the Rules Committee, which the Senator has pointed out was a very unique experience. I remember then what I had to do to get anything done in the House is I basically had to find a Democratic colleague—a friend who was serving in the majority—to co-sponsor the bill which I had, put his name first, and then go to the Rules Committee to make it in order so that my bill and his bill could work. My partner in this effort was Congressman Charlie Stenholm.

When I first went to the Rules Committee in the House, I had not been to the Rules Committee and I thought the debate would be about germaneness or whether this bill should be considered or was it timely, et cetera. I find out it was just a debate all over again on the merits of the bill. On a partisan, party-line vote, they would deny any Republican amendments.

So Stenholm was a partner in that effort with that bill. I can't even remember which one it was at this particular time, but it was my first big attempt and it was on the farm bill. We had mutual concerns and we thought it was a good amendment. It was the Roberts-Stenholm bill. It didn't take me very long to figure out that the Roberts-Stenholm bill was going nowhere. So Charlie leaned over and said: It might be a good idea if this was the Stenholm-Roberts bill or maybe just the Stenholm bill, and I said: I think you have got a pretty good idea.

So for a while it became the Stenholm bill, and it was made in order. Then, on the floor, Charlie Stenholm, being the kind Member he was, all of a sudden it became the Roberts-Stenholm bill again and it passed and, voila, my first amendment on the floor of the House.

So I had another amendment, this time in the Senate—and I know the Senator remembers well, because we were standing right about down here and I was asking him—I had checked with the ranking member and the chairman. At that time we were in control and we had the majority. I had a very simple amendment. I will not go into it, but it was referred to the Health, Education, Labor and Pensions Committee. I was checking around with the ranking member and whom-ever, and they looked a little surprised that I was even checking with them.

The chairman of the committee, a Republican chairman, indicated: I would just as soon you wouldn't do that because we have a completed bill. We'll put it through the committee. I think your amendment has merit.

I knew I had bipartisan support for it and I knew it was a very easy amendment that would pass. But he told me: Just wait. We will take that up sometime down the road.

"Down the road" in the Senate means way down the road. So I was sort of grumpy, and you asked me what was wrong. I said: The chairman doesn't like it. You said: Listen. This is the Senate. You can offer any amendment at any time whether it is germane or not. This is the Senate. You have rights.

I knew that. I had gone to the Robert C. Byrd lecture as a new Member. He lectured me on minority rights and how we should conduct ourselves. He was the institutional flame of the Senate.

Then Senator COATS urged me to offer the amendment. I should have

done it, but I thought: All right. I will wait. I will defer to the chairman's advice. I have often regretted that. Later—I am talking about 2 or 3 years later—the same subject came up. I happened to be on the floor, and Senator Ted Kennedy was in charge. They had taken back control. He knew about the amendment. He said: Would you like to get your amendment passed? He was standing on the floor and there was hardly anybody else here and, bingo, using the parliamentary procedure that you could do in the majority, my amendment was passed. It was not the Kennedy-Roberts bill, by the way. It was still the Roberts bill that was authorized. We didn't get too much money for it, but at least we made the effort.

I have gone into a long personal history just to demonstrate exactly how this works.

Now we have a farm bill that has been hung up for over 2 years. We have a farm bill that the principals are meeting on in secret. There are 37 of us who are also on the conference wondering where on Earth is the farm bill. The House has just passed by unanimous consent an extension of the current farm bill as we did last year.

Last year, we passed a farm bill. Last year, the majority leader in a discussion with me said: If you can get it done in 3 days, I will let it happen. Note, "I will let it happen." Chairperson STABENOW certainly was working extremely hard on her side, I was working on my side, we were going to the steering committee and said: I think we can get regular order. I think you can get your amendments up. Nobody believed me.

We had 73 amendments. We did it in 2½ days. Once that tipping point hits and people start withdrawing amendments, you get your work done. But the minority had every opportunity to offer amendments.

So one year ago, considering the farm bill, the first amendment was by Senator RAND PAUL considering the Pakistani who helped us with regard to the Osama bin Laden raid. He was in prison, and so Senator PAUL thought it would be a good idea to hold the aid to Pakistan until they released the prisoner.

What did that have to do with the farm bill? Nothing. It was the first amendment considered. It didn't pass, by the way. But many other amendments that came from folks who had never had the opportunity for an amendment to be brought up and discussed, well, those amendments were discussed in the farm bill. I would say that probably, of the 73 amendments that were considered, there were 300 offered. People would get up and they would have their say. They discussed the amendment. They knew probably it

would not pass, and they would withdraw it. But they at least had an opportunity to present their opinion and represent their States and their constituents and we made sure they had that opportunity.

This year's farm bill wasn't 73 amendments. We only voted about 10 times. Senator THUNE, a respected Member of the Agriculture Committee; Senator JOHANNIS, former Secretary of Agriculture, Senator GRASSLEY, and myself, we all together had a total of about 12 amendments. We withdrew those from consideration during the committee markup and said we will take them up on the floor—except, on the floor, the majority leader cut debate off, saying: Time out. No more. So none of us got those amendments.

As the former chairman of the Agriculture Committee in the House and the ranking member last year, I have to wonder, what is that all about? You have a farm bill, you have people on the Agriculture Committee, they have pertinent amendments with regard to the direction of the bill—and, bingo, you are cut short. That causes a lot of frustration, to say the least.

I have gotten into the weeds on this simply because of our friendship and the Senator's advice to me, which I treasure. But the Senator's willingness to come and speak from the heart to demonstrate to our colleagues on the other side of the aisle: Think about this. Think about why we are doing this. Why we are doing this is because if you break the rules—which they have—to change the rules, it can't be upheld. More especially on nominations, what is happening is we are packing the District Court in Washington, which is the appeals court—probably more important than the Supreme Court in deciding on all the regulatory matters that come up; i.e., the President's Executive orders, the President's waivers, the President's interim final rules or any agencies interim final rules—we have government by regulation today. We do not have government by legislation today. We have government by regulation and this court becomes the Senate.

We had an even number of judges, and now we are going to have three more. Consequently, the President—who says he can't work with the Republicans but in fact it is he who will not work with Republicans—is going to have his way because this is going to be jammed down our throats.

When the Senator goes back to Indiana and when I go back to Kansas, one of the top issues we hear about from any economic sector of our economy is: What on Earth is going on with all these regulations? Somebody holds up a piece of paper and says: PAT, are you aware of this regulation? No, I am not, but I will check on it. What is our ability to deal with that? Almost nothing.

So we have government by overregulation.

That is what this is about. The agenda by the President to add more regulation to get his agenda done is being challenged and going through the courts as opposed to the Senate of the United States. That is why we are faced here with this situation. That is why I was here from 8 to 9 talking about Iran. The Senator is talking about the issue at hand, and I truly appreciate it.

I thank the Senator for coming to the floor. I thank the Senator for making these comments. I just wish people would understand why we are feeling this frustration and have a more accurate reflection of what is going on here. I know that is not reflected much in the media. I understand that, but that is simply the case.

Mr. COATS. I thank my colleague from Kansas. I am glad he mentioned his own personal experience and our experiences together.

It is more than about the Senator from Indiana or the Senator from Kansas. It is about this institution. It is about the future of the Senate. What kind of a body are we going to be? Are we going to be the Senate which has been the Senate for 225 years, with the rights of the minority being able to be expressed?

How the majority leader can look across the aisle and say: The former chairman of the Agriculture Committee, the former Secretary of Agriculture can't have a say in the farm bill. It is a treasure trove of experience, it is a treasure trove of knowledge of the whole agricultural sector, and the majority leader whimsically just simply says: Because I am in power and I can tell you what you can do and what you can't do, forget it. Forget your adjustments to this.

But that leads us right into the most egregious power grab of all, and that was when, under total Democratic control both in the House and the Senate and at the Presidency in White House, Democrats decided they were going to tell us how we should reshape our health care system and readjust one-sixth of the entire U.S. economy and, by the way, we have all this expertise—or we think we have this expertise—and we will wrap all this up in one 2,000-plus page bill and we will run it down your throats without any input from the other side.

Oh, we had input. But the rules were adjusted, the vote was changed, and it was passed by a simple majority and, therefore, had no constructive impact from those who did not think this was the right way to address our health care system. Now look at the mess we are in.

We have been talking for days about calls—not reflecting just our views but calls from constituents saying: What in the world have you done?

The reason I ran in 2010 is I was so upset about two major things: One, the

way the Democrats have essentially taken this health care bill: Don't worry about reading it, as NANCY PELOSI said; we will find out later. Boy, are we finding out about it later. Frankly, those who wrote it are finding out about it later. The people it has been imposed upon, the people we represent are now finding out about it later.

I have a whole packetful of responses. I don't know if they are Republicans, Democrats, liberals or Conservatives. All I know is they are my constituents—I represent all of them and am trying my best to represent them—and they have flooded my office with tweets and Facebook and all this social stuff that I have a little trouble grasping right now—but emails and letters pouring in, phone calls jammed, people saying: What have you done to us? What are you imposing on us?

I can go through and read horror stories about people and the broken promises. I think as the Senator from Kansas knows—we have both been in this business here for a while—you better be careful if you fall into the trap of going home and promising what you can't deliver.

It is so easy to walk in front of groups and say what they really want to hear so they will like you and vote for you in the next election. It is so easy to go home and promise something that makes people feel good so they will feel good about you, but you better be careful because if you overpromise and underperform, they are going to say: Wait a minute.

No one has overpromised and underperformed more than this President of the United States regarding health care. He said, "If you like your doctor, you can keep your doctor, period." I bet the President wishes he had not said "period."

I am sure he wishes he had not said, "If you like your doctor, you can keep your doctor." Thousands of people in Indiana are saying: I can't keep my doctor. Mr. President, you promised, and you said "period." What does "period" mean? Hey, take it to the bank. Count on it. Finally, finito, no more questions need to be asked. I am telling you: If you like your doctor, you can keep your doctor, period. Nothing more needs to be said.

The same was said about: Don't worry, your premiums won't go up. Don't worry, you can keep your plan. If you like your plan, you can keep your plan.

I don't know how many hundreds of letters I have received from people who say: I love my plan. Why do you think I chose it? If I didn't like my plan, I wouldn't have selected my plan. Now those people are getting letters saying: Your plan is no good. You have to go into the government's plan. You have to go into the ObamaCare plan, and this is going to be affordable. Don't worry, folks, no money will be spent.

Were we told about the \$400 million that was spent just to fashion the Web site? Can you imagine how they screwed up the Web site. After 3½ years they cannot even put out a Web site. I am getting horror stories about the Web site, which are continuing, by the way.

If you can't do that, how are you going to manage the program if you do get people signed up? On and on it goes. But this idea of promising, and now having these promises broken, just feeds into the cynicism and the lack of trust among the American people and in the institutions of government, their elected representatives, and in their President. That is just a cancer in this country. If you can't put your faith and trust in the promises of what is said by the people who represent you and who are making the laws you have to comply with, that is a sad day.

I yield to the Senator from Kansas.

Mr. ROBERTS. When the President said if you like your doctor, you can keep him, period, that isn't really what he meant. Really he meant, if you like your plan, you can keep it—semi-colon—if I like it. He really meant: If you like your doctor, you can keep your doctor if it is possible and we think it is all right.

Mr. COATS. If I could add to what the Senator said, if you don't like your plan and if you want something different, we will tell you what you have to like and what you don't have to like. It is no longer your choice. We will tell you what we think you need, but you can't make that decision for yourself.

So here is our plan: If you look at our plans, you can pick one of those, but if you want something different and if you want to go to the insurance company for you or your employees or employee-sponsored plan, forget it because we know more than you do. We wrote the law, and we wrote the law because we don't think you have the intelligence or ability to figure out what is best for yourself.

Mr. ROBERTS. These were called lemon plans, shoddy plans, substandard plans, plans that were denigrated even though the families involved had a plan they liked. I am sure the same is true in Indiana as it is in Kansas. More people have lost their insurance after they have signed up.

We understand that we have a lot left to do with health care reform, and I would say that almost every Senator has a 5-point plan on what they would like to do, and it is certainly more market oriented.

I will tell you what also isn't working, as opposed to the rollout, is the advertising for this. Some of it is unbelievable. Thank goodness the media is now watching and paying attention to this issue. There is a rap group that is on television that said it is cool to sign up for ObamaCare. Why on Earth are

the taxpayers paying for that when every day Secretary Sebelius is changing the game, along with the President?

The President changed this plan about 17 times. Maybe that is a low number now, but if that's what he wants he should come back to the Congress for that. I think a lot of these changes are unconstitutional. At least he should come back to the Congress, which gets me back to my friend's basic point.

What would have happened if we had gone ahead with regular order and sworn in Scott Brown as the new Senator from Massachusetts and then it would not have been on a one-vote margin with regard to ObamaCare, or the Affordable Care Act, or whatever it was called back then, the Patient Protection and Affordable Care Act. The acronym for that, by the way, is PPACA, which I think pretty well sums it up.

At any rate, had that happened, they would have had to have some kind of bipartisan agreement, which is really what we are talking about when we talk about breaking the rules now. They didn't have to do that because they would not swear in Scott, and so there we were on Christmas Eve.

None of us knew what was in the bill because it was in HARRY REID's office. As a member of the HELP Committee, I was privileged to consider this bill. We worked hard. I had three amendments on rationing—I am still worried about rationing. There are four rationers that I will not get into now.

IPAB is the No. 1 issue I am worried about. They decide the reimbursements that your hospitals in Indiana will get, and that my hospitals will get, and that is why we are trying to do the SGR reform and the Doc Fix.

We were in the HELP Committee, and we had three amendments, and all three were defeated by a party-line vote. That mark—I don't know where that bill is now—I think it is collecting dust. Then my amendments were considered by the Finance Committee. Then I wanted to offer the amendments on the floor.

I did this because we are going to have a lot of problems with the rationing boards making decisions as opposed to individual patients and their doctors—if they can even have their doctor, period.

So we get back, again, to regular order. We get back to respecting the minority's rights. We get back to protecting minority rights. Had we had those amendments, I think this bill possibly could have been worked out. I now believe that this bill was proposed by those who really prefer national health insurance, and this was a stalking horse for national health insurance. I don't think anybody on that side of the aisle realized that this bill would be like Thelma and Louise going

off into the canyon, but that is what happened. So now we have this mess on our hands and every day we learn about something new.

The Secretary came out with something yesterday with additional changes. It doesn't really mean anything because she is just simply urging the insurance companies to go back and talk to those folks the Senator from Indiana was talking about—about the plan they would like to have or the plan they would like to keep. She is just saying to the insurance companies: We urge you to do that.

What is that all about? The toothpaste is out of the tube. I don't know how on Earth you can get that done. There were other suggestions. I am getting off subject here because my friend started out talking about the rights of the minority, and the health reform bill didn't pass with any Republican votes and very little Republican input. I think, in part, that is why it has crashed and is burning right now.

If we had just had regular order input during that particular time, I think there would have been a better product. I probably still would have voted no because I don't want national health insurance. I feel a lot better that I expressed my rant to my friend from Indiana, and it has been a better morning as a result.

I think anybody listening to us could finally understand the depth of our frustration. We want to be a part of this Senate and we have a right to be a part of this Senate, but that right and privilege everybody had for 225 years has now been taken away.

It will be interesting when, in fact, the pendulum does swing back and Republicans are in control. What will we do? Will we go back to the 225-year precedent or will we say: Well, what is good for the goose is good for the gander? Will we seek a pound of flesh or two? I don't know what we will do. I hope that we will go back to the 225-year precedent. It would be the right thing to do, but it will be interesting to see.

I thank the Senator from Indiana for allowing me to share his time.

Mr. COATS. The Senator from Kansas is a long-time friend and someone I have had the privilege of serving with and getting to know on a personal basis—he and his wife and family. We are both here with some experience under our belts, and unlike many of our colleagues who may see only one side of the story, we have been on both sides.

I had my differences with Senator Robert Byrd of West Virginia. There was no greater defender of the rights for the minority than Senator Robert Byrd, a Democrat who served his lifetime in the U.S. Senate.

I wish there had been some respect for what Senator Byrd said. I can see him standing on the floor saying: It

doesn't matter how partisan this is, these privileges are engraved in stone. We have learned from our Founding Fathers, and they learned through their adverse experiences throughout history about denying the minority a voice, a right to participate. This never would have happened if Robert Byrd were here.

I know there are new Members who have just not experienced what it is like to be told to sit down and shut up. We will tell you what you can say and what amendment you can offer, if any. To be told time after time after time—and you know it builds. As all the bills come up and you have five things you would like to get done this year on behalf of your constituents, and you wait for the next bill to be brought up and you say: Mr. Leader, can I have an amendment on this bill?

Sorry, no more amendments. I filled the tree. It is done. We are going to move forward.

OK. I will go to the next one. Can I have it on the next one?

Here we are at the end of the year and the cycle is over—done. Sorry. You can't represent your constituents with what you think they want to do.

Maybe my amendments wouldn't have prevailed, but at least I would have been in the fight and people would have had the opportunity to put their yes or no vote on it. That way I could go home and say: I gave it everything I had. I didn't win, but I was fighting for you, and I was allowed the opportunity to do it.

As it is now, we go home and say: I wasn't even allowed to express your interest—you, my constituents' interests—through offering an amendment to the bill as a Member of the minority. I mean, the history of this place, the history of Democratic leaders when they had power, is a respect for that right, for the right of the institution. It is not about Senator COATS or Senator ROBERTS. It is not about the current state of the Republican Party in the Senate. It is about this institution. It is about what goes forward. Do we want to turn this thing into a "we got the power and you might as well just go home." That is what the frustration is. I hope the new Members who look at this and say this should be a more efficient place and we shouldn't have to go through all of this—we wouldn't have to go through all of this if they would just give us a chance to participate. But how else can we express our frustration other than at least having the opportunity to slow things down here so maybe we will be listened to?

Maybe they will go to some of—I wish they had listened to Senator LEVIN, who has been here a long time and who is a respected Democrat and chairman of the Armed Services Committee. Senator LEVIN came to the floor and said "we should not be doing this" to his own colleagues. He made a

compassionate plea, a compelling argument that we shouldn't do this.

I think back to the Republican leaders and the Democratic leaders, whether they were majority leader or minority leader, and both came to the agreement that these rights need to be protected, whether it was Bob Dole, George Mitchell, Trent Lott, or Tom Daschle. I mean, all of a sudden we are cast into a situation here, which is, sit down and shut up. We have the votes. Tough.

That is our frustration. And I would tell my colleagues, think about this. Think about how we can get back to what the Senate has been for 225 years, and think about what it might be like for them when they are in the minority. They are going to want to go home and tell their constituents: I am sorry, the other party rules and I don't have any power at all. I don't have any ability to represent you at all. I can't offer any amendment expressing your wishes, and we won't have a chance to get it to a vote.

Senators will have to go home and say: I was denied the opportunity to even put it up for a vote.

I remember—of course, Senator ROBERTS knows this well—how Bob Dole would say: Look, this is the U.S. Senate. We have to take tough votes. We are not going to win every one. Members are going to have to go home and explain those votes. But this isn't just a deny, don't take tough votes because we don't want to explain them back home. Step up, debate it, and vote. We might win, we might lose, but we are here to vote. We are here to give everyone a right to have a vote on how to best represent their constituents. We didn't come here to avoid votes, to hide behind a desk and say: Oh, this might affect the next election.

I really came down here to talk about the debacle of ObamaCare. I have all of these letters. All one has to do is turn on the television or the radio or read the newspaper or talk to a neighbor. Unfortunately, the word is not spreading about this situation through the media, but I think even the media is realizing what a debacle this whole thing is. But all one has to do is talk to a neighbor at the bowling league or church.

I got my termination letter, and I don't know what I am going to do.

I have tried 21 times to get in the Web site. I can't get in.

No one is talking about the fact that, ironically, those who wrote the bill—the President of the United States and his executives—are fortunate that they don't have to go into ObamaCare. I don't know why this hasn't been more publicized. Is this the ultimate in hypocrisy? To the American people: We have decided this is good for everybody except us, by the way, so we are exempting ourselves. The President of the United States, all his Cabinet Sec-

retaries, his political appointees, his major staff, and even some of the staff who wrote the bill exempted themselves. How can they write reasonable legislation, impose it on 300-and-some million Americans and say: Well, that is not for me. It is for you, but since I am writing the bill, I can write an exemption for myself.

I don't know why the media is not all over this. I don't know why we haven't had an amendment from the Democratic side saying: This is wrong. How do we go home and tell people that my President and my majority leader's staff is exempt and it will not be imposed on all of us?

Mr. ROBERTS. Madam President, if the Senator will yield, it isn't as if we haven't tried.

Mr. COATS. No, it is not as if we haven't tried.

Mr. ROBERTS. As the Senator knows, Senators are under that obligation—and their staffs. The committee staff is different, the leadership staff is different, and as the Senator pointed out, the executive is different. What is that all about? It should be uniform or not all, and it should be uniform for everybody who had a hand in this debacle.

I even thought about an amendment saying that those who didn't vote for it—I voted against ObamaCare three times: Once in the HELP Committee, once in the Finance Committee, and once it came out of HARRY REID's office. My colleagues said: Did you read the bill? Nobody read the bill because it had been changed, so then we had to wade through it, and then, as different events came about, one problem led to another problem, that problem led to two problems, and those problems led to other problems, so we are still finding out about that.

But back to the point of the Senator from Indiana, we can name Senators who said: Look, let's make this uniform. If it is good enough for Americans, it ought to be good enough for us. And that just has not happened.

Mr. COATS. Well, it has happened to us, and I spent tortuous hours trying to sign up on the DC exchange.

We all have to go through this as Members. People don't understand this back home. They think we are exempt. We are not. I went through this tortuous process for two hours because of all kinds of technical problems. I hit the confirm button. Error—not enrolled. I had to do it all over again. The second time I got a confirmation. I told my staff to print it—you are enrolled in the DC exchange; you are part of ObamaCare now.

I got the piece of paper, my secretary goes down to the disbursing office to confirm it, and they say: Senator COATS is not enrolled.

How about this piece of paper?

They say: Well, I know it says you are, but maybe there is a technical difficulty.

Does that ring a bell for anybody? And there are horror stories I have heard from people who have tried not just 2 times or 10 times but 21 times.

Mr. ROBERTS. Madam President, if the Senator will yield.

Mr. COATS. I yield to the Senator from Kansas.

Mr. ROBERTS. My wife is much more adept at the social media capability, and so it was up to her. I thought we were confirmed, only to find out almost before the deadline—it was midnight, and there was a desperate attempt on the part of my staff and myself. I needed help to get this done, so I had to redo it. Then the thought occurred to me, we are going to have two PAT ROBERTS in there: one that my wife did and then the new attempt. I hope that is not the case. I think maybe we have it cleared up, but I am not sure, so we will find out. I hope we don't have to work to find out, but we will find out.

I think that is just a duplication of what everybody in the country is going through. And then what do you do if, in fact, you can't have insurance and you find out about copays and deductibles and all of this. I am repeating a sad story that I think everybody knows.

I thank the Senator from Indiana once again for his heartfelt plea to make the other side understand the error of their ways. I hope we can fix this. I hope they can see fit to fix this down the road. I doubt that will be the case, and I don't think the country will be better off as a result.

I thank the Senator.

Mr. COATS. I thank the Senator from Kansas. He mentioned signing up here and the frustrations so many people had.

Kathleen from Mooresville, IN, called my office in Indianapolis and said: Help. She said this: I have spoken to someone at the 1-800 number helpline for the Federal exchange 21 times since October 21—when she first began to try to enroll on the healthcare.gov Web site.

Twenty-one times she had tried this, so she called our office in desperation and told us: Well, at one point I asked if I could be transferred to this advanced resolution group—which was some other group set up to help people who couldn't get into the Web site, I guess—and the customer service representative said that he did not know how to transfer her to that site.

She said: Well, I need help. How can I get it?

So she finally then called the insurer directly to try to enroll, and they said: Well, the only way you are going to get this done is if you bypass the whole ObamaCare Web site because we can't do it either. So they finally figured out that she had enrolled through the insurance company, but she felt she needed to let the government site people know so they would not put her on the list that she hadn't enrolled.

Mr. ROBERTS. Right.

Mr. COATS. So she called up there and finally got through to somebody, and he said one word—"fine"—and hung up. Well, he probably was so frustrated.

Mr. ROBERTS. Will the Senator yield for one more observation.

Mr. COATS. Yes.

Mr. ROBERTS. I was watching the news last night, and many more millions of dollars are now being spent to hire more navigators, so the Senator's constituent should have had a navigator. In many cases they want navigators, and now they are being hired from various community organizations, some of which I really wonder about. But in some States where only hundreds have signed up, there will be more navigators than people who have signed up. So obviously it has gotten to the point where everybody has a problem, where insurance ought to have a navigator. This is at considerable expense—I don't remember now how many millions it totals—and a brand new group of navigators is being hired at considerable expense to make this work. And the advertising rolls on, and then the news media discovers more and more about all the problems.

I appreciate the Senator bringing this to the attention of the American people.

I note the distinguished Senator from Nebraska is here, and he even has a chart that will educate the American people.

Mr. COATS. He is. I am happy to yield to him, but I have about 5 more minutes left, I want to wrap up with one more story from Doug from Indiana.

After 2 weeks of trying to get on the Web site, he finally was able to at least create a log-in name and password. Then he had to try for another week to secure coverage, never successfully getting through, but he finally completed the form, submitted it, and then had the security questions sent back to him so they could verify that he is who he said he is.

He received four questions.

Question No. 1: Our records indicate you lived on the following street in the last 2 years. What city is this in?

Well, the street they listed is where his sister lives, and she doesn't even use the same last name, so I am not sure how they came up with that. Doug had never lived there or had any financial dealings with that property. So how do you answer—I am quoting him—how do you answer a question as stupid as that?

They said: Well, we can't verify you because you didn't give us the answer.

He said: I have never lived there. That is my sister.

Question No. 2 was about which county he lived in, and I think they got that right.

Question No. 3 was to include his previous employers. Well, the only pre-

vious employer listed that was accurate was misspelled, so Doug said: Well, how do I answer that?

Question No. 4: Our records indicate that you purchased pet insurance in the last 2 years. What is the name of your pet?

I mean, you can't make this up. If "Seinfeld" were still going, this would be a great episode. This would be one of the greatest episodes ever.

Doug had not had a pet for over 10 years, and he has never purchased pet insurance, but they said: What pet insurance do you have?

I have a dog, but I don't have insurance for it. Maybe I should. But they didn't ask me that question, so maybe I am OK.

So he put down "none of the above," and since he did that, they said: Sorry, since you didn't answer the security questions, we can't enroll you in ObamaCare.

I mean, you can't make this up. It is a Hollywood scriptwriter's dream for a soap opera or for a comedy such as "Seinfeld." If "Seinfeld" were still on, this would be unbelievable.

Of course, every night on the late night talk shows we hear about all of these horror stories and so forth and so on. It is comical, but it is sad. It is sad. It is an overreach by government. There are limits to what it can do and what it can't do, and we clearly have reached the limit on this one. I think an apology is due to the American people. I think we ought to step back and say: Let's do this over and do it right. Let's do it with bipartisan support. Let's do the sensible things that are affordable and will allow people to keep their doctor, that will allow people to keep their health care plan if they like it, and will provide means by which we can address the uninsured, the preconditions, and those who need insurance but do it in a way that is based on tested free market principles, not on a nanny government that says: We know better than you. Boy, have we proved that is not true.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNIS. Madam President, I will start by thanking my colleagues from Indiana and Kansas for their discussion on this very important issue. I say this somewhat facetiously, but I have been reading the stories about the rollout of ObamaCare just like the rest of us have. What an incredible embarrassment. If there is a State out there that epitomizes the embarrassment of all embarrassments, it is the State of Oregon. Recently, they had not signed up a single person through their exchange—not one. Not a single person in Oregon could get through that. That is notwithstanding that the Democratic Governor supported it, embraced it, notwithstanding that the U.S. Senators in this body supported it, embraced it. They could not find a single person.

Well, I just read an article; I think it was this morning. I was catching up on some reading. Somehow, some way, they went out there and they found 44 people in Oregon who have signed up successfully. After all of these weeks since this rollout occurred, they probably went door-to-door in Oregon and found 44 people who they believe have signed up successfully. We will see whether they actually have insurance.

Well, maybe we could offer this for that poor State: Maybe we could offer that if they signed up successfully, they get a picture with their Governor and their U.S. Senators—their own individual picture. Madam President, 44 people would not be too many to get through in a picture line. They probably have fundraisers that are twice that big or three times that big, where they do pictures with everybody. I think those persistent citizens of the great State of Oregon deserve something more than just a mention that they are 1 of 44 in some newspaper somewhere, that they successfully navigated the site. I would offer that I think they need a picture.

Mr. COATS. Autographed.

Mr. JOHANNIS. An autographed picture with their U.S. Senators and their Governor.

Let me move on to something far more serious, and I am going to talk about ObamaCare too. I am going to tie that into why I believe this process we are going through relating to our constitutional right to advise and consent the President of the United States when it comes to his appointments—I am going to tie that into why I believe that has all happened and why we find ourselves here today because of this failed ObamaCare system.

Yesterday when I was on the floor, I talked at some length about the history of filibuster changes. I mentioned that I have a tremendous amount of respect for a Senator who passed not all that long ago, who served in this body for a long time and probably knew the body better than anybody who ever served in the history of the Senate. That would be Senator Bob Byrd.

I came here, and he was in failing health by the time I arrived in the Senate about 5 years ago, but what a wonderful man. I got to know him a little bit. We actually participated, worked together on a climate change amendment. The knowledge this gentleman had of the Senate was always amazing to me.

On the 200th anniversary of what is called the Great Compromise, when the whole concept of the U.S. Senate was created, some people went to Senator Byrd and convinced him that speeches he had given on the floor of the Senate and historical writings he had done should be put together in a book. It would be commemorative of the 200th anniversary of the U.S. Senate—the Great Compromise. So that was done.

When I first got to know Senator Byrd, I became so impressed with the man that I decided that my Senate office needed that historical record from him. Well, I thought I was buying a book. I was not buying a book at all. I was buying four books—four books filled with beautiful information about the Senate, its history, people who had served here, people who stood up for the U.S. Senate and therefore stood up for the people they represented in the United States of America.

I talked a little bit yesterday about that history leading up to filibuster changes. It was the system here originally in the early part of our country—in fact, until the early 1900s—where basically there was not a way to end debate. So if a debate was going on, an individual Senator could come to the floor and literally take a bill down a path where it may never become law. Somehow, some way, through the years the Senate figured out a way to operate with that kind of unusual situation where a single Senator could take a bill down that road.

Along came World War I. If you think about World War I, there were many Members in the body who had pretty close relatives in Germany, and this was a challenge because they had to debate and decide issues relating to that war and that country. As we might expect, it became very difficult to get things passed.

A piece of legislation came forward, and you can imagine what happened. It got carried down this road of never seeing the light of day, and they could not get that legislation passed although that legislation was considered very important by many in our country, maybe the vast majority of the people in our country.

The country reacted to that, and there was a big debate. I think people in this body and people in the country came to the conclusion that kind of this open-ended process where debate may never end—and there was no vehicle or mechanism to end that debate—well, that had to end; that somehow, some way, the wisdom of the individual Members in this body had to be brought to bear on how to allow Senators to have their day, have their say, be able to come here and debate the great issues and offer amendments. How could we allow that to happen and give them their rights as Senators while still having an ability at some point to stop the debate and cast a vote? The Senators, in their wisdom, decided they had to find that way, and they did.

Originally, if I remember the history correctly, and I may have this piece not quite accurate, but I think they agreed that two-thirds of the Senators could vote at some point to end debate and then vote on the legislation. But Senators still had the right to offer amendments. They still had the right

to come to the floor and debate. They still had the right to work through the day and the night and build coalitions to get their amendments passed, to shape a piece of legislation, to make that legislation maybe better for the country or for their individual State. All of those rights continued to exist because, after all, everybody recognized that the power of an individual Senator to do that was significant to our country. It was important to our Nation, not only then but in the future.

That process went on for a number of decades following that decision. Then in the 1970s a decision was made again by this body under its rules, and that decision basically said: When 60 Senators come to the floor and they agree to end debate, that they would get themselves to a point where that debate would terminate and they could vote on passage of the bill, they could vote on getting that bill done. So in the 1970s, 60 votes became the norm.

An important point to mention is this: The rights we have as individual Senators representing our constituency—which in my case is the great people of Nebraska, and the people of the United States of America, for that matter—those rights were intended to exist in every respect. In other words, I could come to the floor as a Senator, under the rules, and if a piece of legislation was there and I had an important issue I wanted to bring to the attention of the country or this body, I could offer an amendment, and, except under certain circumstances, that amendment did not even need to be germane.

I remember, for example, that when this health care bill was passed there was a provision that if somebody in business bought over \$600 worth of items, they had to file forms with the IRS, a 1099, and give a form to the vendor.

That is a mess because you never know if the first purchase on January 1 is going to be the last purchase or the first of a series of purchases that get you over \$600. I wanted to get that out of the bill. It did not make any sense. Even the citizens' advocate for the IRS was saying: Well, gosh, we have looked at this. It does not make any sense.

So we started working, and on every piece of legislation that would come forward I would offer that amendment to get rid of the 1099 requirement in the health care bill. Originally, I was nearly laughed out of the Chamber. Democrats who had passed the bill were basically saying to me: You want us to change our bill? Get lost. I came back a second time. I came back a third time. I came back a fourth time. The business community got involved, and small businesses started calling their Senators and saying: Senator, please, look at what MIKE is offering. This is sensible. This needs to happen. We offered it a fifth time. At some

point, the President of the United States in his State of the Union—I was sitting right there, about two rows back from where he was. Madam President, I was not any farther from the President of the United States than I am standing from you today. He mentioned that it was time for this provision to go. So we offered it a sixth time, and then we offered it a seventh time, and we finally got it done.

Do you know what? I did not go out and crow: My goodness, I must be the smartest Senator in the body or I must be the best Republican and those evil Democrats. I did not do that at all. I went out and I said to public: This is very important for small businesses. I am glad my colleagues agree with me, and we can all take credit for this. Go back home and tell people you supported it.

There were very few who voted against it in this body. So an issue that started out with basically no support to speak of in a bipartisan way not only got huge bipartisan support—over 80 votes—it even got a mention by the President of the United States in his State of the Union Address as something that needed to get done. And we could all take ownership of it then and today.

Why do I mention that point? I mention that point because those rights continued after those filibuster changes. This body came to the conclusion that under the Senate rules it was appropriate to somehow get to a point where we could say: OK, everybody, you have had your day. It is time to bring the debate to an end, if we can, if we can get sufficient votes. If we cannot, well then we cannot. This bill is probably not going to go any further. That has been the history of this institution literally from its beginning. Read Bob Byrd's books. He will explain that to you. As you read what he is saying there, you begin to feel the admiration that he felt for the Senate. But the other thing you will begin to feel as you read through these books is this: You will begin to feel how deeply he cared about the individual rights of each Senator, whether they were in the majority, whether they were Democrats, whether they were in the minority, whether they were Republicans. You see, Senator Byrd understood that the pendulum does swing. There will be times where Republicans will be in control of the Senate. The voters will decide that. There will be times, therefore, that Democrats will be in the minority.

He also understood that there would be times when Democrats would be in the majority and Republicans would be in the minority and that as our country would go through various transformations and various political processes, we would end up with a different Senate depending upon what happened in each election cycle.

But the one thing Senator Byrd wanted to emphasize and hold as a sacred constant in our system of government was that each Senator had rights. Each Senator could come to the floor and exercise those rights whether the person they called leader was Democrat or Republican. He wanted to make sure the tyranny of the majority would never silence those rights of the minority or the individual Senator.

With that context in mind, let me review the events of the last few weeks. With that context in mind, I am hoping that is instructive relative to what happened here. As I said yesterday during my comments on the floor, I guess we would all like to probably think we are the smartest Senator who has ever served in the body. We are not. Some of the giants of this great country have served in this body. Some of the intellectual giants who have ever lived in the United States found their way to the Senate.

They not only worried about what was happening in their period of history, they worried about what the Senate would be 10 and 20 and 100 and 150 years in the future. Keep in mind, this body has been here over 200 years. In many respects, as Senator Byrd points out in his book, the rules we operate under are similar. Why? Because they were smart in the beginning and they are smart today. They have served us well for over 200 years.

As I said, I guess we probably all like to think we are about the smartest Senator who has ever served. I can tell you, during the vote right before Thanksgiving, there were some Senators who were kind of crowing about the change that had occurred. I even read some newspaper articles that, boy, their day had arrived.

So what happened? Let me tell you what did not happen. Under our rules that govern how we operate, how we pass laws, how we debate the important issues of the day, we can amend our rules with 67 votes, a two-thirds majority. It is right there in the rules. What a thoughtful provision.

The whole idea behind that provision was you do not want the tyranny of the majority to crush the minority. You do not want the tyranny of the majority to crush the rights of the individual Senator, whether he is from Nebraska or California or Florida or wherever.

So in those rules it takes 67 votes. Did that happen before Thanksgiving? Did Members who wanted to see this done come over here to this side and say: You know, MIKE, think through this with me. Please join with me in trying to get this done. I cannot get it done with 55 Democrats. I need your help to get to 67. That is going to take Democrats and it is going to take Republicans and it might even take an Independent or two to get this rule change done.

Is that the way this happened? No, not the way it happened at all. So what

did happen right before Thanksgiving? The majority leader, in essence when you cut through everything, asked for a ruling from the Chair. The ruling by the Chair was consistent with the rules of the Senate. Then the majority leader said: I will appeal the ruling of the Chair. What does it take to overrule the Chair? It takes a majority vote.

All of a sudden on executive appointments, circuit court judges across the United States of America—a lifetime appointment, I remind you, there is no way they can be removed except by the impeachment process once there—and Federal district court judges across the United States of America, the rule was changed.

By a two-thirds vote as the rules would contemplate? No. By appealing a correct ruling of the Chair and overruling it with a majority vote. Like I said, there are probably many here who would like to think: I thought that up. I must be pretty much the smartest person who ever served in this body. I cannot imagine why somebody did not think that one up before. Do not fool yourself.

That was thought up many times. Read the writings of Senator Byrd. Read the writings of any great intellectual who has looked at the Senate and how it operates and understands the rules. We have known for decades and decades and decades, maybe since the beginning, that you could appeal a ruling of the Chair and make reality out of a majority vote even though the Chair ruled correctly. That is what happened.

I spoke of the tyranny of the majority. The Senate was never intended to be a majority-based body. Let me get back to the Great Compromise. I mentioned that when Senator Byrd decided to put all of this information together in that four-volume set, it was to honor 200 years of history of the Senate or, stated another way, 200 years since the Great Compromise.

The Great Compromise came about because when we as an infant country decided there were going to be two Houses in our legislative process, almost immediately our Founders decided that one House, the House of Representatives, would be population based and majority ruled. If you are California or New York, as it turns out, that works pretty well; if you are Nebraska or South Dakota, not so well. Why? We have three Members in the House. It seems to me every day of the week California is going to outvote Nebraska. New York is going to outvote Nebraska. Florida is going to outvote Nebraska. Darn near anybody in the country is going to outvote Nebraska.

Although we have this very large land mass, our population is 1.7 million to 1.8 million people. It is spread out across this very large land mass called the great State of Nebraska.

Our Founders looked at that and said: It does not take much to figure

this out. This is not going to work out very well over time. It is a majority-based body. So political parties have been a feature almost from the beginning of our country. So if you are in the majority, you are always going to win. You are also going to beat the minority as long as your team sticks together.

But they wisely said: The Senate is going to be different. The Senate is going to be that body where every State gets two. You see, in that regard, Nebraska is just as powerful as New York. We are just as powerful as Pennsylvania. We are just as powerful as California. We are just as powerful as Hawaii. Why? Because we each get two.

Then the Senate was structured in a way, as I have pointed out, where literally from the beginning one could debate a bill right down to a pathway where it was not going to get passed and thoughtfully and carefully. But under the rules of the Senate what was happening is as we decided to limit debate at some point in the process, you had to get this supermajority

Senators knew they could appeal a correct ruling of the Chair and reverse it. But they knew that option should never be used. It did not get its name "nuclear option" by accident. Most recently when Republicans were in control, the threat was made: We might go to the nuclear option to get our judges confirmed.

Oh, my goodness. Democrats in this body rose up. They were offended that those words would even come out of a Senator's mouth. They were fighting tooth and nail to stop that because it so changes what happens in this body. Now what has happened? The worm did turn. They are in power. All of a sudden, well, I reserve the right to change my mind.

So just before Thanksgiving, a correct ruling of the Chair was overturned on a pure party-line vote, where Democrats said to each individual Senator who is a Republican, where Democrats said to each individual Member who sits in the minority if a Republican: Sit down and shut up.

That is what this rule change does. It relegates my voice as a Member of a minority party in the Senate on district judges, executive appointments, and circuit court judges—two of those being appointments for life—it renders my voice absolutely, positively meaningless.

No Democrat has to cross that line and come over here and say: MIKE, I want you to look at this judge in wherever—let's say Arkansas—because I think they are qualified and I want you to think about voting for them. They do not have to do that anymore. They do not need me. They can just outlast me, just like they are doing right now. They can bring this to a vote, and on a straight party-line vote they can appoint the entire judiciary of the United

States in the district courts and in the circuit courts with absolutely no involvement whatsoever from the minority. None. That is what their rule change did.

Let me take that rule change and think out loud about where we have put ourselves as a country. I wonder who was the first Senator in our history who came to the floor and said: My fellow Senators, I have thought about this, I have contemplated it, maybe I have even prayed about it, and I believe the day has arrived to end slavery in the United States, and I will be attaching an amendment to every bill to end that horrific practice.

I will bet they were a very lonely Senator at that point in our history. But I am also guessing that Senator, and tenacious other Senators along the way, exercised their rights as a minority and as an individual Senator to continue to force that issue. What a courageous, remarkable thing to do.

So let's think about where we are headed. We now have a precedent. As Bob Byrd pointed out in his writings, precedents voted on by Senators have significant binding effect in this body. It is not something you do one time, tear up and throw away. It is something that becomes a part of the heart and soul of this body. It is something that is a method of operation, a rule, if you will, by which future decisions are made within the Senate.

What is this precedent? This precedent is not that Democrats or Republicans have to cross the aisle and get 67 votes together to change the rules. This precedent now is that you can ask for a ruling of the Chair, the Chair can correctly deliver a ruling, and you can then get your team together, Republican or Democrat, and you can vitiate, overrule, and annihilate the correct ruling of the Chair to get a different result.

So for the first time in our history we are now confirming judges in the circuit court, in the district court, and executive appointments under a majority rule—for the first time in history. Why? Was it because 67 Senators said: Look, let's do it this way. No. It is because the majority leader asked for a ruling from the Chair, the Chair gave a correct ruling, and then the majority leader stepped in and said: I will appeal that. He kept his Democrats together and successfully appealed it and, all of a sudden, we are off in a different direction.

So let's think about this. Let's say you are a Democratic President and the Senate is Democratic—maybe it is evenly divided, but you have the Vice President in the Chair so you can break ties. You are in the last 18 months of your time in office and you have already won a reelection so you are term limited. In 18 months you move on down the road. Let's say you have a Supreme Court where four of

the members are conservative, four are what would be regarded as liberal and you have one member kind of right in the middle. So whenever there is a major argument before the Supreme Court everybody is trying to guess which way the one in the middle will go. Will he or she side with the liberals on this one? What has he or she done in the past? Will that Supreme Court Justice side with the conservatives? What has he or she done in the past on these kind of issues? You can kind of get a roadmap of what they might do on this major constitutional issue.

Now, for whatever reason, that Supreme Court Justice dies in office, becomes ill, can't perform the duties, decides to retire, decides: Look. I have been here a long time. It is time for me to move on. Maybe they even have an inkling they want this President to appoint their replacement. My goodness, this is a pretty important issue. You have that one vote that kind of moves back and forth, and this is pretty darned critical for the next 10, 25 or 50 years in the United States. It could make all the difference in the world.

Let's say the President of the United States takes a look at that and says: 18 months. I am not sure I can get this done. The President calls his friend, the majority leader in the Senate, and says: My friend, how do we move this Supreme Court nominee whom I am going to announce tomorrow before I leave the White House? We need to get this done. Maybe it is not even 18 months, maybe it is 12 months or 6 months. How do we get this done?

The majority leader says: Mr. President, you know, under the current rules change we did in 2013, right before Thanksgiving, we took the voice away from the minority. So on circuit court or district court I could help you out, but we didn't apply that rule to the Supreme Court.

Maybe it is even further down the road and parties have switched. There is a Republican in the White House and the Senate is Republican and the majority leader is Republican. The Republican President calls and says: How do I get this done?

My friends, let me remind us again the precedence is set. Let me remind us again, as Senator Byrd points out in his very scholarly analysis of the Senate, that a Member-voted change appeal of a ruling of the Chair is a big dang deal. It is how we operate.

So the majority leader says: Let me think about it. He calls the President back and says: Here is how you get there. I will ask for a ruling of the Chair at the appropriate time. I don't know exactly when that will be. But at the appropriate time you have my commitment, Mr. President, just like they did right before Thanksgiving in 2013, I will ask for a ruling of the Chair. The Chair is going to rule against me, I want you to be aware of that. So if you

are watching the proceedings, don't faint because this isn't over. But I need to have you go to work, as President Obama did in 2013, and make sure Members are in line. I will go to work and I will turn my whip team loose and we will keep our team together.

Let's say it is a Republican situation and all of a sudden you have the ruling and the majority leader says: I want to appeal that and the team stays together and so now we can change the complexion of the U.S. Supreme Court because the precedent is set.

I had somebody from the Democratic side say to me yesterday: Well, MIKE, I would never agree to that. I thought about the comment he made. In fact, I was trying to get to sleep last night and I thought about that comment, and it was just so obvious to me I wish I had said it to my friend and colleague. I wish I would have said: You won't have a voice because you are in the minority. Under the precedent set right before Thanksgiving, your voice was silenced. You were told to sit down and shut up because of the passage of this rule.

So huff and puff all you want, go to the floor and scream, cry, yell, threaten to do whatever you are going to do, but at the end of the day you don't have a voice because my team is together on this, and by a majority vote we are going to overrule a correct ruling of the Chair and we are going to pave the way for a new Supreme Court Justice who will decide cases based upon our philosophy. You know what. We are going to go a step further. We think those four Republicans there or four Democrats there, they haven't gone far enough. So we are going to get somebody who is really out there.

You know what. The precedent is set. You have the pathway to get it done.

Is there anybody in this country who believes for a moment that temptation will not be just too darned great? Look. How many times did my colleagues on the other side of the aisle during the last debate on this a few years ago say: Never do this. It will destroy the Senate. We aren't going to do this. They signed letters, and those same people voted yes to break the rules to change the rules. Those same people came in and—of course, they had a reason. Of course—they came in and said: Well, you know, these evil Republicans. I really don't want to do this. I feel so badly about doing it, but they are so darned bad, they are so evil, and they are such obstructionists, when there was no evidence to support that.

The reality is it is not what is happening these days, it is not what is happening over the next year on circuit court appointments or district court appointments or who is going to be the Under Secretary or the Deputy of something in the USDA; it is what is going to happen next when that Presi-

dent has that short a period of time to leave a lasting imprint on this great country and they can't pass up the opportunity. So all of a sudden the precedent is set and you are off to the races.

Some may be thinking: MIKE, if that ever happens, I am going to call my Senator—who is in the minority, whether Republican or Democratic—and I am going to chew on them up one side and down the other side. I am going to point out to them that if they don't do something about this, I will run against them or I will find somebody to run against them because this can't happen to our country; because Supreme Court appointments, you can't get rid of them once they are there, unless it is some kind of impeachment process. This is a lifetime appointment. Once done, it is over.

Do you know what that minority Member will say to all those calls? They will come in by the hundreds and thousands, if not the tens of thousands. Thank you for your call, but I have been silenced. I have no ability to stop that. I am in the minority.

It will not be a situation where that Senator will be able to say: I am just not persuasive enough. I don't think I can build the argument.

It will be a situation where they say: I am in the minority. My voice has been silenced. So we have a situation where the precedent is set, and that Member now has no voice.

Let's think about this in the last minutes that I have, because it doesn't end here. Again, keep in mind the precedent is set.

Let's say again that there is a very important piece of legislation. Maybe it is a health care bill, maybe it is a climate change bill. Maybe it is a bill to do whatever. I could think of a whole bunch of bills on either side that people would like to see get done. All of a sudden, the majority, working with their President in the White House, realizes the only way it is going to get done—because they can't get the 60 votes necessary—is try to change how things operate.

Not to worry, because the precedent has been set: Ask for a ruling of the Chair. The Chair will correctly rule. Keep your team together. Overrule the Chair and, by a majority vote, we now pass legislation by a majority.

Many in the Chamber who are majority or minority would say: Well, MIKE. I don't like that. Gosh, I am not going to let that happen. I have heard that before. Because the same people who voted for this argued forcefully just a few years ago: We can't ever let this happen. This would destroy the Senate. This would destroy the purpose of the Senate.

But then they came in here and voted for it. Of course it will happen. The precedent is set, and then you have a different country. Let's think about that.

I have traveled all over the world in my roles as Governor and as Secretary of Agriculture trying to sell our ag products. There were certain parts of the world where markets were open and the economy was working and people were employed. They were good markets for our products. There were other parts of the world where, my goodness, even today not much is going on. People live in poverty. They live in crime and filth and disease. It is just horrific. There are a lot of reasons for that. It is complex.

But one of the constants in that was the political instability of the country. Whoever won got the spoils. So they would throw out everything the last group passed and they would pass a whole bunch of new things because they had the majority. Then the voters would rebel and say: Oh, my goodness. Did we make a mistake on this. Let's get rid of these fools. Then a whole new group would come in on the other side and they would throw out all the laws the last group had passed and they would pass their own laws. Why? Because they had the majority. On and on it went.

Businesses would look at that and say: How do we ever invest there? You are asking me to build a \$25 million warehouse to do my work when I don't know what the laws are going to be 2 or 4 years from now? Because the elections would determine that.

In the United States of America we have had this remarkable economy for over 200 years. It has had good times and bad. I am not Pollyannaish about this. But jobs have been created, small entrepreneurs—and I could name them—built businesses that grew into remarkable companies. It is just incredible. Who are the next ones? What an amazing country we live in.

I will acknowledge, there are a lot of reasons for that. We are blessed with enormous resources, and I could go on and on. Our education system. But one of the reasons it has worked is we have tremendous governmental stability. Whether we want to or not, every administration is kind of in a position where they build upon the shoulders of the last administration.

What is the constant there? The White House can change every 4 years. It has to change every 8. The House of Representatives can change every 2 years, and it often does. Sometimes it doesn't. It is a majority-based body. So a new group comes in, they throw things out; a new group passes new things. It is kind of always moving and shaking. That is what the House was intended to do. What has been the constant in all of this? The Senate.

I know people get frustrated. They look over here and say: Geez, MIKE. I wish you could pass something. Why can't you get more done? Why is this pace so frustrating? I will tell you, as a former chief executive, a mayor, a

Governor, a Cabinet member, I sometimes come in here and go: My goodness. I am going to be 80 before this law ever passes, and I will not even recognize it.

It is the give-and-take of the Senate. It is exactly what was contemplated, and no one was going to come in and throw this out in 2 years and put this in and then 2 years later throw this out. Why? Because the Senate said: Wait a second. Not only are we going to call this the Great Compromise, but you are going to have to reach across the aisle to get things done.

Sometimes in our history that hasn't happened. At other times in our history it has happened. But through pandemics, world wars, crises, attacks upon our Nation, this body found a way to function and a way to stabilize the United States.

So when a young entrepreneur went out there and said: If I build this software, according to the tax laws we have now, will those laws be there 2 years from now? Yes, we can say they will be. We don't change the Tax Code very often. I am one of these people who argue we need reform in our Tax Code. But having said that, I know I am going to have to get it done in a bipartisan way.

But the precedent is set. We know now that if the majority leader asked for a ruling of the Chair and the Presiding Officer decides correctly, under the rules of the Senate, in consultation with the Parliamentarian, how that issue should be decided and decides it correctly under the rules, we know now what we feared over the last decades; that is, that the majority leader can say to the Presiding Officer: I want to appeal your ruling. I want to appeal your ruling. I want to get this Supreme Court Justice on the Supreme Court and a lifetime appointment.

I want to appeal your ruling because I am sick and tired of the other side not cooperating with me on what I want done. I have had enough of it. I am going to get my way. My team is together, and they are all going to vote just as I will. Even though your ruling was correct under our rules, we are going to set that aside, we are going to vitiate it, and we are going to get our way because my team—my team—is in control.

That is where we are today.

These rules have been changed over time. They were changed in accordance with our rules.

I see the leader is here. I yield the floor.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that if cloture is invoked on the Patterson nomination, that at 5:30 p.m. on Monday, December 16, all postcloture time be considered

expired and the Senate then proceed to vote on confirmation of the Patterson nomination; that upon disposition of the Patterson nomination, the Senate proceed to vote on the motion to invoke cloture on the Johnson nomination; that if cloture is invoked on the Johnson nomination, then all postcloture time be yielded back and the Senate proceed to vote on confirmation of the Johnson nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

PROGRAM

Mr. REID. Madam President, we are going to have two votes at noon today. After that, the next vote will be at 5:30 on Monday. There will be a series of votes on Monday.

As I indicated this morning, the Republican leader and I have spent some time together and I think we have had a productive discussion on the schedule. This schedule has been extremely difficult for everyone.

We have worked out a schedule that allows for the next set of votes which will occur at noon today to be the last votes of this week. We agreed on Monday evening the Senate will vote on the matters that we would have voted on the rest of today and this weekend.

So on Monday at 5:30 in the afternoon, the Senate will vote on Patterson, Johnson, one would be on the cloture on Johnson, and then it will be confirmation. We are doing our utmost to finish our business here a week from today so we can go home for Christmas.

So we will be in session Sunday afternoon. There will be no votes on Sunday. The next rollcall, I repeat for the third time, will be 5:30 p.m. Monday. On Tuesday, we will begin consideration of the budget and Wednesday the Defense bill. After that, we will address further nominations of which the most important one is Janet Yellen to be on the Federal Reserve. The others, I will work with Senator McCONNELL filing a number and see how many we can get done.

I personally thank Senators for their cooperation this week and next week as we work through these important matters. I know there is a lot of work we have to do to get back to regular order. We will see what happens with the Defense bill we are going to vote on and the budget bill. But I am satisfied we have made progress.

ORDERS FOR MONDAY, DECEMBER 15, 2013

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 1 p.m. on Sunday, December 15, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and the Senate convene for legislative business only.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. I want to make sure everyone understands that we have votes today.

The distinguished Senator from Nebraska was speaking and I interrupted him. I relinquish the floor. If he has more to say, he may certainly do so. I have no right to suggest the absence of a quorum.

Mr. COCHRAN. Madam President, the Senate has had an opportunity to be given an update on the status of our negotiation on the farm bill. It is my pleasure to announce that since our first conference committee meeting in October, we have been working to reach an agreement on a new 5-year farm bill. This is a bill we can take to the House and Senate. By working in collaboration and through our differences, we made progress and established a framework for our agricultural sector to continue to contribute in an important way to the economic life of our Nation. I am pleased to say we are making progress, but there are still some decisions that lie ahead of us. I am hopeful that on both sides of the aisle, in both bodies, we can come together on a farm bill agreement that will reform and modernize programs and produce budget savings at the same time as well as provide certainty about the government's role to producers and consumers alike.

I might also add that related to this is an interest many homeowners have in flood control insurance protection and government assistance. There is a reform bill, the Homeowner Flood Insurance Affordability Act, that I am pleased to have cosponsored that would delay premium rates temporarily until we can review and make sure these changes are going to serve the interests of homeowners and landowners in areas that are threatened by natural disasters. We don't want to a Federal Government Agency to draw a line on a map arbitrarily without fully considering all of the ramifications.

We must put the Flood Insurance Program on a path to fiscal solvency, and one way to do that is to ensure that it is a good deal in terms of investment and prospective return on investment for individuals as well as communities.

On another subject, I recently had an opportunity to review some correspondence and notes about calls my office received from constituents on the subject of the Patient Protection and Affordability Care Act. This is a major piece of health care legislation, as everybody knows. It affects insurance companies, it affects individuals, it affects the entire country, and it is a very important area of concern.

In order to comply with the law's requirements, a family could see their monthly premiums increase from \$700

to almost \$1,400, which is an increase of more than 90 percent. To put it in perspective, it is more than \$16,000 per year that a family would have to spend on health insurance premiums alone. These figures are just not affordable for most Americans. So there is sticker shock associated with this misguided effort to help improve and expand our Nation's health insurance programs. These figures just signal to us how serious the implications are, and we must address this problem and seek proposals with very serious care and diligence.

Monthly premiums, for example, do not include copayments or out-of-pocket expenses. It does include the cost of several health benefits deemed "essential" by the administration, regardless of the fact that many people do not need or want to pay for these services. One constituent posed an interesting question to me, which is, Why can't we, the policy owners, decide what benefits and deductibles we want? I think they are right. They ought to have that right, and they ought to be given that choice.

Choice is what families should have when it comes to health insurance. Unfortunately, the freedom to make a decision based on what is in their best interests is no longer an option for millions of Americans who have to search for new insurance coverage, pay for benefits they will not use, and potentially even give up the doctors they know and wish to keep.

Despite assurances by the President that people who like their health insurance will be able to keep it, we have learned that the administration has known for at least 3 years that millions of Americans would lose the health insurance they currently have and would like to keep, as advertised.

Reports indicate there are an estimated 15 million people facing a potential coverage gap because many currently have insurance from the individual market but have received cancellation notices because their policies don't meet the law's requirements.

Since the Patient Protection and Affordable Care Act was enacted—incidentally, without a single Republican vote—in 2010 the administration has struggled to meet its own deadlines for implementation of the law. The ongoing problems with the law's enrollment Web site conspicuously foreshadowed the more significant failures that can be expected as this law is implemented.

The most recent marketplace enrollment report, which was released by the Centers for Medicare and Medicaid, states that less than 365,000 individuals have selected plans from the State and Federal marketplaces since October 1. It has been estimated that more than 47 million nonelderly Americans were uninsured in 2012. This means that less than 1 percent of the uninsured population in the U.S. has selected a health

insurance plan by way of the Patient Protection and Affordable Care Act.

We are told that it is likely that on January 1 of this next year, more Americans will be uninsured than were uninsured at the time the health care law was enacted. This law's primary intent was to expand coverage, to encourage insurance, but it seems to be failing on both counts.

Implementation of the law's mandates reveals that the legislation will fail to reduce health care costs as well. In 2013, we are projected to spend \$2.9 trillion on health care in the United States. This is approximately 18 percent of the entire U.S. economy. National health care expenditures are expected to increase substantially in the years beyond that.

Health insurance is just one component of our Nation's very complex health care system, and we could do better, should do better, and I think we can do better than this initial work product. We should get together and find common ground to improve the quality of health care in our country, to improve access, and reduce overall health care costs. We owe that to our constituents, our national economic interests, and to the future of quality health care in the United States.

Madam President, I invite other Senators to come to discuss this or other issues we have identified as important for our consideration. In the meantime, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISCUSSIONS IN VIENNA

Mr. CORKER. Madam President, I thank the Senator from Hawaii for the way she has dealt with us since she has been here.

I rise today to talk about discussions that have been taking place in Vienna over the last four days relative to the Iran P5+1 discussions. I know each of us in this body focuses on different topics based on the committee assignments we have. I wish to point out that reports have come out today and last night that the technical experts who have been meeting around the deal that has been announced still are having difficulties trying to understand how to implement this deal that was written down on four pages.

I say this to talk about the fact that there are many in this body on both sides of the aisle who would like to weigh in on this issue. I realize the administration has expressed concerns as to what type of weighing in they think might be harmful to the discussions. I

think there are many of us who understand those things and have tried to figure out a way to weigh in in an appropriate way.

(Mr. Kaine assumed the Chair.)

To bring people's memories back into focus, one of the concerns we have all had leading up to the announcement of this deal has been the amount of time, if you will, that remains before Iran reaches a status of being a nuclear armed state. So it was very important, I think to all of us, as we heard the announcement of this interim deal, that we actually understand the timeframes that were involved.

I know many people were alarmed—were alarmed—by this interim agreement because, in fact, there was a tacit understanding that Iran—which has been a rogue nation—no doubt, if this agreement continues to go through, is going to be a state that will be allowed to enrich uranium, much in the face of the 123 Agreements that we negotiate around the world, trying to establish a gold standard with countries to keep them from doing that.

This agreement—let's face it, I think that Wendy Sherman, yesterday, in testimony to the Banking Committee, and, I can assure you, every single Iranian official who has been involved in these negotiations, understand that what the United States of America, with other countries, has agreed to is to allow Iran to be able to enrich uranium at some level when a final deal is actually done.

I think one of the concerns that many of us have right now is that this interim deal either becomes the norm or—as the previous nuclear czar to the Obama administration, Gary Samore, has said—that we really just begin a series of rolling agreements and we never get to the place of establishing an end-state.

I hate to say this, but yesterday Wendy Sherman—I think many of us have certainly conducted discussions with the White House and have been in classified briefings, and one of the things we have really wanted to put in place—and I think CARL LEVIN in a meeting at the White House spoke most clearly to this—and that is, in order to alleviate that kind of thing occurring, we need to have a firm beginning date and a firm end date. He said that end date should be 6 months, which is, by the way, what the agreed announcement said.

I think what is dismaying to many people in this body is we are now finding out that not only is there not an end date, but addendums that can be mutually agreed to. In other words, there is no end date to this agreement.

We are now finding out, based on testimony yesterday from Wendy Sherman, we do not even know when the start date is, that officials cannot even agree as to when the beginning of this agreement is going to be and when the implementation begins.

It is pretty amazing to me that we could spend months negotiating over an issue that is so important to us and so important to the world and yet, after it is concluded, we do not even really know when the agreement begins, and we certainly—because of the text of the agreement—know that it does not have an end date.

I have tried to listen to the concerns that the administration has. I think I have demonstrated since I have been here that I really want to seek understanding, No. 1, but also try to use that understanding to solve problems.

So our office has worked hard to develop an amendment. It is an amendment that establishes a firm end date. But it also describes the end-state. That is what this amendment does.

I think people on both sides of the aisle—I do not think it; I know it because of public expressions—have been very concerned that this interim agreement already violates the U.N. Security Council resolutions that this administration agreed to back in 2010, as did the other members of the Security Council. Many people are concerned that if we start with an agreement that, no doubt, expressly violates the U.N. Security Council resolution, and it does not have even a clear start date or end date, there are a lot of concerns, as you can imagine, that we will never get to that place that countries have agreed to back in 2010 as it relates to where Iran's end-state should be.

Another concern that people have is, as we begin lifting these sanctions—and let's face it, Congress, the administration, and the international community actually have done a very good job together trying to figure out a way of appropriately implementing sanctions that have put pressure on Iran and have brought them to the place where they now are.

But I think the concerns—and as a matter of fact Senator JACK REED, yesterday, expressed these concerns in a Banking hearing—once you begin to basically say that Iran is not a rogue nation, that they are being brought hopefully into the international community, once you begin lifting even a minor portion of those sanctions, countries and companies around the world are going to clamor to do business because they see that in the very near future additional sanctions are going to be lifted. Just by virtue of that occurring, the sanctions begin to dissipate at a rapid pace. This is something, again, that has been expressed in a bipartisan way.

So I have an amendment. I am the ranking member on the Foreign Relations Committee, which means nothing other than I spend a lot of time on these issues and working with colleagues on both sides of the aisle to find solutions. As a matter of fact, we have not passed anything out of our committee yet that has not been bipartisan.

We have coming over, I understand, an NDAA bill that has typically been the vehicle on which we all express ourselves on these kinds of issues. It is my understanding that the majority leader has decided himself—I will say, much to the consternation of my friends on the other side of the aisle, but certainly to the consternation of people on my side of the aisle—that he is not going to allow any amendments, that he himself has decided what is best for this body.

So after spending months and months, and just coming from the region recently, working with the Presiding Officer and others on so many diplomatic and foreign policy issues together in a bipartisan way, I am now serving in a body that has the vehicle that typically is used to express ourselves on foreign policy issues and I do not have the right to raise an amendment to it. The body, by the way, may decide they do not support it. That is what happens around here. You debate issues and you decide whether you want to support them. By the way, the amendment I am offering does not add sanctions. All it does is define when the end is going to be, which, by the way, every world leader has stated is very, very important because of what is occurring on the ground in Iran, and it establishes a minimum end-state, which is what the U.N. Security Council resolution already says.

I am one Senator, I realize, and there are 99 others, and I am sure there are many people in this body who would like to express themselves on issues that are not deemed to be partisan or deemed to be political, but just to express themselves on policy they believe to be important to the country. But the majority leader, on his own, has decided that is not going to be the case.

Yesterday I was riding the elevator with a Senator who I came in with. I came in with nine Democrats and one Republican. I was the only Republican, excuse me. I did not come in with any other Republicans. I was it. We have had a lot of fun, and we get together once a year and talk about that. Candidly, relations between us, generally speaking, have been very good for the 7 years I have been here.

This one Senator, who I have actually worked with more than others of the group on so many issues, said to me that what happened on the Senate floor a few weeks ago, where the majority overruled their own Parliamentarian—their own Parliamentarian—overruled with a simple majority vote, which means there are no rules in the Senate anymore—this person said to me: Look, BOB, it was not personal.

What is amazing to me is that the way this Senate is run is not personal to my friends on the other side of the aisle, the fact that, like lemmings, in so many cases, they would just follow, follow the majority leader, and let him

decide what this body is going to vote on, and let him decide what policies this Senate is going to put in place. I do not understand that.

We have all worked hard to be here, and we all work hard to represent our constituents. I think we all work hard not to disrespect ourselves, not to disrespect the office we hold, not to disrespect—I will not say we have all worked hard not to disrespect this institution because I believe what happened greatly disrespected this institution—and certainly, hopefully, we work hard not to disrespect the citizens with whom we serve.

But what I find myself in total dismay over is that my friends on the other side of the aisle do not deem it personal that on the one vehicle that we typically express ourselves most on foreign policy issues—and at a time when we have so many foreign policy issues that in a bipartisan way people have concerns about—that they would decide to just let the majority leader decide what we are going to vote on, when we are going to vote on it, and if it is even appropriate to have a vote at all.

So here we are. We have witnessed the many problems that have dismayed both sides of the aisle relative to the rollout of the health care bill. I think everybody in this body would recognize I have not been down here taking cheap shots at that. Look, I am concerned about the citizens of our State and what they are dealing with relative to this policy, and hearing the distress calls of people who have had their insurance canceled and maybe have had a quadruple bypass and are concerned about getting on, and I know all of us are involved in trying to help those citizens who are in dismay and are very concerned they be successful in actually being able to get on the exchanges.

But here right now, seriously, we are watching a major foreign policy issue be rolled out by this administration with many of the same problems. We do not have a start date. We do not have an end date. We have not even broached the toughest issues with Iran over what the end-state is going to be.

I think that is a tremendous disservice to our Nation. It is a tremendous disservice to the countries with which we work all around the world. It is a tremendous disservice for this body not to express its will.

I know that the chairman of the committee had acted as if he wanted to participate in this somehow, making sure that Congress was heard on this in a way that does not blow up the negotiations. I think everyone here wants to see a diplomatic solution—everyone here. I do not know of anybody in this body that does not want to see that happen.

But I also know, and I think the administration knows this as well, that the actions of this body, candidly, over

the years are the main reasons that we are where we are. But, again, I will close; I know I am getting redundant. Our majority leader in his wisdom—and I know the majority leader decides who serves on committees. He decides who the chairman is of those committees. I realize that with that you have a great ability to keep people from expressing their will or rising and really wanting to do something in a bipartisan way.

I am coming to understand, especially in recent weeks, what bipartisan means to our majority leader is whatever he decides is “bipartisan.” Even though the majority of the people in this body would really like to weigh in on this policy, to do so in an appropriate way so that we do not, in fact, do something that does something to harm the negotiation, but does something to strengthen our hand in these negotiations.

That will not occur. To me, that is a disservice to this body. It is a disservice to every Member. No doubt, when each of us do not have the opportunity to express ourselves through amendments, what that really means is the folks we represent back home have no rights to have their concerns expressed or voted on.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRAYER

The PRESIDING OFFICER. Pursuant to the order of February 29, 1960, the hour of 12 noon having arrived, the Senate having been in continuous session since yesterday, the Senate will now suspend for a prayer by the Senate Chaplain.

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Sovereign God, ultimate judge of the leadership of this Nation, thank You for loving us and calling us to be Your people. Make us worthy of the honors You have bestowed upon us. Today, give to our lawmakers Your grace and peace so that they may use their talents to empower people to live lives of purpose.

Lord, invade the thinking of our Senators with insights and inspiration that they could not produce on their own. May Your omniscient wisdom guide them as You strengthen them to do Your will.

We pray in Your sacred Name. Amen.

The PRESIDING OFFICER. All postcloture time has expired.

The question is, Will the Senate advise and consent to the nomination of Heather Anne Higginbottom, of the District of Columbia, to be Deputy Secretary of State for Management and Resources?

Mr. RUBIO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), the Senator from Idaho (Mr. CRAPO), the Senator from South Carolina (Mr. GRAHAM), the Senator from Utah (Mr. HATCH), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted “nay” and the Senator from Utah (Mr. HATCH) would have voted “yea.”

The result was announced—yeas 74, nays 17, as follows:

[Rollcall Vote No. 272 Ex.]

YEAS—74

Ayotte	Gillibrand	Moran
Baldwin	Grassley	Murkowski
Baucus	Hagan	Murphy
Begich	Harkin	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Paul
Booker	Heller	Portman
Brown	Hirono	Pryor
Burr	Hoeven	Reed
Cantwell	Isakson	Reid
Cardin	Johanns	Rockefeller
Carper	Johnson (SD)	Sanders
Casey	Kaine	Schumer
Chambliss	King	Shaheen
Coats	Klobuchar	Stabenow
Cochran	Landrieu	Tester
Collins	Leahy	Toomey
Coons	Levin	Udall (CO)
Corker	Manchin	Udall (NM)
Donnelly	Markey	Warner
Durbin	McCaskill	Warren
Feinstein	McConnell	Whitehouse
Fischer	Menendez	Wicker
Flake	Merkley	Wyden
Franken	Mikulski	

NAYS—17

Barrasso	Johnson (WI)	Scott
Blunt	Lee	Sessions
Boozman	McCain	Shelby
Cornyn	Risch	Thune
Cruz	Roberts	Vitter
Enzi	Rubio	

NOT VOTING—9

Alexander	Crapo	Inhofe
Boxer	Graham	Kirk
Coburn	Hatch	Schatz

The nomination was confirmed.

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Anne W. Patterson, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Ambassador, to be an Assistant Secretary of State (Near Eastern Affairs).

Harry Reid, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Benjamin L. Cardin, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Michael F. Bennet.

Mr. PAUL. Mr. President, I ask unanimous consent that the mandatory quorum be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, under the previous order the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the nomination of Anne W. Patterson, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Ambassador, to be an Assistant Secretary of State (Near Eastern Affairs), shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Missouri (Mrs. MCCASKILL), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), the Senator from Idaho (Mr. CRAPO), the Senator from South Carolina (Mr. GRAHAM), the Senator from Utah (Mr. HATCH), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted “nay” and the Senator from Utah (Mr. HATCH) would have voted “nay.”

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 54, nays 36, as follows:

[Rollcall Vote No. 273 Ex.]

YEAS—54

Baldwin	Coons	Kaine
Baucus	Donnelly	King
Begich	Durbin	Klobuchar
Bennet	Feinstein	Landrieu
Blumenthal	Franken	Leahy
Booker	Gillibrand	Levin
Brown	Hagan	Manchin
Cantwell	Harkin	Markey
Cardin	Heinrich	Menendez
Carper	Heitkamp	Merkley
Casey	Hirono	Mikulski
Collins	Johnson (SD)	Murkowski

Murphy	Rockefeller	Udall (CO)
Murray	Sanders	Udall (NM)
Nelson	Schumer	Warner
Pryor	Shaheen	Warren
Reed	Stabenow	Whitehouse
Reid	Tester	Wyden

NAYS—36

Ayotte	Fischer	Paul
Barrasso	Flake	Portman
Blunt	Grassley	Risch
Boozman	Heller	Roberts
Burr	Hoeven	Rubio
Chambliss	Isakson	Scott
Coats	Johanns	Sessions
Cochran	Johnson (WI)	Shelby
Corker	Lee	Thune
Cornyn	McCain	Toomey
Cruz	McConnell	Vitter
Enzi	Moran	Wicker

NOT VOTING—10

Alexander	Graham	McCaskill
Boxer	Hatch	Schatz
Coburn	Inhofe	
Crapo	Kirk	

The PRESIDING OFFICER. On this vote the yeas are 54, the nays are 36. The motion is agreed to.

NOMINATION OF ANNE W. PATTERSON TO BE AN ASSISTANT SECRETARY OF STATE

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Anne W. Patterson, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Ambassador, to be an Assistant Secretary of State.

The PRESIDING OFFICER. Pursuant to the provisions of S. Res. 15 of the 113th Congress, there will now be up to 8 hours of postcloture consideration of the nomination equally divided in the usual form.

The PRESIDING OFFICER. The majority leader.

GUN VIOLENCE

Mr. REID. Mr. President, it seems hard to believe that tomorrow will be the anniversary of the deaths of 20 little boys and girls in Newtown, CT. Not only those little boys and girls, but six educators, whose lives were taken by an unspeakable tragedy at Sandy Hook Elementary School.

Their names are Allison, Avielle, Charlotte, Daniel, Olivia, Josephine, Ana, Dylan, Madeleine, Catherine, Chase, Jesse, James, Grace, Noah, Jack, Emilie, Caroline, Jessica, and Benjamin.

These little boys and girls were 6 and 7 years old. They were murdered. Although their years were few, their lives have touched and will continue to touch us all.

As it did a year ago, my heart goes out to the families of these little angels, and to all those affected by this tragedy. I honor the ultimate sacrifice of Victoria Soto, Dawn Hochsprung, Mary Sherlach, Lauren Rousseau, Rachel Davino, and Anne Marie Murphy—teachers and educators who died trying to safeguard the children in their care.

These six educators devoted their lives to teaching Newtown's children

how to read and write, how to add and subtract, how to be good boys and girls, and how to grow into good men and women. They gave their lives to keep those children safe. They are a source of hope in a world that sometimes seems hopeless.

It is hard to comprehend the type of tragedy that occurred at Sandy Hook, let alone to recover from it. But I am inspired by the families in this community who have found purpose in the face of despair.

There is a Tibetan saying that says, "Tragedy should be utilized as a source of strength."

The Dalai Lama says that whatever trouble you have experienced, and however deep your heartbreak, "If we lose our hope, that's our real disaster."

The families of Newtown have channeled their pain into activism, raising awareness about gun violence and mental health issues in this country.

I have met with them on a number of occasions, and their bravery in the face of such pain is truly an inspiration not only to me but to all of us.

I am proud of how hard my caucus fought this year to pass safeguards that would keep guns out of the hands of felons and people with severe mental illness. That is why 85 percent of the American people agree with us. Why should someone who has a severe mental illness or someone who is a criminal be able to purchase a gun? They shouldn't. Those who are trying to stop that legislation from going forward should be embarrassed and ashamed of themselves.

I personally am happy with my vote to keep military-style weapons off the streets and to improve our mental safety. But at a time when more than 30,000 Americans are killed by guns each year, it is shameful that the Senate can't pass gun safety legislation that would protect our most vulnerable citizens—our kids, our children, our babies.

So I told the families of the 26 innocents killed a year ago in Newton, and the 173 children killed by guns since December 14, 2012, that Senate Democrats will not give up on them, and that is still the fact. We will not give up on the victims of 26 school shootings that occurred since the Newtown massacre, including one in Sparks, NV, where a young man came with a gun. Who stepped forward to save the children? A teacher. He was killed. Two others were injured in that assault. I will not give up on the families and friends of those gunned down at a movie theater in Colorado, a Sikh temple in Wisconsin, a shopping mall in Oregon, and every day on the streets of America's cities.

Last December I promised the families a meaningful conversation about how to change America's culture of violence. I want everyone within the sound of my voice to know that the conversation is not over.

The American people will prevail on this issue. When 85 percent of the American people believe in an issue—when 85 percent of the American people believe in not only an issue but in a quest, in fairness, it is going to happen. It is only a question of when it happens.

I urge the families and friends of those killed in Newtown to never lose hope. Never lose hope.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, John Adams, America's first Vice President—and second President—and whose bust sits right above us looking over the Senate every day, once said:

Facts are stubborn things. And whatever may be our wishes, our inclinations, or the dictates of our passions, they cannot alter the state of facts and evidence.

It has been more than 3 years since President Obama signed the Affordable Care Act into law. In that time, its opponents have made every effort to misinform the American public about this law and the vital benefits it provides the American people.

But as Adams said, facts are stubborn things, and I want to make sure the facts about the Affordable Care Act do not get lost amongst the criticism and false claims.

So here are the facts.

Thanks to the Affordable Care Act, 100 million people have received free preventive care, more than 7 million seniors have saved nearly \$9 billion on prescription drugs, and 25 million people who lacked health insurance will finally be able to get the coverage they need.

The Affordable Care Act has also helped slow the growth in health care costs. National health care spending grew by 3.9 percent each year from 2009 to 2011—the slowest rate on record.

I can remember not too many years earlier the annual rate increase in health care costs was in the neighborhood of 6, 7, 8, 9 percent a year. It is a dramatic reduction.

That means we will save huge sums of money down the line. For example, the CMS projection of national health care expenditures in 2019 has dropped by \$574 billion in 3 years. That is \$574 billion in reduced projection of national health care costs in the year 2019.

While there is more than just the Affordable Care Act at work in those savings, it certainly has played a part.

The health insurance marketplaces are open for business, and every day we hear how the Web site healthcare.gov is working better. It is picking up steam. It is handling more and more consumers.

The New York Times reported on Tuesday that—and I am quoting—“the number of applicants who dropped a plan into their virtual grocery carts was climbing at a rapid clip.”

Those are the facts. The Affordable Care Act is helping millions of people. It is improving millions of lives.

But frankly, I think the American people are a bit tired of hearing politicians argue over the law. I am sure every one of my colleagues has spoken at length about it here on the Senate floor or back home. I know I have.

I think it is time to change the conversation. I think it is time to hear from the American people—hear from them—about how they think the law is helping them. I think it is time to hear what the New York Times called the “voices of quiet optimism and relief amid the uproar over the health law.”

Take these two stories.

Claire He is a college student whose parents have never been able to afford insurance. She and her brother lived most of their lives without coverage. She told the New York Times that if they got the flu “we just stayed home and waited it out.”

But when Claire and her family sat down to look at their options under the Affordable Care Act, here is what they found: They found a high-quality plan that will cost them only \$30 a month.

Claire said of the ACA’s critics: “I see so much negativity behind this. . . . But in reality there’s a lot of families who are like mine.”

Then there is the story of Bruce Kleinschmidt, a lawyer who lives in Louisville, KY. Bruce had insurance through his employer until he stopped working full time.

Bruce is 61—not yet eligible for Medicare. In another era, his health problems would have made it impossible for him to find insurance. But using Kentucky’s new health marketplace, Bruce found a generous plan that saves him \$300 a month in premiums. Bruce called it a “godsend.”

There are hundreds of similar stories in newspapers all across the Nation—the San Jose Mercury News, the Las Vegas Sun, the Hartford Courant, the Palm Beach Post, the LA Times, and many more.

Not only do we read these kinds of personal stories in newspapers, we receive letters with them every day. Here are a few examples from letters I have received from Montanans.

John wrote to my office with his family’s story. What did he say? John’s daughter recently beat cancer. She is under age 26, so thanks to the Affordable Care Act she is still covered under her parents’ insurance.

And there is more. When she does turn 26, she will have a guaranteed right to coverage. No insurance company can turn her away because she had cancer. John said they are counting on the Affordable Care Act to help them find an affordable plan.

Marge wrote to say that the Affordable Care Act has been an enormous relief for her. She has battled emphysema for years—despite the fact that she is not a smoker. A doctor once told her she could never leave her job because no one else would ever insure her.

So for Marge, the Affordable Care Act means she can breathe again—that she does not have to live in fear of losing her insurance or falling into bankruptcy because of her medical costs.

We all know—because many, many told us before the act—how many people went into bankruptcy because one of the leading causes of bankruptcy was health care costs.

Jillian wrote to say how excited she was to be able to shop for coverage in the marketplace.

Jillian is married, and she and her husband are expecting a child. But her husband’s employer-sponsored plan does not pay for her coverage.

Here is what she wrote: “I am looking to make a more affordable choice for me and my baby-to-be. . . .”

Letters like these come in every day. They tell the stories of how the Affordable Care Act is working for them, it is helping them, and in the end that is what matters—not the punditry, not the polls, not the political points. What matters is that the law is improving the lives of millions of Americans.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RULES

Mr. MCCAIN. Mr. President, I have been engaged in the back-and-forth for many years concerning the rights of the minority to oppose legislation or nominations for Senate advice and consent, which, obviously, as we all know, is part of the Constitution of the United States.

After investing all of those hundreds of hours in compromises, both when Republican leadership wanted to act to curtail the rights of the minority and when Democrats were doing it—I fought hard. A short time ago Senator LEVIN and Senator SCHUMER and others changed the rules to try to expedite the consideration of legislation for a whole lot of reasons, including the fact that a majority of my colleagues on the other side of the aisle have never been here in the minority.

We have now acted in a draconian fashion and, in my view, have fun-

damentally, historically damaged this institution. Among other things, for the first time since the Senate has been a body, we have now changed the rules to 51 votes rather than 67. First time in history. Unfortunately, the repercussions will be that we are moving a step—a very significant step—toward a majority-rule body.

As my friend from Michigan Senator CARL LEVIN quoted Senator Vandenberg, a former Senator from Michigan and a highly regarded individual in this institution, we have now broken the rules to change the rules. On the night we changed the rules, I read a letter from Senator Robert Byrd—who was one of the most outstanding leaders and clearly the expert on the Constitution and this institution—cautioning against it.

The reason I come to the floor today is not so much to revisit that because it is done. I wish to point out that I see the first manifestation now of the majority-rule vote. I have been a member of the Homeland Security Committee, and I have been involved in these issues for many years. I was also involved in the so-called Gang of 8, where we came up with a comprehensive immigration reform bill which was passed through this body. We still hope that the other body will address, at least in some way, the issue of comprehensive immigration reform.

I come from a border State, as my colleagues know. Our border is not secure. In fact, the majority of drugs that still come across our southern border come across the Arizona-Sonora border in Mexico. My constituents, many who live in the southern part of the State of Arizona, have home invasions, people crossing their property. In one case a rancher was shot and killed, and a Border Patrol agent was killed. In fact, the reality is that they don’t have the same security in the southern part of my State as the rest of our citizens do in other parts of the country.

Border security was a fundamental and vitally important issue in the hundreds of hours of debate and discussions that I and my seven colleagues engaged in as we shaped the comprehensive immigration reform legislation, which was largely passed intact in the Senate.

I went back to my constituents and I said there is a very vital and important provision in this bill; that is, when this legislation is passed, we will embark on the goal of achieving 90 percent effectiveness at our border. We can never get complete control of our border—we all recognize that—but 90 percent effective control through surveillance, through hiring new people, through capabilities that we have—we can achieve 90 percent effective control.

Then comes the nomination hearing of Mr. Jeh Johnson for Secretary of Department of Homeland Security. I

asked Mr. Johnson a simple, straightforward question. The question was: Mr. Johnson, when you are Secretary of the Department of Homeland Security, will you provide this committee and me, Senator MCCAIN, with a description of the measures that need to be taken in order for us to achieve what we have turned into legislation—at least in the Senate—90 percent effective control of our southern border?

His answer was no.

His answer, believe it or not, was no, that he could not provide that information. In fact, I was so astonished that I wrote him a letter and received a response, which I will read:

November 19, 2013.

Dear Senator MCCAIN,

I regret that in my current posture as a nominee and private citizen, I am not now in a position to commit to provide the information you seek from the Department of Homeland Security.

At this point, I must respectfully refer you to the Department's current leadership. I know this was a matter of discussion between you and Secretary Napolitano, and I understand your frustration. As I believe I have demonstrated to you and others on the Senate and House Armed Services Committee—

Why he said Senate Armed Services Committee, I am not sure.

—I have a strong respect for Congress' oversight role. If I am confirmed, and if your request is still outstanding at that point, I promise that addressing your letter will be a top and immediate priority for me.

This is the November 19, 2013, letter from Mr. Jeh Charles Johnson.

In other words, the nominee for the Department of Homeland Security, who has direct responsibility for securing our borders, direct responsibility as outlined in legislation passed by this body, the comprehensive immigration reform bill, refuses to give me and this body the information. I hope there are other Senators who might be interested in what is necessary to achieve 90 percent effective control of our borders. He refuses to give me that information.

Thanks to the good offices of my beloved friend CARL LEVIN and my dear friend Senator CARPER, I just came from a meeting in my office with Mr. Jeh Johnson. Mr. Jeh Johnson again repeated to me that he could not give me the information of what is necessary, what tools are necessary to ensure 90 percent effective control of our border.

Allegedly, he is being prevented from doing that by the White House. It is stunning. Why would the White House prevent the nominee for Secretary of Homeland Security from providing this to Members of the Senate and members of the committee that has oversight of homeland security, which is fundamental information if we are going to achieve effective control of our border?

I go home to Arizona and I say: Yes, it is in the law, my friends. It is in the

law that we are going to have to get 90 percent effective control of our border, but I don't know how we do it because the agency that will be required to do it will not give me the necessary information to do it.

My friends, we will voting on Monday to confirm Mr. Johnson. He will be confirmed. There is no doubt about it now that we have majority vote. We have now deprived Republicans of their advice and consent responsibilities and authority. We have not only changed the rules of the Senate, we have abridged the Constitution of the United States because the only way that I could have received this information from Mr. Johnson was if I had said: I can't approve of your nomination until you provide the information which, by any objective observer, I am entitled to—not only entitled to; it is my responsibility to know that. It is my responsibility. That is why we have a committee. That is why we have a committee, the homeland security committee, that has oversight of the functions of the executive branch. That is how equal branches of government are supposed to function.

Mr. Johnson will be confirmed, and the message will go out, believe me: You don't have to answer a question by a Republican Senator. You don't have to respond to a straightforward question.

There was nothing devious about the question I asked Mr. Johnson. There was nothing complicated. They certainly should have the information of what steps and measures are necessary to ensure 90 percent effective control of our border—which is a requirement in the law, if it is ever passed. Certainly the requirement was passed by the Senate.

It is kind of a sad day. It was a sad day for me when we changed the rules. It was a sad day for me to see people who have been here a very short period of time basically shatter the comity which exists and which is vital to doing business in the Senate.

I also would point out to my colleagues—particularly those who are new and who drove this change in the Senate rules—what goes around comes around and what goes around will come around. To their deep regret, some day—I say to the President and I say to my colleagues who voted for it on a party-line vote, for the first time in history changing the rules of the Senate from 67 votes to 51 votes—they will regret it.

The people who will suffer greatly from this are the American people because this place is largely dysfunctional anyway. If we think it was dysfunctional before, wait and see. I say that with deep regret because I value and treasure my relationships with my colleagues on the other side of the aisle. Some of the best friends I have are on the other side of the aisle. But

to expect to do business as usual when I can't even get a straight answer for a question that—now by not having the answer inhibits and in many ways prohibits my ability to respond and carry out my responsibilities to the citizens of my State—cannot go without being responded to.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

Mr. REID. I now yield back all time on the Patterson nomination.

VOTE EXPLANATION

Mrs. BOXER. Madam President, I was unable to attend the rollcall vote on the nomination of Heather Anne Higginbottom to be Deputy Secretary of State for Management and Resources and the rollcall vote on the motion to invoke cloture on the nomination of Anne W. Patterson to be an Assistant Secretary of State. Had I been present for these two votes, I would have voted "aye."

MORNING BUSINESS

Mr. REID. I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO GREG JONES

Mr. MCCONNELL. Madam President, I come to the floor today to recognize the retirement of an upstanding citizen from the Commonwealth of Kentucky, and to pay tribute to his career of service to my home State. This month, Greg Jones concludes over 21 years as executive director of the non-profit Southeast Kentucky Economic Development Corporation, SKED. His daily presence at the helm of the organization will be sorely missed, but his legacy will endure in the thousands of jobs he helped create and the increased economic vigor he helped bring to the region.

When he first took the job at the behest of Congressman HAL ROGERS in 1992, Greg oversaw a two-person staff and commanded a \$75,000 budget. Under his leadership the organization has grown to its current staff of 10 professionals and a budget of nearly \$2 million. Throughout his tenure as executive director, Greg marshaled SKED's resources to help start and expand businesses, provide training for entrepreneurs, and attract new industries to

the corporation's 45-county service area. Under Greg's watch, SKED has unquestionably lived up to its stated mission—"to foster economic growth and vitality in the region."

I ask my Senate colleagues to join me in recognizing Greg's exemplary career as well as wishing him a happy retirement with his wife Belinda and son Christopher.

An article about Greg Jones's retirement from SKED recently appeared in an area newspaper, the *Commonwealth Journal*. I ask unanimous consent that the full article be printed in the RECORD.

There being no objections, the article was ordered to be printed as follows:

SKED EXECUTIVE DIRECTOR GREG JONES
RETIRING IN DECEMBER
[From the *Commonwealth Journal*,
Oct. 13, 2013]

SOMERSET, KY.—Greg Jones, executive director of Southeast Kentucky Economic Development Corporation (SKED), will retire in December after more than 21 years of service to the nonprofit organization and to Southeast Kentucky.

The longest serving executive director in the organization's 27-year history, Jones is credited with strengthening SKED's mission of job creation and making it the premier economic development agency in the region. Beginning with a \$75,000 budget and two-person staff in 1992, Jones and his current staff of 10 professionals now operate with an annual budget of nearly \$2 million.

"I've had the privilege to lead SKED and our amazing team of professionals for over two decades, and I am extremely proud of our successes," Jones said. "I shall forever be grateful to Congressman Hal Rogers and the incredibly supportive and talented individuals on the SKED Board of Directors for giving me the opportunity to be a part of this remarkable organization. And, finally, I wish to thank the dedicated staff of SKED for their loyalty and friendship over these many years."

It was Congressman Rogers who asked Jones to head up the grassroots effort he began, in 1986, back in 1992. At the time, Jones was working as executive director of the Somerset-Pulaski County Chamber of Commerce.

"Over the last two decades, Greg Jones has worked tirelessly to recruit thousands of jobs and expand the industrial portfolio of southern and eastern Kentucky," said Rogers. "Greg's foresight to address vital infrastructure upgrades, recruit high-tech companies and support entrepreneurial growth will continue to benefit economic development in our region for years to come. While he is moving on from daily operations at SKED, I have asked Greg to remain in close contact to offer guidance for the organization that he has helped mold for success. My wife Cynthia and I wish Greg and his family many blessings in his years of retirement."

As SKED executive director, Jones has been responsible for the marketing and industrial recruitment activities for the 45-county SKED service area, managing a \$10-million loan portfolio and providing economic and community development assistance to local communities in Southeast Kentucky.

Under his leadership, SKED has successfully assisted more than 100 businesses and industries in starting or expanding their op-

erations in the region. These companies now employ more than 7,700 workers and have invested an estimated \$500 million in Southeast Kentucky. He has successfully prepared loan and grant applications totaling more than \$26 million to support the organization's job creation activities.

Building partnerships has been Jones's mantra for the past 21 years. Whether it was with local community leaders or state and national funding agencies, Jones worked tirelessly to form strong alliances across the region, state and nation. One of those key partnerships is with the Appalachian Regional Commission (ARC).

Earl Gohl, ARC federal co-chair, has worked with Jones on several key projects in recent years.

"Greg's leadership has made SKED what it is today," Gohl said. "What he has accomplished with the SKED entrepreneurship program and the Valley Oak Technology Complex has laid the groundwork for what Eastern Kentucky can be tomorrow."

Jones led SKED to receive designation as a Community Development Financial Institution (CDFI) in 1999. As a result, the organization received funding to implement several innovative regional projects including the Valley Oak Technology Complex, the Somerset Rail Park, the Southern Kentucky Information Technology Center and the Enterprise Center.

SKED received the National Association of Development Organization's (NADO) 2002 Innovation Award in recognition of its technology initiatives.

In 2009, SKED became a Certified Development Corporation (CDC) by the U.S. Small Business Administration. This designation authorized SKED to process SBA 504 loans throughout the state of Kentucky. The 504 Loan Program is the SBA's economic development tool to provide small-business financing and create jobs all across America.

To date, some 250 people have received entrepreneurial training from SKED thanks to a grant from the ARC in 2011. SKED established the Entrepreneurial SMARTs program designed to offer nationally acclaimed entrepreneurship classes at a reduced rate. A CDFI grant provided the funding to hire a professional to teach the classes.

SKED is governed by a 12-member, volunteer board of directors. Over the past 21 years, Jones has worked with a number of successful men and women on the board, each with different areas of expertise and from a variety of career fields, but all leaders in their own communities. As board members, they share SKED's mission of job creation in Southeast Kentucky.

SKED President Tim Barnes is one of those community leaders. President and CEO of Hometown Bank, he's led the SKED Board of Directors for the past three years.

"Greg has been the face of SKED for so long, it's hard to imagine ever being able to replace him," Barnes said. "Let's just say there will be no replacing Greg. He's one of a kind. His legacy of caring professionalism will live on through the lending programs and other initiatives he's worked so tirelessly to develop over the past two decades. We wish him all the best in his future endeavors, and speaking on behalf of all board members past and present, I say a hearty thank you."

The SKED Board of Directors plans a national search for Jones's successor.

A native of Laurel County, Jones has served on numerous boards and commissions both locally and nationally. These positions include being past president of the Appa-

lachia Development Alliance. He is currently on the board of directors for both TOURSEKY and the National Institute for Hometown Security. He was named East Kentucky Power Community/Economic Development Professional of the Year in 2007.

He earned his B.S. in industrial technology at Morehead State University in Morehead, Ky. He also holds a master of public administration degree from Southern Illinois University—Edwardsville. He also attended the Institute for Organization Management and Economic Development Institute.

In 1995, he received the Certified Economic Developer designation from the American Economic Development Council.

He is married to Belinda Taylor Jones and they have a son, Christopher.

REMEMBERING THE NEWTOWN TRAGEDY

Mr. DURBIN. Madam President, this Saturday will mark 1 year since one of the most horrific tragedies in our nation's history: the murder of 26 innocents at Sandy Hook Elementary School in Newtown, CT on December 14, 2012. All of us remember the shock we felt when we heard the news reports. Twenty first graders—only 6 or 7 years old—were gunned down in their classrooms, and six educators were killed while trying to protect their students from harm.

The events of that day were heart-breaking. As we come upon the grim 1-year anniversary of that event, our thoughts and our prayers are with the families and friends of the victims. Many of them stood in a nearby firehouse on that day waiting for first responders to bring them any word about their loved ones in the school. One by one, the first responders brought down children and teachers to the firehouse to reunite them with their families—until the families of the victims were the only ones left. Then it became clear that no more would be coming.

These families have suffered immensely. But in the face of their grief and loss, they have shown incredible strength and courage. They have supported one another with a strong sense of community and faith, and they have dedicated themselves to the cause of sparing other families what they have gone through.

I have met with many of these families over the past year. They have come to meet with Members of Congress, and with lawmakers in many States, to share their ideas for how to reduce the devastating toll of gun violence. I salute them for their courage, and I thank them for standing up on behalf of so many families across America who have lost a loved one to gunfire.

Over 11,000 Americans are murdered with guns each year. If we count suicides and accidental shootings, the death toll from guns rises to more than 31,000 Americans each year. This epidemic of gun violence is unacceptable. We cannot simply shrug our shoulders and write off these shootings as the cost of living in America.

In my home State of Illinois, I have met too many grieving mothers who have lost their children to senseless gun violence—mothers such as: Annette Nance-Holt, who lost her son Blair in the crossfire of a gang shooting; Mary Kay Mace, whose daughter Ryanne was killed in her classroom at Northern Illinois University; Pam Bosley, whose son Terrell was shot and killed outside of church; and Cleo Pendleton, whose daughter Hadiya was gunned down at a bus stop where she was seeking shelter from the rain.

I do not want to go to another funeral for a police officer like Chicago Police Officer Thomas Wortham IV, who was killed by gang members with a straw-purchased gun. I do not want to hear about any more killers who couldn't pass a background check but still were able to buy guns through a private sale—such as the man who murdered Ricky Byrdson, the former Northwestern University basketball coach, in Skokie, IL.

We need to take proactive steps, consistent with the Constitution and the Second Amendment, to stop these situations from happening. We need to reduce this high number of violent shootings. We can do this by working for better gun safety laws—laws that will spare other families what these families have gone through. No matter how long it may take, no matter how challenging the road may seem, this is a goal worth fighting for.

We have seen some positive steps forward when it comes to gun safety in the past year. For the first time ever, the Senate confirmed a director to head the Bureau of Alcohol, Tobacco, Firearms and Explosives. We have seen an end to the federal funding restrictions on research into the causes of gun violence. We have seen significant growth in crime gun tracing, especially with the eTrace program that has helped catch criminals and gun traffickers in Illinois and nationwide, and important new gun safety laws have passed in States such as California, Colorado, Connecticut, Maryland, New Jersey, New York, and my home State of Illinois, where universal background checks and mandatory reporting of lost and stolen guns are now the law.

We know that more needs to be done. Earlier this year, we failed to get the 60 Senate votes we need to ensure that a criminal background check is conducted on every gun sale. The Senate also fell a few votes short when it comes to toughening our laws against straw purchasing and illegal gun trafficking. Of course, the House of Representatives has not even tried to pass legislation to reduce gun violence.

I know it is frustrating to many Americans when Congress fails to act on commonsense steps such as these. It is frustrating for me too, but I am not giving up. The goal of reducing gun deaths in America is worth fighting

for. We may not have the votes we need in Congress today, but if the American people speak out and work hard for commonsense reform, we will achieve it.

I salute my colleagues in both parties who have worked hard this past year to push for commonsense gun safety laws especially the Senators from Connecticut, Senators BLUMENTHAL and MURPHY, who have become such admirable leaders on this issue. I also commend Senators MANCHIN and TOOMEY, who have crafted a balanced background check bill to make sure that we aren't selling guns to criminals; and Senators LEAHY, KIRK, COLLINS and GILLIBRAND, who have worked with me on a bill to crack down on the straw purchasers and gun traffickers who supply criminals with weapons.

The votes haven't been there yet, but we will keep at it. It may not happen right away, but we are in this for the long haul. The families from Newtown are going to keep working for these reforms, and so must we. I am confident that working together, we will pass commonsense reforms that save lives.

REMEMBERING MICHAEL JOSEPH O'SHEA

Mr. DURBIN. Madam President, as I often point out, our country is a country of immigrants. And the City of Chicago, almost without rival, is a city of immigrants.

Earlier this week, Chicago lost a wonderful adopted son.

Michael Joseph O'Shea—"Joe," as his friends and family called him—was born in Ballynacally, County Clare, Ireland in 1937.

He came to America in 1959, when he was just 18 years old, and like so many sons and daughters of Ireland before him, he quickly made Chicago his home.

You knew Joe O'Shea was Irish before he ever opened his mouth. To borrow a phrase from Eugene O'Neill, he had the map of Ireland all over his face. And his face was rarely without a smile.

There's an old Irish saying: "Bricks and mortar make a house, but the laughter of children makes a home." Well, there was a lot of laughter in the home that Joe and his wife Mary made on the South Side of Chicago.

Joe and Mary were blessed with four children: Michael, Daniel, Colleen, and my friend Sean, through whom I got to know Joe.

In addition to the laughter of children—and later, grandchildren—the O'Shea home was filled with something else almost as beautiful: the sounds of Irish music.

Joe O'Shea was a past president of the Chicago Irish Music Association and he was one of the best Irish accordion players you have ever heard, or ever will hear.

In 2000, Joe was honored to play for President and Mrs. Clinton at their annual St. Patrick's Day celebration at the White House. In the audience were many of the leaders of his adopted land as well as the Prime Minister and other visiting dignitaries from Ireland. It was a proud moment that Joe treasured.

Joe's love of Irish music and dance and his masterful, joyful performances will help to keep that part of Chicago culture vibrant for many years to come.

Like many Chicago families, the O'Shea family has split loyalties when it came to baseball. But they are united in love and support for each other.

Loretta and I wish to express our deep condolences to Joe's wife, Mary, their children and their two beloved grandchildren, Declan and Delaney O'Shea, and to Joe's many friends in this Nation and in Ireland. May your cherished memories comfort you in this time of sorrow.

UNEMPLOYMENT INSURANCE EXTENSION

Mr. HARKIN. Madam President, today I wish to speak about one of the most important jobs the Senate must do before we go home for the holidays—extend Federal unemployment insurance benefits. This is a program that has helped tens of millions of Americans weather the storm of the difficult economy over the last several years. It has helped workers put food on the table, kept a roof over their heads, and kept millions out of poverty.

But this program is at risk. If Congress fails to extend it, then just 3 days after Christmas on December 28, 1.3 million Americans will be abruptly cut off from their vital unemployment insurance benefits. But it does not stop there: by the end of next year another 3.6 million Americans will be cut off from unemployment insurance. That's a total of 4.9 million Americans—including 35,500 Iowans, who have spent 6 months or more trying to find new work, going out and pounding the pavement day after day, who will now have to spend this holiday season worrying about how they and their families and children are going to survive. How will they pay their heating bill, their rent, or their mortgage, much less afford gifts for their family?

Congress has a moral responsibility to continue the Federal unemployment insurance program to ensure that Americans and their families can survive while trying to get back on their feet and find new work. It is simply unacceptable for us to return to our home States to celebrate the holidays without answering our constituents' call to keep this critical lifeline going. They are depending on us.

Unfortunately, some people seem to think that the misfortune of losing a

job means that these hardworking folks are to blame, or that they do not deserve this basic lifeline. But they are not. In fact, participation in the unemployment program requires that workers have a significant work history, which means they have paid into the system and earned these benefits. Collecting benefits also requires workers to have lost their job through no fault of their own, and to be actively looking for work. The fact is times are still tough and jobs are hard to come by. For every job opening there are three job seekers. That is why so many millions of workers have been searching for new work for such a long period of time. Our economy still needs more jobs, and in the meantime, we must make sure that workers who are out of luck in this economy have some basic income to make ends meet. We cannot abandon them now.

These benefits are crucial for keeping households afloat. For many, this is their last lifeline. If Congress fails to act, millions of people will face real economic devastation. The Council of Economic Advisers found that in 2012 unemployment benefits kept 2.5 million people from falling below the poverty line, including 600,000 children.

By helping families to make ends meet, unemployment benefits are a help not just to jobseekers and their families, but to our economy as a whole. After all, one of the best ways to grow our economy and to create jobs is to support spending power. And that is exactly what unemployment benefits do. When unemployed workers can continue to pay their bills, businesses can continue to make sales and provide services, and the economy grows. The Congressional Budget Office finds unemployment benefits to be one of the most efficient fiscal policies to improve economic growth. If Federal unemployment benefits are extended through 2014, it would increase GDP by 0.2 percent and create 200,000 jobs. Those jobs could be lost if we do not extend this program.

It's important to remember who is most affected by long-term unemployment. Unfortunately, it is older workers. In a cruel state of affairs, those who have been working for decades, but who are not yet at retirement age, have the hardest time finding new work. According to the Bureau of Labor Statistics, over half of jobseekers between ages 55 and 64 have been searching for work for over 6 months. That is compared to 42 percent of those between 25 and 54. These older workers can't yet afford the luxury of retirement. They need to continue working to support their families and hopefully one day save enough to retire with security.

Congress has a long history of acting to ensure basic security for working people during tough economic times. Over the last 50 years, during seven dif-

ferent economic downturns, Congress has provided Federal unemployment benefit programs to assist workers when unemployment is high. The current program was put in place in 2008 by President George W. Bush when the unemployment rate was 5.6 percent. While unemployment is falling, it is still at a high rate, 7 percent. Long-term unemployment has been at record highs for years. Currently 37 percent of unemployed workers have been looking for new work for at least 6 months. Congress has never allowed Federal unemployment benefits to expire while the long-term unemployment rate was above 23 percent. Our economy is recovering, but we are not there yet. While the duration of Federal benefits has appropriately been scaled back as the recovery has progressed, there is no question that American families are still depending on Federal unemployment benefits, and there is no justification for letting the current program expire now.

We cannot let vulnerable Americans be cut off from their unemployment insurance during their time of need. We cannot turn the lights out on millions of Americans. Working families deserve peace of mind and our continued support while they look for jobs during these tough times. I urge the Senate to act to extend unemployment benefits, so that families do not have to wonder how they will survive in the New Year.

MAJOR MEDICAL FACILITY LEASE AUTHORIZATION ACT OF 2013

Mr. INHOFE. Madam President, I am pleased that the Senate is scheduled, hopefully, to pass H.R. 3521, the Department of Veterans Affairs Major Medical Facility Lease Authorization Act of 2013, known as S. 1740 in the Senate, which I proudly cosponsored. The treatment of our country's veterans is of great importance to me, and I believe that it is the government's duty to honor the promises made to our veterans.

My constituents have written to me many times regarding the worsening conditions of the VA outpatient clinic in Tulsa. The building currently lacks the space to care adequately for the large number of veterans that receive their medical treatment at the facility. Due to the size of the facility, services such as the behavioral health services were located several miles away. Additionally, the parking lot capacity was not acceptable. It is because of my constituents that I have worked vigorously to ensure that their voices were heard.

With the passage of this bill, there will be funding to improve and expand this clinic. The new VA outpatient clinic in Tulsa would include primary care, women's health, imaging, specialty care, physical therapy, audiology, optometry, mental health, pros-

thetics, dentistry, and a pharmacy. The facility would then be able to provide the services that were promised to our men and women who were willing to make the personal sacrifices necessary to serve in the defense of our country.

HOMEOWNER FLOOD INSURANCE AFFORDABILITY ACT OF 2013

Mrs. GILLIBRAND. Madam President, I rise today to join my colleagues from Louisiana and New Jersey—who know as well as anyone about all the struggle of rebuilding after a major disaster—in calling on the Senate to pass the Homeowners Flood Insurance Affordability Act before the Senate adjourns next week. I am deeply dismayed that my colleagues on the other side of the aisle have objected to allowing the Senate to vote on this common-sense and bipartisan bill to help homeowners.

I want to especially thank Senator LANDRIEU for her strong leadership and support for families who took the worst of Superstorm Sandy—a massive storm that claimed the lives of 61 New Yorkers, shattered countless others, damaged or destroyed 300,000 homes, and hurt a quarter million businesses.

While the road to recovery is long and hard, New Yorkers are strong. I know we will rebuild better and stronger. But we in Congress have to continue to do our part. And to this day, more than a year later, homeowners are still struggling to rebuild, facing costly repairs to storm damage and what could be even costlier flood insurance premiums.

They survived Sandy, are trying to put their lives back together, but the premium increases mandated by the Biggert-Waters Flood Insurance Reform Act of 2012 is what threatens to force many New Yorkers out of their homes and the communities they love.

We can and must prevent this—by passing our legislation to prevent a spike in flood insurance premiums until after FEMA fulfills its responsibility, and reports to Congress with a plan to make these rates more affordable. That's just common sense, and it's the right thing to do for homeowners across the Northeast, who are still putting their lives back together in the wake of this storm. The last thing they need is another burden like this.

I hope our colleagues reconsider their objection, and allow us to vote on this bipartisan bill and join us in helping these families rebuild and stay in their homes.

HUMAN RIGHTS IN HUNGARY

Mr. CARDIN. Madam President, earlier this year I chaired a Helsinki Commission hearing on the situation in Hungary. Today, I would like to revisit

some of the issues addressed by our witnesses.

Since the April 2010 elections, Hungary has undertaken the most dramatic legal transformation that Europe has seen in decades. A new Constitution was passed with votes of the ruling party alone, and even that has already been amended five times. More than 700 new laws have been passed, including laws on the media, religion, and civic associations. There is a new civil code and a new criminal code. There is an entirely new electoral framework. The magnitude and scope of these changes have understandably put Hungary under a microscope.

At the Helsinki Commission's hearing in March, I examined concerns that these changes have undermined Hungary's system of democratic checks and balances, independence of the judiciary, and freedoms of the media and religion. I also received testimony about rising revisionism and extremism. I heard from Jozsef Szajer, a Member of the European Parliament who represented the Hungarian Government at the hearing. Princeton constitutional law expert Kim Lane Scheppelle, Dr. Paul Shapiro from the U.S. Holocaust Memorial Museum, and Sylvana Habdank-Kolaczowska from Freedom House presented compelling testimony.

Unfortunately, developments in Hungary remain troubling.

Even though Hungary's religion law was tweaked after the Constitutional Court struck down parts of it, it retains a discriminatory two-tier system. Moreover, the Parliament is empowered with the extraordinary and, for all practical purposes, unreviewable power to decide what is and what is not a religion.

This month, the government announced it is launching an investigation into the Methodist Evangelical Church, a church persecuted during communist times. Today, the Methodist Evangelical Church is known for its outreach to Roma, work with the homeless and is one of the largest charitable organizations in Hungary. As I noted at the Helsinki Commission hearing in March, it is also one of the hundreds of religious groups stripped of official recognition after the passage of Hungary's new religion law.

The church has now complied with submitting the necessary number of supporters required by the law and, as a reply, the government has announced an unidentified "expert" will conduct an investigation into the church's beliefs and tenets. This step only reinforces fears that parliamentary denial of recognition as a so-called "Accepted Church" opens the door for further repressive measures.

Veneration of Hungary's wartime regent, Miklos Horthy, along with other anti-Semitic figures such as writer Jozsef Nyiro, continues. In November,

a statue of Hungarian Jewish poet Miklos Radnoti, who was killed by Hungarian Nazis at the end of 1944, was rammed with a car and broken in half. At roughly the same time, extremists staged a book burning of his works along with other materials they called "Zionist publications." At the beginning of December, two menorahs were vandalized in Budapest.

Reflecting the climate of extremism, more than 160 Hungarian nationals have been found by Canada this year to have a well-founded fear of persecution. Almost all are Romani, but the refugees include an 80-year-old award winning Hungarian Jewish writer who received death threats after writing about anti-Semitism in Hungary, and was stripped of his honorary citizenship of Budapest on an initiative from the far-right Jobbik party, supported by the votes of the ruling Fidesz party.

While there are many who suggest the real problem comes from the extremist opposition party Jobbik, and not the ruling government, it seems that some members of Fidesz have contributed to a rise in intolerance.

I am particularly troubled that the government-created Media Council, consisting entirely of Fidesz delegated members, has threatened ATV—an independent television station—with punitive fines if it again characterizes Jobbik as extremist. If you can't even talk about what is extremist or anti-Semitic in Hungary without facing legal sanctions, how can you combat extremism and anti-Semitism? Moreover, this decision serves to protect Jobbik from critical debate in the advance of next year's elections. Why?

Other new measures further stifle free speech.

Unfortunately, and somewhat shockingly, last month Hungary amended its defamation law to allow for the imposition of prison terms up to 3 years.

The imposition of jail time for speech offenses was a hallmark of the communist era. During the post-communist transition, the Helsinki Commission consistently urged OSCE countries to repeal criminal defamation and insult laws entirely. In 2004, for example, the Helsinki Commission wrote to Minister of Justice Peter Barandy regarding the criminal convictions of Andras Bencsik and Laszlo Attila Bertok.

This new law, raced through under an expedited procedure in the wake of a bi-election controversy in which allegations of voter manipulation were traded, was quickly criticized by the OSCE representative on Freedom of the Media. I share her concerns that these changes to the criminal code may lead to the silencing of critical or differing views in society and are inconsistent with OSCE commitments.

Hungary was once held up as a model of peaceful democratic transition and

is situated in a region of Europe where the beacon of freedom is still sought by many today. I hope Hungary will return to a leadership role in the protection of human rights and the promotion of democracy.

FARMLAND PRESERVATION

Mr. CASEY. Madam President, today I wish to honor Lancaster County, Pennsylvania's impressive feat of preserving 100,000 acres of farmland. Lancaster County became the first county in the Nation to preserve this many acres of farmland, a full 25 percent of all land available for farming in the county. My father, Governor Robert P. Casey, served as Governor of Pennsylvania from 1987 to 1995 and signed into law the State farmland preservation program. Governor Casey made preserving farmland a high priority to ensure that Pennsylvania's farmers could continue to produce agricultural products and sustain the Commonwealth's number one industry.

Farmland preservation is one of Pennsylvania's noblest accomplishments. There are a lot of words that can describe this achievement. But the one word that I think is most important is the word sacred. This is truly a sacred act. Reflecting on this tremendous milestone, I am reminded of a line from the Prayer of Saint Francis, which reads "For it is in giving that we receive." When I think about conservation, I am inspired by the gifts which flow so directly from the preservation of land. Conserved lands purify our water, clean our air and maintain open spaces. Conserved lands serve as precious wildlife habitat, allowing species to forage and to flourish.

We know that bees, which provide sweet honey and pollinate our crops, are searching for habitat in these modern times. Lancaster County's triumph in conservation helps afford bees, which have lived on Earth for more than 100 million years, a place to inhabit. Another gift created when farmers, foresters and ranchers conserve lands is the knowledge that these critical professions—these cherished ways of life—will continue to have a valued role in American society for many generations to come.

In giving lands over to the committed purpose of conservation, people receive bountiful rewards. As a government official, I believe in the transformative and restorative qualities of conservation easements. I will work to ensure vital conservation programs continue to work for Pennsylvanians and partner organizations, such as the Lancaster Farmland Trust and the Lancaster County Agricultural Preserve Board.

Furthermore, more than half of Pennsylvania and most all of Lancaster County lies within the Chesapeake Bay watershed—and approximately 3 million people live in this

area. The challenges of farming in this region are significant. Thus efficient, effective and relevant Federal conservation programs are critical to farmers' success. In advance of the Senate agriculture committee's consideration of the 2012 farm bill, I introduced the Chesapeake Bay Watershed Fairness Act, legislation aimed at helping farmers to better implement beneficial conservation practices and to meet water quality goals in the watershed. The 2013 Senate bill contains portions of this legislation and features additional improvements that better ensure that the remodeled conservation programs will serve the needs of farmers in the Chesapeake Bay watershed.

As we move forward with the farm bill, providing farmers in the watershed with the conservation tools included in the Senate bill is extremely important. Federal farm land conservation programs must remain strong. The voluntary conservation programs in the farm bill provide important tools to help farmers comply with Federal and State regulations while keeping farmers in business. Of particular importance to Pennsylvanians are programs like the proposed Agricultural Land Easements program, designed to take over the current Farmland Protection Program, which helps to preserve working farm lands from development. These conservation programs must continue to work for Pennsylvanians and those across the Nation who desire to perform the sacred act of preserving farmland so our future generations can continue to provide us with food, fiber and fuel for the benefit of all.

REMEMBERING ALBERT HENRY HAAS

Mrs. MCCASKILL. Madam President, I ask that the Senate join me in honoring the life of Albert Henry Haas. Albert was killed November 29 in a mortar attack at Bagram Air Force Base in Afghanistan, where he was serving as a civilian aircraft mechanic.

Albert had a long career in service to our country, dating back to his service in the U.S. Army during the Vietnam war and continuing in the Army Reserves during the conflict in Bosnia. Following 30 years of military service, Albert retired and began a 30-year career in aircraft maintenance for companies such as TWA and American Airlines.

Albert had a passion for life that he shared with those around him. He especially enjoyed spending time with his grandchildren and learning about different cultures. He was fascinated with and very knowledgeable about all mechanical things that move like trains, helicopters, and planes. Those around him will remember him as a comical person who was able to make all

around him feel comfortable and welcomed.

As the daughter of a caring, loving father who always told me I could achieve anything, and that there were no jobs too tough for me, I was especially happy to hear about Albert's advice for his two daughters. He instilled in them from an early age that they could do anything they put their mind to, without regard to their gender. This resulted in them helping rewire the entire house and working on roof repairs with Albert. Just as I am thankful on a daily basis for the lessons my father taught me, I know Albert's children are thankful for the memories and teachings of their father.

On behalf of the Senate, I wish to offer my condolences to Albert's wife of 41 years, Bay Thi, their three adult children, Thao Haas of Texas, Tina V. Smith of Belleville, IL, and Lisa R. Carnahan of St. Louis, MO, and his eight grandchildren. Albert's life was an example to those around him and I hope his family can take comfort in the memories they shared with him.

TRIBUTE TO MAJOR BOBBY J. COX

Mr. CHAMBLISS. Madam President, I wish to pay tribute to MAJ Bobby James Cox for his exemplary dedication to duty and his service to the U.S. Army and to the United States of America. Major Cox has spent the last year serving in my office as a U.S. Army congressional fellow, and it is my distinct pleasure to congratulate him as he concludes an exemplary tour of duty in the Senate.

Major Cox was born in Spartanburg, SC. He commissioned into the infantry in 2002 upon graduation from the Citadel, the Military College of South Carolina, as a distinguished military graduate and the cadet regimental commander of the South Carolina Corps of Cadets.

Major Cox was first assigned as a platoon leader in A Company, 3-187 Infantry Regiment, Rakkasans, 101st Airborne Division at Fort Campbell, KY, deploying in support of Operation Iraqi Freedom in 2003. Upon return from Iraq, Major Cox was selected to be a Ranger platoon leader in A Company, 2nd Battalion, 75th Ranger Regiment, at Fort Lewis, WA, deploying twice in support of Operation Iraqi Freedom. After the Maneuver Captains' Career Course at Fort Benning, GA, Major Cox was assigned to 4th Ranger Training Battalion, Fort Benning, GA, to be a platoon Ranger instructor, Company Commander, and Battalion S-1.

Major Cox then moved to Fort Bragg, NC, to become the 3rd Brigade Combat Team air officer at the 82nd Airborne Division. He assumed command of A Company, 1-505 Parachute Infantry Regiment, 82nd Airborne Division while deployed in support of Operation Iraqi Freedom. Following company

command and battalion staff, he was selected to be an Army congressional fellow attending the George Washington University, where he earned a master's degree and subsequently joined my personal office on Capitol Hill.

Over the past year, Major Cox has distinguished himself among his fellowship peers as a leader in the Senate. From his legislative contributions supporting my role on the Senate Armed Services Committee to his dedication to constituent services, Major Cox has deftly applied his military expertise to elevate the performance of my personal office. Across my 19 years in office, Major Cox ranks among the very best of a select group of fellows.

The Army says that "Rangers Lead The Way!" Major Cox has served as an inspiration and model Airborne Ranger to me and my colleagues in the Senate. I am deeply grateful for his significant contributions and leadership over the past year. He has certainly lived up to the Ranger motto.

It is my great pleasure to congratulate Major Cox, his wife Joscelyn, and their two children, Reagan and Seth, as they leave the Senate and continue to serve our great Nation. I wish them the very best of luck.

TRIBUTE TO LIEUTENANT COLONEL KELLY MARIE LAUREL

Mrs. MURRAY. Madam President, today I wish to pay tribute to an exemplary leader, an accomplished Soldier, and an extraordinary American, as she retires from Active Duty with the U.S. Army. LTC Kelly Marie Laurel has dedicated nearly 25 years of service to our great Nation and has set the very standard of leadership, strategic thinking, and selfless service that we expect of our finest Army officers. Culminating her career as the hand-picked Deputy Chief of the Secretary of the Army's Strategic Initiatives Group, Lieutenant Colonel Laurel has served and excelled at every level of our Army, and she exemplifies the patriotism, fidelity, and commitment to which every citizen should strive.

From her early enlisted career as an airman in the Wyoming National Guard to her Active-Duty service in key positions ranging from medical platoon leader and company commander to personally advising the Army surgeon general and the Secretary of the Army, Kelly has been exceptional in every respect. Examples of her ever-increasing responsibilities include medical platoon leader, 61st Area Support Medical Company at Fort Hood, TX, company commander, Headquarters, 52d Medical Evacuation Battalion; and later the chief of the Management Division, 18th Medical Command in Korea; and the chief financial officer for the widely dispersed Heidelberg Hospital and its nine outlying

clinics in Germany. Her work and potential was so great that then-Major Laurel was soon personally selected to serve the Army's surgeon general as the senior budget analyst, the chief of the Financial Health Policy Division, and finally as the senior congressional affairs coordinating officer.

Fortunately for me and so many Members of Congress, the Assistant Secretary of the Army for Financial Management and Comptroller soon recognized her outstanding abilities and selected Kelly to serve as the Army's senior budget legislative liaison. I and my colleagues in both Chambers have personally benefited from Kelly's extraordinary intellect, keen analysis, and unmatched determination. During her tenure in this position, Kelly routinely worked the most sensitive, complex, and critical Army actions involving the Senate and House Appropriations Committees. Her wisdom and unmatched expertise led the Army to extraordinary success in obtaining vital funding for the most critical medical, environmental, and behavioral health programs and ensured that our soldiers and their families had the necessary support they needed during these years of war. Moreover, she was instrumental in obtaining vital funding for the restructuring and expansion of the Army National Cemeteries Program. Most recently, recognizing her leadership and exceptional intellect, the Secretary of the Army selected Kelly to be his deputy chief of strategic initiatives. In this capacity, Kelly advised the Secretary and other Army senior leaders on the development and implementation of critical service-wide policies and programs that will benefit the Army for many years to come.

Kelly's superb career and character is also a true testament to the exceptional support and example provided by her family. As the daughter of first-generation Americans, Kelly was taught early the value of hard work, commitment, and selfless service by her parents Jose and Dolores Montemayor. Moreover, as a child of a career military family, Kelly learned to embody the values of loyalty, duty, respect, selfless service, honor, integrity and personal courage before she even knew there was an Army. As she has repeatedly demonstrated, to Kelly, these are not ideals but character traits; not platitudes, but requirements and expectations of every citizen. Clearly, her character, work ethic, and patriotism are examples to us all. We owe the highest praise and tribute to this great American and her family.

Accordingly, on behalf of a very grateful nation, I join my colleagues today in recognizing and commending LTC Kelly Marie Laurel for nearly 25 years of service to this country. Although, to the Army, Kelly is irreplaceable, I am certain this exceptional citizen will continue to make great

contributions to the United States as she embarks on the next chapter of her life.

ADDITIONAL STATEMENTS

TRIBUTE TO DR. LEVI WATKINS, JR.

• Mr. CARDIN. Madam President, today I wish to salute Dr. Levi Watkins, Jr., a renowned cardiac surgeon who will retire at year's end from Johns Hopkins Medicine. During his 4-decade-long career, Dr. Watkins has had a profound impact on American health care—through the countless patients he has treated, the students he has recruited and mentored, and the cultural diversity he has advanced.

Levi Watkins, Jr. grew up in Montgomery, AL, the third of Dr. and Mrs. Levi Watkins, Sr.'s six children. At the Alabama State Laboratory High School, Watkins excelled in academics and athletics: he graduated valedictorian and was selected for the Montgomery All-Star basketball team. It was in Alabama that he witnessed the early days of the civil rights movement. As a member of the First Baptist Church of Montgomery, Watkins developed a close friendship with his pastor, the Reverend Dr. Ralph David Abernathy, and later he attended Dexter Avenue Baptist Church, where he was introduced to the Reverend Dr. Martin Luther King, Jr. and the King family.

Watkins majored in biology as an undergraduate at Tennessee State University, where he was elected president of the student body and joined Alpha Phi Alpha Fraternity, Inc., Alpha Kappa Mu honor society, Beta Kappa Chi honor society, and many other notable organizations. Watkins also led many student movements on campus and graduated with highest honors.

Dr. Watkins' medical career has been one of monumental firsts. In 1966, he integrated the Vanderbilt University School of Medicine as the first African-American student ever admitted. He was later selected to become a member of Alpha Omega Alpha medical honor society. Watkins arrived at Johns Hopkins Hospital in 1970 as a general surgery intern and became the first African-American chief resident in cardiac surgery in the institution's history. There, in 1980, he performed the world's first implantation of an automatic heart defibrillator in a human—a procedure that is now performed worldwide and has since saved tens of thousands of lives. In 1991, Dr. Watkins became the first African-American at Johns Hopkins promoted to full professor of cardiac surgery. He was named the first African-American associate dean in the School of Medicine and established the nation's first postdoctoral association, helping to revolutionize the culture of

postdoctoral education in the United States. Today, there are more than 50 such associations across the nation.

Dr. Watkins has been a fierce advocate for fairness and diversity. He joined the Hopkins School of Medicine's admissions committee in 1979, and began recruiting minority applicants and sponsoring an annual welcoming and networking reception for new students. In 1982, he founded the Martin Luther King, Jr. Commemoration at Hopkins, an annual event that has brought an illustrious array of speakers to Baltimore, including Coretta Scott King, Rosa Parks, Maya Angelou, Stevie Wonder, and Taylor Branch.

In October 2002, Vanderbilt University established a Professorship and Associate Deanship in his name; in October 2005, Dr. Watkins' portrait was unveiled at the Vanderbilt University School of Medicine honoring his life's work; and, in 2008, Vanderbilt bestowed upon Dr. Watkins its "Most Distinguished Alumnus Award."

Since 2006, when he stopped performing surgery, Dr. Watkins has remained a powerful presence and an important influence on Johns Hopkins and the city of Baltimore. In December 2008, he was honored by the National Black Caucus of State Legislators with the Nation Builders Award, along with President-Elect Barack Obama, and James H. Meredith. In January of 2012, he was appointed co-chair of Mayor Stephanie Rawlings-Blake's transition team for health and human services.

I ask my colleagues to join me in wishing Dr. Levi Watkins, Jr. well as he embarks upon the next phase of his lifelong journey to improve the health and well-being of others.■

TRIBUTE TO DR. LYNN KILCHENSTEIN

• Mrs. SHAHEEN. Mr. President, I wish to recognize Lynn Kilchenstein, president of the New Hampshire Technical Institute, who will step down from her position at the end of the year. Dr. Kilchenstein has demonstrated exceptional leadership at NHTI for the last 10 years, and I thank her for her strong commitment to the students of New Hampshire. While I know she will be missed by the school and the community, I join Dr. Kilchenstein's family, friends, and colleagues in acknowledging her many achievements and celebrating her service.

Dr. Kilchenstein's substantial contributions to NHTI began when she joined the faculty as an English professor 26 years ago. Prior to becoming president, she also served as head of the English Department, faculty forum president, and associate vice president of academic affairs. In each position Dr. Kilchenstein made an impact, from her direct instruction of students to

the development of NHTI's Academic Success Council.

In 2003, Dr. Kilchenstein was named the president of NHTI, and under her leadership the campus has been transformed with numerous projects that have improved social and academic spaces. Dr. Kilchenstein has overseen the growth of NHTI's health programs, including the construction of the LEED-certified Beverly D. Grappone Hall and the renovation of MacRury Hall, both of which feature new facilities and equipment that allow students to learn in hands-on medical environments.

During Dr. Kilchenstein's tenure, NHTI expanded class offerings, created new liberal arts programs and teacher education classes, grew existing programs, and successfully completed the reaccreditation process.

In addition to her leadership role at NHTI, Dr. Kilchenstein is also an involved and dedicated member of the Concord community. She served for 8 years on the Greater Concord Chamber Board of Directors and currently sits on the Governor's Advanced Manufacturing and Education Advisory Council, the Capitol Center for the Arts Board, the Creative Concord Committee, and the Concord Housing Commission. To recognize her service, the Greater Concord Area Chamber of Commerce presented Dr. Kilchenstein with the Pinnacle Award for Business Leader of the Year in 2011.

I know that everyone at the New Hampshire Technical Institute and in the community of Concord joins me in thanking Dr. Kilchenstein for her service and wishes her well in all her future endeavors.●

TRIBUTE TO JOSEPH BLISS

● Mr. THUNE. Mr. President, today I recognize Joseph Bliss, an intern in my Sioux Falls, SD, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Joseph is a graduate of Roosevelt High School in Sioux Falls, SD. Currently, he is attending University of South Dakota, where he is majoring in political science and criminal justice. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Joseph for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO BRANDON FUSARO

● Mr. THUNE. Mr. President, today I recognize Brandon Fusaro, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Brandon is a graduate of Burncoat High School in Worcester, MA. Currently, he is attending George Wash-

ington University, where he is majoring in exercise science. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Brandon for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO ISAAC HARRINGTON

● Mr. THUNE. Mr. President, today I recognize Isaac Harrington, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Isaac is a graduate of Mitchell High School in Mitchell, SD and the University of Notre Dame, where he majored in computer science. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Isaac for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO ISAIAH WONNENBERG

● Mr. THUNE. Mr. President, today I recognize Isaiah Wonnemberg, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Isaiah is a graduate of Gregory High School in Gregory, SD. Currently, he is attending University of South Dakota, where he is majoring in political science. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Isaiah for all of the fine work he has done and wish him continued success in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 1:45 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1447. An act to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes.

H.R. 3458. An act to treat payments by charitable organizations with respect to certain firefighters as exempt payments.

H.R. 3509. An act to direct the Secretary of State to submit to Congress a report on the status of post-earthquake recovery and development efforts in Haiti.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 71. Concurrent resolution providing for corrections to the enrollment of the bill H.R. 3304.

The message further announced that the House concurs in the Senate amendment to the title of the bill (H.R. 3304) to authorize and request the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; concurs in the first three amendments to the text of the bill, without amendment; and concurred in the fourth amendment to the bill, with an amendment.

The message also announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), as amended, and the order of the House of January 3, 2013, the Speaker appoints the following individual on the part of the House of Representatives to the United States-China Economic and Security Review Commission, for a term expiring on December 31, 2015: Mr. Daniel M. Slane of Ohio.

The message further announced that effective December 16, 2013, pursuant to section 2 of the Civil Rights Commission Amendments Act of 1994 (42 U.S.C. 1975 note), and the order of the House of January 3, 2013, the Speaker appoints the following individual on the part of the House of Representatives to the Commission on Civil Rights for a term expiring December 15, 2019: Mr. Peter N. Kirsanow of Cleveland, Ohio.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1447. An act to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes; to the Committee on the Judiciary.

H.R. 3509. An act to direct the Secretary of State to submit to Congress a report on the status of post-earthquake recovery and development efforts in Haiti; to the Committee on Foreign Relations.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1824. A bill to amend the Safe Drinking Water Act to exempt certain lead pipes, fittings, fixtures, solder, and flux that contain brass.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, December 13, 2013, she had presented to the President of the United States the following enrolled bill:

S. 1471. An act to authorize the Secretary of Veterans Affairs and the Secretary of the Army to reconsider decisions to inter or honor the memory of a person in a national cemetery, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SANDERS, from the Committee on Veterans' Affairs:

Special Report entitled "Legislative and Oversight Activities during the 112th Congress by the Senate Committee on Veterans Affairs" (Rept. No. 113-125).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. BAUCUS for the Committee on Finance.

*Sarah Bloom Raskin, of Maryland, to be Deputy Secretary of the Treasury.

*Rhonda K. Schmittlein, of Missouri, to be a Member of the United States International Trade Commission for a term expiring December 16, 2021.

*John Andrew Koskinen, of the District of Columbia, to be Commissioner of Internal Revenue for the term expiring November 12, 2017.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. RUBIO (for himself and Mrs. HAGAN):

S. 1823. A bill to amend part E of title IV of the Social Security Act to better enable State child welfare agencies to prevent human trafficking of children and serve the needs of children who are victims of human trafficking, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ENZI (for himself, Mr. ROBERTS, Mr. BARRASSO, Mr. RISCH, Mr. MORAN, Mr. HATCH, Mr. CRAPO, and Mr. THUNE):

S. 1824. A bill to amend the Safe Drinking Water Act to exempt certain lead pipes, fittings, fixtures, solder, and flux that contain brass; read the first time.

By Ms. COLLINS (for herself, Mrs. McCASKILL, and Mr. MANCHIN):

S. 1825. A bill to improve the management of the Job Corps program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself, Mr. BURR, Mr. COCHRAN, Mrs. HAGAN, Mr. HELLER, Mr. NELSON, Ms. LANDRIEU, Mr. MORAN, Mrs. SHAHEEN, and Mr. WICKER):

S. 1826. A bill to provide predictability and certainty in the tax law, create jobs, and encourage investment; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. COLLINS (for herself and Mr. KING):

S. Res. 320. A resolution designating December 14, 2013, as "Wreaths Across America Day"; considered and agreed to.

By Mr. REID (for himself, Mr. McCONNELL, Mr. COONS, Mr. FLAKE, Mr. MENENDEZ, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. McCASKILL, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 321. A resolution honoring the life, accomplishments, and legacy of Nelson Rolihlahla Mandela and expressing condolences on his passing; considered and agreed to.

ADDITIONAL COSPONSORS

S. 1562

At the request of Mr. SANDERS, the name of the Senator from Delaware

(Mr. COONS) was added as a cosponsor of S. 1562, a bill to reauthorize the Older Americans Act of 1965, and for other purposes.

S. 1708

At the request of Mr. MERKLEY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1708, a bill to amend title 23, United States Code, with respect to the establishment of performance measures for the highway safety improvement program, and for other purposes.

S. 1779

At the request of Mr. TOOMEY, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1779, a bill to amend the Safe Drinking Water Act to exempt fire hydrants from the prohibition on the use of lead pipes, fittings, fixtures, solder, and flux.

S. RES. 317

At the request of Mr. SESSIONS, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. Res. 317, a resolution expressing the sense of the Senate on the continuing relationship between the United States and Georgia.

S. RES. 319

At the request of Mr. MURPHY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Res. 319, a resolution expressing support for the Ukrainian people in light of President Yanukovich's decision not to sign an Association Agreement with the European Union.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mrs. McCASKILL, and Mr. MANCHIN):

S. 1825. A bill to improve the management of the Job Corps program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Mr. President, I rise today with Senator McCASKILL and Senator MANCHIN to introduce the Securing Job Corps Centers Act, a bill that seeks to address the Job Corps' recent management challenges.

Job Corps is an educational and vocational training program administered by the Department of Labor, DOL, that helps at-risk young people ages 16 through 24 by giving them the tools they need to succeed. Job Corps has been training young adults for meaningful careers for nearly 50 years and is committed to offering its students a safe, drug-free environment where they can train and learn.

Job Corps' mission is to attract eligible young people, teach them the skills they need to become employable and independent, and help them find meaningful jobs or further their education.

This mission has been threatened, however, by the Department of Labor's mismanagement.

Earlier this year, the DOL ordered a temporary suspension of new student enrollments as its way to address a significant Job Corps program shortfall of \$61.5 million. This was in addition to the \$39 million shortfall in the previous program year. The suspension of enrollments decimated the program, setting it back for years to come, which is especially upsetting considering Job Corps has compiled an impressive record over five decades in preparing at-risk youth for the workforce or higher education.

According to DOL, several factors contributed to Job Corps' financial problems, but the most significant was unchecked growth in expenditures due to serious weaknesses in the financial management processes. I wrote to DOL officials for clarification, and they responded with the following:

Job Corps lacked appropriate program monitoring tools and control protocols, including those to sufficiently analyze contractual spending trends. In turn, this led to inadequate spending projections for the Operations account.

It is clear that the Department of Labor has mismanaged this program, and the students suffered the consequences. There are two Job Corps centers in Maine that do excellent work to help these young adults become productive members of society. The Penobscot Job Corps Academy and the Loring Job Corps Center have the capability to serve nearly 800 at-risk youth on a daily basis. These centers put these young men and women on a path to earning their high school diploma and to gaining the necessary skills to enter the workforce or the military or go on to college.

However, the shortfall caused by DOL mismanagement forced these centers to furlough and lay off staff to reduce costs—jeopardizing the long-term sustainability of these centers and their important work.

Studies have found Job Corps to be among the most effective of all federally supported programs that serve youth between the ages of 16 and 24 who are disconnected from both school and work. Even in the face of unprecedented budget shortfalls and enrollment freezes, Job Corps has continued to produce impressive results—85 percent of graduates obtain a job, enroll in higher education, or enlist in the military.

To ensure recent management challenges are addressed as transparently and effectively as possible, our bill would create an advisory board responsible for working with the DOL to develop policy and programmatic recommendations related to Job Corps' administration. The advisory panel will provide a series of reports directly to the U.S. Secretary of Labor and

Congress on budget and financial management protocols, cost efficiencies, and maximizing the number of youth served. Our bill will also require earlier notifications of management decisions at DOL that could affect student enrollments.

Job Corps' recent management challenges have had ripple effects throughout the communities served by Job Corps centers and continue to have an impact on center operations. The fact that every Job Corps center continues to operate at 21 to 25 percent below full capacity is the result of a management structure that forced operational decisions to be made in haste and without proper consideration of alternatives. An advisory board of experienced Job Corps operations experts can help the program and its new leadership to emerge from the crises of the last year and ensure that, in the future, Job Corps policy decisions are always guided by what is in the best interests of Job Corps students and communities.

Job Corps' value remains clear. Studies suggest that leaving behind the youth served by this program could cost our states and our economy hundreds of thousands of dollars per youth. I urge my colleagues to support our bill to ensure that Job Corps returns to the operational efficiency that characterized its first 50 years and remains among the nation's most successful workforce programs.

Mr. President, I ask unanimous consent that a letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF LABOR,
EMPLOYMENT AND TRAINING,
Washington, DC, February 21, 2013.

HON. SUSAN M. COLLINS,
U.S. Senate,
Washington, DC.

DEAR SENATOR COLLINS: Thank you for your letter to Acting Secretary of Labor Seth D. Harris regarding the U.S. Department of Labor's (Department) oversight and administration of the Job Corps program. Job Corps is part of the Employment and Training Administration (ETA) and the Acting Secretary referred your letter to me for response. Although we are not placing a moratorium on suspension of enrollments at this time, I hope you will find the following information to be helpful.

The Employment and Training Administration administers Job Corps through 147 contracts for the program's 125 centers and educational and vocational programs. Private contractors operate 97 centers and the U.S. Department of Agriculture (USDA) runs the remaining 28 centers. This letter discusses the financial problems experienced by Job Corps in Program Year (PY) 2011 and PY 2012, their causes, what we should have done better, corrective actions we have taken, and the steps we will take to ensure that the Job Corps program can continue to provide high-quality programming to some of our nation's most disadvantaged youth. We would welcome the opportunity to provide you and your colleagues with a more in-depth briefing at your earliest convenience. We are con-

tinuing to analyze the matters discussed in this letter. The description we have set forth below reflects our current understanding.

Several factors contributed to the financial problems with Job Corps in PY 2011, including growth in expenditures (such as student-related expenditures and those associated with the opening of three new Job Corps centers in PY 2010 and PY 2011) and serious weaknesses in ETA's and Job Corps' financial management processes that led to a failure to identify and adjust for rising costs in a timely manner. In PY 2012, Job Corps again experienced financial problems because the cost-savings measures taken by ETA and Job Corps management were not aggressive enough to allow the program to stay within budget.

For example, Job Corps opened three new centers in PY 2010 and PY 2011 on a delayed schedule. Funding that had been provided to Job Corps to cover the costs of operating these centers in prior years was no longer dedicated to these sites as a result of the delays, and we did not appropriately plan for the increased costs resulting from the opening of these centers.

While these and other costs escalated during the course of PY 2011, the extent of the financial problems went unrecognized. This is largely because Job Corps lacked appropriate program monitoring tools and control protocols, including those to sufficiently analyze contractual spending trends. In turn, this led to inadequate spending projections for the Operations account.

As you know, Congress provided ETA with authority in PY 2011 to transfer up to \$26.2 million in funds from the Job Corps Construction, Rehabilitation and Acquisition (CRA) account to the Operations account. In April 2012, I concluded that Job Corps would need to transfer this full amount. At the end of May 2012, I notified the Secretary of the need to transfer the funds. It also became apparent that this transfer would not be sufficient to meet PY 2011 operating needs.

Thus, ETA obtained approval from the Office of Management and Budget (OMB) in June 2012 to transfer up to an additional \$5.37 million from the Training and Employment Services (TES) and State Unemployment Insurance and Employment Service Operations (SUIESO) accounts to the Job Corps Operations account. The Department notified the Appropriations Committees of its intent to transfer these funds. In the end, only \$2.2 million of this initial request was transferred to Job Corps' Operations account.

In addition to the fund transfers for PY 2011, ETA implemented a variety of programmatic changes to control costs. These changes focused on non-mission critical administrative expenses to ensure that student academic, career technical training, and post-graduation placement activities were not affected. These included negotiating across-the-board cost-savings targets with each Job Corps center to deobligate PY 2011 funds and suspending enrollment for new students in the month of June, except for homeless youth. ETA also conducted additional oversight on travel by requiring center operators to report all bus and airfare travel directly to the national office prior to arranging travel with ticketing agencies, thus allowing for real-time accounting of June's travel costs. We also required Job Corps center operators to submit their financial reports every three days during the month of June.

Concurrently, ETA implemented several initiatives to strengthen and coordinate existing controls and created new controls

where appropriate to track contractor expenditures, and certify adequate funding throughout the rest of PY 2011. On May 22, 2012, the Department established a Job Corps working group within DOL to provide weekly oversight of the remediation efforts during the end of PY 2011. In addition, in June 2012, Secretary Solis requested that the Inspector General (IG) perform a comprehensive review of the Job Corps financial control system.

We understood at the outset of PY 2012 that we needed to take measures to ensure that program obligations remained within Job Corps' appropriated levels. Even before the program year started, we began to develop a comprehensive plan for cost-cutting measures, which was updated throughout the Program Year. In addition, the improvements made to Job Corps' financial management allowed us to make projections earlier in the program year about the overall budget situation.

Given our strong interest in not reducing student services and minimizing disruption to the Job Corps Program, we proceeded cautiously in evaluating and implementing cost saving measures in PY 2012. In retrospect, it is clear that we did not act as quickly or decisively as circumstances required. As the Assistant Secretary, I take full responsibility for our failure to manage these issues more aggressively.

Although they ultimately were insufficient, we did take several significant steps throughout PY 2012 to gain better control of Job Corps' expenses. For example, in August a newly-created Office of Financial Administration (OFA) within ETA, headed by a Senior Executive Service-level Comptroller, began operating. OFA oversees the now-centralized budget and financial operations of Job Corps. After OFA began operating, we developed initial targets for both savings and what we believed would be a sufficient reserve for the Job Corps program. We also eliminated a contract for accounting services within the Job Corps Operations account, reduced USDA costs, and negotiated with contractors to identify additional cost-savings measures.

In September 2012, the Secretary approved several additional measures for PY 2012: a reduction in new student biweekly stipend and transition pay to graduates, suspension of enrollments in late November and December, centralizing student transportation costs, and reducing the national academic support contract and career technical support contract. In October 2012, we issued guidance informing the Job Corps community that we would be suspending enrollment from November 26 through December 31, 2012. We also announced that, effective November 1, 2012, Job Corps would reduce the stipends and transition pay for new enrollees.

Despite these cost-cutting measures, our analysis of data in November showed that Job Corps would need to implement additional savings because costs were again exceeding budgeted amounts. Therefore, in December, we took additional steps, including eliminating the student stipend for days when a Job Corps student is not present for duty, which took effect immediately, and reducing the student clothing stipend, effective January 1, 2013. We reduced Job Corps' national media buy by \$4 million for PY 2012. In mid-December, we increased the student to teacher ratio from 15:1 to 18:1 in order to save costs, while properly accounting for the special academic needs of at-risk youth.

In January 2013, we also issued guidance to reduce health care-related costs, including by modifying the current health staffing re-

quirements, adjusting the hours for center physicians, dentists and Training Employee Assistance Program specialists based on center usage, and requiring applicants to provide a current record of immunizations in order to eliminate duplicative care. We also continued our work to cut administrative costs. Among other things, we have issued a solicitation that we anticipate will help Job Corps right-size its career technical training and academic programs and we are exploring the best way to centralize utility and other procurements.

Notwithstanding these efforts to reduce costs for PY 2012, as of the beginning of January 2013 we continued to project insufficient cost savings to remain within budgeted levels for the program year. On January 18, 2013, Job Corps instructed all centers to temporarily suspend outreach and admission activities, effective January 28, except for runaway, homeless and foster care candidates. The length of the suspension will be determined by the time it takes to achieve the necessary savings, but we do not expect it to last past June 30, 2013.

The decision to temporarily freeze Job Corps enrollment nationwide was extremely difficult. It came after we implemented many alternative cost-savings measures, albeit insufficient ones. We also considered other alternatives before deciding to implement the temporary enrollment freeze.

Some of the options we considered include an abbreviated program year, slot reductions at a specified number of centers, cutting student stipends and transition pay to current students, and adopting a student leave policy in lieu of scheduled holiday and other school breaks. Ultimately, we rejected these and other options because of their more harmful effect on the Job Corps program and the students that it serves as well as the insufficient savings we would have obtained. Our conclusion was that the most certain and least detrimental savings Job Corps could achieve for the remainder of PY 2012 was from the temporary suspension. This will result in reduced center operating expenses, lower Outreach/Admissions contract costs, as well as savings in student stipend and transportation costs.

Notwithstanding the temporary enrollment suspension, on January 28, 2013, Job Corps continued to serve 44,268 students as of that date. With the suspension of new enrollments, Job Corps will be able to keep its commitment to students who are already in the program.

In closing, the Department deeply regrets the current situation facing the Job Corps program. I personally take responsibility for not acting more quickly to ensure that the program was operating within its appropriated levels. The decision to temporarily suspend enrollment at all centers is the most balanced, efficient way to achieve the savings now in order to avoid a shortfall in PY 2012. However, we clearly recognize that a comprehensive review and assessment of the Job Corps program, contracting, budget, and management is needed to ensure that we do not face this situation again. We will keep your office updated. Please contact Michelle Rose in the Department's Office of Congressional and Intergovernmental Affairs with any questions. She may be reached at (202) 693-4600.

Sincerely,

JANE OATES,
Assistant Secretary.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 320—DESIGNATING DECEMBER 14, 2013, AS "WREATHS ACROSS AMERICA DAY"

Ms. COLLINS (for herself and Mr. KING) submitted the following resolution; which was considered and agreed to:

S. RES. 320

Whereas 22 years ago, the Wreaths Across America project began an annual tradition, during the month of December, of donating, transporting, and placing Maine balsam fir holiday wreaths on the graves of the fallen heroes buried at Arlington National Cemetery;

Whereas more than 1,000,000 wreaths have been sent to locations, including national cemeteries and veterans memorials, in every State and overseas;

Whereas the mission of the Wreaths Across America project to "Remember, Honor, Teach" is carried out in part by coordinating wreath-laying ceremonies at Arlington National Cemetery as well as veterans cemeteries and other locations in all 50 States;

Whereas the Wreaths Across America project carries out a week-long veterans parade between Maine and Virginia, stopping along the way to spread a message about the importance of remembering the fallen heroes of the United States, honoring those who serve, and teaching the people of the United States about the sacrifices made by veterans and their families to preserve the freedoms in the United States;

Whereas in 2012, wreaths were sent to more than 800 locations across the United States and overseas, 100 more locations than the previous year;

Whereas in December 2013, the Patriot Guard Riders, a motorcycle and motor vehicle group that is dedicated to patriotic events and includes more than 250,000 members nationwide, will continue the tradition of the group of escorting a tractor-trailer filled with donated wreaths from Harrington, Maine to Arlington National Cemetery;

Whereas thousands of individuals volunteer each December to escort and lay the wreaths;

Whereas December 15, 2012, was previously designated by the Senate as "Wreaths Across America Day"; and

Whereas the Wreaths Across America project will continue the proud legacy on December 14, 2013, bringing approximately 130,000 wreaths to Arlington National Cemetery on that day: Now, therefore, be it

Resolved, That the Senate—

(1) designates December 14, 2013, as "Wreaths Across America Day";

(2) honors the Wreaths Across America project, the Patriot Guard Riders, and all of the volunteers and donors involved in this worthy tradition; and

(3) recognizes the sacrifices that our veterans, members of the Armed Forces, and their families have made, and continue to make, for our great Nation.

SENATE RESOLUTION 321—HONORING THE LIFE, ACCOMPLISHMENTS, AND LEGACY OF NELSON ROLIHLEHLA MANDELA AND EXPRESSING CONDOLENCES ON HIS PASSING

Mr. REID (for himself, Mr. McCONNELL, Mr. COONS, Mr. FLAKE, Mr. MENENDEZ, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNIS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. McCASKILL, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 321

Whereas Nelson Mandela was born on July 18, 1918, as Rolihlahla Mandela, to Nonqaphi Nosekeni and Nkosi Mphakanyiswa Gadla Mandela in Transkei, South Africa;

Whereas Nelson Mandela's defiance of injustice, and his commitment to peace and reconciliation, played critical roles in the negotiation process that led South Africa to abolish apartheid, a system of racially focused social, political, and economic discrimination, and to ultimately adopt in its place a system of multiparty democracy and universal suffrage for all South Africans;

Whereas Nelson Mandela became a political activist as a young man and rose through the leadership ranks of the African National Congress (ANC), becoming the ANC President;

Whereas, on August 5, 1962, Nelson Mandela was arrested for his political activism to end the discriminatory policies of apartheid;

Whereas, despite calls for clemency on behalf of Nelson Mandela by the international community, including the Security Council, the General Assembly, and the Secretary General of the United Nations, he was found guilty of all charges against him and sentenced to life in prison;

Whereas, during 18 of his 27 years of imprisonment on Robben Island, Nelson Mandela was permitted only one visitor a year, and for only 30 minutes;

Whereas Nelson Mandela remained resolute, refusing offers to renounce his struggle against the Government of South Africa in exchange for his freedom, and became widely viewed as a martyr for the anti-apartheid movement;

Whereas, during his imprisonment, Nelson Mandela was confined to a small cell where he slept on the floor, and he was sentenced to hard labor while being gravely mistreated by prison officials;

Whereas, on February 11, 1990, under growing international pressure and national campaign efforts, Nelson Mandela was released from prison, marking the end of his 27 years, 6 months, and 1 week of continuous incarceration;

Whereas, upon his release, Nelson Mandela resumed a top leadership role in the ANC and led the party in negotiations that resulted in South Africa's first multiracial elections;

Whereas, in 1994, following the first fully representative, multiracial national elections, Nelson Mandela was elected on May 9 and inaugurated on May 10 as President of the Democratic Republic of South Africa under a Government of National Unity;

Whereas President Nelson Mandela led the transition from minority rule and apartheid to multicultural, multiracial democracy, and played a critical role in initiating South Africa's ongoing efforts to foster national reconciliation and end the diverse, deep-rooted, and enduring social, political, and economic inequalities created by apartheid;

Whereas President Nelson Mandela sought to promote equal opportunity for jobs and education, access to social services, and quality-of-life improvements for all South Africans;

Whereas, during the presidency of Nelson Mandela, South Africa established the Truth and Reconciliation Commission to investigate gross human rights violations committed under the apartheid regime;

Whereas Nelson Mandela's decision to step down after one term as South Africa's elected President serves as a commendable example of commitment to democratic principles for elected national leaders in new democracies around the globe;

Whereas Nelson Mandela continued his social justice and human rights work upon his retirement in 1999, primarily through the Nelson Mandela Foundation and its two sister organizations, the Nelson Mandela Children's Fund and the Mandela-Rhodes Foundation;

Whereas, on July 18, 2007, Nelson Mandela convened the Elders, a group of world leaders including Desmond Tutu, Graca Machel, and former United States President Jimmy Carter, to contribute their wisdom and insight towards addressing some of the world's toughest problems;

Whereas the 1993 Nobel Peace Prize was jointly awarded to Nelson Mandela and Frederik Willem de Klerk "for their work for the peaceful termination of the apartheid regime, and for laying the foundations for a new democratic South Africa";

Whereas Congress contributed to the attainment of the political ideals and goals for which Nelson Mandela struggled, by enacting the Comprehensive Anti-Apartheid Act of 1986 (Public Law 99-440) on October 2, 1986, and has honored Nelson Mandela by passing the Mandela Freedom Resolution in the House of Representatives on September 18, 1984 (H. Res. 430, 98th Congress), and in the Senate on October 10, 1984 (S. Res. 386, 98th Congress), by adopting the resolution concerning United States support for the new South Africa on October 5, 1994 (H. Res. 560,

103rd Congress), and by awarding Nelson Mandela the Congressional Gold Medal on July 29, 1998;

Whereas former United States President Bill Clinton honored Nelson Mandela with the Philadelphia Liberty Medal in 1993, and former United States President George W. Bush honored Nelson Mandela with the Presidential Medal of Freedom in 2002;

Whereas, on July 18 of each year, people around the world celebrate Nelson Mandela Day, in recognition of Nelson Mandela's birthday, by devoting their time to community service in honor of his legacy;

Whereas, in 1995, Nelson Mandela wrote: "I have walked that long road to freedom. I have tried not to falter; I have made missteps along the way. But I have discovered the secret that after climbing a great hill, one only finds that there are many more hills to climb. I have taken a moment here to rest, to steal a view of the glorious vista that surrounds me, to look back on the distance I have come. But I can only rest for a moment, for with freedom come responsibilities, and I dare not linger, for my long walk is not ended."; and

Whereas Nelson Mandela leaves a legacy that transcends his time and place in history, which will guide and inspire generations to come: Now, therefore, be it

Resolved, That the Senate—

(1) honors the life, accomplishments, and legacy of former South African President Nelson Mandela;

(2) extends its heartfelt sympathies and condolences to the members of the family of the late President Nelson Mandela and his fellow citizens;

(3) requests the Secretary of State to communicate these expressions of honor and condolence to Nelson Mandela's family and to the Parliament of the Republic of South Africa; and

(4) requests the President to identify an appropriate and lasting program of the United States Government to honor Nelson Mandela's legacy.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2546. Mr. REID (for Mr. WHITEHOUSE) proposed an amendment to the resolution S. Res. 263, designating the week of September 23 through September 29, 2013, as "National Estuaries Week".

TEXT OF AMENDMENTS

SA 2546. Mr. REID (for Mr. WHITEHOUSE) proposed an amendment to the resolution S. Res. 263, designating the week of September 23 through September 29, 2013, as "National Estuaries Week"; as follows:

In the seventh whereas clause of the preamble, strike "extreme weather events" and insert "hurricanes and storms".

In the ninth whereas clause of the preamble, insert "some" before "bays in the United States".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. PRYOR. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate

on December 13, 2013, at 11 a.m., in room SD-215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING THE AMERICAN JEWISH JOINT DISTRIBUTION COMMITTEE

Mr. REID. I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 299, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 299) congratulating the American Jewish Joint Distribution Committee on the celebration of its 100th anniversary and commending its significant contribution to empower and revitalize developing communities around the world.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 299) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of Tuesday, November 19, 2013, under "Submitted Resolutions.")

NATIONAL ESTUARIES WEEK

Mr. REID. Madam President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 263 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 263) designating the week of September 23 through September 29 as "National Estuaries Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the Whitehouse amendment to the preamble, which is at the desk, be agreed to; the preamble, as amended, be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 263) was agreed to.

The amendment (No. 2546) was agreed to, as follows:

In the seventh whereas clause of the preamble, strike "extreme weather events" and insert "hurricanes and storms".

In the ninth whereas clause of the preamble, insert "some" before "bays in the United States".

The preamble, as amended, was agreed to.

(The resolution will be printed in a future edition of the RECORD.)

WREATHS ACROSS AMERICA DAY

Mr. REID. I ask unanimous consent we now proceed to S. Res. 320.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 320) designating December 14, 2013, as "Wreaths Across America Day."

The PRESIDING OFFICER. There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 320) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

HONORING THE LIFE AND LEGACY OF NELSON ROLIHLEHLA MANDELA

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to S. Res. 321.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 321) honoring the life, accomplishments, and legacy of Nelson Rolihlahla Mandela and expressing condolences on his passing.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. BOXER. Madam President, last week the world lost a true hero with the passing of Nelson Mandela. His determined and courageous advocacy helped end South Africa's disgraceful system of apartheid, while his enlightened leadership set an example for national reconciliation.

Apartheid was a policy of hate. It was a severe form of segregation that denied the non-White population their basic human rights. Millions of non-Whites lost their homes and were forced from their lands.

In order to travel or work in a restricted White area, special passes were necessary. Non-Whites could not participate in national government and were segregated in almost every way

imaginable—from education to transportation to health care.

Nelson Mandela dedicated much of his life to ending this injustice. After years of protesting the harsh policies of the South African Government, he was imprisoned for 27 years—18 of which were spent at the infamous maximum security prison on Robben Island that was surrounded by shark-infested waters.

There he suffered in a cell that he described as "perpetually damp" and only measured 7 feet by 8 feet.

From prison, Nelson Mandela was an inspiration to those fighting apartheid both inside South Africa and throughout the world. And as pressure grew, the South African Government initiated secret talks with Mandela for the first time in 1986.

That same year, I was a Member of the House of Representatives when Congress voted to impose sanctions against the South Africa Government—overriding a Presidential veto to do so.

Two months before that historic and long overdue vote, the President gave a speech opposing comprehensive sanctions against South Africa. That same day, I went to the House floor to respond, asking:

How many children have to die? How many funeral mourners have to die? How much bloodshed will be spent before the President decides that words are no longer enough—that 'constructive engagement' has done nothing to prevent 2,000 deaths since late 1984?

In that same statement, I spoke about the "concerned citizens all over the country who have emphasized the need to do something specific to demonstrate our abhorrence of the policies of the South African government." Those concerned citizens included the Solano County board of supervisors, who sent me a resolution in 1985 that declared, "Acquiescence to South Africa's apartheid policy, whatever the rationalization would be a rejection of the ultimate sacrifices made by those who died to ensure justice for all human beings . . ."

It was the grassroots movement against apartheid in the 1980s that pushed Congress to enact sanctions, and this grassroots movement was inspired by the example of Nelson Mandela.

In 1990, Nelson Mandela was finally released from prison, and in 1994 he was elected as South Africa's first Black President.

Despite more than 40 years of suffering under the brutality of apartheid, Nelson Mandela chose reconciliation over resentment.

During his inauguration, he declared, "The time for the healing of the wounds has come . . . the moment to bridge the chasms that divide us has come. The time to build is upon us."

The legacy of Nelson Mandela lies not just in his courage to fight repression but in his courage to forgive his enemies.

In his words, "Courageous people do not fear forgiving for the sake of peace."

My deepest sympathies go out to Nelson Mandela's family, the nation of South Africa, and all those who are mourning the loss of this great man.

Mr. REID. Madam President, I further ask that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 321) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ FOR THE FIRST TIME—S. 1824

Mr. REID. Madam President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

A bill (S. 1824) to amend the Safe Drinking Water Act to exempt certain lead pipes, fittings, fixtures, solder, and flux that contain brass.

Mr. REID. Madam President, I ask for a second reading, and in order to place the bill on the calendar under rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

Mr. REID. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FALLEN FIREFIGHTERS ASSISTANCE TAX CLARIFICATION ACT OF 2013

The PRESIDING OFFICER. Under the previous order, having received from the House H.R. 3458, the bill is considered read three times and passed, and the motion to reconsider considered made and laid upon the table.

ADJOURNMENT UNTIL SUNDAY, DECEMBER 15, 2013, AT 1 PM

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 2:11 p.m., adjourned until Sunday, December 15, 2013, at 1 p.m.

NOMINATIONS

Executive nominations received by the Senate on Friday, December 13, 2013:

DEPARTMENT OF STATE

PETER A. SELFRIDGE, OF MINNESOTA, TO BE CHIEF OF PROTOCOL, AND TO HAVE THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE, VICE CAPRICIA PENAVIC MARSHALL, RESIGNED.

DOUGLAS ALAN SILLIMAN, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE STATE OF KUWAIT.

ROBERT A. WOOD, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS U.S. REPRESENTATIVE TO THE CONFERENCE ON DISARMAMENT.

DEPARTMENT OF LABOR

PORTIA Y. WU, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF LABOR, VICE JANE OATES.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

THOMAS EDGAR ROTHMAN, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2016. (NEW POSITION)

CONFIRMATIONS

Executive nominations confirmed by the Senate: Friday, December 13, 2013:

DEPARTMENT OF DEFENSE

DEBORAH LEE JAMES, OF VIRGINIA, TO BE SECRETARY OF THE AIR FORCE.

DEPARTMENT OF STATE

HEATHER ANNE HIGGINBOTTOM, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY SECRETARY OF STATE FOR MANAGEMENT AND RESOURCES.

EXTENSIONS OF REMARKS

IN RECOGNITION OF GINA PAPAN

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Ms. SPEIER. Mr. Speaker, I rise to honor Gina Papan for her eight years of service on the Millbrae City Council, two of them as mayor, one as vice mayor.

In her role as mayor this past year and throughout her tenure on the council, Gina has focused on sustainable finances and revenue enhancement in Millbrae. She has played an instrumental role in the adoption of the Economic Development Plan and the ongoing negotiations for a fire department merger with Central County Fire and San Bruno Fire. She is an avid advocate for public-private partnerships that benefit the local community.

Gina serves on the City and County Association of Governments Board of Directors and Legislative Committee, the Congestion Management Program and Environmental Quality Committee, the High Speed Rail Policymakers Working Group, the San Mateo County Council of Cities, the Mayor's Civic Coordination Council, the Budget/Finance Subcommittee, the Field Agreement Subcommittee, the Fire Shared Services Subcommittee and the Commission/Committee Subcommittee.

In the past, she represented Millbrae on the San Mateo County Housing Endowment and Regional Trust, the Grand Boulevard Task Force, the Peninsula Traffic Congestion Relief Alliance, the San Mateo County Emergency Services Council and the Airport Land Use Committee.

Gina continues a family tradition of public service and philanthropy following in the footsteps of her late father, Lou Papan, known as the "Dean of the Assembly" for his 20 years of service in the California State Assembly and her late mother Irene Papan, a dedicated community leader and tireless supporter of her husband.

Gina began her professional career as a corporate attorney, but quickly moved to the public sector and served as Deputy Attorney General for the state for 19 years. She litigated to protect civil rights and prevent fraudulent use of taxpayer money. She was appointed deputy director of Governor Gray Davis' Office of Criminal Justice Planning. In that capacity, she served on the School Violence Prevention and Response Task Force, the Child Abduction Task Force and as a legislative advisor to the High Technology Crime Advisory Committee. School safety became an immediate focus on her second day on the job when the nation was shocked by the school shooting in Columbine.

Gina grew up in Millbrae and graduated from Capuchino High School. She received her Bachelor's degree in Finance and Economics from UC Santa Barbara and her law

degree from the University of the Pacific's McGeorge School of Law. She completed the Senior Executives in State and Local Government program at the John F. Kennedy School of Government at Harvard University.

Her commitment and dedication to others is unwavering. She and her sister Diane run John's Closet which provides free new clothing to underserved children and offers them confidence to achieve. John Papan was Gina's brother who suffered from a congenital condition that tragically and prematurely ended his life at age 21. In response and to continue its advocacy for disabled children, the Papan family set up John's Closet. Gina also is the co-director of the John Papan Memorial Scholarship Fund which was founded by the family to help special education students and late bloomers, kids who overcome early learning difficulties in high school.

Mr. Speaker, I ask the House of Representatives to join me in honoring Gina Papan who is retiring today as mayor of Millbrae and who has committed her life and career to serving her community and fighting for justice.

COMMEMORATING THE LIFE OF
FLORA DAY KING

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. KINGSTON. Mr. Speaker, I rise today to commemorate the life of Mrs. Flora Day King. Mrs. King passed away on November 29, 2013 in Seneca, South Carolina at the age of 97.

Flora Prussia Day was born on December 27, 1915 in Lexington, Virginia, the daughter of the late Philip Baldwin Day and Ernestine Albery Day. After graduating as valedictorian of the one-room schoolhouse in Lexington, she earned her Bachelor's degree from William and Mary College and her Master's degree in chemistry from Virginia Polytechnic Institute.

Following in the footsteps of her grandfather, Admiral Benjamin Franklin Day of the United States Navy, Flora enlisted in the Navy in 1941. She served as a Lieutenant in the Navy developing and testing jet propellant for rockets at Indian Head Naval Surface Warfare Center in Maryland for the duration of the Second World War.

Flora married Dr. Edwin Wallace King in 1950 and moved to Clemson, South Carolina in 1956, where she worked as a chemist for the United States Department of Agriculture at Clemson University. She was active in community service organizations and her local Episcopal church.

She is survived by her sister, Jane Day Casati, her sister-in-law, Jeanne Poe Day, her son Edwin Wallace King Jr., his wife Edythe

and their two daughters, Edythe Day King and Elizabeth Monroe King, and her son Philip Day King, his wife Lori, and their son Philip Robert King.

Today we honor her service to our country and her commitment to her family. She was a kind and loving woman who inspired those around her, and she will be truly missed.

HONORING SCOTT KARCZEWSKI

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to recognize Scott Karczewski on the occasion of his retirement from the Department of Veterans' Affairs after 36 years of dedicated service.

Scott's service to our country began in 1971, when he joined the U.S. Navy, serving on board the USS *John F. Kennedy* for more than three years. He began his VA career in 1977 at the Togus VA Hospital as a temporary warehouse worker. He was quickly promoted to a full time file clerk position in the Regional Office, while still attending college at the University of Maine. Scott has held several positions at the Togus Regional Office including Claims Examiner, Senior Claims Examiner, Rating Specialist, Assistant Veterans Service Center Manager, Veterans Service Center Manager, and most recently as Director of the Regional Office.

Under his leadership, the Togus Regional Office has continued its exceptional performance as one of the top regional offices in the Nation, efficiently and accurately processing claims for Maine's veterans. The performance of the Togus Regional Office has been recognized with the establishment of two special missions, a rating resource center and a development resource center. These missions assist other regional offices with their backlogged claims and have contributed greatly towards the reduction in the claims backlog nationally.

Through his dedication and valued work, Scott has earned well-deserved appreciation and accolades including a Commendation Award in 1986 from the Chief Benefits Administrator, and the Eastern Area Leadership Award in 2007.

Mr. Speaker, please join me in congratulating Scott Karczewski on his many years of outstanding service to our veterans and wishing him a rewarding and enjoyable retirement.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING THE ACCOMPLISHMENTS AND CELEBRATING THE CAREER OF LARRY HORTON OF STANFORD UNIVERSITY

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Ms. LOFGREN. Mr. Speaker, I rise to note the remarkable career of Larry Horton who will retire from his post as Senior Associate Vice President and Director of Government and Community Relations at Stanford University at the end of 2013. His academic and professional tenure at Stanford spans a combined 52 years.

Born in Louisiana to a railroad switch operator and a homemaker, Larry came to Stanford in 1958 by way of Arkansas and Southern California. After earning his undergraduate degree in political science, he was drafted to serve in the U.S. Army in Europe for two years. He returned to Stanford to complete a master's degree in history. By 1970, the year of my own graduation from the university, he had been appointed an associate dean of student affairs. In this capacity he oversaw the integration of the sexes in coed university housing. During this period he helped ensure that egalitarian American principles and the recognition of the value of diversity that blossomed in the 1960s and '70s was reflected in University policies. Next he served as a special assistant to the secretary of Health and Human Services in both the Ford and Carter administrations.

Returning to Stanford again in 1977 with new experiences in dealing with Washington, he was appointed Associate Director of Government Affairs. From this post he helped Congress to shape the landmark 1980 Bayh-Dole Act. These efforts fostered free-market innovation by encouraging inventors and institutions to pursue ownership of patents for products created with the aid of Federal Government resources.

For all his accomplishments at the Federal level, some of Larry's most challenging and rewarding projects have involved local government. The cities of Palo Alto and Menlo Park and the Counties of Santa Clara and San Mateo as well as various state and local land and water authorities, have required skillful attention. He negotiated many cooperative land-use initiatives, sometimes in the face of disagreement from some of Stanford's neighbors. He made sure there was careful sensitivity to threatened wildlife like the California tiger salamander, for which the University built a tunnel under Junipero Serra Boulevard to encourage migration from Lake Lagunita to a new, more secure habitat in Stanford's foothills.

Beyond his admirable professional achievements, Larry is a thoughtful intellectual, host to authors debuting their books and is a friend and supporter for those who are writers, artists and, most particularly, friends of Stanford. This year, for his dedication to Stanford he was awarded the Cuthbertson Award during Stanford's graduation ceremony. Today I praise my good friend Larry Horton, whose intellect, humility, talent, tenacity, empathy, and dedication to our alma mater are unparalleled. Although

his retirement will provide him with more time to spend on his personal loves—history, opera, Stanford Athletics, literature, theater, and his partner of 35 years, George Wilson—he will be deeply missed not only by his Stanford colleagues, but by those of us in Washington, Sacramento, and the Bay Area who have shared in the privilege of knowing him. He leaves a formidable legacy.

HONORING U.S. MARINE CORPS GENERAL RAYMOND GILBERT "RAY" DAVIS, SERGEANT RODNEY MAXWELL DAVIS, MAJOR HENRY TALMAGE ELROD, AND U.S. NAVY SEAMAN FIRST CLASS WENDALL LEON JONES

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I rise today to honor the careers of several individuals from Georgia's Eighth Congressional District who gave their all for our country and for our freedoms. They have been posthumously inducted into Georgia's first-ever Military Veterans Hall of Fame, and I would like to recognize them today.

United States Marine Corps General Raymond Gilbert "Ray" Davis hails from Fitzgerald, GA. In Korea in December 1950, then Lieutenant Colonel Davis personally led his battalion to victory in hand to hand combat against a strongly entrenched and numerically superior hostile force. For his valorous actions he was awarded the Medal of Honor.

United States Marine Corps Sergeant Rodney Maxwell Davis hails from Macon, GA. In Vietnam in September 1967 while his platoon was pinned down by a numerically superior force, he personally led his men in repulsing an onrushing enemy. With disregard for his own life, he saved many of his men by throwing himself on an exploding enemy grenade. He gallantly gave his life for his country and was awarded the Medal of Honor.

United States Marine Corps Major Henry Talmage Elrod hails from Ashburn, GA. On Wake Island in December 1941, as a fighter pilot, he personally destroyed an enemy warship and shot down two enemy airplanes before assuming command of a ground unit and inspirationally led his men against an attacking superior enemy force until he was killed in action. He gallantly gave his life for his country and was awarded the Medal of Honor.

United States Navy Seaman First Class Wendall Leon Jones hails from Tifton, GA. At the age of 16, he enlisted in the Navy. At age 17 the landing craft that he was aboard was sunk by a German U-Boat, killing all but 89 of the 641 aboard. He was severely burned on the face and hands while rescuing Sailors and Soldiers. During the D-Day Landing, he was among the 51 survivors of a 600 man demolition unit, once again sustaining injuries to his hands during small arms fire fights. One month later at age 18, he was wounded again by shell fragments in the right ear, right ankle, and face during a demolition mission behind enemy lines. After recovering, he was headed

to Japan when the war ended and he was soon discharged having just reached the age of 19. He was awarded the Navy Commendation Medal for Valor and 3 Purple Hearts. He died at age 36 from injuries to his brain caused by wounds.

RECOGNIZING IVY TECH COMMUNITY COLLEGE SOUTHEAST

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. MESSER. Mr. Speaker, I rise today to recognize the contributions of Ivy Tech Community College Southeast to the success of the 6th District Job Fair.

On October 21, 2013, over 150 job seekers from across the district met with 36 businesses looking to hire new employees. In a time when jobs are still hard to come by, these job fairs are an important tool in linking job seekers with prospective employers. I am proud we were able to bring community leaders together and provide this service to the people of the 6th District.

The job fair would not have been the success it was without the help of Ivy Tech Community College Southeast. I want to recognize the work of Shakira Grubbs, Tim Buehler, Daniel Smith, and Chancellor Jim Helms. Their efforts in hosting the job fair show a deep commitment to their community and the economic health of Southeastern Indiana.

I ask the entire 6th Congressional District to join me in recognizing Ivy Tech Community College Southeast. I look forward to working with them in the future as we strive to serve the people of Southeastern Indiana.

CELEBRATING THE 50TH ANNIVERSARY OF SAM AND DOROTHY YOUNG

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. HALL. Mr. Speaker, I rise today to congratulate Sam and Dorothy Young who just celebrated their 50th Anniversary. Their commitment to each other and their family is an inspiration and a wonderful reminder of the importance of family, particularly during the holiday season.

Sam and Dorothy, high school sweethearts at Lockett High School, were wed on August 4, 1963 at Lockett Baptist Church shortly after Sam joined the Navy. Over the past five decades, Mr. and Mrs. Young have been blessed with three children—Trent, Christi, and Todd—and seven grandchildren—Dane, Zachary, Teressa, Sammi, Jacque, Gracie, and Aubrey.

The Youngs moved to Mount Vernon, Texas in the early 1980's when Sam was transferred with AO Smith Harvestore Silos. The family later owned and operated Donuts Etc. in Mount Pleasant, Mount Vernon, Pittsburg, and Winnsboro. Sam and Dorothy continue to actively participate in the community, and since

2002, Sam has served Franklin County as Commissioner for Precinct 4.

Sam and Dorothy Young are blessed to have had so many happy years together, and I wish them many more happy years in the future. Mister Speaker, I ask my colleagues to join me in celebration of the Young's 50th Wedding Anniversary.

IN RECOGNITION OF KAREN
CLAPPER

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Ms. SPEIER. Mr. Speaker, I rise to honor Karen Clapper for her service on the San Carlos City Council since June 2012. She has applied decades of experience with private and public organizations to keep San Carlos the "City of Good Living" for all residents.

When a seat on the council became vacant, the four remaining council members unanimously selected Karen to fill the remaining term. She has been a passionate advocate for our neighborhoods, schools, parks and public safety. During her time on the City Council, Karen Clapper has worked collaboratively with her colleagues and sought to create a community marked by fiscal prudence and regional relevance. She was always well prepared at council meetings and asked many important questions during budget and policy sessions. Karen has been a team player who worked hard to ensure that San Carlos had the finest fire, police, and parks services possible. She frequently attended public events, wanting to be accessible to residents.

During her time in public service, Karen served on the boards of the Peninsula Congestion Relief Alliance and the Library Governing Board WA. She also served on ad hoc committees dealing with school property, the San Carlos Transit Village, and Wheeler Plaza. She was the liaison to San Carlos Green, a citizens group advocating for environmentally sensitive projects and policies, and the Planning Commission. In fact, Karen's longest service to the city was during her time on the commission where she served from 2009–20012. During this formative time in the city's history, she helped to maintain the city's small town character while recognizing that its planning decisions had to fit into the regional need for housing and other changes.

Karen earned her BA in Environmental Design from San Diego State University and her MBA in Finance and Accounting from the Anderson School of Management at UCLA. She has been a consultant, coach and board member for a long list of companies and non-profit organizations, including Great American Bank FSB, Accenture, Friends of San Carlos Library, the Service League of San Mateo County, and Elizabeth F. Gamble Garden.

Karen will continue her work as an independent productivity and leadership coach and be guided by one of her favorite quotes by Albert Einstein: "Out of clutter find simplicity; from discord find harmony; in the middle of difficulty lies opportunity." Her eternal optimism will no doubt direct her to continue to con-

tribute to the community. In her spare time she enjoys reading, quilting and doing crossword puzzles.

Mr. Speaker, I ask the House of Representatives to rise with me to honor Karen Clapper for her outstanding leadership during her tenure on the city council and for her service to the residents of San Carlos at many meetings and forums in the past. She will be missed on the council but certainly seen and heard throughout the community for many years to come.

RECOGNIZING MT. OLIVE BAPTIST
CHURCH

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to recognize and congratulate Mt. Olive Baptist Church of Buffalo, New York on celebrating the 90th anniversary of its devout faithfulness and dedication to the surrounding community. To commemorate this milestone, Mt. Olive will be hosting a celebration on December 8, 2013 in Buffalo's historic Lafayette Hotel.

Under the visionary leadership of Pastor William Gillison, Mt. Olive Baptist Church has become a central pillar of Buffalo's African-American community through its good and tireless community works and initiatives to nurture educate and support generations of families. Known as one of the most active and ambitious churches in the region, Mt. Olive continues to build on its extensive and rich history. Its outstanding reputation is a testament to the inspiration of its leaders and parishioners.

Mt. Olive Baptist Church was organized in 1923 under the leadership of the late Pastor James Hamilton, inside the gates of Semet Solvay Company Plant in Tonawanda, New York. In 1924, under the leadership of Pastor Clinton N. Polite, the Church moved outside the company gates. When Semet Solvay closed in 1941, Mt. Olive relocated Clinton Street in Buffalo where the first service was held on the first Sunday in May with five families.

Reverend William Gillison was called to pastor Mt. Olive in June 1981, which marked the beginning of an unprecedented era of growth and community engagement projects within the Church. In February 1988, Mt. Olive purchased three and a half acres of land at 701 East Delavan Avenue and in 1992, additional acreage was added giving the church five acres for its new three million dollar home. Construction began in 1994 and upon completion, the new home of Mt. Olive Baptist Church included an impressive complex which seats 1200, 16 classrooms and an all-purpose hall for recreation and social occasions. It is of special note that this Church's decades long mortgage was paid in full in only six years.

Under this extraordinary pastoral leader and faithful following, Mt. Olive continues to experience extensive growth spiritually, financially and munerically. Multiple ministries and a separate faith-based organization, the Mt. Olive Development Corporation, have been formed

since 1991. Mt. Olive's First Leadership School, which is recognized by the National Baptist Congress of Christian Education, was held in October 2007. In recent years a Health Ministry was instituted as was a Media Ministry with the addition of a TV studio. This year has also seen the construction of the William Gillison Fellowship Hall and the dedication of the YOMO (Youth of Mt. Olive) Athletic Field.

Mr. Speaker, it is with great pride that I rise today to honor, acknowledge and add my deepest appreciation to Pastor Gillison and the family and friends of Mt. Olive Baptist Church for 90 years of faith-filled service to its congregation, community, city and country. Its outreach to the least the lost among us provides us with a powerful example of faith and love that will only intensify to help our children be better prepared and be able to enjoy and embrace an enhanced quality of life.

CELEBRATING THE 75TH ANNIVERSARY FOR THE ABILITYONE PROGRAM AND THE NATIONAL INDUSTRIES FOR THE BLIND

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Ms. TITUS. Mr. Speaker, this year marks the 75th anniversary for the AbilityOne Program and the National Industries for the Blind. Since their inception, the AbilityOne Program and NIB have changed the lives of millions of people who are blind or have other significant disabilities by providing increased independence through job skills training and employment opportunities. They are our nation's largest source of employment for blind and disabled individuals and manufacture over 3,000 quality products, ranging from diesel engine glow plugs to printer toner.

In Las Vegas, the Blind Center of Nevada has helped blind and visually impaired Nevadans reach their highest potential. In addition to offering employment opportunities, computer training, braille classes, and other supportive services, the Blind Center of Nevada has built a community full of music and friendship.

I want to congratulate the AbilityOne Program and NIB on this momentous occasion and thank them for 75 years of service.

THANKING BERN BEIDEL FOR HIS
SERVICE TO THE HOUSE

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mrs. MILLER of Michigan. Mr. Speaker, I rise today to congratulate and recognize Bernard E. Beidel, an employee of the Chief Administrative Officer of the U.S. House of Representatives. Mr. Beidel was honored with the 2013 Lifetime Achievement Award from the Employee Assistance Professionals Association (EAPA). The Lifetime Achievement Award honors an EAPA member who has made a significant contribution to Employee Assistance Programs (EAP), the EA profession, and to individuals over an extended period of time.

Mr. Beidel has been a leader in providing EAP services to organizations and currently serves as Director of the Office of Employee Assistance. He has held this role for over 20 years providing direct EAP services to members and staff of the U.S. House of Representatives since its inception in 1991.

I am proud to stand before you and the Nation on Mr. Beidel's behalf to recognize the importance of his public service, and honor his award for lifetime achievement and his contributions to the House community.

We wish Bern much happiness in fulfilling his retirement dreams.

RECOGNIZING CURTIS MARTIN

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. WALDEN. Mr. Speaker, I rise today to recognize my good friend Curtis Martin for his life-long efforts to support agriculture and ranching, which are so important to jobs and the economy in rural Oregon. Over the past two years, Curtis has done a tremendous job serving as the president of the Oregon Cattlemen's Association. As his term as president comes to an end, I'd like to take a moment to pay tribute to his leadership.

Before and during his service as president of the Oregon Cattlemen's Association, Curtis served in several capacities locally to the benefit of farmers and ranchers. He has been a member of the Powder Basin Watershed Committee, a Director on the Union Soil and Water Conservation District and President of the Powder Valley Water Control District.

During his tenure as Oregon Cattlemen's Association President, Curtis has worked tirelessly to represent Oregon's livestock industry across the state. During the summer of 2012, wildfires devastated over one million acres of rangeland and forest across Oregon, affecting many ranchers' livelihoods along the way. Curtis took the lead in coordinating a relief effort, helping raise over \$200,000 in donations for ranchers who had lost cattle and pasture due to the fires. In a further response to the fires, Curtis established the Restore Everything Strategically Through Organized Response (RESTOR) Task Force, bringing together federal agencies, the State of Oregon, local governments and the Oregon congressional delegation to channel resources and assistance to affected livestock communities. RESTOR also put forth proactive solutions to reduce the frequency and intensity of wildfires, and improve government and community responses when fires occur. Federal agencies continue to work towards implementing several of the task force's recommendations.

Curtis also led the Oregon Cattlemen's Association Oregon Habitat Monitoring Initiative, pulling together a diverse group of stakeholders from federal and state agencies, Oregon State University, private consultants and other industry groups to develop a cooperative monitoring standard for producers on the ground. This effort resulted in the current development of the Oregon Rangeland Monitoring Guide, so that livestock producers can

easily monitor their pastures and supplement federal agency data supporting public land grazing allotments.

Curtis was raised on a ranch in Vale, Oregon, on the far eastern edge of the state. After high school, he moved full time into the family's ranch operation, building fence, piping water and moving cattle on horseback. By 1978, Curtis had married his wife Cheryl and moved to North Powder, where Cheryl's family has roots back to the Oregon Trail pioneers who first settled the Baker Valley in the 1860s.

In 1983, Curtis and Cheryl bought a ranch in North Powder, where they now center their ranching operation. Curtis has said that upon buying the property, it was so run down it was only suitable for producing "weeds and ground squirrels." Together, they turned their efforts to rehabilitating the property to a state fit for raising cattle and have been successful in their efforts. Curtis and Cheryl treasure their four sons and six grandchildren. They take great pride in their family ranch operation and in seeing yet another generation involved in the ranch and learning the lifestyle that means so much to them.

I'd like to offer a special thank you to Curtis and Cheryl for their friendship and guidance over the years.

Mr. Speaker, I ask my colleagues to join me in recognizing Curtis Martin for his tireless dedication to agriculture and ranching in Oregon as president of the Oregon Cattlemen's Association.

HONORING SGT KYLE CLIFTON ON EARNING THE U.S. ARMY ENGINEER ASSOCIATION'S DE FLEURY MEDAL

HON. RICHARD L. HANNA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. HANNA. Mr. Speaker, I rise today to congratulate SGT Kyle Clifton on being presented with the U.S. Army Engineer Association's prestigious de Fleury Medal. The de Fleury Medal is awarded by the Army Corps of Engineers to honor those individuals who have provided significant contributions to Army Engineering. Since 1779, the de Fleury Medal has held a special place in the ranks of our service engineers for the values that one must demonstrate in order to be deemed worthy of its receipt.

While this medal is certainly a testament to the valor and professionalism possessed and exhibited by SGT Clifton, it is also a natural tribute to SGT Clifton's distinguished service career with the Army Reserve. As the medal itself is inscribed, this is "a memorial and reward for courage and boldness," and perhaps more than that it is a physical accolade of the thanks that his community, his fellow Reservists, and his nation have for the service and sacrifices he has devoted to the defense of the United States of America. In addition to the de Fleury Medal, SGT Clifton's long list of awards also includes the Bronze Star with Valor, the Purple Heart, the Army Commendation Medal, and the Combat Action Badge. These honors have been bestowed upon SGT

Clifton for his proven expertise in service efforts including ground clearance missions and professionalism while serving on the front line of duty. Throughout his tours in Iraq and Afghanistan, SGT Clifton proved to be an asset for our Army in holding positions, exhibiting versatility within his vehicle command, clearing improvised explosive devices (IEDs), and demonstrating exceptional instincts and tactics in the midst of contact fire.

Last year, SGT Clifton's truck was struck by an IED while involved in a supply route clearing mission in support of Operation Enduring Freedom. This cruel attack seriously injured SGT Clifton and claimed the lives of his three brothers in arms who were in the truck with him: SSG Dain Venne; SGT Brett Gorniewicz; and SPC Ryan Jayne. Upon his arrival at the Walter Reed National Military Medical Center, I had the opportunity to personally visit with SGT Clifton and his wife. On that day and in the days since then, I have been continuously impressed by the progress that SGT Clifton has made in his physical recovery and the modesty that he has shown. SGT Clifton exhibits daily the traits of bravery, resolve, and a genuine desire to selflessly serve our nation that exemplify the very best of our troops.

While every soldier's experiences are unique, the story of SGT Clifton, SSG Venne, SGT Gorniewicz, and SPC Jayne shares aspects with far too many others that have paid a personal price in their efforts to counter the challenges of the modern battlefield. IEDs are the leading cause of casualties for American servicemembers and the leading cause of injuries afflicting our veterans. In 2012 alone, 104 American troops were killed and 1,744 were wounded by these indiscriminate weapons. SGT Clifton is just one of the more than 51,000 service members who have been wounded in action in our engagements since the September 11, 2001 terrorist attacks. With these figures in mind, Mr. Speaker, I ask that this body join me in continuing to explore and support ways to reduce the prevalence of these incidents.

Mr. Speaker, I ask my colleges to join me in congratulating SGT Clifton on being awarded the Steel de Fleury Medal. I express my utmost gratitude to him and all of our servicemembers and veterans for their valiant service and sacrifices, as well as to all of the families and communities who make up the invaluable foundation of support for these men and women.

PERSONAL EXPLANATION

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Ms. JACKSON LEE. Mr. Speaker, on December 9, 2013, I travelled to Johannesburg, South Africa, as part of the Congressional Delegation appointed to attend the memorial service for Nelson Mandela, the first president of the new Republic of South Africa and one of the greatest leaders of the 20th century. Because of my participation in this important event I was unable to return in time for Roll Call Votes 630 and 631.

Had I been present I would have voted as follows:

1. On rollcall No. 630 I would have voted "aye" (December 10) (H.R. 3521, The Department of Veterans Affairs Major Medical Facility Lease Authorization Act of 2013, as amended (Rep. MILLER (FL)—Veterans' Affairs)

2. On rollcall No. 631, I would have voted "aye" (December 10) (H.R. 1402, VA Expiring Authorities Extension Act of 2013, as amended (Rep. COFFMAN—Veterans' Affairs)

IN RECOGNITION OF DAVE
WARDEN

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Ms. SPEIER. Mr. Speaker, I rise to honor Dave Warden for his twelve years of service on the Belmont City Council, including three years as mayor in 2002, 2005 and 2012. Dave was first elected in 1999 and served two terms until 2007. He returned in 2009 for his current term.

Dave has been a tireless advocate for open space and was a driving force behind voter-approved Measure F, the Hillside Preservation Ordinance, and the Slope Density Ordinance. He worked hard on the acquisition of 35 acres in the San Juan Canyon which are now permanent open space. He was also instrumental in getting the new library built and was the council's representative to the library JPA. He also made the seismic upgrade of city hall a reality. He supported the smoking ordinance and the creation of Semeria Park.

Dave's top priority has always been to spend Belmont taxpayers' money wisely. He was critical in negotiating with the city's bargaining units to rein in escalating pension costs. He is well-known for his bargaining skills and has helped keep Belmont's budget balanced with a minimal use of reserves even in a down economy.

Before joining the council, he served as the Planning Commissioner and Parks and Recreation Commissioner. He is also a former president of his neighborhood association and former member of the Belmont Chamber of Commerce.

Dave was born and raised in Belmont and graduated from Carlmont High School in 1979. He earned a Bachelor's Degree in Computer Science from UC Berkeley and is a medical software engineer. He worked for several Silicon Valley start-up firms and developed successful products for Sony, Zenith, Samsung, RCA, Casio, Panasonic and the U.S. Navy. He is also a former school teacher at Ralston Middle School where he was named the PTA Teacher of the Year in 2002.

He and his wife of 17 years, Lisa, have always had an eye out for preserving Belmont's village-like charm and character.

As you can see from this long list of accomplishments, Dave has a love of Belmont that has been demonstrated over many years and in many forms. Working in local government is not always the easiest task. You often face your neighbors and friends whose expectations are sometimes difficult to meet. How-

ever, through his tireless efforts, Dave Warden has demonstrated that he truly wanted to meet the needs of residents as much as was possible given fiscal and other constraints.

Mr. Speaker, this dedication over time is rare, but his length of service and focus on the quality of life in Belmont is why Dave Warden's tenure on the council and in so many other capacities will be remembered. He will be missed on the council but his legacy will live on for many, many years.

PAYING TRIBUTE TO MAJOR CONRAD J. JAKUBOW'S DEDICATED SERVICE TO OUR NATION

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. KINGSTON. Mr. Speaker, I rise to pay tribute to Major Conrad J. Jakubow, United States Army for his extraordinary dedication to duty and selfless service to the United States of America. Conrad has served for the last three years as a Congressional Budget Liaison for the Secretary of the Army and will soon depart for his next duty assignment.

A native of Chicago, Illinois, Conrad earned his commission as an Officer in the United States Army at the United States Military Academy at West Point, New York in calendar year 2000. Major Jakubow's assignments have been diverse and include over twenty-eight months of combat experience. While assigned as a Lieutenant to the 1st Squadron, 1st Cavalry Regiment, 1st Armored Division, at Armstrong Barracks in Budeingen, Germany, Conrad served with Charlie Troop, Alpha Troop, and Headquarters and Headquarters Troop, as a tank and scout platoon leader, executive officer, and squadron motor officer and deployed his units twice to combat in support of Operation Iraqi Freedom. As a Captain, Conrad attended the Civil Affairs Qualification Course and became a civil affairs officer serving in both the 96th Civil Affairs Battalion and the 95th Civil Affairs Brigade deploying again in support of Operation Enduring Freedom.

After returning from his third combat deployment, Major Jakubow began his professional studies as a United States Army Congressional Fellow, earning a Master's of Professional Studies in Legislative Affairs from The George Washington University. Conrad was then nominated and assigned as an Office of the Secretary of Defense Congressional Fellow in the office of the late Congressman C.W. Bill Young and served as his military advisor on defense and veteran matters, providing critical analysis and insight on defense appropriation matters and pending legislation. Major Jakubow served one year in the Congressional Office and thereafter was subsequently assigned as a Congressional Budget Liaison Officer in the office of the Assistant Secretary of the Army for Financial Management and Comptroller in the Pentagon with responsibility for managing the Army's tactical wheeled vehicle program, military construction accounts, installations, energy, and special access program portfolios. Conrad has skillfully advised the Army's senior leaders, fostering and

strengthening the relationship between the Congress and the United States Army. Major Jakubow's leadership as both a Company Grade and Field Grade Officer throughout his career has positively impacted his peers and superiors, Soldiers and civilians alike. As a Congressional Budget Liaison Officer he worked directly with the House and Senate Appropriations Committees to educate and inform Representatives, Senators, and staff about the diverse and important tactical procurement initiatives of the U.S. Army.

Mr. Speaker, it has been my esteemed pleasure to work with Major Conrad Jakubow during his time as a fellow and legislative liaison. On behalf of a grateful nation, I join my colleagues today in recognizing and commending Major Conrad J. Jakubow for over a decade of active service to his country in the United States Army. We wish Conrad, his daughter Mara, all the best as they continue their journey of service to our great Nation.

HONORING ARMY CHAPLAIN
COLONEL ERIC OLSEN

HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. GIBSON. Mr. Speaker, I rise today to honor the honorable and distinguished career of Army Chaplain Colonel Eric Olsen. I have had the distinct privilege of knowing Colonel Olsen since serving in the United States Army.

Born in Staten Island, Chaplain Olsen entered the United States Army in December 1983 through the Pennsylvania National Guard. He completed the Chaplain Candidate Course in 1985 and was subsequently ordained by the Evangelical Lutheran Church in 1988. From 1988 until 1992, he led the parish at Holy Trinity Lutheran Church in Saranac Lake before going on Active Duty and serving tours of duty in South Carolina, Germany, Egypt and Fort Drum. Finally, he transitioned to the New York National Guard in 1999 where he remained throughout his career.

Chaplain Olsen's long career has included assignments as Assistant Chaplain HHC 27th Infantry Brigade Combat Team, Chaplain HHS 1-156 Field Artillery, Chaplain HHC 27th UEX, and the State Chaplain of the New York National Guard.

A veteran of Operation Iraqi Freedom, Chaplain Olsen deployed to Iraq, operating in the dangerous Sunni Triangle region. Serving as the Battalion Chaplain, his unit conducted combat and stability operations as a part of Task Force Hunter.

During his notable career, Chaplain Olsen earned various awards and decorations including the Bronze Star Medal, Meritorious Service Medal (with bronze oak leaf cluster), Army Commendation Medal (with 3 bronze oak leaf clusters), Army Achievement Medal (with 1 silver oak leaf clusters and 1 bronze oak leaf cluster), Army Reserve Components Achievement Medal (with 3 bronze oak leaf clusters), National Defense Service Medal (with 2 bronze oak leaf clusters), Multinational Force and Observers Medal, Meritorious Unit Citation Ribbon, Army Service Ribbon, Overseas

Service Ribbon, Army Reserve Components Overseas Training Ribbon, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, and Combat Action Badge.

Eric had a truly commendable career, of which he, his wife Susan Marie, and his two sons Garth and Evan should all be very proud. Notably, he made the difficult sacrifice of serving both the United States as well as the higher power of God. I would like to wish him and his family all of the best in his future service and retirement from the United States Army and New York National Guard.

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER 2013 VSIP RETIREES ACKNOWLEDGEMENT

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mrs. MILLER of Michigan. Mr. Speaker, I rise today to congratulate and recognize the staff that retired through the Office of the Chief Administrative Officer 2013 voluntary separation incentive payment program, for their collective years of distinguished service to the U.S. House of Representatives: Sharyn Alexander; Kenton Armas; Timothy Babcock; Gerald Bennett; Frederick Bowles, Jr.; Lorenzo Braye; Elery Caskey, Jr.; Tredway Childress; Alessandro Cusati; Mark Dalton; Thomas D'Amico; Sandra Durham; Estanislao Field; Jerry Gallegos; Terry Hancock; Monroe Holliway; Barbara Holmberg; Alfredda Horton; Richard Hughes; Trevera Jackson; Christine Jensen; Stephen Johnson; Eric King; Thomas Mako; Russell Malone; Roy McLeod; Gwendolyn Melvin; George Moore; Ronald Mullvain; Thoa Nguyen; David Peebler; Robert Ransom II; Alan Richardson; Willie Roane; Delma Rutkowski; Joe Taylor; Alvin Thompson; Ben Vann; Robert Watson.

These individuals are acknowledged and commended for the hard work, dedication, professionalism, and spirit of public service that each contributed to the operation of the House. On behalf of the Office of the CAO and the entire House community, I am proud to stand before you in recognition of their outstanding contributions to the House of Representatives.

IN RECOGNITION OF CORALIN FEIERBACH

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Ms. SPEIER. Mr. Speaker, I rise to honor Coralin Feierbach for 14 years of outstanding service on the Belmont City Council, serving as mayor in 1999, 2007 and 2011. Coralin was first elected in 1995 for one term. She joined the council again in 2003 and has served continuously since that date.

Coralin's hands-on and passionate style make her one of the most memorable leaders

in Belmont. She always strives to see the side of residents, and works hard to ensure that their interests rather than the interests of others are the central focus of the council's deliberations. She will listen to Belmont residents on any topic, at any time of the day or night.

Coralin has been a longtime advocate of open space. She first made a name for herself in the community in the mid-1970s when a plan to build housing on Sugarloaf Mountain in San Mateo on the border with Belmont was proposed. She and others won the fight to protect open space and Coralin has spent much of her life since protecting the Belmont hills from development.

During her tenure on the council, she was instrumental in getting both Measure F, the Hillside Preservation Ordinance, and the Slope Density Ordinance, passed. She assisted in the acquisition of 35 acres in San Juan Canyon which are now permanent open space. The canyon was slated to have 1,000 homes built and Coralin helped reduce the number of lots for homes down to about 60. She succeeded in preserving the land for its beauty and recreational purposes, making it a sanctuary for the area's wildlife and residents.

She also worked on a revision of the city's tree ordinance, the smoking ordinance, design review, code enforcement, the noise ordinance, construction time limits and green initiatives. Literally, if you look at the lush trees and canyons that distinguish Belmont, you see Coralin's clarity of purpose throughout the community.

Coralin served during some of the most difficult economic times for Belmont. She always wanted a balanced and fair budget. She worked hard to prevent Caltrain's evolution from changing the character of the community, and her service did not begin with the council. Coralin served on the Planning Commission from 1986–1987 and 2001–2003.

Coralin has a Bachelor's in Mathematics from San Francisco State University and did two years in the graduate program in mathematics at San Francisco State. She was a software developer and part owner of a software development firm.

In her well-deserved retirement, Coralin is looking forward to spending more time with her husband Gary, their daughter and grandchildren. And she plans to take music classes at Notre Dame de Namur University in Belmont and to start a quartet as she plays classical piano.

Mr. Speaker, I ask the House of Representatives to rise with me to honor Coralin Feierbach for her outstanding public service to the residents of Belmont. She has preserved and nurtured the city's spirit in order to produce tranquility amidst the urban din, and a small town appeal that makes Belmont a gem on the San Francisco Peninsula.

PERSONAL EXPLANATION

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. CONAWAY. Mr. Speaker, on December 9, the weather delayed my arrival to Wash-

ington, DC for the afternoon votes, and I missed rollcall No. 630, or H.R. 3521. Had I been present I would have voted "aye" on H.R. 3521.

THE NATIONAL INSTITUTES OF HEALTH (NIH) FUNDING AND THE IMPACT OF SEQUESTRATION

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mrs. BEATTY. Mr. Speaker, I thank my colleague, Congresswoman JACKIE SPEIER, for leading this important bi-partisan discussion on the benefits of the National Institutes of Health (NIH) and the dire impact that sequestration is having on NIH, its grantees, and our nation.

NIH makes important discoveries that improve health and save lives.

Thanks in large part to NIH-funded medical research, Americans today are living longer and healthier lives.

Life expectancy in the United States has increased and disability in people over age 65 has dramatically decreased in the past 3 decades because of the important research taking place at NIH.

NIH is also a job creator—it has created hundreds of thousands of high-quality jobs by funding scientists at universities and research institutions in every state across America and in countries around the globe.

These investments have led directly to better outcomes for cancer patients and increased the effectiveness of the treatments we have for HIV, influenza, diabetes, obesity, Alzheimer's, and hundreds of other diseases and disorders that affect millions of Americans.

More than 80% of NIH's budget goes to more than 300,000 research personnel at over 2,500 universities and research institutions.

In fiscal year 2013, Ohio received \$777 million in NIH funding.

And my district, the third congressional district of Ohio, received 581 NIH grants, worth over \$248 million.

NIH has historically funded the largest amount of federally funded research within my district at The Ohio State University.

In 2012, NIH funded approximately 25% of the overall research expenditures at The Ohio State University.

NIH grants went utilized on collaborations between The Ohio State University and Nationwide Children's Hospital to accelerate basic scientific discoveries into life-saving medical advances.

In particular, the discovery of microRNAs, small cellular molecules involved with biological regulation, is now known to play a pivotal role in the growth and spread of prostate, ovarian, colon and lung cancers, as well as other diseases.

NIH grants were also provided to The Ohio State University to establish a research center devoted to the study of tobacco use patterns, research that will help the Food and Drug Administration put science behind its new role in regulating tobacco.

NIH funds investigators in my district, at Nationwide Children's Hospital, to study gene

therapy as a treatment for spinal muscular atrophy, the most common genetic defect that results in infant mortality.

At Nationwide Children's Hospital, NIH funding makes possible important clinical trials of viral therapy for solid cancer tumors in children, testing of new agents against childhood tumors, research to prevent and treat infant prematurity, and the furthering of understanding of the mechanisms of autism prevention.

In fact, the Research Institute at Nationwide Children's Hospital is ranked 6th for NIH funding among free-standing children's hospitals in the United States.

Hyper Tech Research, Bertec Corporation, Battelle, and BioOhio—all of these outstanding companies in the third congressional district of Ohio benefit from NIH research funding for biotechnology, drug development, medical devices, and health care.

But, just as NIH dollars that flow to Ohio help grow the state's economy, a reduction in those dollars have hurt us.

On March 1, 2013 sequestration required NIH to cut 5 percent—\$1.55 billion—of its fiscal year 2013 budget.

These drastic cuts affected all NIH programs, projects, and activities—every single area of medical research was negatively affected.

NIH now has approximately 700 fewer competitive research grants.

They now have approximately 750 fewer new patients in their clinical center.

The development of more effective cancer drugs is being delayed.

Research on a universal flu vaccine is being delayed.

Research on prevention of debilitating chronic conditions is being delayed.

These delays are proof that sequestration has significantly undermined medical progress across all disciplines of research on the full spectrum of diseases and conditions.

We cannot continue to compromise our nation's future economic growth and security by blindly cutting federal investment in areas that are critical to our nation's ability to innovate and compete in the global economy.

As much as half of U.S. economic growth since World War II is a result of technological innovation, much of which resulted directly from federally-funded scientific research.

The private sector, which requires rapid returns in investment, relies on the federal government to fund basic scientific research.

Sustained support for federal research, education, and student aid programs pay dividends by building human, scientific and technological capital for our nation.

We cannot afford to let the United States fall behind other countries, such as China, in such important areas as scientific research and innovation.

Our government must show a clear commitment to sustained funding of scientific research across the disciplines so that our nation can compete globally and we can build a better America for future generations.

Sequestration is not the answer to our nation's fiscal problems.

I urge my colleagues to oppose further cuts to nondefense discretionary programs.

The point of fiscal responsibility is to invest in these critical federal programs in order to

provide a better life for all Americans, especially our children who are our future researchers and inventors.

Sustained investments in NIH are essential so that our nation can train the next generation to make tomorrow's health discoveries and to continue America's scientific leadership.

The work done by NIH helps grow our economy, improve our health, and has made our nation stronger and more secure.

We should not weaken them.

IN HONOR OF MR. LARRY HORTON'S RETIREMENT

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Ms. MATSUI. Mr. Speaker, I rise today in recognition of Larry Horton, Senior Associate Vice President and Director of Government and Community Relations at Stanford University, as he celebrates his retirement from a long and distinguished career. I ask my colleagues to join me in honoring this individual who has contributed so much to Stanford University.

Mr. Horton joined Stanford University in 1970, and has served in a number of positions including Assistant and Associate Dean of Student Affairs, Associate Director of Government Relations, and Associate Vice President for Public Affairs. In addition, from 1976 to 1977, he participated in the President's Executive Exchange Program in Washington, where he served as an assistant to the Secretary of Health and Human Services. His achievements at Stanford include the 2000 Community Plan/General Use Permit, the Mayfield Development Agreement and the conclusion of the Trails Agreement with Santa Clara County.

A true Cardinal, Mr. Horton earned both his B.A. in political science, and his M.A. in history, from Stanford. Following graduation, he served our country in the U.S. Army, with two years in Western Europe during the Vietnam War era. Through his years at Stanford, he has seen history unfold on the campus, and helped to shape Stanford's policies in areas vital to the University's success, including housing for women and minorities, federal patent legislation, federal research-funding policy, federal immigration and national security issues, and significantly, land use issues.

At Stanford's 2013 commencement, Mr. Horton was honored with the Kenneth M. Cuthbertson Award For Exceptional Service to Stanford University. This award was truly deserved, and Mr. Horton will leave Stanford University for the better from his 54 years of service to the school. Following his retirement, Larry will certainly maintain a busy schedule pursuing his passions of opera and theater, golf, travel, and enjoying a good book.

Mr. Speaker, I am honored to recognize the numerous contributions made by Mr. Larry Horton during his tenure at Stanford University. As Mr. Horton, family, friends, and colleagues celebrate his retirement, I ask my colleagues to join me in thanking and recognizing him for his many years of service.

A TRIBUTE TO THE FISHER HOUSE: A HOME AWAY FROM HOME, FOR AMERICA'S HEROES AND THEIR FAMILIES

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. SESSIONS. Mr. Speaker, I rise today in this Christmas Season of giving to recognize The Fisher House, an organization that has built sixty-two homes for our wounded warriors and their families. The Fisher House is a place of recovery where families can be reunited with their loved ones as they fight the battle to overcome the scars of war. As a home away from home, The Fisher House provides safe haven and helps relieve the financial hardships that families relocating to be with their wounded loved ones face. The Fisher House Program was founded in 1990 by Zachary and Elizabeth Fisher in Rockville, Maryland. They are located at major military and VA medical centers nationwide. Kenneth Fisher is currently carrying on his Uncle Zach's legacy as acting Chairman. I submit this poem penned by Albert Carey Caswell in their honor.

FISHER HOUSE—BECAUSE A FAMILY'S LOVE IS
GOOD MEDICINE

A . . .
A Home . . .
A Home Away . . .
A Home Away From . . .
A Home Away From Home!
And when our heroes come back home . . .
From war and battlefields of honor bright to
which they belong.
Back from that most dreaded cost of war
. . . .
all in such pain and heartache to endure
. . . .
As such a battle up ahead them so lies be-
fore,
for all these families in this new war!
Broken all in such places.
With scars upon their faces . . .
With arms and legs missing in all places . . .
With operation after operation,
as this they so face this!
As they can not so be alone . . .
For they so need a place of refuge where they
can get strong . . .
A place that they can call Home!
A Home Away From Home,
where they can all belong!
Can grow!
A place where healing is so strong!
A place where their loved ones can hold them
tight . . .
and encourage them both day and night!
A place to ready them for this new battle,
this new fight!
A place of refuge and of rest!
A place where they can but be their best!
A place that which helps their fine heart's
crest!
A place which brings them to recovery and
nothing less!
A place where they so all belong!
So they know that they are not alone!
A Home Away From Home!
Just like a love song!
Because all of these families come from afar!
As they put their own lives on hold . . .
because that's who they are!
Such quiet heroes one and all,
who so shine like the stars!
Because they make their loved ones who
they are!

All In This Home Away From Home from afar!
 The Fisher House is the Home of America's Greatest of All Stars!
 So that in the morning they can awake . . .
 With but smiles upon their face!
 Where their children can but so have a place!
 Where they can be kids as all around they so race!
 Which feels more like home with each new day!
 Where at the dinner table they can all say grace!
 A safe haven . . .
 a sanctuary which in the quiet of the night brings tears to their face!
 To let them Heal!
 To let them find The Grace!
 Where their courage grows at such an enormous pace!
 Where family Birthdays . . .
 Christmas . . .
 Thanksgiving and Holidays they celebrate!
 And talk about their first new steps so great!
 As they wipe away all those tears from their face!
 All in This Home Away From Home,
 this so very special healing place!
 Until that moment,
 that one fine day
 when it's time to leave this Home Away From Home!
 And finally,
 they can all go back to their Home's to so stay!
 As they will never forget this place!
 Bless this home!

RECOGNIZING THE 50TH ANNIVERSARY OF SPRINGFIELD CHAPTER 893 OF THE NATIONAL ASSOCIATION OF RETIRED FEDERAL EMPLOYEES

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to commemorate the 50th Anniversary of Chapter 893 of the National Association of Active and Retired Federal Employees (NARFE), based in Springfield, Virginia.

Founded in 1921, NARFE is a nonpartisan organization dedicated to protecting and enhancing the earned pay, retirement, and health care benefits of federal employees and retirees as well as their spouses and survivors. Springfield Chapter 893 is one of more than 1600 NARFE chapters nationwide.

The Charter for Chapter 893 was issued December 31, 1963. At that time, there were 14 members. Today, the Chapter membership has grown to become the largest of the 59 chapters in Virginia, with nearly 1,400 voting members. Chapter members have had a strong voice in many national and local legislative issues affecting Federal retirees, senior citizens and the public at large.

While Chapter 893 has always emphasized fulfilling the primary NARFE mission, its members have also made invaluable contributions to our Northern Virginia community. Chapter 893 members have volunteered countless hours at hospitals and libraries, and they have worked with local non-profit organizations to support blood drives and Meals on Wheels

programs. Since 1987, members have contributed generously to Alzheimer's Research, the charity of choice for NARFE nationwide. In 1992, members first participated in the local area Alzheimer's Memory Walk, which has raised approximately \$1,000 annually for several years. In 2009, members began participating in the collection of warm clothing items for homeless veterans for the Washington, DC, Veterans Administration Medical Center. That same year, the Chapter began supporting the National Association of Letter Carriers "Stamp Out Hunger" program.

Over the course of its successful history, the Springfield Chapter has benefited from many dynamic, accomplished leaders. Several past presidents have been elected as officers or appointed committee chairs of the NARFE Virginia Federation of Chapters. Others have served in civic, professional, or fraternal organizations locally. Particularly noteworthy are the accomplishments of past presidents Milton Kramer, Vincent Agnelli, David Sullivan, Charles Delaplane, and Ann M. Collins. Past President Kramer played a major role in organizing the Northern Virginia Caucus of Chapters in 1993. Past President Agnelli served on an ad hoc committee influential in the 1993 Virginia Supreme Court Federal retiree tax refund issue. Past President Sullivan served on the Board of the Virginia Federation of Chapters (VFC) for several years and subsequently was elected NARFE National Secretary in 2000 and again in 2002. Past President Charles Delaplane served on the Board of the VFC for several years and chaired the National Legislation Committee at the 2008 and 2010 NARFE National Conventions. Past President Collins served on the Board of the VFC and subsequently was elected VFC President for 2 terms (2005–2007). In 2006 as VFC President she established NARFE VFC Congressional District Liaisons for the 11 congressional districts in Virginia as well as a Senatorial Liaison. Also, Past President Collins was appointed as a delegate to the 2005 White House Conference on Aging to represent the 11th Congressional District of Virginia.

The 11th Congressional District of Virginia, due to its proximity to Washington, DC, is home to a significant number of Federal employees and retirees and I am honored to represent these dedicated and honorable public servants in the U.S. House of Representatives. Mr. Speaker, I ask my colleagues to join me in congratulating NARFE Springfield Chapter 893 on the occasion of its 50th Anniversary and in thanking the members for their unwavering support and dedication to Federal employees, retirees, and their families.

CONGRATULATIONS TO MR. JOHN DALTON

HON. KERRY L. BENTIVOLIO

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. BENTIVOLIO. Mr. Speaker, Mr. Dalton was appointed to the Livonia Human Relations Commission by Livonia Mayor Jack Kirksey and was elected by his fellow commissioners

to serve as the Vice Chairman of the city commission. He takes his new position on the commission at the start of 2014. Congratulations to Mr. John Dalton.

CONGRATULATING THE UNIVERSITY OF NEW MEXICO AND THE RWJF CENTER FOR HEALTH POLICY ON THEIR DEDICATION TO HEALTH JUSTICE

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to recognize the University of New Mexico and the Robert Wood Johnson Foundation Center for Health Policy at the University of New Mexico for their dedication to achieving health justice. This September, the University of New Mexico hosted the Congressional Tri-Caucus Health Disparities conference titled "Practices and Policies That Promote Health Justice". The summit brought together local and national experts, leaders, policymakers, and advocates for a comprehensive discussion on the status of health justice.

The Tri-Caucus health summit grew out of the need to move forward the discussion on health disparities in Washington and around the nation. The 2013 Health Disparities Summit has set a new standard for this discussion. Thanks to the efforts of the conference planning committee, this summit was the first to include Native American speakers and perspectives, a contribution that sets an important precedent for future summits.

Hosted by the University of New Mexico, under the leadership of President Robert G. Frank and Chancellor for Health Sciences Paul B. Roth, and coordinated by the Robert Wood Johnson Foundation Center for Health Policy at UNM, led by Director Gabriel Sanchez, the summit provided my Tri-Caucus colleagues and myself with the most relevant and groundbreaking research on health disparities, including in-depth discussions on the serious reality of racial and ethnic health disparities.

The RWJF Center for Health Policy at the University of New Mexico is a research and training institute whose mission is to increase the diversity of health policy leaders who are trained in the social and behavioral sciences and nursing. One of the ways they accomplish this is through their doctoral fellow program, which nurtures promising researchers who are dedicated to social justice and the elimination of health disparities.

Over the course of the conference, I had the distinct pleasure of meeting with several RWJF doctoral fellows whose dedication and passion for achieving health equity helped me return to Washington reenergized to continue working toward health equity. It is meeting people like the RWJF research faculty and their doctoral fellows that gives me hope that we will continue to gain traction in the movement to eliminate health inequalities and achieve health justice.

Mr. Speaker, I am proud to have the privilege of representing my alma mater in Congress. As the only Hispanic-Serving Institution

in the United States that is classified as a Carnegie Research University with Very High Activity, UNM is at the forefront of education and groundbreaking research, which contributes to a more just and equitable society. The University of New Mexico has taken an active role in working to eliminate health disparities and the RWJF Center for Health Policy is leading this charge. I would like to congratulate the University of New Mexico on their successful conference and for their dedication to achieving health justice.

CELEBRATING THE 75TH ANNIVERSARY OF THE NATIONAL INDUSTRIES FOR THE BLIND (NIB)

HON. LEE TERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. TERRY. Mr. Speaker, the National Industries for the Blind (NIB) is celebrating its 75th anniversary this year, and I am honored to be a part of its celebration. Seventy-five years ago, the Wagner-O'Day Act was signed into law, which created the AbilityOne Program as well as the NIB.

NIB strives to enhance economic and personal independence of persons who are blind by creating, sustaining, and improving employment.

The NIB works with 91 agencies spread out among 35 states at over 250 locations and the agencies provide products and services for the government.

In my home state, Outlook Nebraska is the NIB provider and is an economic engine that brings valuable business to the Omaha area.

Founded in 2000, Outlook Nebraska, much like its sister NIB agencies, seeks to enhance the quality of life for the blind and visually impaired.

It is Nebraska's largest employer for those with vision disabilities. Outlook Nebraska's work is especially important because, unfortunately, 70 percent of working-age Americans who are blind are unemployed.

The AbilityOne program makes Outlook Nebraska possible. As the official AbilityOne manufacturer of quality tissue and towel products for the government, Outlook Nebraska supplies a full line of 100 percent recycled fiber content tissue and towel products, including bath tissue, pull towels, and all compatible dispensers to the United States government.

Besides the manufacturing of products, the agency provides complete product servicing from its office and tissue-converting site in Omaha.

The agency has also developed additional services for blind and visually impaired employees, such as education and training to provide them with the technological skills that allow them to excel in their professional and personal lives.

PERSONAL EXPLANATION

HON. DIANE BLACK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mrs. BLACK. Mr. Speaker, on rollcall No. 630 for final passage of H.R. 3521, and rollcall No. 631 for final passage of H.R. 1402, which took place Tuesday, December 10, 2013, I am not recorded because I was unavoidably detained. Had I been present, I would have voted "aye" on both bills.

HONORING THE 100TH ANNIVERSARY OF THE UNIFICATION OF THE ISLAND OF CRETE WITH THE HELLENIC REPUBLIC

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. BILIRAKIS. Mr. Speaker, I rise today to commemorate the 100th anniversary of the unification of the Island of Crete with the Hellenic Republic. On December 1, 1913, the flag of Greece was raised proudly on the Island, recognizing the will of the people of Crete who declared their unification with Greece, breaking ties with the oppressive Ottoman Empire which had occupied the island since 1669.

Sitting at the crossroads of Africa, Europe and the Middle East, Crete, one of the largest islands in the Mediterranean, is matched by its oversized influence throughout world history. Crete was home to the Minoan civilization, a major center for the Roman, Byzantine, Venetian and Ottoman empires, and birthplace to some of the world's most renowned artists—like Nobel laureate Odysseus Elytis and composer, Mikis Theodorakis.

During their struggle for independence from the Ottoman Empire, the people of Crete endured political oppression and unspeakable atrocities, but they never stopped living their lives under the creed "Eleftheria I Thanatos" "Freedom or Death." Since rejoining with Greece, Crete has remained a pillar of the fight against tyranny and oppressive regimes. Nowhere was this exhibited more than during the Battle of Crete, when Cretans stood alongside Allied troops and fought off German paratroopers. And—like Crete itself—the Battle had an oversized influence on the outcome of World War II. The damage the Cretans and their Western allies inflicted on the German air force and paratrooper corps prevented Nazi Germany from carrying out another airborne invasion for the remainder of World War II.

For over 267 years, the people of Crete fought a brave battle to rejoin their Greek motherland and I stand here today to recognize their sacrifices and honor their memories.

THE IMPORTANCE OF NIH FUNDING

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. KING of New York. Mr. Speaker, I rise today to express my support for full funding of the National Institutes of Health (NIH). The largest source of funding for medical research in the world, the NIH has supported more than 130 Nobel Prize winners.

Medical breakthroughs funded through the NIH include new treatments for cancer and chronic conditions. Clinical trials hosted at the NIH award patients newfound hope that they will be able to overcome debilitating diseases or conditions.

While the significance of NIH funding can be measured through patients reached and treatments developed, it can also be gauged through economic impact. For every dollar of NIH funding spent in New York State, more than twice as much is generated in economic output. In 2011, NIH grants and contracts created and supported more than 33,193 jobs in the state alone and more than 500,000 jobs nationwide.

Due to budget cuts, the NIH funded approximately 700 fewer research grants in 2013 than 2012 and admitted 750 fewer patients to the NIH Clinical Center. Almost immediately, these cuts affected patients hoping to be admitted to clinical trials and research jobs at universities nationwide. In the long term, these cuts will almost certainly delay progress in medical breakthroughs.

We must not allow the significant legacy of the National Institutes of Health be diminished by the harmful effects of funding cuts.

RECOGNIZING THE WILLIAM SMITH COLLEGE SOCCER TEAM

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. REED. Mr. Speaker, I rise today to recognize the William Smith College soccer team, which recently won the 2013 NCAA Division III National Championship. On December 7, 2013, the Herons concluded their record-breaking season with a 2-0 victory over Trinity University, successfully capturing their second national championship title in program history.

Setting new standards for the William Smith soccer program, the Herons completed their season with a record of 23-1-0. Their impressive winning streak of twenty-three games broke the previous school record. Remarkably, twenty-one of those games were complete shutouts, including all six victories in the NCAA tournament. The Herons have now competed in the Final Four ten times in the past twenty-five years and have won the Liberty League title in seven consecutive seasons.

Following the championship game, five players from this incredibly talented squad were named to the NCAA Women's All-Tournament

Team. Forward Kara Shue, midfielder Zoe Eth, and goalkeeper Chelsea Dunay were among those who were recognized. In addition, forward Krista Longo and defender Olivia Zitoli were respectively named Most Outstanding Offensive and Defensive Players of the Year.

This gifted team was led by their accomplished and experienced coach, Aliceann Wilber. As the only head coach that the William Smith Herons have ever known, Coach Wilber's 34th season proved to be her most successful yet. The national championship marked Wilber's 480th career win, making her the winningest coach in Division III women's soccer history. She also became the first female collegiate soccer coach to earn more than 400 career wins.

The 2013 William Smith College soccer team demonstrated that hard work and dedication truly pay off. I have no doubt that under the leadership of Coach Wilber, the Herons will continue their extraordinary level of success in the years to come.

PERSONAL EXPLANATION

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mrs. WALORSKI. Mr. Speaker, on Tuesday, December 10, I was unavoidably detained due to inclement weather and missed two rollcall votes. Had I been present, I would have voted "yea" on both rollcall 630, the Department of Veterans Affairs Major Medical Facility Lease Authorization Act, and rollcall 631, the VA Expiring Authorities Extension Act.

HUMAN RIGHTS IN NORTH KOREA

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to call attention to the human rights situation in North Korea. We all remain hopeful that the transition to the leadership of Kim Jong-Un has created new possibilities but we are well aware that there remain fundamental human rights violations in North Korea and humanitarian conditions in North Korea remain deplorable. I believe it is fair to say that the findings in the 2004 North Korean Human Rights Act and 2008 and 2012 Reauthorizations remain substantially accurate today. That is not just my opinion, it was the bi-partisan consensus of this Congress when it reauthorized the North Korean Human Rights Act until 2017.

Mr. Speaker, we know that democracy, economic growth and human development are intimately linked and perhaps nowhere is that more evident than the comparison of North and South Korea. South Korea has taken the path toward more democracy, more human rights, more education, higher living standards and economic self-sufficiency. North Korea has shunned that road . . . and the results of

those policies are now glaringly evident. Perhaps even more relevant in today's world is the link of democracy and economic growth to peace. South Korea is not only a major trading partner but an ally in the region while North Korea remains a major source of regional and global instability and insecurity.

Mr. Speaker, the United States has one of the largest Korean populations outside of the Korean Peninsula with millions who have family ties to North Korea and the Seventh Congressional District has its share of the Korean diaspora. Like so many of my constituents, I believe the U.S. must continue its commitment to aid North Korean refugees and advocate for the human rights of the North Korean people. We share the pain of those who have been deprived of these most basic rights and the suffering of those who live in miserable conditions and look forward to the day when the Korean leadership will provide transparency in the delivery of humanitarian assistance, and guarantee the rights of those who seek refuge abroad.

I want to thank my constituent Mr. David Chang, a consistent advocate of human rights, for helping to maintain a focus on this critical issue.

HONORING EARL P. WILLIAMS

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. VALADAO. Mr. Speaker, I rise today to honor Earl P. Williams on his retirement and celebrate his over 20 years of service to the cotton industry and the Central Valley's agriculture industry as a whole.

A native of Arkansas, Earl moved to Buttonwillow, California in 1958. He received a Bachelor of Science in Crop Production from California Polytechnic State University in 1965 and began his agricultural career in California.

Earl was one of fifteen charter members of the California Cotton Ginners Association's Board of Directors and served on the board from 1972 to 1980. He joined the California Cotton Ginners and Growers Associations as the Executive Vice President in 1993, and was later named President and Chief Executive Officer.

Earl is also the past President of the Buttonwillow Chamber of Commerce and Agriculture. He is a past member and chairman of the Cal Poly, San Luis Obispo Crop Science Department's Advisory Council. In 1963 he was the Crops Club President and in 1996 received the Crops Club's Distinguished Agriculturist Award. Additionally, he served two terms on the California Industrial Welfare Commission's Wage Board #8. He is a past board member of the Agricultural Energy Consumers Association and a past board member of the California Agricultural Education Foundation.

In his various leadership roles, Earl has worked closely with California Governor Gray Davis, and other Democrat and Republican legislators, as well as his colleagues in the agriculture community to pass legislation to assist farmers and agribusinesses in California.

Additionally, Earl has been a champion for air pollution and water quality issues facing the San Joaquin Valley of California.

Without a doubt, Earl has been a key player in California's agriculture industry for a number of years. It is with great pride that I recognize Earl P. Williams for his service and leadership and congratulate him on his retirement.

PERSONAL EXPLANATION

HON. VICKY HARTZLER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mrs. HARTZLER. Mr. Speaker, on Tuesday, December 10, 2013, I was unable to vote. Had I been present, I would have voted as follows: On rollcall No. 630, "yea," on rollcall No. 631, "yea."

PERSONAL EXPLANATION

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. GUTHRIE. Mr. Speaker, I was absent yesterday due to several flight cancellations and delays due to severe weather. As a result, I missed two votes on Tuesday, December 10, 2013. Had I been present, I would have voted "aye" on rollcall votes 630 and 631.

CONGRATULATING JORDAN MARCUS PATE ON ACHIEVING THE RANK OF EAGLE SCOUT

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. MICA. Mr. Speaker, I rise today to recognize, honor and congratulate an outstanding constituent of my district, Jordan Marcus Pate of Scout Troop 100 in Oviedo, Florida, for achieving the rank of Eagle Scout.

The rank of Eagle Scout is the highest achievement in scouting. To attain this rank, he has demonstrated the qualities of leadership, self-discipline and perseverance while serving his family, friends and community. Only about five percent of Boy Scouts earn the rank of Eagle Scout. The awarding of the Rank of Eagle Scout is a performance-based achievement with high standards that have been well maintained over the past century.

Jordan Pate has met every test and challenge to pass through the ranks of the Boy Scouts. Those aspiring to be Eagle Scouts must fulfill requirements in the areas of leadership, service and outdoor skills. To demonstrate proficiency as a scout, each Boy Scout must achieve merit badges in the areas of First Aid, Citizenship, Environment, Fitness, Family Life and much more.

The work ethic Jordan has shown in his Eagle Scout projects, and every other project leading up to his Eagle Scout rank, speaks

volumes about his commitment to assisting his community and serving a cause greater than himself. It is my honor to commend Daniel Moon for his achievement of the rank of Eagle Scout. Jordan will join the ranks of fellow Eagle Scouts like President Gerald R. Ford, Neil Armstrong and Florida Governor Rick Scott.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. Jordan's devotion to the Boy Scouts over the past decade is laudable, and I congratulate him on his achievement. I thank him for his dedication to service and know we can expect great things from him in the future. I invite my colleagues in the House to join me in congratulating Jordan Marcus Pate on obtaining the rank of Eagle Scout, and I wish him continued success in his future endeavors.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$17,234,005,998,603.93. We've added \$6,607,128,949,690.85 to our debt in 4 years. This is \$6.6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

COMMENDING VIRAJ PURI

HON. ENI F. H. FALEOMAVEAGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. FALEOMAVEAGA. Mr. Speaker, I rise today to congratulate Viraj Puri, a 13-year-old student at Kilmer Middle School in Vienna, Virginia.

Viraj is interested in technology, music, advocacy, and writes a blog about mobile devices. He is also a certified DJ (DJ Droid) and built his own powerful computer which he uses for his DJ performances. Viraj performs in front of kids, adults and seniors.

As an Indian American teenager, Viraj saw the effects of bullying on his older brother and decided to blend advocacy and technology. He built a website which can be accessed at www.bullyvention.com.

Viraj's website calls for teenagers to Write on Washington, to make their voices roar by contacting their lawmakers and urging them to join the campaign to stop bullying now. Viraj believes that kids who are bullied need to know they are powerful enough to reach out to those in position to make a difference.

Bullyvention is the first site to team up with the U.S. House of Representatives' Congressional Anti-Bullying Caucus (CABC). Viraj's website trends from Capitol Hill where he

interviews Members of Congress who have a story to share or advice to give victims of bullying.

In support of his vision that the "pen is mightier than the sword," Viraj has been successful in getting Members of Congress involved in a campaign he calls Raise Your Pen. Former Speaker and now Democratic Leader of the U.S. House of Representatives NANCY PELOSI has raised her pen to stop bullying now. President Barack Obama also sent a message of praise and a note of encouragement in response to a hand-written letter Viraj sent to him.

I am pleased that Viraj is also interviewing and posting photos of State Attorneys General, School Superintendents, and others who want to join the campaign. He is creating an online interactive map that highlights areas of concern by searching through keywords in social media like Facebook, Instagram, etc., and by school district, state, and county. It is the only interactive map on this subject.

I commend Viraj for taking a public stand against bullying and for putting his technology skills to use in a way that draws all of us together. His work, especially with Members of Congress, on behalf of teens across America is the first of its kind. And so, for historical purposes, I submit this statement for the CONGRESSIONAL RECORD to recognize Viraj for his advocacy efforts. Viraj is a remarkable young man with a very bright future. I am proud to know him, and I extend to him and his family my kindest regards and best wishes.

PERSONAL EXPLANATION

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. CONAWAY. Mr. Speaker, on December 9, the weather delayed my arrival to Washington, DC for the afternoon votes, and I missed rollcall No. 631, or H.R. 1402. Had I been present I would have voted "aye" on H.R. 1402.

IN RECOGNITION OF JEFF IRA

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Ms. SPEIER. Mr. Speaker, I rise to honor Jeff Ira for his 16 years of outstanding service on the Redwood City City Council, two terms as mayor. To say that Jeff's enthusiasm and expertise will be missed by his colleagues and all residents would be the understatement of the decade. Jeff has demonstrated superb leadership in setting Redwood City on a stable financial path and in making it a better place to live. I am proud to call Jeff a colleague and long time friend. When Jeff became mayor in 2009, he opened his two-year term with a "Call to Action" to inspire residents to get engaged in their community and help it recover from the worst recession since the Great Depression. He recommended volunteering at

schools, libraries and non-profits and youth sports groups because he knew first-hand that all were suffering during the economic downturn. Under his leadership, and despite tough economic challenges, the city completed a new General Plan and the Downtown Precise Plan, attained a garbage collection agreement, accomplished a partnership with the San Carlos Fire Department to share services and save money, and passed a budget under enormous financial constraints. On his own time, Jeff worked hard to get ballot measures passed to bring more revenue to Redwood City. While mayor, he served on the city's Audit, Finance and Revenue, Jail, Economic Development/Downtown and Fox Theater committees. He was also the council's liaison for Neighborhood Association co-chairs, and chair of the South Bayside System Authority. Jeff's vision and persistence were instrumental in creating the beautiful downtown of Redwood City. Courthouse Square and the Fox Theater would not be the sparkling jewels they are today without his hard and strategic work. Additionally, he made recycled water a reality for the community. Jeff showed the same creativity, integrity and commitment during his entire tenure on the city council. He will always be known for the 2004 Great Toilet Giveaway when thousands of residents received low-flow toilets. He saved countless trees by having the city council move to a paperless system for staff reports and digital delivery of agenda packets. You can also thank him for the photo gallery on the city website showing off the beauty of Redwood City. His in-depth understanding of finances and fiscal constraints, and his contribution to creating controls over spiraling costs, helped steer the city through the economic downturn and towards financial stability. As a member of the South Bayside Systems Authority for 13 years, Jeff created the blue ribbon task force to analyze the governing structure of SBSA which resulted in a change on the board to include elected officials and a technical advisory committee. He oversaw the restructuring of the board's commission and committees to make them more effective and to meet the needs of the community. Jeff is passionate about public schools. As a parent, he was deeply involved in Clifford Elementary School in the Redwood City School District, and he worked tirelessly to raise funds for the district. He is committed to equal opportunity for all through quality public education. Jeff also serves as Treasurer of the Sequoia Awards which offers college scholarships to outstanding young people in Redwood City. Jeff has been a major fiscal and spiritual steward of this all-volunteer program for many years. In short, no matter what Jeff takes on, the results are always lasting. Jeff was born and raised in Redwood City and attended Saint Pius School and Saint Francis High School. He graduated from Humboldt State University with a B.S. in Accounting. Jeff is the proud father of Josh, Julie, Jessica and Joseph. While I am sure that he will enjoy more time hiking, kayaking, gardening and traveling after he retires from the council today, I have no doubt he will find ways to stay engaged and to give back to our community. Mr. Speaker, I ask the House of Representatives to rise with me to honor Jeff Ira, one of the finest mayors and public servants

San Mateo County has seen. His tireless commitment and contributions to the city and residents of Redwood City will be felt for generations to come.

TRIBUTE TO CHRISTINE
DAVENPORT

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mrs. MILLER of Michigan. Mr. Speaker, on behalf of myself and Mr. BRADY of Pennsylvania, our Ranking Minority Member, I would like to take this opportunity to recognize Christine Davenport who is leaving the House at the end of this year after serving in the Office of the General Counsel for more than ten years, first as an Assistant Counsel and then as a Senior Assistant Counsel. We will miss her.

Ms. Davenport provided frequent and invaluable legal advice and representation to the Committee on House Administration, as well as to Members, officers and other committees of the House more generally. Our staff came to rely on her expertise and guidance, particularly in connection with their internal oversight activities. Over the years, Ms. Davenport played a significant role in safeguarding the legal and institutional interests of the House of Representatives.

Ms. Davenport served the House with great distinction. On behalf of the Committee on House Administration, we thank Ms. Davenport for her devoted service, and extend to her our very best wishes for her continued success.

RECOGNIZING THE PARKSIDE COMMUNITY ASSOCIATION AS THEY CELEBRATE THEIR 50TH ANNIVERSARY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to recognize and congratulate Buffalo's Parkside Community Association (PCA) for celebrating its 50th anniversary in association with the organization's years of dedicated community service. The PCA will celebrate this impressive landmark on Friday, December 6th at the greatbatch pavilion on the Darwin D. Martin House Complex of Buffalo.

Throughout its storied and active past, the PCA has continually sought to meet the challenges that older urban neighborhoods often present. Some of these hurdles include absentee landlords, zoning and code issues, infrastructure deterioration and cutbacks in city services.

The organization is governed by a Board of Directors which comprises 20 members who all serve on a volunteer basis. Each Board member is elected annually by a neighborhood membership of more than 500 individuals, families, and business owners. It is more

than appropriate that the PCA's leadership consists of volunteers, as they are truly the backbone of the organization. Eight or more standing and ad-hoc committees consisting of neighborhood volunteers regularly contribute an impressive average of 130 volunteer hours per month.

The PCA provides countless services to local homeowners and the surrounding community. In addition to providing referral and crime prevention services for neighborhood residents as well as assisting in the formation of block clubs and community meetings, the PCA also stages neighborhood tours, hosts programs including the Summer Arts Camp and Little Library Program, and manages committees on crime and safety, housing, and traffic. The PCA was instrumental with the opening of the Parkside COPS Satellite station which addresses quality of life issues, and helped to restore two vacant buildings along the major commercial boundaries. The organization has even assisted some homeowners with property improvements through low-interest loans.

Mr. Speaker, it is with great pleasure that I rise today to commend the Parkside Community Association of Buffalo on their 50 years of devoted service to their community. It is the admirable hard work and dedication from organizations like the PCA that maintains the strength and integrity of our neighborhoods. I wish the Parkside Community Association the absolute best in all their future endeavors.

RECOGNIZING THE ROTARY CLUB
OF SAVANNAH

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. KINGSTON. Mr. Speaker, I rise today to recognize the Rotary Club of Savannah, which will celebrate the 100th anniversary of its founding this January. This club has been instrumental in providing a network for Savannah's business leaders and serving our community.

The Rotary Club of Savannah is the oldest club in Georgia outside of Atlanta and has over 240 members. It was founded on January 12, 1914. The club's first major project was to buy and promote the sale of bonds to build a road to Tybee Island. The Rotary Club of Savannah was very active in World Wars I and II, helping our service men abroad and aiding relief efforts in Europe.

The Rotary Club of Savannah has been one of the largest supporters of the Bethesda Home for Boys, providing funding, clothing, Christmas gifts, banquets, Boy Scout activities, and volunteer services. They have sponsored the formation of eight new Rotary clubs in our state. They have also been instrumental in establishing the Georgia Rotary Student Program, an international scholarship program which invites students from around the world to study in Georgia.

From organizing youth sports programs to constructing water fountains, the Rotary Club has been a force for good in our community for the past century. I am proud to support the

Rotary Club of Savannah as they celebrate this historic milestone. My thoughts are with them during this special time.

EXPRESSING CONDOLENCES TO
FAMILY OF DR. CHESTER AIKENS

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Ms. BROWN of Florida. Mr. Speaker, it is with deep sadness and a heavy heart, that I wish my condolences to Dr. Chester Aikens' family. Dr. Aikens was not only my dentist, but my long-time friend and community activist whom I greatly respected and admired. Aikens' unexpected passing leaves an irreplaceable void throughout the Jacksonville community.

As a recent recipient of Mayor Alvin Brown's "Trailblazer Award," Dr. Aikens embodied that completely. He was a coveted member of the Jacksonville area, where his input, mentorship, and advice was consistently respected and sought out. It is a telling sign towards his character that Dr. Aikens passed after attending a local meeting with the pension reform task force, an issue he was passionate about.

After receiving a doctorate degree in dentistry from Howard University, for 30 years, Dr. Aikens served the Jacksonville area as a prominent dentist. He was a consistent force, acting as one time president of the National Dental Association, a member of the Jacksonville Civic Council, and chairman of the Jacksonville Aviation Authority board to name a few of his accomplishments.

A veteran of the Florida Army Reserve National Guard, serving 11 years, Dr. Aikens dabbled in just about everything, doing his best to make an impact and improve his community. He was the consummate family man and ultimate professional. I will miss him dearly, but more importantly, the city of Jacksonville and broader Florida community lost an unparalleled leader. That said, he lived a life that should be a blueprint for those to come and an example of great character and unabridged competence.

CONGRATULATING DUKE UNIVERSITY FOOTBALL COACH DAVID CUTCLIFFE FOR BEING HONORED AS WALTER CAMP COACH OF THE YEAR

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. BUTTERFIELD. Mr. Speaker, I rise to congratulate Duke University Head Football Coach David Cutcliffe for being recognized by the Walter Camp Football Foundation, Incorporated as Coach of the Year for the all Division I-A football teams in the National Collegiate Athletic Association, NCAA. Coach Cutcliffe is the only Duke football coach to win the award since its inception in 1967.

After being hired as head coach on December 15, 2007, Coach Cutcliffe led Duke this

season to a 10–2 regular season record, which is the best record in the institution's history. This season, Duke football defeated two opponents that were both ranked in the top 25 of all Division I–A football teams—the first victories for Duke football over ranked opponents since 1994. Coach Cutcliffe also guided his team to victories over rivals from the University of North Carolina—Chapel Hill and North Carolina State University in 2013. Last season Coach Cutcliffe led Duke football to its first post season bowl game since 1994 and set a school record by scoring a season total of 410 points.

Coach Cutcliffe has also led the Duke football program to success off the field. Students on the Duke football team had a graduation rate of 92 percent in 2013, compared to the average NCAA rate of 82 percent. Under Coach Cutcliffe's leadership, the Duke football team has strengthened the school's relationship with the community through service opportunities with the Duke Children's Hospital, the Ronald McDonald House, and the Oxford Housing Authority Partnership. Prior to joining the coaching staff at Duke University, Coach Cutcliffe served as an assistant coach at the University of Tennessee and a head coach at Ole Miss. Coach Cutcliffe is a native of Birmingham, Alabama and a graduate of the University of Alabama.

The Walter Camp Football Foundation was created in 1967 and is based in New Haven, Connecticut. The foundation is named for Walter Camp, a former athlete and coach at Yale University who is known as the "Father of American Football." He is credited with inventing the line of scrimmage, the game's system of downs, the game's scoring system, and the restriction of play to eleven players per team. The Walter Camp Football Foundation is part of the National College Football Awards Association, which is a coalition of the major collegiate football awards.

Mr. Speaker, I commend David Cutcliffe and the entire Duke University football program for their commitment to excellence. This award is a testament to the outstanding leadership demonstrated by Coach Cutcliffe and tremendous performance on and off the playing field from the Duke University football program's student-athletes. I ask my colleagues to join me in honoring and celebrating Coach David Cutcliffe's great achievement in being recognized as the Walter Camp 2013 Coach of the Year.

TRIBUTE TO DR. CHESTER A.
AIKENS

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Ms. BROWN of Florida. Mr. Speaker, on behalf of the constituents of the Fifth Congressional District of Florida, I rise today to pay tribute to the life of Dr. Chester A. Aikens.

I am deeply and profoundly saddened by the loss of my dear friend and brother, Dr. Chester A. Aikens. This man of prominence and bearing was the epitome of a gentleman and a scholar. I am moved by his passion,

emboldened by his commitments, honored by his friendship and made all the better by his innate wisdom and his belief in the integrity of the human experience. His was a purposeful life and one that helped shape the destinies of historical figures with whom he conversed, and equally so that of the common man and woman, in whom he placed unwavering faith. I came to know him as a husband, father, and dedicated servant to his people and causes, a dentist, a humanitarian, a scholar, a civic leader and businessman without comparison.

Dr. Aikens was born in Madison, Florida, where he was the first black football player and honor society member at his high school. He graduated from Howard University, Washington, DC, with a doctorate in dentistry. He later earned a law degree from Florida Coastal School of Law and Master's degree in Business from Jacksonville University. Dr. Aikens was also a Major in the Florida Army Reserve National Guard.

Known as a fearless warrior, Dr. Aikens was a formidable force who influenced a generation of young people to give both time and resources to their community. Inspired by his strong belief in equal opportunity, he was a true civil rights champion, who went on to greatly influence the community as a whole.

As a member of the Jacksonville community for the past thirty years, Dr. Aikens' presence will be missed by many. He served on many community boards up to and including, first African American from Jacksonville to be President of National Dental Association, Jacksonville Civic Council, Jacksonville Aviation Authority, long-time member, and devoted Deacon of Bethel Institutional Baptist Church and many others.

I am assured, for we all came to know the absoluteness of his word, the sanctity of his promise, the depth of his intellect, the breadth of his worldly experiences and his place in Jacksonville history.

CONGRATULATING
WEYERHAEUSER COMPANY

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Mr. BUTTERFIELD. Mr. Speaker, I rise to congratulate Weyerhaeuser Company on being recognized as one of the most community-minded companies in the Nation. Weyerhaeuser was among 50 companies to be awarded this honor by Points of Light and the National Conference on Citizenship's Civic 50 rankings.

Since 1957, Weyerhaeuser has been an integral part of eastern North Carolina. In the First Congressional District that I represent, Weyerhaeuser operates the Softwood Lumber Mill in Plymouth and the Carolina Timberlands Area and GHW Operations Center in Washington. Weyerhaeuser also owns or leases more than 545,000 acres of timberland across the state. The company employs 1,051 North Carolinians and helps support families and businesses in many rural communities.

Weyerhaeuser has been an important contributor to North Carolina's economy and has

served as an environmental steward and strong corporate citizen. Since 2008, Weyerhaeuser has donated more than \$2.5 million to philanthropic causes throughout North Carolina. Since 1903, the company has provided more than \$215 million to support affordable housing and shelter, education and youth development, environmental stewardship, human services, and civic and cultural growth.

The second annual Civic 50 was selected through a stringent survey of S&P 500 companies and measured corporate commitment to improving communities, corporate investment in philanthropy, and civic culture.

Mr. Speaker, I commend employees of Weyerhaeuser Company in North Carolina and throughout the country for their commitment to improving their communities for future generations. I ask my colleagues to join me in honoring and celebrating their efforts to make North Carolina a better place to live and work.

HONORING MEMORY OF LEROY
TYSON

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 11, 2013

Ms. BROWN of Florida. Mr. Speaker, I rise today to honor the memory of Leroy Tyson. He passed away last week after a long illness. He was a Custodian with the Day Cleaning Division of the House Office Buildings. He began his tour of duty with the AOC on August 6, 2007, where he worked around the clock to help maintain the U.S. Capitol buildings. His kindness and great service will be missed.

I got to know Lee when he took care of the hallways and restrooms around my office on the third floor of the Rayburn Building. He was always quick with a greeting and a friendly smile, always willing to go out of the way for whatever I needed.

Lee was a pleasure to see at work and he will be missed.

Our thoughts and prayers are with the Tyson family during this difficult time.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, December 12, 2013 may be found in the Daily Digest of today's record.

MEETINGS SCHEDULED

DECEMBER 13

11 a.m.

Committee on Finance

Business meeting to consider the nominations of Sarah Bloom Raskin, of Maryland, to be Deputy Secretary, and John Andrew Koskinen, of the District of Columbia, to be Commissioner of Internal Revenue, both of the Department of the Treasury, and Rhonda K. Schmittlein, of Missouri, to be a Member of the United States International Trade Commission.

SD-215

DECEMBER 17

9 a.m.

Committee on Energy and Natural Resources

Business meeting to consider the nominations of Steven Croley, of Michigan, to be General Counsel, and Christopher Smith, of Texas, to be an Assistant Secretary for Fossil Energy, both of the Department of Energy, and Esther Puakela Kia'aina, of Hawaii, to be an Assistant Secretary of the Interior; to be immediately followed by a hearing to examine the nominations of Franklin M. Orr, Jr., of California, to be Under Secretary for Science, and Jonathan Elkind, of Maryland, to be an Assistant Secretary for International Affairs, both of the Department of Energy, and Rhea Sun Suh, of Colorado, to be Assistant Secretary for Fish and Wildlife, and Tommy Port Beaudreau, of Alaska, to be an Assistant Secretary, both of the Department of the Interior.

SD-366

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the nomination of Arun Madhavan Kumar, of California, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service.

SD-538

Committee on Energy and Natural Resources

To hold hearings to examine the nominations of Janice Marion Schneider, of New York, to be Assistant Secretary for Land and Minerals Management, and Neil Gregory Kornze, of Nevada, to be Director of the Bureau of Land Management, both of the Department of the Interior, and Marc A. Kastner, of Massachusetts, to be Director of the

Office of Science, and Ellen Dudley Williams, of Maryland, to be Director of the Advanced Research Projects Agency-Energy, both of the Department of Energy.

SD-366

Committee on the Judiciary

To hold hearings to examine protecting small businesses and promoting innovation by limiting patent troll abuse.

SD-226

10:30 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the Navy Yard tragedy, focusing on the physical security for Federal facilities.

SD-342

2 p.m.

Committee on the Judiciary

To hold hearings to examine the Federal Arbitration Act and access to justice, focusing on if recent Supreme Court decisions undermine the rights of consumers, workers, and small businesses.

SD-226

2:30 p.m.

Committee on Environment and Public Works

To hold hearings to examine the nominations of Rhea Sun Suh, of Colorado, to be Assistant Secretary of the Interior for Fish and Wildlife, Victoria Marie Baecher Wassmer, of Illinois, to be Chief Financial Officer, and Thomas A. Burke, of Maryland, to be an Assistant Administrator, both of Environmental Protection Agency, and Roy K. J. Williams, of Ohio, to be Assistant Secretary of Commerce for Economic Development.

SD-406

Select Committee on Intelligence

To hold hearings to examine the nominations of Daniel Bennett Smith, of Virginia, to be Assistant Secretary of State for Intelligence and Research, and Caroline Diane Krass, of the District of Columbia, to be General Counsel of the Central Intelligence Agency.

SD-106

DECEMBER 18

10 a.m.

Committee on Finance

Subcommittee on Social Security, Pensions, and Family Policy

To hold hearings to examine the role of Social Security, defined benefits, and private retirement accounts.

SD-215

Committee on Foreign Relations

Subcommittee on East Asian and Pacific Affairs

To hold hearings to examine rebalance to Asia IV, focusing on economic engagement in the Asia-Pacific region.

SD-419

Committee on Health, Education, Labor, and Pensions

Business meeting to consider S. 1417, to amend the Public Health Service Act to reauthorize programs under part A of title XI of such Act, S. 1719, and H.R. 3527, bills to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program, and the nominations of David Weil, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor, France A. Cordova, of New Mexico, to be Director of the National Science Foundation, Steven Joel Anthony, of the District of Columbia, to be a Member of the Railroad Retirement Board, James H. Shelton III, of the District of Columbia, to be Deputy Secretary of Education, and any pending nominations.

SD-430

Committee on Homeland Security and Governmental Affairs

Business meeting to consider S. 1486, to improve, sustain, and transform the United States Postal Service, and an original bill entitled, "Cybersecurity Recruitment and Retention Act".

SD-342

2 p.m.

Committee on Small Business and Entrepreneurship

To hold hearings to examine Small Business Innovation Research and Small Business Technology Transfer, focusing on measuring the effectiveness of the reauthorization act and maximizing research dollars to America's small businesses.

SR-428A

2:15 p.m.

Special Committee on Aging

To hold hearings to examine the future of long-term care policy, focusing on continuing the conversation.

SD-562

2:30 p.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine what information data brokers have on consumers, and how they use it.

SR-253

Committee on the Judiciary

To hold hearings to examine certain nominations.

SD-226

DECEMBER 19

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

HOUSE OF REPRESENTATIVES—Thursday, December 12, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. FOXX).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
December 12, 2013.

I hereby appoint the Honorable VIRGINIA FOXX to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

UPDATE THE GAS TAX

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Madam Speaker, last week I was proud to stand with representatives of the U.S. Chamber, the AFL-CIO, contractors, local government, transit, truckers, AAA, engineers, and environmentalists, all supporting my legislation, H.R. 3636, to update the gas tax.

It inspired the predictable firestorm. There was a rant from a shouting head on Fox who thought not only did we not need transportation money, but thought that the previous money had somehow disappeared. Even the people who supported the gas tax said it was a horrible idea, like the article in Slate saying it is the best least-popular idea in politics. It provoked a torrent of reaction—some laudatory, some inflammatory. But it boiled down to basically three major points:

Where did this idea come from?

Well, it came from my decades of work in transportation, studying, listening to people from Portland, Maine, to Portland, Oregon; North Carolina to

Seattle to California. It was 10 years of experience that I had directing the transportation functions at the city of Portland as the Commissioner of Public Works where I saw firsthand the impact of poor and declining infrastructure. It is every single major independent study that says we need more money for transportation, not less, and it is a disaster that we are poised to slash transportation funding October 1 unless something happens.

The question was asked: Isn't this unfair to lower-income Americans?

Well, actually no. Lower-income Americans stand to benefit the most, people who are at the mercy of oil companies and foreign producers who don't know how much they will pay for gasoline next week, whether it is \$3.35 as it was when I left Portland earlier this week, or \$4.25. That is why they think the gas tax goes up every year, but it hasn't increased since 1993.

Lower-income people are more transportation dependent. They work, in the main, by the hour. A traffic delay or deteriorating transit hits them harder because they have fewer choices. Terrible road conditions costs them money as it wastes fuel, it damages tires, and shakes their cars out of alignment. And lower-income people stand to benefit from the hundreds of thousands of family-wage jobs that will be created.

Well, my favorite question is: If this is so unpopular and such a remote possibility, why even bother?

Well, it is remote, but it is not impossible. Look at the user-fee increase that Ronald Reagan could sign, a nickel a gallon in 1982. We need leadership today if we are going to meet serious transportation challenges and help jump-start our economy. It may sound quaint, but I think leadership is not what you do when an idea is popular. Leadership is what you do when it is needed.

I hope Congress will lead on transportation funding.

OBAMACARE AND IDENTITY THEFT

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. HOLDING) for 5 minutes.

Mr. HOLDING. Madam Speaker, the disastrous rollout of ObamaCare has shown that those who were quick to sing its praises were not prepared to actually implement it. It quickly became apparent after the online exchanges opened that healthcare.gov

was unworkable. Folks who were trying to create accounts and pick a plan were receiving error messages, being kicked off midway through the process, only to be sent back to the beginning, experiencing many glitches.

Madam Speaker, the administration and the agencies responsible clearly were not prepared for the launch of healthcare.gov. They blamed issues with the Web site on unexpected volume, which simply does not make sense. ObamaCare requires all Americans to have health insurance or face a fine. There are over 313 million people in the United States, so how could they not expect a high volume?

Madam Speaker, the American people are paying for a Web site that doesn't even work, and they are paying an outrageous amount. In her testimony before the Energy and Commerce Committee yesterday, Secretary Sebelius said that the administration has currently spent \$319 million on healthcare.gov so far, and Health and Human Services has budgeted \$667 million for the Web site through October of next year. At a time when we are over \$17 trillion in debt and the government continues to borrow and spend at an unsustainable rate, this is simply unacceptable.

Madam Speaker, the unworkability of this Web site goes beyond error messages and technical problems; it is vulnerable to security breaches as well. In late October, a Center for Medicare and Medicaid Services memo showed that administration officials were concerned, due to a lack of testing, healthcare.gov had potential high security risks. And yet they went ahead and launched the Web site anyway.

When an individual uses the Web site to sign up, they enter much of their personal information such as Social Security number and address and so forth. Many individuals who have had problems with the Web site may have entered it several times, and they could be a victim of fraud or identity theft if the Web site is not secure.

Madam Speaker, it is out of concern for the security of people's personal information on healthcare.gov that I have introduced H.R. 3652, the No Identity Theft in Health Care Act, which would increase penalties for navigators or other agency employees who commit identity theft by using information submitted for the purposes of signing up for ObamaCare. Under current Federal law, aggravated identity theft carries a 2-year sentence. My bill would

increase the penalty to 5 years in prison for those who use your sensitive information that has been submitted for the purpose of signing up for health care.

Many agency employees who have been tasked with implementing the law and processing Americans' sensitive personal information have not gone through background checks or even been thoroughly screened. My bill would deter navigators and others with access to sensitive information through ObamaCare from stealing the identities of Americans who are simply trying to pick a health care plan. Madam Speaker, we need to do what we can to protect the American people from this harmful law, starting with the security of their personal information.

The problems with the Web site do not overshadow the problems with the law itself, because the real issues with ObamaCare go far beyond an unworkable Web site. I have heard from many of my constituents about their canceled plans, increased costs of premiums, and that they are being offered less choice about which doctors they can see. We need to continue to work toward patient-oriented reforms and focus on protecting the American people from this harmful law.

ADDRESSING AIRPORT NOISE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Madam Speaker, every day nearly 2,500 flights land and take off at O'Hare International Airport at the western edge of the Fifth Congressional District. More than 66 million passengers boarded or deplaned at O'Hare in 2012.

On a recent morning, FAA traffic controllers kept tabs on 7,300 flights in the immediate area. By any measure, O'Hare is integral to the Nation's commercial air traffic network; and just as it shapes the Nation's air traffic system, O'Hare plays a major role in the local and regional economies. O'Hare currently generates 450,000 jobs and \$38 billion in economic activity for Chicago and the State of Illinois. And when the \$9 billion effort to modernize O'Hare is completed in 2020, it will mean the creation of 195,000 more jobs and an additional \$18 billion in annual economic activity.

In my district alone, more than 12,000 constituents have jobs tied to the airport, but O'Hare's success comes at a price. Since the October 17 opening of a new runway at O'Hare, many constituents have experienced a dramatic rise in flights—and noise—over their homes. Some residents are now dealing with hundreds more flights over their homes—all day, every day. It is not just the new runway that is causing the increase in noise pollution. Because

of a dramatic reconfiguration of airspace over O'Hare, a majority of flights, either arriving or departing O'Hare, now traverse the skies of the Fifth District.

I understand and support the need to modernize O'Hare. The new parallel runway configuration means safer, more efficient operations and fewer delays; but I also understand the importance of livable neighborhoods. The two are not mutually exclusive.

We are a region of distinctive neighborhoods where hardworking people have built their lives and invested much of their earnings into their homes in Forest Glen, Sauganash, North Park, and Harwood Heights. My constituents worry that their peace of mind and property values are being eroded in the name of profits and air traveler convenience.

As one constituent told me:

We can no longer open our windows, enjoy eating outside on our new front porch, or gardening.

Madam Speaker, I agree. Neighbors should not be exiled from backyards and gardens because of the ceaseless din of commercial aircraft. I also believe that if we take the right steps, maintaining a vibrant neighborhood won't be incompatible with a safe and efficient O'Hare.

Since O'Hare became part of my district in January, I have pushed for important changes that can bring relief to residents in the near term. I have advocated that O'Hare continue to use all available runways to mitigate the increase in air traffic, and I have called for expanding the practice of routing aircraft over industrial parks, interstates, and forest preserves, not over residents' backyards.

But we need to do more. The Federal Aviation Administration needs to overhaul the metric it uses to determine how much noise around airports is acceptable. The FAA's current measurement—the so-called 65 DNL—is outdated and woefully incomplete at measuring the impact of unabated noise overhead. I know the FAA has been studying and reviewing the 65 DNL metric for years. It is time to stop studying this 30-year-old relic and take action.

So, too, must the city of Chicago and the airlines. The city has told us it will not revisit its Fly Quiet program, which adjusts runway usage at night, until the O'Hare modernization is completed in 2020. There may be obstacles to reviewing this program, but the city needs to be more nimble in addressing the needs of these residents.

The airlines, too, must help. They will save millions in lower operating costs as delays at O'Hare decrease. A portion of these savings should be earmarked for neighborhood soundproofing efforts. The airlines must also get quieter quicker. That is why I just introduced the Silent Skies bill, which

will accelerate the airlines' use of newer, quieter aircraft.

Madam Speaker, I know the O'Hare modernization plan is here to stay; and I know air traffic noise, like noise from expressways or the "el" is a fact of life in our metropolitan area. But it is also a fact that neighborhoods, not noisy aircraft, make life in Chicago and its suburbs special. We all need to work together to ensure the vitality of our neighborhoods isn't drowned out in a roar of aircraft overhead.

□ 1015

LIEUTENANT COLONEL WILL VAUGHN

The SPEAKER pro tempore (Mr. HOLDING). The Chair recognizes the gentleman from Mississippi (Mr. NUNNELEE) for 5 minutes.

Mr. NUNNELEE. Mr. Speaker, the Legislative Fellowship program is a selective mideducation program where the Air Force places the very best and brightest officers and civilians in congressional offices so that they may learn the legislative process. For this past year, my office was given the opportunity to host Lieutenant Colonel Will Vaughn.

Prior to the start of serving his fellowship, Lieutenant Colonel Vaughn was assigned as chief training officer for the 97th Flying Training Squadron, an Air Force Reserve associate unit supporting the multinational Euro-NATO Joint Jet Pilot Training program at Sheppard Air Force Base in Texas. He also served on a joint, interagency and multinational staff in Jerusalem as a plans and programs officer for the United States security coordinator for Israel and the Palestinian Authority. He served on Active Duty, flying the F-16 and T-37 until 2008, where he transitioned to the Reserves, instructing in the T-37 and, most recently, the T-6.

Lieutenant Colonel Will Vaughn has effectively served the people of Mississippi. Mr. Speaker, I look forward to watching him do great things for America.

IT IS TIME TO LEAVE AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, the time has come for our military to leave Afghanistan. Afghan President Karzai's refusal to sign the bilateral security agreement should be the last straw in putting an end to what is becoming America's longest war.

After more than 12 years, hundreds of billions of dollars, and over 2,100 American servicemen and -women killed in combat, it is time to bring all of our

troops home now. In poll after poll, the American people have made it clear that they want our troops home. Certainly, our brave men and women in uniform and their families have done everything that we have asked of them and more. We must not ask them to continue to fight, bleed, and die in Afghanistan for another 10 or 12 years to support a government more interested in extorting America and ripping off our tax dollars than working with us to strengthen its own security.

Mr. Speaker, President Obama needs to turn this interminable conflict over to the Afghans. As of yesterday, 2,153 members of our Armed Forces have died in Afghanistan since 2001; another 19,526 have been wounded; and every Member of this Chamber knows that tens of thousands of our troops have returned home with invisible wounds to their minds and spirits. Suicide rates among our veterans are among the highest ever, and they continue to climb. For many, the care required to help heal these wounds will last a lifetime.

It is estimated that health care and veteran benefits for the men and women deployed in Iraq and Afghanistan will cost trillions of dollars. In both human and fiscal terms, we simply cannot afford to waste more lives and dollars in Afghanistan.

The President has not made a case about how any number of troops remaining in Afghanistan after 2014 can improve the confidence of Afghan forces when our current greater and more intensive engagement over the past decade has not been able to do so. It is completely unclear whether the April elections will improve the Afghan Government, given its ingrown corruption, sectarian divisions, and Taliban insurgency. There are no compelling reasons to remain.

We need to turn Afghanistan over to the Afghans now, not 10 years from now. We need to bring our troops home by no later than the end of 2014, just as President Obama promised. If this is the so-called "zero option," then it is the best option. We do not need to keep another 10,000 to 12,000 American troops in Afghanistan for another 10 years at the cost of about \$80 billion or more each year. They will continue to be in harm's way; they will continue to be carrying out dangerous operations; they will continue to be wounded body and soul; and they will continue to be killed.

For what? So one of the most corrupt governments in the world can continue living off of our blood and treasure? So military contractors can continue lining their pockets? We are cutting programs right and left in the budget, but we are supposed to keep pouring tens of billions of dollars into Afghanistan for another decade? All of it is borrowed money charged to our national credit card. I say enough is enough.

In June, 305 Members of this House voted in support of an amendment that I offered along with Congressmen WALTER JONES and ADAM SMITH to bring our troops home by the end of 2014 and to accelerate that process if possible. It clearly stated that if the President determined to keep U.S. troops in Afghanistan after 2014, then Congress should vote on authorizing that mission. Senators MERKLEY and LEE were ready to offer a similar amendment in the Senate when the defense bill was to be taken up over there. They had more than a dozen bipartisan cosponsors on their amendment.

Instead, the FY14 NDAA went into conference negotiations without debate by the full Senate. In those negotiations, the principal Senate conferees demanded that the House amendment be completely watered down. The conference language only requires the President to "consult" with Congress about any post-2014 deployment of troops. That is worthless. It is absolutely worthless, Mr. Speaker. We don't need consultation. What we need is a vote. I call on Speaker BOEHNER and Leader PELOSI to take seriously the call of 305 Members of this House and schedule a vote next year on keeping thousands of U.S. troops in Afghanistan. Whether or not you support such a decision, the House needs to vote on it.

It is time for us in Congress to do our job. It is time we stop asking our troops and their families to sacrifice their lives in a war that has outlived its purpose. It is time to bring our troops home. It is time to get out of Afghanistan.

[From the New York Times, Nov. 23, 2013]

THE LONG GOODBYE IN AFGHANISTAN

(By the Editorial Board)

From his first campaign for the White House, President Obama has vowed to end more than a decade of war, bring the troops home and put America on a less militaristic footing. He has reduced the forces in Afghanistan from about 100,000 in 2010 to about 47,000 today and has promised that all American and international combat forces will be out by the end of 2014.

But he has also indicated that a residual force of American troops will remain in Afghanistan to train Afghan security forces and engage in counterterrorism missions. In all this time, he has not made a clear and cogent case for any particular number of troops or explained how a residual force can improve the competency of Afghan forces when a much broader and intensive American engagement over the last decade has not.

Yet last week the Obama administration announced that it had reached an agreement with Afghanistan on a long-term bilateral security arrangement that, officials say, would allow up to 12,000 mostly American troops to be in that country until 2024 and perhaps beyond—without Mr. Obama offering any serious accounting to the American people for maintaining a sizable military commitment there or offering a clue to when, if ever, it might conclude.

The administration's focus, instead, has been on whether an Afghan tribal council

and the Afghan Parliament will formally approve the pact and whether President Hamid Karzai will sign it.

Even now, key details of the security agreement are unclear. Mr. Karzai has spoken about a force of 10,000 to 15,000 American and NATO troops; President Obama has not yet announced a figure, but officials have talked of 8,000 to 12,000.

Officials have said the troops' main role will be to continue to train and assist the 350,000-member Afghan security force. The capability of the Afghan security force has improved, but it still cannot defend the country even after a \$43 billion American investment in weaponry and training. Proponents of a residual force also argue that it is needed to protect Kabul, to prove that the United States is not abandoning Afghanistan and to pressure the Taliban to negotiate a political settlement, which military commanders say is the only path to stability. In addition, since Afghanistan cannot finance its security apparatus, American officials say Congress is unlikely to keep paying for the Afghan Army and police, at a cost that could range from \$4 billion to \$6 billion per year, unless Americans are there to verify that the money is properly spent.

The American forces are also expected to conduct counterterrorism missions when needed. The draft agreement allows United States Special Operations forces to have leeway to conduct antiterrorism raids on private Afghan homes. As Mr. Obama's letter to Mr. Karzai says, American troops will be able to carry out the raids only under "extraordinary circumstances involving urgent risk to life and limb of U.S. nationals." (Under current protocol, Afghan troops take the lead in entering homes.) The pact also gives American soldiers immunity from Afghan prosecution for actions taken in the course of their duties. The failure to reach agreement on this immunity issue blocked a long-term security deal between the United States and Iraq and led to the final withdrawal of troops there.

President Obama said in May that the United States needs to "work with the Afghan government to train security forces, and sustain a counterterrorism force, which ensures that Al Qaeda can never again establish a safe haven to launch attacks against us or our allies." Managing a productive relationship with Afghanistan has always been difficult with Mr. Karzai, who is an unpredictable, even dangerous reed on which to build a cooperative future. And it is unclear if Afghanistan, driven by corruption, sectarian divisions and the Taliban insurgency can have any better governance when elections are held next April.

Mr. Karzai's long record of duplicitous behavior is just one of the many reasons it is tempting, after a decade of war and tremendous cost in lives and money, to argue that America should just wash its hands of Afghanistan. There is something unseemly about the United States having to cajole him into a military alliance that is intended to benefit his fragile country.

Regardless of what he, the tribal council and the Afghan Parliament decide, President Obama still has to make a case for the deal to the American people.

[From Politico, Dec. 8, 2013]

CALL KARZAI'S BLUFF

(By John Paul Schnapper-Casteras and Lawrence Korb)

When Chuck Hagel, the U.S. secretary of defense, touched down in Afghanistan on Saturday for an unannounced visit to U.S.

troops and Afghan officials, it was telling that he had no plans to meet with Afghan President Hamid Karzai.

The snub appears deliberate; it reflects American frustration with Karzai's recent decision to place fresh obstacles in front of a stalled security pact with the United States. Among other new conditions, Karzai threatened to delay ratification until after April and demanded that Washington engage the Taliban and release certain detainees from the U.S. prison at Guantanamo Bay, Cuba. Tensions rose further after a U.S. drone strike killed civilians in Helmand province, provoking this outburst from Karzai: "For as long as such arbitrary acts and oppression of foreign forces continue, the security agreement with the United States will not be signed."

It's time to play hardball. If Washington has any chance of de-escalating the situation, it should look to the lessons of negotiating a similar agreement in Iraq and prepare in earnest for the "zero option" leaving no troops in Afghanistan after 2014. Hagel's visit, unfortunately, has the potential to reinforce two unhealthy facets of Karzai's thinking: bolstering his fears that the United States seeks to undermine Afghan sovereignty, and underscoring his belief that he—and Afghanistan—occupies a place of strategic preeminence in American policymakers' minds.

The lessons from Baghdad are instructive. Soon after the Iraq invasion, Washington tried to negotiate a comparable accord, known as a Status of Forces Agreement, that authorized the presence of troops and defined their status and role. But interim Iraqi leaders recoiled, citing sovereignty and legitimacy concerns. Instead, coalition officials summarily granted themselves *de facto* SOFA rights—a provisional measure that actually lasted for years and caused major blowback after contractors killed civilians and were subsequently shielded from prosecution. When SOFA talks reopened in 2008, they were so contentious and destabilizing that some policymakers murmured about "replacing" Iraq's Prime Minister Nouri al-Maliki. In late 2008, the George W. Bush administration eventually secured a three-year deal after substantial compromises: Troops would withdraw first from cities and then Iraq entirely, and would nominally be subject to shared jurisdiction. As that agreement neared its conclusion, the Obama administration put forward another SOFA that would have authorized a residual U.S. military presence past 2012. But the negotiations were profoundly divisive, and the Obama administration eventually gave up and proceeded with a complete withdrawal.

Afghanistan bears striking similarities. Interim Afghan officials one agreed to a *de facto* SOFA via a two-page diplomatic "note." In 2005, Karzai planned to offer a full-fledged agreement—but after a 2008 airstrike caused numerous civilian casualties, he insisted on a reassessment of foreign forces and a SOFA similar to Iraq's. By 2012, Washington and Kabul had hammered out some high-level goals and reopened SOFA talks, but controversy quickly ensued, particularly surrounding issues of jurisdiction, village/night raids and security guarantees. After months of negotiations and a personal intervention by Secretary of State John Kerry last month, it appeared that a deal was finally done. Karzai convened a *loya jirga* of 2,500 tribal elders to vote on the SOFA, which somewhat unexpectedly approved it. But then Karzai added new conditions and re-escalated his rhetoric.

There's little mystery here: Karzai has taken a page out of Maliki's playbook. His move holds three lessons for Washington:

The zero option is real. Karzai apparently dismisses the seriousness of a full U.S. withdrawal, recently smirking at the prospect. Washington should now prepare for this option in earnest—both to call Karzai's bluff and also because it increasingly appears to be the only feasible course. The White House should immediately ask the Pentagon to update its plans, particularly since some officials there have anonymously disavowed the practicality of the zero option. Washington should also begin negotiating expanded access rights in neighboring countries and consider reallocating naval assets in the area to facilitate and compensate for withdrawal of ground forces.

All politics is local. Analysts are widely baffled about what now motivates Karzai—perhaps some combination of political and legacy concerns, with a dash of the paranoid and erratic. But if anything will sway Karzai, it is likely domestic political pressure. In Iraq, several spoilers lined up—against the SOFA. Afghanistan is different. Outside of the Taliban, the SOFA enjoys much greater local support—including among elders and members of Karzai's Cabinet, some of whom publicly disagree with his latest demands and have threatened to quit. Washington should stay closely attuned to local political movements and work all back channels to build and amplify support for the SOFA in the coming weeks.

Look for a face-saving resolution. Karzai clearly cares deeply about the SOFA, however misplaced his actions, so providing him a graceful means of de-escalation is important. While some policymakers have staunchly insisted that Karzai must sign the accord, sheer adamancy failed in the final days of Iraq's SOFA. Indeed, if Karzai is seeking to prove his independence from Washington, then publicly insisting that he obey U.S. diktats is not necessarily helpful. It would be better to look for a few relatively harmless concessions to offer Karzai, or frame discussions so as to allow him to fall back upon the *loya jirga*'s decision.

But ultimately, the United States needs to be ready to walk away. The aim of U.S. policy is not to keep troops in Afghanistan indefinitely—the goal is to cooperate on security in mutually beneficial and comparatively modest ways, and that can be done without boots on the ground. If Karzai is unwilling to accept reasonable terms that his own negotiators and *loya jirga* have approved, then the United States should prepare to protect its interests through other means. At this point, the zero option is entirely realistic and might even yield more favorable negotiating terms with Karzai's successor.

BENGHAZI

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. WOLF) for 5 minutes.

Mr. WOLF. Mr. Speaker, yesterday marked the 15-month anniversary of the Benghazi attack. Once again, another anniversary has come and gone with no new answers about what happened that night or just what so many Americans, reportedly around two dozen, were doing at a secret CIA base in Benghazi to begin with.

Another anniversary has come and gone with no new public hearings. By

my count, the last public hearing was held on September 18, nearly 3 months ago, and no new public hearings are being held. The keyword is "public."

But perhaps most important, another anniversary has come and gone with absolutely no one being held responsible for the security and intelligence failures leading up to the attack, and no one has been brought to justice. And despite several recent developments related to the Benghazi investigation, practically nothing has been done in Congress to address them.

First, we have recently learned that CIA Director John Brennan distorted the facts in letters to the House Intelligence Committee and me when he claimed that Benghazi survivors were not made to sign new nondisclosure agreements.

Another major development is a November 24 article published by Breitbart reporting surprising new comments by Kevin Kolbye, the FBI's lead investigator for Benghazi, who stated for the first time that the FBI arrived on the scene in Benghazi within days, not weeks, of the attack. According to the article by Kerry Pickett:

The Washington Post reported that while the FBI had legats in Algiers and Cairo, a team of FBI investigators could not get into Benghazi 2 days after the attack. Kolbye disputes this. "We were there," he said.

Is Agent Kolbye correct? Was the FBI secretly on the ground in Benghazi within days of the attack? If so, why is this being kept from the public? Once again, the Congress should know and, to my knowledge, has never asked Agent Kolbye to testify.

Equally important, why is it that we are learning additional comments before a paid audience of \$400 a ticket? You had to pay \$400 to hear this guy speak, but he has never spoken for free to the American people. This is just like when the American people heard new information about that night from retired General Ham when he appeared at a big-ticket event in Aspen. The American people did not hear. If you paid the money in Aspen, you got to hear. I guess there was no need to tell the Congress and the public what happened that night since paid audiences will hear through conferences, through books, and maybe even a movie.

Finally, I return to my concerns first raised on the House floor in July that the large CIA base in Benghazi may have been used to support covert operations with regard to Syria, including the possible transfer of weapons collected in Libya to Syrian rebels, possibly in coordination with third parties of foreign countries, particularly Saudi Arabia.

These concerns need to be addressed now more than ever after reports yesterday that both the U.S. and the United Kingdom have cut off support to rebels in northern Syria along the Turkish border after the Islamic front,

a coalition of jihadi extremist fighters, overran bases run by the Free Syrian Army and seized their weapons and resources. According to a report from the BBC yesterday, the U.S. and European countries have reportedly facilitated secret arms shipments to Syrian rebels, allegedly including anti-aircraft weapons commonly referred to as "MANPADS," just like the weapons collected in Libya over the last 2 years.

A separate Washington Post article stated:

A covert CIA program providing lethal aid to the rebels, consisting mostly of small arms and ammunition channeled to southern Syria through Jordan, would continue unchanged.

It is particularly noteworthy that during the same period of time the CIA was operating in Benghazi and U.S. weapons collection in Libya were underway, respected national security reporter Mark Hosenball wrote August 1, 2012:

President Obama has signed a secret order authorizing U.S. support for rebels seeking to depose Syrian President Bashar al-Assad and his government, U.S. sources familiar with the matter said. Obama's order, approved earlier this year and known as an intelligence "finding," broadly permits the CIA and other U.S. agencies to provide support that could help the rebels oust Assad.

Hosenball continued:

A U.S. Government source acknowledged that under provisions of the Presidential finding, the United States was collaborating with a secret command center operated by Turkey and its allies. NBC said the shoulder-fired missiles, also known as MANPADS, had been delivered to the rebels via Turkey.

Are these the same secret arms shipments that were just seized by the Islamic extremists in northern Syria? Have these weapons, transferred with alleged U.S. covert support, been used to kill innocent civilians, Christians, and Muslims? Don't the American people have a right to know if their tax dollars are being spent to supply Islamic extremists with weapons to use against Christians and Muslims? We need a select committee. The current process is not working.

It is time for the administration and the Congress to say what the CIA was doing in Benghazi and elsewhere around Syria.

A Wall Street Journal article from August detailed just how closely Saudi Arabia was working with the CIA to train and arm Syrian rebels, despite some concerns that the weapons could fall in the hands of the extremists.

It appears those concerns are coming true, but the American people still aren't being told the truth about the U.S. role in arming the Syrians and the role of the CIA base in Benghazi. It's time for answers.

It's time for a select committee on Benghazi.

DO-NOTHING CONGRESS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. KILDEE) for 5 minutes.

Mr. KILDEE. Mr. Speaker, unfortunately, this Republican-controlled Con-

gress has been one of the least productive Congresses in modern times. Recently, the Speaker of the House actually said, "We've done our work." This year we passed only 56 bills. That is sad and that is wrong. And this month, we are in session here on this floor for only 8 days.

Important issues continue to pile up, unresolved and unanswered. And yet tomorrow, we are getting ready to leave for the rest of the year, even as the Senate will continue to work on behalf of the American people. The list of what we have not done is much longer than what we have passed. We need to stay here and get the work of the American people done.

We haven't taken up a jobs and infrastructure bill. We could do that next week.

We have not passed a long-term budget deal that tackles the big issues that we face.

We have not voted on comprehensive immigration reform, despite the fact that a majority would support immigration reform. All we need to do is bring it to the floor. We could do that next week.

We haven't done our work to extend unemployment compensation for 1.3 million Americans who will lose their benefits on December 28, yet we are going to leave this body having failed to act to protect the livelihood of 1.3 million Americans. That is just wrong.

We haven't considered raising the minimum wage, despite the economic boon that it would be to give millions of working class people more purchasing power, supporting business, and supporting economic growth.

And we have a bipartisan farm bill. Sure it has got some problems. I don't know how everybody would vote on it, but it ought to come to the floor of the House for a "yes" or "no" vote. We could do that next week.

The list goes on. Unfortunately, it is completely fair to characterize this Republican-led House as a do-nothing Congress. Sometimes, though, it seems as though the things we have actually done have only made things worse.

In March, we allowed the harmful across-the-board sequester cuts to go into effect. Nobody here tried to stop them. On our side, we tried to stop them. Nobody did anything on the other side. Those draconian cuts went into effect, slowed economic growth, and cost hundreds of thousands of Americans their jobs.

In October, the gridlock and dysfunction shut down the Federal Government for 2 weeks—the first such shutdown in two decades. That cost this economy \$24 billion. We can't let that happen in the future.

I am only a freshman, just finishing my first year in Congress, but I can tell you one thing I know: this is no way to run this government. We have got to get back to legislating, doing the work

of the American people, the way the Framers of this government intended it to be done.

□ 1030

We can just kind of go back. Some of you might remember "Schoolhouse Rock," how a bill becomes a law. The House passes a bill, the Senate does its work, passes a bill, we go to conference, we work out the differences, and send that on to the President for his signature or for a veto. That is the way we legislate.

Yet, we continue to lurch from crisis to crisis and not let the will of the American people be manifest in the laws that we write. My constituents, and all Americans, deserve a Congress that is serious about the work of the American people and ready to get to work to grow our economy, to support manufacturing, to strengthen the middle class.

I am ready to work in a bipartisan fashion. I think most of us are here to take on these big problems that our country faces. Now is not the time for more dithering or delay. Now is certainly not the time for a vacation.

Look, I would love to be able to go home and spend the next couple of weeks with my family. You know, we spend a lot of time away from home. But the folks that we represent expect us to get our work done.

So I, Mr. Speaker, am one who is willing to just stay here. Let's come back to work on Monday, and let's stay here until we get this important work done.

Let's take the Make It In America agenda to support American manufacturing; let's bring it to the floor. You don't want to vote for it, don't vote for it. But we ought to consider these important pieces of legislation that are important to our economy and not leave town without taking up the important work that we are charged with doing.

I represent Flint, Saginaw, Bay City, older industrial cities that helped build the manufacturing base of our economy. They depend on the Congress to do the work that we were sent here to do. We shouldn't go home. We should stay here and finish our work.

IRAN NEGOTIATIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. ELLISON) for 5 minutes.

Mr. ELLISON. Mr. Speaker, for 34 years, the United States and Iran have had no diplomatic relations. Iran has escalated its nuclear weapons program and hostile rhetoric.

The United States has upped sanctions and threats of military force. There can be little doubt that, when our diplomats and politicians say all options are on the table, we mean military force.

And yet, today, under the leadership of President Obama, we have an opportunity to change all that, to avoid the prospect of war or a nuclear-armed Iran. We have a chance to set a new course, a new path. Instead of the collision course, we have an off-ramp, an off-ramp to peace, diplomacy and international cooperation; and we must take it.

This is our best opportunity in 30 years to advance the interests of the United States vis-à-vis Iran. It is our best chance to make sure that the Middle East is as free and safe as possible of nuclear weapons.

The Iranian people defied the odds and elected a moderate President, Hassan Rouhani. President Rouhani has condemned the inflammatory rhetoric of Mahmoud Ahmadinejad. He has promised to improve Iran's relationship to the West.

Now, instead of moving forward toward the brink of war, the United States and Iran are negotiating, talking; and this is a good thing. This is the way countries should pursue their interests. This is the way to avoid war.

Through diplomacy, the United States and its allies have frozen Iran's nuclear program for the first time in more than a decade. The agreement imposes daily inspections to ensure Iran will not develop a nuclear weapon, and Iran has made agreements to move this process forward.

Ending our decades-long cold war with Iran isn't going to happen overnight; but through robust, sustained diplomacy, we may prevent an Iranian nuclear weapon and disastrous war and spare thousands of our children and theirs from a horrible situation.

We cannot achieve these goals if Congress undermines these negotiations, and I have supported sanctions in the past. In fact, I have a very good friend and constituent who is in the Chamber today who has supported sanctions. She was born and raised in Iran, is very concerned about the human rights situation there, and has informed me over the years about the best position that I might take. And she also says now is not the time to hit the accelerator; it is the time to let diplomacy work.

These sanctions would undermine the confidence of our international partners, including the P5+1. China, Russia, the United States, Germany, and France are all part of this negotiation with Iran. And if we up sanctions while we have claimed that we want to work with them to have a reduction in nuclear weaponry in Iran, they may well see this as a break and a breach of faith with them, which could set us all back.

It has not been easy to get Iran, Russia, and China to the table. We have them there. Let's not lose this chance.

New sanctions stand to kill any hope for diplomacy. Iran's Foreign Minister, Javad Zarif, has said that if Congress

imposes new sanctions, "the entire deal is dead."

Is that what we want?

New sanctions will not increase our negotiating power. If they would, the White House certainly would have told us so. In fact, the White House has warned that new sanctions will undermine negotiations.

Negotiations over the next 6 months are the only way to guarantee that Iran will not develop a nuclear weapon and will set itself on a path to rejoin the world of nations. And this could well improve the human rights situation in Iran, as it has no justification for the police state which denies human rights.

Congress should give diplomats space to do their jobs. Undercutting diplomacy with new sanctions would put our country on the path to war.

The choice is clear. We can try to negotiate a deal that prevents an Iranian nuclear weapon and avoids a nuclear conflict, or we can dismiss this opportunity, pile on more sanctions, derail diplomacy, and continue toward war.

Americans don't want another war. The best way to honor our men and women in uniform is to avoid unnecessary war. My son is Active Duty military. I am speaking from a personal place as well.

Americans support a negotiated deal with Iran by a 2-1 ratio; 68 percent say Congress should not take action that would block an agreement.

Passing any punitive measures, including a sense of Congress tying the President's hands, is a mistake. It will not help; and if Congress wants to help, we should set up a people-to-people exchange. We should set up a Congress-to-Congress exchange and move forward.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to make reference to occupants of the gallery.

The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of the proceedings is in violation of the rules of House.

THE HELPING FAMILIES IN MENTAL HEALTH CRISIS ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY) for 5 minutes.

Mr. MURPHY of Pennsylvania. Mr. Speaker, in a couple of days we will have a moment of silence in respect and memory of the victims of Sandy Hook Elementary. We need to take those moments to pause, reflect, and pray.

However, afterwards, we cannot be silent on the need to get something done, on the need to pass comprehensive and meaningful legislation, and the need to help the mentally ill.

Has the world changed since Newtown and the other tragedies?

Sadly, little has been done to get those who need help the help they need. In the past few decades, this Nation has moved forward in knowledge of what it takes to help, but has moved backward in getting the help done. And where there is no help, there is no hope.

We have fewer psychiatric hospital beds, fewer outpatient treatment options, restrictions on the use of medications that can and do help those who are mentally ill, too few psychiatrists and psychologists and clinical social workers, especially child and adolescent specialists, and especially ones who are trained and specialize in treating the seriously mentally ill.

We have too many barriers that prevent doctors from communicating with parents of the sons and daughters with persistent serious mental illness.

We have Federal barriers that block treatment, Federal dollars that go to grants for programs that do not work. The National Institute of Mental Health has insufficient money to engage in needed research.

First responders who are called to deal with mental health crises have little or no training on what to do, and they miss critically important actions.

Treatment delayed is treatment denied; and where there is no help, there is no hope.

Today, I am introducing the Helping Families in Mental Health Crisis Act. It increases access to trained professionals at community health centers and community mental health centers, and refocuses the government spending on programs that work and gets to the people that need it in communities and not remain in bureaucracies.

It reforms government spending to eliminate redundancy and waste and refocuses us on getting evidence-based help. It brings scientific objectivity to the Substance Abuse and Mental Health Services Administration.

It opens up the door of communication between doctors and parents and legal guardians of those with mental illness. It increases inpatient treatment options and availability. No more being told that there are no more beds. Take your son or daughter home, no matter how much they are at risk of hurting you or themselves.

It increases outpatient treatment options. It increases pharmaceutical treatment options. It reduces the warehousing of our persistently and seriously mentally ill in jails or homelessness.

It improves communication between primary care providers, psychiatrists, psychologists, and licensed mental health practitioners. It increases mental health courts. It provides training for first responders, and it gathers essential and critically important information on the relationship between

mental illness and violence and victimization.

Bottom line: if we want to change these trends in victimization of the mentally ill and the persistently mentally ill; if we want to reduce the high number of suicides, homicide and assaults; if we want to get people treatment, not jail time, and not abandonment; if we want to help the tens of millions of people with mental illness and the hundreds of millions of friends and relatives who are emotionally and financially strained by the untreated problems of mental illness; if we want to prevent the Newtowns, Tucsons, Auroras, Pittsburghs, and Columbines, we have to do something comprehensive, research based, and we have to do it now.

What we need is not only for Congress to act, but during these next few weeks, while Congressmen and -women are back home, we need to hear from every doctor and first responder and teacher and parent and patient and consumer that we must act thoroughly and thoughtfully and must act now.

Those who need the help the most have the most trouble getting the help they need, and where there is no help there is no hope. We can and must and we will take mental illness out of the shadows of ignorance, despair, and neglect, and into that bright light of hope.

So I ask my colleagues to support this bill, the Helping Families and Mental Health Crisis Act, because treatment and action delayed is treatment denied.

Let us help American families get the help they need because where there is no help, there is no hope.

THE MOST UNACCOMPLISHED CONGRESS IN THE HISTORY OF THIS COUNTRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. NOLAN) for 5 minutes.

Mr. NOLAN. Mr. Speaker, Members of the House, we are in the closing hours of the first year of the 113th Congress, and the pundits who examine Congresses past and present have concluded that this is the most unaccomplished Congress in the history of the country.

We have passed a total of 56 bills here in this Congress. The fact is, we have taken 239 days off, and we have worked 133 days. And let's be honest with ourselves here: those 133 days often included a Monday or a Tuesday where we came in at 6:30 in the evening and took a handful of votes on some non-controversial issues. Where most of us come from, that is not a day's work.

And by the same token, more often than not, we left on a Thursday or a Friday, somewhere after taking a few votes that morning, and then heading back to wherever we were headed.

Back in 1948, Harry Truman got elected President of the United States by campaigning against the do-nothing 80th Congress in 1948. Well, guess what, that Congress passed over 900 bills. And we are looking at 56 here at the halfway mark?

I cannot begin to imagine how history is going to evaluate this Congress. The Wall Street Journal said:

This Congress is long on partisanship, in-decision, and brinksmanship.

Others have constantly referred to the fact that most of what is done here and considered here in the past year has been political posturing in preparation for the next election.

□ 1045

To be fair, we have accomplished some things here: the middle-class tax cut, Hurricane Sandy relief, the Violence Against Women Act. We passed a couple of appropriations bills, and we may be on the brink here of actually passing a budget bill, which would be most important and quite an accomplishment. Not to mention, we formally recognized Soap Box Derby Day, and we have made it possible for hunters to buy their duck stamps online.

Mr. Speaker, the fact is that we are not getting the job done. And the fact also remains that, in this country, the rich are getting richer, the poor are getting poorer, and the middle class in this country is getting crushed. We are looking at large deficits and broken priorities and a broken government, and we are not addressing those issues of our time.

I did a little research. I have the unique perspective of having served some 32 years ago, and at that time we had between 7,000 and 8,000 subcommittee, full committee, conference committee hearings, markups, and meetings. This Congress, by contrast, has had 500, and most of those were procedural and Rules Committee meetings.

The Speaker himself said that we need to return to regular order in this country if we are going to get things done. "Regular order," for those who don't know, means going to work 5 days a week, like everybody else in America. It means working full days. It means fully engaging the subcommittees and full committees and all the Members of the Congress, because when we do that, that is when we get things done. When we sit down and we have open, bipartisan discussions, everybody gets their amendment, everybody gets an opportunity to exhaust all the arguments, everybody gets a vote. That is how people come together. That is how you get things done. That is how you fix things, and that is the way the Congress operated for several hundred years. That is not the way it is operating today.

Mr. Speaker, my fellow colleagues, if we are going to get things done and re-

verse the terrible reputation of this Congress, I implore the Speaker and the leadership and all of the Members to demand that, starting in January of next year, we restore regular order, we go to work 5 days a week, and we employ the subcommittee and the full committee process that has worked so well for so many hundreds of years in this country, because that is how we get things done. That is how we fix things here in this country. That is how we get our economy back on a pro-growth trajectory, and that is how we restore the people's confidence in what is now a broken government and a broken Congress.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 47 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Dr. John Loudon, First Presbyterian Church, Lakeland, Florida, offered the following prayer:

Lord, we acknowledge our need for divine guidance and confess we are imperfect people in need of Your forgiveness.

We give thanks that You are not only a God of righteousness, but also a God of compassion and offer us mercy.

Empower us to live in such a way that we strive for balance in our lives and seek to exhibit conviction as well as grace.

May we make our own an old prayer offered daily by Harry Truman:

Everlasting God, help me to be, to think, and to act what is right, because it is right. Make me truthful, honest, and honorable in all things. Make me intellectually honest for the sake of right and honor and without thought of reward for me. Give me the ability to be charitable, forgiving, and patient with others, and help me understand their motives and their shortcomings even as You understand mine.

Amen and amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I

demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WILSON of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from North Carolina (Mr. PRICE) come forward and lead the House in the Pledge of Allegiance.

Mr. PRICE of North Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND DR. JOHN LOUDON

The SPEAKER. Without objection, the gentleman from Florida (Mr. ROSS) is recognized for 1 minute.

There was no objection.

Mr. ROSS. Mr. Speaker, I rise today in gratitude that my good friend Pastor Mike Loudon from my home church in Lakeland, Florida, could give the opening prayer in the United States House of Representatives.

Pastor Mike, as he is known back home, and his wife, Joyce, have lived a life of dedication to their faith and their family. Pastor Mike's ministry serves as an inspiration to everyone. Truly, he is a great man with a legacy of what counts in life and the life hereafter.

Pastor Mike is a pillar in the Lakeland and Polk County communities. He is active in Rotary Club and is a strong leader, a man of God, and has a fantastic sense of humor.

Pastor Mike has served churches across the country prior to coming to First Presbyterian Church in Lakeland in 1999. His messages are uplifting, encouraging, and always resonate with me. I am honored to have him as my pastor and as my friend.

I join countless others in expressing a deep thankfulness for his willing spirit to serve and the privilege of having him give the opening prayer today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. COLINS of New York). The Chair will entertain up to 15 further requests for 1-

minute speeches on each side of the aisle.

OBAMACARE ADS

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, we all know that this administration is desperate to enroll young, healthy Americans in the new exchange plans, and the recent ad campaign from ProgressNow Colorado shows just how low some groups are willing to go to catch young people's attention. The ads depict young men drinking right out of kegs of beer and objectifying young women. They try to encourage people to sign up for health care by making light of unhealthy behaviors.

I recently received a letter from Dr. Julie Welch, an emergency room physician in Indianapolis, specifically concerned about how the ads promoted risky sexual behavior. The Let's Get Physical ad depicts a young woman thanking ObamaCare, with the words:

Oh my God, he's hot. Let's hope he is as easy to get as this birth control. My health insurance covers the pill, which means all I have to worry about is getting him between the covers. I got insurance. Now you can too. Thanks ObamaCare.

Dr. Welch writes:

As a taxpayer, I am puzzled at why advertising campaigns for health insurance appear to promote high-risk behaviors?

Promoting health coverage by condoning binge drinking and promiscuity is not a step towards a healthier America. It is just another way that ObamaCare just doesn't work.

NO NUCLEAR WEAPONS IN IRAN

(Mr. WELCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELCH. Mr. Speaker, one of the most important challenges that this country faces with allies is to make certain Iran does not have a nuclear weapon. For that reason, I, along with virtually all of my colleagues, voted for tough, enforceable sanctions.

There is a question now in this House about whether Congress should present yet another resolution on Iran. There are two questions that raises. Number one, do we send a message to the world that Congress is not on the same page as our President and Secretary of State in their absolute determination to rid Iran of a nuclear capability? Number two, do we send a message to our allies in the P5+1, that include Russia and China, not exactly our best of friends, but our reluctant allies who we need to guarantee that the tough sanctions that we impose are enforceable?

If we pass sanctions that don't have the cooperation of our allies, they are

meaningless. So the question that we have is: Any action that we take, will it increase or diminish our strength in guaranteeing no nuclear weapons in Iran?

DMF INCLUDED IN BUDGET AGREEMENT

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, for the last 30 years, Social Security has been required to make deceased Americans' Social Security numbers and other personal information public through the so-called "Death Master File." Unfortunately, identity thieves have been using this file to obtain fraudulent tax refunds based on the identity of deceased Americans, particularly children like 4-year-old Alexis Agin here. No grieving family should have to go through this.

To put a stop to this heinous crime, earlier this year, I introduced the Alexis Agin Identity Theft Protection Act with my Democrat colleague XAVIER BECERRA. And thanks to the budget deal, which includes a provision to restrict access to the Death Master File, American families will be better protected from tax fraud.

I salute the Agins for their tireless advocacy, and God bless America.

UNEMPLOYMENT INSURANCE EXTENSION

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, I rise today on behalf of over 90,000 unemployed New Jerseyans at the risk of losing their unemployment benefits on December 28 if Congress fails to act before the end of the year.

Despite what my colleagues on the other side think, unemployment insurance helps during hard times, and people forget that we are still recovering from the worst recession since the Great Depression.

Patrick, a carpenter from Rahway, New Jersey, struggles to find employment through no fault of his own. His family will not be able to afford their mortgage if this critical lifeline is cut.

Malene from Maplewood, New Jersey, is an educated professional, but has been unable to find work since February. In her letter, she wrote:

When do my elected officials start caring for me and the millions of other people struggling to survive—not living, but scraping by?

Vote to extend the unemployment benefits which equate to hope for many families in the new year. I urge the House leadership to address this looming expiration of the unemployment

benefits for millions of Americans before leaving this year.

YEAR IN REVIEW

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, during last night's town hall by telephone with constituents, I conducted a poll and asked what should be done first to tackle our national debt. Fifty-one percent of participants want Congress to repeal ObamaCare. ObamaCare will add to our national debt as higher premiums and taxes are placing burdens on families and destroying jobs.

Rachel from West Columbia says:

ObamaCare is still very costly for me and my family. At times we have difficulty purchasing food for our family because of my insurance costs.

Robert from Aiken spent time on the Web site and found he "would be paying about two-thirds more for a much worse insurance plan."

2013 should be remembered as the year further revealing the failure and threat of Big Government, with the ObamaCare train wreck, continuing of the Benghazi cover-up, IRS targeting, NSA spying, and DOJ-FBI eavesdropping on media. Congress should act, passing limited government reforms that encourage job creation and expand freedom.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

FISHER HOUSE HERO MILES PROGRAM

(Mr. BARROW of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARROW of Georgia. Mr. Speaker, this time of year, as we gather with family and friends, it is important for us to remember the men and women in the military who sacrifice so much for our country. Those who have been injured in battle oftentimes find themselves a long way from home during the holidays.

This year, like every year, I am donating the over 68,000 frequent flyer miles that I received from congressional travel to the Fisher House Hero Miles program, which provides free airline tickets so that American soldiers and their families can be together.

The Fisher House has provided more than 40,000 flights worth some \$63 million to wounded troops and their families. We have got no business keeping these frequent flyer miles for personal use anyhow, and I don't know of anyone who could make better use of them.

I encourage all Members of Congress to follow my example and give their

frequent flyer miles to some charity like the Fisher House. It is not just a good thing to do; it is the right thing to do.

MAGNESS LIBRARY

(Mr. DESJARLAIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DESJARLAIS. Mr. Speaker, I stand before you today to commend Magness Library on its 100 years of service to the people of McMinnville in the Fourth District of Tennessee.

Magness Library began as a service project in July 1913 by Mrs. Mary Cunningham and the McMinnville Women's Civic League, with benefactors Colonel Gentry Moffitt and W.H. Magness, to provide a rest stop for families coming into town to sell and trade. In 1917, the library moved to its current location on the corner of Chancery and Main Street, and in 1946, Magness Library joined the Tennessee State Library and Archives.

Thanks to generous donations from thousands of patrons, the Magness Library flourished into one of the longest running libraries in our State over the years. The library provides invaluable services to McMinnville, including a strong summer reading program for children and genealogy research for adults.

Congratulations to the Magness Library on their centennial, and I look forward to seeing their successful future endeavors.

IRAN INTERIM NUCLEAR AGREEMENT

(Mr. PRICE of North Carolina asked and was given permission to address the House for 1 minute.)

Mr. PRICE of North Carolina. Mr. Speaker, if the interim nuclear deal negotiated last month leads to a final agreement, Iran can be prevented from developing a nuclear weapon. This would neutralize one of the greatest threats facing the United States, Israel, and the international community and could set the stage for a new era of relations between Iran and the West.

The unprecedented sanctions already in place have brought the Iranian economy to its knees and the government to the negotiating table. We are entering these talks from a position of strength; we have a strong hand to play.

But if Congress rushes through another round of sanctions or takes other action perceived as undermining the negotiations, we will be giving up our hand before we have a chance to play it. Iran would then have an excuse to walk away from the table, and the international coalition that has been so critical to the current sanctions re-

gime could fracture, thus weakening the leverage we already have.

There is no guarantee that a final deal is possible. But given the stakes involved, we simply must try, for the alternative is far worse. Iran would then be left to develop its nuclear program without supervision, and the U.S. could be drawn into another costly war in the Middle East.

I urge my colleagues to support the interim nuclear agreement and oppose any attempt to undermine our country's diplomacy.

□ 1215

TRANSITIONAL ASSISTANCE MANAGEMENT PROGRAM

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, each year, Congress deliberately acts to craft, pass, and sign into law the National Defense Authorization Act, the annual policy bill for the U.S. Department of Defense.

For the first time in 52 years, this may no longer be the case. This year, the House passed its version in June, while the Senate, again, dragged its feet.

Fortunately, earlier this week, congressional leaders reached a compromise that will allow both Chambers to move forward. It includes an important amendment I offered accepted under the House version dealing with the Transitional Assistance Management Program, or TAMP, which offers health care coverage for servicemembers transitioning into civilian life.

All too often, symptoms related to post-traumatic stress do not appear until 8 to 10 months after deployment. The amendment will extend coverage under TAMP by 180 days for all services rendered through telemedicine, which is critical, especially for those coping with mental injuries.

As a father of an Active Duty soldier, I am hopeful we can bring this bill to the finish line and make good on our commitments to our troops and continue meeting our obligations around the world.

COMMEMORATING HUMAN RIGHTS DAY

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to commemorate Human Rights Day, an occasion to recognize the struggles of individuals all around the world who fight for their basic rights of life, liberty, and security of person.

On March 2, 2011, Jean-Claude Roger Mbende of Cameroon was arrested for, "homosexuality and attempted homosexuality" and sentenced to 3 years' imprisonment.

Jean-Claude is one of the individual cases of the Tom Lantos Human Rights Commission's Defending Freedoms Project, which seeks to have Members of Congress adopt the case of an individual like Jean-Claude and work for their rights and freedom.

Sadly, cases such as these are far too common in areas of the world where people can be imprisoned for simply exercising their basic human rights.

I call upon the Cameroonian authorities to live up to their obligation to respect and protect the rights of Jean-Claude Mbende and all Cameroonians.

I pledge to continue to follow his story and do what I can to secure his safety. I hope my colleagues will join me in taking up cases from the Defending Freedoms Project, and that, together, we can ensure justice for wrongly imprisoned individuals all across the world.

THE EMAIL PRIVACY ACT

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, the number of Americans who support updating our electronic communication privacy laws is growing every day. Just today, The Washington Post reported that over 100,000 Americans have signed a petition asking President Obama to support changes in the 27-year-old privacy law called the Electronic Communications Privacy Act that currently allows government agents to search Americans' private emails without a warrant.

The Constitution prohibits government from searching postal mail without a warrant. It defies common sense that emails should have any less protection.

Our existing laws were written before Facebook and Google even existed. Still think how far we have come in regard to Internet technology. It is time to update these laws.

The American people are shocked when they learn that their emails do not have the same privacy protections as their mail and other documents in their homes. That is why I introduced H.R. 1852, the Email Privacy Act, a bipartisan bill to affirm that Americans have a reasonable expectation of privacy in their emails.

Mr. Speaker, it is time Congress and the President worked together to update our email privacy laws. I urge the House to pass this needed legislation.

EXTEND UNEMPLOYMENT BENEFITS

(Ms. CHU asked and was given permission to address the House for 1 minute.)

Ms. CHU. Mr. Speaker, over the next few weeks, the American people will be

celebrating the warmth of the holidays with friends and family alike.

But for nearly 1.3 million people, the situation will be desperate. The pains of long-term unemployment will be compounded as their benefits totally run out on December 28.

These people have struggled for months on end to find work after losing a job. They include thousands of veterans who recently completed their military service, and they include families who need unemployment benefits to clothe their children and put food on the table.

It is unconscionable that this budget deal does not protect these vulnerable families who had no part in causing the recession that put them in such dire circumstances.

As we go into this holiday season, let us help those in greatest need. Extend unemployment benefits.

CONGRATULATING THE DESALES COLTS, KENTUCKY'S 2013 CLASS 2A HIGH SCHOOL FOOTBALL CHAMPIONS

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, last weekend in Louisville, the world-famous Twin Spires of Churchill Downs glowed orange in support of something the hallowed track knows well, a champion.

The DeSales High School Colts of Louisville's South End entered the State championship on a streak of dominance, posting six shutouts, and holding opponents to just 9.4 points per game. When they lined up against Newport Central Catholic to play for the title on Saturday, the DeSales defense hadn't allowed a point in 2 weeks.

Fueled by three touchdowns from all-time leading rusher Dylan Byrd, two passing scores from quarterback Nathan Roush, and a defense anchored by middle linebacker Matt Bouchard, the Colts overcame a tough opponent 34-26, taking State for the first time in school history.

The title caps a remarkable 14-1 season for the Colts, who became only the second South End team ever to win State.

For DeSales Head Coach Harold Davis, the title run offered a nice symmetry. Davis was a senior safety on the 1981 DeSales team, one of only two others in school history to play in the finals.

The debate over the best Colts team in school history will continue back home, but there is no question this year's team now stands at the top. They might have been outsized through much of the playoffs, but they were never outmatched or outplayed.

Mr. Speaker, today I am proud to join all of Louisville in honoring the DeSales Colts, Kentucky's 2013 Class

2A High School football champions. Go Colts.

A UNIQUE MOMENT IN HISTORY

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute.)

Mr. BLUMENAUER. Mr. Speaker, it appears as though the rumored sanctions legislation dealing with Iran may not reach the floor this week. This would be good news.

It is imperative that we take this optimistic development that gives us a chance for a diplomatic resolution of the differences with Iran and prevent them from developing nuclear weapons to come to fruition. We must not give excuses to Iranian hardliners who hate America a reason to walk away. We don't want to confuse our allies, who we rely upon to make sanctions work, about our intentions.

It is imperative that we move forward aggressively, thoughtfully, to make the most out of this 6 months, using diplomacy to make sure that the majority of Iranians who recently voted for a change in direction with a relative moderate as President are reinforced.

This is a unique moment in history. I am pleased that it looks like the House might not screw it up.

CONTINUE FUNDING HEALTH AND SCIENCE RESEARCH

(Mr. MCNERNEY asked and was given permission to address the House for 1 minute.)

Mr. MCNERNEY. Mr. Speaker, I rise today to highlight a recent discovery by researchers at the University of California at Davis. Earlier this month, Professor Peter Armstrong, a professor at the university, published a new role for blood clots, absorbing bodily toxins.

Blood clots are known to be critical in protecting wounds by stopping blood flow and preventing contaminants from entering the body. Dr. Armstrong and his colleagues, knowing that lipopolysaccharide, a toxin in the body, is released during septic shock, demonstrated that this toxin is absorbed by blood clots inhibiting it from circulating within the body.

This study, funded by the National Science Foundation, brings us one step closer to understanding the human body and improving medical care. We must continue funding science and health research projects, as the next great discovery just may save your life.

DIPLOMACY WITH IRAN

(Mr. DOGGETT asked and was given permission to address the House for 1 minute.)

Mr. DOGGETT. Mr. Speaker, as a Member who has consistently voted to

impose sanctions on Iran, I commend Secretaries Kerry and Sherman for an excellent job in seeking to safeguard our families through tough, persistent diplomacy with Iran. We should fully support their vital efforts.

Iranian hardliners may ultimately obstruct a meaningful, permanent agreement; but we should not give them a pretext for doing so. Those here who would interfere or limit these negotiations are really offering the American people only one alternative; it is called war. We have been there and done that before.

Military action in Iraq cost us very dearly. It did not make us safer. Let's not repeat this deadly mistake.

While difficult and uncertain, diplomacy is already eliminating chemical weapons from Syria. It represents our best hope to prevent nuclear weapons in Iran and assure the safety of our families and others around the world.

HONORING THE LIFE AND SERVICE OF JUSTICE JOHN GABBERT

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Mr. Speaker, it is with great sadness that I observe the passing of Justice John Gabbert, who died Monday at the age of 104. A long-time Riverside resident, Justice Gabbert was a dedicated public servant, a key founder of UC Riverside, and a prominent leader in Riverside's expansion from a citrus-growing town into an urban center.

Justice Gabbert was 3 years old when his family moved to Riverside in 1912. After graduating from Poly High School, he stayed in the community to attend Riverside City College, where his interest in law was sparked by the infamous "Chicken Coop Murders."

In 1934, Gabbert received his law degree from UC Berkeley and returned to Riverside to serve as a county deputy district attorney. Subsequently, he worked in private practice as part of what is known as Best, Best and Krieger.

He also served as a member of the local school board. But John Gabbert is mostly known as a fine jurist. In 1949, he was appointed to be a superior court judge; and, finally, in 1970 he was appointed to be an associate justice of the Fourth District Court of Appeal.

Throughout his life, John Gabbert touched the lives of so many people. He will be greatly missed.

EXTEND FEDERAL UNEMPLOYMENT INSURANCE

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, many of us are congratulating each other over this

bipartisan budget agreement, but I want to remind us that there is still some unfinished business that we need to take care of.

Unemployment is still a very real issue for our Nation and for our communities; and in my district, unemployment is as high as 16.9 percent, twice the national average.

If we fail to take immediate action and we allow this critical lifeline to those in need to expire, just in California 214,800 people alone will lose their benefits by December 28 and an additional 325,800 unemployed California workers will lose their benefits in the first 6 months of the year.

This is really unacceptable. A failure to extend this critical lifeline to those in need would not only be a devastating blow for millions of American families already struggling, but it would hurt our own recovery of our economy.

Now is not the time to pull the rug out from under millions of Americans who have lost their jobs through no fault of their own.

Speaker BOEHNER, I urge you to do the right thing and not adjourn this House without extending Federal unemployment insurance for millions of Americans.

MEMORIAL FOR RONDAL K. MOORE

(Mr. VARGAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VARGAS. Mr. Speaker, I rise today in honor of Rondal K. Moore of Aurora, Colorado, who passed away from a stroke on November 12 at the age of 71.

Mr. Moore was born on March 25, 1942, in Fort Smith, Arkansas, the son of Clarence Delmer and Golden Viola Moore.

In 1961, Mr. Moore graduated from Wheeler County High School in Fossil, Oregon. He went on to serve in the United States Navy during the Vietnam war onboard the aircraft carrier USS *Coral Seas*, as well as duty in Rhode Island at the Naval War College.

In the spring of 1963, he married Nancy E. Heily, and on March 29 of this year they celebrated their 50th wedding anniversary.

Mr. Moore began working for United Airlines in 1966 and spent decades in the field of de-icing, until retiring in 2003 after 37 years.

He held multiple patents for inventions in both information and system operations, as well as software products used in the process of de-icing. His inventions and patents are still in use today in order to help determine check time for de-icing fluids, which allows for safe travel during inclement weather.

My thoughts and prayers go out to his surviving family members, includ-

ing his wife of 50 years, Nancy Moore, of Aurora, Colorado; his son, Jason Moore, of Chula Vista, California, also a Navy veteran; his daughter, Sondra LaValley, of Aurora, Colorado; and his sister, Carol Ellis, of Kennewick, Washington.

□ 1230

2014 NATIONAL DEFENSE AUTHORIZATION ACT

(Ms. KUSTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER. Mr. Speaker, as we approach the end of the calendar year, I am proud that both Chambers have finally come together to pass the 2014 National Defense Authorization Act. This important bill will help ensure that the men and women of our armed services have the resources they need to do their jobs and keep our country safe.

I am especially pleased that this legislation includes important reforms to help prevent military sexual assaults by better protecting whistleblowers and holding perpetrators accountable for their actions. This critical reform is an amendment from legislation introduced by my Republican colleague from Indiana, Representative JACKIE WALORSKI, and my Democratic colleague from California, Representative LORETTA SANCHEZ, that passed the House with 110 bipartisan cosponsors and nearly 50 Members of our freshmen class.

Because of our joint efforts working across the aisle, this is a great first step in further protecting our heroes in uniform who take the extra heroic step of coming forward to blow the whistle on military sexual crimes. It has been an honor to help build support for this legislation, and I urge my colleagues to continue to work to end sexual violence in our military.

GLOBAL CLIMATE CHANGE

(Mr. DEUTCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEUTCH. Mr. Speaker, the list of issues that the 113th Congress has failed to address is long: immigration reform, gun violence, long-term joblessness. Yet on this list of opportunities squandered by Republican obstructionism and indifference is also the threat of global climate change. As a member of the Safe Climate Caucus, I want to emphasize that this threat is real, and it needs real solutions.

In south Florida, we know that unchecked carbon pollution poses an existential threat to our communities. Rising sea levels endanger the safety of our residents and the viability of our

economy. That is why Palm Beach, Monroe, Miami-Dade, and Broward Counties have formed a climate compact dedicated to mitigating climate change.

Local task forces cannot replace national leadership. We need a nationwide effort to limit carbon pollution, speed the adoption of clean energy, and protect our people from unprecedented natural disasters.

Every Member of this House belongs on the Safe Climate Caucus. Don't we all agree that, as Americans, it is our responsibility to pass on a healthier and safer environment to the next generation?

Mr. Speaker, addressing global climate change will take courage. Anything less, I am afraid, is cowardice.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.J. RES. 59, CONTINUING APPROPRIATIONS RESOLUTION, 2014; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM DECEMBER 14, 2013, THROUGH JANUARY 6, 2014; AND FOR OTHER PURPOSES

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 438 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 438

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes, with the House amendment to the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on the Budget or his designee that the House recede from its amendment and concur in the Senate amendment with the amendment printed in part A of the report of the Committee on Rules accompanying this resolution modified by the amendment printed in part B of that report. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for 70 minutes, with 60 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Budget and 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The previous question shall be considered as ordered on the motion to its adoption without intervening motion or demand for division of the question.

SEC. 2. The chair of the Committee on the Budget may insert in the Congressional Record at any time during the remainder of the first session of the 113th Congress such material as he may deem explanatory of the motion specified in the first section of this resolution.

SEC. 3. In the engrossment of the House amendment to the Senate amendment to House Joint Resolution 59, the Clerk may

conform division, title, and section numbers and conform cross-references and provisions for short titles.

SEC. 4. The chair of the Committee on Armed Services may insert in the Congressional Record at any time during the remainder of the first session of the 113th Congress such material as he may deem explanatory of defense authorization measures for the fiscal year 2014.

SEC. 5. It shall be in order at any time on the legislative day of December 12, 2013, or December 13, 2013, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

SEC. 6. On any legislative day of the first session of the One Hundred Thirteenth Congress after December 13, 2013—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 7. On any legislative day of the second session of the One Hundred Thirteenth Congress before January 7, 2014—

(a) the Speaker may dispense with organizational and legislative business;

(b) the Journal of the proceedings of the previous day shall be considered as approved if applicable; and

(c) the Chair at any time may declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 8. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by sections 6 and 7 as though under clause 8(a) of rule I.

SEC. 9. Each day during the period addressed by sections 6 and 7 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 10. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3695) to provide a temporary extension of the Food, Conservation, and Energy Act of 2008 and amendments made by that Act, as previously extended and amended and with certain additional modifications and exceptions, to suspend permanent price support authorities, and for other purposes. All points of order against consideration of the bill are waived. The amendment printed in part C of the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any amendment thereto to final passage without intervening motion except: (1) 40 minutes of debate equally divided and controlled by the chair and ranking minority member of the Committee on Agriculture; and (2) one motion to recommit with or without instructions.

SEC. 11. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of December 13, 2013.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. As we are doing housekeeping here at the beginning, Mr. Speaker, I would also like to include a section-by-section analysis of provisions within the jurisdiction of the Committee on Rules in the RECORD.

Mr. Speaker, I won't speak for my friend from New York, but I enjoy the Rules Committee debate when it begins with such a long reading from the reading clerk, Mr. Speaker, because you know you are involved in something special on a day like today. If it was just an ordinary rule, we would be done with that reading in 15 or 20 seconds, and we would move on to debate. But the rule today, Mr. Speaker, is taking on a number of challenges.

We are trying to move a budget conference report forward. This rule makes an opportunity for us to have that debate here on the floor of the House.

We are trying to move an SGR fix, what they call the sustainable growth rate, Mr. Speaker. That is that provision that threatens to cut double digits from the reimbursement rates of physicians, hindering the access of seniors to their Medicare benefits. We are trying to solve that here today, again, bringing forward a bipartisan, bicameral solution to that.

Also, we are providing for an opportunity to extend the farm bill language. We have gotten so close to a bicameral, bipartisan solution to the farm bill, Mr. Speaker, that those folks who are deeply involved in those negotiations tell us, if they could just get 30 more days, they will be able to get that done for the first time in far, far too long. This rule makes that debate available here on the floor of the House.

Finally, in terms of housekeeping, there are so many other provisions that are being worked on, again, Mr. Speaker, in a bipartisan, bicameral way, bills that are almost ready to go to the desk of the President of the United States to be signed into law, to address so many of the issues that are of concern to men and women across this country. This rule makes any provision that the House deems necessary

available to be considered on the same day.

Now, I just want to be clear. As my colleague from New York knows, that is not the way we like to do business in this Chamber. There are a lot of serious Members in this Chamber, and every single one of them deserves an opportunity to review legislation before it comes to the floor, and so we have made a very strong commitment throughout this Congress to provide a 3-day layover for folks to review legislation. But during this season, with so many issues so close to fruition, issues that we have been working on, not for a day, not for a week, but issues that we have been working on collectively for months, those issues are almost ready to come to the floor, and so we waived that requirement that those bills lay over to make it possible for us to get as much of the people's business done as is allowable by the agreements that the House and the Senate come to.

Mr. Speaker, I have the great pleasure of sitting on the Budget Committee and the Rules Committee. In fact, I am only on the Budget Committee as the Rules Committee designee. And the proudest votes that I have been able to take in this House in my 3 years with the voting card of the folks of the Seventh District of Georgia have been on those budgets that we have crafted together in the Budget Committee, that we have brought to this floor, and that we have passed here on the floor.

In fact, as you know, Mr. Speaker, for far too long, the House has been the only institution in town that has been able to pass a budget. The Senate joined those ranks this year for the first time in a long time, and I am proud to have them here. But we have been getting that business done. What we haven't been able to do is to then take the budget that the House has passed and combine it with a budget that the Senate has passed in order to create a vision of the United States of America for the coming years.

Candidly, Mr. Speaker, with what I have seen in this town, with what I read of the differing opinions that are on each side of the aisle and each side of the Capitol, America didn't have any reason to expect that we would be able to come to an agreement this year either. They didn't.

But we sent one of our best and our brightest, Chairman PAUL RYAN of the Budget Committee, into those negotiations, and he was joined by one of my colleagues from Georgia, Dr. TOM PRICE, also one of our best and brightest, to put that Georgia stamp of approval on where we were headed with that budget conference report, and they teamed up with our colleagues in the Senate.

Senator PATTY MURRAY led the Senate side, led the Democratic side, let the Senate side. And they worked, again, not for a day, not for a week.

They worked tirelessly around the clock to try to find an agreement that we could come to together.

Now, I am a person who came here for big ideas, Mr. Speaker. I don't think you came here to do the little things. I think you came here to do the big things. I know my friend from New York came here to do the big things, those things that really make a big difference for America. We don't have that big budget deal on the floor. This rule doesn't make available debate on a big budget deal. We could not find the big budget deal. And for that, I am deeply sorry. I wish that we could have found that. But what we did find are those elements of agreement that were available to be found.

In recent weeks, Mr. Speaker, I have grown fond of a quote first shared with me by our deputy whip, PETER ROSKAM. It was from a Thomas Jefferson letter to Charles Clay in 1790, and he says this:

The ground of liberty is to be gained by inches, and we must be contented to secure what we can get from time to time and eternally press forward for what is yet to get. It takes time to persuade men to do even what is for their own good.

We are in the game of inches here today, Mr. Speaker, and I expect you will hear the same thing from my colleague from New York.

□ 1245

We are going to secure today what we can get from time to time, and we are going to eternally press forward for that that is yet to get.

My sense is my friend from New York is going to eternally press forward in this direction, and I am going to be eternally pressing forward in this direction, as is the process here, as she follows the wishes of her constituents and I follow the directions of mine.

But we have an opportunity today, for the first time in the 3 years that I have served in this body, to come together on a budget agreement to get that which we can get before we both wake up tomorrow morning and begin to eternally press forward on that which is yet to get.

I am grateful to those folks who have negotiated this budget deal. I am grateful to the folks of the Ways and Means Committee and the Senate Finance Committee who have come together to begin to find that bicameral, bipartisan SGR solution. I am grateful to my friends on the Ag Committee on both sides of the aisle and both sides of the Capitol who have been working so long and so hard to find that agreement on the farm bill.

My great hope, Mr. Speaker, is that we are, with the beginning of the rule today, laying that framework and that foundation for bipartisan, bicameral agreement not just for this hour, not just for this day, but for this week and this month and the remainder of this Congress.

With that, I reserve the balance of my time.

HOUSE AMENDMENT TO THE SENATE AMENDMENT TO H.J. RES. 59 ESTABLISHING A CONGRESSIONAL BUDGET

SECTION-BY-SECTION ANALYSIS OF PROVISIONS WITHIN THE JURISDICTION OF THE COMMITTEE ON RULES

Section 111. Fiscal Year 2014 Budget Resolution.

This section establishes a congressional budget for fiscal year 2014 for the purpose of enforcing the Congressional Budget Act of 1974. The section requires that the chairs of the Committee of the Budget in the House and the Senate submit a statement to the Congressional Record, which includes a committee 302(a) allocation for the Committee on Appropriations consisting of the total discretionary limit set forth in the Act, committee 302(a) allocations for all other House committees, and aggregate spending and revenue levels required for enforcement of section 311 of the Congressional Budget Act of 1974.

This section also maintains existing authority for the chair of the Committee on the Budget to make further adjustments to reduce the aggregates, allocations, and other budget levels in the statement referred to subsection (b) to reflect the budgetary effects of any legislation enacted during the 113th Congress that reduces the deficit.

Section 113. Rule of Construction in the House of Representatives.

This section provides that those provisions of H. Con. Res. 25 (113th Congress) necessary for budget enforcement will remain in effect to the extent that budgetary levels are not superseded by other provisions in this subtitle or other action of the House.

Section 115. Authority for Fiscal Year 2015 Budget Resolution in the House of Representatives.

The purpose of this section is to ensure that the Committee on the Budget has time to complete consideration of a Budget Resolution for fiscal year 2015 and to preserve the ability of the Committee on Appropriations to begin consideration of its 12 annual funding bills in a timely manner. The Committee on Rules expects that the Committee on the Budget will pursue a budget resolution through regular order in the second session of the 113th Congress. The authority to effectuate the levels and allocations described in this section is only provided after the date by which the Congress is otherwise required to conclude consideration of a concurrent resolution on the budget as prescribed in the Congressional Budget Act of 1974. If a concurrent resolution on the budget is adopted by the House and the Senate, this section does not apply.

This section establishes a congressional budget for fiscal year 2015 for the purpose of enforcing the Congressional Budget Act of 1974.

Subsection (b) requires that the chair of the Committee of the Budget in the House of Representatives to submit a statement to the Congressional Record after April 15, 2014, but not later than May 15, 2014. The statement must include a committee 302(a) allocation for the Committee on Appropriations consisting of the total discretionary limit provided for in section 251(c)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985, committee 302(a) allocations for all other House committees, and aggregate spending and revenue levels required for enforcement of section 311 of the Congressional Budget Act of 1974.

Subsection (c) also provides that the statement referred to in subsection (b) may include levels and limitations relating to advance appropriations, reserve funds, and overseas contingency operations/global war on terrorism. The Committee on Rules expects that the Committee on the Budget will base all levels and limitations established pursuant to this subsection on prior practices for determining such levels, including, in the case of advance appropriations and funding for overseas contingency operations/global war on terror, consistency with the President's request for such funding.

This section also maintains existing authority for the chair of the Committee on the Budget to make further adjustments to reduce the aggregates, allocations, and other budget levels in the statement referred to subsection (b) to reflect the budgetary effects of any legislation enacted during the 113th Congress that reduces the deficit.

Section 118. Exercise of Rulemaking Powers.

This section clarifies that the provisions of this Act are enacted as an exercise of the rulemaking powers of the House and Senate, that they are considered part of the rules of each House, and that each House has a constitutional right to change the rules in the same manner that each House may change any other rule.

Ms. SLAUGHTER. Mr. Speaker, I thank my friend for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I am pleased that the legislation before us today gives us a chance to begin to mitigate the worst effects of sequestration; but it is not enough, as my colleague has stated.

Our Nation can—and should—dare to once again dream big. We are a Nation that built one of the largest interstate highway systems in the world, which is presently crumbling; launched the Internet; pioneered the creation of GPS; and created the largest middle class on Earth through a fair and balanced Tax Code that asked everyone, including the wealthiest among us and the biggest corporations, to pay their fair share. We are home to public institutions like the National Institutes of Health, which have helped to find the cures for countless diseases and conditions and saved millions of lives.

Great achievements like these are only behind us if we so choose. I strongly believe that we can rebuild our crumbling runways, our roads and rails, restore our middle class, and invest in the breakthroughs that will once again make us the envy of the world. But in order to do so, we have to make responsible fiscal choices that are a reflection of our values. That means restoring smart and targeted funding to programs and agencies that drive our country forward, asking the most fortunate among us to pay their fair share—not more than that, but their fair share—and protecting the programs that serve hardworking Americans at times when they need help the most.

To that end, it is shameful that the legislation before us does not extend unemployment benefits for the 1.3 mil-

lion Americans who are scheduled to lose them within a matter of weeks—3 days after Christmas, actually.

In the United States of America, we believe in providing a hand up, not a kick while you are down. Unemployment insurance is that hand up.

Studies have shown that unemployment insurance allows jobseekers to purchase necessities such as groceries and gas without accruing further debt. In so doing, it helps to increase economic activity while easing the financial burden of unemployed Americans and making it easier, not harder, for them—as we are—to find a new job.

That is why my Democratic colleagues, Representative LEVIN, Representative VAN HOLLEN, and Representative BARBARA LEE, introduced an amendment in the Rules Committee last night to extend the unemployment insurance for an additional 3 months.

This bill was paid for. I want to make that perfectly clear. It would not have cost an extra dime.

Inexcusably, the majority rejected my colleagues' amendment, despite inserting language to fix Medicare payments to doctors over the coming year, which is certainly important. Fixing the Medicare payments to doctors is a worthy and important goal, but it is certainly troubling—and should be to all of us—that we are unwilling at the same time to ignore the needs of the unemployed.

The majority's refusal to extend a helping hand to jobless Americans stands in stark contrast to the defense of tax loopholes for big corporations and powerful special interests. For far too long, our Nation has allowed wealthy individuals and powerful corporations to hide billions of dollars in offshore bank accounts and create tax loopholes instead of paying their fair share.

Indeed, some corporations in America pay no taxes at all. It is unfortunate that not a single one of the loopholes is addressed in the bill that is before us today to help us reduce the national debt.

Despite these shortcomings, today's legislation does take an important first step toward easing the painful budget cuts contained in sequestration. It has been an unmitigated disaster that has hurt our economy and our country, and there is an urgent need to avert the next round of budget cuts that are scheduled to take effect. And I am grateful for that.

In a study conducted earlier this year by the Association of American Universities, 81 percent of the respondents declared that sequestration cuts had immediate and detrimental effects on research activities. Seventy percent of the respondents cited delays in research projects, and 58 percent of respondents stated that sequestration led to reductions in staff, students, and fellows through attrition and layoffs.

A recent study showed that sequestration and other budget cuts have resulted in an actual Institutes of Health budget far too low to support our biomedical research community.

In addition to that point, Mr. Speaker, let me say that during the government shutdown, which cost the economy \$24 billion and was useless, of the five Nobel laureates employed by the United States of America, only one was declared essential.

Four Nobel laureates were said to be nonessential. That blows the mind, doesn't it?

These types of drastic budget cuts have profound impacts on our country. Reduced funding means that new discoveries and breakthroughs are delayed—or never realized—and that our public health knowledge is stunted for years to come.

As a microbiologist, I can tell you that you cannot simply turn research off and on like a faucet, but that is exactly what we do when we arbitrarily slash the budgets with no regard for the consequences of our cuts.

That is why today's legislation is an important step forward for our country. We must end the self-inflicted wound that is sequestration and get back to investing in our own well-being and the future of America. By restoring funding across our government, we will help to jump-start our economy and get back to work on the cutting-edge research and on infrastructure that will benefit the Nation in years to come.

In closing, today's bill is an important step forward, but our work is not done until we add an extension of unemployment insurance to this legislative package. We will give you an opportunity to do that at the end of the rule. In so doing, we can ensure a brighter, more prosperous future for every American this holiday season.

I urge my colleagues to vote “no” on the rule, and I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentlelady from New York. I appreciate her mentioning all of those things that we are working on together.

The gentlelady is absolutely right: we had an opportunity in the Rules Committee last night to add to these bills that we are considering today—these bills that are bicameral, bipartisan solutions to a budget; these bills that are bicameral, bipartisan solutions to a farm bill; these bills that are bipartisan, bicameral solutions to keep our seniors' access to Medicare. And to add to that an unemployment extension that we in the Rules Committee were seeing for the very first time, I don't know what the committees of jurisdiction were doing. I certainly was one of those “no” votes last night, Mr. Speaker. I don't think that is the appropriate place to do that.

But I will say to my colleagues again today, as I said to them last night, I am so pleased that this rule contains that same-day authority, Mr. Speaker, that I mentioned earlier. Because if my colleagues, who I know have deeply heartfelt opinions about this issue, as do I, if that bipartisan, bicameral agreement can be found, this House has the opportunity, if we pass this rule today—and only if we pass this rule today—we will have the opportunity to bring such a package up.

I hope we can find that agreement. But at the moment, Mr. Speaker, I hope we can pass this rule so that if such an agreement is found, we will have the authority on the floor of the House to bring that agreement immediately to the floor for consideration.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a member of the Committee on Rules.

Mr. MCGOVERN. I thank the ranking member for yielding me the time.

Mr. Speaker, let me, first of all, begin by congratulating Congressman RYAN, Congressman VAN HOLLEN, and Senator MURRAY for coming together and trying to work out a bipartisan budget deal. It is far from what I would deem as perfect, but it begins to chip away at this awful sequestration that my Republican friends seem to be so enamored of.

But I want to come here on the floor to echo what the ranking member said in terms of expressing outrage over the fact that my Republican friends want to leave town without addressing the issue of extending unemployment compensation for 1.3 million Americans.

They are going to leave town tomorrow; and on December 28, after they have opened up all their presents and wished everybody a merry Christmas and had a wonderful dinner, on December 28, 1.3 million of our fellow citizens will be cut off totally from their unemployment compensation.

I want to put this in perspective.

On November 1, the American Recovery Act funds ran out, in terms of supporting the SNAP program, which means that everybody on SNAP has received a cut. So the average family of three, Mr. Speaker, received a \$30 reduction in their SNAP benefits. That is their food benefit. That is about 16 meals.

It may not sound like a big deal to some of my friends on the other side of the aisle; but for millions of family in this country who are struggling just to put food on the table, it is a big deal.

On top of that, they are going to say to these 1.3 million people and their families, We don't care. We don't care. We are leaving town.

And since when did my Republican friends have to wait for a bicameral, bi-

partisan deal on anything to bring this to the floor? They brought a repeal of the Affordable Care Act to the floor about four dozen times.

Since when do they wait to get a backroom deal with the Senate before we are allowed to vote on something on the House floor? That is an excuse, and it is a poor excuse.

We ought to be doing the people's business, and that means not turning our backs on millions of Americans who are struggling during this difficult economy. We ought not to be making excuses. We ought to do something, and this is an opportunity to do it.

Defeat the previous question, as the ranking member said, and we can have a vote on extending unemployment compensation for these 1.3 million people. And it is paid for.

If you don't want to do it, you can vote "no." But for those of us in this Chamber who believe we have a moral obligation to those people, we want that vote. And let us vote for the extension and then send it over to the Senate.

Let's take some leadership on this issue. Let's not turn our backs on the most vulnerable in this country. It has become unfashionable in this country to worry about the poor. It has become unfashionable to stand up for these programs just to help people get by. This is the holiday season. Have a heart.

We ought to do something here. We ought to help these people and not just skip town. So there are no excuses.

I urge my colleagues on both sides of the aisle to vote "no" on the previous question. Let us vote on extending unemployment compensation, and let us do the right thing. Let's not make excuses.

Mr. WOODALL. I yield myself such time as I may consume.

Mr. Speaker, I am glad that our bipartisan, bicameral spirit lasted for the first 5 minutes of the debate. It was going to be too much to ask that it lasted much longer. I regret that.

But I will say to you, Mr. Speaker, if you want to know why problems are so hard to solve in this town, when the folks who have such a heartfelt commitment to solving the problems begin the presentation with "and we could do this, except for those heartless Republicans," it is easy to see why disagreement prevails and agreement is hard to find.

I will say to my friend that I appreciate his recognition of the tireless effort we have put in on this side of the aisle to repeal the President's health care bill, which is denying not only the choice of plans to my constituents; it is restricting their choice of doctors as well.

But the issue that he brings up is an important issue, Mr. Speaker, and I hope that we will have more success on his issue than we have had the 40 times

trying to repeal the President's health care bill.

If what he wants is a symbolic vote on this issue, more power to him, but I don't believe that is what he wants. I think he cares deeply about challenges that folks have in this country and he cares deeply about solving those problems.

I will say to you, Mr. Speaker, as I have said to all of my colleagues, we can do these things together. This is not a case of first impression. The gentleman knows that. We have come together in a bipartisan way to extend unemployment benefits.

Just to be clear, because we spend a lot of time in this Chamber, Mr. Speaker, creating fear out there, I think that is one of the most shameful things that we are a part of, Mr. Speaker: creating fear for families that needn't have that fear.

□ 1300

For families that are concerned, we are talking about the emergency extended unemployment benefits. Those basic unemployment benefits that your State has guaranteed to you, nothing is happening to those, and folks need to know that. Those weeks of unemployment that the Federal Government has always provided, nothing is happening to those, and folks need to know that. What we are talking about are those emergency benefits.

Now, what we have done in this Chamber, Mr. Speaker, is to have come together not once, not twice, not three times, not four times—but more—to do this together, and we can do this together; but I promise you, Mr. Speaker, that we are only going to do it in working together. If the answer is that someone has got a heart and the other folks don't have a heart, we are not going to be able to solve the issue.

Mr. MCGOVERN. Will the gentleman yield?

Mr. WOODALL. I would be happy to yield to my friend from Massachusetts.

Mr. MCGOVERN. I guess my question to the gentleman is that, on December 28—I think it is indisputable—1.3 million people will lose their benefits. They have also had their SNAP benefits cut. What do these people do on December 28? What do they do? Where do they go?

Mr. WOODALL. In reclaiming my time, I would say to my friend, who has incredible expertise on this issue, that, instead of being on this floor, impugning our committee's process or impugning my heart, the gentleman could be hard at work in creating a bipartisan, bicameral solution, because the gentleman knows, Mr. Speaker, that anything short of a bipartisan, bicameral solution is showboating for those folks who are hurting and is not doing a dadgum thing to help them. We don't need showboating in this institution, Mr. Speaker—we need results—which

brings me back to the bipartisan, bicameral solutions that this rule has made in order.

It wasn't easy, Mr. Speaker, but we came together on a budget for the first time not in 1 year, not in 2 years, not in 3 years—but more. It is important because we have come together on a pathway to a farm bill not in 1 year, not in 2 years, not in 3 years—but in more—and we have come together on a process to solve an SGR that has plagued us not for 1 year, not for 2 years, not for 3 years—but for more.

This is not a day for acrimony, Mr. Speaker. There is not a person in this Chamber who is getting everything he wants today. I promise you I am not. I promise you my constituents are not. This is a day for doing what can be done, and what we are doing today makes a difference.

I ask my colleagues to look at not just what we are doing today but at how it is we came together to do it, because that is the framework, Mr. Speaker, by which we will accomplish the rest of these goals that I know my colleagues on both sides of the aisle share.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Michigan (Mr. LEVIN), the distinguished ranking member of the Committee on Ways and Means, to discuss our previous question amendment, which will allow every one of us to vote “yes” or “no” on whether we are going to allow 1.3 million Americans to keep their unemployment benefits for 3 months, which is absolutely paid for and which does not add a nickel to the deficit.

Mr. LEVIN. Mr. Speaker, I am glad we are talking about unemployment insurance.

We are not showboating—we want to vote—and you misunderstand, if I might say so, the issue.

If we don't act on December 28, 1.3 million people will lose every cent of unemployment insurance. These are people who have exhausted their State benefits. They have exhausted them. These are people who have been laid off through no fault of their own, and they are looking for work. When Walmart came to D.C. and asked for applications, 23,000 people applied for 600 jobs. That is the shortage of jobs for people. So these 1.3 million people are people who have exhausted their State benefits and who are long-term unemployed.

Historically, we have never, never ended these emergency provisions when long-term unemployment has been as high as it is today—37 percent—and we have already reduced the average number of unemployment insurance weeks in this country to 54. I want to point out to the gentleman and to everybody else that, if we don't act, another 1.9

million unemployed people will lose every cent of their unemployment insurance in the next 6 months.

So, under this bill, SGR is now extended for 3 months. We asked the Rules Committee to make in order an amendment—paid for—to extend unemployment insurance for 3 months, and here is what we said: if we can prevent a 25 percent cut to doctors' pay, surely, we can prevent a 100 percent cut for 1.3 million uninsured.

So what has been the response?

The answer from House Republicans is this—an empty box.

The SPEAKER pro tempore (Mr. SIMPSON). The time of the gentleman has expired.

Ms. SLAUGHTER. I am sorry, Mr. LEVIN. All time has been allocated.

Mr. WOODALL. Mr. Speaker, at this time, it is my great pleasure to yield 3 minutes to the gentleman from Oklahoma, Mr. TOM COLE, a member of the Rules Committee.

Mr. COLE. I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of the rule and the underlying legislation, the bipartisan Budget Act of 2013.

I had the privilege of sitting as one of the budget conferees, and it was an interesting process but a productive one. This is the first time in a long time we have had a genuine compromise in this body and, frankly, between this body and the administration and between this body and the other Chamber.

I particularly want to praise Chairman RYAN and Chairman MURRAY, who worked together in good faith and who worked together well, neither one of whom violated their core principles but both of whom came together and did some pretty extraordinary things in what is a modest bill.

First of all, they actually added to the deficit reduction over the window. Literally, we will have a somewhat smaller deficit and debt because of what they did than if we keep the current situation.

Secondly, they did something we all know needs to be done in that they dealt a little bit with mandatory spending, and they redistributed those savings over to the discretionary side of the budget. It was because they were able to do that that we are probably going to be able to protect our military from what would have been really devastating cuts under the sequester. That is a pretty amazing achievement.

The achievement, to me, that is the most impressive of all is that they managed to find a compromise that will restore regular order. We all know, if this legislation passes, the appropriators from the Senate and the appropriators from the House will be working over the holidays. They will probably come back and have an omnibus or some series of minibuses, but we will actually have had a somewhat normal appropriations process. Even more im-

portantly, because they have set a top line number for fiscal year 2015, we can have regular order work in this Chamber all year next year, and we will be spared the prospect of a government shutdown in January or again in October.

Those are exceptional achievements. I wish there would have been more and would have been different. I know I would have written it differently. I know my friend would have, and I know my friends on the other side would have; but we ought to take a step back and thank Chairman RYAN and thank Chairman MURRAY for what they did to restore the institution as much as what they did to try and work on the budget. They did it the right way. They did it together, and it is an example we ought to follow.

So I urge the passage of this rule and the support and passage of the underlying legislation.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), the distinguished ranking member of the Committee on the Budget, and I congratulate him for his hard work.

Mr. VAN HOLLEN. I thank my friend, Ms. SLAUGHTER.

Mr. Speaker, I do believe that the budget agreement that was reached was a small but positive step forward, and I plan to talk about that a little later today; but what I want to talk about right now is the abuse of process that has taken place in the last 8 hours and the changing of the terms of that agreement.

During that agreement, the Democrats from the House and others put forward a proposal that said, as we deal with the budget issues, we should also deal with what we call the doc fix, making sure that doctors are fully reimbursed to help Medicare patients, but that we should also help folks who are about to lose their unemployment compensation. That is what we said, and we put it on paper and offered it. We said, if we do a doc fix for 3 months, we should do a UI extension for 3 months, and if we do a doc fix for a year, we should deal with the UI issue for a year; but that was not part of the budget negotiation even though we wanted it to be.

Chairman RYAN acknowledged that yesterday as did Senator MURRAY. They said we wouldn't deal with either of those two issues—the doc fix or the UI—as part of the budget agreement but that we would deal with them outside of that agreement. Yet the ink was barely dry, Mr. Speaker, on that agreement before the House Republicans and the Speaker of the House put forward a rule that injected the doc fix, which we support, into the budget agreement, so it is all going to be one whole thing.

They did that to take care of a real issue of the doc fix, but what did they leave out?

They left out an extension of unemployment insurance for 1.3 million Americans who are going to lose that important support 3 days after Christmas. They left that out of that last-minute procedure.

Now, as Mr. LEVIN said, he and I went to the Rules Committee last night and said, All right. If we are going to fix the SGR issue, let's deal with the unemployment compensation issue, and we presented an amendment. I have it in my hand—3 months. We said we would pay for it, and we paid for it, Mr. WOODALL, in a way that has been agreed to on a bipartisan basis, which is in the ag bill negotiations, in the farm bill negotiations. We have already agreed on a bipartisan and on a bicameral basis to get rid of these excessive direct payments—subsidies—that go to agribusiness. We had agreed on that already. As of now, we have agreed on it. Let's use \$6 billion of that savings to make sure that 1.3 million Americans aren't left out in the cold.

So I would say to my friend Mr. WOODALL: If you want to make this a bipartisan agreement, all you have to do is vote for it; and if you want to vote for it, you have got to give this House an opportunity to vote for it. Yet, while we are going to get a chance to vote on the doc fix and on the budget agreement, the Rules Committee and the Speaker of the House have told the American people you won't allow a vote to help 1.3 million Americans who are going to be left out in the cold. It is not just them and their struggling families, but the Congressional Budget Office that tells us that their surrounding communities are going to be hurt, too.

Why?

They won't be able to make the rent payments. They won't be able to go out to the local stores around Christmas-time and the holiday season to buy gifts. That hurts local merchants, small businesses. In fact, the Congressional Budget Office tells us that we will have 200,000 fewer of those jobs—private sector jobs—as a result of not extending unemployment insurance.

So, Mr. Speaker, it is absolutely unconscionable and shameful, after we have reached an agreement in which we had wanted to include a fixed SGR and UI in the agreement but it was decided not to, that we would have this last-minute thing parachuted on and would leave the 1.3 million Americans out in the cold. That is shameful. You should allow a vote, and if you vote against the previous question, we will have a chance to do our job and vote on that.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to say that I think the gentleman characterized much of that exactly right, and his characterization of all we have to do to make his idea a bipartisan idea is to agree to do it his way—that is all we have to do—and that is not the way we reach agreements in this institution.

Mr. VAN HOLLEN. Will the gentleman yield on that?

Mr. WOODALL. In just one moment, I would be happy to yield to my friend from Maryland.

We have here on the floor, Mr. Speaker, a rule, again, to bring bipartisan, bicameral agreements on the budget, bipartisan, bicameral agreements on Medicare, bipartisan, bicameral agreements on the farm bill; and we have two of the finest minds in this institution with two of the biggest hearts in this institution, who want to do the right thing for the American people, who are using this as their opportunity to try to get that done. I can promise my friends, Mr. Speaker, that we are not going to solve that problem here in the 1 hour of debate on this entirely separate measure.

□ 1315

What the gentleman characterized as the agreement within the Budget Committee is we weren't going to be able to find an answer to SGR within the budget conference and we didn't. We found it outside of the conference. We didn't find an answer to my issues with Medicare in the conference. We didn't find the answers to saving Social Security in the conference. So many things I wanted we didn't find in the conference.

The commitment that was made was to deal with UI outside of the conference. I don't sit on any of the relevant committees for UI, but I take folks at their word that that is something we can solve outside of conference. We are not going to solve it here. Knowing that folks need that help, it is a great frustration to me, Mr. Speaker, that some of the finest minds in this Congress are focusing their energy on this hour while we are trying to move things forward that we do agree on instead of focusing their energy trying to find that agreement on things we do not yet agree on but we could agree on if folks would focus their energies in that direction.

I will be happy to yield to my friend from Maryland.

Mr. VAN HOLLEN. I thank my friend, Mr. WOODALL, for yielding.

Mr. Speaker, I would just point out—and I think the gentleman knows this—we have not seen a single proposal from our Republican colleagues to extend unemployment insurance because there is a philosophical difference and a majority of the Republican colleagues don't think we should extend unemployment compensation for 1.3 million Americans. We have not seen a proposal. We paid for this proposal in a way that has bipartisan support.

I will just say the question is whether we should be able to vote on it. My colleague and friends can vote against it, but I think the American people deserve a vote on this.

Mr. WOODALL. Mr. Speaker, reclaiming my time, I would say to my friend that I wouldn't want anyone to be confused who is listening to this debate that we can't find agreement on this in a bipartisan way.

Why would folks come to that conclusion? Well, much has been said here on the floor; but the facts are that time and time and time again these provisions have been extended and they were not extended January 2013, February 2012. All the way back to the beginning they were not extended on party-line votes alone. They were extended in a bipartisan, bicameral way.

Mr. LEVIN. Will the gentleman yield?

Mr. WOODALL. In just one moment, I will be happy to yield to my friend.

Folks back home are so frustrated, Mr. Speaker. They know that we can argue with each other. They are absolutely convinced we can do that. We do that every single day.

Today, we have an opportunity on this rule to move forward those things that we have not found an easy agreement on, but things we have struggled to find agreement on for, again, not days, not weeks, in most cases months, in many cases years, and we have finally found that agreement.

I do not believe, Mr. Speaker, it advances any of our causes to turn what should be an hour on those things that we are doing well together into any kind of an hour on accusations that somebody is right and somebody is wrong and only if we do it one way can we find the answers.

I will be happy to yield 30 seconds to my friend.

Mr. LEVIN. I appreciate your courtesy.

I always enjoy coming before the Rules Committee.

Just two points. First of all—maybe three quick ones—SGR was outside the budget agreement. It was decided to place it within it. All we are asking is for a vote on UI. And the third point, December 28 is a few days away. The ax falls on the livelihood of 1.3 million people.

So if you will say today that the Speaker will sit down with us on a bipartisan basis today and tomorrow and find an answer, fine. But just to say you are skipping town not addressing this and leaving an empty box, that is not a good answer.

Mr. WOODALL. Well, I would say to my friend suggesting anyone is skipping town is also not a good answer.

Mr. LEVIN. It is true, isn't it? We are leaving?

Mr. WOODALL. The gentleman knows, and it is so frustrating, Mr. Speaker, because, again, much, much to the surprise of the odds makers all across this country, we have got three provisions before us today on which Republicans and Democrats on the House side and the Senate side, with

the support of the White House, have been able to come together on.

If we want to go down the road of moving things on which we don't have agreement, the gentleman knows those things don't move. If you want to make a difference for people, I say stop the recriminations and begin the conversations. That is the only way we have been able to find these, Mr. Speaker.

I say to my folks back home, Mr. Speaker, it is not the happiest day in the life of their Seventh District Congressman that we have these bills on the floor today. I would do something different in every single one of them—every single one. I would do a lot of things different in every single one.

While I appreciate the opportunity to speak on behalf of the Speaker, perhaps one day if I am Speaker of the House I will have the power to do those things by myself. I think if you ask the Speaker, he will say he does not have the power to do things alone. It takes herding 434 other cats to make that happen.

But we have successes here today, hard-fought successes on behalf of the American people. Not frivolous things, but things that are going to make a difference in people's lives.

My colleague from New York mentioned earlier, Mr. Speaker, medical research. I am a huge believer in medical research, a huge believer in NIH. CDC is stationed in my great home State of Georgia. We have an opportunity with this budget agreement to restore some funding to those two agencies that do amazing work on behalf of all Americans, in fact, in the case of the CDC, on behalf of the world.

We should take advantage of these successes, Mr. Speaker, and then we should show up again—maybe it is not even tomorrow; maybe it is the very next hour—and build on these successes to do more. We have got that framework now. We know what it takes to come together and do things that matter to the American people, do things that make a difference for this land that we both love. We have that opportunity today.

Mr. VAN HOLLEN. Will the gentleman yield for 30 seconds on that?

Mr. WOODALL. I would say to my friend that we are very lopsided on time. If the gentlelady runs out later in the hour, I will be happy to yield to my friend.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. I yield 30 seconds to the gentleman from Maryland (Mr. VAN HOLLEN). This is very important.

Mr. VAN HOLLEN. I thank my friend, Ms. SLAUGHTER.

Mr. Speaker, the gentleman is right. As I said at the outset of my comments, I support the bipartisan agreement. I think it is a small step forward. But the gentleman knows we will be debating that issue later this afternoon.

Right now we are debating the rule of the House. That rule parachuted in a doc-fix for 3 months, which we support, but our Republican colleagues denied this House and the American people an opportunity to vote to extend UI in that rule. That is what we are debating right now, Mr. WOODALL, and you know that.

The way that rule was structured was to deny the people of this country a vote to help 1.3 million Americans, and that is shameful.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ), my colleague, who is the ranking member of the Committee on Small Business.

Ms. VELÁZQUEZ. I want to thank the gentlelady from New York for yielding.

Mr. Speaker, in 16 days, 1.3 million Americans will lose their unemployment benefits they have relied on to buy groceries and keep a roof over their heads; and, no, we are not creating fear. This is the reality for 1.3 million Americans who every day get up and go out to the job market to find out that there are no jobs available. This is the reality of American children who are suffering. This is the reality of 1.3 million individuals in this country who will not know how they can pay for the next meal or how can they pay for their rent.

This is not the American way. We took care of the doctors; we took care of big farmers at a time when the economy is still struggling in the wake of the 2008 financial collapse. We should not be revoking needed economic assistance from jobseekers while millions of Americans are fighting to get back to work.

Last year, unemployment insurance kept 2.5 million Americans and .6 million children out of poverty. If long-term jobless benefits are allowed to expire, next year there will be nothing to protect these families from long spells of unemployment.

Unfortunately, this budget fails to extend the unemployment insurance millions of Americans rely on to make ends meet. Allowing jobless benefits to expire will not put people back to work. It will just make it harder for families to pay the bills and discourage people from seeking employment.

I urge my colleagues to continue fighting for struggling Americans, and I hope that Americans are paying close attention to what is happening in Congress today.

I urge a "no" vote on this rule.

Mr. WOODALL. Mr. Speaker, I yield myself 30 seconds to remind my colleagues about the successes that we have had when we worked together and about the terrible, terrible failures that we have had when we decide fussing with each other is better than seeking long-term solutions.

One issue at a time we can absolutely make a difference, Mr. Speaker. I am

glad that my colleagues on the Republican side of the aisle have not come down to express all of their disappointments about everything that wasn't included. I hope that we will be able to use this time to celebrate our successes on those things that were included and again rise tomorrow to solve the rest.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Democrat leader, on this important issue.

Ms. PELOSI. I thank the gentlelady from New York for yielding, our ranking member on the Rules Committee, and thank her and our colleagues on that committee for trying so hard to have this rule contain an amendment that will allow us to vote on the extension of unemployment insurance for over 1.3 million Americans who will lose those benefits if we do not pass that extension. I would particularly salute Congressman SANDY LEVIN of Michigan, the ranking member on the Ways and Means Committee, for his relentless championing of this issue of fairness to the American people.

Mr. Speaker, we come here to talk about a bill that is to end the sequester, and end the sequester it does. I commend the conferees. I am very proud of the work of Congressman CHRIS VAN HOLLEN, the ranking member on the Budget Committee on the Democratic side; NITA LOWEY, the ranking member on Appropriations; and our assistant leader, Mr. CLYBURN, representing the leadership in those negotiations. I thank them for taking this to a place, fighting it to a draw, so that we come to the floor to fight some and end sequestration.

But the opportunity was so much greater. Apparently, the Republicans never miss an opportunity to miss an opportunity when it comes to creating jobs. Mr. VAN HOLLEN had in his bill just a few points in terms of priorities. One was to create jobs and economic growth for our country in the short term and in the long term.

If we close a loophole, build the infrastructure of America; close a loophole, build a bridge; close a loophole, special interests, tax loopholes for special interests, invest in the human infrastructure of our country, early childhood education, long-term economic growth; close a loophole, pay for unemployment insurance. I don't think it has to be paid for because it is emergency spending; but, nonetheless, let's have an opportunity to vote to extend unemployment benefits.

When we do ignore those investments in the future, we are not reducing the deficit; we are increasing the deficit. Nothing brings more money to the Treasury than creating jobs and the revenue that produces. Nothing brings more money to the Treasury than the education of the American people

starting with early childhood education.

As far as unemployment benefits are concerned, the economic impact is clear: every dollar spent on unemployment benefits grows the economy by \$1.52, according to Moody's Analytics—a dollar and a half for every dollar we spent, and that is a conservative estimate.

Failing to extend unemployment benefits will cost us 200,000 jobs over the next year. We can't do that. A recent report shows that extending UI instead would produce 300,000 jobs.

So again, this money, if spent immediately, injects demand into the economy, creates jobs, grows the economy, as well as honoring our social compact that we have with the American people.

□ 1330

People work hard, play by the rules, and lose their job through no fault of their own; insurance is what they have. We should honor that insurance.

So it is disappointing, yes, because this package is so limited. But as I said, it was a fight to a draw, and I recommend that our colleagues vote to support it so we can take it off the table and make way for the discussion we should be having about comprehensive immigration reform. The votes are here. Give us a vote, Mr. Speaker.

Passing a farm bill, that is very important to the economy of our country.

Raise the minimum wage. Nearly two-thirds of the people making the minimum wage are women. Paycheck equity, have fairness in the workplace for women.

The list goes on and on. ENDA, ending discrimination against the LGBT community, people in the workplace. There are so many items on the agenda that have the support of the American people in large numbers.

Yesterday was the anniversary of Newtown. Pass the Brady background bill. All of these things are on an agenda we have neglected. Up until now we just haven't had time for it. I guess they haven't been priorities for this Congress, but they are priorities for the American people and for the Democrats in Congress.

So again, one reason to vote for this package, even though you may think it is meager and you may not like all of its priorities, as the gentleman said, is to at least have an agreement on the budget that enables us to move forward for bigger fights that will improve policy and improve the lives of the American people and honor our responsibilities to them.

I urge our colleagues to vote for the budget, but to vote against this rule because this rule says "no." It says "no" to the Congress; we are not even going to allow you to speak or vote on unemployment insurance benefits extension. It says "no" to the American

people that if you work hard and play by the rules and lose your job through no fault of your own, the safety net is not there. And that safety net is not there just for individuals; it is there for the system. Our beautiful free market system grows in cycles, and sometimes unemployment is higher than others and there are some outside forces at work that people lose their jobs because of. And so it is a safety net for our economic system as well as individuals.

Why would they not allow us to bring this up and extend the extension? Is it the money? If it is the money, we will find it. Is it the price? Do you think the price is too high to give people dignity, to allow them to keep their homes and meet the needs of their children? Two million children would be affected by this. Tens of thousands of veterans will be affected by this. We care about veterans here. We care about children here, but apparently not enough to extend unemployment benefits.

So why, my Republican colleagues, would you not allow us to have a vote on this? I know the support is there on the Republican side. I know that the Democrats would vote 100 percent for this. Do you not believe that these people are worthy of receiving unemployment insurance? I say "insurance," that is something paid into, a benefit check. If so, let the American people know that.

But this debate will not end today. While you may not give us a vote on the floor to extend these benefits so we see where everybody is on the subject and why, this fight will continue because this is about the morality of our country, the respect that we have for people, the value that we place on work, the pride we take in the great work ethic of the American people. But sometimes it just seems the harder they work, the forces are in a deck stacked against them, and this Congress is saying this deck is not going to include you as we deal out the cards.

So I can't explain it to anybody except to say it is a values decision; and, apparently, there is not enough shared value on the subject of the respect we should have for our workers to even honor the subject with a vote on the floor of the House. It is an outrageous rule to come to the floor. I thank you, Madam Chair, for fighting it, and I urge a very strong "no" vote on the rule. Vote "no" on the previous question, which would allow us to bring the issue to the floor.

What are you afraid of? Are you afraid of the vote? Are you afraid of working people who are out of a job? What are you afraid of? Let us have a vote on the floor.

With that, Mr. Speaker, I urge a "no" vote on the rule, and a "yes" on the bill.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to

go back to the place I was earlier, and that is how one of the worst things we do in this institution is create fears in the minds of the American people.

The gentlelady from California has a powerful voice. She is listened to, admired, and respected across this great land; and it has to be said, I was just in a hearing, Mr. Speaker, in the Oversight Committee where we were hearing from doctors who were talking about all the fears their patients had that they were going to lose access to their doctor and lose access to their pharmaceuticals because of ObamaCare. Now, those fears have been realized. That is exactly what happened to those patients.

But these fears are not realized. I want to make clear to everybody back home because I talk to constituents every day who are losing their jobs in response to what their employers are doing to be able to afford the ObamaCare mandates. They are losing their jobs, Mr. Speaker, and absolutely every week of State unemployment that has always been available to them will continue to be available to them. Fear not from what you are hearing from the other side of the aisle.

Mr. Speaker, for those folks who are losing their jobs in my district as their employers are trying to comply with those mandates, understand that every week that you paid your insurance premium for unemployment insurance, all of those Federal weeks that have been there not for a year, not for 5 years, but for a decade, those will still be there for you. Fear not, that is still there.

What we are talking about here today, Mr. Speaker, are benefits in the emergency unemployment category, benefits that folks have not paid the insurance premiums for, benefits that are absolutely being utilized by families across this country. I don't minimize the impact of those going away. I don't minimize the impact; but I reject, Mr. Speaker, the fear creation that coming to the floor of the House and saying unemployment benefits are going away tomorrow is going to create in my district. Folks are losing their jobs today. Why, because after we do job creation bill after job creation bill after job creation bill, I can't find a bipartisan, bicameral agreement on those. I'm going to keep looking, but I haven't found it yet.

My message, Mr. Speaker, is if you are losing your job today because of the heavy foot—and I won't yield because I am running low on time. I know my friend has much time remaining. If you are one of those folks in my district or others who are losing your job because the heavy hand of government is on your employer, those unemployment benefits on which you are counting to apply tomorrow will be there.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. I have to yield myself 30 seconds.

Mr. WOODALL, if you believe anything at all that you have just said, I understand what is going on here.

First, blame everything in the world on ObamaCare.

Mr. WOODALL. Will the gentlelady yield?

Ms. SLAUGHTER. I will not.

To try to give people health insurance is somehow a crime in the House of Representatives, but the people we are talking about on unemployment have exhausted their unemployment. It will not be there, Mr. WOODALL. They can lose their housing. They can lose their food. They may even be dispossessed out into the street. There is a meanness that is going on that is absolutely astonishing to me.

Mr. WOODALL. I am sure that the gentlelady does not mean to suggest that there is meanness going on, I would ask the gentlelady.

Ms. SLAUGHTER. May I please have my time. I didn't get to speak because he took it.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

The Chair would remind all Members to direct their remarks to the Chair.

Ms. SLAUGHTER. I would like to, Mr. Speaker, and I started out that way.

I yield 2 minutes to the gentleman from New York (Mr. TONKO), the Energy and Commerce Environment Subcommittee ranking member, who I hope can finish my thought.

Mr. TONKO. I thank the gentlelady for yielding. And absolutely, those benefits have been exhausted, and I think that needs to be very clear here.

Mr. Speaker, while this budget compromise is not perfect, I would like to highlight a provision that will reduce our deficit.

Since 2011, I have fought to change a little-known statutory formula for capping the maximum reimbursement for Federal contractor executives and employees. Due to a flaw in this formula, taxpayer-funded salaries have spiraled out of control in recent years.

Just this month, OMB announced that it was required to raise the cap to over \$950,000 per year—\$950,000—while we debate our ability to afford essential services for our most vulnerable citizens, for extending unemployment insurance. We are paying private sector executives nearly million-dollar salaries. This agreement sets the cap at \$487,000. Personally, I would have preferred the cap to be set at \$230,700—the Vice President's salary—as it is stated in my legislation, but this is an important step and sensible compromise to restoring sanity to taxpayer-funded salaries.

Just a sampling, GAO, within the Department of Defense, found just 7 percent of their contracts when reduced to this level would save hundreds of millions of dollars.

I again thank the gentlelady for yielding.

The SPEAKER pro tempore. The gentleman from Georgia has 4½ minutes remaining. The gentlewoman from New York has 10 minutes remaining.

Mr. WOODALL. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE), a member of the Committee on the Budget and author of the amendment we are trying to get here.

Ms. LEE of California. Mr. Speaker, I thank the gentlelady for yielding and for her tremendous leadership in her capacity as our ranking member on the Rules Committee. Thank you so much for standing in strong opposition to this rule.

As a member of the Budget Committee and Appropriations Committee, I want to commend all of my colleagues for putting forth a plan to replace some of the reckless sequester cuts that do continue to hurt families each and every day.

Yet this budget deal is really outrageous for what it doesn't do. It does nothing—nothing—to extend emergency unemployment benefits to the millions of jobless workers in every State.

As the Center on Budget and Priorities report today points out, the failure to include any extension of Federal emergency jobless benefits in the deal would likely negate any boost from sequester this deal would bring, and I will include this report for the RECORD.

Over 170 Democrats have joined my letter calling for an extension of this critical lifeline. It is really shameful that Republicans have refused to include an extension of unemployment benefits. The least we can do for the millions of the long-term unemployed who are struggling just to get by during this holiday season is to pass this 3-month extension. This budget does nothing for the millions of jobless people and asks nothing from the people who caused our economic crisis and continue to benefit from economic inequality.

Please remember, this is not about showboating or statistics. We are talking about people's lives. We are talking about people living on the edge. We are talking about 1.3 million people who will lose unemployment benefits during this holiday season. It is cruel. It is morally wrong, and it is economically stupid.

So I hope that we can vote "no" on this rule and defeat the previous question so we can vote for a 3-month extension of unemployment compensation.

Finally, let me just say, we must do better. We must protect and expand the safety net that are the pillars of our society.

[From offthechartsblog.org, Dec. 11, 2013]

FAILURE TO CONTINUE JOBLESS BENEFITS
WOULD UNDO BUDGET DEAL'S ECONOMIC BOOST
(By Chad Stone)

The Murray-Ryan budget deal provides a stimulative boost to the economy—albeit a modest one. But here's the rub: the economic drag caused by lawmakers' failure to include an extension of federal emergency jobless benefits in the deal would likely negate that stimulus.

Economist Joel Prakken of Macroeconomic Advisers says that the deal would boost economic growth by "maybe 1/4 percentage point" compared to the sequestration cuts scheduled under current law. The deal follows the sound principle under current circumstances of raising deficits in the near term to boost the economic recovery but reducing them by an even larger amount later, when the economy is expected to be stronger.

The problem is, the Congressional Budget Office (CBO) estimates that Emergency Unemployment Compensation (EUC) has a very similar impact—boosting the economy by up to 0.3 percent by the end of 2014 and adding up to 300,000 jobs. Not extending EUC would remove that potential boost from the economy.

The budget deal and extending EUC have similar economic effects because their budgetary effects are roughly the same size: CBO estimates that the budget deal's increases in discretionary spending would raise federal spending by \$26 billion in fiscal year 2014 and \$22 billion in fiscal year 2015, while its deficit-reduction provisions would cut spending by roughly \$3 billion in each fiscal year. Netting these effects and assuming that about a quarter of spending for fiscal year 2015 (which starts October 1, 2014) occurs in calendar year 2014, the budget deal would produce a net increase in spending of about \$28 billion by the end of calendar year 2014. CBO estimates that extending EUC would cost about \$26 billion in calendar year 2014.

CBO and other analysts generally regard spending on unemployment insurance as providing more "bang for the buck" than most other stimulus measures. So, the economic drag in 2014 from a failure to extend EUC is likely to be at least as large as the economic boost from the budget deal.

Mr. WOODALL. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. You know, it is very good that we have a deal. The American people are frustrated and tired. Our offices are being bombarded by calls from people from all political perspectives that they are glad for the deal; and to be honest with you, I am glad that we have made some progress. Many of us want to be part of the deal.

But I know that it is equally important to raise the concern of faces like this, faces across America who equal the 1.3 million number of Americans who will lose their unemployment benefits; 3.5 million in 2014; 200,000 military veterans and 2 million children. And so we can't only be about ourselves in this holiday season, particularly as we recognize that the Pope, being named Man of the Year, has spoken to the world eloquently about this whole issue of the vulnerable.

And so I ask this, Mr. WOODALL and the Rules Committee: let's put the Van Hollen-Lee-Levin amendment to the floor tonight. Call us back, Mr. BOEHNER. Let us vote to provide for unemployment insurance for working men and women. Faces across America will not have the tears of desperation. The deal is good, but the people are suffering. We cannot allow this to happen in this season of joy and giving.

Mr. Speaker, I rise to speak on the rule and the underlying bill, H.J. Res. 59, the "Bipartisan Budget Act of 2013 and Pathway for Sustainable Growth in Medicare Reform Act of 2013."

The budget proposal before us is not perfect—far from it—but it is a modest and positive step toward preventing Republicans from shutting down the government again and manufacturing crises that only harm our economy, destroy jobs, and weaken our middle class. Thank goodness for small favors.

As with any compromise there are some things in the agreement that I support and some things that I strongly oppose.

On the positive side:

Republicans—and the bipartisan deal does not cut Medicare, Social Security, or Medicaid benefits by a penny even though our friends across the aisle went into the talks insisting on cuts to programs that sustain families and seniors.

Over the Republicans insistence, the agreement replaces almost two-thirds of the sequester's disastrous impending cuts to important domestic investments like education, medical research and law enforcement.

The agreement scales back the proposed cuts to federal employees sought by Republicans and exempts current federal employees.

On the negative side:

Mr. Speaker, it is outrageous—it is scandalous—that the budget agreement does not include an extension of unemployment insurance for the 1.3 million jobless workers—68,900 in Texas—will have their benefits cut off on December 28, and nearly another 1.9 million—106,900 Texans—will lose their unemployment benefits over the first half of next year.

If Congress does not act immediately to extend these benefits, a devastating blow will be dealt not only to the millions of Americans who are already struggling, but to our economy.

That is why yesterday I joined with 165 of Democratic colleagues in calling upon Speaker BOEHNER not to adjourn this House for the year without extending the vital unemployment insurance desperately needed by millions of our fellow citizens.

To let their benefits expire in the middle of the holiday season is cruel and heartless and unworthy of a great and generous nation.

Cutting off unemployment benefits at the end of the year will only further hurt an economy already injured by sequestration and the Republican government shutdown.

The Congressional Budget Office estimated that 750,000 fewer jobs will be created or retained in calendar year 2013 because of the budget cuts under sequestration.

The government shutdown cost our economy an additional 120,000 jobs in the first two weeks of October alone, according to the Council of Economic Advisors.

The Economic Policy Institute estimates that cutting off extended unemployment benefits would cost our economy 310,000 jobs next year because of reduced consumer demand.

Other experts, like Michael Feroli, the chief economist at JPMorgan Chase, indicate that allowing the federal unemployment insurance (UI) program to expire could shave as much 0.4 percentage point off our economy's growth in the first quarter of 2014.

Letting unemployment benefits expire will deprive our economy of the positive impact unemployment insurance provides since financially stressed unemployed workers spend any benefits they receive quickly.

CBO also concluded in a 2012 report that assistance for the unemployed has one of the "largest effects on employment per dollar of budgetary cost."

I agree. Therefore, I urge all Members to join me in voting against this rule.

□ 1345

Mr. WOODALL. Mr. Speaker, it is my great pleasure to yield 1 minute to the gentleman from Indiana (Mr. MESSER).

Mr. MESSER. Mr. Speaker, I thank the gentleman from Georgia for yielding me time.

I rise in support of the bipartisan budget act, the underlying rule, and Chairman RYAN's hard work.

This isn't a perfect deal, but it is better than the alternative. This bill replaces some of the indiscriminate spending cuts called for by sequestration and replaces it with smarter ones; it makes modest reforms that will reduce the deficit without raising taxes; and it continues our Nation's trajectory toward a more fiscally responsible government.

I agree with those critics who say this bill doesn't solve all of our Nation's budget problems, but "no" can't always be the answer. Reality is that we have a Democratic President and a Democrat-led Senate. Given that reality, this is a solid deal. And virtually everyone agrees that we don't need another government shutdown. It is time to put politics aside and make genuine progress on ending wasteful Washington spending. This is a good first step in that direction.

Let's not be afraid to take that step and move forward toward common ground from which we can continue fighting for fiscal sanity for hard-working taxpayers.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1½ minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS), a member of the Ways and Means Committee.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I want to thank the ranking member for yielding.

I rise in opposition to this rule, and I don't do so because it gives us limited opportunity to keep the government open for a few days, and I know that we are going to allow our physicians to practice medicine so that they can take care of Medicare patients for a

few more days. What it does not do is it does not extend unemployment insurance for those 2 million or more people who will not have it. This is not going to be a good Christmas for many of the people in my district. It is going to be just the opposite.

I will vote against the rule so that we can, in fact, come back and provide unemployment compensation to those millions who need it.

Mr. WOODALL. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1½ minutes to the gentleman from Rhode Island (Mr. CICILLINE), a member of the Budget Committee.

Mr. CICILLINE. Mr. Speaker, I thank the gentlewoman for yielding.

The budget deal that we are voting on today is a step in the right direction because it blunts some of the painful cuts caused by sequestration. But a critical piece is missing: extending unemployment benefits that are due to expire at the end of this year.

It is an absolute disgrace that this body would even consider leaving town without finishing our work and ensuring that we address the needs of the long-term unemployed. Just 3 days after Christmas, 1.3 million Americans struggling to find work will immediately be thrown out into the cold and lose their unemployment assistance, including 4,900 Rhode Islanders who will lose their benefits on December 28. Much of the economic gain achieved in this budget deal will be nearly wiped out by failing to extend unemployment insurance.

Mr. Speaker, how do you plan to explain to your constituents your 3-week vacation when you have constituents who won't be able to keep the heat on or put the next meal on their dinner table because Congress failed to do its job?

We should, every day, but especially during this time of year, be thinking of others and taking care of one another, not walking away from our responsibilities and ignoring the challenges facing our fellow citizens.

We have 15 days to figure this out. What is the rush to leave town? It won't take much time to resolve this problem because we already have the answer.

Mr. Speaker, I ask unanimous consent that the House call up H.R. 3546 for immediate consideration. This will extend unemployment benefits for 1.3 million Americans.

The SPEAKER pro tempore. Does the gentleman from Georgia yield for a unanimous-consent request?

Mr. WOODALL. No.

The SPEAKER pro tempore. The gentleman does not yield.

Mr. CICILLINE. Mr. Speaker, I urge my colleagues to vote against this rule and to stand up and fight for the 1.3

million Americans who will lose their benefits on December 28.

Mr. WOODALL. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank my good friend from New York for yielding.

I don't see how my colleagues can go home for Christmas leaving their constituents who are unemployed with no Christmas at all. I understand this bill to be important for its elimination of some sequestration. That is a small favor considering that sequestration may be the only bill nobody wanted that nevertheless prevailed. But the callous treatment of the unemployed is unforgivable, especially at this season. I am really outraged by the notion of some of my colleagues about the incentive to remain on unemployment insurance, when the benefits per week have gone down one-third across the States.

We are exposing those who have worked and paid into unemployment insurance to more hard times, but we are also exposing our economy, itself, because the loss of unemployment insurance means another loss of 300,000 jobs.

This bill is counterproductive. It is counterintuitive. It spoils an otherwise acceptable bill. It makes a mockery of Christmas.

Mr. WOODALL. Mr. Speaker, I continue to reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, may I inquire if my colleague has further speakers? If not, I am prepared to close.

Mr. WOODALL. I am the final speaker on our side.

Ms. SLAUGHTER. Mr. Speaker, I yield myself the balance of my time.

Today's proposal is a step in the right direction, but we must improve this bill before we vote on final passage.

What have we learned here today? We have learned first that during the budget negotiations that it was determined that the doc fix, as we call it—doctors' payments—and unemployment insurance would not be in the scope of what they were doing and we would do that separately. Then, unbeknownst to us on our side, after agreeing to that, only the doc fix, as we call it, was put back into this bill. It was supposed to be separate, it was a part of the rule, and it would be voted on automatically when we vote for this rule today.

The only thing left out was unemployment extension, and I think we know why. We heard from our colleague that he thinks there is plenty of money out there. They are not going to go without a thing. That is totally un-

true. It would be a tragedy of gigantic proportions if this House turned down the extension of unemployment benefits because some Members believe it is not going to happen. It is going to happen, and it is not because we didn't try in the Rules Committee to try to explain it.

There is no justification in the world for turning down a 3-month extension in the dead of winter that is paid for, that adds not a penny to anything. And there was no bipartisanship in the Rules Committee on this last night. We did our very best, but we were outnumbered considerably, 9-4.

Nonetheless, we think it is important enough today to give every Member of this House a second chance, and we are going to ask everybody who wants to make sure the people in their districts who are unemployed, through no fault of their own—there has been sort of a prevailing thought that we have heard from time to time that if we don't extend unemployment insurance, we will teach them a lesson; we will teach them not to have a job. They will find out right away that is not the way to live, despite the fact, as was pointed out, 20,000 people applied for 600 jobs. That gives you some idea of what that is like. Some people have come before committees here with stacks of resumes that they have sent out as high as 2 feet with rejection notices that they have gotten. They are not there.

We are going to give another chance on the previous question. I want everybody on both sides of the aisle who believes they cannot go home—and we did have a resolution here not to go home until our work is finished—but that we will take care of our fellow Americans in need, which we hope is temporary, which again depends very much on what we do in the future. We will give you a chance if we vote "no" on the previous question to this rule. Then I will be allowed to bring up the amendment that was turned down last night to extend it for 3 months. Imagine, 3 months all paid for again.

So it is really appalling to me that we can fix anything here, but we can literally let children, veterans, people who are unable to work, the disabled, and the people who have lost their jobs, that we can say to them that it doesn't matter here in the House of Representatives if you are hungry, if you are cold, if you are going to lose the place that you live, if your sustenance is taken away from you. We don't care. Maybe some church somewhere, some temple, some synagogue will take care of you.

If we defeat the previous question, I will offer an amendment to the rule to allow the House to extend unemployment insurance for 1.3 million Americans.

I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous mate-

rial, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. I urge my colleagues to vote "no" on the rule and vote "no" on the previous question.

I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself the balance of my time.

I am surprised we have spent most of the hour talking about what is not in this rule today because we have great cause of celebration for what is in this rule today.

It has not been months; it has been years we have been working to get a farm bill. There is an extension that this rule allows to be voted on that will bring us in the next 30 days that agreement we have been so long searching for.

Mr. Speaker, it has been since 1997 that the SGR has been a part of our lingo here. That is that provision that threatens access to health care for every senior in America. This bill today, this rule today allows us to have a vote on a bipartisan, bicameral solution to that. It is actually a 3-month extension that leads to the end of this discussion forever, putting at ease every senior's mind in America that around this time of year, every year, their access to care will be threatened.

Perhaps most importantly, Mr. Speaker, this rule allows for a vote on the bipartisan, bicameral budget agreement.

This is not a grand agreement. It is not the grand agreement that I have been fighting for on the Budget Committee for the last 3 years, but what it is is a small step in the right direction. The reason it is a small step in the right direction, Mr. Speaker, is that we take those sequester cuts that no one would argue were done in a discriminate manner, we preserve those savings, but we apply them in a much more discriminate manner. For me, that is national security. The concern has always been national security.

Today, Air Force units have reduced their training activities by about 25 percent. With the sequester, only 2 of 43 active brigade combat teams are ready or available for deployment in the United States Army. We absolutely must rein in Federal spending—this budget agreement does that—but we must do so in a responsible way that preserves our national security.

The sequester reductions that were coming up in January, as many of my friends know, fell on no program in the land except for our Armed Forces, except for our national security. The Constitution does not ask much of us in this House, Mr. Speaker—far too often we are doing too much here as opposed to not enough—but it asks us to protect and preserve our national security. And with this bill today, while

it does not achieve my Medicare goals, while it does not achieve my Social Security goals, while it does not achieve the budget reduction goals I would like to see, it does replace an indiscriminate sequester with discriminate reductions in mandatory spending programs, putting those dollars, instead, towards our national security.

I will end where I began, Mr. Speaker, with the letter from Thomas Jefferson to Charles Clay in 1790:

The ground of liberty is to be gained by inches, and we must be contented to secure what we can from time to time and eternally press forward for what is yet to get.

I urge a strong “yes” vote on this rule and a “no” vote on my colleague’s motion so that we do those things that we are able to do today and then tomorrow eternally press forward.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 438 OFFERED BY
MS. SLAUGHTER OF NEW YORK

In section 1, strike “to its adoption without intervening motion or demand for division of the question” and insert “and on any amendment thereto to its adoption without intervening motion or demand for division of the question except an amendment specified in section 12 of this resolution, if offered by Representative Levin of Michigan or his designee, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read, and shall be separately debatable for 30 minutes equally divided and controlled by the proponent and an opponent.”

At the end of the resolution, add the following new section:

SEC. 12. The amendment referenced in the first section of this resolution is as follows:

Amendment offered by Mr. Levin of Michigan to the motion offered by Mr. Ryan of Wisconsin:

At the end of division B, add the following:

TITLE III—ADDITIONAL EXTENDERS
Subtitle A—Emergency Unemployment Compensation

SEC. 1301. SHORT TITLE.

This subtitle may be cited as the “Emergency Unemployment Compensation Extension Act of 2013”.

SEC. 1302. EXTENSION OF EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM.

(a) **EXTENSION.**—Section 4007(a)(2) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended by striking “January 1, 2014” and inserting “April 1, 2014”.

(b) **FUNDING.**—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended—

(1) in subparagraph (I), by striking “and” at the end;

(2) in subparagraph (J), by inserting “and” at the end; and

(3) by inserting after subparagraph (J) the following:

“(K) the amendment made by section 1302(a) of the Emergency Unemployment Compensation Extension Act of 2013;”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112-240).

SEC. 1303. TEMPORARY EXTENSION OF EXTENDED BENEFIT PROVISIONS.

(a) **IN GENERAL.**—Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111-5 (26 U.S.C. 3304 note), is amended—

(1) by striking “December 31, 2013” each place it appears and inserting “March 31, 2014”; and

(2) in subsection (c), by striking “June 30, 2014” and inserting “September 30, 2014”.

(b) **EXTENSION OF MATCHING FOR STATES WITH NO WAITING WEEK.**—Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110-449; 26 U.S.C. 3304 note) is amended by striking “June 30, 2014” and inserting “September 30, 2014”.

(c) **EXTENSION OF MODIFICATION OF INDICATORS UNDER THE EXTENDED BENEFIT PROGRAM.**—Section 203 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) is amended—

(1) in subsection (d), by striking “December 31, 2013” and inserting “March 31, 2014”; and

(2) in subsection (f)(2), by striking “December 31, 2013” and inserting “March 31, 2014”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112-240).

SEC. 1304. ADDITIONAL EXTENDED UNEMPLOYMENT BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) **EXTENSION.**—Section 2(c)(2)(D)(iii) of the Railroad Unemployment Insurance Act (45 U.S.C. 352(c)(2)(D)(iii)) is amended—

(1) by striking “June 30, 2013” and inserting “September 30, 2014”; and

(2) by striking “December 31, 2013” and inserting “March 31, 2014”.

(b) **CLARIFICATION ON AUTHORITY TO USE FUNDS.**—Funds appropriated under either the first or second sentence of clause (iv) of section 2(c)(2)(D) of the Railroad Unemployment Insurance Act shall be available to cover the cost of additional extended unemployment benefits provided under such section 2(c)(2)(D) by reason of the amendments made by subsection (a) as well as to cover the cost of such benefits provided under such section 2(c)(2)(D), as in effect on the day before the date of enactment of this Act.

Subtitle B—Agricultural Programs

SEC. 1311. ONE-YEAR EXTENSION OF AGRICULTURAL PROGRAMS.

(a) **EXTENSION.**—Except as otherwise provided in this section, and notwithstanding any other provision of law, the authorities provided by each provision of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1651) and each amendment made by that Act (and for mandatory programs at such funding levels), as in effect on September 30, 2013, shall continue, and the Secretary of Agriculture shall carry out the authorities, until the later of—

(1) September 30, 2014; and

(2) the date specified in the provision of such Act or amendment made by such Act.

(b) **COMMODITY PROGRAMS.**—

(1) **IN GENERAL.**—The terms and conditions applicable to a covered commodity or loan commodity (as those terms are defined in section 1001 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702)) or to peanuts, sugarcane, or sugar beets for the 2012 crop year pursuant to title I of such Act and each amendment made by that title shall be applicable to the 2014 crop year for that covered commodity, loan commodity, peanuts, sugarcane, or sugar beets.

(2) **REDUCTION IN DIRECT PAYMENTS.**—For purposes of applying sections 1103 and 1303 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713, 8753) for the 2014 crop year of a covered commodity (as that term is defined in section 1001 of such Act (7 U.S.C. 8702)) or peanuts, the Secretary of Agriculture shall modify the terms “base acres” and “payment acres” as otherwise defined in sections 1001 and 1301 of such Act (7 U.S.C. 8702, 8751) to realize savings of \$6,400,000,000 from direct payments for the 10-year period of 2014 through 2023.

(3) **COTTON.**—The authority provided by the following provisions of title I of the Food, Conservation, and Energy Act of 2008 shall continue through July 31, 2015:

(A) Section 1204(e)(2)(B) (7 U.S.C. 8734(e)(2)(B)) relating to adjustment authority regarding prevailing world market price.

(B) Section 1207(a) (7 U.S.C. 8737(a)) relating to import quota program.

(C) Section 1208 (7 U.S.C. 8738) relating to special competitive provisions for extra long staple cotton.

(4) **SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITIES.**—The provisions of law specified in subsections (a) through (c) of section 1602 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8782) shall be suspended—

(A) for the 2014 crop year of a covered commodity (as that term is defined in section 1001 of such Act (7 U.S.C. 8702)), peanuts, and sugar, as appropriate; and

(B) in the case of milk, through December 31, 2014.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon’s Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker’s ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

The Republican majority may say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here’s how the Republicans describe the previous

question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 438, if ordered, and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 227, nays 195, not voting 9, as follows:

[Roll No. 637]

YEAS—227

Aderholt	Bucshon	Crawford
Amash	Burgess	Crenshaw
Amodei	Calvert	Daines
Bachmann	Camp	Davis, Rodney
Bachus	Campbell	Denham
Barletta	Cantor	Dent
Barr	Capito	DeSantis
Benishek	Carter	DesJarlais
Bentivolio	Cassidy	Diaz-Balart
Bilirakis	Chabot	Duffy
Bishop (UT)	Chaffetz	Duncan (SC)
Black	Coble	Duncan (TN)
Blackburn	Coffman	Ellmers
Boustany	Cole	Farenthold
Brady (TX)	Collins (GA)	Fincher
Bridenstine	Collins (NY)	Fitzpatrick
Brooks (AL)	Conaway	Fleischmann
Brooks (IN)	Cook	Fleming
Broun (GA)	Cotton	Flores
Buchanan	Cramer	Forbes

Fortenberry	Latta	Rooney
Fox	LoBiondo	Ros-Lehtinen
Franks (AZ)	Long	Roskam
Frelinghuysen	Lucas	Ross
Gardner	Luetkemeyer	Rothfus
Garrett	Lummis	Royce
Gerlach	Marchant	Runyan
Gibbs	Marino	Ryan (WI)
Gibson	Massie	Salmon
Gingrey (GA)	McAllister	Sanford
Gohmert	McCarthy (CA)	Scalise
Goodlatte	McCaul	Schock
Gosar	McClintock	Schweikert
Gowdy	McHenry	Scott, Austin
Granger	McKeon	Sensenbrenner
Graves (GA)	McKinley	Sessions
Graves (MO)	Meadows	Shimkus
Griffin (AR)	Meehan	Shuster
Griffith (VA)	Messer	Simpson
Grimm	Mica	Smith (MO)
Guthrie	Miller (FL)	Smith (NE)
Hall	Miller (MI)	Smith (NJ)
Hanna	Miller, Gary	Smith (TX)
Harper	Mullin	Southerland
Harris	Mulvaney	Stewart
Hartzler	Murphy (PA)	Stivers
Hastings (WA)	Neugebauer	Stockman
Heck (NV)	Noem	Stutzman
Hensarling	Nugent	Terry
Herrera Beutler	Nunes	Thompson (PA)
Holding	Nunnelee	Thornberry
Hudson	Olson	Tiberi
Huelskamp	Palazzo	Tipton
Huizenga (MI)	Paulsen	Turner
Hultgren	Pearce	Upton
Hunter	Perry	Valadao
Hurt	Petri	Wagner
Issa	Pittenger	Walberg
Jenkins	Pitts	Walden
Johnson (OH)	Poe (TX)	Walorski
Johnson, Sam	Pompeo	Weber (TX)
Jones	Posey	Webster (FL)
Jordan	Price (GA)	Wenstrup
Joyce	Reed	Westmoreland
Kelly (PA)	Reichert	Whitfield
King (IA)	Renacci	Williams
King (NY)	Ribble	Wilson (SC)
Kingston	Rice (SC)	Wittman
Kinzinger (IL)	Rigell	Wolf
Kline	Roby	Womack
Labrador	Roe (TN)	Woodall
LaMalfa	Rogers (AL)	Yoder
Lamborn	Rogers (KY)	Yoho
Lance	Rogers (MI)	Young (AK)
Lankford	Rohrabacher	Young (IN)
Latham	Rokita	

NAYS—195

Andrews	Cuellar	Higgins
Barber	Cummings	Himes
Barrow (GA)	Davis (CA)	Hinojosa
Barton	Davis, Danny	Holt
Bass	DeFazio	Honda
Beatty	DeGette	Horsford
Becerra	Delaney	Hoyer
Bera (CA)	DeLauro	Huffman
Bishop (NY)	DelBene	Israel
Blumenauer	Deutch	Jackson Lee
Bonamici	Dingell	Jeffries
Brady (PA)	Doggett	Johnson (GA)
Braley (IA)	Duckworth	Johnson, E. B.
Brown (FL)	Edwards	Kaptur
Brownley (CA)	Ellison	Keating
Bustos	Engel	Kelly (IL)
Butterfield	Enyart	Kennedy
Capps	Eshoo	Kildee
Capuano	Esty	Kilmer
Cárdenas	Farr	Kind
Carney	Fattah	Kirkpatrick
Carson (IN)	Foster	Kuster
Cartwright	Frankel (FL)	Langevin
Castor (FL)	Fudge	Larsen (WA)
Chu	Gabbard	Larson (CT)
Cicilline	Gallego	Lee (CA)
Clarke (NY)	Garamendi	Levin
Clay	Garcia	Lewis
Cleaver	Grayson	Lipinski
Clyburn	Green, Al	Loeb
Cohen	Green, Gene	Loeb
Connolly	Grijalva	Lowenthal
Conyers	Gutiérrez	Lowe
Cooper	Hahn	Lujan Grisham
Costa	Hanabusa	(NM)
Courtney	Hastings (FL)	Lujan, Ben Ray
Crowley	Heck (WA)	(NM)

Lynch	Pelosi	Shea-Porter
Maffei	Perlmutter	Sherman
Maloney,	Peters (CA)	Sinema
Carolyn	Peters (MI)	Sires
Maloney, Sean	Peterson	Slaughter
Matheson	Pingree (ME)	Smith (WA)
Matsui	Pocan	Speier
McCollum	Polis	Swalwell (CA)
McDermott	Price (NC)	Takano
McGovern	Quigley	Thompson (CA)
McIntyre	Rahall	Thompson (MS)
McNerney	Rangel	Tierney
Meeks	Richmond	Titus
Meng	Roybal-Allard	Tonko
Michaud	Ruiz	Tsongas
Miller, George	Ruppersberger	Van Hollen
Moore	Ryan (OH)	Vargas
Moran	Sanchez, Linda	Veasey
Murphy (FL)	T.	
Nadler	Sanchez, Loretta	Vela
Napolitano	Sarbanes	Velázquez
Neal	Schakowsky	Visclosky
Negrete McLeod	Schiff	Walz
Nolan	Schneider	Waters
O'Rourke	Schrader	Watt
Owens	Schwartz	Waxman
Pallone	Scott (VA)	Welch
Pascarell	Scott, David	Wilson (FL)
Pastor (AZ)	Serrano	Yarmuth
Payne	Sewell (AL)	

NOT VOTING—9

Bishop (GA)	McCarthy (NY)	Rush
Castro (TX)	McMorris	Wasserman
Culberson	Rodgers	Schultz
Doyle	Radel	

□ 1424

Ms. FRANKEL of Florida changed her vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. CULBERSON. Mr. Speaker, on rollcall No. 637 a vote on ordering the previous question, had I been present, I would have voted “yea.”

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 11, 2013.

Hon. JOHN BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from the Honorable William Francis Galvin, Secretary of the Commonwealth of Massachusetts, indicating that, according to the unofficial returns of the Special Election held December 10, 2013, the Honorable Katherine M. Clark was elected Representative to Congress for the Fifth Congressional District, Commonwealth of Massachusetts.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk.

THE COMMONWEALTH
OF MASSACHUSETTS,
Boston, MA, December 11, 2013.

Hon. KAREN L. HAAS,
Clerk, U.S. House of Representatives, The Capitol, Washington, DC.

DEAR MS. HAAS: This is to advise you that the unofficial results of the Special State Election held on Tuesday, December 10, 2013,

for the office of Representative in Congress from the Fifth Congressional District of Massachusetts, show that Katherine M. Clark received 40,172 votes out of 60,937 total votes cast for that office.

It would appear from these unofficial results that Katherine M. Clark was elected as Representative in Congress from the Fifth Congressional District of Massachusetts.

To the best of our knowledge and belief at this time, there is no contest to this election.

As soon as the official results are certified to this office by those municipalities located within the Fifth Congressional District, an official Certificate of Election will be prepared for transmittal as required by law.

Thank you for your attention to this matter.

Very truly yours,

WILLIAM FRANCIS GALVIN,
Secretary of the Commonwealth.

□ 1430

SWEARING IN OF THE HONORABLE KATHERINE M. CLARK, OF MAS- SACHUSETTS, AS A MEMBER OF THE HOUSE

Mr. NEAL. Mr. Speaker, I ask unanimous consent that the gentlewoman from Massachusetts, the Honorable KATHERINE M. CLARK, be permitted to take the oath of office today.

Her certificate of election has not arrived, but there is no contest and no question has been raised with regard to her election.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. Will Representative-elect CLARK and the members of the Massachusetts delegation present themselves in the well.

All Members will rise and the Representative-elect will please raise her right hand.

Ms. CLARK of Massachusetts appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 113th Congress.

WELCOMING THE HONORABLE KATHERINE M. CLARK TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. Without objection, the gentleman from Massachusetts (Mr. NEAL) is recognized for 1 minute.

There was no objection.

Mr. NEAL. Mr. Speaker, it is a pleasure for me to introduce KATHERINE M.

CLARK, with the always important reminder that there are fewer than 12,000 men and women who have had the honor in American history of taking this oath.

This institution has been home to Presidents of the United States, members of the Supreme Court, and members of the United States Senate who have gone far and wide in helping America to succeed every day.

KATHERINE CLARK, one of those individuals who has now joined this important and august body, succeeds, again, a very favorite colleague of ours who served in this institution with distinction for 37 years, Senator ED MARKEY.

Mr. Speaker, KATHERINE CLARK is well grounded in local government, having served at the school committee level. She served in the legislature as a member of the House of Representatives and as a member of the Massachusetts Senate. She has also served time as a prosecutor. She is well-distinguished in the State of Massachusetts and won a very handsome victory.

It is an honor for me to submit to you for the first time the Honorable KATHERINE M. CLARK from the State of Massachusetts.

The SPEAKER. The gentlewoman from Massachusetts is recognized.

Ms. CLARK of Massachusetts. Thank you, Mr. Speaker, Leader PELOSI, Congressman NEAL, the Massachusetts delegation, and all of you for this very warm welcome.

Thank you to my family and friends who are here with me today: my husband, Rodney, and my three sons, Addison, Jared, and Nathaniel, whose love every day makes me the luckiest mom and wife in the world.

My parents, Chan and Judy Clark, I thank them for their love and support and teaching me that even when times are hard, approach life with gratitude, optimism, respect for others, and a sense of adventure.

My in-laws, Art and Ladene Dowell, I am so grateful for all they do to keep our family running smoothly and all the love they give us.

And my brother John and his partner Justin, I thank you for being here and for all your support.

I am so grateful to the voters of the Massachusetts Fifth Congressional District for their confidence and the profound privilege of representing them.

Senator MARKEY, you set a standard of excellence during your time in the House. I look forward to carrying on your work for the people of our district and partnering with you and the entire Massachusetts delegation to move Massachusetts and our country forward.

The Massachusetts Fifth, from Revere to Cambridge, Waltham to Framingham, is home to some of this country's and the world's most respected universities and innovative companies. We are deeply proud of these incredible institutions.

But what defines the Fifth District is its families. As I have talked with families around their kitchen tables, I found they are just like mine, and I am sure they are just like yours. We are teachers, small business owners, CEOs, and machinists. We work in stockrooms and boardrooms. We are recent immigrants and we are descendants from early American settlers. We are of all political ideologies. And, yes, deep in the heart of Red Sox Nation, we even have a few Yankees fans.

What unites our families is they work hard, play by the rules, and all they ask in return is a fair shot at the American Dream. Our families want to find a good job, send their children to great schools, save for college, and count on a secure retirement. They want to know that the issues they talk about around their kitchen tables are the issues that we will talk about here in Congress.

I am honored to join the Massachusetts delegation and represent the people of the Fifth Congressional District in the House of Representatives. I look forward to working together with each of you for the families of my district, the Commonwealth of Massachusetts, and the United States of America.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentlewoman from Massachusetts (Ms. CLARK), the whole number of the House is 433.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.J. RES. 59, CONTINUING APPROPRIATIONS RESOLUTION, 2014; PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM DECEMBER 14, 2013, THROUGH JANUARY 6, 2014; AND FOR OTHER PURPOSES

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 195, not voting 11, as follows:

[Roll No. 638]

YEAS—226

Aderholt
Amash

Amodei
Bachmann

Bachus
Barletta

Barr
Barton
Benishek
Bentivolio
Billarakis
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)

Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
Meadows
Meehan
Messer
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger

Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stivers
Stockman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—195

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas

Carney
Carson (IN)
Cartwright
Castor (FL)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Cuellar
Cummings

Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah

Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loeb sack
Lofgren

Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maffei
Maloney,
Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel

Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—11

Bishop (GA)
Castro (TX)
Crowley
Culberson
Doyle
McCarthy (NY)
McMorris
Rodgers
Radel
Rush

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (Mr. WOMACK) (during the vote). There are 2 minutes remaining.

□ 1442

So the resolution was agreed to.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CULBERSON. Mr. Speaker, on rollcall No. 638 a vote on approving the resolution, had I been present, I would have voted "yea."

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WOODALL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 250, nays 147, answered "present" 2, not voting 33, as follows:

[Roll No. 639]

YEAS—250

Amodei
Bachmann
Bachus
Barletta
Barrow (GA)
Barton
Becerra
Bentivolio
Bera (CA)
Billarakis
Black
Blackburn
Bonamici
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Chabot
Chaffetz
Cicilline
Clark (MA)
Clay
Clever
Coble
Coffman
Cole
Collins (NY)
Conaway
Cook
Cooper
Cramer
Crenshaw
Cuellar
Cummings
Daines
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
Dent
DesJarlais
Deutch
Diaz-Balart
Doggett
Duncan (SC)
Ellmers
Engel
Enyart
Eshoo
Fattah
Fleischmann
Forbes
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Gerlach
Gibbs
Goodlatte
Gosar
Gowdy
Granger

Grayson
Grimm
Guthrie
Gutiérrez
Hahn
Hall
Hanabusa
Harper
Harris
Heck (WA)
Hensarling
Higgins
Himes
Holt
Honda
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hurt
Issa
Johnson (GA)
Johnson, Sam
Jones
Kaptur
Keating
Kelly (PA)
Kennedy
Kildee
King (IA)
King (NY)
Kingston
Kline
Kuster
Labrador
LaMalfa
Lamborn
Langevin
Lankford
Larsen (WA)
Larson (CT)
Lipinski
Lofgren
Long
Lowenthal
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Maloney,
Carolyn
Marino
Massie
Matsui
McAllister
McCarthy (CA)
McCarl
McClintock
McCollum
McHenry
McIntyre
McKeon
McKinley
McNerney
Meadows
Meehan
Meng
Messer
Mica
Michaud
Miller (MI)
Miller, Gary
Moran
Mullin
Murphy (PA)
Nadler
Neugebauer
Noem
Nunes
O'Rourke
Olson
Payne

Pelosi
Perlmutter
Perry
Peters (MI)
Petri
Pingree (ME)
Pitts
Pocan
Polis
Pompeo
Posey
Price (NC)
Quigley
Rangel
Ribble
Rice (SC)
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ruppersberger
Ryan (WI)
Sanford
Scalise
Schneider
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Speier
Stewart
Stutzman
Takano
Thornberry
Tiberi
Tipton
Titus
Tonko
Turner
Upton
Van Hollen
Wagner
Walden
Walorski
Walz
Waters
Watt
Waxman
Webster (FL)
Welch
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wolf
Womack
Yoho
Young (IN)

NAYS—147

Aderholt	Graves (GA)	Pallone
Amash	Graves (MO)	Pascarell
Andrews	Green, Al	Pastor (AZ)
Barber	Green, Gene	Paulsen
Barr	Griffin (AR)	Pearce
Bass	Griffith (VA)	Peters (CA)
Beatty	Hanna	Peterson
Benishek	Hartzler	Pittenger
Bishop (NY)	Heck (NV)	Poe (TX)
Bishop (UT)	Herrera Beutler	Price (GA)
Brady (PA)	Holding	Rahall
Braley (IA)	Horsford	Reed
Broun (GA)	Hoyer	Reichert
Bucshon	Hudson	Renacci
Burgess	Hunter	Richmond
Capuano	Israel	Rigell
Cárdenas	Jackson Lee	Roe (TN)
Castor (FL)	Jeffries	Roybal-Allard
Chu	Jenkins	Ryan (OH)
Clarke (NY)	Johnson (OH)	Salmon
Clyburn	Johnson, E. B.	Sánchez, Linda
Cohen	Jordan	T.
Collins (GA)	Joyce	Sanchez, Loretta
Connolly	Kilmer	Sarbanes
Conyers	Kind	Schakowsky
Costa	Kinzinger (IL)	Schiff
Cotton	Kirkpatrick	Schock
Courtney	Lance	Sewell (AL)
Crawford	Latham	Sires
Crowley	Latta	Slaughter
Davis, Rodney	Lee (CA)	Smith (MO)
Denham	Lewis	Stivers
DeSantis	LoBiondo	Stockman
Dingell	Lynch	Terry
Duckworth	Maffei	Thompson (CA)
Duffy	Maloney, Sean	Thompson (MS)
Edwards	Marchant	Thompson (PA)
Ellison	Matheson	Valadao
Esty	McDermott	Veasey
Farenthold	McGovern	Velázquez
Farr	Miller, George	Visclosky
Fincher	Moore	Walberg
Fitzpatrick	Mulvaney	Weber (TX)
Fleming	Murphy (FL)	Wenstrup
Flores	Napolitano	Wittman
Fox	Neal	Woodall
Garcia	Negrete McLeod	Yoder
Gardner	Nolan	Young (AK)
Garrett	Nugent	
Gibson	Palazzo	

ANSWERED "PRESENT"—2

Gohmert	Owens
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NOT VOTING—33

Bishop (GA)	Hinojosa	Rush
Blumenauer	Kelly (IL)	Scott, Austin
Castro (TX)	Levin	Sinema
Culberson	Loeb	Swalwell (CA)
DeFazio	Lowey	Tierney
Doyle	McCarthy (NY)	Tsongas
Duncan (TN)	McMorris	Vargas
Fudge	Rodgers	Vela
Gingrey (GA)	Meeks	Wasserman
Grijalva	Miller (FL)	Schultz
Hastings (FL)	Nunnelee	Yarmuth
Hastings (WA)	Radel	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1450

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. CULBERSON. Mr. Speaker, on rollcall No. 639 a vote on approving the journal, had I been present, I would have voted "yea."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules

on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

Mr. McKEON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 441) providing for the concurrence by the House in the Senate amendments to H.R. 3304, with an amendment.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 441

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill, H.R. 3304, with the Senate amendments thereto, and to have—

(1) concurred in the Senate amendment to the title;

(2) concurred in the first three Senate amendments to the text of the bill; and

(3) concurred in the fourth Senate amendment to the text of the bill with the following amendment:

In lieu of striking the matter proposed to be stricken on page 3, line 9, by the amendment of the Senate to the text of the bill, strike "requested" on page 3, line 9, and insert the following:

to award the Medal of Honor under section 3741 of such title to Donald P. Sloat of the United States Army for the acts of valor during the Vietnam Conflict described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of then Specialist Four Donald P. Sloat of the United States Army serving with 3rd Platoon, Delta Company, 2nd Battalion, 1st Infantry, 196th Light Infantry Brigade, Americal Division on January 17, 1970, during the Vietnam Conflict.

SEC. 3. SHORT TITLE.

This Act may be cited as the "National Defense Authorization Act for Fiscal Year 2014".

SEC. 4. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into four divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(4) Division D—Funding Tables.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

Sec. 3. Congressional defense committees.

Sec. 4. Explanatory statement.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Limitation on availability of funds for Stryker vehicle program.

Sec. 112. Study on multiyear, multivehicle procurement authority for tactical vehicles.

Subtitle C—Navy Programs

Sec. 121. CVN-78 class aircraft carrier program.

Sec. 122. Repeal of requirements relating to procurement of future surface combatants.

Sec. 123. Multiyear procurement authority for E-2D aircraft program.

Sec. 124. Limitation on availability of funds for Littoral Combat Ship.

Subtitle D—Air Force Programs

Sec. 131. Repeal of requirement for maintenance of certain retired KC-135E aircraft.

Sec. 132. Multiyear procurement authority for C-130J aircraft.

Sec. 133. Prohibition on cancellation or modification of avionics modernization program for C-130 aircraft.

Sec. 134. Prohibition of procurement of unnecessary C-27J aircraft by the Air Force.

Subtitle E—Defense-wide, Joint, and Multiservice Matters

Sec. 141. Personal protection equipment procurement.

Sec. 142. Repeal of certain F-35 reporting requirements.

Sec. 143. Limitation on availability of funds for retirement of RQ-4 Global Hawk unmanned aircraft systems and A-10 aircraft.

Sec. 144. MC-12 Liberty Intelligence, Surveillance, and Reconnaissance aircraft.

Sec. 145. Competition for evolved expendable launch vehicle providers.

Sec. 146. Reports on personal protection equipment and health and safety risks associated with ejection seats.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Modification of requirements on biennial strategic plan for the Defense Advanced Research Projects Agency.

Sec. 212. Limitation on availability of funds for ground combat vehicle engineering and manufacturing phase.

Sec. 213. Limitation and reporting requirements for unmanned carrier-launched surveillance and strike system program.

Sec. 214. Limitation on availability of funds for Air Force logistics transformation.

Sec. 215. Limitation on availability of funds for defensive cyberspace operations of the Air Force.

Sec. 216. Limitation on availability of funds for precision extended range munition program.

Sec. 217. Long-range standoff weapon requirement; prohibition on availability of funds for non-competitive procedures for offensive anti-surface warfare weapon contracts of the Navy.

- Sec. 218. Review of software development for F-35 aircraft.
- Sec. 219. Evaluation and assessment of the distributed common ground system.
- Sec. 220. Operationally responsive space.
- Sec. 221. Sustainment or replacement of Blue Devil intelligence, surveillance, and reconnaissance capabilities.

Subtitle C—Missile Defense Programs

- Sec. 231. Improvements to acquisition accountability reports on ballistic missile defense system.
- Sec. 232. Prohibition on use of funds for MEADS program.
- Sec. 233. Prohibition on availability of funds for integration of certain missile defense systems; report on regional ballistic missile defense.
- Sec. 234. Availability of funds for co-production of Iron Dome short-range rocket defense system in the United States.
- Sec. 235. Additional missile defense radar for the protection of the United States homeland.
- Sec. 236. Evaluation of options for future ballistic missile defense sensor architectures.
- Sec. 237. Plans to improve the ground-based midcourse defense system.
- Sec. 238. Report on potential future homeland ballistic missile defense options.
- Sec. 239. Briefings on status of implementation of certain missile defense matters.
- Sec. 240. Sense of Congress and report on NATO and missile defense burden-sharing.
- Sec. 241. Sense of Congress on deployment of regional ballistic missile defense capabilities.
- Sec. 242. Sense of Congress on procurement of capability enhancement II exoatmospheric kill vehicle.

Subtitle D—Reports

- Sec. 251. Annual Comptroller General report on the amphibious combat vehicle acquisition program.
- Sec. 252. Annual Comptroller General of the United States report on the acquisition program for the VXX Presidential Helicopter.
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TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

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SEC. 5. CONGRESSIONAL DEFENSE COMMITTEES.

For purposes of this Act, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

SEC. 6. EXPLANATORY STATEMENT.

The explanatory statement regarding this Act, printed in the House section of the Congressional Record on or about December 11, 2013, by the Chairman of the Committee on Armed Services of the House of Representatives, shall have the same effect with respect to the implementation of this Act as if it were a joint explanatory statement of a committee of conference.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

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Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Limitation on availability of funds for Stryker vehicle program.

Sec. 112. Study on multiyear, multivehicle procurement authority for tactical vehicles.

Subtitle C—Navy Programs

Sec. 121. CVN-78 class aircraft carrier program.

Sec. 122. Repeal of requirements relating to procurement of future surface combatants.

Sec. 123. Multiyear procurement authority for E-2D aircraft program.

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Subtitle D—Air Force Programs

Sec. 131. Repeal of requirement for maintenance of certain retired KC-135E aircraft.

Sec. 132. Multiyear procurement authority for C-130J aircraft.

Sec. 133. Prohibition on cancellation or modification of avionics modernization program for C-130 aircraft.

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Sec. 143. Limitation on availability of funds for retirement of RQ-4 Global Hawk unmanned aircraft systems and A-10 aircraft.

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Sec. 146. Reports on personal protection equipment and health and safety risks associated with ejection seats.

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2014 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Army Programs

SEC. 111. LIMITATION ON AVAILABILITY OF FUNDS FOR STRYKER VEHICLE PROGRAM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for weapons and tracked combat vehicles, Army, for the procurement or upgrade of Stryker vehicles, not more than 75 percent may be obligated or expended until a period of 15 days has elapsed following the date on which the Secretary of the Army submits the report under subsection (b).

(b) REPORT REQUIRED.—The Secretary of the Army shall submit to the congressional defense committees a report on the status of the Stryker vehicle spare parts inventory located in Auburn, Washington, cited in the report of the Inspector General of the Department of Defense (number 2013-025) dated November 30, 2012. The report submitted under this subsection shall include the following:

(1) The status of the implementation by the Secretary of the recommendations specified on pages 30 to 34 of the report by the Inspector General.

(2) The value of the parts remaining in warehouse that may still be used by the Secretary for the repair, upgrade, or reset of Stryker vehicles.

(3) The value of the parts remaining in the warehouse that are no longer usable by the Secretary for the repair, upgrade, or reset of Stryker vehicles.

(4) A cost estimate of the monthly cost of maintaining the inventory of such parts that are no longer usable by the Secretary.

(5) Any other matters the Secretary considers appropriate.

SEC. 112. STUDY ON MULTIYEAR, MULTIVEHICLE PROCUREMENT AUTHORITY FOR TACTICAL VEHICLES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) budget uncertainty and reduced defense procurements have had negative impacts on the tactical vehicle industrial base; and

(2) in such environment, the Army should consider innovative contracting and acquisition strategies to maximize cost savings, improve the sustainment of the tactical vehicle industrial base, and reduce risk during this downturn in defense procurement.

(b) STUDY REQUIRED.—

(1) **STUDY.**—The Secretary of the Army, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall conduct a study of the desirability and feasibility of requesting legislative authority, in accordance with section 2306b of title 10, United States Code, to enter into one or more multiyear, multivehicle contracts for the procurement of tactical vehicles beginning in fiscal year 2015 or thereafter.

(2) **REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall submit to the congressional defense committees a report on the possible multiyear, multivehicle contracting options and other innovative contracting options considered in the study under paragraph (1). Such report should include the following:

(A) A business case analysis of a multiyear, multivehicle contract for tactical vehicles, including any potential increases in cost, savings, or risk that may derive from such a contract in comparison to standard contracting methods.

(B) An evaluation of whether the Secretary requires legislative action to enter into such a multiyear, multivehicle contract.

(C) Any other matters the Secretary determines appropriate.

Subtitle C—Navy Programs

SEC. 121. CVN-78 CLASS AIRCRAFT CARRIER PROGRAM.

(a) **COST LIMITATION BASELINE FOR LEAD SHIP.**—Subsection (a) of section 122 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2104) is amended to read as follows:

“(a) **LIMITATION.**—

“(1) **LEAD SHIP.**—The total amount obligated from funds appropriated or otherwise made available for Shipbuilding and Conversion, Navy, or for any other procurement account, for the aircraft carrier designated as CVN-78 may not exceed \$12,887,000,000 (as adjusted pursuant to subsection (b)).

“(2) **FOLLOW-ON SHIPS.**—The total amount obligated from funds appropriated or otherwise made available for Shipbuilding and Conversion, Navy, or for any other procurement account, for the construction of any ship that is constructed in the CVN-78 class of aircraft carriers after the lead ship of that class may not exceed \$11,498,000,000 (as adjusted pursuant to subsection (b)).”

(b) **HULL NUMBER; ADDITIONAL FACTOR FOR ADJUSTMENT OF LIMITATION AMOUNT.**—

(1) **IN GENERAL.**—Subsection (b) of such section is amended—

(A) in the matter preceding paragraph (1), by striking “CVN-21” and inserting “CVN-78”;

(B) in paragraph (1), by striking “2006” and inserting “2013”; and

(C) by adding at the end the following new paragraph:

“(7) With respect to the aircraft carrier designated as CVN-78, the amounts of increases or decreases in costs of that ship that are attributable solely to an urgent and unforeseen requirement identified as a result of the shipboard test program.”

(2) **LIMITATION ON ADJUSTMENT.**—Such section is further amended by adding at the end the following new subsection:

“(e) **LIMITATION ON SHIPBOARD TEST PROGRAM COST ADJUSTMENT.**—With respect to using the authority under subsection (b)(7) to adjust the amount set forth in subsection (a)(1) for the aircraft carrier designated as CVN-78 for reasons relating to an urgent and

unforeseen requirement identified as a result of the shipboard test program, the Secretary may only use such authority if—

“(1) the Secretary determines, and certifies to the congressional defense committees, that such requirement was not known before the date of the submittal to Congress of the budget for fiscal year 2014 (as submitted pursuant to section 1105 of title 31, United States Code);

“(2) the Secretary determines, and certifies to the congressional defense committees, that waiting on an action by Congress to raise the cost cap specified in such subsection (a)(1) to account for such requirement will result in a delay in the delivery of that ship or a delay in the date of initial operating capability of that ship; and

“(3) the Secretary submits to the congressional defense committees a report setting forth a description of such requirement before the obligation of additional funds pursuant to such authority.”

(c) **REQUIREMENTS FOR CVN-79.**—Such section is further amended by adding after subsection (e), as added by subsection (b)(2), the following new subsection:

“(f) **REQUIREMENTS FOR CVN-79.**—

“(1) **QUARTERLY COST ESTIMATE.**—The Secretary of the Navy shall submit to the congressional defense committees on a quarterly basis a report setting forth the most current cost estimate for the aircraft carrier designated as CVN-79 (as estimated by the program manager). Each cost estimate shall include the current percentage of completion of the program, the total costs incurred, and an estimate of costs at completion for ship construction, Government-furnished equipment, and engineering and support costs.

“(2) **DIRECTION FOR NEGOTIATING CERTAIN CONTRACTS.**—The Secretary shall ensure that each prime contract for the aircraft carrier designated as CVN-79 includes an incentive fee structure that will, throughout the period of performance of the contract, provide incentives for each contractor to meet the portion of the cost of the ship, as limited by subsection (a)(2) and adjusted pursuant to subsection (b), for which the contractor is responsible.”

(d) **CONFORMING AMENDMENT.**—The heading of such section is amended to read as follows:

“**SEC. 122. ADHERENCE TO NAVY COST ESTIMATES FOR CVN-78 CLASS OF AIRCRAFT CARRIERS.**”

(e) **CLERICAL AMENDMENT.**—The table of contents at the beginning of such Act is amended by striking the item relating to section 122 and inserting the following:

“Sec. 122. Adherence to Navy cost estimates for CVN-78 class of aircraft carriers.”

SEC. 122. REPEAL OF REQUIREMENTS RELATING TO PROCUREMENT OF FUTURE SURFACE COMBATANTS.

Section 125 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2214; 10 U.S.C. 7291 note) is repealed.

SEC. 123. MULTIYEAR PROCUREMENT AUTHORITY FOR E-2D AIRCRAFT PROGRAM.

(a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts, beginning with the fiscal year 2014 program year, for the procurement of E-2D aircraft.

(b) **CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.**—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fis-

cal year 2014 is subject to the availability of appropriations for that purpose for such later fiscal year.

SEC. 124. LIMITATION ON AVAILABILITY OF FUNDS FOR LITTORAL COMBAT SHIP.

(a) **LIMITATION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for construction or advanced procurement of materials for the Littoral Combat Ships designated as LCS 25 or LCS 26 may be obligated or expended until the Secretary of the Navy submits to the congressional defense committees each of the following:

(1) The report required by subsection (b)(1).

(2) A coordinated determination by the Director of Operational Test and Evaluation and the Under Secretary of Defense for Acquisition, Technology, and Logistics that successful completion of the test evaluation master plan for both seaframes and each mission module will demonstrate operational effectiveness and operational suitability.

(3) A certification that the Joint Requirements Oversight Council—

(A) has reviewed the capabilities of the legacy systems that the Littoral Combat Ship is planned to replace and has compared such capabilities to the capabilities to be provided by the Littoral Combat Ship;

(B) has assessed the adequacy of the current capabilities development document for the Littoral Combat Ship to meet the requirements of the combatant commands and to address future threats as reflected in the latest assessment by the defense intelligence community; and

(C) has either validated the current capabilities development document or directed the Secretary to update the current capabilities development document based on the performance of the Littoral Combat Ship and mission modules to date.

(4) A report on the expected performance of each seaframe variant and mission module against the current or updated capabilities development document.

(5) Certification that a capability production document will be completed for each mission module before operational testing.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Chief of Naval Operations, in coordination with the Director of Operational Test and Evaluation, shall submit to the congressional defense committees a report on the current concept of operations and expected survivability attributes of each of the Littoral Combat Ship seaframes.

(2) **ELEMENTS.**—The report required by paragraph (1) shall set forth the following:

(A) A review of the current concept of operations of the Littoral Combat Ship and a comparison of such concept of operations with the original concept of operations of the Littoral Combat Ship.

(B) An assessment of the ability of the Littoral Combat Ship to carry out the core missions of the Cooperative Strategy for 21st Century Seapower of the Navy.

(C) A comparison of the combat capabilities for the three missions assigned to the Littoral Combat Ship seaframes (anti-surface warfare, mine countermeasures, and anti-submarine warfare) with the combat capabilities for each of such missions of the systems the Littoral Combat Ship is replacing.

(D) An assessment of expected survivability of the Littoral Combat Ship

seaframes in the context of the planned employment of the Littoral Combat Ship as described in the concept of operations.

(E) The current status of operational testing for the seaframes and the mission modules of the Littoral Combat Ship.

(F) An updated test and evaluation master plan for the Littoral Combat Ship.

(G) A review of survivability testing, modeling, and simulation conducted to date on the two seaframes of the Littoral Combat Ship.

(H) An updated assessment of the endurance of the Littoral Combat Ship at sea with respect to maintenance, fuel use, and sustainment of crew and mission modules.

(I) An assessment of the adequacy of current ship manning plans for the Littoral Combat Ship and an assessment of the impact that increased manning has on design changes and the endurance of the Littoral Combat Ship.

(J) A list of the casualty reports to date on each Littoral Combat Ship, including a description of the impact of such casualties on the design or ability of that Littoral Combat Ship to perform assigned missions.

(3) FORM.—The report required by paragraph (1) shall be submitted in classified form and unclassified form.

Subtitle D—Air Force Programs

SEC. 131. REPEAL OF REQUIREMENT FOR MAINTENANCE OF CERTAIN RETIRED KC-135E AIRCRAFT.

Section 135 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2114), as amended by section 131 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4377), is amended—

- (1) by striking “(a) LIMITATION.—”; and
- (2) by striking subsection (b).

SEC. 132. MULTIYEAR PROCUREMENT AUTHORITY FOR C-130J AIRCRAFT.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Air Force may enter into one or more multiyear contracts, beginning with the fiscal year 2014 program year, for the procurement of C-130J aircraft for the Department of the Air Force and the Department of the Navy.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2014 is subject to the availability of appropriations for that purpose for such later fiscal year.

SEC. 133. PROHIBITION ON CANCELLATION OR MODIFICATION OF AVIONICS MODERNIZATION PROGRAM FOR C-130 AIRCRAFT.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Air Force may be used to—

- (1) take any action to cancel or modify the avionics modernization program of record for C-130 aircraft; or
- (2) initiate an alternative communication, navigation, surveillance, and air traffic management program for C-130 aircraft that is designed or intended to replace the avionics modernization program described in paragraph (1).

(b) COMPTROLLER GENERAL REPORT.—Not later than April 1, 2014, the Comptroller General of the United States shall submit to the congressional defense committees a sufficiency review of the cost-benefit analysis conducted under section 143(b) of the Na-

tional Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1662), including any findings and recommendations relating to such review.

SEC. 134. PROHIBITION OF PROCUREMENT OF UNNECESSARY C-27J AIRCRAFT BY THE AIR FORCE.

None of the funds authorized to be appropriated by the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) for aircraft procurement, Air Force, that remain available to the Secretary of the Air Force on or after the date of the enactment of this Act may be obligated or expended for the procurement of additional C-27J aircraft that are not on contract as of June 1, 2013.

Subtitle E—Defense-wide, Joint, and Multiservice Matters

SEC. 141. PERSONAL PROTECTION EQUIPMENT PROCUREMENT.

(a) CONSOLIDATED BUDGET JUSTIFICATION DISPLAY.—Chapter 9 of title 10, United States Code, is amended by adding after section 235 the following new section:

“§236. Personal protection equipment procurement: display of budget information

“(a) BUDGET JUSTIFICATION DISPLAY.—The Secretary of Defense shall submit to Congress, as a part of the defense budget materials for each fiscal year after fiscal year 2014, a consolidated budget justification display that covers all programs and activities associated with the procurement of personal protection equipment during the period covered by the future-years defense program submitted in that fiscal year under section 221.

“(b) REQUIREMENTS FOR BUDGET DISPLAY.—The consolidated budget justification display under subsection (a) for a fiscal year shall include the following:

“(1) The amount for personal protection equipment included in both the base budget of the President and any overseas contingency operations budget of the President.

“(2) A brief description of each category of personal protection equipment for each military department planned to be procured and developed.

“(3) For each category planned to be procured using funds made available for operation and maintenance (whether under the base budget or any overseas contingency operations budget)—

“(A) the relevant appropriations account, budget activity, and subactivity group for the category; and

“(B) the funding profile for the fiscal year as requested, including cost and quantities, and an estimate of projected investments or procurements for each of the subsequent five fiscal years.

“(4) For each category planned to be developed using funds made available for research, development, test, and evaluation (whether under the base budget or any overseas contingency operations budget)—

“(A) the relevant appropriations account, program, project or activity; program element number, and line number; and

“(B) the funding profile for the fiscal year as requested and an estimate of projected investments for each of the subsequent five fiscal years.

“(c) DEFINITIONS.—In this section:

“(1) The terms ‘budget’ and ‘defense budget materials’ have the meaning given those terms in section 234 of this title.

“(2) The term ‘category of personal protection equipment’ means the following:

“(A) Body armor components.

“(B) Combat helmets.

“(C) Combat protective eyewear.

“(D) Other items as determined appropriate by the Secretary.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 235 the following new item:

“236. Personal protection equipment procurement: display of budget information.”.

SEC. 142. REPEAL OF CERTAIN F-35 REPORTING REQUIREMENTS.

Section 122 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4157) is amended—

- (1) by striking subsection (b); and
- (2) by redesignating subsection (c) as subsection (b).

SEC. 143. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF RQ-4 GLOBAL HAWK UNMANNED AIRCRAFT SYSTEMS AND A-10 AIRCRAFT.

(a) LIMITATION.—

(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to make significant changes to manning levels with respect to covered aircraft or to retire, prepare to retire, or place in storage a covered aircraft.

(2) COVERED AIRCRAFT.—In this subsection, the term “covered aircraft” means the following:

(A) A-10 aircraft (except for such aircraft that the Secretary of the Air Force, as of April 9, 2013, plans to retire).

(B) RQ-4 Block 30 Global Hawk unmanned aircraft systems.

(b) ADDITIONAL LIMITATION ON RETIREMENT OF CERTAIN A-10 AIRCRAFT.—In addition to the limitation in subsection (a)(1), during the period preceding December 31, 2014, the Secretary of the Air Force may not retire, prepare to retire, or place in storage A-10 aircraft (except for such aircraft that the Secretary, as of April 9, 2013, plans to retire).

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, shall submit to the appropriate congressional committees a report on all high-altitude airborne intelligence, surveillance, and reconnaissance systems operated, or planned for future operation, by the Department of Defense.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include—

(A) the intelligence, surveillance, and reconnaissance capabilities of each high-altitude intelligence, surveillance, and reconnaissance system covered by the report;

(B) the plans to upgrade such capabilities in the future;

(C) the fully-burdened cost-per-flight-hour of each such system;

(D) the number of requests for each such system made by commanders of the combatant commands during the five-year period prior to the report, including the percentage of such requests that have been fulfilled to meet the requirements of such commanders;

(E) a description of the assumptions used by the Secretary in carrying out this subsection; and

(F) any other information that the Secretary considers appropriate with respect to the analysis of high-altitude intelligence, surveillance, and reconnaissance systems.

(3) **FORM.**—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(4) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(d) **CONSTRUCTION.**—Nothing in this section shall be construed to limit or otherwise affect the requirement to maintain the operational capability of RQ-4 Block 30 Global Hawk unmanned aircraft systems under section 154(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1666).

SEC. 144. MC-12 LIBERTY INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE AIRCRAFT.

(a) **AUTHORITY.**—Beginning on the date that is 60 days after the date on which the Secretary of Defense submits the report under subsection (d)(1), the Secretary may transfer MC-12 Liberty intelligence, surveillance, and reconnaissance aircraft from the Air Force to the Army in accordance with the plan developed under subsection (b)(1).

(b) **PLAN.**—

(1) **PLAN REQUIRED.**—The Secretary of Defense shall develop a plan for the potential transfer of MC-12 Liberty intelligence, surveillance, and reconnaissance aircraft from the Air Force to the Army pursuant to subsection (a).

(2) **ELEMENTS.**—The plan required by paragraph (1) shall—

(A) ensure that any transfer described in such paragraph does not adversely affect ongoing intelligence, surveillance, and reconnaissance operations, including such operations in Afghanistan;

(B) identify the appropriate size, composition, and configuration of the fleet of MC-12 Liberty intelligence, surveillance, and reconnaissance aircraft required by the Army;

(C) identify the appropriate size, composition, configuration, and disposition of the remaining fleet of MC-12 Liberty intelligence, surveillance, and reconnaissance aircraft required by the Air Force;

(D) provide for the modification of the MC-12 Liberty intelligence, surveillance, and reconnaissance aircraft that are transferred to the Army pursuant to the plan in order to meet the long-term needs of the Army; and

(E) for any aircraft that are so transferred, include a time line for the orderly transfer of the aircraft in a manner consistent with subparagraph (A).

(c) **EFFECT ON OTHER PROGRAMS.**—

(1) **PROHIBITION ON AVAILABILITY OF FUNDS FOR PROCUREMENT.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Army may be obligated or expended to procure additional aircraft under the Enhanced Medium Altitude Reconnaissance and Surveillance System program during fiscal year 2014.

(2) **CONVERSION OF AIRCRAFT.**—The Secretary of the Army shall convert aircraft described in paragraph (3) to the Enhanced Medium Altitude Reconnaissance and Surveillance System program configuration to meet the requirements of the Army. The Secretary shall carry out this paragraph using funds authorized to be appropriated by this

Act or otherwise made available for fiscal year 2013 or 2014 for the Enhanced Medium Altitude Reconnaissance and Surveillance System program.

(3) **AIRCRAFT DESCRIBED.**—The aircraft described in this paragraph are the following:

(A) MC-12 Liberty intelligence, surveillance, and reconnaissance aircraft of the Air Force that are transferred to the Army pursuant to subsection (a).

(B) Army Medium Altitude Multi-Intelligence intelligence, surveillance, and reconnaissance C-12 Quick Reaction Capability aircraft.

(d) **REPORT.**—

(1) **IN GENERAL.**—Not later than the date on which the budget of the President for fiscal year 2015 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary shall submit to the appropriate congressional committees a report on the plan required by subsection (b)(1).

(2) **FORM.**—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(3) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 145. COMPETITION FOR EVOLVED EXPENDABLE LAUNCH VEHICLE PROVIDERS.

(a) **PLAN.**—

(1) **IN GENERAL.**—The Secretary of the Air Force shall develop a plan to implement the new acquisition strategy for the evolved expendable launch vehicle program described in the acquisition decision memorandum dated November 27, 2012.

(2) **MATTERS INCLUDED.**—The plan to implement the new acquisition strategy for the evolved expendable launch vehicle program under paragraph (1) shall include a general description of how the Secretary will conduct competition with respect to awarding a contract to certified evolved expendable launch vehicle providers. Such description may include the following with respect to such acquisition strategy:

(A) The proposed cost, schedule, and performance.

(B) Mission assurance activities.

(C) The manner in which the contractor will operate under the Federal Acquisition Regulation.

(D) The effect of other contracts in which the contractor is entered into with the Federal Government, including the evolved expendable launch vehicle launch capability contract, the space station commercial resupply services contracts, and other relevant contracts regarding national security space and strategic programs.

(E) Any other areas the Secretary determines appropriate.

(b) **SUBMISSION TO CONGRESS.**—

(1) **IN GENERAL.**—At the same time that the Secretary issues a draft of the request for proposals with respect to a contract for the evolved expendable launch vehicle provider, the Secretary shall—

(A) submit to the appropriate congressional committees a report that includes the plan under subsection (a)(1); or

(B) provide to such committees a briefing on such plan.

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this subsection, the term

“appropriate congressional committees” means the following:

(A) The congressional defense committees.

(B) The Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(C) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 146. REPORTS ON PERSONAL PROTECTION EQUIPMENT AND HEALTH AND SAFETY RISKS ASSOCIATED WITH EJECTION SEATS.

(a) **STUDY ON PERSONAL PROTECTION EQUIPMENT.**—

(1) **IN GENERAL.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with a federally funded research and development center to conduct a study to identify and assess cost-effective and efficient alternative means for the procurement and research and development of personal protection equipment that supports and promotes competition and innovation in the personal protection equipment industrial base.

(2) **SUBMISSION.**—Not later than 120 days after the date on which the contract is entered into under paragraph (1), the federally funded research and development center conducting the study under such paragraph shall submit to the Secretary the study, including any findings and recommendations.

(3) **REPORT.**—

(A) **IN GENERAL.**—Not later than 30 days after the date on which the Secretary receives the study under paragraph (2), the Secretary shall submit to the congressional defense committees a report that includes the study under paragraph (1), the matters described in subparagraph (B), and any related findings, recommendations, comments, and plans of the Secretary.

(B) **MATTERS INCLUDED.**—The report under subparagraph (A) shall include the following:

(i) The findings and recommendations of the federally funded research and development center submitted to the Secretary under paragraph (2).

(ii) An assessment of current and future technologies that could markedly improve body armor, including by decreasing weight, increasing survivability, and making other relevant improvements.

(iii) An analysis of the capability of the personal protection equipment industrial base to leverage such technologies to produce the next generation body armor.

(iv) An assessment of alternative body armor acquisition models, including different types of contracting and budgeting practices of the Department of Defense.

(4) **PERSONAL PROTECTION EQUIPMENT.**—In this subsection, the term “personal protection equipment” includes—

(A) body armor components;

(B) combat helmets;

(C) combat protective eyewear;

(D) environmental and fire-resistant clothing; and

(E) other individual equipment items as determined appropriate by the Secretary.

(b) REPORT ON HEALTH AND SAFETY RISKS ASSOCIATED WITH EJECTION SEATS.—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report setting forth an assessment of the risks to the health and safety of members of the Armed Forces of the ejection seats currently in operational use by the Air Force.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) An assessment of whether aircrew members wearing advanced helmets, night vision systems, helmet-mounted cueing system, or other helmet-mounted devices or attachments are at increased risk of serious injury or death during a high-speed ejection sequence.

(B) An analysis of how ejection seats currently in operational use provide protection against head, neck, and spinal cord injuries during an ejection sequence.

(C) An analysis of initiatives to decrease the risk of death or serious injury during an ejection sequence.

(D) The status of any testing or qualifications on upgraded ejection seats that may reduce the risk of death or serious injury during an ejection sequence.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Modification of requirements on biennial strategic plan for the Defense Advanced Research Projects Agency.

Sec. 212. Limitation on availability of funds for ground combat vehicle engineering and manufacturing phase.

Sec. 213. Limitation and reporting requirements for unmanned carrier-launched surveillance and strike system program.

Sec. 214. Limitation on availability of funds for Air Force logistics transformation.

Sec. 215. Limitation on availability of funds for defensive cyberspace operations of the Air Force.

Sec. 216. Limitation on availability of funds for precision extended range munition program.

Sec. 217. Long-range standoff weapon requirement; prohibition on availability of funds for non-competitive procedures for offensive anti-surface warfare weapon contracts of the Navy.

Sec. 218. Review of software development for F-35 aircraft.

Sec. 219. Evaluation and assessment of the distributed common ground system.

Sec. 220. Operationally responsive space.

Sec. 221. Sustainment or replacement of Blue Devil intelligence, surveillance, and reconnaissance capabilities.

Subtitle C—Missile Defense Programs

Sec. 231. Improvements to acquisition accountability reports on ballistic missile defense system.

Sec. 232. Prohibition on use of funds for MEADS program.

Sec. 233. Prohibition on availability of funds for integration of certain missile defense systems; report on regional ballistic missile defense.

Sec. 234. Availability of funds for co-production of Iron Dome short-range rocket defense system in the United States.

Sec. 235. Additional missile defense radar for the protection of the United States homeland.

Sec. 236. Evaluation of options for future ballistic missile defense sensor architectures.

Sec. 237. Plans to improve the ground-based midcourse defense system.

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Sec. 239. Briefings on status of implementation of certain missile defense matters.

Sec. 240. Sense of Congress and report on NATO and missile defense burden-sharing.

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Subtitle D—Reports

Sec. 251. Annual Comptroller General report on the amphibious combat vehicle acquisition program.

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Subtitle E—Other Matters

Sec. 261. Establishment of Communications Security Review and Advisory Board.

Sec. 262. Extension and expansion of mechanisms to provide funds for defense laboratories for research and development of technologies for military missions.

Sec. 263. Extension of authority to award prizes for advanced technology achievements.

Sec. 264. Five-year extension of pilot program to include technology protection features during research and development of certain defense systems.

Sec. 265. Briefing on biometrics activities of the Department of Defense.

Sec. 266. Sense of Congress on importance of aligning common missile compartment of Ohio-class replacement program with the United Kingdom's Vanguard successor program.

Sec. 267. Sense of Congress on counter-electronics high power microwave missile project.

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. MODIFICATION OF REQUIREMENTS ON BIENNIAL STRATEGIC PLAN FOR THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY.

(a) ELEMENTS OF STRATEGIC PLAN.—Subsection (b) of section 2352 of title 10, United States Code, is amended—

(1) by amending paragraph (1) to read as follows:

“(1) The strategic objectives of that agency, and the linkage between such objectives and the missions of the armed forces.”;

(2) in paragraph (2)(A), by striking “goals” and inserting “objectives”;

(3) by striking paragraph (3);

(4) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively; and

(5) in paragraph (3), as redesignated by paragraph (4) of this subsection, by striking

“for the programs of that agency” and inserting “for programs demonstrating military systems to one or more of the armed forces”.

(b) RESPONSIBILITY FOR SUBMISSION OF PLAN.—Subsection (c) of such section is amended by striking “Secretary of Defense shall” and inserting “Director shall, in coordination with the Under Secretary of Defense for Acquisition, Technology, and Logistics.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to biennial strategic plans submitted under section 2352 of title 10, United States Code, as amended by this section, after the date of the enactment of this Act.

SEC. 212. LIMITATION ON AVAILABILITY OF FUNDS FOR GROUND COMBAT VEHICLE ENGINEERING AND MANUFACTURING PHASE.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Army may be obligated or expended for post-Milestone B engineering and manufacturing phase development activities for the ground combat vehicle program until a period of 30 days has elapsed following the date on which the Secretary of the Army submits to the congressional defense committees a report that includes the following:

(1) An independent assessment of the draft milestone B documentation for the ground combat vehicle that—

(A) is performed by the Director of Cost Assessment and Program Evaluation, the Assistant Secretary of Defense for Research and Engineering, or other similar official; and

(B) analyzes whether there is a sufficient business case to proceed with the engineering and manufacturing development phase for the ground combat vehicle using only one contractor.

(2) A certification by the Secretary that the ground combat vehicle program has—

(A) feasible, fully defined, and stable requirements;

(B) been demonstrated in a relevant environment in accordance with section 2366b(a)(3)(D) of title 10, United States Code, and achieved technology readiness or maturity;

(C) independent and high-confidence cost estimates;

(D) sufficient funding available during fiscal year 2014 and sufficient funding planned for the period covered by the current future-years defense plan; and

(E) a realistic and achievable schedule.

SEC. 213. LIMITATION AND REPORTING REQUIREMENTS FOR UNMANNED CARRIER-LAUNCHED SURVEILLANCE AND STRIKE SYSTEM PROGRAM.

(a) LIMITATION ON NUMBER OF AIR VEHICLES.—The Secretary of Defense may not acquire more than six air vehicles of the unmanned carrier-launched surveillance and strike system prior to receiving milestone B approval (as defined in section 2366(e)(7) of title 10, United States Code) for engineering and manufacturing development and low-rate initial production.

(b) QUARTERLY COST REPORTS.—Beginning 90 days after the date on which the unmanned carrier-launched surveillance and strike system receives milestone A approval, and each 90-day period thereafter until such system receives milestone B approval, the Secretary of the Navy shall submit to the congressional defense committees a report that includes, at a minimum—

(1) the current cost estimate and schedule, as of the date of the report, for all segments

of the unmanned carrier-launched surveillance and strike system program;

(2) any changes to such cost estimate or schedule from the previous report; and

(3) an explanation for any changes to the cost estimate or schedule or to the key performance parameters or key system attributes used for such program.

(c) **BUDGET DOCUMENTATION REQUIREMENT.**—In the budget materials submitted to the President by the Secretary of Defense in connection with the submission to Congress, pursuant to section 1105 of title 31, United States Code, of the budget for fiscal year 2015, and each subsequent fiscal year, the Secretary shall include individual project lines for each program segment of the unmanned carrier-launched surveillance and strike system, within program element 0604404N, that articulate all costs, contractual actions, and other information associated with technology development for each such program segment.

(d) **ANNUAL GAO REVIEW.**—

(1) **REVIEW.**—The Comptroller General of the United States shall annually conduct a review of the acquisition program for the unmanned carrier-launched surveillance and strike system.

(2) **REPORT.**—Not later than March 1 of each year, the Comptroller General shall submit to the congressional defense committees a report on the review under paragraph (1).

(3) **ELEMENTS.**—Each report under paragraph (2) shall include such matters as the Comptroller General considers appropriate to fully inform the congressional defense committees of the status of the unmanned carrier-launched surveillance and strike system program. Such matters should include, at a minimum, the following:

(A) The extent to which the unmanned carrier-launched surveillance and strike system program is meeting cost, schedule, and performance goals.

(B) The progress and results of developmental testing.

(C) An assessment of the acquisition strategy for the program, including whether the strategy is consistent with acquisition management best practices identified by the Comptroller General for the purposes of the program.

(4) **SUNSET.**—The Comptroller General shall carry out this subsection until the earlier of—

(A) the date on which the Secretary of the Navy awards a contract for the full-rate production of the unmanned carrier-launched surveillance and strike system; or

(B) the date on which the unmanned carrier-launched surveillance and strike system program is terminated.

SEC. 214. LIMITATION ON AVAILABILITY OF FUNDS FOR AIR FORCE LOGISTICS TRANSFORMATION.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for procurement, Air Force, or research, development, test, and evaluation, Air Force, for logistics information technology, including for the expeditionary combat support system, not more than 85 percent may be obligated or expended until the date that is 30 days after the date on which the Secretary of the Air Force submits to the congressional defense committees a report on how the Secretary will modernize and update the logistics information technology systems of the Air Force following the cancellation of the expeditionary combat support system. Such report shall include—

(1) a detailed strategy and timeline for implementing the recommendations from the Expeditionary Combat Support System Acquisition Investigation Review Team Final Report; and

(2) a description of the near-term options for maintaining or incrementally modernizing the logistics information technology systems of the Air Force until a replacement for the expeditionary combat support system can be determined.

SEC. 215. LIMITATION ON AVAILABILITY OF FUNDS FOR DEFENSIVE CYBERSPACE OPERATIONS OF THE AIR FORCE.

(a) **LIMITATION.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for procurement, Air Force, or research, development, test, and evaluation, Air Force, for Defensive Cyberspace Operations (Program Element 0202088F), not more than 90 percent may be obligated or expended until a period of 30 days has elapsed following the date on which the Secretary of the Air Force submits to the congressional defense committees a report on the Application Software Assurance Center of Excellence.

(b) **MATTERS INCLUDED.**—The report under subsection (a) shall include the following:

(1) A description of how the Application Software Assurance Center of Excellence is used to support the software assurance activities of the Air Force and other elements of the Department of Defense, including pursuant to section 933 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 10 U.S.C. 2224 note).

(2) A description of the resources used to support the Center of Excellence from the beginning of the Center through fiscal year 2014.

(3) The plan of the Secretary for sustaining the Center of Excellence during the period covered by the future-years defense program submitted in 2013 under section 221 of title 10, United States Code.

SEC. 216. LIMITATION ON AVAILABILITY OF FUNDS FOR PRECISION EXTENDED RANGE MUNITION PROGRAM.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense, not more than 50 percent may be obligated or expended for the precision extended range munition program until the date on which the Chairman of the Joint Chiefs of Staff submits to the congressional defense committees written certification that—

(1) such program is necessary to meet a valid operational need that cannot be met by the existing precision guided mortar munition of the Army, other indirect fire weapons, or aerial-delivered joint fires; and

(2) a sufficient business case exists to proceed with the development and production of such program.

SEC. 217. LONG-RANGE STANDOFF WEAPON REQUIREMENT; PROHIBITION ON AVAILABILITY OF FUNDS FOR NON-COMPETITIVE PROCEDURES FOR OFFENSIVE ANTI-SURFACE WARFARE WEAPON CONTRACTS OF THE NAVY.

(a) **LONG-RANGE STANDOFF WEAPON.**—

(1) **IN GENERAL.**—The Secretary of the Air Force shall develop a follow-on air-launched cruise missile to the AGM-86 that—

(A) achieves initial operating capability for conventional missions prior to the retirement of the conventionally armed AGM-86;

(B) achieves initial operating capability for nuclear missions prior to the retirement of the nuclear-armed AGM-86; and

(C) is capable of internal carriage and employment for both conventional and nuclear

missions on the next-generation long-range strike bomber.

(2) **CONSECUTIVE DEVELOPMENT.**—In developing a follow-on air-launched cruise missile to the AGM-86 in accordance with paragraph (1), the Secretary may carry out development and production activities with respect to nuclear missions prior to carrying out such activities with respect to conventional missions if the Secretary determines such consecutive order of development and production activities to be cost effective.

(b) **OFFENSIVE ANTI-SURFACE WARFARE WEAPON CONTRACTS OF THE NAVY.**—

(1) **PROHIBITION.**—Except as provided by paragraph (2), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the offensive anti-surface warfare weapon may be used to enter into or modify a contract using procedures other than competitive procedures (as defined in section 2302(2) of title 10, United States Code).

(2) **EXEMPTION; WAIVER.**—

(A) **EXEMPTED ACTIVITIES.**—The prohibition in paragraph (1) shall not apply to funds specified in such paragraph that are made available for the development, testing, and fielding of aircraft-launched offensive anti-surface warfare weapons capabilities.

(B) **NATIONAL SECURITY WAIVER AUTHORITY.**—The Secretary of Defense may waive the prohibition in paragraph (1) if the Secretary determines that such a waiver is in the national security interests of the United States.

SEC. 218. REVIEW OF SOFTWARE DEVELOPMENT FOR F-35 AIRCRAFT.

(a) **SOFTWARE DEVELOPMENT PROGRAM.**—

(1) **REVIEW.**—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall establish an independent team consisting of subject matter experts to review the development of software for the F-35 aircraft program (in this subsection referred to as the “software development program”), including by reviewing the progress made with respect to—

(A) managing the software development program; and

(B) delivering critical software capability in accordance with current program milestones.

(2) **REPORT.**—Not later than March 3, 2014, the Under Secretary shall submit to the congressional defense committees a report on the review under paragraph (1). Such report shall include the following:

(A) An assessment by the independent team with respect to whether the software development program—

(i) has been successful in meeting the key milestone dates occurring before the date of the report; and

(ii) will be successful in meeting the established program schedule.

(B) Any recommendations of the independent team with respect to improving the software development program to ensure that, in support of the start of initial operational testing, the established program schedule is met on time.

(C) If the independent team determines that the software development program will be unable to deliver the full complement of software within the established program schedule, any potential alternatives that the independent team considers appropriate to deliver such software within such schedule.

(b) **AUTONOMIC LOGISTICS INFORMATION SYSTEM SUSTAINMENT REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Under Secretary, in consultation with the Joint Strike Fighter Joint

Program Office, shall submit to the congressional defense committees a report on current plans, as of the date of the report, for long-term sustainment of the autonomic logistics information system of F-35 aircraft. Such report shall include the following:

(1) Current plans for acquisition of technical data rights to autonomic logistics information system software and the potential competitive sustainment of elements of the autonomic logistics information system.

(2) How sustainment of the autonomic logistics information system may take advantage of public-private partnerships authorized by section 2474 of title 10, United States Code, including schedules for actions necessary for such sustainment.

(3) Any current plan to select, designate, and activate any Government-owned and Government-operated site to serve as the autonomic logistics operating unit.

(4) Current plans to ensure that the autonomic logistics information system provides total asset visibility and accountability, including asset valuation and tracking, and for potential integration with other automated logistics systems.

SEC. 219. EVALUATION AND ASSESSMENT OF THE DISTRIBUTED COMMON GROUND SYSTEM.

(a) **PROJECT CODES FOR BUDGET SUBMISSIONS.**—In the budget submitted by the President to Congress under section 1105 of title 31, United States Code, for fiscal year 2015 and each subsequent fiscal year, each capability component within the distributed common ground system program shall be set forth as a separate project code within the program element line, and each covered official shall submit supporting justification for the project code within the program element descriptive summary.

(b) **ANALYSIS.**—

(1) **REQUIREMENT.**—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall conduct an analysis of capability components that are compliant with the intelligence community data standards and could be used to meet the requirements of the distributed common ground system program.

(2) **ELEMENTS.**—The analysis required under paragraph (1) shall include the following:

(A) Revalidation of the distributed common ground system program requirements based on current program needs, recent operational experience, and the requirement for nonproprietary solutions that adhere to open-architecture principles.

(B) Market research of current commercially available tools to determine whether any such tools could potentially satisfy the requirements described in subparagraph (A).

(C) Analysis of the competitive acquisition options for any tools identified in subparagraph (B).

(3) **SUBMISSION.**—Not later than 180 days after the date of the enactment of this Act, the Under Secretary shall submit to the congressional defense committees the results of the analysis conducted under paragraph (1).

(c) **COVERED OFFICIAL DEFINED.**—In this section, the term “covered official” means the following:

(1) The Secretary of the Army, with respect to matters concerning the Army.

(2) The Secretary of the Navy, with respect to matters concerning the Navy.

(3) The Secretary of the Air Force, with respect to matters concerning the Air Force.

(4) The Commandant of the Marine Corps, with respect to matters concerning the Marine Corps.

(5) The Commander of the United States Special Operations Command, with respect to matters concerning the United States Special Operations Command.

SEC. 220. OPERATIONALLY RESPONSIVE SPACE.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) it remains the policy of the United States, as expressed in section 913(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2355), to demonstrate, acquire, and deploy an effective capability for operationally responsive space to support military users and operations from space, which shall consist of—

(A) responsive satellite payloads and busses built to common technical standards;

(B) low-cost space launch vehicles and supporting range operations that facilitate the timely launch and on-orbit operations of satellites;

(C) responsive command and control capabilities; and

(D) concepts of operations, tactics, techniques, and procedures that permit the use of responsive space assets for combat and military operations other than war; and

(2) the Operationally Responsive Space Program Office has demonstrated through multiple launches since 2009 an ability to accomplish many of the policy objectives of the Operationally Responsive Space Program through specific missions, but has not executed a mission that leverages all policy objectives of such Program in a single mission.

(b) **LIMITATION.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense for the space-based infrared systems space modernization initiative wide-field-of-view testbed, not more than 50 percent may be obligated or expended until the Executive Agent for Space of the Department of Defense certifies to the congressional defense committees that the Secretary of Defense is carrying out the Operationally Responsive Space Program Office in accordance with section 2273a of title 10, United States Code.

(c) **REPORT.**—Not later than 60 days after the date of the enactment of this Act, the Executive Agent for Space of the Department of Defense shall submit to the congressional defense committees a report regarding a potential mission that would seek to leverage all policy objectives of the Operationally Responsive Space Program in a single mission.

SEC. 221. SUSTAINMENT OR REPLACEMENT OF BLUE DEVIL INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE CAPABILITIES.

(a) **PLAN TO RETAIN CAPABILITY.**—The Secretary of the Air Force shall develop a plan to sustain the operational capabilities of the Blue Devil 1 Intelligence, Surveillance, and Reconnaissance Systems (in this section referred to as “Blue Devil 1 system”), including precision signal geolocation, by—

(1) procuring the existing Blue Devil 1 system;

(2) developing a new system; or

(3) basing a new system on capabilities that are adapted and integrated from existing programs and programs being developed.

(b) **REPORT REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on—

(1) the potential cost of procuring, operating, and sustaining current Blue Devil 1 systems for fiscal years 2014 through 2019, in-

cluding costs relating to procurement, research and development, personnel, operation and maintenance, and military construction;

(2) the ability of other current platforms and subsystems as of the date of the report to provide intelligence, surveillance, and reconnaissance support similar to the support provided by the current Blue Devil 1 system; and

(3) a listing of programs of the Air Force and other programs of the Department of Defense in development as of the date of the report that could provide such similar support in the future.

(c) **REQUIREMENT TO COORDINATE.**—In preparing the report under subsection (b), the Secretary shall—

(1) coordinate with the Commander of the United States Special Operations Command regarding the operational needs of the United States Special Operations Command; and

(2) coordinate with the Director of the Defense Advanced Research Projects Agency with respect to information regarding the transfer to the Air Force of the technology developed under the wide-area network detection program for operational integration of wide-area motion imagery and near-vertical direction-finding data for effective target detection, identification, and tracking for potential incorporation, as practical and appropriate, into other platforms.

(d) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

Subtitle C—Missile Defense Programs

SEC. 231. IMPROVEMENTS TO ACQUISITION ACCOUNTABILITY REPORTS ON BALLISTIC MISSILE DEFENSE SYSTEM.

(a) **IMPROVEMENT TO OPERATIONS AND SUSTAINMENT COST ESTIMATES.**—In preparing the acquisition accountability reports on the ballistic missile defense system required by section 225 of title 10, United States Code, the Director of the Missile Defense Agency shall improve the quality of cost estimates relating to operations and sustainment that are included in such reports under subsection (b)(3)(A) of such section, including with respect to the confidence levels of such cost estimates.

(b) **OPERATIONS AND SUSTAINMENT RESPONSIBILITY.**—Section 225 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) **OPERATIONS AND SUSTAINMENT COST ESTIMATES.**—The Director shall ensure that each life-cycle cost estimate included in an acquisition baseline pursuant to subsection (b)(3)(A) includes—

“(1) all of the operations and sustainment costs for which the Director is responsible; and

“(2) a description of the operations and sustainment functions and costs for which a military department is responsible.”.

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report outlining the plans of the Director to improve the quality of cost estimates pursuant to subsection (a).

(2) ELEMENTS.—The report under paragraph (1) shall include—

(A) a description of the actions planned to improve the quality of cost estimates included in the acquisition accountability reports on the ballistic missile defense system required by section 225 of title 10, United States Code;

(B) the schedule for such planned actions, including the planned schedule for meeting the requirements of subsection (e) of such section 225, as added by subsection (b);

(C) a description of any steps taken during the previous year to improve the quality of such cost estimates;

(D) an assessment of how the planned improvements compare to the best practices and cost-estimation guidelines recommended by the Comptroller General of the United States for cost estimates of the ballistic missile defense system;

(E) any other matters the Director considers appropriate; and

(F) the views of the Comptroller General of the United States with respect to the contents of the report.

(3) FORM.—The report under paragraph (1) shall be submitted in unclassified form.

SEC. 232. PROHIBITION ON USE OF FUNDS FOR MEADS PROGRAM.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended for the medium extended air defense system.

SEC. 233. PROHIBITION ON AVAILABILITY OF FUNDS FOR INTEGRATION OF CERTAIN MISSILE DEFENSE SYSTEMS; REPORT ON REGIONAL BALLISTIC MISSILE DEFENSE.

(a) PROHIBITION ON INTEGRATION OF CERTAIN SYSTEMS.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that missile defense systems of the People's Republic of China should not be integrated into the missile defense systems of the United States or the North Atlantic Treaty Organization.

(2) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to integrate missile defense systems of the People's Republic of China into missile defense systems of the United States.

(b) REPORT ON REGIONAL BALLISTIC MISSILE DEFENSE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the status and progress of regional missile defense programs and efforts.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A description of the overall risk assessment from the most recent Global Ballistic Missile Defense Assessment of regional missile defense capabilities relative to meeting the operational needs of the commanders of the geographic combatant commands, including the need for force protection of forward-deployed forces and capabilities of the United States and for the defense of allies and partners of the United States.

(B) An assessment of whether and how the currently planned phased, adaptive approach to missile defense in Europe and other planned regional missile defense approaches and capabilities of the United States meet the integrated priorities of the commanders of the geographic combatant commands to achieve the operational requirements of the commanders to defend against the ballistic missile threat to deployed forces of the

United States and allies of the United States, including a description of planned force structure deployment options to increase missile defense capabilities in the area of responsibility of a commander, if needed, in the event of warning of an imminent ballistic missile attack.

(C) A detailed explanation of the current and planned concept of operations for the phased, adaptive approach to missile defense in Europe, including—

(i) arrangements for allocating the command of assets of such approach between the Commander of the United States European Command and the Supreme Allied Commander, Europe;

(ii) an explanation of the circumstances under which such command would be allocated to each commander; and

(iii) a description of the prioritization of defense of both the deployed forces of the United States and the territory of the member states of the North Atlantic Treaty Organization using available missile defense interceptor inventory.

(D) A description of the progress made in the development and testing of elements of systems intended for deployment in phases 2 and 3 of the phased, adaptive approach to missile defense in Europe, including the standard missile-3 block IB, the standard missile-3 block IIA interceptors, and the Aegis Ashore system, and any areas where work remains to ensure such phases are ready for deployment as specified in the 2010 Ballistic Missile Defense Review.

(E) A description of the manner in which elements of regional missile defense architectures, such as forward-based X-band radars in Japan, Israel, Turkey, and the area of responsibility of the Commander of the United States Central Command, contribute to the enhancement of the homeland defense of the United States.

(F) A description of the manner in which enhanced integration of offensive military capabilities and defensive missile defense capabilities, including the potential for improved intelligence, surveillance, and reconnaissance, will fit into regional missile defense planning and force structure assessments.

(G) A description of how the contributions of allies and partners of the United States that have purchased missile defense technology of the United States could aid in reducing the costs of deployment of regional missile defense capabilities of the United States, and how the systems of such allies and partners could be better networked and integrated to provide mutual force multiplication benefits.

(H) A description of how the Secretary of Defense is working with allies and partners of the United States that have purchased air and missile defense technology of the United States to integrate the capabilities of such allies and partners provided by such technology with the air and missile defense systems and networks of the United States to provide mutual benefit.

(I) Any other matters the Secretary determines appropriate.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 234. AVAILABILITY OF FUNDS FOR CO-PRODUCTION OF IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM IN THE UNITED STATES.

(a) AVAILABILITY OF FUNDS.—

(1) IN GENERAL.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for research, development, test, and evaluation,

Defense-wide, for the Missile Defense Agency, not more than \$15,000,000 may be obligated or expended for nonrecurring engineering costs in connection with the establishment of a capacity for co-production in the United States by industry of the United States of parts and components for the Iron Dome short-range rocket defense program. Such obligation or expenditure shall be made pursuant to an agreement described in paragraph (2).

(2) AGREEMENT DESCRIBED.—An agreement described in this paragraph is an agreement entered into by the Government of the United States and the Government of Israel with respect to the co-production in the United States of parts and components for the Iron Dome short-range rocket defense program.

(b) REPORT ON CO-PRODUCTION.—Not later than 30 days after obligating or expending funds specified in subsection (a), the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on the plan to implement an agreement described in paragraph (2) of such subsection, including the following:

(1) A description of the estimated cost of implementing the agreement, including the costs to be paid by industry.

(2) The expected schedule to implement the agreement.

(3) A description of any efforts to minimize the costs of the agreement to the Government of the United States.

(c) REPORT ON MISSILE DEFENSE COOPERATION.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the status of missile defense cooperation between the United States and Israel.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A description of the current program of ballistic missile defense cooperation between the United States and Israel, including the objectives and results of such cooperation as of the date of the report.

(B) A description of steps taken during the year prior to the report, and steps planned to be taken during the year following the report, by the governments of the United States and Israel to improve the coordination, interoperability, and integration of the missile defense capabilities of the United States and Israel.

(C) A description of joint missile defense exercises and training that have been conducted by the United States and Israel, and the lessons learned from such exercises.

(D) A description of joint efforts of the United States and Israel to develop ballistic missile defense technologies and capabilities.

(E) Any other matters that the Secretary considers appropriate.

(d) CONSTRUCTION.—Nothing in this section shall be construed to alter or affect the procurement schedule, or anticipated procurement numbers, under the Iron Dome short-range rocket defense program.

(e) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) second-source production of parts and components of the Iron Dome short-range rocket defense program that is based in the United States is in the national security interest of both Israel and the United States; and

(2) the move towards such a second-source capacity in the United States for integration and assembly of all-up rounds of the Iron Dome short-range rocket defense program

will further enhance the security of Israel by ensuring added production capability of such vital program.

SEC. 235. ADDITIONAL MISSILE DEFENSE RADAR FOR THE PROTECTION OF THE UNITED STATES HOMELAND.

(a) DEPLOYMENT OF LONG-RANGE DISCRIMINATING RADAR.—

(1) IN GENERAL.—The Director of the Missile Defense Agency shall deploy a long-range discriminating radar against long-range ballistic missile threats from the Democratic People's Republic of Korea. Such radar shall be located at a location optimized to support the defense of the homeland of the United States.

(2) FUNDING.—Of the funds authorized to be appropriated by this Act for research, development, test, and evaluation, Defense-wide, for the Missile Defense Agency for BMD Sensors (PE 63884C), as specified in the funding table in section 4201, \$30,000,000 shall be available for initial costs toward the deployment of the radar required by paragraph (1).

(b) ADDITIONAL SENSOR COVERAGE FOR THREATS FROM IRAN.—

(1) IN GENERAL.—The Secretary of Defense shall ensure that the Secretary is able to deploy additional tracking and discrimination sensor capabilities to support the defense of the homeland of the United States from future long-range ballistic missile threats that emerge from Iran.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report that details what sensor capabilities of the United States, including re-locatable land- and sea-based capabilities, are or will become available to support the defense of the homeland of the United States from future long-range ballistic missile threats that emerge from Iran. Such report shall include the following:

(A) With respect to the capabilities included in the report, an identification of such capabilities that can be located on the Atlantic-side of the United States by not later than 2019, or sooner if long-range ballistic missile threats from Iran are successfully flight-tested prior to 2019.

(B) A description of the manner in which the United States will maintain such capabilities so as to ensure the deployment of the capabilities in time to support the missile defense of the United States from long-range ballistic missile threats from Iran.

SEC. 236. EVALUATION OF OPTIONS FOR FUTURE BALLISTIC MISSILE DEFENSE SENSOR ARCHITECTURES.

(a) EVALUATION REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, acting through the Commander of the United States Strategic Command, shall conduct an evaluation of options and alternatives for future sensor architectures for ballistic missile defense in order to enhance the ballistic missile defense capabilities of the United States.

(2) CONSULTATION.—In carrying out paragraph (1), the Secretary shall consult with the heads of departments and agencies of the Federal Government that the Secretary determines appropriate.

(3) SCOPE OF EVALUATION.—In conducting the evaluation under paragraph (1), the Secretary shall consider the following:

(A) A wide range of options for a future sensor architecture for ballistic missile defense, including—

(i) options regarding the future development, integration, exploitation, and deployment of existing or new missile defense sensor systems and assets; and

(ii) options regarding using capabilities of the Federal Government that exist or are

planned as of the date of the evaluation that are not primarily focused on missile defense, including such capabilities that may require modification to be used for missile defense.

(B) The potential costs, advantages, and feasibility of using such future sensor architecture for purposes other than missile defense, including for technical intelligence collection or space situational awareness.

(C) Whether and how such future sensor architectures could be designed and employed to fulfill missions other than missile defense when not required for such missile defense missions.

(4) OBJECTIVE.—The objective of the evaluation shall be to identify one or more future sensor architectures for ballistic missile defense that will result in an improvement of the performance of the ballistic missile defense system in a cost-effective, operationally effective, timely, and affordable manner.

(b) ELEMENTS TO BE EVALUATED.—The evaluation required by subsection (a) shall include a consideration of the following:

(1) SENSOR TYPES.—At a minimum, the types of sensors as follows:

- (A) Radar.
- (B) Infrared.
- (C) Optical and electro-optical.
- (D) Directed energy.

(2) SENSOR MODES.—Deployment modes of sensors as follows:

- (A) Ground-based sensors.
- (B) Sea-based sensors.
- (C) Airborne sensors.
- (D) Space-based sensors.

(3) SENSOR FUNCTIONS.—At a minimum, missile defense-related sensor functions as follows:

- (A) Detection.
- (B) Tracking.
- (C) Characterization.
- (D) Classification.
- (E) Discrimination.
- (F) Debris mitigation.
- (G) Kill assessment.

(4) SENSOR ARCHITECTURE CAPABILITIES.—At a minimum, maximization or improvement of sensor-related capabilities as follows:

- (A) Handling of increasing raid sizes.
- (B) Precision tracking of threat missiles.
- (C) Providing fire-control quality tracks of evolving threat missiles.
- (D) Enabling launch-on-remote and engage-on-remote capabilities.
- (E) Discriminating lethal objects (warheads) from other objects.
- (F) Effectively assessing the results of engagements.
- (G) Enabling enhanced shot doctrine.
- (H) Other capabilities that the Secretary of Defense determines appropriate.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report setting forth the results of the evaluation required by subsection (a).

(2) ELEMENTS.—The report under paragraph (1) shall include the findings, conclusions, and recommendations of the Secretary with respect to—

(A) future sensor architectures evaluated under subsection (a)(3)(A)(i).

(B) existing or planned capabilities of the Federal Government evaluated under subsection (a)(3)(A)(ii);

(C) using future sensor architecture for additional purposes as described in subsection (a)(3)(B); and

(D) the design and employment of future sensor architectures to fulfill missions other

than missile defense as described in subsection (a)(3)(C).

(3) FORM.—The report shall be submitted in unclassified form, but may include a classified annex.

(d) CONFORMING REPEAL.—Section 224 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1675) is repealed.

SEC. 237. PLANS TO IMPROVE THE GROUND-BASED MIDCOURSE DEFENSE SYSTEM.

(a) IMPROVED KILL ASSESSMENT CAPABILITY.—The Director of the Missile Defense Agency, in consultation with the Commander of the United States Strategic Command and the Commander of the United States Northern Command, shall develop—

(1) options to achieve an improved kill assessment capability for the ground-based midcourse defense system that can be developed as soon as practicable with acceptable acquisition risk, with the objective of achieving initial operating capability by not later than December 31, 2019, including by improving—

(A) the exo-atmospheric kill vehicle for the ground-based interceptor;

(B) the command, control, battle management, and communications system; and

(C) the sensor and communications architecture of the ballistic missile defense system; and

(2) a plan to carry out such options that gives priority to including such improved capabilities in at least some of the 14 ground-based interceptors that will be procured by the Director, as announced by the Secretary of Defense on March 15, 2013.

(b) IMPROVED HIT ASSESSMENT.—The Director, in consultation with the Commander of the United States Strategic Command and the Commander of the United States Northern Command, shall take appropriate steps to develop an interim capability for improved hit assessment for the ground-based midcourse defense system that can be integrated into near-term exo-atmospheric kill vehicle upgrades and refurbishment.

(c) REPORT ON IMPROVED CAPABILITIES.—Not later than April 1, 2014, the Director, the Commander of the United States Strategic Command, and the Commander of the United States Northern Command shall jointly submit to the congressional defense committees a report on—

(1) the development of an improved kill assessment capability under subsection (a), including the plan developed under paragraph (2) of such subsection; and

(2) the development of an interim capability for improved hit assessment under subsection (b).

(d) PLAN FOR UPGRADED ENHANCED EXO-ATMOSPHERIC KILL VEHICLE.—

(1) PLAN REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Director shall submit to the congressional defense committees a plan to use covered funding to develop, test, and deploy an upgraded enhanced exo-atmospheric kill vehicle for the ground-based midcourse defense system that—

(A) is tested under a test program coordinated with the Director of Operational Test and Evaluation; and

(B) following such test program, is capable of being deployed during fiscal year 2018 or thereafter.

(2) PRIORITY.—In developing the plan for an upgraded enhanced exo-atmospheric kill vehicle under paragraph (1), the Director shall give priority to the following attributes:

(A) Cost effectiveness and high reliability, testability, producibility, modularity, and maintainability.

(B) Capability across the midcourse battle space.

(C) Ability to leverage ballistic missile defense system data with kill vehicle on-board capability to discriminate lethal objects.

(D) Reliable on-demand communications.

(E) Sufficient flexibility to ensure that the potential for future enhancements, including ballistic missile defense system interceptor commonality and multiple and volume kill capability, is maintained.

(3) COVERED FUNDING DEFINED.—In this subsection, the term “covered funding” means—

(A) funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Missile Defense Agency, as specified in the funding table in section 4201; and

(B) funds authorized to be appropriated by the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) or otherwise made available for fiscal year 2013 that are available to the Director to carry out the plan under paragraph (1).

SEC. 238. REPORT ON POTENTIAL FUTURE HOMELAND BALLISTIC MISSILE DEFENSE OPTIONS.

(a) REPORT REQUIRED.—Not later than 240 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on potential future options for enhancing the ballistic missile defense of the homeland of the United States.

(b) CONSULTATION.—The Secretary shall prepare the report under subsection (a) in consultation with the Commander of the United States Strategic Command, the Commander of the United States Northern Command, and the Director of the Missile Defense Agency.

(c) ELEMENTS.—The report under subsection (a) shall include the following:

(1) A description of the current assessment of the threat to the United States from limited ballistic missile attack (whether accidental, unauthorized, or deliberate), particularly from countries such as North Korea and Iran, and an assessment of the projected future threat through 2022, including a discussion of confidence levels and uncertainties in such threat assessment.

(2) A description of the current capability of the ballistic missile defense of the homeland of the United States to defend against the current threat of limited ballistic missile attack (whether accidental, unauthorized, or deliberate), particularly from countries such as North Korea and Iran.

(3) A description of the status of efforts to correct the problems that caused the flight test failures of the ground-based midcourse defense system in December 2010 and July 2013 and plans for future efforts, including additional flight testing, to demonstrate that the problems have been successfully corrected.

(4) A description of planned improvements to the current ballistic missile defense system of the homeland of the United States, and the enhancements to the capability of such system that would result from such planned improvements, including—

(A) deployment of 14 additional ground-based interceptors at Fort Greely, Alaska;

(B) missile defense upgrades of early warning radars at Clear, Alaska, and Cape Cod, Massachusetts;

(C) deployment of an in-flight interceptor communications system data terminal at Fort Drum, New York; and

(D) improvements to the effectiveness and reliability of the ground-based interceptors and the overall ground-based midcourse defense system.

(5) In accordance with subsection (d), a description of potential additional future options for the ballistic missile defense of the homeland of the United States, in addition to the improvements described in paragraph (4), if future ballistic missile threats warrant deployment of such options to increase the capabilities of such ballistic missile defense, including—

(A) deployment of a missile defense interceptor site on the East Coast;

(B) deployment of a missile defense interceptor site in another location in the United States, other than on the East Coast;

(C) expansion of Missile Field-1 at Fort Greely, Alaska, to an operationally available 20-silo configuration, to permit further interceptor deployments;

(D) deployment of additional ground-based interceptors for the ground-based midcourse defense system at Fort Greely, Alaska, or Vandenberg Air Force Base, California, or both;

(E) deployment of additional missile defense sensors, including at a site in Alaska as well as an X-band radar on or near the East Coast or elsewhere, to enhance system tracking and discrimination, including various sensor options;

(F) enhancements to the operational effectiveness, cost effectiveness, and overall performance of the ground-based midcourse defense system through improvements to system reliability, discrimination, battle management, exo-atmospheric kill vehicle capability, and related functions;

(G) the potential for future enhancement and deployment of the standard missile-3 block IIA interceptor to augment the ballistic missile defense of the homeland of the United States;

(H) missile defense options to defend the homeland of the United States against ballistic missiles that could be launched from vessels on the seas around the United States, including the Gulf of Mexico, or other ballistic missile threats that could approach the United States from the south, should such a threat arise in the future; and

(I) any other options the Secretary considers appropriate.

(d) EVALUATION OF POTENTIAL OPTIONS.—For each option described under subsection (c)(5), the Secretary shall provide an evaluation of the advantages and disadvantages of such option. The evaluation of each such option shall include consideration of the following:

(1) Technical feasibility.

(2) Operational effectiveness and utility against the projected future threat.

(3) Cost, cost effectiveness, and affordability.

(4) Schedule considerations.

(5) Agility to respond to changes in future threat evolution.

(e) CONCLUSIONS AND RECOMMENDATIONS.—Based on the evaluations required by subsection (d), the Secretary shall include in the report under subsection (a) such findings, conclusions, and recommendations as the Secretary considers appropriate for potential future options for the ballistic missile defense of the homeland of the United States.

(f) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 239. BRIEFINGS ON STATUS OF IMPLEMENTATION OF CERTAIN MISSILE DEFENSE MATTERS.

Not later than 180 days after the completion of the site evaluation study required by subsection (a) of section 227 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1678), and again one year after such date, the Secretary of Defense shall provide to the congressional defense committees a detailed briefing on the current status of efforts and plans to implement the requirements of such section, including—

(1) the progress and plans toward preparation of the environmental impact statement required by subsection (b) of such section; and

(2) the development of the contingency plan under subsection (d) of such section for deployment of an additional homeland missile defense interceptor site in case the President determines to proceed with such an additional deployment.

SEC. 240. SENSE OF CONGRESS AND REPORT ON NATO AND MISSILE DEFENSE BURDEN-SHARING.

(a) SENSE OF CONGRESS.—It is the sense of Congress that as defense budget resources continue to decline in the United States, including by reason of funding reductions under the Budget Control Act of 2011 (Public Law 112-25), and the sequestration in effect by reason of such Act, the importance of burden-sharing among members of the North Atlantic Treaty Organization for missile defense is increasing.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the cost of missile defense for members of the North Atlantic Treaty Organization (in this section referred to as “NATO”), including the phased, adaptive approach to missile defense in Europe, and the contributions made by members of NATO for such missile defense.

(c) MATTERS INCLUDED.—The report under subsection (b) shall include the following:

(1) The total estimated cost directly attributable to the various phases of the phased, adaptive approach to missile defense in Europe, including costs relating to research, development, testing, and evaluation, procurement, and military construction.

(2) With respect to the cost of missile defense for NATO, including the phased, adaptive approach to missile defense in Europe, a description of the level of burden-sharing among members of NATO as of the date of the report, including through contributions made by a member in the form of hosting elements of such approach to missile defense in the territory of the member.

(3) An assessment of, and recommendations for, areas where the Secretary determines that NATO and the members of NATO could improve the burden-sharing among members with respect to the cost of missile defense for NATO described in paragraph (2), including through the possible pooling of missile defense interceptors.

(d) FORM.—The report required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 241. SENSE OF CONGRESS ON DEPLOYMENT OF REGIONAL BALLISTIC MISSILE DEFENSE CAPABILITIES.

It is the sense of Congress that—

(1) the United States develops and deploys regional ballistic missile defense capabilities to protect the forward-deployed forces, allies, and partners of the United States

against regional ballistic missile threats, consistent with the security obligations of the United States and as part of the broader theater security and military plans of the geographic combatant commanders of the United States;

(2) in deciding on the deployment of regional missile defense assets and capabilities of the United States, the Secretary of Defense should give priority consideration to the capabilities needed to deter and defend against the ballistic missile threat, including the recommendations of the Joint Chiefs of Staff and the priorities of the geographic combatant commanders for meeting the operational needs of the commanders for ballistic missile defense;

(3) such deployment decisions should take into account all of the ballistic missile threats to the forces, allies, and partners of the United States in each region;

(4) the United States should encourage the allies and partners of the United States to acquire and contribute to integrated and complementary regional ballistic missile defense capabilities—including coordination, data sharing, and networking arrangements—and such allied and partner capabilities should be taken into account in deciding on the deployment of regional missile defense capabilities of the United States; and

(5) the United States should cooperate closely with the allies and partners of the United States, including such allies and partners in East Asia, on missile defense deployments and cooperation that enhance the mutual security of the United States and such allies and partners.

SEC. 242. SENSE OF CONGRESS ON PROCUREMENT OF CAPABILITY ENHANCEMENT II EXOATMOSPHERIC KILL VEHICLE.

It is the sense of Congress that the Secretary of Defense should not procure a Capability Enhancement II exoatmospheric kill vehicle for deployment until after the date on which a successful intercept flight test of the Capability Enhancement II ground-based interceptor has occurred, unless such procurement is for test assets or to maintain a warm line for the industrial base.

Subtitle D—Reports

SEC. 251. ANNUAL COMPTROLLER GENERAL REPORT ON THE AMPHIBIOUS COMBAT VEHICLE ACQUISITION PROGRAM.

(a) **ANNUAL GAO REVIEW.**—During the period beginning on the date of the enactment of this Act and ending on March 1, 2018, the Comptroller General of the United States shall conduct an annual review of the amphibious combat vehicle acquisition program.

(b) **ANNUAL REPORTS.**—

(1) **IN GENERAL.**—Not later than March 1 of each year beginning in 2014 and ending in 2018, the Comptroller General shall submit to the congressional defense committees a report on the review of the amphibious combat vehicle acquisition program conducted under subsection (a).

(2) **MATTERS TO BE INCLUDED.**—Each report under paragraph (1) shall include the following:

(A) The extent to which the program is meeting development and procurement cost, schedule, performance, and risk mitigation goals.

(B) With respect to meeting the desired initial operational capability and full operational capability dates for the amphibious combat vehicle, the progress and results of—

(i) developmental and operational testing of the vehicle; and

(ii) plans for correcting deficiencies in vehicle performance, operational effectiveness, reliability, suitability, and safety.

(C) An assessment of procurement plans, production results, and efforts to improve manufacturing efficiency and supplier performance.

(D) An assessment of the acquisition strategy of the amphibious combat vehicle, including whether such strategy is in compliance with acquisition management best practices and the acquisition policy and regulations of the Department of Defense.

(E) An assessment of the projected operations and support costs and the viability of the Marine Corps to afford to operate and sustain the amphibious combat vehicle.

(3) **ADDITIONAL INFORMATION.**—In submitting to the congressional defense committees the first report under paragraph (1) and a report following any changes made by the Secretary of the Navy to the baseline documentation of the amphibious combat vehicle acquisition program, the Comptroller General shall include, with respect to such program, an assessment of the sufficiency and objectivity of—

(A) the analysis of alternatives;

(B) the initial capabilities document; and

(C) the capabilities development document.

SEC. 252. ANNUAL COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE ACQUISITION PROGRAM FOR THE VXX PRESIDENTIAL HELICOPTER.

(a) **ANNUAL GAO REVIEW.**—The Comptroller General of the United States shall conduct annually a review of the acquisition program for the VXX Presidential Helicopter aircraft.

(b) **ANNUAL REPORTS.**—

(1) **IN GENERAL.**—Not later than March 1 each year, the Comptroller General shall submit to the congressional defense committees a report on the review conducted under subsection (a) during the preceding year.

(2) **ELEMENTS.**—Each report under paragraph (1) shall include such matters as the Comptroller General considers appropriate to fully inform the congressional defense committees of the stage of the acquisition process for the VXX Presidential Helicopter aircraft covered by the review described in such report. Such matters may include the following:

(A) The extent to which the acquisition program for the VXX Presidential Helicopter aircraft is meeting cost, schedule, and performance goals.

(B) The progress and results of developmental testing.

(C) An assessment of the acquisition strategy for the program, including whether the strategy is consistent with acquisition management best practices identified by the Comptroller General for purposes of the program.

(c) **SUNSET.**—The requirements in this section shall terminate upon the earlier of—

(1) the date on which the Navy awards a contract for full-rate production for the VXX Presidential Helicopter aircraft; or

(2) the date on which the acquisition program for such aircraft is terminated.

SEC. 253. REPORT ON STRATEGY TO IMPROVE BODY ARMOR.

(a) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the comprehensive research and development strategy of the Secretary to achieve significant reductions in the weight of body armor.

(b) **MATTERS INCLUDED.**—The report under subsection (a) shall include the following:

(1) A brief description of each solution for body armor weight reduction that is being developed as of the date of the report.

(2) For each such solution—

(A) the costs, schedules, and performance requirements;

(B) the research and development funding profile;

(C) a description of the materials being used in the solution; and

(D) the feasibility and technology readiness levels of the solution and the materials.

(3) A strategy to provide resources for future research and development of body armor weight reduction.

(4) An explanation of how the Secretary is using a modular or tailorable solution to approach body armor weight reduction.

(5) A description of how the Secretary coordinates the research and development of body armor weight reduction being carried out by the military departments.

(6) Any other matter the Secretary considers appropriate.

(c) **FORM.**—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

Subtitle E—Other Matters

SEC. 261. ESTABLISHMENT OF COMMUNICATIONS SECURITY REVIEW AND ADVISORY BOARD.

(a) **IN GENERAL.**—Chapter 7 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 189. Communications Security Review and Advisory Board

“(a) **ESTABLISHMENT.**—There shall be in the Department of Defense a Communications Security Review and Advisory Board (in this section referred to as the ‘Board’) to review and assess the communications security, cryptographic modernization, and related key management activities of the Department and provide advice to the Secretary with respect to such activities.

“(b) **MEMBERS.**—(1) The Secretary shall determine the number of members of the Board.

“(2) The Chief Information Officer of the Department of Defense shall serve as chairman of the Board.

“(3) The Secretary shall appoint officers in the grade of general or admiral and civilian employees of the Department of Defense in the Senior Executive Service to serve as members of the Board.

“(c) **RESPONSIBILITIES.**—The Board shall—

“(1) monitor the overall communications security, cryptographic modernization, and key management efforts of the Department, including activities under major defense acquisition programs (as defined in section 139c of this title), by—

“(A) requiring each Chief Information Officer of each military department to report the communications security activities of the military department to the Board;

“(B) tracking compliance of each military department with respect to communications security modernization efforts;

“(C) validating lifecycle communications security modernization plans for major defense acquisition programs;

“(2) validate the need to replace cryptographic equipment based on the expiration dates of the equipment and evaluate the risks of continuing to use cryptographic equipment after such expiration dates;

“(3) convene in-depth program reviews for specific cryptographic modernization developments with respect to validating requirements and identifying programmatic risks;

“(4) develop a long-term roadmap for communications security to identify potential

issues and ensure synchronization with major planning documents; and

“(5) advise the Secretary on the cryptographic posture of the Department, including budgetary recommendations.

“(d) EXCLUSION OF CERTAIN PROGRAMS.—The Board shall not include the consideration of programs funded under the National Intelligence Program (as defined in section 3(6) of the National Security Act of 1947 (50 U.S.C. 3003(6))) in carrying out this section.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 188 the following new item:

“189. Communications Security Review and Advisory Board”.

SEC. 262. EXTENSION AND EXPANSION OF MECHANISMS TO PROVIDE FUNDS FOR DEFENSE LABORATORIES FOR RESEARCH AND DEVELOPMENT OF TECHNOLOGIES FOR MILITARY MIS-

(a) CLARIFICATION OF AVAILABILITY OF FUNDS.—Section 219 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 10 U.S.C. 2358 note) is amended—

(1) in subsection (a)(1)(D), by striking “and recapitalization” through the period at the end and inserting “recapitalization, or minor military construction of the laboratory infrastructure, in accordance with subsection (b).”;

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting after subsection (a) the following new subsection (b):

“(b) AVAILABILITY OF FUNDS FOR INFRASTRUCTURE PROJECTS.—

“(1) IN GENERAL.—Subject to the provisions of this subsection, funds available under a mechanism under subsection (a)(1)(D) that are solely intended to carry out a laboratory infrastructure project shall be available for such project until expended.

“(2) PRIOR NOTICE OF COSTS OF PROJECTS.—Funds shall be available in accordance with paragraph (1) for a project referred to in such paragraph only if the Secretary notifies the congressional defense committees of the total cost of the project before the date on which the Secretary uses a mechanism under subsection (a)(1)(D) for such project.

“(3) ACCUMULATION OF FUNDS FOR PROJECTS.—Funds may accumulate under a mechanism under subsection (a) for a project referred to in paragraph (1) for not more than five years.

“(4) COST LIMIT COMPLIANCE.—The Secretary shall ensure that a project referred to in paragraph (1) for which funds are made available in accordance with such paragraph complies with the applicable cost limitations in the following provisions of law:

“(A) Section 2805(d) of title 10, United States Code, with respect to revitalization and recapitalization projects.

“(B) Section 2811 of such title, with respect to repair projects.”.

(b) EXTENSION.—Subsection (d) of such section, as redesignated by subsection (a)(2) of this section, is amended by striking “September 30, 2016” and inserting “September 30, 2020”.

(c) APPLICATION.—Subsection (b) of such section 219, as added by subsection (a)(3), shall apply with respect to funds made available under such section on or after the date of the enactment of this Act.

SEC. 263. EXTENSION OF AUTHORITY TO AWARD PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.

Section 2374a(f) of title 10, United States Code, is amended by striking “September 30, 2013” and inserting “September 30, 2018”.

SEC. 264. FIVE-YEAR EXTENSION OF PILOT PROGRAM TO INCLUDE TECHNOLOGY PROTECTION FEATURES DURING RESEARCH AND DEVELOPMENT OF CERTAIN DEFENSE SYSTEMS.

Section 243(d) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 10 U.S.C. 2358 note) is amended by striking “October 1, 2015” and inserting “October 1, 2020”.

SEC. 265. BRIEFING ON BIOMETRICS ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

(a) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on an assessment of the future program structure for biometrics oversight and execution and architectural requirements for biometrics-enabling capability.

(b) MATTERS INCLUDED.—The briefing under subsection (a) shall include the following:

(1) An assessment of the roles and responsibilities of the principal staff assistant for biometrics, the program manager for biometrics, and the Defense Forensics and Biometrics Agency, including—

(A) the roles and responsibilities of each element of the Department of Defense, including each military department, with responsibility for biometrics and each such element that is responsible for requirements and testing regarding biometrics; and

(B) whether the executive management responsibilities of the Department of Defense program manager for biometrics should be retained by the Army or transferred to another element of the Department.

(2) An assessment of the current requirements for biometrics-enabling capability, including with respect to—

(A) a governance process for capturing, vetting, and validating requirements and business processes across military department, interagency, and international partners; and

(B) a process to determine resourcing business rules to establish and sustain such capabilities.

(3) An evaluation of the most appropriate element of the Department to take responsibility for defining and managing the end-to-end performance of the biometric enterprise, beginning and ending at the point of biometric encounter, as described in the report of the Comptroller General of the United States titled “Defense Biometrics: Additional Training for Leaders and More Timely Transmission of Data Could Enhance the Use of Biometrics in Afghanistan”, numbered 12-442.

SEC. 266. SENSE OF CONGRESS ON IMPORTANCE OF ALIGNING COMMON MISSILE COMPARTMENT OF OHIO-CLASS REPLACEMENT PROGRAM WITH THE UNITED KINGDOM'S VANGUARD SUCCESSOR PROGRAM.

It is the sense of Congress that the Secretary of Defense and the Secretary of the Navy should make every effort to ensure that the common missile compartment associated with the Ohio-class ballistic missile submarine replacement program stays on schedule and is aligned with the Vanguard-successor program of the United Kingdom in order for the United States to fulfill its longstanding commitment to our ally and partner in sea-based strategic deterrence.

SEC. 267. SENSE OF CONGRESS ON COUNTER-ELECTRONICS HIGH POWER MICROWAVE MISSILE PROJECT.

It is the sense of the Congress that—

(1) in carrying out the non-kinetic counter-electronics developmental planning effort of

the Air Force, the Secretary of Defense should consider the results of the successful joint technology capability demonstration that the counter-electronics high power microwave missile project conducted in 2012;

(2) an analysis of alternatives is an important step in the long-term development of a non-kinetic counter-electronic system;

(3) the Secretary should pursue both near- and far-term joint non-kinetic counter-electronic systems; and

(4) the counter-electronics high power microwave missile project (or a variant thereof) should be considered among the options for a possible materiel solution in response to any near-term joint urgent operational need, joint emergent operational need, or combatant command integrated priority for a non-kinetic counter-electronic system.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.

Subtitle B—Energy and Environment

Sec. 311. Deadline for submission of reports on proposed budgets for activities relating to operational energy strategy.

Sec. 312. Facilitation of interagency cooperation in conservation programs of the Departments of Defense, Agriculture, and Interior to avoid or reduce adverse impacts on military readiness activities.

Sec. 313. Reauthorization of Sikes Act.

Sec. 314. Clarification of prohibition on disposing of waste in open-air burn pits.

Sec. 315. Limitation on availability of funds for procurement of drop-in fuels.

Subtitle C—Logistics and Sustainment

Sec. 321. Strategic policy for prepositioned materiel and equipment.

Sec. 322. Department of Defense manufacturing arsenal study and report.

Sec. 323. Consideration of Army arsenals' capabilities to fulfill manufacturing requirements.

Sec. 324. Strategic policy for the retrograde, reconstitution, and replacement of operating forces used to support overseas contingency operations.

Sec. 325. Littoral Combat Ship Strategic Sustainment Plan.

Sec. 326. Strategy for improving asset tracking and in-transit visibility.

Subtitle D—Reports

Sec. 331. Additional reporting requirements relating to personnel and unit readiness.

Sec. 332. Modification of authorities on prioritization of funds for equipment readiness and strategic capability.

Sec. 333. Revision to requirement for annual submission of information regarding information technology capital assets.

Sec. 334. Modification of annual corrosion control and prevention reporting requirements.

Subtitle E—Limitations and Extensions of Authority

Sec. 341. Certification for realignment of forces at Lajes Air Force Base, Azores.

Sec. 342. Limitation on performance of Department of Defense flight demonstration teams outside the United States.

Sec. 343. Limitation on funding for United States Special Operations Command National Capital Region.

Sec. 344. Limitation on availability of funds for Trans Regional Web Initiative.

Subtitle F—Other Matters

Sec. 351. Gifts made for the benefit of military musical units.

Sec. 352. Revised policy on ground combat and camouflage utility uniforms.

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

Subtitle B—Energy and Environment

SEC. 311. DEADLINE FOR SUBMISSION OF REPORTS ON PROPOSED BUDGETS FOR ACTIVITIES RELATING TO OPERATIONAL ENERGY STRATEGY.

Section 138c(e) of title 10, United States Code, is amended—

(1) in paragraph (4), by striking “Not later than 30 days after the date on which the budget for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, the Secretary of Defense shall submit to Congress a report on the proposed budgets for that fiscal year” and inserting “The Secretary of Defense shall submit to Congress a report on the proposed budgets for a fiscal year”; and

(2) by adding at the end the following new paragraph:

“(6) The report required by paragraph (4) for a fiscal year shall be submitted by the later of the following dates:

“(A) The date that is 30 days after the date on which the budget for that fiscal year is submitted to Congress pursuant to section 1105 of title 31.

“(B) March 31 of the previous fiscal year.”.

SEC. 312. FACILITATION OF INTERAGENCY COOPERATION IN CONSERVATION PROGRAMS OF THE DEPARTMENTS OF DEFENSE, AGRICULTURE, AND INTERIOR TO AVOID OR REDUCE ADVERSE IMPACTS ON MILITARY READINESS ACTIVITIES.

(a) USE OF FUNDS UNDER CERTAIN AGREEMENTS.—Section 2684a of title 10, United States Code, is amended—

(1) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (g) the following new subsection (h):

“(h) INTERAGENCY COOPERATION IN CONSERVATION PROGRAMS TO AVOID OR REDUCE ADVERSE IMPACTS ON MILITARY READINESS ACTIVITIES.—In order to facilitate interagency cooperation and enhance the effectiveness of actions that will protect both the environment and military readiness, the recipient of funds provided pursuant to an agreement under this section or under the Sikes Act (16 U.S.C. et seq.) may, with regard to the lands and waters within the scope of the agreement, use such funds to satisfy any matching funds or cost-sharing requirement of any conservation program of the Department of Agriculture or the Department of the Interior notwithstanding any limitation of such program on the source of matching or cost-sharing funds.”.

(b) SUNSET.—This section and subsection (h) of section 2684a of title 10, United States Code, as added by this section, shall expire on October 1, 2019, except that any agreement referred to in such subsection that is entered into on or before September 30, 2019, shall continue according to its terms and conditions as if this section has not expired.

SEC. 313. REAUTHORIZATION OF SIKES ACT.

Section 108 of the Sikes Act (16 U.S.C. 670f) is amended by striking “fiscal years 2009 through 2014” each place it appears and inserting “fiscal years 2014 through 2019”.

SEC. 314. CLARIFICATION OF PROHIBITION ON DISPOSING OF WASTE IN OPEN-AIR BURN PITS.

Section 317(c)(2) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2249; 10 U.S.C. 2701 note) is amended—

(1) in subparagraph (B), by striking “and”;
(2) by redesignating subparagraph (C) as subparagraph (Q); and

(3) by inserting after subparagraph (B) the following new subparagraphs:

“(C) tires;

“(D) treated wood;

“(E) batteries;

“(F) plastics, except insignificant amounts of plastic remaining after a good-faith effort to remove or recover plastic materials from the solid waste stream;

“(G) munitions and explosives, except when disposed of in compliance with guidance on the destruction of munitions and explosives contained in the Department of Defense Ammunition and Explosives Safety Standards, DoD Manual 6055.09-M;

“(H) compressed gas cylinders, unless empty with valves removed;

“(I) fuel containers, unless completely evacuated of its contents;

“(J) aerosol cans;

“(K) polychlorinated biphenyls;

“(L) petroleum, oils, and lubricants products (other than waste fuel for initial combustion);

“(M) asbestos;

“(N) mercury;

“(O) foam tent material;

“(P) any item containing any of the materials referred to in a preceding paragraph; and”.

SEC. 315. LIMITATION ON AVAILABILITY OF FUNDS FOR PROCUREMENT OF DROP-IN FUELS.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to make a bulk purchase of a drop-in fuel for operational purposes unless the cost of that drop-in fuel is cost-competitive with the cost of a traditional fuel available for the same purpose.

(b) WAIVER.—

(1) IN GENERAL.—Subject to the requirements of paragraph (2), the Secretary of Defense may waive the limitation under subparagraph (a) with respect to a purchase.

(2) NOTICE REQUIRED.—Not later than 30 days after issuing a waiver under this subsection, the Secretary shall submit to the congressional defense committees notice of the waiver. Any such notice shall include each of the following:

(A) The rationale of the Secretary for issuing the waiver

(B) A certification that the waiver is in the national security interest of the United States.

(C) The expected cost of the purchase for which the waiver is issued.

(c) DEFINITIONS.—For the purposes of this section—

(1) The term “drop-in fuel” means a neat or blended liquid hydrocarbon fuel designed as a direct replacement for a traditional fuel with comparable performance characteristics and compatible with existing infrastructure and equipment

(2) The term “traditional fuel” means a liquid hydrocarbon fuel derived or refined from petroleum.

(3) The term “operational purposes” means for the purposes of conducting military operations, including training, exercises, large scale demonstrations, and moving and sustaining military forces and military platforms. Such term does not include research, development, testing, evaluation, fuel certification, or other demonstrations.

Subtitle C—Logistics and Sustainment

SEC. 321. STRATEGIC POLICY FOR PREPOSITIONED MATERIEL AND EQUIPMENT.

(a) MODIFICATIONS TO STRATEGIC POLICY.—Section 2229(a) of title 10, United States Code, is amended to read as follows:

“(a) POLICY REQUIRED.—

“(1) IN GENERAL.—The Secretary of Defense shall maintain a strategic policy on the programs of the Department of Defense for prepositioned materiel and equipment. Such policy shall take into account national security threats, strategic mobility, service requirements, and the requirements of the combatant commands, and shall address how the Department’s prepositioning programs, both ground and afloat, align with national defense strategies and departmental priorities.

“(2) ELEMENTS.—The strategic policy required under paragraph (1) shall include the following elements:

“(A) Overarching strategic guidance concerning planning and resource priorities that link the Department of Defense’s current and future needs for prepositioned stocks, such as desired responsiveness, to evolving national defense objectives.

“(B) A description of the Department’s vision for prepositioning programs and the desired end state.

“(C) Specific interim goals demonstrating how the vision and end state will be achieved.

“(D) A description of the strategic environment, requirements for, and challenges associated with, prepositioning.

“(E) Metrics for how the Department will evaluate the extent to which prepositioned assets are achieving defense objectives.

“(F) A framework for joint departmental oversight that reviews and synchronizes the military services’ prepositioning strategies to minimize potentially duplicative efforts and maximize efficiencies in prepositioned materiel and equipment across the Department of Defense.

“(3) JOINT OVERSIGHT.—The Secretary of Defense shall establish joint oversight of the military services’ prepositioning efforts to maximize efficiencies across the Department of Defense.”.

(b) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for implementation of the prepositioning strategic policy required under section 2229(a) of title 10, United States Code, as amended by subsection (a).

(2) ELEMENTS.—The implementation plan required under paragraph (1) shall include the following elements:

(A) Detailed guidance for how the Department of Defense will achieve the vision, end

state, and goals outlined in the strategic policy.

(B) A comprehensive list of the Department's prepositioned materiel and equipment programs.

(C) A detailed description of how the plan will be implemented.

(D) A schedule with milestones for the implementation of the plan.

(E) An assignment of roles and responsibilities for the implementation of the plan.

(F) A description of the resources required to implement the plan.

(G) A description of how the plan will be reviewed and assessed to monitor progress.

(c) **COMPTROLLER GENERAL REPORT.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Comptroller General of the United States shall review the implementation plan submitted under subsection (b) and the prepositioning strategic policy required under section 2229(a) of title 10, United States Code, as amended by subsection (a), and submit to the congressional defense committees a report describing the findings of such review and including any additional information relating to the propositioning strategic policy and plan that the Comptroller General determines appropriate.

SEC. 322. DEPARTMENT OF DEFENSE MANUFACTURING ARSENAL STUDY AND REPORT.

(a) **REVIEW.**—

(1) **MANUFACTURING REQUIREMENTS.**—The Secretary of Defense, in consultation with the military services and Defense Agencies, shall review—

(A) current and expected manufacturing requirements across the military services and Defense Agencies to identify critical manufacturing competencies and supplies, components, end items, parts, assemblies, and sub-assemblies for which there is no or limited domestic commercial source and which are appropriate for manufacturing within an arsenal owned by the United States in order to support critical manufacturing capabilities;

(B) how the Department of Defense can more effectively use and manage public-private partnerships to preserve critical industrial capabilities at such arsenals for future national security requirements while providing to the Department of the Army a return on its investment;

(C) the effectiveness of the strategy of the Department of Defense to assign workload to each of the arsenals and the potential for alternative strategies that could better identify workload for each arsenal;

(D) the impact of the rate structure driven by the Department of the Army working-capital funds on public-private partnerships at each such arsenal;

(E) the extent to which operations at each such arsenal can be streamlined, improved, or enhanced; and

(F) the effectiveness of the implementation by the Department of the Army of cooperative agreements authorized at manufacturing arsenals under section 4544 of title 10, United States Code.

(2) **MECHANISMS FOR DETERMINING MANUFACTURING CAPABILITIES.**—The Secretary shall review mechanisms within the Department of Defense for ensuring that appropriate consideration is given to the unique manufacturing capabilities of arsenals owned by the United States to fulfill manufacturing requirements of the Department of Defense for which there is no or limited domestic commercial capability.

(b) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this

Act, the Secretary of Defense shall submit to the congressional defense committees a report that includes the results of the reviews conducted under subsection (a) and a description of actions planned to support critical manufacturing capabilities within arsenals owned by the United States.

(c) **COMPTROLLER GENERAL REPORT.**—Not later than one year after the date on which the report required under subsection (b) is submitted, the Comptroller General shall submit to the congressional defense committees a report containing an assessment of the report together with the recommendations of the Comptroller General to improve the strategy of the Department of Defense to assign workload.

SEC. 323. CONSIDERATION OF ARMY ARSENALS' CAPABILITIES TO FULFILL MANUFACTURING REQUIREMENTS.

(a) **CONSIDERATION OF CAPABILITY OF ARSENALS.**—When undertaking a make-or-buy analysis, a program executive officer or program manager of a military service or Defense Agency shall consider the capability of arsenals owned by the United States to fulfill a manufacturing requirement.

(b) **NOTIFICATION OF SOLICITATIONS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish and begin implementation of a system for ensuring that the arsenals owned by the United States are notified of any solicitation that fulfills a manufacturing requirement for which there is no or limited domestic commercial source and which may be appropriate for manufacturing within an arsenal owned by the United States.

SEC. 324. STRATEGIC POLICY FOR THE RETROGRADE, RECONSTITUTION, AND REPLACEMENT OF OPERATING FORCES USED TO SUPPORT OVERSEAS CONTINGENCY OPERATIONS.

(a) **ESTABLISHMENT OF POLICY.**—

(1) **IN GENERAL.**—The Secretary of Defense shall establish a policy setting forth the programs and priorities of the Department of Defense for the retrograde, reconstitution, and replacement of units and materiel used to support overseas contingency operations. The policy shall take into account national security threats, the requirements of the combatant commands, the current readiness of the operating forces of the military departments, and risk associated with strategic depth and the time necessary to reestablish required personnel, equipment, and training readiness in such operating forces.

(2) **ELEMENTS.**—The policy required under paragraph (1) shall include the following elements:

(A) Establishment and assignment of responsibilities and authorities within the Department for oversight and execution of the planning, organization, and management of the programs to reestablish the readiness of redeployed operating forces.

(B) Guidance concerning priorities, goals, objectives, timelines, and resources to reestablish the readiness of redeployed operating forces in support of national defense objectives and combatant command requirements.

(C) Oversight reporting requirements and metrics for the evaluation of Department of Defense and military department progress on restoring the readiness of redeployed operating forces in accordance with the policy required under paragraph (1).

(D) A framework for joint departmental reviews of military services' annual budgets proposed for retrograde, reconstitution, or replacement activities, including an assessment of the strategic and operational risk assumed by the proposed levels of investment across the Department of Defense.

(b) **IMPLEMENTATION PLAN.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for implementation of the policy required under this section.

(2) **ELEMENTS.**—The implementation plan required under paragraph (1) shall include the following elements:

(A) The assignment of responsibilities and authorities for oversight and execution of the planning, organization, and management of the programs to reestablish the readiness of redeployed operating forces.

(B) Establishment of priorities, goals, objectives, timelines, and resources to reestablish the readiness of redeployed operating forces in support of national defense objectives and combatant command requirements.

(C) A description of how the plan will be implemented, including a schedule with milestones to meet the goals of the plan.

(D) An estimate of the resources by military service and by year required to implement the plan, including an assessment of the risks assumed in the plan.

(3) **UPDATES.**—Not later than one year after submitting the plan required under paragraph (1), and annually thereafter for two years, the Secretary of Defense shall submit to the congressional defense committees an update on progress toward meeting the goals of the plan.

(c) **COMPTROLLER GENERAL REPORT.**—Not later than 120 days after the date of the enactment of this Act, and annually after the submittal of each update to the implementation plan under subsection (b), the Comptroller General of the United States shall review the implementation plan submitted under subsection (b) and the policy required by subsection (a), and submit to the congressional defense committees a report describing the findings of such review and progress made toward meeting the goals of the plan and including any additional information relating to the policy and plan that the Comptroller General determines appropriate.

SEC. 325. LITTORAL COMBAT SHIP STRATEGIC SUSTAINMENT PLAN.

(a) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees and to the Comptroller General of the United States a strategic sustainment plan for the Littoral Combat Ship. Such plan shall include each of the following:

(1) An estimate of the cost and schedule of implementing the plan.

(2) An identification of the requirements and planning for the long-term sustainment of the Littoral Combat Ship and its mission modules in accordance with section 2366b of title 10, United States Code, as amended by section 801 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1482).

(3) A description of the current and future operating environments of the Littoral Combat Ship, as specified or referred to in strategic guidance and planning documents of the Department of Defense.

(4) The facility, supply, and logistics systems requirements, including contractor support, of the Littoral Combat Ship when forward deployed, and an estimate of the cost and personnel required to conduct the necessary maintenance activities.

(5) Any required updates to host-nation agreements to facilitate the forward-deployed maintenance requirements of the Littoral Combat Ship, including a discussion of

overseas management of Ship ordnance and hazardous materials and delivery of equipment and spare parts needed for emergent repair.

(6) An evaluation of the forward-deployed maintenance requirements of the Littoral Combat Ship and a schedule of pier-side maintenance timelines when forward-deployed, including requirements for multiple ships and variants.

(7) An assessment of the total quantity of equipment, spare parts, permanently forward-stationed personnel, and size of fly away teams required to support forward-deployed maintenance requirements for the U.S.S. Freedom while in Singapore, and estimates for follow-on deployments of Littoral Combat Ships of both variants.

(8) A detailed description of the continuity of operations plans for the Littoral Combat Ship Squadron and of any plans to increase the number of Squadron personnel.

(9) An identification of mission critical single point of failure equipment for which a sufficient number spare parts are necessary to have on hand, and determination of Littoral Combat Ship forward deployed equipment and spare parts locations and levels.

(b) FORM.—The plan required under subsection (a) shall be submitted in unclassified form but may have a classified annex.

SEC. 326. STRATEGY FOR IMPROVING ASSET TRACKING AND IN-TRANSIT VISIBILITY.

(a) STRATEGY AND IMPLEMENTATION PLANS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a comprehensive strategy for improving asset tracking and in-transit visibility across the Department of Defense, together with the plans of the military departments for implementing the strategy.

(2) ELEMENTS.—The strategy and implementation plans required under paragraph (1) shall include the following elements:

(A) The overarching goals and objectives desired from implementation of the strategy.

(B) A description of steps to achieve those goals and objectives, as well as milestones and performance measures to gauge results.

(C) An estimate of the costs associated with executing the plan, and the sources and types of resources and investments, including skills, technology, human capital, information, and other resources, required to meet the goals and objectives.

(D) A description of roles and responsibilities for managing and overseeing the implementation of the strategy, including the role of program managers, and the establishment of mechanisms for multiple stakeholders to coordinate their efforts throughout implementation and make necessary adjustments to the strategy based on performance.

(E) A description of key factors external to the Department of Defense and beyond its control that could significantly affect the achievement of the long-term goals contained in the strategy.

(F) A detailed description of asset marking requirements and how automated information and data capture technologies could improve readiness, cost effectiveness, and performance.

(G) A defined list of all categories of items that program managers are required to identify for the purposes of asset marking.

(H) A description of steps to improve asset tracking and in-transit visibility for classified programs.

(I) Steps to be undertaken to facilitate collaboration with industry designed to capture

best practices, lessons learned, and any relevant technical matters.

(J) A description of how improved asset tracking and in-transit visibility could enhance audit readiness, reduce counterfeit risk, enhance logistical processes, and otherwise benefit the Department of Defense.

(K) An operational security assessment designed to ensure that all Department of Defense assets are appropriately protected during the execution of the strategy and implementation plan.

(b) COMPTROLLER GENERAL REPORT.—Not later than one year after the strategy is submitted under subsection (a), the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth an assessment of the extent to which the strategy and accompanying implementation plans—

(1) include the elements set forth under subsection (a)(2);

(2) align to achieve the overarching asset tracking and in-transit visibility goals and objectives of the Department of Defense;

(3) incorporate, as appropriate, industry best practices related to automated information and data capture technologies for asset tracking and in-transit visibility;

(4) effectively execute the policies prescribed in Department of Defense Instruction 8320.04; and

(5) have been implemented.

Subtitle D—Reports

SEC. 331. ADDITIONAL REPORTING REQUIREMENTS RELATING TO PERSONNEL AND UNIT READINESS.

(a) ASSESSMENT OF ASSIGNED MISSIONS AND CONTRACTOR SUPPORT.—Section 482 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “The report for a quarter” and inserting “Each report”; and

(B) by striking “(e), and (f)” and inserting “(f), (g), (h), (i), (j), and (k), and the reports for the second and fourth quarters of a calendar year shall also contain the information required by subsection (e)”; and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “, including the extent” and all that follows through the period at the end and inserting the following: “, including an assessment of the manning of units (authorized versus assigned numbers of personnel) for units not scheduled for deployment and the timing of the arrival of personnel into units preparing for deployments.”; and

(ii) in subparagraph (B), by inserting “unit” before “personnel strength”;

(B) by amending paragraph (2) to read as follows:

“(2) PERSONNEL TURBULENCE.—

“(A) Recruit quality.

“(B) Personnel assigned to a unit but not trained for the level of assigned responsibility or mission.

“(C) Fitness for deployment.

“(D) Recruiting and retention status.”;

(C) by striking paragraph (3) and redesignating paragraph (4) as paragraph (3); and

(D) in paragraph (3), as redesignated by subparagraph (C), by striking “Training commitments” and inserting “Mission rehearsals”;

(3) by redesignating subsections (e), (f), and (g), as subsections (f), (g), and (i), respectively;

(4) by inserting after subsection (d)(3), as redesignated by paragraph (1)(C), the following new subsection:

“(e) LOGISTICS INDICATORS.—The reports for the second and fourth quarters of a cal-

endar year shall also include information regarding the active components of the armed forces (and an evaluation of such information) with respect to each of the following logistics indicators:”;

(5) in subsection (e), as designated by paragraph (4)—

(A) by redesignating paragraphs (5), (6), and (7) as paragraphs (1), (2), and (3), respectively;

(B) in paragraph (1), as redesignated by subparagraph (A), by striking subparagraph (E); and

(C) in paragraph (2), as so redesignated—

(i) in subparagraph (A), by striking “Maintenance” and inserting “Depot maintenance”; and

(ii) by inserting after subparagraph (A) the following new subparagraph:

“(B) Equipment not available due to a lack of supplies or parts.”; and

(6) by inserting after subsection (g), as redesignated by paragraph (3), the following new subsections:

“(h) COMBATANT COMMAND ASSIGNED MISSION ASSESSMENTS.—(1) Each report shall also include an assessment by each commander of a geographic or functional combatant command of the ability of the command to successfully execute each of the assigned missions of the command. Each such assessment for a combatant command shall also include a list of the mission essential tasks for each assigned mission of the command and an assessment of the ability of the command to successfully complete each task within prescribed timeframes.

“(2) For purposes of this subsection, the term ‘assigned mission’ means any contingency response program plan, theater campaign plan, or named operation that is approved and assigned by the Joint Chiefs of Staff.

“(i) RISK ASSESSMENT OF DEPENDENCE ON CONTRACTOR SUPPORT.—Each report shall also include an assessment by the Chairman of the Joint Chiefs of Staff of the level of risk incurred by using contract support in contingency operations as required under Department of Defense Instruction 1100.22, ‘Policies and Procedures for Determining Workforce Mix’.

“(j) COMBAT SUPPORT AGENCIES ASSESSMENT.—(1) Each report shall also include an assessment by the Secretary of Defense of the military readiness of the combat support agencies, including, for each such agency—

“(A) a determination with respect to the responsiveness and readiness of the agency to support operating forces in the event of a war or threat to national security, including—

“(i) a list of mission essential tasks and an assessment of the ability of the agency to successfully perform those tasks;

“(ii) an assessment of how the ability of the agency to accomplish the tasks referred to in subparagraph (A) affects the ability of the military departments and the unified and geographic combatant commands to execute operations and contingency plans by number;

“(iii) any readiness deficiencies and actions recommended to address such deficiencies; and

“(iv) key indicators and other relevant information related to any deficiency or other problem identified;

“(B) any recommendations that the Secretary considers appropriate.

“(2) In this subsection, the term ‘combat support agency’ means any of the following Defense Agencies:

“(A) The Defense Information Systems Agency.

“(B) The Defense Intelligence Agency.

“(C) The Defense Logistics Agency.

“(D) The National Geospatial-Intelligence Agency (but only with respect to combat support functions that the agencies perform for the Department of Defense).

“(E) The Defense Contract Management Agency.

“(F) The Defense Threat Reduction Agency.

“(G) The National Reconnaissance Office.

“(H) The National Security Agency (but only with respect to combat support functions that the agencies perform for the Department of Defense) and Central Security Service.

“(I) Any other Defense Agency designated as a combat support agency by the Secretary of Defense.

“(k) MAJOR EXERCISE ASSESSMENTS.—(1) Each report shall also include an after-action assessment of each major exercise by the commander of the geographic or functional combatant command concerned or the chief of the military service concerned, as appropriate, that includes—

“(A) a brief description of the exercise;

“(B) planned training objectives for the exercise;

“(C) a full summary of cost associated with the exercise, including in-kind and direct contributions to allies and partners; and

“(D) an executive summary of the lessons learned and training objectives met by conducting the exercise.

“(2) In this subsection, the term ‘major exercise’ means a named major training event, an integrated or joint exercise, or a unilateral major exercise.”.

SEC. 332. MODIFICATION OF AUTHORITIES ON PRIORITIZATION OF FUNDS FOR EQUIPMENT READINESS AND STRATEGIC CAPABILITY.

(a) INCLUSION OF MARINE CORPS IN REQUIREMENTS.—Section 323 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (10 U.S.C. 229 note) is amended—

(1) in subsection (a), by striking paragraph (2) and inserting the following new paragraph (2):

“(2) the Secretary of the Army to meet the requirements of the Army, and the Secretary of the Navy to meet the requirements of the Marine Corps, for that fiscal year, in addition to the requirements under paragraph (1), for the reconstitution of equipment and materiel in prepositioned stocks in accordance with requirements under the policy or strategy implemented under the guidelines in section 2229 of title 10, United States Code.”; and

(2) in subsection (b)(2), by striking subparagraph (B) and inserting the following new subparagraph (B):

“(B) the Army and the Marine Corps for the reconstitution of equipment and materiel in prepositioned stocks.”.

(b) REPEAL OF REQUIREMENT FOR ANNUAL ARMY REPORT AND GAO REVIEW.—Such section is further amended by striking subsections (c) through (f) and inserting the following new subsection (c):

“(c) CONTINGENCY OPERATION DEFINED.—In this section, the term ‘contingency operation’ has the meaning given that term in section 101(a)(13) of title 10, United States Code.”.

SEC. 333. REVISION TO REQUIREMENT FOR ANNUAL SUBMISSION OF INFORMATION REGARDING INFORMATION TECHNOLOGY CAPITAL ASSETS.

Section 351(a)(1) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 10 U.S.C. 221 note) is amended by striking “in excess of

\$30,000,000” and all that follows and inserting “(as computed in fiscal year 2000 constant dollars) in excess of \$32,000,000 or an estimated total cost for the future-years defense program for which the budget is submitted (as computed in fiscal year 2000 constant dollars) in excess of \$378,000,000, for all expenditures, for all increments, regardless of the appropriation and fund source, directly related to the assets definition, design, development, deployment, sustainment, and disposal.”.

SEC. 334. MODIFICATION OF ANNUAL CORROSION CONTROL AND PREVENTION REPORTING REQUIREMENTS.

Section 903(b)(5) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 10 U.S.C. 2228 note) is amended—

(1) by inserting “(A)” after “(5)”;

(2) by adding at the end the following new subparagraph:

“(B) The report required under subparagraph (A) shall—

“(i) provide a clear linkage between the corrosion control and prevention program of the military department and the overarching goals and objectives of the long-term corrosion control and prevention strategy developed and implemented by the Secretary of Defense under section 2228(d) of title 10, United States Code; and

“(ii) include performance measures to ensure that the corrosion control and prevention program is achieving the goals and objectives described in clause (i).”.

Subtitle E—Limitations and Extensions of Authority

SEC. 341. CERTIFICATION FOR REALIGNMENT OF FORCES AT LAJES AIR FORCE BASE, AZORES.

The Secretary of Defense shall certify to the congressional defense committees, prior to taking any action to realign forces at Lajes Air Force Base, Azores, that the action is supported by a European Infrastructure Consolidation Assessment initiated by the Secretary of Defense on January 25, 2013. The certification shall include a specific assessment of the efficacy of Lajes Air Force Base, Azores, in support of the United States overseas force posture.

SEC. 342. LIMITATION ON PERFORMANCE OF DEPARTMENT OF DEFENSE FLIGHT DEMONSTRATION TEAMS OUTSIDE THE UNITED STATES.

If, during fiscal year 2014 or 2015, any performance by a flight demonstration team under the jurisdiction of the Secretary of Defense that is scheduled for a location within the United States is cancelled by reason of budget reductions made pursuant to an order for sequestration issued by the President under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, then no such flight demonstration team may perform at any location outside the United States during such fiscal year.

SEC. 343. LIMITATION ON FUNDING FOR UNITED STATES SPECIAL OPERATIONS COMMAND NATIONAL CAPITAL REGION.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended for the United States Special Operations Command National Capital Region (USSOCOM-NCR) until 30 days after the Secretary of Defense submits to the congressional defense committees a report on the USSOCOM-NCR.

(b) REPORT ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A description of the purpose of the USSOCOM-NCR.

(2) A description of the activities to be performed by the USSOCOM-NCR.

(3) An explanation of the impact of the USSOCOM-NCR on existing activities at United States Special Operations Command headquarters.

(4) A detailed, by fiscal year, breakout of the staffing and other costs associated with the USSOCOM-NCR over the future-years defense program.

(5) A description of the relationship between the USSOCOM-NCR and the Office of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict.

(6) A description of the role of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict in providing oversight of USSOCOM-NCR activities.

(7) Any other matters the Secretary determines appropriate.

SEC. 344. LIMITATION ON AVAILABILITY OF FUNDS FOR TRANS REGIONAL WEB INITIATIVE.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated for fiscal year 2014 for the Department of Defense may be obligated or expended for the Trans Regional Web Initiative.

(b) EXCEPTION.—Notwithstanding subsection (a), of the amounts authorized to be appropriated by section 301 for operation and maintenance, Defense-wide, not more than \$2,000,000 may be obligated or expended for—

(1) the termination of the Trans Regional Web Initiative as managed by Special Operations Command; or

(2) transitioning appropriate capabilities of such Initiative to other agencies.

Subtitle F—Other Matters

SEC. 351. GIFTS MADE FOR THE BENEFIT OF MILITARY MUSICAL UNITS.

Section 974 of title 10, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following:

“(d) PRIVATE DONATIONS.—(1) The Secretary concerned may accept contributions of money, personal property, or services on the condition that such money, property, or services be used for the benefit of a military musical unit under the jurisdiction of the Secretary.

“(2) Any contribution of money under paragraph (1) shall be credited to the appropriation or account providing the funds for such military musical unit. Any amount so credited shall be merged with amounts in the appropriation or account to which credited, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such appropriation or account.

“(3) Not later than January 30 of each year, the Secretary concerned shall submit to Congress a report on any contributions of money, personal property, and services accepted under paragraph (1) during the fiscal year preceding the fiscal year during which the report is submitted.”.

SEC. 352. REVISED POLICY ON GROUND COMBAT AND CAMOUFLAGE UTILITY UNIFORMS.

(a) ESTABLISHMENT OF POLICY.—It is the policy of the United States that the Secretary of Defense shall eliminate the development and fielding of Armed Force-specific combat and camouflage utility uniforms and families of uniforms in order to adopt and

field a common combat and camouflage utility uniform or family of uniforms for specific combat environments to be used by all members of the Armed Forces.

(b) **PROHIBITION.**—Except as provided in subsection (c), after the date of the enactment of this Act, the Secretary of a military department may not adopt any new camouflage pattern design or uniform fabric for any combat or camouflage utility uniform or family of uniforms for use by an Armed Force, unless—

(1) the new design or fabric is a combat or camouflage utility uniform or family of uniforms that will be adopted by all Armed Forces;

(2) the Secretary adopts a uniform already in use by another Armed Force; or

(3) the Secretary of Defense grants an exception based on unique circumstances or operational requirements.

(c) **EXCEPTIONS.**—Nothing in subsection (b) shall be construed as—

(1) prohibiting the development of combat and camouflage utility uniforms and families of uniforms for use by personnel assigned to or operating in support of the unified combatant command for special operations forces described in section 167 of title 10, United States Code;

(2) prohibiting engineering modifications to existing uniforms that improve the performance of combat and camouflage utility uniforms, including power harnessing or generating textiles, fire resistant fabrics, and anti-vector, anti-microbial, and anti-bacterial treatments;

(3) prohibiting the Secretary of a military department from fielding ancillary uniform items, including headwear, footwear, body armor, and any other such items as determined by the Secretary;

(4) prohibiting the Secretary of a military department from issuing vehicle crew uniforms;

(5) prohibiting cosmetic service-specific uniform modifications to include insignia, pocket orientation, closure devices, inserts, and undergarments; or

(6) prohibiting the continued fielding or use of pre-existing service-specific or operation-specific combat uniforms as long as the uniforms continue to meet operational requirements.

(d) **REGISTRATION REQUIRED.**—The Secretary of a military department shall formally register with the Joint Clothing and Textiles Governance Board all uniforms in use by an Armed Force under the jurisdiction of the Secretary and all such uniforms planned for use by such an Armed Force.

(e) **LIMITATION ON RESTRICTION.**—The Secretary of a military department may not prevent the Secretary of another military department from authorizing the use of any combat or camouflage utility uniform or family of uniforms.

(f) **GUIDANCE REQUIRED.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance to implement this section.

(2) **CONTENT.**—At a minimum, the guidance required by paragraph (1) shall require the Secretary of each of the military departments—

(A) in cooperation with the commanders of the combatant commands, including the unified combatant command for special operations forces, to establish, by not later than 180 days after the date of the enactment of this Act, joint criteria for combat and camouflage utility uniforms and families of uniforms, which shall be included in all new requirements documents for such uniforms;

(B) to continually work together to assess and develop new technologies that could be incorporated into future combat and camouflage utility uniforms and families of uniforms to improve war fighter survivability;

(C) to ensure that new combat and camouflage utility uniforms and families of uniforms meet the geographic and operational requirements of the commanders of the combatant commands; and

(D) to ensure that all new combat and camouflage utility uniforms and families of uniforms achieve interoperability with all components of individual war fighter systems, including body armor, organizational clothing and individual equipment, and other individual protective systems.

(g) **REPEAL OF POLICY.**—Section 352 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84, 123 Stat. 2262; 10 U.S.C. 771 note) is repealed.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Sec. 402. Revisions in permanent active duty end strength minimum levels and in annual limitation on certain end strength reductions.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.

Sec. 412. End strengths for Reserves on active duty in support of the reserves.

Sec. 413. End strengths for military technicians (dual status).

Sec. 414. Fiscal year 2014 limitation on number of non-dual status technicians.

Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2014, as follows:

- (1) The Army, 520,000.
- (2) The Navy, 323,600.
- (3) The Marine Corps, 190,200.
- (4) The Air Force, 327,600.

SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS AND IN ANNUAL LIMITATION ON CERTAIN END STRENGTH REDUCTIONS.

(a) **PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.**—Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following new paragraphs:

- “(1) For the Army, 510,000.
- “(2) For the Navy, 323,600.
- “(3) For the Marine Corps, 188,000.
- “(4) For the Air Force, 327,600.”

(b) **ANNUAL MAXIMUM AUTHORIZED REDUCTION IN END STRENGTHS.**—

(1) **ARMY END STRENGTHS.**—Subsection (a) of section 403 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1708) is amended by striking “15,000 members” and inserting “25,000 members”.

(2) **MARINE CORPS END STRENGTHS.**—Subsection (b) of such section is amended by striking “5,000 members” and inserting “7,500 members”.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) **IN GENERAL.**—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2014, as follows:

- (1) The Army National Guard of the United States, 354,200.
- (2) The Army Reserve, 205,000.
- (3) The Navy Reserve, 59,100.
- (4) The Marine Corps Reserve, 39,600.
- (5) The Air National Guard of the United States, 105,400.
- (6) The Air Force Reserve, 70,400.
- (7) The Coast Guard Reserve, 9,000.

(b) **END STRENGTH REDUCTIONS.**—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) **END STRENGTH INCREASES.**—Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2014, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

- (1) The Army National Guard of the United States, 32,060.
- (2) The Army Reserve, 16,261.
- (3) The Navy Reserve, 10,159.
- (4) The Marine Corps Reserve, 2,261.
- (5) The Air National Guard of the United States, 14,734.
- (6) The Air Force Reserve, 2,911.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2014 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

- (1) For the Army National Guard of the United States, 27,210.
- (2) For the Army Reserve, 8,395.
- (3) For the Air National Guard of the United States, 21,875.
- (4) For the Air Force Reserve, 10,429.

SEC. 414. FISCAL YEAR 2014 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.

(a) **LIMITATIONS.**—

(1) **NATIONAL GUARD.**—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National

Guard as of September 30, 2014, may not exceed the following:

(A) For the Army National Guard of the United States, 1,600.

(B) For the Air National Guard of the United States, 350.

(2) ARMY RESERVE.—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2014, may not exceed 595.

(3) AIR FORCE RESERVE.—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2014, may not exceed 90.

(b) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term “non-dual status technician” has the meaning given that term in section 10217(a) of title 10, United States Code.

SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2014, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

(1) The Army National Guard of the United States, 17,000.

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

(4) The Marine Corps Reserve, 3,000.

(5) The Air National Guard of the United States, 16,000.

(6) The Air Force Reserve, 14,000.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2014.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy Generally

Sec. 501. Congressional notification requirements related to increases in number of general and flag officers on active duty or in joint duty assignments.

Sec. 502. Service credit for cyberspace experience or advanced education upon original appointment as a commissioned officer.

Sec. 503. Selective early retirement authority for regular officers and selective early removal of officers from reserve active-status list.

Subtitle B—Reserve Component Management

Sec. 511. Suicide prevention efforts for members of the reserve components.

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Sec. 521. Provision of information under Transition Assistance Program about disability-related employment and education protections.

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Subtitle D—Military Justice Matters, Other Than Sexual Assault Prevention and Response and Related Reforms

Sec. 531. Modification of eligibility for appointment as Judge on the United States Court of Appeals for the Armed Forces.

Sec. 532. Enhancement of protection of rights of conscience of members of the Armed Forces and chaplains of such members.

Sec. 533. Inspector General investigation of Armed Forces compliance with regulations for the protection of rights of conscience of members of the Armed Forces and their chaplains.

Sec. 534. Survey of military chaplains views on Department of Defense policy regarding chaplain prayers outside of religious services.

Subtitle E—Member Education and Training

Sec. 541. Additional requirements for approval of educational programs for purposes of certain educational assistance under laws administered by the Secretary of Defense.

Sec. 542. Enhancement of mechanisms to correlate skills and training for military occupational specialties with skills and training required for civilian certifications and licenses.

Sec. 543. Report on the Troops to Teachers program.

Sec. 544. Secretary of Defense report on feasibility of requiring automatic operation of current prohibition on accrual of interest on direct student loans of certain members of the Armed Forces.

Subtitle F—Defense Dependents' Education and Military Family Readiness Matters

Sec. 551. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.

Sec. 552. Impact aid for children with severe disabilities.

Sec. 553. Treatment of tuition payments received for virtual elementary and secondary education component of Department of Defense education program.

Sec. 554. Family support programs for immediate family members of members of the Armed Forces assigned to special operations forces.

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Subtitle G—Decorations and Awards

Sec. 561. Repeal of limitation on number of medals of honor that may be awarded to the same member of the Armed Forces.

Sec. 562. Standardization of time-limits for recommending and awarding Medal of Honor, Distinguished Service Cross, Navy Cross, Air Force Cross, and Distinguished Service Medal.

Sec. 563. Recodification and revision of Army, Navy, Air Force, and Coast Guard Medal of Honor Roll requirements.

Sec. 564. Prompt replacement of military decorations.

Sec. 565. Review of eligibility for, and award of, Purple Heart to victims of the attacks at recruiting station in Little Rock, Arkansas, and at Fort Hood, Texas.

Sec. 566. Authorization for award of the Medal of Honor to former members of the Armed Forces previously recommended for award of the Medal of Honor.

Sec. 567. Authorization for award of the Medal of Honor for acts of valor during the Vietnam War.

Sec. 568. Authorization for award of the Distinguished Service Cross for acts of valor during the Korean and Vietnam Wars.

Sec. 569. Authorization for award of the Medal of Honor to First Lieutenant Alonzo H. Cushing for acts of valor during the Civil War.

Subtitle H—Other Studies, Reviews, Policies, and Reports

Sec. 571. Report on feasibility of expanding performance evaluation reports to include 360-degree assessment approach.

Sec. 572. Report on Department of Defense personnel policies regarding members of the Armed Forces with HIV or Hepatitis B.

Sec. 573. Policy on military recruitment and enlistment of graduates of secondary schools.

Sec. 574. Comptroller General report on use of determination of personality disorder or adjustment disorder as basis to separate members from the Armed Forces.

Subtitle I—Other Matters

Sec. 581. Accounting for members of the Armed Forces and Department of Defense civilian employees listed as missing and related reports.

Sec. 582. Expansion of privileged information authorities to debriefing reports of certain recovered persons who were never placed in a missing status.

Sec. 583. Revision of specified senior military colleges to reflect consolidation of North Georgia College and State University and Gainesville State College.

Sec. 584. Review of security of military installations, including barracks, temporary lodging facilities, and multi-family residences.

Sec. 585. Authority to enter into concessions contracts at Army National Military Cemeteries.

Sec. 586. Military salute during recitation of pledge of allegiance by members of the Armed Forces not in uniform and by veterans.

Sec. 587. Improved climate assessments and dissemination of results.

Subtitle A—Officer Personnel Policy Generally

SEC. 501. CONGRESSIONAL NOTIFICATION REQUIREMENTS RELATED TO INCREASES IN NUMBER OF GENERAL AND FLAG OFFICERS ON ACTIVE DUTY OR IN JOINT DUTY ASSIGNMENTS.

(a) CONGRESSIONAL NOTIFICATION REQUIRED; BASELINES.—Section 526 of title 10, United States Code, is amended—

(1) by redesignating subsections (d) through (h) as subsections (c) through (g), respectively; and

(2) by adding at the end the following new subsections:

“(h) ACTIVE-DUTY BASELINE.—

“(1) NOTICE AND WAIT REQUIREMENT.—If the Secretary of a military department proposes an action that would increase above the baseline the number of general officers or flag officers of an armed force under the jurisdiction of that Secretary who would be on active duty and would count against the statutory limit applicable to that armed force under subsection (a), the action shall not take effect until after the end of the 60-calendar day period beginning on the date on which the Secretary provides notice of the proposed action, including the rationale for the action, to the Committees on Armed Services of the House of Representatives and the Senate.

“(2) BASELINE DEFINED.—For purposes of paragraph (1), the term ‘baseline’ for an armed force means the lower of—

“(A) the statutory limit of general officers or flag officers of that armed force under subsection (a); or

“(B) the actual number of general officers or flag officers of that armed force who, as of January 1, 2014, counted toward the statutory limit of general officers or flag officers of that armed force under subsection (a).

“(3) LIMITATION.—If, at any time, the actual number of general officers or flag officers of an armed force who count toward the statutory limit of general officers or flag officers of that armed force under subsection (a) exceeds such statutory limit, then no increase described in paragraph (1) for that armed force may occur until the general officer or flag officer total for that armed force is reduced below such statutory limit.

“(i) JOINT DUTY ASSIGNMENT BASELINE.—

“(1) NOTICE AND WAIT REQUIREMENT.—If the Secretary of Defense, the Secretary of a military department, or the Chairman of the Joint Chiefs of Staff proposes an action that would increase above the baseline the number of general officers and flag officers of the armed forces in joint duty assignments who count against the statutory limit under subsection (b)(1), the action shall not take effect until after the end of the 60-calendar day period beginning on the date on which the Sec-

retary or Chairman, as the case may be, provides notice of the proposed action, including the rationale for the action, to the Committees on Armed Services of the House of Representatives and the Senate.

“(2) BASELINE DEFINED.—For purposes of paragraph (1), the term ‘baseline’ means the lower of—

“(A) the statutory limit on general officer and flag officer positions that are joint duty assignments under subsection (b)(1); or

“(B) the actual number of general officers and flag officers who, as of January 1, 2014, were in joint duty assignments counted toward the statutory limit under subsection (b)(1).

“(3) LIMITATION.—If, at any time, the actual number of general officers and flag officers in joint duty assignments counted toward the statutory limit under subsection (b)(1) exceeds such statutory limit, then no increase described in paragraph (1) may occur until the number of general officers and flag officers in joint duty assignments is reduced below such statutory limit.”.

(b) REPORTING REQUIREMENTS.—

(1) INITIAL REPORT.—Not later than February 1, 2014, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report specifying—

(A) the numbers of general officers and flag officers who, as of January 1, 2014, counted toward the service-specific limits of subsection (a) of section 526 of title 10, United States Code; and

(B) the number of general officers and flag officers in joint duty assignments who, as of January 1, 2014, counted toward the statutory limit under subsection (b)(1) of such section.

(2) ANNUAL REPORTS.—Section 526 of title 10, United States Code, is further amended by inserting after subsection (i), as added by subsection (a)(2) of this section, the following new subsection:

“(j) ANNUAL REPORT ON GENERAL OFFICER AND FLAG OFFICER NUMBERS.—Not later than March 1, 2015, and each March 1 thereafter, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report specifying—

“(1) the numbers of general officers and flag officers who, as of January 1 of the calendar year in which the report is submitted, counted toward the service-specific limits of subsection (a); and

“(2) the number of general officers and flag officers in joint duty assignments who, as of such January 1, counted toward the statutory limit under subsection (b)(1).”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2014.

SEC. 502. SERVICE CREDIT FOR CYBERSPACE EXPERIENCE OR ADVANCED EDUCATION UPON ORIGINAL APPOINTMENT AS A COMMISSIONED OFFICER.

Section 533 of title 10, United States Code, is amended—

(1) in subsections (a)(2) and (c), by inserting “or (g)” after “subsection (b)”; and

(2) by adding at the end the following new subsection:

“(g)(1) Under regulations prescribed by the Secretary of Defense, if the Secretary of a military department determines that the number of commissioned officers with cyberspace-related experience or advanced education serving on active duty in an armed force under the jurisdiction of such Secretary is critically below the number needed, such Secretary may credit any person receiv-

ing an original appointment with a period of constructive service for the following:

“(A) Special experience or training in a particular cyberspace-related field if such experience or training is directly related to the operational needs of the armed force concerned.

“(B) Any period of advanced education in a cyberspace-related field beyond the baccalaureate degree level if such advanced education is directly related to the operational needs of the armed force concerned.

“(2) Constructive service credited an officer under this subsection shall not exceed one year for each year of special experience, training, or advanced education, and not more than three years total constructive service may be credited.

“(3) Constructive service credited an officer under this subsection is in addition to any service credited that officer under subsection (a) and shall be credited at the time of the original appointment of the officer.

“(4) The authority to award constructive service credit under this subsection expires on December 31, 2018.”.

SEC. 503. SELECTIVE EARLY RETIREMENT AUTHORITY FOR REGULAR OFFICERS AND SELECTIVE EARLY REMOVAL OF OFFICERS FROM RESERVE ACTIVE-STATUS LIST.

(a) REGULAR OFFICERS ON THE ACTIVE-DUTY LIST CONSIDERED FOR SELECTIVE EARLY RETIREMENT.—

(1) LIEUTENANT COLONELS AND COMMANDERS.—Subparagraph (A) of section 638a(b)(2) of title 10, United States Code, is amended by striking “would be subject to” and all that follows through “two or more times)” and inserting “have failed of selection for promotion at least one time and whose names are not on a list of officers recommended for promotion”.

(2) COLONELS AND NAVY CAPTAINS.—Subparagraph (B) of such section is amended by striking “would be subject to” and all that follows through “not less than two years)” and inserting “have served on active duty in that grade for at least two years and whose names are not on a list of officers recommended for promotion”.

(b) OFFICERS CONSIDERED FOR SELECTIVE EARLY REMOVAL FROM RESERVE ACTIVE-STATUS LIST.—Section 14704 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting “(1)” before “Whenever”; and

(B) by striking “all officers on that list” and inserting “officers on the reserve active-status list”;

(C) by striking “the reserve active-status list, in the number specified by the Secretary by each grade and competitive category.” and inserting “that list.”; and

(D) by adding at the end the following new paragraphs:

“(2) Except as provided in paragraph (3), the list of officers in a reserve component whose names are submitted to a board under paragraph (1) shall include each officer on the reserve active-status list for that reserve component in the same grade and competitive category whose position on the reserve active-status list is between—

“(A) that of the most junior officer in that grade and competitive category whose name is submitted to the board; and

“(B) that of the most senior officer in that grade and competitive category whose name is submitted to the board.

“(3) A list submitted to a board under paragraph (1) may not include an officer who—

“(A) has been approved for voluntary retirement; or

“(B) is to be involuntarily retired under any provision of law during the fiscal year in which the board is convened or during the following fiscal year.”;

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting after subsection (a) the following new subsection (b):

“(b) SPECIFICATION OF NUMBER OF OFFICERS WHO MAY BE RECOMMENDED FOR SEPARATION.—The Secretary of the military department concerned shall specify the number of officers described in subsection (a)(1) that a board may recommend for separation under subsection (c).”.

Subtitle B—Reserve Component Management

SEC. 511. SUICIDE PREVENTION EFFORTS FOR MEMBERS OF THE RESERVE COMPONENTS.

(a) IMPROVED OUTREACH UNDER SUICIDE PREVENTION AND RESILIENCE PROGRAM.—Section 10219 of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

“(f) OUTREACH FOR CERTAIN MEMBERS OF THE RESERVE COMPONENTS.—(1) Upon the request of an adjutant general of a State, the Secretary may share with the adjutant general the contact information of members described in paragraph (2) who reside in such State in order for the adjutant general to include such members in suicide prevention efforts conducted under this section.

“(2) Members described in this paragraph are—

“(A) members of the Individual Ready Reserve; and

“(B) members of a reserve component who are individual mobilization augmentees.”.

(b) INCLUSION IN DEPARTMENT OF DEFENSE COMMUNITY PARTNERSHIPS PILOT PROGRAM.—Section 706 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1800; 10 U.S.C. 10101 note) is amended—

(1) in subsections (a) and (e), by striking “and substance use disorders and traumatic brain injury” and inserting “, substance use disorders, traumatic brain injury, and suicide prevention”; and

(2) in subsection (c)(3), by striking “and substance use disorders and traumatic brain injury described in paragraph (1)” and inserting “, substance use disorders, traumatic brain injury, and suicide prevention”.

SEC. 512. REMOVAL OF RESTRICTIONS ON THE TRANSFER OF OFFICERS FROM THE ACTIVE AND INACTIVE NATIONAL GUARD.

(a) ARMY NATIONAL GUARD.—During the period ending on December 31, 2016, under regulations prescribed by the Secretary of the Army:

(1) An officer of the Army National Guard who fills a vacancy in a federally recognized unit of the Army National Guard may be transferred from the active Army National Guard to the inactive Army National Guard.

(2) An officer of the Army National Guard transferred to the inactive Army National Guard pursuant to paragraph (1) may be transferred from the inactive Army National Guard to the active Army National Guard to fill a vacancy in a federally recognized unit.

(b) AIR NATIONAL GUARD.—During the period ending on December 31, 2016, under regulations prescribed by the Secretary of the Air Force:

(1) An officer of the Air National Guard who fills a vacancy in a federally recognized unit of the Air National Guard may be trans-

ferred from the active Air National Guard to the inactive Air National Guard.

(2) An officer of the Air National Guard transferred to the inactive Air National Guard pursuant to paragraph (1) may be transferred from the inactive Air National Guard to the active Air National Guard to fill a vacancy in a federally recognized unit.

SEC. 513. LIMITATIONS ON CANCELLATIONS OF DEPLOYMENT OF CERTAIN RESERVE COMPONENT UNITS AND INVOLUNTARY MOBILIZATIONS OF CERTAIN RESERVES.

(a) LIMITATION ON CANCELLATION OF DEPLOYMENT OF CERTAIN UNITS WITHIN 180 DAYS OF SCHEDULED DEPLOYMENT.—

(1) LIMITATION.—The deployment of a unit of a reserve component of the Armed Forces described in paragraph (2) may not be cancelled during the 180-day period ending on the date on which the unit is otherwise scheduled for deployment without the approval, in writing, of the Secretary of Defense.

(2) COVERED DEPLOYMENTS.—A deployment of a unit of a reserve component described in this paragraph is a deployment whose cancellation as described in paragraph (1) is due to the deployment of a unit of a regular component of the Armed Forces to carry out the mission for which the unit of the reserve component was otherwise to be deployed.

(3) NOTICE TO CONGRESS AND GOVERNORS ON APPROVAL OF CANCELLATION OF DEPLOYMENT.—On approving the cancellation of deployment of a unit under paragraph (1), the Secretary shall submit to the congressional defense committees and the Governor concerned a notice on the approval of cancellation of deployment of the unit.

(b) ADVANCE NOTICE TO CERTAIN RESERVES ON INVOLUNTARY MOBILIZATION.—

(1) ADVANCE NOTICE REQUIRED.—The Secretary concerned may not provide less than 120 days advance notice of an involuntary mobilization to a member of the reserve component of the Armed Forces described in paragraph (2) without the approval, in writing, of the Secretary of Defense.

(2) COVERED RESERVES.—A member of a reserve component described in this paragraph is a member as follows:

(A) A member who is not assigned to a unit organized to serve as a unit.

(B) A member who is to be mobilized apart from the member's unit.

(3) COMMENCEMENT OF APPLICABILITY.—This subsection shall apply with respect to members who are mobilized on or after the date that is 120 days after the date of the enactment of this Act.

(4) SECRETARY CONCERNED DEFINED.—In this subsection, the term “Secretary concerned” has the meaning given that term in section 101(a)(9) of title 10, United States Code.

(5) SUNSET.—This subsection shall cease to apply as of the date of the completion of the withdrawal of United States combat forces from Afghanistan.

(c) NONDELEGATION OF APPROVAL.—The Secretary of Defense may not delegate the approval of cancellations of deployments of units under subsection (a) or the approval of mobilization of Reserves without advance notice under subsection (b).

SEC. 514. REVIEW OF REQUIREMENTS AND AUTHORIZATIONS FOR RESERVE COMPONENT GENERAL AND FLAG OFFICERS IN AN ACTIVE STATUS.

(a) REVIEW REQUIRED.—The Secretary of Defense shall conduct a review of the general officer and flag officer requirements for members of the reserve component in an active status.

(b) PURPOSE OF REVIEW.—The purpose of the review is to ensure that the authorized

strengths provided in section 12004 of title 10, United States Code, for reserve general officers and reserve flag officers in an active status—

(1) are based on an objective requirements process and are sufficient for the effective management, leadership, and administration of the reserve components;

(2) provide a qualified, sufficient pool from which reserve component general and flag officers can continue to be assigned on active duty in joint duty and in-service military positions;

(3) reflect a review of the appropriateness and number of exemptions provided by subsections (b), (c), and (d) of section 12004 of title 10, United States Code;

(4) reflect the efficiencies that can be achieved through downgrading or elimination of reserve component general or flag officer positions, including through the conversion of certain reserve component general or flag officer positions to senior civilian positions; and

(5) are subjected to periodic review, control, and adjustment.

(c) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the review, including such recommendations for changes in law and policy related to authorized reserve general and flag officers strengths as the Secretary considers to be appropriate.

SEC. 515. FEASIBILITY OF ESTABLISHING A UNIT OF THE NATIONAL GUARD IN AMERICAN SAMOA AND IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

(a) DETERMINATION REQUIRED.—The Secretary of Defense shall determine the feasibility of establishing—

(1) a unit of the National Guard in American Samoa; and

(2) a unit of the National Guard in the Commonwealth of the Northern Mariana Islands.

(b) FORCE STRUCTURE ELEMENTS.—In making the feasibility determination under subsection (a), the Secretary of Defense shall consider the following:

(1) The allocation of National Guard force structure and manpower to American Samoa and the Commonwealth of the Northern Mariana Islands in the event of the establishment of a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands, and the impact of this allocation on existing National Guard units in the 50 States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and the District of Columbia.

(2) The Federal funding that would be required to support pay, benefits, training operations, and missions of members of a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Islands, based on the allocation derived from paragraph (1), and the equipment, including maintenance, required to support such force structure.

(3) The presence of existing infrastructure to support a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Islands, and the requirement for additional infrastructure, including information technology infrastructure, to support such force structure, based on the allocation derived from paragraph (1).

(4) How a unit of the National Guard in American Samoa and the Commonwealth of

the Northern Mariana Island would accommodate the National Guard Bureau's "Essential Ten" homeland defense capabilities (i.e., aviation, engineering, civil support teams, security, medical, transportation, maintenance, logistics, joint force headquarters, and communications) and reflect regional needs.

(5) The manpower cadre, both military personnel and full-time support, including National Guard technicians, required to establish, maintain, and sustain a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Islands, and the ability of American Samoa and of the Commonwealth of the Northern Mariana Islands to support demographically a unit of the National Guard at each location.

(6) The ability of a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Islands to maintain unit readiness and the logistical challenges associated with transportation, communications, supply/resupply, and training operations and missions.

(c) **SUBMISSION OF CONCLUSION.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall notify the congressional defense committees of the results of the feasibility determination made under subsection (a). If the Secretary determines that establishment of a unit of the National Guard in American Samoa or the Commonwealth of the Northern Mariana Islands (or both) is feasible, the Secretary shall include in the notification the following:

(1) A determination of whether the executive branch of American Samoa and of the Commonwealth of the Northern Mariana Islands has enacted and implemented statutory authorization for an organized militia as a prerequisite for establishing a unit of the National Guard, and a description of any other steps that such executive branches must take to request and carry out the establishment of a National Guard unit.

(2) A list of any amendments to titles 10, 32, and 37, United States Code, that would have to be enacted by Congress to provide for the establishment of a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands.

(3) A description of any required Department of Defense actions to establish a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands.

(4) A suggested timeline for completion of the steps and actions described in the preceding paragraphs.

Subtitle C—General Service Authorities

SEC. 521. PROVISION OF INFORMATION UNDER TRANSITION ASSISTANCE PROGRAM ABOUT DISABILITY-RELATED EMPLOYMENT AND EDUCATION PROTECTIONS.

(a) **ADDITIONAL ELEMENT OF PROGRAM.**—Section 1144(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(9) Provide information about disability-related employment and education protections.”.

(b) **DEADLINE FOR IMPLEMENTATION.**—The program carried out under section 1144 of title 10, United States Code, shall comply with the requirements of subsection (b)(9) of such section, as added by subsection (a), by not later than April 1, 2015.

SEC. 522. MEDICAL EXAMINATION REQUIREMENTS REGARDING POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY BEFORE ADMINISTRATIVE SEPARATION.

Section 1177(a)(2) of title 10, United States Code, is amended by inserting after “honorable” the following: “, including an administrative separation in lieu of court-martial,”.

SEC. 523. ESTABLISHMENT AND USE OF CONSISTENT DEFINITION OF GENDER-NEUTRAL OCCUPATIONAL STANDARD FOR MILITARY CAREER DESIGNATORS.

(a) **ESTABLISHMENT OF DEFINITIONS.**—Section 543 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160; 10 U.S.C. 113 note) is amended by adding at the end the following new subsection:

“(d) **DEFINITIONS.**—In this section:

“(1) **GENDER-NEUTRAL OCCUPATIONAL STANDARD.**—The term ‘gender-neutral occupational standard’, with respect to a military career designator, means that all members of the Armed Forces serving in or assigned to the military career designator must meet the same performance outcome-based standards for the successful accomplishment of the necessary and required specific tasks associated with the qualifications and duties performed while serving in or assigned to the military career designator.

“(2) **MILITARY CAREER DESIGNATOR.**—The term ‘military career designator’ refers to—

“(A) in the case of enlisted members and warrant officers of the Armed Forces, military occupational specialties, specialty codes, enlisted designators, enlisted classification codes, additional skill identifiers, and special qualification identifiers; and

“(B) in the case of commissioned officers (other than commissioned warrant officers), officer areas of concentration, occupational specialties, specialty codes, additional skill identifiers, and special qualification identifiers.”.

(b) **USE OF DEFINITIONS.**—Such section is further amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “military occupational career field” and inserting “military career designator”; and

(B) in paragraph (1), by striking “common, relevant performance standards” and inserting “an occupational standard”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “any military occupational specialty” and inserting “any military career designator”; and

(ii) by striking “requirements for members in that specialty and shall ensure (in the case of an occupational specialty) and inserting “requirements as part of the gender-neutral occupational standard for members in that career designator and shall ensure (in the case of a career designator”;

(B) in paragraph (2)—

(i) by striking “an occupational specialty” and inserting “a military career designator”;

(ii) by striking “that occupational specialty” and inserting “that military career designator”;

(iii) by striking “that specialty” and inserting “that military career designator”;

(3) in subsection (c)—

(A) by striking “the occupational standards for a military occupational field” and inserting “the gender-neutral occupational standard for a military career designator”;

(B) by striking “that occupational field” and inserting “that military career designator”.

SEC. 524. SENSE OF CONGRESS REGARDING THE WOMEN IN SERVICE IMPLEMENTATION PLAN.

It is the sense of Congress that the Secretaries of the military departments—

(1) no later than September 2015, should develop, review, and validate individual occupational standards, using validated gender-neutral occupational standards, so as to assess and assign members of the Armed Forces to units, including Special Operations Forces; and

(2) no later than January 1, 2016, should complete all assessments.

SEC. 525. PROVISION OF MILITARY SERVICE RECORDS TO THE SECRETARY OF VETERANS AFFAIRS IN AN ELECTRONIC FORMAT.

(a) **PROVISION IN ELECTRONIC FORMAT.**—In accordance with subsection (b), the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall make the covered records of each member of the Armed Forces available to the Secretary of Veterans Affairs in an electronic format.

(b) **DEADLINE FOR PROVISION OF RECORDS.**—With respect to a member of the Armed Forces who is discharged or released from the Armed Forces on or after January 1, 2014, the Secretary of Defense shall ensure that the covered records of the member are made available to the Secretary of Veterans Affairs not later than 90 days after the date of the member's discharge or release.

(c) **SHARING OF PROTECTED HEALTH INFORMATION.**—For purposes of the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191; 42 U.S.C. 1320d-2 note), making medical records available to the Secretary of Veterans Affairs under subsection (a) shall be treated as a permitted disclosure.

(d) **RECORDS CURRENTLY AVAILABLE TO SECRETARY OF VETERANS AFFAIRS.**—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall ensure that the covered records of members of the Armed Forces that are available to the Secretary of Veterans Affairs as of the date of the enactment of this Act are made electronically accessible and available as soon as practicable after that date to the Veterans Benefits Administration.

(e) **COVERED RECORDS DEFINED.**—In this section, the term “covered records” means, with respect to a member of the Armed Forces—

(1) service treatment records;

(2) accompanying personal records;

(3) relevant unit records; and

(4) medical records created by reason of treatment or services received pursuant to chapter 55 of title 10, United States Code.

SEC. 526. REVIEW OF INTEGRATED DISABILITY EVALUATION SYSTEM.

(a) **REVIEW.**—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall conduct a review of—

(1) the backlog of pending cases in the Integrated Disability Evaluation System with respect to members of the reserve components of the Armed Forces for the purpose of addressing the matters specified in paragraph (1) of subsection (b); and

(2) the improvements to the Integrated Disability Evaluation System specified in paragraph (2) of such subsection.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the

Committees on Armed Services and Veterans' Affairs of the House of Representatives and the Senate a report on the review conducted under subsection (a). Such report shall include the following:

(1) With respect to the reserve components of the Armed Forces—

(A) the number of pending cases that exist as of the date of the report, listed by military department, component, and, with respect to the National Guard, State;

(B) as of the date of the report, the average time it takes the Department of Defense and the Department of Veterans Affairs to process a case through each phase or step of the Integrated Disability Evaluation System under that Department's control;

(C) a description of the measures the Secretary has taken, and will take, to resolve the backlog of cases in the Integrated Disability Evaluation System; and

(D) the date by which the Secretary plans to resolve such backlog for each military department.

(2) With respect to the regular components and reserve components of the Armed Forces—

(A) a description of the progress being made by both the Department of Defense and the Department of Veterans Affairs to transition the Integrated Disability Evaluation System to an integrated and readily accessible electronic format that a member of the Armed Forces may access to see the status of the member during each phase or step of the system;

(B) an estimate of the cost to complete the transition to an integrated and readily accessible electronic format; and

(C) an assessment of the feasibility of improving in-transit visibility of pending cases, including by establishing a method of tracking a pending case when—

(i) a military treatment facility is assigned a packet and pending case for action regarding a member; and

(ii) a packet is at the Veterans Tracking Application and Disability Rating Activity Site of the Department of Veterans Affairs.

(c) **PENDING CASE DEFINED.**—In this section, the term “pending case” means a case involving a member of the Armed Forces who, as of the date of the review under subsection (a), is within the Integrated Disability Evaluation System and has been referred to a medical evaluation board.

Subtitle D—Military Justice Matters, Other Than Sexual Assault Prevention and Response and Related Reforms

SEC. 531. MODIFICATION OF ELIGIBILITY FOR APPOINTMENT AS JUDGE ON THE UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES.

(a) **MODIFICATION.**—Paragraph (4) of section 942(b) of title 10, United States Code (article 142(b) of the Uniform Code of Military Justice), is amended to read as follows:

“(4) A person may not be appointed as a judge of the court within seven years after retirement from active duty as a commissioned officer of a regular component of an armed force.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to appointments to the United States Court of Appeals for the Armed Forces that occur on or after that date.

SEC. 532. ENHANCEMENT OF PROTECTION OF RIGHTS OF CONSCIENCE OF MEMBERS OF THE ARMED FORCES AND CHAPLAINS OF SUCH MEMBERS.

(a) **IN GENERAL.**—Subsection (a)(1) of section 533 of the National Defense Authoriza-

tion Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1727; 10 U.S.C. prec. 1030 note) is amended—

(1) by striking “The Armed Forces shall accommodate the beliefs” and inserting “Unless it could have an adverse impact on military readiness, unit cohesion, and good order and discipline, the Armed Forces shall accommodate individual expressions of belief”;

(2) by inserting “sincerely held” before “conscience”; and

(3) by striking “use such beliefs” and inserting “use such expression of belief”.

(b) **REGULATIONS.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe the implementing regulations required by subsection (c) of such section. In prescribing such regulations, the Secretary shall consult with the official military faith-group representatives who endorse military chaplains.

SEC. 533. INSPECTOR GENERAL INVESTIGATION OF ARMED FORCES COMPLIANCE WITH REGULATIONS FOR THE PROTECTION OF RIGHTS OF CONSCIENCE OF MEMBERS OF THE ARMED FORCES AND THEIR CHAPLAINS.

(a) **INVESTIGATION INTO COMPLIANCE; REPORT.**—Not later than 18 months after the date on which regulations are issued implementing the protections afforded by section 533 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1727; 10 U.S.C. prec. 1030 note), as amended by section 532, the Inspector General of the Department of Defense shall submit to the congressional defense committees a report—

(1) setting forth the results of an investigation by the Inspector General during that 18-month period into the compliance by the Armed Forces with the elements of such regulations on adverse personnel actions, discrimination, or denials of promotion, schooling, training, or assignment for members of the Armed Forces based on conscience, moral principles, or religious beliefs; and

(2) identifying the number of times during the investigation period that the Inspector General of the Department of Defense or the Inspector General of a military department was contacted regarding an incident involving the conscience, moral principles, or religious beliefs of a member of the Armed Forces.

(b) **CONSULTATION.**—In conducting any analysis, investigation, or survey for purposes of this section, the Inspector General of the Department of Defense shall consult with the Armed Forces Chaplains Board, as appropriate.

SEC. 534. SURVEY OF MILITARY CHAPLAINS VIEWS ON DEPARTMENT OF DEFENSE POLICY REGARDING CHAPLAIN PRAYERS OUTSIDE OF RELIGIOUS SERVICES.

(a) **SURVEY REQUIRED.**—The Secretary of Defense shall conduct a survey among a statistically valid sample of military chaplains of the regular and reserve components of the Armed Forces, to be selected at random, to assess whether—

(1) restrictions placed on prayers offered in a public or non-religious setting have prevented military chaplains from exercising the tenets of their faith as prescribed by their endorsing faith group; and

(2) those restrictions have had an adverse impact on the ability of military chaplains to fulfill their duties to minister to members of the Armed Forces and their dependents.

(b) **DEADLINE FOR COMPLETION.**—The Secretary of Defense shall complete the survey

required by subsection (a) within one year after the date of the enactment of this Act.

(c) **SUBMISSION OF RESULTS.**—Not later than 90 days after completing the survey required by subsection (a), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing—

(1) the survey questionnaire; and

(2) the results of the survey.

Subtitle E—Member Education and Training

SEC. 541. ADDITIONAL REQUIREMENTS FOR APPROVAL OF EDUCATIONAL PROGRAMS FOR PURPOSES OF CERTAIN EDUCATIONAL ASSISTANCE UNDER LAWS ADMINISTERED BY THE SECRETARY OF DEFENSE.

(a) **IN GENERAL.**—Chapter 101 of title 10, United States Code, is amended by inserting after section 2006 the following new section:

“§ 2006a. Assistance for education and training: availability of certain assistance for use only for certain programs of education

“(a) **IN GENERAL.**—Effective as of August, 1, 2014, an individual eligible for assistance under a Department of Defense educational assistance program or authority covered by this section may, except as provided in subsection (b), only use such assistance for educational expenses incurred for a program as follows:

“(1) An eligible program (as defined in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088)) that is offered by an institution of higher education that has entered into, and is complying with, a program participation agreement under section 487 of such Act (20 U.S.C. 1094).

“(2) In the case of a program designed to prepare individuals for licensure or certification in any State, if the program meets the instructional curriculum licensure or certification requirements of such State.

“(3) In the case of a program designed to prepare individuals for employment pursuant to standards developed by a State board or agency in an occupation that requires approval or licensure for such employment, if the program is approved or licensed by such State board or agency.

“(b) **WAIVER.**—The Secretary of Defense may, by regulation, authorize the use of educational assistance under a Department of Defense educational assistance program or authority covered by this chapter for educational expenses incurred for a program of education that is not described in subsection (a) if the program—

“(1) is accredited and approved by a nationally or regionally recognized accrediting agency or association recognized by the Department of Education;

“(2) was not an eligible program described in subsection (a) at any time during the most recent two-year period;

“(3) is a program that the Secretary determines would further the purposes of the educational assistance programs or authorities covered by this chapter, or would further the education interests of students eligible for assistance under the such programs or authorities; and

“(4) the institution providing the program does not provide any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance, except for the recruitment of foreign students residing in foreign countries who are not eligible to receive Federal student assistance.

“(c) **DEFINITIONS.**—In this section:

“(1) The term ‘Department of Defense educational assistance programs and authorities covered by this section’ means the programs and authorities as follows:

“(A) The programs to assist military spouses in achieving education and training to expand employment and portable career opportunities under section 1784a of this title.

“(B) The authority to pay tuition for off-duty training or education of members of the armed forces under section 2007 of this title.

“(C) The program of educational assistance for members of the Selected Reserve under chapter 1606 of this title.

“(D) The program of educational assistance for reserve component members supporting contingency operations and certain other operations under chapter 1607 of this title.

“(E) Any other program or authority of the Department of Defense for assistance in education or training carried out under the laws administered by the Secretary of Defense that is designated by the Secretary, by regulation, for purposes of this section.

“(2) The term ‘institution of higher education’ has the meaning given that term in section 102 of the Higher Education Act for 1965 (20 U.S.C. 1002).”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the item relating to section 2006 the following new item:

“2006a. Assistance for education and training: availability of certain assistance for use only for certain programs of education.”

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2014.

SEC. 542. ENHANCEMENT OF MECHANISMS TO CORRELATE SKILLS AND TRAINING FOR MILITARY OCCUPATIONAL SPECIALTIES WITH SKILLS AND TRAINING REQUIRED FOR CIVILIAN CERTIFICATIONS AND LICENSES.

(a) IMPROVEMENT OF INFORMATION AVAILABLE TO MEMBERS OF THE ARMED FORCES ABOUT CORRELATION.—

(1) IN GENERAL.—The Secretaries of the military departments, in coordination with the Under Secretary of Defense for Personnel and Readiness, shall, to the maximum extent practicable, make information on civilian credentialing opportunities available to members of the Armed Forces beginning with, and at every stage of, training of members for military occupational specialties, in order to permit members—

(A) to evaluate the extent to which such training correlates with the skills and training required in connection with various civilian certifications and licenses; and

(B) to assess the suitability of such training for obtaining or pursuing such civilian certifications and licenses.

(2) COORDINATION WITH TRANSITION GOALS PLANS SUCCESS PROGRAM.—Information shall be made available under paragraph (1) in a manner consistent with the Transition Goals Plans Success (GPS) program.

(3) TYPES OF INFORMATION.—The information made available under paragraph (1) shall include, but not be limited to, the following:

(A) Information on the civilian occupational equivalents of military occupational specialties (MOS).

(B) Information on civilian license or certification requirements, including examination requirements.

(C) Information on the availability and opportunities for use of educational benefits

available to members of the Armed Forces, as appropriate, corresponding training, or continuing education that leads to a certification exam in order to provide a pathway to credentialing opportunities.

(4) USE AND ADAPTATION OF CERTAIN PROGRAMS.—In making information available under paragraph (1), the Secretaries of the military departments may use and adapt appropriate portions of the Credentialing Opportunities On-Line (COOL) programs of the Army and the Navy and the Credentialing and Educational Research Tool (CERT) of the Air Force.

(b) IMPROVEMENT OF ACCESS OF ACCREDITED CIVILIAN CREDENTIALING AND RELATED ENTITIES TO MILITARY TRAINING CONTENT.—

(1) IN GENERAL.—The Secretaries of the military departments, in coordination with the Under Secretary of Defense for Personnel and Readiness, shall, to the maximum extent practicable consistent with national security and privacy requirements, make available to entities specified in paragraph (2), upon request of such entities, information such as military course training curricula, syllabi, and materials, levels of military advancement attained, and professional skills developed.

(2) ENTITIES.—The entities specified in this paragraph are the following:

(A) Civilian credentialing agencies.

(B) Entities approved by the Secretary of Veterans Affairs, or by State approving agencies, for purposes of the use of educational assistance benefits under the laws administered by the Secretary of Veterans Affairs.

(3) CENTRAL REPOSITORY.—The actions taken pursuant to paragraph (1) may include the establishment of a central repository of information on training and training materials provided members in connection with military occupational specialties that is readily accessible by entities specified in paragraph (2) in order to meet requests described in paragraph (1).

SEC. 543. REPORT ON THE TROOPS TO TEACHERS PROGRAM.

Not later than March 1, 2014, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the Troops to Teachers program that includes each of the following:

(1) An evaluation of whether there is a need to broaden eligibility to allow service members and veterans without a bachelor's degree admission into the program and whether the program can be strengthened.

(2) An evaluation of whether a pilot program should be established to demonstrate the potential benefit of an institutional-based award for troops to teachers, as long as any such pilot program maximizes benefits to service members and minimizes administrative and other overhead costs at the participating academic institutions.

SEC. 544. SECRETARY OF DEFENSE REPORT ON FEASIBILITY OF REQUIRING AUTOMATIC OPERATION OF CURRENT PROHIBITION ON ACCRUAL OF INTEREST ON DIRECT STUDENT LOANS OF CERTAIN MEMBERS OF THE ARMED FORCES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, after consultation with relevant Federal agencies, shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report addressing—

(1) the feasibility of automatic application of the benefits provided under section 455(o) of the Higher Education Act of 1965 (20 U.S.C.

1087e(o)) for members of the Armed Forces eligible for the benefits; and

(2) if the Secretary determines automatic application of such benefits is feasible, how the Department of Defense would implement the automatic operation of the current prohibition on the accrual of interest on direct student loans of certain members, including the Federal agencies with which the Department of Defense would coordinate.

Subtitle F—Defense Dependents' Education and Military Family Readiness Matters

SEC. 551. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2014 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$25,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 20 U.S.C. 7703b).

(b) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term “local educational agency” has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 552. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.

Of the amount authorized to be appropriated for fiscal year 2014 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$5,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-77; 20 U.S.C. 7703a).

SEC. 553. TREATMENT OF TUITION PAYMENTS RECEIVED FOR VIRTUAL ELEMENTARY AND SECONDARY EDUCATION COMPONENT OF DEPARTMENT OF DEFENSE EDUCATION PROGRAM.

(a) CREDITING OF PAYMENTS.—Section 2164(1) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) Any payments received by the Secretary of Defense under this subsection shall be credited to the account designated by the Secretary for the operation of the virtual educational program under this subsection. Payments so credited shall be merged with other funds in the account and shall be available, to the extent provided in advance in appropriation Acts, for the same purposes and the same period as other funds in the account.”

(b) APPLICATION OF AMENDMENT.—The amendment made by subsection (a) shall apply only with respect to tuition payments received under section 2164(1) of title 10, United States Code, for enrollments authorized by such section, after the date of the enactment of this Act, in the virtual elementary and secondary education program of the Department of Defense education program.

SEC. 554. FAMILY SUPPORT PROGRAMS FOR IMMEDIATE FAMILY MEMBERS OF MEMBERS OF THE ARMED FORCES ASSIGNED TO SPECIAL OPERATIONS FORCES.

(a) PILOT PROGRAMS AUTHORIZED.—Consistent with such regulations as the Secretary of Defense may prescribe to carry out

this section, the Commander of the United States Special Operations Command may conduct up to three pilot programs to assess the feasibility and benefits of providing family support activities for the immediate family members of members of the Armed Forces assigned to special operations forces. In selecting and conducting any pilot program under this subsection, the Commander shall coordinate with the Under Secretary of Defense for Personnel and Readiness.

(b) **SELECTION OF PROGRAMS.**—In selecting the pilot programs to be conducted under subsection (a), the Commander shall—

(1) identify family support activities that have a direct and concrete impact on the readiness of special operations forces, but that are not being provided by the Secretary of a military department to the immediate family members of members of the Armed Forces assigned to special operations forces; and

(2) conduct a cost-benefit analysis of each family support activity proposed to be included in a pilot program.

(c) **EVALUATION.**—The Commander shall develop outcome measurements to evaluate the success of each family support activity included in a pilot program under subsection (a).

(d) **ADDITIONAL AUTHORITY.**—The Commander may expend up to \$5,000,000 during each fiscal year specified in subsection (f) to carry out the pilot programs under subsection (a).

(e) **DEFINITIONS.**—In this section:

(1) The term “Commander” means the Commander of the United States Special Operations Command.

(2) The term “immediate family members” has the meaning given that term in section 1789(c) of title 10, United States Code.

(3) The term “special operations forces” means those forces of the Armed Forces identified as special operations forces under section 167(i) of such title.

(f) **DURATION OF PILOT PROGRAM AUTHORITY.**—The authority provided by subsection (a) is available to the Commander during fiscal years 2014 through 2016.

(g) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 180 days after completing a pilot program under subsection (a), the Commander shall submit to the congressional defense committees a report describing the results of the pilot program. The Commander shall prepare the report in coordination with the Under Secretary of Defense for Personnel and Readiness.

(2) **ELEMENTS OF REPORT.**—The report shall include the following:

(A) A description of the pilot program to address family support requirements not being provided by the Secretary of a military department to immediate family members of members of the Armed Forces assigned to special operations forces.

(B) An assessment of the impact of the pilot program on the readiness of members of the Armed Forces assigned to special operations forces.

(C) A comparison of the pilot program to other programs conducted by the Secretaries of the military departments to provide family support to immediate family members of members of the Armed Forces.

(D) Recommendations for incorporating the lessons learned from the pilot program into family support programs conducted by the Secretaries of the military departments.

(E) Any other matters considered appropriate by the Commander or the Under Secretary of Defense for Personnel and Readiness.

SEC. 555. SENSE OF CONGRESS ON PARENTAL RIGHTS OF MEMBERS OF THE ARMED FORCES IN CHILD CUSTODY DETERMINATIONS.

It is the sense of Congress that State courts should not consider a military deployment, including past, present, or future deployment, as the sole factor in determining child custody in a State court proceeding involving a parent who is a member of the Armed Forces. The best interest of the child should always prevail in custody cases, but members of the Armed Forces should not lose custody of their children based solely upon service in the Armed Forces in defense of the United States.

Subtitle G—Decorations and Awards

SEC. 561. REPEAL OF LIMITATION ON NUMBER OF MEDALS OF HONOR THAT MAY BE AWARDED TO THE SAME MEMBER OF THE ARMED FORCES.

(a) **ARMY.**—Section 3744(a) of title 10, United States Code, is amended by striking “medal of honor, distinguished-service cross,” and inserting “distinguished-service cross”.

(b) **NAVY AND MARINE CORPS.**—Section 6247 of title 10, United States Code, is amended by striking “medal of honor.”

(c) **AIR FORCE.**—Section 8744(a) of title 10, United States Code, is amended by striking “medal of honor, Air Force cross,” and inserting “Air Force Cross”.

SEC. 562. STANDARDIZATION OF TIME-LIMITS FOR RECOMMENDING AND AWARDING MEDAL OF HONOR, DISTINGUISHED-SERVICE CROSS, NAVY CROSS, AIR FORCE CROSS, AND DISTINGUISHED-SERVICE MEDAL.

(a) **ARMY.**—Section 3744 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “three years” and inserting “five years”; and

(B) in paragraph (2), by striking “two years” and inserting “three years”; and

(2) in subsection (d)(1), by striking “two years” and inserting “three years”.

(b) **AIR FORCE.**—Section 8744 of such title is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “three years” and inserting “five years”; and

(B) in paragraph (2), by striking “two years” and inserting “three years”; and

(2) in subsection (d)(1), by striking “two years” and inserting “three years”.

SEC. 563. RECODIFICATION AND REVISION OF ARMY, NAVY, AIR FORCE, AND COAST GUARD MEDAL OF HONOR ROLL REQUIREMENTS.

(a) **AUTOMATIC ENROLLMENT AND FURNISHING OF CERTIFICATE.**—

(1) **IN GENERAL.**—Chapter 57 of title 10, United States Code, is amended by inserting after section 1134 the following new section:

“§1134a. Medal of honor: Army, Navy, Air Force, and Coast Guard Medal of Honor Roll

“(a) **ESTABLISHMENT.**—There shall be in the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Department in which the Coast Guard is operating a roll designated as the ‘Army, Navy, Air Force, and Coast Guard Medal of Honor Roll’.

“(b) **ENROLLMENT.**—The Secretary concerned shall enter and record on the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll the name of each person who has served on active duty in the armed forces and who has been awarded a medal of honor pursuant to section 3741, 6241, or 8741 of this title or section 491 of title 14.

“(c) **ISSUANCE OF ENROLLMENT CERTIFICATE.**—Each living person whose name is en-

tered on the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll shall be issued a certificate of enrollment on the roll.

“(d) **ENTITLEMENT TO SPECIAL PENSION; NOTICE TO SECRETARY OF VETERANS AFFAIRS.**—The Secretary concerned shall deliver to the Secretary of Veterans Affairs a certified copy of each certificate of enrollment issued under subsection (c). The copy of the certificate shall authorize the Secretary of Veterans Affairs to pay the special pension provided by section 1562 of title 38 to the person named in the certificate.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1134 the following new item:

“1134a. Medal of honor: Army, Navy, Air Force, and Coast Guard Medal of Honor Roll.”.

(b) **SPECIAL PENSION.**—

(1) **AUTOMATIC ENTITLEMENT.**—Subsection (a) of section 1562 of title 38, United States Code, is amended—

(A) by striking “each person” and inserting “each living person”; and

(B) by striking “Honor roll” and inserting “Honor Roll”;

(C) by striking “subsection (c) of section 1561 of this title” and inserting “subsection (d) of section 1134a of title 10”; and

(D) by striking “date of application therefor under section 1560 of this title” and inserting “date on which the person’s name is entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll under subsection (b) of such section”.

(2) **ELECTION TO DECLINE SPECIAL PENSION.**—Such section is further amended by adding at the end the following new subsection:

“(g)(1) A person who is entitled to special pension under subsection (a) may elect not to receive special pension by notifying the Secretary of such election in writing.

“(2) Upon receipt of an election made by a person under paragraph (1) not to receive special pension, the Secretary shall cease payments of special pension to the person.”.

(c) **CONFORMING AMENDMENTS.**—

(1) **REPEAL OF RECODIFIED PROVISIONS.**—Sections 1560 and 1561 of title 38, United States Code, are repealed.

(2) **CLERICAL AMENDMENTS.**—The table of sections at the beginning of chapter 15 of such title is amended by striking the items relating to sections 1560 and 1561.

(d) **APPLICATION OF AMENDMENTS.**—The amendments made by this section shall apply with respect to Medals of Honor awarded on or after the date of the enactment of this Act.

SEC. 564. PROMPT REPLACEMENT OF MILITARY DECORATIONS.

Section 1135 of title 10, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection (b):

“(b) **PROMPT REPLACEMENT REQUIRED.**—When a request for the replacement of a military decoration is received under this section or section 3747, 3751, 6253, 8747, or 8751 of this title, the Secretary concerned shall ensure that—

“(1) all actions to be taken with respect to the request, including verification of the service record of the recipient of the military decoration, are completed within one year; and

“(2) the replacement military decoration is mailed to the person requesting the replacement military decoration within 90 days after verification of the service record.”.

SEC. 565. REVIEW OF ELIGIBILITY FOR, AND AWARD OF, PURPLE HEART TO VICTIMS OF THE ATTACKS AT RECRUITING STATION IN LITTLE ROCK, ARKANSAS, AND AT FORT HOOD, TEXAS.

(a) REVIEW REGARDING SPECIFIED ATTACKS.—

(1) REVIEW AND AWARD REQUIRED.—The Secretary of the military department concerned shall—

(A) review the circumstances of the attacks that occurred at the recruiting station in Little Rock, Arkansas, on June 1, 2009, and at Fort Hood, Texas, on November 5, 2009, in which members of the Armed Forces were killed and wounded; and

(B) award the Purple Heart to each member determined pursuant to such review to be eligible for the award of the Purple Heart in connection with the death or wounding of the member in the attacks.

(2) CONSIDERATION OF CERTAIN EVIDENCE.—In reviewing all the evidence related to the incidents described in paragraph (1) and the criteria established under Executive Order 11016 (Authorizing the Award of the Purple Heart), the Secretary of the military department concerned shall specifically, but not exclusively, assess whether the members of the Armed Forces killed or wounded at Fort Hood and Little Rock qualify for award of the Purple Heart under the criteria as members of the Armed Forces who were killed or wounded as a result of an act of an enemy of the United States.

(3) SUBMISSION.—The results of the review shall be provided to the Committees on Armed Services of the Senate and the House of Representatives within 180 days after the date of the enactment of this Act.

(4) EXCEPTION.—A Purple Heart may not be awarded pursuant to paragraph (1)(B) to a member of the Armed Forces whose death or wound in an attack described in paragraph (1)(A) was the result of the willful misconduct of the member.

(b) REVIEW OF THE CRITERIA FOR AWARDED PURPLE HEART.—

(1) REVIEW REQUIRED.—The Secretary of Defense shall conduct a review of the criteria used to determine the eligibility of members of the Armed Forces for the award of the Purple Heart. The review shall include the policies and procedures for determining eligibility for the award of the Purple Heart to members who sustain injuries through acts of violence. The purpose of the review is to determine whether those criteria remain relevant for the broad range of circumstances in and outside the United States in which members are killed or wounded.

(2) SUBMISSION OF RESULTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the review. The report shall include the findings of the review and any recommendations the Secretary considers appropriate regarding modifying the criteria for eligibility for the Purple Heart.

SEC. 566. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO FORMER MEMBERS OF THE ARMED FORCES PREVIOUSLY RECOMMENDED FOR AWARD OF THE MEDAL OF HONOR.

Section 552(e) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 10 U.S.C. 3741 note) is amended—

(1) by inserting “(1)” after “HONOR.—”; and

(2) by adding at the end the following new paragraph:

“(2) In addition to the authority provided by paragraph (1), a Medal of Honor may be

awarded to a veteran of the Armed Forces who, although not a Jewish-American war veteran or Hispanic-American war veteran described in subsection (b), was identified during the review of service records conducted under subsection (a) and regarding whom the Secretary of Defense submitted, before January 1, 2014, a recommendation to the President that the President award the Medal of Honor to that veteran.”.

SEC. 567. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR FOR ACTS OF VALOR DURING THE VIETNAM WAR.

(a) SERGEANT FIRST CLASS BENNIE G. ADKINS.—

(1) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 3741 of such title to Bennie G. Adkins of the United States Army for the acts of valor during the Vietnam War described in paragraph (2).

(2) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in paragraph (1) are the actions of then Sergeant First Class Bennie G. Adkins of the United States Army serving with Special Forces Detachment A-102 from March 9 to 12, 1966, during the Vietnam War for which he was originally awarded the Distinguished-Service Cross.

(b) SPECIALIST FOUR DONALD P. SLOAT.—

(1) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 3741 of such title to Donald P. Sloat of the United States Army for the acts of valor during the Vietnam War described in paragraph (2).

(2) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in paragraph (1) are the actions of then Specialist Four Donald P. Sloat of the United States Army serving with 3rd Platoon, Delta Company, 2nd Battalion, 1st Infantry, 196th Light Infantry Brigade, Americal Division on January 17, 1970, during the Vietnam War.

SEC. 568. AUTHORIZATION FOR AWARD OF THE DISTINGUISHED-SERVICE CROSS FOR ACTS OF VALOR DURING THE KOREAN AND VIETNAM WARS.

(a) SERGEANT FIRST CLASS ROBERT F. KEISER.—

(1) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished-Service Cross under section 3742 of such title to Sergeant First Class Robert F. Keiser for the acts of valor described in paragraph (2) during the Korean War.

(2) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in paragraph (1) are the actions of Robert F. Keiser's on November 30, 1950, as a member of the 2d Military Police Company, 2d Infantry Division, United States Army, during the Division's successful withdrawal from the Kunuri-Sunchon Pass.

(b) SERGEANT FIRST CLASS PATRICK N. WATKINS, JR.—

(1) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to

the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished Service Cross under section 3742 of that title to Patrick N. Watkins, Jr., for the acts of valor described in paragraph (2).

(2) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in paragraph (1) are the actions of Sergeant First Class Patrick N. Watkins, Jr., from August 22 to August 23, 1968, as a member of the United States Army serving in the grade of Sergeant First Class in the Republic of Vietnam while serving with Headquarters and Headquarters Company, 5th Special Forces Group (Airborne), 1st Special Forces Regiment.

(c) SPECIALIST FOUR ROBERT L. TOWLES.—

(1) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished Service Cross under section 3742 of that title to Robert L. Towles for the acts of valor described in paragraph (2).

(2) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in paragraph (1) are the actions of Specialist Four Robert L. Towles, on November 17, 1965, as a member of the United States Army serving in the grade of Specialist Four during the Vietnam War while serving in Company D, 2d Battalion, 7th Cavalry, 1st Cavalry Division, for which he was originally awarded the Bronze Star with “V” Device.

SEC. 569. AUTHORIZATION FOR AWARD OF THE MEDAL OF HONOR TO FIRST LIEUTENANT ALONZO H. CUSHING FOR ACTS OF VALOR DURING THE CIVIL WAR.

(a) AUTHORIZATION.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 3741 of such title to then First Lieutenant Alonzo H. Cushing for conspicuous acts of gallantry and intrepidity at the risk of life and beyond the call of duty in the Civil War, as described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of then First Lieutenant Alonzo H. Cushing while in command of Battery A, 4th United States Artillery, Army of the Potomac, at Gettysburg, Pennsylvania, on July 3, 1863, during the Civil War.

Subtitle H—Other Studies, Reviews, Policies, and Reports

SEC. 571. REPORT ON FEASIBILITY OF EXPANDING PERFORMANCE EVALUATION REPORTS TO INCLUDE 360-DEGREE ASSESSMENT APPROACH.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of an assessment of the feasibility of including a 360-degree assessment approach, modeled after the current Department of the Army Multi-Source Assessment and Feedback (MSAF) Program, as part of performance evaluation reports.

SEC. 572. REPORT ON DEPARTMENT OF DEFENSE PERSONNEL POLICIES REGARDING MEMBERS OF THE ARMED FORCES WITH HIV OR HEPATITIS B.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on

Armed Services of the Senate and the House of Representatives a report on Department of Defense personnel policies regarding members of the Armed Forces infected with human immunodeficiency virus (HIV) or Hepatitis B. The report shall include the following:

(1) A description of policies addressing the enlistment or commissioning of individuals with these conditions and retention policies, deployment policies, discharge policies, and disciplinary policies regarding individuals with these conditions.

(2) An assessment of these policies, including an assessment of whether the policies reflect an evidence-based, medically accurate understanding of how these conditions are contracted, how these conditions can be transmitted to other individuals, and the risk of transmission.

SEC. 573. POLICY ON MILITARY RECRUITMENT AND ENLISTMENT OF GRADUATES OF SECONDARY SCHOOLS.

(a) **CONDITIONS ON USE OF TEST, ASSESSMENT, OR SCREENING TOOLS.**—In the case of any test, assessment, or screening tool utilized under the policy on recruitment and enlistment required by subsection (b) of section 532 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1403; 10 U.S.C. 503 note) for the purpose of identifying persons for recruitment and enlistment in the Armed Forces, the Secretary of Defense shall—

(1) implement a means for ensuring that graduates of a secondary school (as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38))), including all persons described in subsection (a)(2) of section 532 of the National Defense Authorization Act for Fiscal Year 2012, are required to meet the same standard on the test, assessment, or screening tool; and

(2) use uniform testing requirements and grading standards.

(b) **RULE OF CONSTRUCTION.**—Nothing in section 532(b) of the National Defense Authorization Act for Fiscal Year 2012 or this section shall be construed to permit the Secretary of Defense or the Secretary of a military department to create or use a different grading standard on any test, assessment, or screening tool utilized for the purpose of identifying graduates of a secondary school (as defined in section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38))), including all persons described in subsection (a)(2) of section 532 of the National Defense Authorization Act for Fiscal Year 2012, for recruitment and enlistment in the Armed Forces.

SEC. 574. COMPTROLLER GENERAL REPORT ON USE OF DETERMINATION OF PERSONALITY DISORDER OR ADJUSTMENT DISORDER AS BASIS TO SEPARATE MEMBERS FROM THE ARMED FORCES.

Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report evaluating—

(1) the use by the Secretaries of the military departments, since January 1, 2007, of the authority to separate members of the Armed Forces from the Armed Forces due to unfitness for duty because of a mental condition not amounting to disability, including separation on the basis of a personality disorder or adjustment disorder and the total number of members separated on such basis;

(2) the extent to which the Secretaries failed to comply with regulatory require-

ments in separating members of the Armed Forces on the basis of a personality or adjustment disorder; and

(3) the impact of such a separation on the ability of veterans so separated to access service-connected disability compensation, disability severance pay, and disability retirement pay.

Subtitle I—Other Matters

SEC. 581. ACCOUNTING FOR MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES LISTED AS MISSING AND RELATED REPORTS.

(a) **SYSTEM FOR ACCOUNTING FOR MISSING PERSONS.**—Section 1501(a)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking “and” at the end;

(2) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(D) the dissemination of appropriate information on the status of missing persons to authorized family members.”.

(b) **REPORT ON ACCOUNTING FOR POW/MIAS.**—

(1) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on accounting for missing persons from covered conflicts.

(2) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) The total number of missing persons in all covered conflicts and in each covered conflict.

(B) The total number of missing persons in all covered conflicts, and in each covered conflict, that are considered unrecoverable, including—

(i) the total number in each conflict that are considered unrecoverable by being lost at sea or in inaccessible terrain;

(ii) the total number from the Korean War that are considered to be located in each of China, North Korea, and Russia.

(C) The total number of missing persons in all covered conflicts, and in each covered conflict, that were interred without identification, including the locations of interment.

(D) The number of remains in the custody of the Department of Defense that are awaiting identification, and the number of such remains estimated by the Department to be likely to be identified using current technology.

(E) The total number of identifications of remains that have been made since January 1, 1970, for all covered conflicts and for each covered conflict.

(F) The number of instances where next of kin have refused to provide a DNA sample for the identification of recovered remains, for each covered conflict.

(3) **DEFINITIONS.**—In this subsection:

(A) The term “appropriate committees of Congress” means—

(i) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(ii) the Committee on Armed Services and the Committee on Oversight and Government Reform of the House of Representatives.

(B) The term “covered conflicts” means the conflicts specified in or designated under section 1509(a) of title 10, United States Code, as of the date of the report required by paragraph (1).

(C) The term “missing persons” has the meaning given that term in section 1513(l) of such title.

(c) **REPORT ON POW/MIA ACCOUNTING COMMUNITY.**—

(1) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report on the POW/MIA accounting community.

(2) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) A description and assessment of the current structure of the POW/MIA accounting community.

(B) A description of how the Secretary of Defense will ensure increased oversight of the POW/MIA accounting mission regardless of changes to the POW/MIA accounting community.

(C) An assessment of the feasibility and advisability of reorganizing the community into a single, central command, including—

(i) an identification of the elements that could be organized into such command; and

(ii) an assessment of cost-savings, advantages, and disadvantages of—

(I) transferring the command and control of the Joint POW/MIA Accounting Command (JPAC) and the Central Identification Laboratory (CIL) from the United States Pacific Command to the Office of the Secretary of Defense;

(II) merging the Joint POW/MIA Accounting Command and the Central Identification Laboratory with the Defense Prisoner of War/Missing Personnel Office (DPMO); and

(III) merging the Central Identification Laboratory with the Armed Forces DNA Identification Lab (AF-DIL).

(D) A recommendation on the element of the Department of Defense to be responsible for directing POW/MIA accounting activities, and on whether all elements of the POW/MIA accounting community should report to that element.

(E) An estimate of the costs to be incurred, and the cost savings to be achieved—

(i) by relocating central POW/MIA accounting activities to the continental United States;

(ii) by closing or consolidating existing Joint POW/MIA Accounting Command facilities; and

(iii) through any actions with respect to the POW/MIA accounting community and POW/MIA accounting activities that the Secretary considers advisable for purposes of the report.

(F) An assessment of the feasibility and advisability of the use by the Department of university anthropology or archaeology programs to conduct field work, particularly in politically sensitive environments, including an assessment of—

(i) the potential cost of the use of such programs;

(ii) whether the use of such programs would result in a greater number of identifications; and

(iii) whether the use of such programs would be consistent with requirements to preserve the integrity of the identification process.

(G) A survey of the manner in which other countries conduct accounting for missing persons, and an assessment whether such practices can be used by the United States to enhance programs to recover and identify missing members of the United States Armed Forces.

(H) A recommendation as to the advisability of continuing to use a military model for recovery operations, including the impact of the use of such model on diplomatic

relations with countries in which the United States seeks to conduct recovery operations.

(I) Such recommendations for the reorganization of the POW/MIA accounting community as the Secretary considers appropriate in light of the other elements of the report, including an estimate of the additional numbers of recoveries and identifications anticipated to be made by the accounting community as a result of implementation of the reorganization.

(3) **BASIS IN PREVIOUS RECOMMENDATIONS.**—The report required by paragraph (1) shall take into account recommendations previously made by the Director of Cost Assessment and Program Evaluation, the Inspector General of the Department of Defense, and the Comptroller General of the United States regarding the organization of the POW/MIA accounting community.

(4) **DEFINITIONS.**—In this subsection:

(A) The term “appropriate committees of Congress” means—

(i) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(ii) the Committee on Armed Services and the Committee on Oversight and Government Reform of the House of Representatives.

(B) The term “POW/MIA accounting community” has the meaning given that term in section 1509(b)(2) of title 10, United States Code.

SEC. 582. EXPANSION OF PRIVILEGED INFORMATION AUTHORITIES TO DEBRIEFING REPORTS OF CERTAIN RECOVERED PERSONS WHO WERE NEVER PLACED IN A MISSING STATUS.

(a) **EXPANSION OF COVERED REPORTS.**—Section 1506 of title 10, United States Code, is amended—

(1) in subsection (d)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1) the following new paragraph (2):

“(2) The Secretary concerned shall withhold from personnel files under this section, as privileged information, any survival, evasion, resistance, and escape debriefing report provided by a person described in section 1501(c) of this title who is returned to United States control which is obtained under a promise of confidentiality made for the purpose of ensuring the fullest possible disclosure of information.”; and

(2) in subsection (f), by striking “paragraphs (2) and (3)” and inserting “paragraphs (3) and (4)”.

(b) **DEFINITION APPLICABLE TO COVERED REPORTS.**—Section 1513 of such title is amended by adding at the end the following new paragraph:

“(9) The term ‘survival, evasion, resistance, and escape debriefing’ means an interview conducted with a person described in section 1501(c) of this title who is returned to United States control in order to record the person’s experiences while surviving, evading, resisting interrogation or exploitation, or escaping.”.

SEC. 583. REVISION OF SPECIFIED SENIOR MILITARY COLLEGES TO REFLECT CONSOLIDATION OF NORTH GEORGIA COLLEGE AND STATE UNIVERSITY AND GAINESVILLE STATE COLLEGE.

Paragraph (6) of section 2111a(f) of title 10, United States Code, is amended to read as follows:

“(6) The University of North Georgia.”.

SEC. 584. REVIEW OF SECURITY OF MILITARY INSTALLATIONS, INCLUDING BARRACKS, TEMPORARY LODGING FACILITIES, AND MULTI-FAMILY RESIDENCES.

(a) **REVIEW OF SECURITY MEASURES.**—The Secretary of Defense shall conduct a review of security measures on United States military installations, specifically with regard to access to barracks, temporary lodging facilities, and multi-family residences on military installations, for the purpose of ensuring the safety of members of the Armed Forces and their dependents who reside on military installations.

(b) **ELEMENTS OF STUDY.**—In conducting the review under subsection (a), the Secretary shall—

(1) identify security gaps on military installations; and

(2) evaluate the feasibility and effectiveness of using 24-hour electronic monitoring or other security measures to protect members and their dependents.

(c) **SUBMISSION OF RESULTS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report containing the results of the study conducted under subsection (a), including proposed security measures and an estimate of the costs—

(1) to eliminate all security gaps identified under subsection (b)(1); and

(2) to provide 24-hour security monitoring or other security measures as evaluated under subsection (b)(2).

SEC. 585. AUTHORITY TO ENTER INTO CONCESSIONS CONTRACTS AT ARMY NATIONAL MILITARY CEMETERIES.

(a) **IN GENERAL.**—Chapter 446 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 4727. Cemetery concessions contracts

“(a) **CONTRACTS AUTHORIZED.**—The Secretary of the Army may enter into a contract with an appropriate entity for the provision of transportation, interpretative, or other necessary or appropriate concession services to visitors at the Army National Military Cemeteries.

“(b) **SPECIAL REQUIREMENTS.**—(1) The Secretary of the Army shall establish and include in each concession contract such requirements as the Secretary determines are necessary to ensure the protection, dignity, and solemnity of the cemetery at which services are provided under the contract.

“(2) A concession contract shall not include operation of the gift shop at Arlington National Cemetery without the specific prior authorization by an Act of Congress.

“(c) **FRANCHISE FEES.**—A concession contract shall provide for payment to the United States of a franchise fee or such other monetary consideration as determined by the Secretary of the Army. The Secretary shall ensure that the objective of generating revenue for the United States is subordinate to the objectives of honoring the service and sacrifices of the deceased members of the armed forces and of providing necessary and appropriate services for visitors to the Cemeteries at reasonable rates.

“(d) **SPECIAL ACCOUNT.**—All franchise fees (and other monetary consideration) collected by the United States under subsection (c) shall be deposited into a special account established in the Treasury of the United States. The funds deposited in such account shall be available for expenditure by the Secretary of the Army, to the extent authorized and in such amounts as are provided in advance in appropriations Acts, to support activities at the Cemeteries. The funds depos-

ited into the account shall remain available until expended.

“(e) **CONCESSION CONTRACT DEFINED.**—In this section, the term ‘concession contract’ means a contract authorized and entered into under this section.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“4727. Cemetery concessions contracts.”.

SEC. 586. MILITARY SALUTE DURING RECITATION OF PLEDGE OF ALLEGIANCE BY MEMBERS OF THE ARMED FORCES NOT IN UNIFORM AND BY VETERANS.

Section 4 of title 4, United States Code, is amended by adding at the end the following new sentence: “Members of the Armed Forces not in uniform and veterans may render the military salute in the manner provided for persons in uniform.”.

SEC. 587. IMPROVED CLIMATE ASSESSMENTS AND DISSEMINATION OF RESULTS.

(a) **IMPROVED DISSEMINATION OF RESULTS IN CHAIN OF COMMAND.**—The Secretary of Defense shall ensure that the results of command climate assessments are provided to the relevant individual commander and to the next higher level of command.

(b) **EVIDENCE OF COMPLIANCE.**—The Secretary of each military department shall require in the performance evaluations and assessments used by each Armed Force under the jurisdiction of the Secretary a statement by the commander regarding whether the commander has conducted the required command climate assessments.

(c) **EFFECT OF FAILURE TO CONDUCT ASSESSMENT.**—The failure of a commander to conduct the required command climate assessments shall be noted in the commander’s performance evaluation.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Extension of authority to provide temporary increase in rates of basic allowance for housing under certain circumstances.

Sec. 602. Recognition of additional means by which members of the National Guard called into Federal service for a period of 30 days or less may initially report for duty for entitlement to basic pay.

Subtitle B—Bonuses and Special and Incentive Pays

Sec. 611. One-year extension of certain bonus and special pay authorities for reserve forces.

Sec. 612. One-year extension of certain bonus and special pay authorities for health care professionals.

Sec. 613. One-year extension of special pay and bonus authorities for nuclear officers.

Sec. 614. One-year extension of authorities relating to title 37 consolidated special pay, incentive pay, and bonus authorities.

Sec. 615. One-year extension of authorities relating to payment of other title 37 bonuses and special pays.

Sec. 616. One-year extension of authority to provide incentive pay for members of precommissioning programs pursuing foreign language proficiency.

Sec. 617. Authority to provide bonus to certain cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.

Sec. 618. Health Professions Stipend Program to obtain commissioned officers in the reserve components.

Subtitle C—Travel and Transportation Allowances

Sec. 621. Technical and standardizing amendments to Department of Defense travel and transportation authorities in connection with reform of such authorities.

Subtitle D—Disability, Retired Pay, and Survivor Benefits

Sec. 631. Clarification of prevention of retired pay inversion in the case of members whose retired pay is computed using high-three.

Sec. 632. Periodic notice to members of the Ready Reserve on early retirement credit earned for significant periods of active Federal status or active duty.

Sec. 633. Improved assistance for Gold Star spouses and other dependents.

Subtitle E—Commissary and Non-appropriated Fund Instrumentality Benefits and Operations

Sec. 641. Expansion of protection of employees of nonappropriated fund instrumentalities from reprisals.

Sec. 642. Modernization of titles of nonappropriated fund instrumentalities for purposes of certain civil service laws.

Subtitle F—Other Matters

Sec. 651. Authority to provide certain expenses for care and disposition of human remains that were retained by the Department of Defense for forensic pathology investigation.

Sec. 652. Study of the merits and feasibility of providing transitional compensation and other transitional benefits to dependents of members separated for violation of the Uniform Code of Military Justice.

Subtitle A—Pay and Allowances

SEC. 601. EXTENSION OF AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING UNDER CERTAIN CIRCUMSTANCES.

Section 403(b)(7)(E) of title 37, United States Code, is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

SEC. 602. RECOGNITION OF ADDITIONAL MEANS BY WHICH MEMBERS OF THE NATIONAL GUARD CALLED INTO FEDERAL SERVICE FOR A PERIOD OF 30 DAYS OR LESS MAY INITIALLY REPORT FOR DUTY FOR ENTITLEMENT TO BASIC PAY.

Subsection (c) of section 204 of title 37, United States Code, is amended to read as follows:

“(c)(1) A member of the National Guard who is called into Federal service for a period of 30 days or less is entitled to basic pay from the date on which the member, in person or by authorized telephonic or electronic means, contacts the member's unit.

“(2) Paragraph (1) does not authorize any expenditure to be paid for a period before the date on which the unit receives the member's contact provided under such paragraph.

“(3) The Secretary of the Army, with respect to the Army National Guard, and the Secretary of the Air Force, with respect to the Air National Guard, shall prescribe such regulations as may be necessary to carry out this subsection.”.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(7) Section 478a(e), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance.

(8) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) **TITLE 10 AUTHORITIES.**—The following sections of title 10, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) **TITLE 37 AUTHORITIES.**—The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 302c-1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 351(h), relating to hazardous duty pay.

(7) Section 352(g), relating to assignment pay or special duty pay.

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.

The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 324(g), relating to accession bonus for new officers in critical skills.

(6) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(7) Section 327(h), relating to incentive bonus for transfer between armed forces.

(8) Section 330(f), relating to accession bonus for officer candidates.

SEC. 616. ONE-YEAR EXTENSION OF AUTHORITY TO PROVIDE INCENTIVE PAY FOR MEMBERS OF PRECOMMISSIONING PROGRAMS PURSUING FOREIGN LANGUAGE PROFICIENCY.

Section 316a(g) of title 37, United States Code is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

SEC. 617. AUTHORITY TO PROVIDE BONUS TO CERTAIN CADETS AND MIDSHIPMEN ENROLLED IN THE SENIOR RESERVE OFFICERS' TRAINING CORPS.

(a) **BONUS AUTHORIZED.**—Chapter 5 of title 37, United States Code, is amended by inserting after section 335 the following new section:

“§ 336. **Contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps**

“(a) **CONTRACTING BONUS AUTHORIZED.**—The Secretary concerned may pay a bonus under this section to a cadet or midshipman enrolled in the Senior Reserve Officers' Training Corps who executes a written agreement described in subsection (c).

“(b) AMOUNT OF BONUS.—The amount of a bonus under subsection (a) may not exceed \$5,000.

“(c) AGREEMENT.—A written agreement referred to in subsection (a) is a written agreement by the cadet or midshipman—

“(1) to complete field training or a practice cruise under section 2104(b)(6)(A)(ii) of title 10;

“(2) to complete advanced training under chapter 103 of title 10;

“(3) to accept a commission or appointment as an officer of the armed forces; and

“(4) to serve on active duty.

“(d) PAYMENT METHOD.—Upon acceptance of a written agreement under subsection (a) by the Secretary concerned, the total amount of the bonus payable under the agreement becomes fixed. The agreement shall specify when the bonus will be paid and whether the bonus will be paid in a lump sum or in installments.

“(e) REPAYMENT.—A person who, having received all or part of a bonus under subsection (a), fails to fulfill the terms of the written agreement required by such subsection for receipt of the bonus shall be subject to the repayment provisions of section 373 of this title.

“(f) REGULATIONS.—The Secretary concerned shall issue such regulations as may be necessary to carry out this section.

“(g) TERMINATION OF AUTHORITY.—No agreement under this section may be entered into after December 31, 2014.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 335 the following new item:

“336. Contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers’ Training Corps.”.

SEC. 618. HEALTH PROFESSIONS STIPEND PROGRAM TO OBTAIN COMMISSIONED OFFICERS IN THE RESERVE COMPONENTS.

(a) AVAILABILITY OF STIPEND FOR REGISTERED NURSES IN CRITICAL SPECIALTIES.—Subsection (d) of section 16201 of title 10, United States Code, is amended—

(1) in paragraph (1), by striking subparagraph (B) and inserting the following new subparagraph:

“(B) is eligible for appointment as a Reserve officer for service in a reserve component in a Nurse Corps or as a nurse; and”; and

(2) in paragraph (2), by striking subparagraph (B) and inserting the following new subparagraph:

“(B) the participant shall not be eligible to receive such stipend before being appointed as a Reserve officer for service in the Ready Reserve in a Nurse Corps or as a nurse;”.

(b) SERVICE REQUIRED IN SELECTED RESERVE.—Such section is further amended—

(1) in subsection (a), by striking “the Ready Reserve” and inserting “the Selected Reserve of the Ready Reserve”;

(2) in subsection (c)(2), by striking subparagraph (D) and inserting the following new subparagraph:

“(D) the participant shall agree to serve, upon successful completion of the program, one year in the Selected Reserve for each six months, or part thereof, for which the stipend is provided.”;

(3) in subsection (d)(2), by striking subparagraph (D) and inserting the following new subparagraph:

“(D) the participant shall agree to serve, upon successful completion of the program, one year in the Selected Reserve for each six

months, or part thereof, for which the stipend is provided.”; and

(4) in subsection (e)(2)(D), by striking “the Ready Reserve” and inserting “the Selected Reserve”.

(c) AMOUNT OF STIPEND.—Subsection (g) of such section is amended to read as follows:

“(g) AMOUNT OF STIPEND.—The amount of a stipend under an agreement under subsection (b), (c), (d), or (f) shall be the stipend rate in effect for participants in the Armed Forces Health Professions Scholarship Program under section 2121(d) of this title.”.

Subtitle C—Travel and Transportation Allowances

SEC. 621. TECHNICAL AND STANDARDIZING AMENDMENTS TO DEPARTMENT OF DEFENSE TRAVEL AND TRANSPORTATION AUTHORITIES IN CONNECTION WITH REFORM OF SUCH AUTHORITIES.

(a) ESCORTS OF DEPENDENTS OF MEMBERS.—

(1) INCORPORATION OF ESCORTS OF DEPENDENTS UNDER GENERAL AUTHORITY.—Section 451(a)(2)(C) of title 37, United States Code, is amended by inserting before the period the following: “or as an escort or attendant for dependents of a member for necessary travel performed not later than one year after the member is unable to accompany the dependents who are incapable of traveling alone”.

(2) REPEAL OF SUPERSEDED AUTHORITY.—(A) Section 1036 of title 10, United States Code, is repealed.

(B) The table of sections at the beginning of chapter 53 of such title is amended by striking the item relating to section 1036.

(b) TRAVEL AND TRANSPORTATION OF DEPENDENT PATIENTS.—Section 1040 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking “round-trip transportation” and all that follows through “may be paid at the expense of the United States” and inserting “travel and transportation allowances may be furnished to necessary attendants. The dependents and any attendants shall be furnished such travel and transportation allowances as specified in regulations prescribed under section 464 of title 37.”; and

(2) by striking subsection (d).

(c) TRAVEL IN CONNECTION WITH LEAVE CANCELLED DUE TO CONTINGENCY OPERATIONS.—

(1) INCORPORATION OF EXPENSES UNDER GENERAL AUTHORITY.—Section 453 of title 37, United States Code, is amended by adding at the end the following new subsection:

“(g) REIMBURSEMENT FOR TRAVEL IN CONNECTION WITH LEAVE CANCELLED DUE TO CONTINGENCY OPERATIONS.—A member may be reimbursed as specified in regulations prescribed under section 464 of this title for travel and related expenses incurred by the member as a result of the cancellation of previously approved leave when the leave is cancelled in conjunction with the member’s participation in a contingency operation and the cancellation occurs within 48 hours of the time the leave would have commenced. The settlement for reimbursement under this subsection is final and conclusive.”.

(2) REPEAL OF SUPERSEDED AUTHORITY.—(A) Section 1053a of title 10, United States Code, is repealed.

(B) The table of sections at the beginning of chapter 53 of such title is amended by striking the item relating to section 1053a.

(d) TRAVEL AND TRANSPORTATION FOR TRAVEL FOR SPECIALTY HEALTH CARE.—Section 1074i of title 10, United States Code, is amended—

(1) in subsection (a), by striking “reimbursement for reasonable travel expenses”

and inserting “travel and transportation allowances as specified in regulations prescribed under section 464 of title 37”; and

(2) in subsection (b), striking “REIMBURSEMENT FOR TRAVEL UNDER EXCEPTIONAL CIRCUMSTANCES.—The Secretary of Defense may provide reimbursement for reasonable travel expenses of” and inserting “ALLOWABLE TRAVEL AND TRANSPORTATION UNDER EXCEPTIONAL CIRCUMSTANCES.—The Secretary of Defense may provide travel and transportation allowances as specified in the regulations referred to in subsection (a) for”.

(e) TRAVEL AND TRANSPORTATION IN CONNECTION WITH THE DISPOSITION OF REMAINS OF MEMBERS.—Section 1482(a)(8) of title 10, United States Code, is amended by striking “and roundtrip transportation and prescribed allowances” and inserting “and travel and transportation allowances as specified in regulations prescribed under section 464 of title 37”.

(f) TRAVEL AND TRANSPORTATION IN CONNECTION WITH FUNERAL HONORS FUNCTIONS AT FUNERALS FOR VETERANS.—Section 1491(d)(1) of title 10, United States Code, is amended by striking “transportation (or reimbursement for transportation) and expenses” and inserting “travel and transportation allowances as specified in regulations prescribed under section 464 of title 37”.

(g) REPEAL OF REDUNDANT AUTHORITY ON MOTOR VEHICLE TRANSPORTATION OR STORAGE FOR MEMBERS UNDERGOING PCS OR EXTENDED DEPLOYMENT.—

(1) REPEAL.—Section 2634 of title 10, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 157 of such title is amended by striking the item relating to section 2634.

(h) CLARIFICATION OF LIMITATION ON TRANSPORTATION OF HOUSEHOLD GOODS.—Section 453(c)(3) of title 37, United States Code, is amended by striking “(including packing, crating, and household goods in temporary storage)” and inserting “(including household goods in temporary storage, but excluding packing and crating)”.

Subtitle D—Disability, Retired Pay, and Survivor Benefits

SEC. 631. CLARIFICATION OF PREVENTION OF RETIRED PAY INVERSION IN THE CASE OF MEMBERS WHOSE RETIRED PAY IS COMPUTED USING HIGH-THREE.

(a) CLARIFICATION.—Subsection (f) of section 1401a of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “PREVENTION OF RETIRED PAY INVERSIONS.—Notwithstanding any other provision of law, the” and inserting “PREVENTION OF RETIRED PAY INVERSIONS FOR MEMBERS WITH RETIRED PAY COMPUTED USING FINAL BASIC PAY.—The”; and

(B) by inserting “who first became a member of a uniformed service before September 8, 1980, and” after “of an armed force”;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph (2):

“(2) PREVENTION OF RETIRED PAY INVERSIONS FOR MEMBERS WITH RETIRED PAY COMPUTED USING HIGH-THREE.—Subject to subsections (d) and (e), the monthly retired pay of a member or former member of an armed force who first became a member of a uniformed service on or after September 8, 1980, may not be less, on the date on which the member or former member initially becomes entitled to such pay, than the monthly retired pay to which the member or former

member would be entitled on that date if the member or former member had become entitled to retired pay on an earlier date, adjusted to reflect any applicable increases in such pay under this section. However, in the case of a member or former member whose retired pay is computed subject to section 1407(f) of this title, paragraph (1) (rather than the preceding sentence) shall apply in the same manner as if the member or former member first became a member of a uniformed service before September 8, 1980, but only with respect to a calculation as of the date on which the member or former member first became entitled to retired pay.”.

(b) **CROSS-REFERENCE AMENDMENTS.**—Such section is further amended by striking “subsection (f)(2)” in subsections (c)(1), (c)(2), (d), and (e) and inserting “subsection (f)(3)”.

(c) **APPLICABILITY.**—Paragraph (2) of section 1401a(f) of title 10, United States Code, as added by the amendment made by subsection (a)(3), applies to the computation of retired pay or retainer pay of any person who first became a member of a uniformed service on or after September 8, 1980, regardless of when the member first becomes entitled to retired or retainer pay.

SEC. 632. PERIODIC NOTICE TO MEMBERS OF THE READY RESERVE ON EARLY RETIREMENT CREDIT EARNED FOR SIGNIFICANT PERIODS OF ACTIVE FEDERAL STATUS OR ACTIVE DUTY.

Section 12731(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) The Secretary concerned shall periodically notify each member of the Ready Reserve described by paragraph (2) of the current eligibility age for retired pay of such member under this section, including any reduced eligibility age by reason of the operation of that paragraph. Notice shall be provided by such means as the Secretary considers appropriate taking into account the cost of provision of notice and the convenience of members.”.

SEC. 633. IMPROVED ASSISTANCE FOR GOLD STAR SPOUSES AND OTHER DEPENDENTS.

(a) **ADVOCATES FOR GOLD STAR SPOUSES AND OTHER DEPENDENTS.**—Each Secretary of a military department shall designate for each Armed Force under the jurisdiction of such Secretary a member of such Armed Force or civilian employee of such military department to assist spouses and other dependents of members of such Armed Force (including reserve components thereof) who die on active duty through the provision of the following services:

(1) Addressing complaints by spouses and other dependents of deceased members regarding casualty assistance or receipt of benefits authorized by law for such spouses and dependents.

(2) Providing support to such spouses and dependents regarding such casualty assistance or receipt of such benefits.

(3) Making reports to appropriate officers or officials in the Department of Defense or the military department concerned regarding resolution of such complaints, including recommendations regarding the settlement of claims with respect to such benefits, as appropriate.

(4) Performing such other actions as the Secretary of the military department concerned considers appropriate.

(b) **TRAINING FOR CASUALTY ASSISTANCE PERSONNEL.**—

(1) **TRAINING PROGRAM REQUIRED.**—The Secretary of Defense shall implement a standardized comprehensive training program on casualty assistance for the following personnel of the Department of Defense:

(A) Casualty assistance officers.

(B) Casualty assistance calls officers.

(C) Casualty assistance representatives.

(2) **GENERAL ELEMENTS.**—The training program required by paragraph (1) shall include training designed to ensure that the personnel specified in that paragraph provide the spouse and other dependents of a deceased member of the Armed Forces with accurate information on the benefits to which they are entitled and other casualty assistance available to them when the member dies while serving on active duty in the Armed Forces.

(3) **SERVICE-SPECIFIC ELEMENTS.**—The Secretary of the military department concerned may, in coordination with the Secretary of Defense, provide for the inclusion in the training program required by paragraph (1) that is provided to casualty assistance personnel of such military department such elements of training that are specific or unique to the requirements or particulars of the Armed Forces under the jurisdiction of such military department as the Secretary of the military department concerned considers appropriate.

(4) **FREQUENCY OF TRAINING.**—Training shall be provided under the program required by paragraph (1) not less often than annually.

Subtitle E—Commissary and Non-appropriated Fund Instrumentality Benefits and Operations

SEC. 641. EXPANSION OF PROTECTION OF EMPLOYEES OF NONAPPROPRIATED FUND INSTRUMENTALITIES FROM REPRISALS.

Section 1587(b) of title 10, United States Code, is amended by inserting after “take or fail to take” the following: “, or threaten to take or fail to take.”.

SEC. 642. MODERNIZATION OF TITLES OF NON-APPROPRIATED FUND INSTRUMENTALITIES FOR PURPOSES OF CERTAIN CIVIL SERVICE LAWS.

Section 2105(c) of title 5, United States Code, is amended in the matter preceding paragraph (1) by striking “Army and Air Force Motion Picture Service, Navy Ship’s Stores Ashore” and inserting “Navy Ships Stores Program”.

Subtitle F—Other Matters

SEC. 651. AUTHORITY TO PROVIDE CERTAIN EXPENSES FOR CARE AND DISPOSITION OF HUMAN REMAINS THAT WERE RETAINED BY THE DEPARTMENT OF DEFENSE FOR FORENSIC PATHOLOGY INVESTIGATION.

(a) **DISPOSITION OF REMAINS OF PERSONS WHOSE DEATH IS INVESTIGATED BY THE ARMED FORCES MEDICAL EXAMINER.**—

(1) **COVERED DECEDENTS.**—Section 1481(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(10) To the extent authorized under section 1482(g) of this title, any person not otherwise covered by the preceding paragraphs whose remains (or partial remains) have been retained by the Secretary concerned for purposes of a forensic pathology investigation by the Armed Forces Medical Examiner under section 1471 of this title.”.

(2) **AUTHORIZED EXPENSES RELATING TO CARE AND DISPOSITION OF REMAINS.**—Section 1482 of such title is amended by adding at the end the following new subsection:

“(g)(1) The payment of expenses incident to the recovery, care, and disposition of the remains of a decedent covered by section 1481(a)(10) of this title is limited to those expenses that, as determined under regulations prescribed by the Secretary of Defense, would not have been incurred but for the re-

tention of those remains for purposes of a forensic pathology investigation by the Armed Forces Medical Examiner under section 1471 of this title.

“(2) In a case covered by paragraph (1), if the person designated under subsection (c) to direct disposition of the remains of a decedent does not direct disposition of the remains that were retained for the forensic pathology investigation, the Secretary may pay for the transportation of those remains to, and interment or inurnment of those remains in, an appropriate place selected by the Secretary, in lieu of the transportation authorized to be paid under paragraph (8) of subsection (a).

“(3) In a case covered by paragraph (1), expenses that may be paid do not include expenses with respect to an escort under paragraph (8) of subsection (a), whether or not on a reimbursable basis.

“(4) The Secretary concerned may pay any other expenses relating to the remains of such a decedent that are authorized to be paid under this section on a reimbursable basis. Amounts reimbursed to the Secretary concerned under this subsection shall be credited to appropriations available at the time of reimbursement for the payment of such expenses.”.

(b) **CLARIFICATION OF COVERAGE OF INURNMENT.**—Section 1482(a)(9) of such title is amended by inserting “or inurnment” after “Interment”.

(c) **TECHNICAL AMENDMENT.**—Section 1482(f) of such title is amended by striking the third sentence and inserting the following new sentence: “The Secretary concerned may pay any other expenses relating to the remains of such a decedent that are authorized to be paid under this section only on a reimbursable basis.”.

SEC. 652. STUDY OF THE MERITS AND FEASIBILITY OF PROVIDING TRANSITIONAL COMPENSATION AND OTHER TRANSITIONAL BENEFITS TO DEPENDENTS OF MEMBERS SEPARATED FOR VIOLATION OF THE UNIFORM CODE OF MILITARY JUSTICE.

(a) **STUDY REQUIRED.**—The Secretary of Defense shall conduct a study regarding the merits and feasibility of providing transitional compensation and other transitional benefits to dependents or former dependents of members of the Armed Forces who are separated from the Armed Forces for a violation of the Uniform Code of Military Justice under the circumstances described in subsection (b).

(b) **COVERED MEMBERS AND CIRCUMSTANCES.**—The scope of the study required by subsection (a) is limited to those circumstances in which members of the Armed Forces—

(1) are convicted by court-martial of an offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice);

(2) are separated from active duty pursuant to the sentence of the court-martial; and

(3) forfeit all pay and allowances pursuant to such sentence.

(c) **STUDY ELEMENTS.**—In conducting the study required by subsection (a), the Secretary of Defense shall consider the following:

(1) The appropriateness of providing transitional compensation and other benefits, including commissary and exchange benefits, to dependents or former dependents of members described in subsection (b), particularly in situations in which such dependents or former dependents would be entitled, or soon be entitled, to such benefits on account of the years of service of a member.

(2) Whether there may be instances in which the provision of such transitional compensation would not be appropriate.

(3) Whether such transitional compensation should be limited to dependent children of members described in subsection (b).

(4) The appropriate duration of such transitional compensation for such dependents or former dependents.

(5) The potential duplication of such transitional compensation with benefits otherwise available for such dependents or former dependents under title 10, United States Code, or other laws.

(d) **SUBMISSION OF RESULTS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the study required by subsection (a), including the Secretary's determination regarding the need for transitional compensation.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

Sec. 701. Future availability of TRICARE Prime for certain beneficiaries enrolled in TRICARE Prime.

Sec. 702. Mental health care treatment through telemedicine.

Sec. 703. Comprehensive policy on improvements to care and transition of members of the Armed Forces with urotrauma.

Sec. 704. Pilot program on investigational treatment of members of the Armed Forces for traumatic brain injury and post-traumatic stress disorder.

Subtitle B—Health Care Administration

Sec. 711. Authority of Uniformed Services University of Health Sciences to enter into contracts and agreements and make grants to other nonprofit entities.

Sec. 712. Pilot program on increased third-party collection reimbursements in military medical treatment facilities.

Sec. 713. Electronic health records of the Department of Defense and the Department of Veterans Affairs.

Subtitle C—Reports and Other Matters

Sec. 721. Display of budget information for embedded mental health providers of the reserve components.

Sec. 722. Report on role of Department of Veterans Affairs in certain Centers of Excellence.

Sec. 723. Report on memorandum regarding traumatic brain injuries.

Sec. 724. Report on provision of advanced prosthetics and orthotics to members of the Armed Forces and veterans.

Sec. 725. Comptroller General reports on TRICARE recovery audit program and availability of compounded pharmaceuticals.

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. FUTURE AVAILABILITY OF TRICARE PRIME FOR CERTAIN BENEFICIARIES ENROLLED IN TRICARE PRIME.

Section 732 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1816) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection (b):

“(b) **ACCESS TO TRICARE PRIME.**—

“(1) **ONE-TIME ELECTION.**—Subject to paragraph (3), the Secretary shall ensure that each affected eligible beneficiary who is enrolled in TRICARE Prime as of September 30, 2013, may make a one-time election to continue such enrollment in TRICARE Prime, notwithstanding that a contract described in subsection (a)(2)(A) does not allow for such enrollment based on the location in which such beneficiary resides. The beneficiary may continue such enrollment in TRICARE Prime so long as the beneficiary resides in the same ZIP code as the ZIP code in which the beneficiary resided at the time of such election.

“(2) **ENROLLMENT IN TRICARE STANDARD.**—If an affected eligible beneficiary makes the one-time election under paragraph (1), the beneficiary may thereafter elect to enroll in TRICARE Standard at any time in accordance with a contract described in subsection (a)(2)(A).

“(3) **RESIDENCE AT TIME OF ELECTION.**—An affected eligible beneficiary may not make the one-time election under paragraph (1) if, at the time of such election, the beneficiary does not reside—

“(A) in a ZIP code that is in a region described in subsection (c)(1)(B); and

“(B) within 100 miles of a military medical treatment facility.

“(4) **NETWORK.**—In continuing enrollment in TRICARE Prime pursuant to paragraph (1), the Secretary may determine whether to maintain a TRICARE network of providers in an area that is between 40 and 100 miles of a military medical treatment facility.”.

SEC. 702. MENTAL HEALTH CARE TREATMENT THROUGH TELEMEDICINE.

(a) **PROVISION OF MENTAL HEALTH CARE VIA TELEMEDICINE.**—

(1) **IN GENERAL.**—In carrying out the Transitional Assistance Management Program, the Secretary of Defense may extend the coverage of such program for covered individuals for an additional 180 days for mental health care provided through telemedicine.

(2) **REPORT.**—If the Secretary extends coverage under paragraph (1), by not later than one year after the date of carrying out such extension, the Secretary shall submit to the congressional defense committees a report that includes the following:

(A) The rate at which individuals are using the extended coverage provided pursuant to paragraph (1).

(B) A description of the mental health care provided pursuant to such subsection.

(C) An analysis of how the Secretary and the Secretary of Veterans Affairs coordinate the continuation of care with respect to veterans who are no longer eligible for the Transitional Assistance Management Program.

(D) Any other factors the Secretary of Defense determines necessary with respect to extending coverage of the Transitional Assistance Management Program.

(3) **TERMINATION.**—The authority of the Secretary to carry out subsection (a) shall terminate on December 31, 2018.

(b) **REPORT ON USE OF TELEMEDICINE.**—

(1) **IN GENERAL.**—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the use of telemedicine to improve the diagnosis and treatment of post-traumatic stress disorder, traumatic brain injuries, and mental health conditions.

(2) **ELEMENTS.**—The report under paragraph (1) shall address the following:

(A) The current status, as of the date of the report, of telemedicine initiatives within the Department of Defense to diagnose and treat post-traumatic stress disorder, traumatic brain injuries, and mental health conditions.

(B) Plans for integrating telemedicine into the military health care system, including in health care delivery, records management, medical education, public health, and private sector partnerships.

(C) The status of the integration of the telemedicine initiatives of the Department with the telemedicine initiatives of the Department of Veterans Affairs.

(D) A description and assessment of challenges to the use of telemedicine as a means of in-home treatment, outreach in rural areas, and in settings that provide group treatment or therapy in connection with treatment of post-traumatic stress disorder, traumatic brain injuries, and mental health conditions, and a description and assessment of efforts to address such challenges.

(E) A description of privacy issues related to the use of telemedicine for the treatment of post-traumatic stress disorder, traumatic brain injuries, and mental health conditions, and recommendations for mechanisms to remedy any privacy concerns relating to such use of telemedicine.

(F) A description of professional licensing issues with respect to licensed medical providers who provide treatment using telemedicine.

(c) **DEFINITIONS.**—In this section:

(1) The term “covered individual” means an individual who—

(A) during the initial 180-day period of being enrolled in the Transitional Assistance Management Program, received any mental health care; or

(B) during the one-year period preceding separation or discharge from the Armed Forces, received any mental health care.

(2) The term “telemedicine” means the use by a health care provider of telecommunications to assist in the diagnosis or treatment of a patient's medical condition.

SEC. 703. COMPREHENSIVE POLICY ON IMPROVEMENTS TO CARE AND TRANSITION OF MEMBERS OF THE ARMED FORCES WITH UROTRAUMA.

(a) **COMPREHENSIVE POLICY REQUIRED.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly develop and implement a comprehensive policy on improvements to the care, management, and transition of recovering members of the Armed Forces with urotrauma.

(2) **SCOPE OF POLICY.**—The policy shall cover each of the following:

(A) The care and management of the specific needs of members who are urotrauma patients, including eligibility for the Recovery Care Coordinator Program pursuant to the Wounded Warrior Act (10 U.S.C. 1071 note).

(B) The return of members who have recovered to active duty when appropriate.

(C) The transition of recovering members from receipt of care and services through the Department of Defense to receipt of care and services through the Department of Veterans Affairs.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than one year after implementing the policy under subsection (a)(1), the Secretary of Defense and

the Secretary of Veterans Affairs shall jointly submit to the appropriate congressional committees a report that includes—

(A) a review that identifies gaps in the care of members who are urotrauma patients; and
(B) suggested options to respond to such gaps.

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this subsection, the term “appropriate congressional committees” means the following:

(A) The Committees on Armed Services of the Senate and the House of Representatives.

(B) The Committees on Veterans’ Affairs of the Senate and the House of Representatives.

SEC. 704. PILOT PROGRAM ON INVESTIGATIONAL TREATMENT OF MEMBERS OF THE ARMED FORCES FOR TRAUMATIC BRAIN INJURY AND POST-TRAUMATIC STRESS DISORDER.

(a) **PILOT PROGRAM AUTHORIZED.**—The Secretary of Defense shall carry out a pilot program under which the Secretary shall establish a process for randomized placebo-controlled clinical trials of investigational treatments (including diagnostic testing) of traumatic brain injury or post-traumatic stress disorder received by members of the Armed Forces in health care facilities other than military treatment facilities.

(b) **CONDITIONS FOR APPROVAL.**—The approval by the Secretary for a treatment pursuant to subsection (a) shall be subject to the following conditions:

(1) Any drug or device used in the treatment must be approved, cleared, or made subject to an investigational use exemption by the Food and Drug Administration, and the use of the drug or device must comply with rules of the Food and Drug Administration applicable to investigational new drugs or investigational devices.

(2) The treatment must be approved by the Secretary following approval by an institutional review board operating in accordance with regulations issued by the Secretary of Health and Human Services, in addition to regulations issued by the Secretary of Defense regarding institutional review boards.

(3) The patient receiving the treatment may not be a retired member of the Armed Forces who is entitled to benefits under part A, or eligible to enroll under part B, of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(c) **ADDITIONAL RESTRICTIONS AUTHORIZED.**—The Secretary may establish additional restrictions or conditions as the Secretary determines appropriate to ensure the protection of human research subjects, appropriate fiscal management, and the validity of the research results.

(d) **DATA COLLECTION AND AVAILABILITY.**—The Secretary shall develop and maintain a database containing data from each patient case involving the use of a treatment under this section. The Secretary shall ensure that the database preserves confidentiality and that any use of the database or disclosures of such data are limited to such use and disclosures permitted by law and applicable regulations.

(e) **REPORTS TO CONGRESS.**—Not later than 30 days after the last day of each fiscal year, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of this section and any available results on investigational treatment clinical trials authorized under this section during such fiscal year.

(f) **TERMINATION.**—The authority of the Secretary to carry out the pilot program authorized by subsection (a) shall terminate on December 31, 2018.

Subtitle B—Health Care Administration

SEC. 711. AUTHORITY OF UNIFORMED SERVICES UNIVERSITY OF HEALTH SCIENCES TO ENTER INTO CONTRACTS AND AGREEMENTS AND MAKE GRANTS TO OTHER NONPROFIT ENTITIES.

Section 2113(g)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B)—

(A) by inserting “, or any other nonprofit entity” after “Military Medicine”; and

(B) by inserting “, or nonprofit entity,” after “such Foundation”; and

(2) in subparagraph (C)—

(A) by inserting “, or any other nonprofit entity,” after “Military Medicine”; and

(B) by inserting “, or nonprofit entity,” after “such foundation”.

SEC. 712. PILOT PROGRAM ON INCREASED THIRD-PARTY COLLECTION REIMBURSEMENTS IN MILITARY MEDICAL TREATMENT FACILITIES.

(a) **PILOT PROGRAM.**—

(1) **IN GENERAL.**—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall carry out a pilot program to demonstrate and assess the feasibility of implementing processes described in paragraph (2) to increase the amounts collected under section 1095 of title 10, United States Code, from a third-party payer for charges for health care services incurred by the United States at a military medical treatment facility.

(2) **PROCESSES DESCRIBED.**—The processes described in this paragraph are commercially available enhanced recovery practices for medical payment collection, including revenue-cycle management together with rates and percentages of collection in accordance with industry standards for such practices.

(b) **REQUIREMENTS.**—In carrying out the pilot program under subsection (a)(1), the Secretary shall—

(1) identify and analyze the best practice option, including commercial best practices, with respect to the processes described in subsection (a)(2) that are used in non-military health care facilities; and

(2) conduct a cost-benefit analysis to assess measurable results of the pilot program, including an analysis of—

(A) the different processes used in the pilot program;

(B) the amount of third-party collections that resulted from such processes;

(C) the cost to implement and sustain such processes; and

(D) any other factors the Secretary determines appropriate to assess the pilot program.

(c) **LOCATIONS.**—The Secretary shall carry out the pilot program under subsection (a)(1)—

(1) at military installations that have a military medical treatment facility with inpatient and outpatient capabilities; and

(2) at a number of such installations of different military departments that the Secretary determines sufficient to fully assess the results of the pilot program.

(d) **DURATION.**—The Secretary shall commence the pilot program under subsection (a)(1) by not later than 270 days after the date of the enactment of this Act and shall carry out such program for three years.

(e) **REPORT.**—Not later than 180 days after completing the pilot program under subsection (a)(1), the Secretary shall submit to the congressional defense committees a report describing the results of the program, including—

(1) a comparison of—

(A) the processes described in subsection (a)(2) that were used in the military medical

treatment facilities participating in the program; and

(B) the third-party collection processes used by military medical treatment facilities not included in the program;

(2) a cost analysis of implementing the processes described in subsection (a)(2) for third-party collections at military medical treatment facilities;

(3) an assessment of the program, including any recommendations to improve third-party collections; and

(4) an analysis of the methods employed by the military departments prior to the program with respect to collecting charges from third-party payers incurred at military medical treatment facilities, including specific data with respect to the dollar amount of third-party collections that resulted from each method used throughout the military departments.

SEC. 713. ELECTRONIC HEALTH RECORDS OF THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF VETERANS AFFAIRS.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Secretary of Defense and the Secretary of Veterans Affairs have failed to implement a solution that allows for seamless electronic sharing of medical health care data; and

(2) despite the significant amount of readily available information shared between the Department of Defense and Department of Veterans Affairs, most of the information shared as of the date of the enactment of this Act is not standardized or available in real time to support all clinical decisions.

(b) **IMPLEMENTATION.**—The Secretary of Defense and the Secretary of Veterans Affairs—

(1) shall each ensure that the electronic health record systems of the Department of Defense and the Department of Veterans Affairs are interoperable with an integrated display of data, or a single electronic health record, by complying with the national standards and architectural requirements identified by the Interagency Program Office of the Departments (in this section referred to as the “Office”), in collaboration with the Office of the National Coordinator for Health Information Technology of the Department of Health and Human Services; and

(2) shall each deploy modernized electronic health record software supporting clinicians of the Departments by no later than December 31, 2016, while ensuring continued support and compatibility with the interoperability platform and full standards-based interoperability.

(c) **DESIGN PRINCIPLES.**—The interoperable electronic health records with integrated display of data, or a single electronic health record, established under subsection (b) shall adhere to the following principles:

(1) To the extent practicable, efforts to establish such records shall be based on objectives, activities, and milestones established by the Joint Executive Committee Joint Strategic Plan Fiscal Years 2013–2015, as well as future addendums or revisions.

(2) Transition the current data exchanges between the Departments and private sector health care providers where practical to modern, open-architecture frameworks that use computable data mapped to national standards to make data available for determining medical trends and for enhanced clinician decision support.

(3) Principles with respect to open architecture standards, including—

(A) adoption of national data standards;

(B) if such national standards do not exist as of the date on which the record is being

established, adoption of the articulation of data of the Health Data Dictionary until such national standards are established;

(C) use of enterprise investment strategies that maximize the use of commercial best practices to ensure robust competition and best value;

(D) aggressive life-cycle sustainment planning that uses proven technology insertion strategies and product upgrade techniques;

(E) enforcement of system design transparency, continuous design disclosure and improvement, and peer reviews that align with the requirements of the Federal Acquisition Regulation; and

(F) strategies for data management rights to ensure a level competitive playing field and access to alternative solutions and sources across the life-cycle of the programs.

(4) By the point of deployment, such record must be at a generation 3 level or better for a health information technology system.

(5) To the extent the Secretaries consider feasible and advisable, principles with respect to—

(A) the creation of a health data authoritative source by the Department of Defense and the Department of Veterans Affairs that can be accessed by multiple providers and standardizes the input of new medical information;

(B) the ability of patients of both the Department of Defense and the Department of Veterans Affairs to download, or otherwise receive electronically, the medical records of the patient; and

(C) the feasibility of establishing a secure, remote, network-accessible computer storage system to provide members of the Armed Forces and veterans the ability to upload the health care records of the member or veteran if the member or veteran elects to do so and allow medical providers of the Department of Defense and the Department of Veterans Affairs to access such records in the course of providing care to the member or veteran.

(d) PROGRAMS PLAN.—Not later than January 31, 2014, the Secretaries shall prepare and brief the appropriate congressional committees with a detailed programs plan for the oversight and execution of the interoperable electronic health records with an integrated display of data, or a single electronic health record, established under subsection (b). This briefing and supporting documentation shall include—

(1) programs objectives;

(2) organization;

(3) responsibilities of the Departments;

(4) technical objectives and design principles;

(5) milestones, including a schedule for the development, acquisition, or industry competitions for capabilities needed to satisfy the technical system requirements;

(6) data standards being adopted by the programs;

(7) outcome-based metrics proposed to measure the performance and effectiveness of the programs; and

(8) the level of funding for fiscal years 2014 through 2017.

(e) LIMITATION ON FUNDS.—Not more than 25 percent of the amounts authorized to be appropriated by this Act or otherwise made available for development, procurement, modernization, or enhancement of the interoperable electronic health records with an integrated display of data, or a single electronic health record, established under subsection (b) for the Department of Defense or the Department of Veterans Affairs may be obligated or expended until the date on which the Secretaries brief the appropriate

congressional committees of the programs plan under subsection (d).

(f) REPORTING.—

(1) QUARTERLY REPORTING.—On a quarterly basis, the Secretaries shall submit to the appropriate congressional committees a detailed financial summary.

(2) NOTIFICATION.—The Secretary of Defense and Secretary of Veterans Affairs shall submit to the appropriate congressional committees written notification prior to obligating funds for any contract or task order for electronic health record system modernization efforts that is in excess of \$5,000,000.

(g) REQUIREMENTS.—

(1) IN GENERAL.—Not later than October 1, 2014, all health care data contained in the Department of Defense AHLTA and the Department of Veterans Affairs VistA systems shall be computable in real time and comply with the existing national data standards and have a process in place to ensure data is standardized as national standards continue to evolve. On a quarterly basis, the Secretaries shall submit to the appropriate congressional committees updates on the progress of data sharing.

(2) CERTIFICATION.—At such time as the operational capability described in subsection (b)(1) is achieved, the Secretaries shall jointly certify to the appropriate congressional committees that the Secretaries have complied with such data standards described in paragraph (1).

(3) RESPONSIBLE OFFICIAL.—The Secretaries shall each identify a senior official to be responsible for the modern platforms supporting an interoperable electronic health record with an integrated display of data, or a single electronic health record, established under subsection (b). The Secretaries shall also each identify a senior official to be responsible for modernizing the electronic health record software of the respective Department. Such official shall have included within their performance evaluation performance metrics related to the execution of the responsibilities under this paragraph. Not later than 30 days after the date of the enactment of this Act, each Secretary shall submit to the appropriate congressional committees the name of each senior official selected under this paragraph.

(4) COMPTROLLER GENERAL ASSESSMENT.—If both Secretaries do not meet the requirements under paragraph (1), the Comptroller General of the United States shall submit to the appropriate congressional committees an assessment of the performance of the compliance of both Secretaries of such requirements.

(h) EXECUTIVE COMMITTEE.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretaries shall jointly establish an executive committee to support the development and validation of adopted standards, required architectural platforms and structure, and the capacity to enforce such standards, platforms, and structure as the Secretaries execute requirements and develop programmatic assessment as needed by the Secretaries to ensure interoperable electronic health records with an integrated display of data, or a single electronic health record, are established pursuant to the requirements of subsection (b). The Executive Committee shall annually certify to the appropriate congressional committees that such record meets the definition of “integrated” as specified in subsection (k)(4).

(2) MEMBERSHIP.—The Executive Committee established under paragraph (1) shall

consist of not more than 6 members, appointed by the Secretaries as follows:

(A) Two co-chairs, one appointed by each of the Secretaries.

(B) One member from the technical community of the Department of Defense appointed by the Secretary of Defense.

(C) One member from the technical community of the Department of Veterans Affairs appointed by the Secretary of Veterans Affairs.

(D) One member from the clinical community of the Department of Defense appointed by the Secretary of Defense.

(E) One member from the clinical community of the Department of Veterans Affairs appointed by the Secretary of Veterans Affairs.

(3) REPORTING.—Not later than June 1, 2014, and on a quarterly basis thereafter, the Executive Committee shall submit to the appropriate congressional committees a report on the activities of the Committee.

(i) INDEPENDENT REVIEW.—The Secretary of Defense shall request the Defense Science Board to conduct an annual review of the progress of the Secretary toward achieving the requirements in paragraphs (1) and (2) of subsection (b). The Defense Science Board shall submit to the Secretary a report of the findings of the review. Not later than 30 days after receiving the report, the Secretary shall submit to the appropriate congressional committees the report with any comments considered appropriate by the Secretary.

(j) DEADLINE FOR COMPLETION OF IMPLEMENTATION OF THE HEALTHCARE ARTIFACT AND IMAGE MANAGEMENT SOLUTION PROGRAM.—

(1) DEADLINE.—The Secretary of Defense shall complete the implementation of the Healthcare Artifact and Image Management Solution program of the Department of Defense by not later than the date that is 180 days after the date of the enactment of this Act.

(2) REPORT.—Upon completion of the implementation of the Healthcare Artifact and Image Management Solution program, the Secretary shall submit to the appropriate congressional committees a report describing the extent of the interoperability between the Healthcare Artifact and Image Management Solution program and the Veterans Benefits Management System of the Department of Veterans Affairs.

(k) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the congressional defense committees; and

(B) the Committees on Veterans’ Affairs of the Senate and the House of Representatives.

(2) GENERATION 3.—The term “generation 3” means, with respect to an electronic health system, a system that has the technical capability to bring evidence-based medicine to the point of care and provide functionality for multiple care venues.

(3) INTEROPERABLE.—The term “interoperable” refers to the ability of different electronic health records systems or software to meaningfully exchange information in real time and provide useful results to one or more systems.

(4) INTEGRATED.—The term “integrated” refers to the integration of health data from the Department of Defense and the Department of Veterans Affairs and outside providers to provide clinicians with a comprehensive medical record that allows data existing on disparate systems to be shared or

accessed across functional or system boundaries in order to make the most informed decisions when treating patients.

Subtitle C—Reports and Other Matters

SEC. 721. DISPLAY OF BUDGET INFORMATION FOR EMBEDDED MENTAL HEALTH PROVIDERS OF THE RESERVE COMPONENTS.

(a) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by adding after section 236, as added by section 141 of this Act, the following new section:

“§ 237. Embedded mental health providers of the reserve components: display of budget information

“The Secretary of Defense shall submit to Congress, as a part of the documentation that supports the President’s annual budget for the Department of Defense, a budget justification display with respect to embedded mental health providers within each reserve component, including the amount requested for each such component.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“237. Embedded mental health providers of the reserve components: display of budget information.”.

SEC. 722. REPORT ON ROLE OF DEPARTMENT OF VETERANS AFFAIRS IN CERTAIN CENTERS OF EXCELLENCE.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate congressional committees a report on covered centers of excellence. Such report shall include the following with respect to each covered center of excellence:

(1) The amount of resources obligated by the Secretary of Veterans Affairs in support of the center beginning on the date on which the center was established, including the amount of funds, personnel, time, and functions provided in support of the center.

(2) An estimate of the amount of resources the Secretary plans to dedicate to the center during each of fiscal years 2014 through 2018.

(3) A description of the role of the Secretary.

(b) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means the following:

(A) The Committees on Armed Services and Veterans’ Affairs of the House of Representatives.

(B) The Committees on Armed Services and Veterans’ Affairs of the Senate.

(2) The term “covered centers of excellence” means the following:

(A) The centers established under sections 1621, 1622, and 1623 of the Wounded Warrior Act (title XVI of Public Law 110-181; 10 U.S.C. 1071 note).

(B) The center established under section 721 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 10 U.S.C. 1071 note).

(C) The center established under section 723 of such Act (Public Law 110-417; 122 Stat. 4508).

SEC. 723. REPORT ON MEMORANDUM REGARDING TRAUMATIC BRAIN INJURIES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on how the Secretary identifies, refers, and treats traumatic brain injuries with respect to members of the Armed Forces who served in Operation Enduring Freedom or Operation Iraqi Freedom before the effective date in June 2010 of

directive type memorandum 09-033 titled “Policy Guidance for Management of Concussion/Mild Traumatic Brain Injury in the Deployed Setting”, regarding using a 50-meter distance from an explosion as a criterion to properly identify, refer, and treat members for potential traumatic brain injury.

SEC. 724. REPORT ON PROVISION OF ADVANCED PROSTHETICS AND ORTHOTICS TO MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on the plans of the Department of Defense and the Department of Veterans Affairs, respectively, to ensure that the most clinically appropriate prosthetics and orthotics are made available to injured members of the Armed Forces and veterans using technological advances as appropriate. Such report shall include a description of the processes of each Secretary with respect to coordinating and identifying care in the Department of Veterans Affairs for an injured member of the Armed Forces who, prior to the member being discharged or released from the Armed Forces, has an advanced technology prosthetic.

(b) COVERED PROSTHETICS AND ORTHOTICS.—The prosthetics and orthotics to be covered by the report under subsection (a) shall include powered prosthetics and orthotics that will enable members of the Armed Forces and veterans who have suffered amputation and, in the case of orthotics wearers, other injuries with limb salvage, to restore functionality to the maximum extent practicable.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Veterans’ Affairs of the Senate; and

(2) the Committee on Armed Services and the Committee on Veterans’ Affairs of the House of Representatives.

SEC. 725. COMPTROLLER GENERAL REPORTS ON TRICARE RECOVERY AUDIT PROGRAM AND AVAILABILITY OF COMPOUNDED PHARMACEUTICALS.

(a) RECOVERY AUDIT PROGRAM.—

(1) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report that evaluates the similarities and differences of Medicare and the TRICARE program with respect to identifying and recovering improper payments.

(2) ELEMENTS.—The report shall contain an evaluation of the following:

(A) Claims processing efforts of both Medicare and the TRICARE program to prevent improper payments by denying claims prior to payment.

(B) Claims processing efforts of both Medicare and the TRICARE program to correct improper payments post-payment.

(C) The effectiveness of post-payment audit programs of both Medicare and the TRICARE program to identify and correct improper payments that are returned to Medicare or the TRICARE program, respectively.

(b) COMPOUNDED PHARMACEUTICALS.—

(1) REPORT.—Not later than September 30, 2014, the Comptroller General shall submit to the congressional defense committees a report on the availability of compounded pharmaceuticals in the military health care system.

(2) ELEMENTS.—The report under paragraph (1) shall include the following:

(A) A description of the number of prescriptions for compounded pharmaceuticals processed, and the types of compounded pharmaceuticals dispensed, during fiscal year 2013 in pharmacy venues.

(B) A description of the categories of eligible beneficiaries who received compounded pharmaceuticals in each pharmacy venue during fiscal year 2013.

(C) A description of the claims reimbursement methodology used by the manager of the TRICARE pharmacy benefits program to reimburse pharmacy providers for compounded pharmaceuticals, and an assessment of the manner in which such methodology compares with reimbursement methodologies used by other health programs of the Federal Government.

(D) A review of the existing accreditation standards, as of the date of the report, intended to assure the safety and efficacy of compounded pharmaceuticals available through the military health care system.

(3) PHARMACY VENUE DEFINED.—In this subsection, the term “pharmacy venue” means facilities of the uniformed services, retail pharmacies, and the national mail-order pharmacy program, as described in section 1074g(a)(2)(E) of title 10, United States Code.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

Sec. 801. Enhanced transfer of technology developed at Department of Defense laboratories.

Sec. 802. Extension of limitation on aggregate annual amount available for contract services.

Sec. 803. Identification and replacement of obsolete electronic parts.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

Sec. 811. Government-wide limitations on allowable costs for contractor compensation.

Sec. 812. Inclusion of additional cost estimate information in certain reports.

Sec. 813. Amendment relating to compelling reasons for waiving suspension or debarment.

Sec. 814. Extension of pilot program on acquisition of military purpose nondevelopmental items.

Subtitle C—Provisions Relating to Major Defense Acquisition Programs

Sec. 821. Synchronization of cryptographic systems for major defense acquisition programs.

Sec. 822. Assessment of dedicated ground control system before Milestone B approval of major defense acquisition programs constituting a space program.

Sec. 823. Additional responsibility for product support managers for major weapon systems.

Sec. 824. Comptroller General review of Department of Defense processes for the acquisition of weapon systems.

Subtitle D—Provisions Relating to Contracts in Support of Contingency Operations in Iraq or Afghanistan

Sec. 831. Prohibition on contracting with the enemy.

Sec. 832. Extension of authority to acquire products and services produced in countries along a major route of supply to Afghanistan.

Subtitle A—Acquisition Policy and Management

SEC. 801. ENHANCED TRANSFER OF TECHNOLOGY DEVELOPED AT DEPARTMENT OF DEFENSE LABORATORIES.

(a) DEFINITIONS.—As used in this section:

(1) The term “military department” has the meaning provided in section 101 of title 10, United States Code.

(2) The term “DOD laboratory” or “laboratory” means any facility or group of facilities that—

(A) is owned, leased, operated, or otherwise used by the Department of Defense; and

(B) meets the definition of “laboratory” as provided in subsection (d)(2) of section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a).

(b) AUTHORITY.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of a military department each may authorize the heads of DOD laboratories to grant nonexclusive, exclusive, or partially exclusive licenses, royalty free or for royalties or for rights to other intellectual property, for computer software and its related documentation developed at a DOD laboratory, but only if—

(A) the computer software and related documentation would be a trade secret under the meaning of section 552(b)(4) of title 5, United States Code, if the information had been obtained from a non-Federal party;

(B) the public is notified of the availability of the software and related documentation for licensing and interested parties have a fair opportunity to submit applications for licensing;

(C) such licensing activities and licenses comply with the requirements under section 209 of title 35, United States Code; and

(D) the software originally was developed to meet the military needs of the Department of Defense.

(2) PROTECTIONS AGAINST UNAUTHORIZED DISCLOSURE.—The Secretary of Defense and the Secretary of a military department each shall provide appropriate precautions against the unauthorized disclosure of any computer software or documentation covered by paragraph (1)(A), including exemption from section 552 of title 5, United States Code, for a period of up to 5 years after the development of the computer software by the DOD laboratory.

(c) ROYALTIES.—

(1) USE OF ROYALTIES.—Except as provided in paragraph (2), any royalties or other payments received by the Department of Defense or a military department from licensing computer software or documentation under paragraph (b)(1) shall be retained by the Department of Defense or the military department and shall be disposed of as follows:

(A)(i) The Department of Defense or the military department shall pay each year the first \$2,000, and thereafter at least 15 percent, of the royalties or other payments, to be divided among the employees who developed the computer software.

(ii) The Department of Defense or the military department may provide appropriate lesser incentives, from the royalties or other payments, to laboratory employees who are not developers of such computer software but who substantially increased the technical value of the software.

(iii) The Department of Defense or the military department shall retain the royal-

ties and other payments received until it makes payments to employees of a DOD laboratory under clause (i) or (ii).

(iv) The Department of Defense or the military department may retain an amount reasonably necessary to pay expenses incidental to the administration and distribution of royalties or other payments under this section by an organizational unit of the Department of Defense or military department other than its laboratories.

(B) The balance of the royalties or other payments shall be transferred by the Department of Defense or the military department to its laboratories, with the majority share of the royalties or other payments going to the laboratory where the development occurred. The royalties or other payments so transferred to any DOD laboratory may be used or obligated by that laboratory during the fiscal year in which they are received or during the 2 succeeding fiscal years—

(i) to reward scientific, engineering, and technical employees of the DOD laboratory, including developers of sensitive or classified technology, regardless of whether the technology has commercial applications;

(ii) to further scientific exchange among the laboratories of the agency;

(iii) for education and training of employees consistent with the research and development missions and objectives of the Department of Defense, military department, or DOD laboratory, and for other activities that increase the potential for transfer of the technology of the DOD laboratory;

(iv) for payment of expenses incidental to the administration and licensing of computer software or other intellectual property made at the DOD laboratory, including the fees or other costs for the services of other agencies, persons, or organizations for intellectual property management and licensing services; or

(v) for scientific research and development consistent with the research and development missions and objectives of the DOD laboratory.

(C) All royalties or other payments retained by the Department of Defense, military department, or DOD laboratory after payments have been made pursuant to subparagraphs (A) and (B) that are unobligated and unexpended at the end of the second fiscal year succeeding the fiscal year in which the royalties and other payments were received shall be paid into the Treasury of the United States.

(2) EXCEPTION.—If, after payments under paragraph (1)(A), the balance of the royalties or other payments received by the Department of Defense or the military department in any fiscal year exceed 5 percent of the funds received for use by the DOD laboratory for research, development, engineering, testing, and evaluation or other related administrative, processing, or value-added activities for that year, 75 percent of such excess shall be paid to the Treasury of the United States and the remaining 25 percent may be used or obligated under paragraph (1)(B). Any funds not so used or obligated shall be paid into the Treasury of the United States.

(3) STATUS OF PAYMENTS TO EMPLOYEES.—Any payment made to an employee under this section shall be in addition to the regular pay of the employee and to any other awards made to the employee, and shall not affect the entitlement of the employee to any regular pay, annuity, or award to which the employee is otherwise entitled or for which the employee is otherwise eligible or limit the amount thereof except that the monetary value of an award for the same

project or effort shall be deducted from the amount otherwise available under this paragraph. Payments, determined under the terms of this paragraph and made to an employee developer as such, may continue after the developer leaves the DOD laboratory or the Department of Defense or military department. Payments made under this section shall not exceed \$75,000 per year to any one person, unless the President approves a larger award (with the excess over \$75,000 being treated as a Presidential award under section 4504 of title 5, United States Code).

(d) INFORMATION IN REPORT.—The report required by section 2515(d) of title 10, United States Code, shall include information regarding the implementation and effectiveness of this section.

(e) EXPIRATION.—The authority provided in this section shall expire on December 31, 2017.

SEC. 802. EXTENSION OF LIMITATION ON AGGREGATE ANNUAL AMOUNT AVAILABLE FOR CONTRACT SERVICES.

Section 808 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1489) is amended—

(1) in subsections (a) and (b), by striking “fiscal year 2012 or 2013” and inserting “fiscal year 2012, 2013, or 2014”;

(2) in subsection (c)—

(A) by striking “during fiscal years 2012 and 2013” in the matter preceding paragraph (1);

(B) by striking paragraphs (1) and (2) and redesignating paragraphs (3), (4), and (5) as paragraphs (1), (2), and (3), respectively; and

(C) in paragraph (3), as so redesignated, by striking “fiscal years 2012 and 2013” and inserting “fiscal years 2012, 2013, and 2014”;

(3) in subsection (d)(4), by striking “fiscal year 2012 or 2013” and inserting “fiscal year 2012, 2013, or 2014”; and

(4) by adding at the end the following new subsection:

“(e) CARRYOVER OF REDUCTIONS REQUIRED.—If the reductions required by subsection (c)(2) for fiscal years 2012 and 2013 are not implemented, the amounts remaining for those reductions in fiscal years 2012 and 2013 shall be implemented in fiscal year 2014.”.

SEC. 803. IDENTIFICATION AND REPLACEMENT OF OBSOLETE ELECTRONIC PARTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall implement a process for the expedited identification and replacement of obsolete electronic parts included in acquisition programs of the Department of Defense.

(b) ISSUES TO BE ADDRESSED.—At a minimum, the expedited process established pursuant to subsection (a) shall—

(1) include a mechanism pursuant to which contractors, or other sources of supply, may provide to appropriate Department of Defense officials information that identifies—

(A) obsolete electronic parts that are included in the specifications for an acquisition program of the Department of Defense; and

(B) suitable replacements for such electronic parts;

(2) specify timelines for the expedited review and validation of information submitted by contractors, or other sources of supply, pursuant to paragraph (1);

(3) specify procedures and timelines for the rapid submission and approval of engineering change proposals needed to accomplish the substitution of replacement parts that have been validated pursuant to paragraph (2);

(4) provide for any incentives for contractor participation in the expedited process that the Secretary may determine to be appropriate; and

(5) provide that, in addition to the responsibilities under section 2337 of title 10, United States Code, a product support manager for a major weapon system shall work to identify obsolete electronic parts that are included in the specifications for an acquisition program of the Department of Defense and approve suitable replacements for such electronic parts.

(c) **ADDITIONAL MATTERS.**—For the purposes of this section—

(1) an electronic part is obsolete if—

(A) the part is no longer in production; and

(B) the original manufacturer of the part and its authorized dealers do not have sufficient parts in stock to meet the requirements of such an acquisition program; and

(2) an electronic part is a suitable replacement for an obsolete electronic part if—

(A) the part could be substituted for an obsolete part without incurring unreasonable expense and without degrading system performance; and

(B) the part is or will be available in sufficient quantity to meet the requirements of such an acquisition program.

Subtitle B—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 811. GOVERNMENT-WIDE LIMITATIONS ON ALLOWABLE COSTS FOR CONTRACTOR COMPENSATION.

(a) **AMENDMENT RELATING TO CONTRACTOR EMPLOYEES UNDER DEFENSE CONTRACTS.**—Subparagraph (P) of section 2324(e)(1) of title 10, United States Code, is amended to read as follows:

“(P) Costs of compensation of any contractor employee for a fiscal year, regardless of the contract funding source, to the extent that such compensation exceeds \$625,000 adjusted annually for the U.S. Bureau of Labor Statistics Employment Cost Index for total compensation for private industry workers, by occupational and industry group not seasonally adjusted, except that the Secretary of Defense may establish exceptions for positions in the science, technology, engineering, mathematics, medical, and cybersecurity fields and other fields requiring unique areas of expertise upon a determination that such exceptions are needed to ensure that the Department of Defense has continued access to needed skills and capabilities.”.

(b) **AMENDMENT RELATING TO CONTRACTOR EMPLOYEES UNDER CIVILIAN AGENCY CONTRACTS.**—Paragraph (16) of section 4304(a) of title 41, United States Code, is amended to read as follows:

“(16) Costs of compensation of any contractor employee for a fiscal year, regardless of the contract funding source, to the extent that such compensation exceeds \$625,000 adjusted annually for the U.S. Bureau of Labor Statistics Employment Cost Index for total compensation for private industry workers, by occupational and industry group not seasonally adjusted, except that the executive agency may establish exceptions for positions in the science, technology, engineering, mathematics, medical, and cybersecurity fields and other fields requiring unique areas of expertise upon a determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities.”.

(c) **CONFORMING AMENDMENTS.**—Chapter 11 of title 41, United States Code, is amended—

(1) by striking section 1127; and

(2) by striking the item relating to that section in the table of sections at the beginning of such chapter.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to costs of compensation incurred under contracts entered into on or after the date that is 180 days after the date of the enactment of this Act.

SEC. 812. INCLUSION OF ADDITIONAL COST ESTIMATE INFORMATION IN CERTAIN REPORTS.

(a) **ADDITIONAL INFORMATION REQUIRED TO BE INCLUDED IN SELECTED ACQUISITION REPORTS.**—Section 2432(c)(1) of title 10, United States Code, is amended—

(1) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (E), (F), and (G), respectively;

(2) by inserting after subparagraph (A) the following new subparagraphs (B), (C), and (D):

“(B) for each major defense acquisition program or designated major subprogram included in the report—

“(i) the Baseline Estimate (as that term is defined in section 2433(a)(2) of this title), along with the associated risk and sensitivity analysis of that estimate;

“(ii) the original Baseline Estimate (as that term is defined in section 2435(d)(1) of this title), along with the associated risk and sensitivity analysis of that estimate;

“(iii) if the original Baseline Estimate was adjusted or revised pursuant to section 2435(d)(2) of this title, such adjusted or revised estimate, along with the associated risk and sensitivity analysis of that estimate; and

“(iv) the primary risk parameters associated with the current procurement cost for the program (as that term is used in section 2432(e)(4) of this title);

“(C) a summary of the history of significant developments from the date each major defense acquisition program or designated major subprogram included in the report was first included in a Selected Acquisition Report and program highlights since the last Selected Acquisition Report;

“(D) the significant schedule and technical risks for each such program or subprogram, identified at each major milestone and as of the quarter for which the current report is submitted;”;

(3) in subparagraph (E), as so redesignated—

(A) by striking “major defense acquisition program or designated major subprogram” and inserting “such program or subprogram”;

(B) by inserting “program acquisition cost and” after “current”;

(C) by striking “that cost” and inserting “those costs”; and

(D) by striking “date the program or subprogram was first included in a Selected Acquisition Report” and inserting “December 2001 reporting period”; and

(4) in subparagraph (F), as so redesignated—

(A) by striking “major defense acquisition program or designated major subprogram” and inserting “such program or subprogram”; and

(B) by striking “date the program or subprogram was first included in a Selected Acquisition Report” and inserting “December 2001 reporting period”.

(b) **PHASE-IN OF ADDITIONAL INFORMATION REQUIREMENTS.**—Section 2432(c)(1) of title 10, United States Code, as amended by subsection (a), shall apply to Selected Acquisition Reports after the date of the enactment of this Act as follows:

(1) For the December 2014 reporting period, to Selected Acquisition Reports for five major defense acquisition programs or designated major subprograms, as determined by the Secretary.

(2) For the December 2019 reporting period and each reporting period thereafter, to Selected Acquisition Reports for all major defense acquisition programs or designated major subprograms.

(c) **ADDITIONAL DUTIES OF DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION WITH RESPECT TO SELECTED ACQUISITION REPORTS.**—

(1) **REVIEW REQUIRED.**—Section 2334(a) of title 10, United States Code, is amended—

(A) by striking “and” at the end of paragraph (6);

(B) by striking the period and inserting “; and” at the end of paragraph (7); and

(C) by adding at the end the following new paragraph (8):

“(8) annually review the cost and associated information required to be included, by section 2432(c)(1) of this title, in the Selected Acquisition Reports required by that section.”.

(2) **ADDITIONAL INFORMATION REQUIRED IN ANNUAL REPORT.**—Section 2334(f)(1) of such title is amended—

(A) by striking “report, an assessment of—” and inserting “report—”;

(B) in each of subparagraphs (A), (B), and (C), by inserting “an assessment of” before the first word of the text;

(C) in subparagraph (B), by striking “and” at the end;

(D) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(E) by adding at the end the following new subparagraph:

“(D) a summary of the cost and associated information reviewed under subsection (a)(8), an identification of any trends in that information, an aggregation of the cumulative risk of the portfolio of systems reviewed under that subsection, and recommendations for improving cost estimates on the basis of the review under that subsection.”.

SEC. 813. AMENDMENT RELATING TO COMPELLING REASONS FOR WAIVING SUSPENSION OR DEBARMENT.

Section 2393(b) of title 10, United States Code, is amended in the second sentence by striking “in a file available for public inspection” and inserting “on a publicly accessible website to the maximum extent practicable”.

SEC. 814. EXTENSION OF PILOT PROGRAM ON ACQUISITION OF MILITARY PURPOSE NONDEVELOPMENTAL ITEMS.

Section 866(f)(1) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4296; 10 U.S.C. 2302 note) is amended by striking “the date that is five years after the date of the enactment of this Act.” and inserting “December 31, 2019.”.

Subtitle C—Provisions Relating to Major Defense Acquisition Programs

SEC. 821. SYNCHRONIZATION OF CRYPTOGRAPHIC SYSTEMS FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) **IN GENERAL.**—Section 2366b(a)(3) of title 10, United States Code, is amended—

(1) in subparagraph (F), by striking “and” at the end;

(2) by redesignating subparagraph (G) as subparagraph (H); and

(3) by inserting after subparagraph (F) the following new subparagraph (G):

“(G) there is a plan to mitigate and account for any costs in connection with any anticipated de-certification of cryptographic

systems and components during the production and procurement of the major defense acquisition program to be acquired; and”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to major defense acquisition programs which are subject to Milestone B approval on or after the date occurring six months after the date of the enactment of this Act.

SEC. 822. ASSESSMENT OF DEDICATED GROUND CONTROL SYSTEM BEFORE MILESTONE B APPROVAL OF MAJOR DEFENSE ACQUISITION PROGRAMS CONSTITUTING A SPACE PROGRAM.

(a) **COST BENEFIT ANALYSIS REQUIRED.**—Section 2366b(a) of title 10, United States Code, is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(4) in the case of a space system, performs a cost benefit analysis for any new or follow-on satellite system using a dedicated ground control system instead of a shared ground control system, except that no cost benefit analysis is required to be performed under this paragraph for any Milestone B approval of a space system after December 31, 2019.”.

(b) **REQUIREMENT FOR PLAN AND BRIEFING.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall—

(1) develop a Department of Defense-wide long-term plan for satellite ground control systems, including the Department's Air Force Satellite Control Network; and

(2) brief the congressional defense committees on such plan.

SEC. 823. ADDITIONAL RESPONSIBILITY FOR PRODUCT SUPPORT MANAGERS FOR MAJOR WEAPON SYSTEMS.

Section 2337(b)(2) of title 10, United States Code, is amended—

(1) in subparagraph (G), by striking “and” at the end;

(2) in subparagraph (H), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(I) ensure that product support arrangements for the weapon system describe how such arrangements will ensure efficient procurement, management, and allocation of Government-owned parts inventories in order to prevent unnecessary procurements of such parts.”.

SEC. 824. COMPTROLLER GENERAL REVIEW OF DEPARTMENT OF DEFENSE PROCESSES FOR THE ACQUISITION OF WEAPON SYSTEMS.

(a) **REVIEW REQUIRED.**—The Comptroller General of the United States shall carry out a comprehensive review of the processes and procedures of the Department of Defense for the acquisition of weapon systems.

(b) **OBJECTIVE OF REVIEW.**—The objective of the review required by subsection (a) shall be to identify processes and procedures for the acquisition of weapon systems that provide little or no value added or for which any value added is outweighed by cost or schedule delays without adding commensurate value.

(c) **REPORT.**—Not later than January 31, 2015, the Comptroller General shall submit to the congressional defense committees a report on the results of the review required by subsection (a) and based on the objective set forth in subsection (b). The report shall include, at a minimum, the following:

(1) A statement of any processes, procedures, organizations, or layers of review that are recommended by the Comptroller General for modification or elimination, including the rationale for the modification or elimination recommended based on the objective set forth in subsection (b).

(2) Such other findings and recommendations, including recommendations for legislative or administrative action, as the Comptroller General considers appropriate in light of the review required by subsection (a) and the objective set forth in subsection (b).

Subtitle D—Provisions Relating to Contracts in Support of Contingency Operations in Iraq or Afghanistan

SEC. 831. PROHIBITION ON CONTRACTING WITH THE ENEMY.

(a) **AUTHORITY TO TERMINATE OR VOID CONTRACTS, GRANTS, AND COOPERATIVE AGREEMENTS AND TO RESTRICT FUTURE AWARD.**—

(1) **IDENTIFICATION OF PERSONS AND ENTITIES.**—The Secretary of Defense shall establish in each covered combatant command a program to identify persons or entities, within the area of responsibility of such covered combatant command, that—

(A) provide funds received under a contract, grant, or cooperative agreement of the Department of Defense directly or indirectly to a covered person or entity; or

(B) fail to exercise due diligence to ensure that none of the funds received under a contract, grant, or cooperative agreement of the Department of Defense are provided directly or indirectly to a covered person or entity.

(2) **NOTICE OF PERSONS OR ENTITIES IDENTIFIED.**—Upon the identification of a person or entity as meeting subparagraph (A) or (B) of paragraph (1), the commander of the combatant command concerned, and any deputies of the commander specified by the commander for purposes of this section, shall be notified in writing of such identification of such person or entity.

(3) **RESPONSIVE ACTIONS.**—Upon receipt of a notice under paragraph (2), the commander of the combatant command concerned may, in consultation with the Under Secretary of Defense for Policy, the Under Secretary of Defense for Acquisition, Technology, and Logistics, and the appropriate Chief of Mission, notify the heads of appropriate contracting activities, in writing, of such identification and request that the heads of such contracting activities exercise the authorities provided pursuant to paragraph (4) and the Department of Defense Supplement to the Federal Acquisition Regulation, as revised, with respect to any contract, grant, or cooperative agreement that provides funding directly or indirectly to the person or entity covered by the notice.

(4) **AUTHORITIES.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulation to authorize the head of a contracting activity in each covered combatant command, pursuant to a request from the commander of a covered combatant command under paragraph (3)—

(A) to prohibit, limit, or otherwise place restrictions on the award of any Department of Defense contract, grant, or cooperative agreement to a person or entity identified pursuant to paragraph (1)(A);

(B) to terminate for default any Department contract, grant, or cooperative agreement awarded to a person or entity identified pursuant to paragraph (1)(B); or

(C) to void in whole or in part any Department contract, grant, or cooperative agree-

ment awarded to a person or entity identified pursuant to paragraph (1)(A).

(b) **CONTRACT CLAUSE.**—

(1) **IN GENERAL.**—Not later than 30 days after the date of the enactment of this Act, the Department of Defense Supplement to the Federal Acquisition Regulation shall be revised to require that—

(A) the clause described in paragraph (2) shall be included in each covered contract, grant, and cooperative agreement of the Department of Defense that is awarded on or after the date of the enactment of this Act; and

(B) to the maximum extent practicable, each covered contract, grant, and cooperative agreement of the Department of Defense that is awarded before the date of the enactment of this Act shall be modified to include the clause described in paragraph (2).

(2) **CLAUSE DESCRIBED.**—The clause described in this paragraph is a clause that—

(A) requires the contractor, or the recipient of the grant or cooperative agreement, to exercise due diligence to ensure that none of the funds received under the contract, grant, or cooperative agreement are provided directly or indirectly to a covered person or entity; and

(B) notifies the contractor, or the recipient of the grant or cooperative agreement, of the authority of the head of the contracting activity to terminate or void the contract, grant, or cooperative agreement, in whole or in part.

(3) **COVERED CONTRACT, GRANT, OR COOPERATIVE AGREEMENT.**—In this subsection, the term “covered contract, grant, or cooperative agreement” means a contract, grant, or cooperative agreement with an estimated value in excess of \$50,000.

(4) **TREATMENT AS VOID.**—For purposes of subsection (a)(4) and the exercise under subsection (a)(3) of the authorities in the Department of Defense Supplement to the Federal Acquisition Regulation pursuant to this subsection:

(A) A contract, grant, or cooperative agreement that is void is unenforceable as contrary to public policy.

(B) A contract, grant, or cooperative agreement that is void in part is unenforceable as contrary to public policy with regard to a segregable task or effort under the contract, grant, or cooperative agreement.

(c) **REQUIREMENTS FOLLOWING CONTRACT ACTIONS.**—Not later than 30 days after the date of the enactment of this Act, the Department of Defense Supplement to the Federal Acquisition Regulation shall be revised as follows:

(1) To require that any head of contracting activity taking an action pursuant to subsection (a)(3) or (a)(4) to terminate, void, or restrict a contract, grant, or cooperative agreement notify in writing the contractor or recipient of the grant or cooperative agreement, as applicable, of the action.

(2) To permit, in such manner as the Department of Defense Supplement to the Federal Acquisition Regulation as so revised shall provide, the contractor or recipient of a grant or cooperative agreement subject to an action taken pursuant to subsection (a)(3) or (a)(4) to terminate or void the contract, grant, or cooperative agreement, as the case may be, an opportunity to challenge the action by requesting administrative review within 30 days after receipt of notice of the action.

(d) **ANNUAL REVIEW.**—The commanders of the covered combatant commands shall, on an annual basis, review the lists of persons and entities previously identified pursuant

to subsection (a)(1) in order to determine whether or not such persons and entities continue to warrant identification pursuant to that subsection. If a commander determines pursuant to such a review that a person or entity no longer warrants identification pursuant to subsection (a)(1), the commander shall notify the heads of contracting activities of the Department of Defense in writing of such determination.

(e) **PROTECTION OF CLASSIFIED INFORMATION.**—Classified information relied upon to make an identification pursuant to subsection (a)(1) may not be disclosed to a contractor or a recipient of a grant or cooperative agreement with respect to which an action is taken pursuant to subsection (a)(3) or (a)(4) or to their representatives, in the absence of a protective order issued by a court of competent jurisdiction established under Article I or Article III of the Constitution of the United States that specifically addresses the conditions upon which such classified information may be so disclosed.

(f) **DELEGATION.**—

(1) **RESPONSIBILITIES RELATING TO IDENTIFICATION AND REVIEW.**—The commander of a covered combatant command may delegate the responsibilities in subsection (a)(3) to any deputies of the commander specified by the commander pursuant to that subsection. The commander may delegate any responsibilities under subsection (d) to the deputy commander of the combatant command. Any delegation of responsibilities under this paragraph shall be made in writing.

(2) **NONDELEGATION OF RESPONSIBILITY FOR CONTRACT ACTIONS.**—The authority provided by subsections (a)(3) and (a)(4) to terminate, void, or restrict contracts, grants, and cooperative agreements may not be delegated below the level of head of contracting activity.

(g) **INCLUSION OF INFORMATION ON CONTRACT ACTIONS IN FAPIIS.**—Upon the termination, voiding, or restriction of a contract, grant, or cooperative agreement pursuant to subsection (a)(3) or (a)(4), the head of contracting activity concerned shall provide for the inclusion in the Federal Awardee Performance and Integrity Information System (FAPIIS), or other formal system of records on contractors or entities, of appropriate information on the termination, voiding, or restriction of the contract, grant, or cooperative agreement.

(h) **REPORTS.**—

(1) **IN GENERAL.**—Not later than March 1 each year through 2019, the Secretary of Defense shall submit to the congressional defense committees a report on the use of the authorities in this section in the preceding calendar year, including the following:

(A) For each instance in which a contract, grant, or cooperative agreement was terminated or voided, or entry into contracts, grants, and cooperative agreements was restricted, pursuant to subsection (a)(3) or (a)(4), the following:

(i) An explanation of the basis for the action taken.

(ii) The value of the contract, grant, or cooperative agreement terminated or voided.

(iii) The value of all contracts, grants, or cooperative agreements of the Department of Defense in force with the person or entity concerned at the time the contract, grant, or cooperative agreement was terminated or voided.

(iv) Information on how the goods or services covered by the terminated or voided contract, grant, or cooperative agreement were otherwise obtained by the commander of the combatant command concerned.

(B) For each instance in which a contract, grant, or cooperative agreement of a person or entity identified pursuant to subsection (a)(1) was not terminated or voided pursuant to subsection (a)(3) or (a)(4), or the future award of contracts, grants, and cooperative agreements to such person or entity was not restricted pursuant to subsection (a)(3) or (a)(4), an explanation why such action was not taken.

(2) **FORM.**—Any report under this subsection may be submitted in classified form.

(i) **OTHER DEFINITIONS.**—In this section:

(1) The term “covered combatant command” means United States Central Command, United States European Command, United States Africa Command, United States Southern Command, or United States Pacific Command.

(2) The term “head of contracting activity” has the meaning given that term in subpart 601 of part 1 of the Federal Acquisition Regulation.

(3) The term “covered person or entity” means a person or entity that is actively opposing United States or coalition forces involved in a contingency operation in which members of the armed forces are actively engaged in hostilities.

(j) **SUNSET.**—The provisions of this section shall cease to be effective on December 31, 2018.

SEC. 832. EXTENSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PRODUCED IN COUNTRIES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.

(a) **EXTENSION.**—Subsection (f) of section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2399), as amended by section 841(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1845), is further amended by striking “December 31, 2014” and inserting “December 31, 2015”.

(b) **CLARIFICATION OF AUTHORITY.**—Subsection (b)(1)(B) of such section is amended—

(1) by striking “and the NATO International Security Assistance Force” and inserting “or NATO forces”; and

(2) by striking “to Afghanistan” and inserting “to or from Afghanistan”.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Department of Defense Management

Sec. 901. Revisions to composition of transition plan for defense business enterprise architecture.

Sec. 902. Comptroller General report on potential relocation of Federal Government tenants onto military installations in the United States.

Sec. 903. Clarification of authority for the command acquisition executive of the United States Special Operations Command.

Sec. 904. Streamlining of Department of Defense management headquarters.

Sec. 905. Update of statutory statement of functions of the Chairman of the Joint Chiefs of Staff relating to doctrine, training, and education.

Sec. 906. Modification of reference to major Department of Defense headquarters activities instruction.

Sec. 907. Personnel security.

Subtitle B—Space Activities

Sec. 911. National security space satellite reporting policy.

Sec. 912. National security space defense and protection.

Sec. 913. Space acquisition strategy.

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Sec. 915. Responsive launch.

Sec. 916. Limitation on use of funds for Space Protection Program.

Sec. 917. Eagle Vision system.

Subtitle C—Defense Intelligence and Intelligence-Related Activities

Sec. 921. Revision of Secretary of Defense authority to engage in commercial activities as security for intelligence collection activities.

Sec. 922. Department of Defense intelligence priorities.

Sec. 923. Defense Clandestine Service.

Sec. 924. Prohibition on National Intelligence Program consolidation.

Subtitle D—Cyberspace-Related Matters

Sec. 931. Modification of requirement for inventory of Department of Defense tactical data link systems.

Sec. 932. Authorities, capabilities, and oversight of the United States Cyber Command.

Sec. 933. Mission analysis for cyber operations of Department of Defense.

Sec. 934. Modification of requirement for Report on Department of Defense Progress in Defending the Department and the Defense Industrial Base from Cyber Events.

Sec. 935. Additional requirements relating to the software licenses of the Department of Defense.

Sec. 936. Cyber outreach and threat awareness for small businesses.

Sec. 937. Joint Federated Centers for Trusted Defense Systems for the Department of Defense.

Sec. 938. Supervision of the acquisition of cloud computing capabilities.

Sec. 939. Cyber vulnerabilities of Department of Defense weapon systems and tactical communications systems.

Sec. 940. Control of the proliferation of cyber weapons.

Sec. 941. Integrated policy to deter adversaries in cyberspace.

Sec. 942. National Centers of Academic Excellence in Information Assurance Education matters.

Subtitle E—Total Force Management

Sec. 951. Reviews of appropriate manpower performance.

Subtitle A—Department of Defense Management

SEC. 901. REVISIONS TO COMPOSITION OF TRANSITION PLAN FOR DEFENSE BUSINESS ENTERPRISE ARCHITECTURE.

Section 2222(e) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “defense business enterprise architecture” and inserting “target defense business systems computing environment described in subsection (d)(3)”;

(2) in paragraph (2)—

(A) by striking “existing as of September 30, 2011 (known as ‘legacy systems’) that will not be part of the defense business enterprise architecture” and inserting “that will be phased out of the defense business systems computing environment within three years after review and certification as ‘legacy systems’ by the investment management process established under subsection (g)”;

(B) by striking “that provides for reducing the use of those legacy systems in phases”; and

(3) in paragraph (3), by striking “legacy systems (referred to in subparagraph (B)) that will be a part of the target defense business systems computing environment described in subsection (d)(3)” and inserting “existing systems that are part of the target defense business systems computing environment”.

SEC. 902. COMPTROLLER GENERAL REPORT ON POTENTIAL RELOCATION OF FEDERAL GOVERNMENT TENANTS ONTO MILITARY INSTALLATIONS IN THE UNITED STATES.

(a) **REPORT REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report containing the results of a review of the potential for and obstacles to Federal agencies other than the Department of Defense relocating onto military installations to save costs or enhance security. At a minimum, the Comptroller General shall answer the following questions in the report:

(1) What opportunities exist to permit non-Department of Defense Federal agencies to locate operations onto military installations having excess facilities adequate for the tenant agencies’ mission needs?

(2) What factors would the Department of Defense and the potential tenant agencies need to consider in determining whether such tenancy would be viable?

(3) What obstacles exist to the consolidation of non-Department of Defense Federal agencies onto military installations having adequate excess capacity?

(4) What non-Federal organizations are tenants on the installations (such as those under the enhanced use leasing program)?

(b) **SPECIFIC CONSIDERATION OF INSTALLATIONS THAT SUPPORT ARCTIC MISSIONS.**—The report required under subsection (a) shall specifically evaluate the potential for and obstacles to consolidation of Federal tenants on installations that support Arctic missions, focusing on Federal entities with homeland security, defense, international trade, commerce, and other national security-related functions that are compatible with the missions of the military installations, or can be used to protect national interests in the Arctic region.

SEC. 903. CLARIFICATION OF AUTHORITY FOR THE COMMAND ACQUISITION EXECUTIVE OF THE UNITED STATES SPECIAL OPERATIONS COMMAND.

Section 167(e)(4)(C)(ii) of title 10, United States Code, is amended by inserting after “shall be” the following: “responsible to the commander for rapidly delivering acquisition solutions to meet validated special operations-peculiar requirements, subordinate to the Defense Acquisition Executive in matters of acquisition, subject to the same oversight as the service acquisition executives, and”.

SEC. 904. STREAMLINING OF DEPARTMENT OF DEFENSE MANAGEMENT HEADQUARTERS.

(a) **PLAN REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop a plan for streamlining Department of Defense management headquarters by changing or reducing the size of staffs, eliminating tiers of management, cutting functions that provide little or no added value, and consolidating overlapping and duplicative programs and offices.

(b) **ELEMENTS OF PLAN.**—The plan required by subsection (a) shall include the following for each covered organization:

(1) A description of the planned changes or reductions in staffing and services provided by military personnel, civilian personnel, and contractor personnel.

(2) A description of the planned changes or reductions in management, functions, and programs and offices.

(3) The estimated cumulative savings to be achieved over a 10-fiscal-year period beginning with fiscal year 2015, and estimated savings to be achieved for each of fiscal years 2015 through 2024.

(c) **COVERED ORGANIZATION.**—In this section, the term “covered organization” includes each of the following:

(1) The Office of the Secretary of Defense.

(2) The Joint Staff.

(3) The Defense Agencies.

(4) The Department of Defense field activities.

(5) The headquarters of the combatant commands.

(6) Headquarters, Department of the Army, including the Office of the Secretary of the Army, the Office of the Chief of Staff of the Army, and the Army Staff.

(7) The major command headquarters of the Army.

(8) The Office of the Secretary of the Navy, the Office of the Chief of Naval Operations, and Headquarters, United States Marine Corps.

(9) The major command headquarters of the Navy and the Marine Corps.

(10) Headquarters, Department of the Air Force, including the Office of the Secretary of the Air Force, the Office of the Air Force Chief of Staff, and the Air Staff.

(11) The major command headquarters of the Air Force.

(12) The National Guard Bureau.

(d) **REPORTS.**—

(1) **INITIAL REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the plan required by subsection (a).

(2) **STATUS REPORT.**—The Secretary shall include with the Department of Defense materials submitted to Congress with the budget of the President for each of fiscal years 2016 through 2024 (as submitted to Congress pursuant to section 1105 of title 31, United States Code) a report describing the implementation of the plan required by subsection (a) during the preceding fiscal year and any modifications to the plan required due to changing circumstances. Each such report shall include the following:

(A) A summary of savings achieved for each covered organization in the fiscal year covered by such report.

(B) A description of the savings through changes or reductions in staffing and services provided by military personnel, civilian personnel, and contractor personnel in the fiscal year covered by such report.

(C) A description of the savings through changes or reductions in management, functions, and programs and offices in the fiscal year covered by such report.

(D) In any case in which savings under the plan fall short of the objective of the plan for the fiscal year covered by such report, an explanation of the reasons for the shortfall.

(E) A description of any modifications to the plan made during the fiscal year covered by such report, and an explanation of the reasons for such modifications.

SEC. 905. UPDATE OF STATUTORY STATEMENT OF FUNCTIONS OF THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF RELATING TO DOCTRINE, TRAINING, AND EDUCATION.

(a) **IN GENERAL.**—Paragraph (5) of section 153(a) of title 10, United States Code, is amended—

(1) in subparagraph (B), by inserting “and technical standards, and executing actions,” after “policies”;

(2) in subparagraph (C), by striking “and training”; and

(3) by adding at the end the following new subparagraphs:

“(D) Formulating policies for concept development and experimentation for the joint employment of the armed forces.

“(E) Formulating policies for gathering, developing, and disseminating joint lessons learned for the armed forces.”.

(b) **CONFORMING AMENDMENT.**—The heading of such paragraph is amended by striking “DOCTRINE, TRAINING, AND EDUCATION” and inserting “JOINT FORCE DEVELOPMENT ACTIVITIES”.

SEC. 906. MODIFICATION OF REFERENCE TO MAJOR DEPARTMENT OF DEFENSE HEADQUARTERS ACTIVITIES INSTRUCTION.

Section 194(f) of title 10, United States Code, is amended by striking “Directive 5100.73” and all that follows and inserting “Instruction 5100.73, titled ‘Major DoD Headquarters Activities’.”.

SEC. 907. PERSONNEL SECURITY.

(a) **COMPARATIVE ANALYSIS.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, acting through the Director of Cost Assessment and Program Evaluation and in consultation with the Director of the Office of Management and Budget, submit to the appropriate committees of Congress a report setting forth a comprehensive analysis comparing the quality, cost, and timeliness of personnel security clearance investigations and reinvestigations for employees and contractor personnel of the Department of Defense that are conducted by the Office of Personnel Management with the quality, cost, and timeliness of personnel security clearance investigations and reinvestigations for such personnel that are conducted by components of the Department of Defense.

(2) **ELEMENTS OF ANALYSIS.**—The analysis under paragraph (1) shall do the following:

(A) Determine and compare, for each of the Office of Personnel Management and the components of the Department that conduct personnel security investigations as of the date of the analysis, the quality, cost, and timeliness associated with personnel security investigations and reinvestigations of each type and level of clearance, and identify the elements that contribute to such cost, schedule, and performance.

(B) Identify mechanisms for permanently improving the transparency of the cost structure of personnel security investigations and reinvestigations.

(b) **PERSONNEL SECURITY FOR DEPARTMENT OF DEFENSE EMPLOYEES AND CONTRACTORS.**—If the Secretary of Defense determines that the current approach for obtaining personnel security investigations and reinvestigations for employees and contractor personnel of the Department of Defense is not the most efficient and effective approach for the Department, the Secretary shall develop a plan, by not later than October 1, 2014, for the transition of personnel security investigations and reinvestigations to the approach preferred by the Secretary.

(C) STRATEGY FOR MODERNIZING PERSONNEL SECURITY.—

(1) STRATEGY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, the Director of National Intelligence, and the Director of the Office of Management and Budget shall jointly develop, implement, and provide to the appropriate committees of Congress a strategy to modernize all aspects of personnel security for the Department of Defense with the objectives of improving quality, providing for continuous monitoring, decreasing unauthorized disclosures of classified information, lowering costs, increasing efficiencies, and enabling and encouraging reciprocity.

(2) CONSIDERATION OF ANALYSIS.—In developing the strategy under paragraph (1), the Secretary and the Directors shall consider the results of the analysis required by subsection (a) and the results of any ongoing reviews of recent unauthorized disclosures of national security information.

(3) METRICS.—

(A) METRICS REQUIRED.—In developing the strategy required by paragraph (1), the Secretary and the Directors shall jointly establish metrics to measure the effectiveness of the strategy in meeting the objectives specified in that paragraph.

(B) REPORT.—At the same time the budget of the President for each of fiscal years 2016 through 2019 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary and the Directors shall jointly submit to the appropriate committees of Congress a report on the metrics established under paragraph (1), including an assessment using the metrics of the effectiveness of the strategy in meeting the objectives specified in paragraph (1).

(4) ELEMENTS.—In developing the strategy required by paragraph (1), the Secretary and the Directors shall address issues including but not limited to the following:

(A) Elimination of manual or inefficient processes in investigations and reinvestigations for personnel security, wherever practicable, and automating and integrating the elements of the investigation and adjudication processes, including in the following:

- (i) The clearance application process.
- (ii) Investigation case management.
- (iii) Adjudication case management.

(iv) Investigation methods for the collection, analysis, storage, retrieval, and transfer of data and records from investigative sources and between any case management systems.

(v) Records management for hiring and clearance decisions.

(B) Elimination or reduction, where possible, of the use of databases and information sources that cannot be accessed and processed automatically electronically, or modification of such databases and information sources, if appropriate and cost-effective, to enable electronic access and processing.

(C) Access and analysis of government, publicly available, and commercial data sources, including social media, that provide independent information pertinent to adjudication guidelines and termination standards to improve quality and timeliness, and reduce costs, of investigations and reinvestigations.

(D) Use of government-developed and commercial technology for continuous monitoring and evaluation of government and commercial data sources that can identify and flag information pertinent to hiring and clearance determinations.

(E) Standardization of forms used for routine reporting required of cleared personnel

(such as travel, foreign contacts, and financial disclosures) and use of continuous monitoring technology to access databases containing such reportable information to independently obtain and analyze reportable data and events.

(F) Establishment of an authoritative central repository of personnel security information that is accessible electronically at multiple levels of classification and eliminates technical barriers to rapid access to information necessary for eligibility determinations and reciprocal recognition thereof, including the ability to monitor the status of an individual and any events related to the continued eligibility of such individual for employment or clearance during intervals between investigations.

(G) Elimination or reduction of the scope of, or alteration of the schedule for, periodic reinvestigations of cleared personnel, when such action is appropriate in light of the information provided by continuous monitoring or evaluation technology.

(H) Electronic integration of personnel security processes and information systems with insider threat detection and monitoring systems, and pertinent law enforcement, counterintelligence and intelligence information, for threat detection and correlation, including those processes and systems operated by components of the Department of Defense for purposes of local security, workforce management, or other related purposes.

(5) RISK-BASED MONITORING.—The strategy required by paragraph (1) shall—

(A) include the development of a risk-based approach to monitoring and reinvestigation that prioritizes which cleared individuals shall be subject to frequent reinvestigations and random checks, such as the personnel with the broadest access to classified information or with access to the most sensitive classified information, including information technology specialists or other individuals with such broad access commonly known as “super users”;

(B) ensure that if the system of continuous monitoring for all cleared individuals described in paragraph (4)(D) is implemented in phases, such system shall be implemented on a priority basis for the individuals prioritized under subparagraph (A); and

(C) ensure that the activities of individuals prioritized under subparagraph (A) shall be monitored especially closely.

(d) RECIPROCITY OF CLEARANCES.—The Secretary of Defense and the Director of National Intelligence shall jointly ensure the reciprocity of personnel security clearances among positions requiring personnel holding secret, top secret, or sensitive compartmented information clearances, to the maximum extent feasible consistent with national security requirements.

(e) COMPTROLLER GENERAL REVIEW.—

(1) REVIEW REQUIRED.—Not later than 150 days after the date of the enactment of this Act, the Comptroller General of the United States shall carry out a review of the personnel security process.

(2) OBJECTIVE OF REVIEW.—The objective of the review required by paragraph (1) shall be to identify the following:

(A) Differences between the metrics used by the Department of Defense and other departments and agencies that grant security clearances in granting reciprocity for security clearances, and the manner in which such differences can be harmonized.

(B) The extent to which existing Federal Investigative Standards are relevant, complete, and sufficient for guiding agencies and

individual investigators as they conduct their security clearance background investigations.

(C) The processes agencies have implemented to ensure quality in the security clearance background investigation process.

(D) The extent to which agencies have developed and implemented outcome-focused performance measures to track the quality of security clearance investigations and any insights from these measures.

(E) The processes agencies have implemented for resolving incomplete or subpar investigations, and the actions taken against government employees and contractor personnel who have demonstrated a consistent failure to abide by quality assurance measures.

(3) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the review required by paragraph (1).

(f) TASK FORCE ON RECORDS ACCESS FOR SECURITY CLEARANCE BACKGROUND INVESTIGATIONS.—

(1) ESTABLISHMENT.—The Suitability and Security Clearance Performance Accountability Council, as established by Executive Order No. 13467, shall convene a task force to examine the different policies and procedures that determine the level of access to public records provided by State and local authorities in response to investigative requests by Federal Government employees or contracted employees carrying out background investigations to determine an individual's suitability for access to classified information or secure government facilities.

(2) MEMBERSHIP.—The members of the task force shall include, but need not be limited to, the following:

(A) The Chair of the Suitability and Security Clearance Performance and Accountability Council, who shall serve as chair of the task force.

(B) A representative from the Office of Personnel Management.

(C) A representative from the Office of the Director of National Intelligence.

(D) A representative from the Department of Defense responsible for administering security clearance background investigations.

(E) Representatives from Federal law enforcement agencies within the Department of Justice and the Department of Homeland Security involved in security clearance background investigations.

(F) Representatives from State and local law enforcement agencies, including—

- (i) agencies in rural areas that have limited resources and less than 500 officers; and
- (ii) agencies that have more than 1,000 officers and significant technological resources.

(G) A representative from Federal, State, and local law enforcement associations involved with security clearance background administrative actions and appeals.

(H) Representatives from Federal, State, and local judicial systems involved in the sharing of records to support security clearance background investigations.

(3) INITIAL MEETING.—The task force shall convene its initial meeting not later than 45 days after the date of the enactment of this Act.

(4) DUTIES.—The task force shall do the following:

(A) Analyze the degree to which State and local authorities comply with investigative requests made by Federal Government employees or contractor employees carrying out background investigations to determine

an individual's suitability for access to classified information or secure government facilities, including the degree to which investigative requests are required but never formally requested.

(B) Analyze limitations on the access to public records provided by State and local authorities in response to investigative requests by Federal Government employees and contractor employees described in subparagraph (A), including, but not be limited to, limitations relating to budget and staffing constraints on State and local authorities, any procedural and legal obstacles impairing Federal access to State and local law enforcement records, or inadequate investigative procedural standards for background investigators.

(C) Provide recommendations for improving the degree of cooperation and records-sharing between State and local authorities and Federal Government employees and contractor employees described in subparagraph (A).

(5) REPORT.—Not later than 120 days after the date of the enactment of this Act, the task force shall submit to the appropriate committees of Congress a report setting forth a detailed statement of the findings and conclusions of the task force pursuant to this subsection, together with the recommendations of the task force for such legislative or administrative action as the task force considers appropriate.

(g) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Oversight and Government Reform, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

Subtitle B—Space Activities

SEC. 911. NATIONAL SECURITY SPACE SATELLITE REPORTING POLICY.

(a) NOTIFICATION OF FOREIGN INTERFERENCE OF NATIONAL SECURITY SPACE.—Chapter 135 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2278. Notification of foreign interference of national security space

"(a) NOTICE REQUIRED.—The Commander of the United States Strategic Command shall, with respect to each intentional attempt by a foreign actor to disrupt, degrade, or destroy a United States national security space capability, provide to the appropriate congressional committees—

"(1) not later than 48 hours after the Commander determines that there is reason to believe such attempt occurred, notice of such attempt; and

"(2) not later than 10 days after the date on which the Commander determines that there is reason to believe such attempt occurred, a notification described in subsection (b) with respect to such attempt.

"(b) NOTIFICATION DESCRIPTION.—A notification described in this subsection is a written notification that includes—

"(1) the name and a brief description of the national security space capability that was impacted by an attempt by a foreign actor to disrupt, degrade, or destroy a United States national security space capability;

"(2) a description of such attempt, including the foreign actor, the date and time of such attempt, and any related capability

outage and the mission impact of such outage; and

"(3) any other information the Commander considers relevant.

"(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'appropriate congressional committees' means—

"(1) the congressional defense committees; and

"(2) with respect to a notice or notification related to an attempt by a foreign actor to disrupt, degrade, or destroy a United States national security space capability that is intelligence-related, the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate."

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following item:

"2278. Notification of foreign interference of national security space."

SEC. 912. NATIONAL SECURITY SPACE DEFENSE AND PROTECTION.

(a) REVIEW.—The Secretary of Defense and the Director of National Intelligence shall jointly enter into an arrangement with the National Research Council to respond to the near-term and long-term threats to the national security space systems of the United States by—

(1) conducting a review of—

(A) the range of options available to address such threats, in terms of deterring hostile actions, defeating hostile actions, and surviving hostile actions until such actions conclude;

(B) strategies and plans to counter such threats, including resilience, reconstitution, disaggregation, and other appropriate concepts; and

(C) existing and planned architectures, warfighter requirements, technology development, systems, workforce, or other factors related to addressing such threats; and

(2) recommending architectures, capabilities, and courses of action to address such threats and actions to address the affordability, technology risk, and any other potential barriers or limiting factors in implementing such courses of action.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the National Research Council shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a report containing the results of the review conducted pursuant to the arrangement under subsection (a) and the recommended courses of action identified pursuant to such arrangement.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) SPACE PROTECTION STRATEGY.—Section 911(f)(1) of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2271 note) is amended by striking "including each of the matters required by subsection (c)," and inserting the following: "including—

"(A) each of the matters required by subsection (c); and

"(B) a description of how the Department of Defense and the intelligence community plan to provide necessary national security capabilities, through alternative space, airborne, or ground systems, if a foreign actor degrades, denies access to, or destroys United States national security space capabilities."

SEC. 913. SPACE ACQUISITION STRATEGY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) commercial satellite services, particularly communications, are needed to satisfy Department of Defense requirements;

(2) the Department predominately uses one-year leases to obtain commercial satellite services, which are often the most expensive and least strategic method to acquire necessary commercial satellite services; and

(3) consistent with the required authorization and appropriations, Congress encourages the Department to pursue a variety of methods to reduce cost and meet the necessary military requirements, including multi-year leases and procurement of Government-owned payloads on commercial satellites.

(b) STRATEGY REQUIRED.—The Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Chief Information Officer of the Department of Defense, shall establish a strategy to enable the multi-year procurement of commercial satellite services.

(c) BASIS.—The strategy required under subsection (b) shall include and be based on—

(1) an analysis of financial or other benefits to acquiring satellite services through multi-year acquisition approaches;

(2) an analysis of the risks associated with such acquisition approaches;

(3) an identification of methods to address planning, programming, budgeting, and execution challenges to such approaches, including methods to address potential termination liability or cancellation costs generally associated with multi-year contracts;

(4) an identification of any changes needed in the requirements development and approval processes of the Department of Defense to facilitate effective and efficient implementation of such strategy, including an identification of any consolidation of requirements for such services across the Department that may achieve increased buying power and efficiency; and

(5) an identification of any necessary changes to policies, procedures, regulations, or statutes.

(d) BRIEFINGS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Chief Information Officer of the Department of Defense, shall provide to the congressional defense committees a briefing regarding the strategy required under subsection (b), including the elements required under subsection (c).

(2) INTERIM BRIEFING.—At the same time that the budget for fiscal year 2015 is submitted to Congress under section 1105(a) of title 31, United States Code, the Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Chief Information Officer of the Department of Defense, shall provide to the congressional defense committees an interim briefing regarding the strategy required under subsection (b).

SEC. 914. SPACE CONTROL MISSION REPORT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the space control mission of the Department of Defense. Such report shall include—

(1) an identification of existing offensive and defensive space control systems, policies, and technical possibilities of future systems;

(2) an identification of any gaps or risks in existing space control system architecture and possibilities for improvement or mitigation of such gaps or risks;

(3) a description of existing and future sensor coverage and ground processing capabilities for space situational awareness;

(4) an explanation of the extent to which all relevant and available information is being utilized for space situational awareness to detect, track, and identify objects in space;

(5) a description of existing space situational awareness data sharing practices, including what information is being shared and what the benefits and risks of such sharing are to the national security of the United States; and

(6) plans for the future space control mission, including force levels and structure.

SEC. 915. RESPONSIVE LAUNCH.

(a) FINDINGS.—Congress finds the following:

(1) United States Strategic Command has identified three needs as a result of dramatically increased demand and dependence on space capabilities as follows:

(A) To rapidly augment existing space capabilities when needed to expand operational capability.

(B) To rapidly reconstitute or replenish critical space capabilities to preserve continuity of operations capability.

(C) To rapidly exploit and infuse space technological or operational innovations to increase the advantage of the United States.

(2) Operationally responsive low cost launch could assist in addressing such needs of the combatant commands.

(b) STUDY.—The Department of Defense Executive Agent for Space shall conduct a study on responsive, low-cost launch efforts. Such study shall include—

(1) a review of existing and past operationally responsive, low-cost launch efforts by domestic or foreign governments or industry;

(2) an identification of the conditions or requirements for responsive launch that would provide the necessary military value, including the requisite payload capacity, timelines for responsiveness, and the target launch costs;

(3) a technology assessment of various methods to develop an operationally responsive, low-cost launch capability; and

(4) an assessment of the viability of greater utilization of innovative methods, including the use of secondary payload adapters on existing launch vehicles.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Department of Defense Executive Agent for Space shall submit to the congressional defense committees a report containing—

(1) the results of the study conducted under subsection (b); and

(2) a consolidated plan for development within the Department of Defense of an operationally responsive, low-cost launch capability.

(d) GOVERNMENT ACCOUNTABILITY OFFICE REVIEW.—Not later than 60 days after the date on which the report required under subsection (c) is submitted to the congressional defense committees, the Comptroller General of the United States shall submit to the congressional defense committees an assessment of such report and any related findings or recommendations that the Comptroller General considers appropriate.

SEC. 916. LIMITATION ON USE OF FUNDS FOR SPACE PROTECTION PROGRAM.

Of the amount authorized to be appropriated for fiscal year 2014 by section 201 for

the Department of Defense for research, test, development, and evaluation, Air Force, and available for the Space Protection Program (PE# 0603830F) as specified in the funding table in section 4201, \$10,000,000 may not be obligated or expended until the Secretary of Defense submits to the congressional defense committees a copy of the study conducted at the direction of the Deputy Secretary of Defense on the counter space strategy of the Department of Defense that resulted in significant revisions to that strategy by the Department.

SEC. 917. EAGLE VISION SYSTEM.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Chief of Staff of the Air Force shall submit to the congressional defense committees a report on the Eagle Vision system.

(2) ELEMENTS.—The report required by paragraph (1) shall include a description and assessment of the various commands, components of the Armed Forces, and Defense Agencies to which control of the Eagle Vision system could be transferred from the Headquarters of the Air Force, including the actions to be completed before transfer, potential schedules for transfer, and the effects of transfer on the capabilities of the system or use of the system by other elements of the Department.

(b) LIMITATION ON CERTAIN ACTIONS.—The Secretary of the Air Force may not undertake any changes to the organization or control of the Eagle Vision system until 90 days after the date of the submittal to the congressional defense committees of the report required by subsection (a).

Subtitle C—Defense Intelligence and Intelligence-Related Activities

SEC. 921. REVISION OF SECRETARY OF DEFENSE AUTHORITY TO ENGAGE IN COMMERCIAL ACTIVITIES AS SECURITY FOR INTELLIGENCE COLLECTION ACTIVITIES.

(a) CONGRESSIONAL SUBMISSION FOR REQUIRED AUDITS.—The second sentence of section 432(b)(2) of title 10, United States Code, is amended by striking “the intelligence committees” and all that follows and inserting “the congressional defense committees and the congressional intelligence committees (as defined in section 437(c) of this title).”

(b) REPEAL OF DESIGNATION OF DEFENSE INTELLIGENCE AGENCY AS REQUIRED OVERSIGHT AUTHORITY WITHIN DEPARTMENT OF DEFENSE.—Section 436(4) of title 10, United States Code, is amended—

(1) by striking “Defense Intelligence Agency” and inserting “Department of Defense”; and

(2) by striking “management and supervision” and inserting “oversight”.

(c) CONGRESSIONAL OVERSIGHT.—Section 437 of title 10, United States Code, is amended—

(1) in subsection (a), by striking “the intelligence committees” and inserting “congressional defense committees and the congressional intelligence committees”; and

(2) in subsection (b)—

(A) by striking “Consistent with” and all that follows through “the Secretary” and insert “The Secretary”; and

(B) by striking “the intelligence committees” and inserting “congressional defense committees and the congressional intelligence committees”; and

(3) by adding at the end the following new subsection:

“(c) CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.—In this section, the term ‘congressional intelligence committees’ has

the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).”

SEC. 922. DEPARTMENT OF DEFENSE INTELLIGENCE PRIORITIES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) establish a written policy governing the internal coordination and prioritization of intelligence priorities of the Office of the Secretary of Defense, the Joint Staff, the combatant commands, and the military departments to improve identification of the intelligence needs of the Department of Defense;

(2) identify any significant intelligence gaps of the Office of the Secretary of Defense, the Joint Staff, the combatant commands, and the military departments; and

(3) provide to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a briefing on the policy established under paragraph (1) and the gaps identified under paragraph (2).

SEC. 923. DEFENSE CLANDESTINE SERVICE.

(a) CERTIFICATION REQUIRED.—Not more than 50 percent of the funds authorized to be appropriated by this Act or otherwise available to the Department of Defense for the Defense Clandestine Service for fiscal year 2014 may be obligated or expended for the Defense Clandestine Service until such time as the Secretary of Defense certifies to the covered congressional committees that—

(1) the Defense Clandestine Service is designed primarily to—

(A) fulfill priorities of the Department of Defense that are unique to the Department of Defense or otherwise unmet; and

(B) provide unique capabilities to the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))); and

(2) the Secretary of Defense has designed metrics that will be used to ensure that the Defense Clandestine Service is employed as described in paragraph (1).

(b) ANNUAL ASSESSMENTS.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter for five years, the Secretary of Defense shall submit to the covered congressional committees a detailed assessment of Defense Clandestine Service employment and performance based on the metrics referred to in subsection (a)(2).

(c) NOTIFICATION OF FUTURE CHANGES TO DESIGN.—Following the submittal of the certification referred to in subsection (a), in the event that any significant change is made to the Defense Clandestine Service, the Secretary shall promptly notify the covered congressional committees of the nature of such change.

(d) QUARTERLY BRIEFINGS.—The Secretary of Defense shall quarterly provide to the covered congressional committees a briefing on the deployments and collection activities of personnel of the Defense Clandestine Service.

(e) COVERED CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “covered congressional committees” means the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate.

SEC. 924. PROHIBITION ON NATIONAL INTELLIGENCE PROGRAM CONSOLIDATION.

(a) PROHIBITION.—No amounts authorized to be appropriated or otherwise made available to the Department of Defense may be

used during the period beginning on the date of the enactment of this Act and ending on December 31, 2014, to execute—

(1) the separation of the National Intelligence Program budget from the Department of Defense budget;

(2) the consolidation of the National Intelligence Program budget within the Department of Defense budget; or

(3) the establishment of a new appropriations account or appropriations account structure for the National Intelligence Program budget.

(b) BRIEFING REQUIREMENT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense and the Director of National Intelligence shall jointly provide to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a briefing regarding any planning relating to the future execution of the activities described in subsection (a) that has occurred during the two-year period ending on such date and any anticipated future planning relating to such execution or related efforts.

(c) DEFINITIONS.—In this section:

(1) NATIONAL INTELLIGENCE PROGRAM.—The term “National Intelligence Program” has the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) NATIONAL INTELLIGENCE PROGRAM BUDGET.—The term “National Intelligence Program budget” means the portions of the Department of Defense budget designated as part of the National Intelligence Program.

Subtitle D—Cyberspace-Related Matters

SEC. 931. MODIFICATION OF REQUIREMENT FOR INVENTORY OF DEPARTMENT OF DEFENSE TACTICAL DATA LINK SYSTEMS.

Section 934(a)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1885; 10 U.S.C. 2225 note) is amended by inserting “and an assessment of vulnerabilities to such systems in anti-access or area-denial environments” before the semicolon.

SEC. 932. AUTHORITIES, CAPABILITIES, AND OVERSIGHT OF THE UNITED STATES CYBER COMMAND.

(a) PROVISION OF CERTAIN OPERATIONAL CAPABILITIES.—The Secretary of Defense shall take such actions as the Secretary considers appropriate to provide the United States Cyber Command operational military units with infrastructure and equipment enabling access to the Internet and other types of networks to permit the United States Cyber Command to conduct the peacetime and wartime missions of the Command.

(b) CYBER RANGES.—

(1) IN GENERAL.—The Secretary shall review existing cyber ranges and adapt one or more such ranges, as necessary, to support training and exercises of cyber units that are assigned to execute offensive military cyber operations.

(2) ELEMENTS.—Each range adapted under paragraph (1) shall have the capability to support offensive military operations against targets that—

(A) have not been previously identified and prepared for attack; and

(B) must be compromised or neutralized immediately without regard to whether the adversary can detect or attribute the attack.

(c) PRINCIPAL ADVISOR ON MILITARY CYBER FORCE MATTERS.—

(1) DESIGNATION.—The Secretary shall designate, from among the personnel of the Of-

fice of the Under Secretary of Defense for Policy, a Principal Cyber Advisor to act as the principal advisor to the Secretary on military cyber forces and activities. The Secretary may only designate an official under this paragraph if such official was appointed to the position in which such official serves by and with the advice and consent of the Senate.

(2) RESPONSIBILITIES.—The Principal Cyber Advisor shall be responsible for the following:

(A) Overall supervision of cyber activities related to offensive missions, defense of the United States, and defense of Department of Defense networks, including oversight of policy and operational considerations, resources, personnel, and acquisition and technology.

(B) Such other matters relating to offensive military cyber forces as the Secretary shall specify for purposes of this subsection.

(3) CROSS-FUNCTIONAL TEAM.—The Principal Cyber Advisor shall—

(A) integrate the cyber expertise and perspectives of appropriate organizations within the Office of the Secretary of Defense, Joint Staff, military departments, Defense Agencies, and combatant commands, by establishing and maintaining a full-time cross-functional team of subject matter experts from those organizations; and

(B) select team members, and designate a team leader, from among those personnel nominated by the heads of such organizations.

(d) TRAINING OF CYBER PERSONNEL.—The Secretary shall establish and maintain training capabilities and facilities in the Armed Forces and, as the Secretary considers appropriate, at the United States Cyber Command, to support the needs of the Armed Forces and the United States Cyber Command for personnel who are assigned offensive and defensive cyber missions in the Department of Defense.

SEC. 933. MISSION ANALYSIS FOR CYBER OPERATIONS OF DEPARTMENT OF DEFENSE.

(a) MISSION ANALYSIS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a mission analysis of the cyber operations of the Department of Defense.

(b) ELEMENTS.—The mission analysis under subsection (a) shall include the following:

(1) The concept of operations and concept of employment for cyber operations forces.

(2) An assessment of the manpower needs for cyber operations forces, including military requirements for both active and reserve components and civilian requirements.

(3) An assessment of the mechanisms for improving recruitment, retention, and management of cyber operations forces, including through focused recruiting; educational, training, or certification scholarships; bonuses; or the use of short-term or virtual deployments without the need for permanent relocation.

(4) A description of the alignment of the organization and reporting chains of the Department, the military departments, and the combatant commands.

(5) An assessment of the current, as of the date of the analysis, and projected equipping needs of cyber operations forces.

(6) An analysis of how the Secretary, for purposes of cyber operations, depends upon organizations outside of the Department, including industry and international partners.

(7) Methods for ensuring resilience, mission assurance, and continuity of operations for cyber operations.

(8) An evaluation of the potential roles of the reserve components in the concept of operations and concept of employment for cyber operations forces required under paragraph (1), including—

(A) in consultation with the Secretaries of the military departments and the Commander of the United States Cyber Command, an identification of the Department of Defense cyber mission requirements that could be discharged by members of the reserve components;

(B) in consultation with the Secretary of Homeland Security, consideration of ways to ensure that the Governors of the several States, through the Council of Governors, as appropriate, have an opportunity to provide the Secretary of Defense and the Secretary of Homeland Security an independent evaluation of State cyber capabilities, and State cyber needs that cannot be fulfilled through the private sector;

(C) an identification of the existing capabilities, facilities, and plans for cyber activities of the reserve components, including—

(i) an identification of current positions in the reserve components serving Department cyber missions;

(ii) an inventory of the existing cyber skills of reserve component personnel, including the skills of units and elements of the reserve components that are transitioning to cyber missions;

(iii) an inventory of the existing infrastructure of the reserve components that contributes to the cyber missions of the United States Cyber Command, including the infrastructure available to units and elements of the reserve components that are transitioning to such missions; and

(iv) an assessment of the manner in which the military departments plan to use the reserve components to meet total force resource requirements, and the effect of such plans on the potential ability of members of the reserve components to support the cyber missions of the United States Cyber Command;

(D) an assessment of whether the National Guard, when activated in a State status (either State Active Duty or in a duty status under title 32, United States Code) can operate under unique and useful authorities to support domestic cyber missions and requirements of the Department or the United States Cyber Command;

(E) an assessment of the appropriateness of hiring on a part-time basis non-dual status technicians who possess appropriate cyber security expertise for purposes of assisting the National Guard in protecting critical infrastructure and carrying out cyber missions;

(F) an assessment of the current and potential ability of the reserve components to—

(i) attract and retain personnel with substantial, relevant cyber technical expertise who use those skills in the private sector;

(ii) organize such personnel into units at the State, regional, or national level under appropriate command and control arrangements for Department cyber missions;

(iii) meet and sustain the training standards of the United States Cyber Command; and

(iv) establish and manage career paths for such personnel;

(G) a determination of how the reserve components could contribute to total force solutions to cyber operations requirements of the United States Cyber Command; and

(H) development of an estimate of the personnel, infrastructure, and training required,

and the costs that would be incurred, in connection with implementing a strategy for integrating the reserve components into the total force for support of the cyber missions of the Department and United States Cyber Command, including by taking into account the potential savings under the strategy through use of personnel referred to in subparagraph (C)(i), provided that for specific cyber units that exist or are transitioning to a cyber mission, the estimate shall examine whether there are misalignments in existing plans between unit missions and facility readiness to support such missions.

(c) **LIMITATIONS ON CERTAIN ACTIONS.**—

(1) **REDUCTION IN PERSONNEL OF AIR NATIONAL GUARD CYBER UNITS.**—No reduction in personnel of a cyber unit of the Air National Guard of the United States may be implemented or carried out in fiscal year 2014 before the submittal of the report required by subsection (d).

(2) **REDUCTION IN PERSONNEL AND CAPACITY OF AIR NATIONAL GUARD RED TEAMS.**—No reduction in the personnel or capacity of a Red Team of the Air National Guard of the United States may be implemented or carried out unless the report required by subsection (d) includes a certification that the personnel or capacity to be reduced is directly related to Red Team capabilities that are no longer required.

(d) **REPORT REQUIRED.**—Not later than 30 days after the completion of the mission analysis under subsection (a), the Secretary shall submit to the congressional defense committees a report containing—

(1) the results of the mission analysis;

(2) recommendations for improving or changing the roles, organization, missions, concept of operations, or authorities related to the cyber operations of the Department; and

(3) any other matters concerning the mission analysis that the Secretary considers appropriate.

(e) **NATIONAL GUARD ASSESSMENT.**—Not later than 30 days after the date on which the Secretary submits the report required under subsection (d), the Chief of the National Guard Bureau shall submit to the congressional defense committees an assessment of the role of the National Guard in supporting the cyber operations mission of the Department of Defense as such mission is described in such report.

(f) **FORM.**—The report under subsection (d) shall be submitted in unclassified form, but may include a classified annex.

SEC. 934. MODIFICATION OF REQUIREMENT FOR REPORT ON DEPARTMENT OF DEFENSE PROGRESS IN DEFENDING THE DEPARTMENT AND THE DEFENSE INDUSTRIAL BASE FROM CYBER EVENTS.

Section 935(b)(3) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4339) is amended—

(1) in subparagraph (A), by striking “capabilities,” and inserting “capabilities, including estimated economic impacts.”; and

(2) in subparagraph (B), by striking “remediation,” and inserting “remediation and estimates of economic losses resulting from such event.”.

SEC. 935. ADDITIONAL REQUIREMENTS RELATING TO THE SOFTWARE LICENSES OF THE DEPARTMENT OF DEFENSE.

(a) **UPDATED PLAN.**—

(1) **UPDATE.**—The Chief Information Officer of the Department of the Defense shall, in consultation with the chief information officers of the military departments and the Defense Agencies, update the plan for the in-

ventory of selected software licenses of the Department of Defense required under section 937 of the National Defense Authorization Act for 2013 (Public Law 112-239; 10 U.S.C. 2223 note) to include a plan for the inventory of all software licenses of the Department of Defense for which a military department spends more than \$5,000,000 annually on any individual title, including a comparison of licenses purchased with licenses in use.

(2) **ELEMENTS.**—The update required under paragraph (1) shall—

(A) include plans for implementing an automated solution capable of reporting the software license compliance position of the Department and providing a verified audit trail, or an audit trail otherwise produced and verified by an independent third party;

(B) include details on the process and business systems necessary to regularly perform reviews, a procedure for validating and reporting deregistering and registering new software, and a mechanism and plan to relay that information to the appropriate chief information officer; and

(C) a proposed timeline for implementation of the updated plan in accordance with paragraph (3).

(3) **SUBMISSION.**—Not later than September 30, 2015, the Chief Information Officer of the Department of Defense shall submit to the congressional defense committees the updated plan required under paragraph (1).

(b) **PERFORMANCE PLAN.**—If the Chief Information Officer of the Department of Defense determines through the implementation of the process and business systems in the updated plan required by subsection (a) that the number of software licenses of the Department for an individual title for which a military department spends greater than \$5,000,000 annually exceeds the needs of the Department for such software licenses, or the inventory discloses that there is a discrepancy between the number of software licenses purchased and those in actual use, the Chief Information Officer of the Department of Defense shall implement a plan to bring the number of such software licenses into balance with the needs of the Department and the terms of any relevant contract.

SEC. 936. CYBER OUTREACH AND THREAT AWARENESS FOR SMALL BUSINESSES.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on options for strengthening outreach and threat awareness programs for small businesses (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) that are awarded contracts by the Department of Defense to assist such businesses to—

(1) understand the gravity and scope of cyber threats;

(2) develop a plan to protect intellectual property; and

(3) develop a plan to protect the networks of such businesses.

SEC. 937. JOINT FEDERATED CENTERS FOR TRUSTED DEFENSE SYSTEMS FOR THE DEPARTMENT OF DEFENSE.

(a) **FEDERATION REQUIRED.**—

(1) **IN GENERAL.**—The Secretary of Defense shall provide for the establishment of a joint federation of capabilities to support the trusted defense system needs of the Department of Defense (in this section referred to as the “federation”).

(2) **PURPOSE.**—The purpose of the federation shall be to serve as a joint, Department-

wide federation of capabilities to support the trusted defense system needs of the Department to ensure security in the software and hardware developed, acquired, maintained, and used by the Department, pursuant to the trusted defense systems strategy of the Department and supporting policies related to software assurance and supply chain risk management.

(b) **DISCHARGE OF ESTABLISHMENT.**—In providing for the establishment of the federation, the Secretary shall consider whether the purpose of the federation can be met by existing centers in the Department. If the Department determines that there are capabilities gaps that cannot be satisfied by existing centers, the Department shall devise a strategy for creating and providing resources for such capabilities to fill such gaps.

(c) **CHARTER.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall issue a charter for the federation. The charter shall—

(1) be established pursuant to the trusted defense systems strategy of the Department and supporting policies related to software assurance and supply chain risk management; and

(2) set forth—

(A) the role of the federation in supporting program offices in implementing the trusted defense systems strategy of the Department;

(B) the software and hardware assurance expertise and capabilities of the federation, including policies, standards, requirements, best practices, contracting, training, and testing;

(C) the requirements for the discharge by the federation, in coordination with the Center for Assured Software of the National Security Agency, of a program of research and development to improve automated software code vulnerability analysis and testing tools;

(D) the requirements for the federation to procure, manage, and distribute enterprise licenses for automated software vulnerability analysis tools; and

(E) the requirements for the discharge by the federation, in coordination with the Defense Microelectronics Activity, of a program of research and development to improve hardware vulnerability, testing, and protection tools.

(d) **REPORT.**—The Secretary shall submit to the congressional defense committees, at the time of the submittal to Congress of the budget of the President for fiscal year 2016 pursuant to section 1105 of title 31, United States Code, a report on the funding and management of the federation. The report shall set forth such recommendations as the Secretary considers appropriate regarding the optimal placement of the federation within the organizational structure of the Department, including responsibility for the funding and management of the federation.

SEC. 938. SUPERVISION OF THE ACQUISITION OF CLOUD COMPUTING CAPABILITIES.

(a) **SUPERVISION.**—

(1) **IN GENERAL.**—The Secretary of Defense shall, acting through the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Under Secretary of Defense for Intelligence, the Chief Information Officer of the Department of Defense, and the Chairman of the Joint Requirements Oversight Council, supervise the following:

(A) Review, development, modification, and approval of requirements for cloud computing solutions for data analysis and storage by the Armed Forces and the Defense Agencies, including requirements for cross-domain, enterprise-wide discovery and correlation of data stored in cloud and non-

cloud computing databases, relational and non-relational databases, and hybrid databases.

(B) Review, development, modification, approval, and implementation of plans for the competitive acquisition of cloud computing systems or services to meet requirements described in subparagraph (A), including plans for the transition from current computing systems to systems or services acquired.

(C) Development and implementation of plans to ensure that the cloud systems or services acquired pursuant to subparagraph (B) are interoperable and universally accessible and usable through attribute-based access controls.

(D) Integration of plans under subparagraphs (B) and (C) with enterprise-wide plans of the Armed Forces and the Department of Defense for the Joint Information Environment and the Defense Intelligence Information Environment.

(2) **DIRECTION.**—The Secretary shall provide direction to the Armed Forces and the Defense Agencies on the matters covered by paragraph (1) by not later than March 15, 2014.

(b) **INTEGRATION WITH INTELLIGENCE COMMUNITY EFFORTS.**—The Secretary shall coordinate with the Director of National Intelligence to ensure that activities under this section are integrated with the Intelligence Community Information Technology Enterprise in order to achieve interoperability, information sharing, and other efficiencies.

(c) **LIMITATION.**—The requirements of subparagraphs (B), (C), and (D) of subsection (a)(1) shall not apply to a contract for the acquisition of cloud computing capabilities in an amount less than \$1,000,000.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to alter or affect the authorities or responsibilities of the Director of National Intelligence under section 102A of the National Security Act of 1947 (50 U.S.C. 3024).

SEC. 939. CYBER VULNERABILITIES OF DEPARTMENT OF DEFENSE WEAPON SYSTEMS AND TACTICAL COMMUNICATIONS SYSTEMS.

(a) **REPORT REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the status of the capability of each military department to operate in non-permissive and hostile cyber environments.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) A description and assessment of potential cyber threats or threat systems to major weapon systems and tactical communications systems that could emerge in the next five years.

(2) A description and assessment of cyber vulnerabilities of current major weapon and tactical communications systems.

(3) A detailed description of the current strategy to detect, deter, and defend against cyber attacks on current and planned major weapon systems and tactical communications systems.

(4) An estimate of the costs anticipated to be incurred in addressing cyber vulnerabilities to Department of Defense weapon systems and tactical communications systems over the next five years.

(c) **FORM.**—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 940. CONTROL OF THE PROLIFERATION OF CYBER WEAPONS.

(a) **INTERAGENCY PROCESS FOR ESTABLISHMENT OF POLICY.**—The President shall estab-

lish an interagency process to provide for the establishment of an integrated policy to control the proliferation of cyber weapons through unilateral and cooperative law enforcement activities, financial means, diplomatic engagement, and such other means as the President considers appropriate.

(b) **INDUSTRY PARTICIPATION.**—The President shall include, to the extent practicable, private industry participation in the process established under subsection (a).

(c) **OBJECTIVES.**—The objectives of the interagency process established under subsection (a) shall be as follows:

(1) To identify the intelligence, law enforcement, and financial sanctions tools that can and should be used to suppress the trade in cyber tools and infrastructure that are or can be used for criminal, terrorist, or military activities while preserving the ability of governments and the private sector to use such tools for legitimate purposes of self-defense.

(2) To establish a statement of principles to control the proliferation of cyber weapons, including principles for controlling the proliferation of cyber weapons that can lead to expanded cooperation and engagement with international partners.

(d) **RECOMMENDATIONS.**—The interagency process established under subsection (a) shall develop, by not later than 270 days after the date of the enactment of this Act, recommendations on means for the control of the proliferation of cyber weapons, including a draft statement of principles and a review of applicable legal authorities.

SEC. 941. INTEGRATED POLICY TO DETER ADVERSARIES IN CYBERSPACE.

(a) **INTEGRATED POLICY.**—The President shall establish an interagency process to provide for the development of an integrated policy to deter adversaries in cyberspace.

(b) **OBJECTIVE.**—The objective of the interagency process established under subsection (a) shall be to develop a deterrence policy for reducing cyber risks to the United States and our allies.

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than 270 days after the date of the enactment of this Act, the President shall submit to the congressional defense committees a report setting forth the integrated policy developed pursuant to subsection (a).

(2) **FORM.**—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 942. NATIONAL CENTERS OF ACADEMIC EXCELLENCE IN INFORMATION ASSURANCE EDUCATION MATTERS.

(a) **PRESERVATION OF DESIGNATION DURING ACADEMIC YEARS 2013–2014 AND 2014–2015.**—Each institution of higher education that was designated by the National Security Agency and the Department of Homeland Security as a National Center of Academic Excellence in Information Assurance Education as of January 1, 2013, shall continue to be designated as such a Center through June 30, 2015, provided that such institution maintains the standards by which such institution was originally designated as such a Center.

(b) **ASSESSMENT AND RECOMMENDATION OF ACCREDITATION OR DESIGNATION PROCESS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Homeland Security, the Director of the National Security Agency, and other appropriate departments and agencies of the Federal Government and non-Federal organizations, shall—

(1) assess the National Centers of Academic Excellence in Information Assurance Education program strengths and weaknesses, including processes and criteria used to develop curricula and designate an institution of higher education as a National Center of Academic Excellence in Information Assurance Education;

(2) assess the maturity of information assurance as an academic discipline;

(3) assess the role the Federal Government should play in the future development of curricula and other criteria for designating or accrediting information assurance education programs of institutions of higher education as National Centers of Academic Excellence in Information Assurance Education;

(4) assess the advantages and disadvantages of broadening the governance structure of such Centers;

(5) assess the extent to which existing and emerging curricula and other criteria for designation as such a Center is aligned with the National Initiative for Cybersecurity Education and will provide the knowledge and skills needed by the information assurance workforce for existing and future employment;

(6) make recommendations for improving and evolving the mechanisms and processes for developing the curricula and other criteria for accrediting or designating information assurance programs of institutions of higher education as Centers; and

(7) make recommendations on transitioning the responsibility for developing the curricula and other criteria for accrediting or designating information assurance programs of institutions of higher education as Centers from the sole administration of the National Security Agency.

(c) **ASSESSMENT OF DEPARTMENT OF DEFENSE COLLABORATION WITH CENTERS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall assess the collaboration of the Department of Defense with the National Centers of Academic Excellence in Information Assurance Education. Such assessment shall include—

(1) the extent to which the information security scholarship program of the Department of Defense established under chapter 112 of title 10, United States Code, contributes to—

(A) building the capacity to educate the information assurance and cybersecurity workforce needed for the future; and

(B) employing exceptional information assurance and cybersecurity workers in the Department; and

(2) mechanisms for increasing Department employment of graduates of such Centers.

(d) **PLAN.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Homeland Security, the Director of the National Security Agency, and other appropriate departments and agencies of the Federal Government and non-Federal organizations, shall submit to Congress—

(A) a plan for implementing the recommendations made pursuant to subsection (b) on improving and evolving the mechanisms and processes for developing the curricula and other criteria for accrediting or designating the information assurance programs of institutions of higher education as National Centers of Academic Excellence in Information Assurance Education;

(B) the results of the assessments conducted under subsections (b) and (c); and

(C) the recommendations made under subsection (b).

(2) CONSULTATION.—In developing the plan under paragraph (1), the Secretary shall consult with appropriate representatives of information assurance interests in departments and agencies of the Federal Government, State and local governments, academia, and the private sector.

(e) INSTITUTION OF HIGHER EDUCATION DEFINED.—In this section, the term “institution of higher education” has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

Subtitle E—Total Force Management

SEC. 951. REVIEWS OF APPROPRIATE MANPOWER PERFORMANCE.

(a) REPORTS REQUIRED.—Section 2330a of title 10, United States Code, is amended—

(1) by redesignating subsections (g) and (h) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (f) the following new subsections (g) and (h):

“(g) INSPECTOR GENERAL REPORT.—Not later than May 1 of each year, beginning with 2014 and ending with 2016, the Inspector General of the Department of Defense shall submit to the congressional defense committees a report containing the Inspector General’s assessment of—

“(1) the efforts by the Department of Defense to compile the inventory pursuant to subsection (c); and

“(2) the reviews conducted under subsection (e), including the actions taken to resolve the findings of the reviews in accordance with section 2463 of this title.

“(h) COMPTROLLER GENERAL REPORT.—Not later than September 30 of each year, beginning with 2014 and ending with 2016, the Comptroller General of the United States shall submit to the congressional defense committees a report containing the Comptroller General’s assessment of the efforts by the Department of Defense to implement subsections (e) and (f).”

(b) EXTENSION OF COMPTROLLER GENERAL REPORT ON INVENTORY.—Section 803(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2402) is amended by striking “2011 and 2012” and inserting “2011, 2012, 2013, 2014, and 2015”.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. General transfer authority.

Sec. 1002. Budgetary effects of this Act.

Sec. 1003. Audit of Department of Defense fiscal year 2018 financial statements.

Sec. 1004. Authority to transfer funds to the National Nuclear Security Administration to sustain nuclear weapons modernization.

Subtitle B—Counter-Drug Activities

Sec. 1011. Extension of authority to support unified counter-drug and counterterrorism campaign in Colombia.

Sec. 1012. Extension of authority for joint task forces to provide support to law enforcement agencies conducting counter-terrorism activities.

Sec. 1013. Extension and expansion of authority to provide additional support for counter-drug activities of certain foreign governments.

Subtitle C—Naval Vessels and Shipyards

Sec. 1021. Modification of requirements for annual long-range plan for the construction of naval vessels.

Sec. 1022. Clarification of sole ownership resulting from ship donations at no cost to the Navy.

Sec. 1023. Availability of funds for retirement or inactivation of Ticonderoga class cruisers or dock landing ships.

Sec. 1024. Extension and remediation of Navy contracting actions.

Sec. 1025. Report comparing costs of DDG 1000 and DDG 51 Flight III ships.

Sec. 1026. Report on naval vessels and the Force Structure Assessment.

Sec. 1027. Modification of policy relating to major combatant vessels of the strike forces of the Navy.

Subtitle D—Counterterrorism

Sec. 1031. Clarification of procedures for use of alternate members on military commissions.

Sec. 1032. Modification of Regional Defense Combating Terrorism Fellowship Program reporting requirement.

Sec. 1033. Prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.

Sec. 1034. Prohibition on the use of funds for the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

Sec. 1035. Transfers to foreign countries of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

Sec. 1036. Report on information relating to individuals detained at Parwan, Afghanistan.

Sec. 1037. Grade of chief prosecutor and chief defense counsel in military commissions established to try individuals detained at Guantanamo.

Sec. 1038. Report on capability of Yemeni government to detain, rehabilitate, and prosecute individuals detained at Guantanamo who are transferred to Yemen.

Sec. 1039. Report on attachment of rights to individuals detained at Guantanamo if transferred to the United States.

Subtitle E—Sensitive Military Operations

Sec. 1041. Congressional notification of sensitive military operations.

Sec. 1042. Counterterrorism operational briefings.

Sec. 1043. Report on process for determining targets of lethal or capture operations.

Subtitle F—Nuclear Forces

Sec. 1051. Notification required for reduction or consolidation of dual-capable aircraft based in Europe.

Sec. 1052. Council on Oversight of the National Leadership Command, Control, and Communications System.

Sec. 1053. Modification of responsibilities and reporting requirements of Nuclear Weapons Council.

Sec. 1054. Modification of deadline for report on plan for nuclear weapons stockpile, nuclear weapons complex, nuclear weapons delivery systems, and nuclear weapons command and control system.

Sec. 1055. Prohibition on elimination of nuclear triad.

Sec. 1056. Implementation of New START Treaty.

Sec. 1057. Retention of capability to redeploy multiple independently targetable reentry vehicles.

Sec. 1058. Report on New START Treaty.

Sec. 1059. Report on implementation of the recommendations of the Palomares Nuclear Weapons Accident Revised Dose Evaluation Report.

Sec. 1060. Sense of Congress on further strategic nuclear arms reductions with the Russian Federation.

Sec. 1061. Sense of Congress on compliance with nuclear arms control treaty obligations.

Sec. 1062. Senses of Congress on ensuring the modernization of the nuclear forces of the United States.

Subtitle G—Miscellaneous Authorities and Limitations

Sec. 1071. Enhancement of capacity of the United States Government to analyze captured records.

Sec. 1072. Strategic plan for the management of the electromagnetic spectrum.

Sec. 1073. Extension of authority to provide military transportation services to certain other agencies at the Department of Defense reimbursement rate.

Sec. 1074. Notification of modifications to Army force structure.

Sec. 1075. Aircraft joint training.

Subtitle H—Studies and Reports

Sec. 1081. Online availability of reports submitted to Congress.

Sec. 1082. Oversight of combat support agencies.

Sec. 1083. Inclusion in annual report of description of interagency coordination relating to humanitarian demining technology.

Sec. 1084. Repeal and modification of reporting requirements.

Sec. 1085. Repeal of requirement for Comptroller General assessment of Department of Defense efficiencies.

Sec. 1086. Review and assessment of United States Special Operations Forces and United States Special Operations Command.

Sec. 1087. Reports on unmanned aircraft systems.

Sec. 1088. Report on foreign language support contracts for the Department of Defense.

Sec. 1089. Civil Air Patrol.

Subtitle I—Other Matters

Sec. 1091. Technical and clerical amendments.

Sec. 1092. Reduction in costs to report critical changes to major automated information system programs.

Sec. 1093. Extension of authority of Secretary of Transportation to issue non-premium aviation insurance.

Sec. 1094. Extension of Ministry of Defense Advisor Program and authority to waive reimbursement of costs of activities for certain nongovernmental personnel.

Sec. 1095. Amendments to certain national commissions.

Sec. 1096. Strategy for future military information operations capabilities.

Sec. 1097. Sense of Congress on collaboration on border security.

Sec. 1098. Transfer of aircraft to other departments for wildfire suppression and other purposes; tactical airlift fleet of the Air Force.

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2014 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed \$5,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. BUDGETARY EFFECTS OF THIS ACT.

The budgetary effects of this Act, for the purposes of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on the conference report or amendment between the Houses.

SEC. 1003. AUDIT OF DEPARTMENT OF DEFENSE FISCAL YEAR 2018 FINANCIAL STATEMENTS.

(a) AUDIT OF DOD FINANCIAL STATEMENTS.—In addition to the requirement under section 1003(a)(2)(A)(ii) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 10 U.S.C. 2222 note) that the Financial Improvement and Audit Readiness Plan describe specific actions to be taken and the costs associated with ensuring that the financial statements of the Department of Defense are validated as ready for audit by not later than September 30, 2017, upon the conclusion of fiscal year 2018, the Secretary of Defense shall ensure

that a full audit is performed on the financial statements of the Department of Defense for such fiscal year. The Secretary shall submit to Congress the results of that audit by not later than March 31, 2019.

(b) INCLUSION OF AUDIT IN FINANCIAL IMPROVEMENT AUDIT READINESS PLAN.—Section 1003(a)(2)(A) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 10 U.S.C. 2222 note) is amended—

(1) in clause (i), by striking “and” at the end;

(2) in clause (ii), by inserting “and” after the semicolon; and

(3) by adding at the end the following new clause:

“(iii) ensuring the audit of the financial statements of the Department of Defense for fiscal year 2018 occurs by not later than March 31, 2019.”.

SEC. 1004. AUTHORITY TO TRANSFER FUNDS TO THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO SUSTAIN NUCLEAR WEAPONS MODERNIZATION.

(a) TRANSFER AUTHORIZED.—If the amount authorized to be appropriated for the weapons activities of the National Nuclear Security Administration under section 3101 or otherwise made available for fiscal year 2014 is less than \$8,400,000,000 (the amount projected to be required for such activities in fiscal year 2014 as specified in the report under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2549)), the Secretary of Defense may transfer, from amounts authorized to be appropriated for the Department of Defense for fiscal year 2014 pursuant to this Act, to the Secretary of Energy an amount, not to exceed \$150,000,000, to be available only for weapons activities of the National Nuclear Security Administration.

(b) NOTICE TO CONGRESS.—In the event of a transfer under subsection (a), the Secretary of Defense shall promptly notify Congress of the transfer, and shall include in such notice the Department of Defense account or accounts from which funds are transferred.

(c) TRANSFER MECHANISM.—Any funds transferred under this section shall be transferred in accordance with established procedures for reprogramming under section 1001 or successor provisions of law.

(d) CONSTRUCTION OF AUTHORITY.—The transfer authority provided under subsection (a) is in addition to any other transfer authority provided under this Act.

Subtitle B—Counter-Drug Activities

SEC. 1011. EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTER-DRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

(a) EXTENSION.—Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 118 Stat. 2042), as most recently amended by section 1010 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1907), is amended—

(1) in subsection (a), by striking “2013” and inserting “2014”; and

(2) in subsection (c), by striking “2013” and inserting “2014”.

(b) NOTICE TO CONGRESS ON ASSISTANCE.—Not later than 15 days before providing assistance under section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (as amended by subsection (a)) using funds available for fiscal year 2014, the Secretary of Defense shall submit to the congressional defense committees a notice setting forth the assistance to be provided, including the types of such assistance, the budget for such assistance, and the

anticipated completion date and duration of the provision of such assistance.

SEC. 1012. EXTENSION OF AUTHORITY FOR JOINT TASK FORCES TO PROVIDE SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER-TERRORISM ACTIVITIES.

Section 1022(b) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 117 Stat. 1594; 10 U.S.C. 371 note), as most recently amended by section 1011 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1907) is amended by striking “2013” and inserting “2015”.

SEC. 1013. EXTENSION AND EXPANSION OF AUTHORITY TO PROVIDE ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES OF CERTAIN FOREIGN GOVERNMENTS.

(a) EXTENSION.—Subsection (a)(2) of section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 1881), as most recently amended by section 1006 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1557), is further amended by striking “2013” and inserting “2016”.

(b) MAXIMUM AMOUNT OF SUPPORT.—Subsection (e)(2) of such section 1033, as so amended, is further amended by striking “2013” and inserting “2016”.

(c) ADDITIONAL GOVERNMENTS ELIGIBLE TO RECEIVE SUPPORT.—Subsection (b) of such section 1033, as so amended, is further amended by adding at the end the following new paragraphs:

“(36) Government of Chad.

“(37) Government of Libya.

“(38) Government of Mali.

“(39) Government of Niger.”.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. MODIFICATION OF REQUIREMENTS FOR ANNUAL LONG-RANGE PLAN FOR THE CONSTRUCTION OF NAVAL VESSELS.

(a) ANNUAL NAVAL VESSEL CONSTRUCTION PLAN.—Subsection (b) of section 231 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “should be designed” both places it appears and inserting “shall be designed”; and

(B) by striking “is capable of supporting” both places it appears and inserting “supports”; and

(2) in paragraph (2)—

(A) in subparagraph (B), by inserting “and capabilities” after “naval vessel force structure”; and

(B) by adding at the end the following new subparagraph:

“(D) The estimated total cost of construction for each vessel used to determine estimated levels of annual funding under subparagraph (C).”.

(b) ASSESSMENT WHEN CONSTRUCTION PLAN DOES NOT MEET FORCE STRUCTURE REQUIREMENTS.—Such section is further amended by striking subsection (c) and inserting the following new subsection (c):

“(c) ASSESSMENT WHEN ANNUAL NAVAL VESSEL CONSTRUCTION PLAN DOES NOT MEET FORCE STRUCTURE REQUIREMENTS.—If the annual naval vessel construction plan for a fiscal year under subsection (b) does not result in a force structure or capabilities that meet the requirements identified in subsection (b)(2)(B), the Secretary shall include with the defense budget materials for that fiscal year an assessment of the extent of the strategic and operational risk to national security associated with the reduced force structure of naval vessels over the period of time that the required force structure or capabilities are not achieved. Such assessment shall

include an analysis of whether the risks are acceptable, and plans to mitigate such risks. Such assessment shall be coordinated in advance with the commanders of the combatant commands and the Nuclear Weapons Council under section 179 of this title.”

SEC. 1022. CLARIFICATION OF SOLE OWNERSHIP RESULTING FROM SHIP DONATIONS AT NO COST TO THE NAVY.

(a) **CLARIFICATION OF TRANSFER AUTHORITY.**—Subsection (a) of section 7306 of title 10, United States Code, is amended to read as follows:

“(a) **AUTHORITY TO MAKE TRANSFER.**—The Secretary of the Navy may convey, by donation, all right, title, and interest to any vessel stricken from the Naval Vessel Register or any captured vessel, for use as a museum or memorial for public display in the United States, to—

“(1) any State, the District of Columbia, any Commonwealth or possession of the United States, or any municipal corporation or political subdivision thereof; or

“(2) any nonprofit entity.”

(b) **CLARIFICATION OF LIMITATIONS ON LIABILITY AND RESPONSIBILITY.**—Subsection (b) of such section is amended to read as follows:

“(b) **LIMITATIONS ON LIABILITY AND RESPONSIBILITY.**—(1) The United States and all departments and agencies thereof, and their officers and employees, shall not be liable at law or in equity for any injury or damage to any person or property occurring on a vessel donated under this section.

“(2) Notwithstanding any other law, the Department of Defense, and the officers and employees of the Department of Defense, shall have no responsibility or obligation to make, engage in, or provide funding for, any improvement, upgrade, modification, maintenance, preservation, or repair to a vessel donated under this section.”

(c) **CLARIFICATION THAT TRANSFERS TO BE MADE AT NO COST TO THE DEPARTMENT OF DEFENSE.**—

(1) **IN GENERAL.**—Subsection (c) of such section is amended—

(A) by inserting after “under this section” the following: “, the maintenance and preservation of that vessel as a museum or memorial, and the ultimate disposal of that vessel, including demilitarization of Munitions List items at the end of the useful life of the vessel as a museum or memorial,”; and

(B) by striking “the United States” and inserting “the Department of Defense”.

(2) **CLERICAL AMENDMENT.**—The heading for subsection (c) of such section is amended by striking “UNITED STATES” and inserting “DEPARTMENT OF DEFENSE”.

(d) **APPLICATION OF ENVIRONMENTAL LAWS; DEFINITIONS.**—Such section is further amended by adding at the end the following new subsections:

“(e) **APPLICATION OF ENVIRONMENTAL LAWS.**—Nothing in this section shall affect the applicability of Federal, State, interstate, and local environmental laws and regulations, including the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), to the Department of Defense or to a donee.

“(f) **DEFINITIONS.**—In this section:

“(1) The term ‘nonprofit entity’ means any entity qualifying as an exempt organization under section 501(c)(3) of the Internal Revenue Code of 1986.

“(2) The term ‘Munitions List’ means the United States Munitions List created and controlled under section 38 of the Arms Export Control Act (22 U.S.C. 2778).

“(3) The term ‘donee’ means any entity receiving a vessel pursuant to subsection (a).”

(e) **CLERICAL AMENDMENTS.**—

(1) **SECTION HEADING.**—The heading of such section is amended to read as follows:

“**§7306. Vessels stricken from Naval Vessel Register; captured vessels: conveyance by donation.**”

(2) **TABLE OF SECTIONS.**—The item relating to such section in the table of sections at the beginning of chapter 633 of such title is amended to read as follows:

“7306. Vessels stricken from Naval Vessel Register; captured vessels: conveyance by donation.”

SEC. 1023. AVAILABILITY OF FUNDS FOR RETIREMENT OR INACTIVATION OF TICONDEROGA CLASS CRUISERS OR DOCK LANDING SHIPS.

(a) **LIMITATION ON AVAILABILITY OF FUNDS.**—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to retire, prepare to retire, inactivate, or place in storage a cruiser or dock landing ship.

(b) **EXCEPTION.**—Notwithstanding subsection (a), the funds referred to in such subsection may be obligated or expended to retire the U.S.S. Denver, LPD9.

SEC. 1024. EXTENSION AND REMEDIATION OF NAVY CONTRACTING ACTIONS.

(a) **AUTHORITY FOR SHORT-TERM EXTENSION OR RENEWAL OF LEASES FOR VESSELS SUPPORTING THE TRANSIT PROTECTION SYSTEM ESCORT PROGRAM.**—

(1) **IN GENERAL.**—Notwithstanding section 2401 of title 10, United States Code, the Secretary of the Navy may extend or renew the lease of not more than four blocking vessels supporting the Transit Protection System Escort Program after the date of the expiration of the lease of such vessels, as in effect on the date of the enactment of this Act. Such an extension shall be for a term that is the shorter of—

(A) the period beginning on the date of the expiration of the lease in effect on the date of the enactment of this Act and ending on the date on which the Secretary determines that a substitute is available for the capabilities provided by the lease, or that the capabilities provided by the vessel are no longer required; or

(B) 180 days.

(2) **FUNDING.**—Amounts authorized to be appropriated by section 301 and available for operation and maintenance, Navy, as specified in the funding tables in section 4301, may be available for the extension or renewal of a lease under paragraph (1).

(3) **NOTICE TO CONGRESS.**—Prior to extending or renewing a lease under paragraph (1), the Secretary of the Navy shall submit to the congressional defense committees notification of the proposed extension or renewal. Such notification shall include—

(A) a detailed description of the term of the proposed contract for the extension or renewal of the lease and a justification for extending or renewing the lease rather than obtaining the capability provided for by the lease, charter, or services involved through purchase of the vessel; and

(B) a plan for meeting the capability provided for by the lease upon the completion of the term of the lease contract, as extended or renewed under paragraph (1).

(b) **AUTHORITY FOR ACCEPTANCE OF PAYMENT IN KIND IN SETTLEMENT OF A-12 AIRCRAFT LITIGATION.**—Notwithstanding any other provision of law, during fiscal year 2014 and any subsequent fiscal year, the Sec-

retary of the Navy is authorized to accept and retain the following consideration in lieu of a monetary payment for purposes of the settlement of A-12 aircraft litigation arising from the default termination of Contract No. N00019-88-C-0050:

(1) From General Dynamics Corporation, credit in an amount not to exceed \$198,000,000 toward the design, construction, and delivery of the steel deckhouse, hangar, and aft missile launching system for the DDG 1002.

(2) From the Boeing Company, three EA-18G Growler aircraft, with installed Airborne Electric Attack kits, valued at an amount not to exceed \$198,000,000, at no cost to the Department of the Navy.

SEC. 1025. REPORT COMPARING COSTS OF DDG 1000 AND DDG 51 FLIGHT III SHIPS.

Not later than March 15, 2014, the Secretary of the Navy shall submit to the congressional defense committees a report providing an updated comparison of the costs and risks of acquiring DDG 1000 and DDG 51 Flight III vessels equipped for enhanced ballistic missile defense capability. The report shall include each of the following:

(1) An updated estimate of the total cost to develop, procure, operate, and support ballistic missile defense capable DDG 1000 destroyers equipped with the air and missile defense radar.

(2) The estimate of the Secretary of the total cost of the current plan to develop, procure, operate, and support Flight III DDG 51 destroyers.

(3) Details on the assumed ballistic missile defense requirements and construction schedules for both the DDG 1000 and DDG 51 Flight III destroyers referred to in paragraphs (1) and (2), respectively.

(4) An updated comparison of the program risks and the resulting ship capabilities in all dimensions (not just ballistic missile defense) of the options referred to in paragraphs (1) and (2).

(5) Any other information the Secretary determines appropriate.

SEC. 1026. REPORT ON NAVAL VESSELS AND THE FORCE STRUCTURE ASSESSMENT.

(a) **REPORT REQUIRED.**—Not later than 30 days after the date of the submittal of the annual naval vessel construction plan required under section 231 of title 10, United States Code, for fiscal year 2015, the Chief of Naval Operations shall submit to the congressional defense committees a report on the current requirements for combatant vessels of the Navy and the anticipated requirements for such vessels during the 30-year period following the submittal of the report.

(b) **ELEMENTS.**—The report required by subsection (a) shall include each of the following:

(1) A description of the naval capability requirements identified by the combatant commands in developing the Force Structure Assessment in 2005 and revalidating that Assessment in 2010.

(2) The capabilities for each class of vessel that was assumed in the Force Structure Assessment.

(3) An assessment of the capabilities of the current fleet of combatant vessels of the Navy to meet current and anticipated requirements.

(4) An assessment of how the Navy is currently managing deployment schedules to meet combatant commander requirements with a smaller force than specified in the Force Structure Assessment of 2005, including the impact on—

(A) the material condition of the naval force due to longer deployment times; and

(B) long-term retention rates, especially in critical specialties.

(5) An assessment of the capabilities of the anticipated fleet of combatant vessels of the Navy to meet emerging threats over the next 30 years.

(6) An assessment of how the Navy will meet combatant command requirements for forward-deployed naval capabilities with a smaller number of ships and submarines.

(7) An assessment of how the Navy will manage the risk of massing a greater set of capabilities on a smaller number of ships while facing an expanding range of asymmetrical threats, including—

- (A) anti-access/area-denial capabilities;
- (B) diesel-electric submarines;
- (C) mines; and
- (D) anti-ship cruise and ballistic missiles.

(8) The assessment of the Commandant of the Marine Corps of—

(A) the operational risk associated with the current and the planned number of ships of the amphibious assault force, including vessels designated as LHA, LHD, LPD, or LSD; and

(B) the capabilities required to meet the needs of the Marine Corps for future ships of the amphibious assault force.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1027. MODIFICATION OF POLICY RELATING TO MAJOR COMBATANT VESSELS OF THE STRIKE FORCES OF THE NAVY.

Section 1012 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 7291 note) is amended—

(1) by striking subsection (a) and redesignating subsections (b) and (c) as subsections (a) and (b), respectively; and

(2) in subsection (a), as so redesignated—

(A) by striking “the request shall be for” and inserting “the request shall include a specific assessment of”; and

(B) by inserting “in the analysis of alternatives” after “nuclear power system”.

Subtitle D—Counterterrorism

SEC. 1031. CLARIFICATION OF PROCEDURES FOR USE OF ALTERNATE MEMBERS ON MILITARY COMMISSIONS.

(a) PRIMARY AND ALTERNATE MEMBERS.—

(1) NUMBER OF MEMBERS.—Subsection (a) of section 948m of title 10, United States Code, is amended—

(A) in paragraph (1)—

(i) by striking “at least five members” and inserting “at least five primary members and as many alternate members as the convening authority shall detail”; and

(ii) by adding at the end the following new sentence: “Alternate members shall be designated in the order in which they will replace an excused primary member.”; and

(B) in paragraph (2), by inserting “primary” after “the number of”.

(2) GENERAL RULES.—Such section is further amended—

(A) by redesignating subsection (b) and (c) as subsections (d) and (e), respectively; and

(B) by inserting after subsection (a) the following new subsections (b) and (c):

“(b) PRIMARY MEMBERS.—Primary members of a military commission under this chapter are voting members.

“(c) ALTERNATE MEMBERS.—(1) A military commission may include alternate members to replace primary members who are excused from service on the commission.

“(2) Whenever a primary member is excused from service on the commission, an alternate member, if available, shall replace the excused primary member and the trial may proceed.”.

(3) EXCUSE OF MEMBERS.—Subsection (d) of such section, as redesignated by paragraph (2)(A), is amended—

(A) in the matter before paragraph (1), by inserting “primary or alternate” before “member”; and

(B) by striking “or” at the end of paragraph (2);

(C) by striking the period at the end of paragraph (3) and inserting “; or”; and

(D) by adding at the end the following new paragraph:

“(4) in the case of an alternate member, in order to reduce the number of alternate members required for service on the commission, as determined by the convening authority.”.

(4) ABSENT AND ADDITIONAL MEMBERS.—Subsection (e) of such section, as redesignated by paragraph (2)(A), is amended—

(A) in the first sentence—

(i) by inserting “the number of primary members of” after “Whenever”; and

(ii) by inserting “primary” before “members required by”; and

(iii) by inserting “and there are no remaining alternate members to replace the excused primary members” after “subsection (a)”; and

(B) by adding at the end the following new sentence: “An alternate member who was present for the introduction of all evidence shall not be considered to be a new or additional member.”.

(b) CHALLENGES.—Section 949f of such title is amended—

(1) in subsection (a), by inserting “primary or alternate” before “members”; and

(2) by adding at the end of subsection (b) the following new sentence: “Nothing in this section prohibits the military judge from awarding to each party such additional peremptory challenges as may be required in the interests of justice.”.

(c) NUMBER OF VOTES REQUIRED.—Section 949m of such title is amended—

(1) by inserting “primary” before “members” each place it appears; and

(2) by adding at the end of subsection (b) the following new paragraph:

“(4) The primary members present for a vote on a sentence need not be the same primary members who voted on the conviction if the requirements of section 948m(d) of this title are met.”.

SEC. 1032. MODIFICATION OF REGIONAL DEFENSE COMBATING TERRORISM FELLOWSHIP PROGRAM REPORTING REQUIREMENT.

(a) IN GENERAL.—Section 2249c(c) of title 10, United States Code, is amended—

(1) in paragraph (3), by inserting “, including engagement activities for program alumni,” after “subsection (a)”; and

(2) in paragraph (4), by inserting after “program” the following: “, including a list of any unfunded or unmet training requirements and requests”; and

(3) by adding at the end the following new paragraph:

“(5) A discussion and justification of how the program fits within the theater security priorities of each of the commanders of the geographic combatant commands.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to a report submitted for a fiscal year beginning after the date of the enactment of this Act.

SEC. 1033. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—No amounts authorized to be appropriated or otherwise made available to the Department of Defense may be used

during the period beginning on the date of the enactment of this Act and ending on December 31, 2014, to construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense unless authorized by Congress.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term “individual detained at Guantanamo” has the meaning given that term in section 1035(e)(2).

SEC. 1034. PROHIBITION ON THE USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

No amounts authorized to be appropriated or otherwise made available to the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2014, to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 1035. TRANSFERS TO FOREIGN COUNTRIES OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) AUTHORITY TO TRANSFER UNDER CERTAIN CIRCUMSTANCES.—The Secretary of Defense is authorized to transfer or release any individual detained at Guantanamo to the individual’s country of origin, or any other foreign country, if—

(1) the Secretary determines, following a review conducted in accordance with the requirements of section 1023 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 801 note) and Executive Order No. 13567, that the individual is no longer a threat to the national security of the United States; or

(2) such transfer or release outside the United States is to effectuate an order affecting disposition of the individual by a court or competent tribunal of the United States having jurisdiction.

(b) DETERMINATION REQUIRED PRIOR TO TRANSFER.—Except as provided in subsection (a), the Secretary of Defense may transfer an individual detained at Guantanamo to the custody or control of the individual’s country of origin, or any other foreign country, only if the Secretary determines that—

(1) actions that have been or are planned to be taken will substantially mitigate the risk of such individual engaging or reengaging in any terrorist or other hostile activity that threatens the United States or United States persons or interests; and

(2) the transfer is in the national security interest of the United States.

(c) FACTORS TO BE CONSIDERED IN MAKING DETERMINATION.—In making the determination specified in subsection (b), the Secretary of Defense shall specifically evaluate and take into consideration the following factors:

(1) The recommendations of the Guantanamo Detainee Review Task Force established pursuant to Executive Order No. 13492

and the recommendations of the Periodic Review Boards established pursuant to No. Executive Order 13567, as applicable.

(2) The security situation in the foreign country to which the individual is to be transferred, including whether or not the country is a state sponsor of terrorism, the presence of foreign terrorist groups, and the threat posed by such groups to the United States.

(3) Any confirmed case in which an individual transferred to the foreign country to which the individual is to be transferred subsequently engaged in terrorist or other hostile activity that threatened the United States or United States persons or interests.

(4) Any actions taken by the United States or the foreign country to which the individual is to be transferred, or change in circumstances in such country, that reduce the risk of reengagement of the type described in paragraph (3).

(5) Any assurances provided by the government of the foreign country to which the individual is to be transferred, including that—

(A) such government maintains control over any facility at which the individual is to be detained if the individual is to be housed in a government-controlled facility; and

(B) such government has taken or agreed to take actions to substantially mitigate the risk of the individual engaging or reengaging in any terrorist or other hostile activity that threatens the United States or United States persons or interests.

(6) An assessment of the capacity, willingness, and past practices (if applicable) of the foreign country described in paragraph (5) in meeting any assurances it has provided, including assurances under paragraph (5) regarding its capacity and willingness to mitigate the risk of reengagement.

(7) Any record of cooperation by the individual to be transferred with United States intelligence and law enforcement authorities, pursuant to a pre-trial agreement, while in the custody of or under the effective control of the Department of Defense, and any agreements and effective mechanisms that may be in place, to the extent relevant and necessary, to provide continued cooperation with United States intelligence and law enforcement authorities.

(8) In the case of an individual who has been tried in a court or competent tribunal of the United States having jurisdiction on charges based on the same conduct that serves as a basis for the determination that the individual is an enemy combatant, whether or not the individual has been acquitted of such charges or has been convicted and has completed serving the sentence pursuant to the conviction.

(d) NOTIFICATION.—The Secretary of Defense shall notify the appropriate committees of Congress of a determination of the Secretary under subsection (a) or (b) not later than 30 days before the transfer or release of the individual under such subsection. Each notification shall include, at a minimum, the following:

(1) A detailed statement of the basis for the transfer or release.

(2) An explanation of why the transfer or release is in the national security interests of the United States.

(3) A description of any actions taken to mitigate the risks of reengagement by the individual to be transferred or released, including any actions taken to address factors relevant to a prior case of reengagement described in subsection (c)(3).

(4) A copy of any Periodic Review Board findings relating to the individual.

(5) A description of the evaluation conducted pursuant to subsection (c), including a summary of the assessment required by paragraph (6) of such subsection.

(e) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “individual detained at Guantanamo” means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody of or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(f) REPEAL OF SUPERSEDED AUTHORITIES.—The following provisions of law are repealed:

(1) Section 1028 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1567; 10 U.S.C. 801 note).

(2) Section 1028 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1914; 10 U.S.C. 801 note).

SEC. 1036. REPORT ON INFORMATION RELATING TO INDIVIDUALS DETAINED AT PARWAN, AFGHANISTAN.

(a) CLASSIFIED REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a classified report on information relating to the individuals detained by the Department of Defense at the Detention Facility at Parwan, Afghanistan, pursuant to the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) who have been determined to represent an enduring security threat to the United States. Such report shall cover any individual detained at such facility as of the date of the enactment of this Act. Such report shall include for each such covered individual—

(1) a description of the relevant organization or organizations with which the individual is affiliated;

(2) whether the individual had ever been in the custody of or under the effective control of the United States at any time before being detained at such facility and, if so, where the individual had been in such custody or under such effective control; and

(3) whether the individual has been directly linked to the death of any member of the United States Armed Forces or any United States Government employee.

(b) DECLASSIFICATION REVIEW.—Upon submittal of the classified report required under subsection (a), the Secretary of Defense shall conduct a declassification review of such report to determine what information, if any, may be made publicly available in an unclassified summary of the information contained in the report. In conducting such declassification review, the Secretary shall make such summary information publicly available to the maximum extent practicable, consistent with national security.

SEC. 1037. GRADE OF CHIEF PROSECUTOR AND CHIEF DEFENSE COUNSEL IN MILITARY COMMISSIONS ESTABLISHED TO TRY INDIVIDUALS DETAINED AT GUANTANAMO.

(a) IN GENERAL.—For purposes of any military commission established under chapter 47A of title 10, United States Code, to try an alien unprivileged enemy belligerent (as such terms are defined in section 948a of such title) who is detained at United States Naval Station, Guantanamo Bay, Cuba, the chief defense counsel and the chief prosecutor shall have the same grade (as that term is defined in section 101(b)(7) of such title).

(b) WAIVER.—

(1) IN GENERAL.—The Secretary of Defense may temporarily waive the requirement specified in subsection (a), if the Secretary determines that compliance with such subsection would—

(A) be infeasible due to a non-availability of qualified officers of the same grade to fill the billets of chief defense counsel and chief prosecutor; or

(B) cause a significant disruption to proceedings established under chapter 47A of title 10, United States Code.

(2) REPORTS.—Not later than 30 days after the Secretary issues a waiver under paragraph (1), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives the following:

(A) A copy of the waiver and the determination of the Secretary to issue the waiver.

(B) A statement of the basis for the determination, including an explanation of the non-availability of qualified officers or the significant disruption concerned.

(C) Notice of the time period during which the waiver is in effect.

(c) GUIDANCE.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance to ensure that the office of the chief defense counsel and the office of the chief prosecutor receive equitable resources, personnel support, and logistical support for conducting their respective duties in connection with any military commission established under chapter 47A of title 10, United States Code, to try an alien unprivileged enemy belligerent (as such terms are defined in section 948a of such title) who is detained at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1038. REPORT ON CAPABILITY OF YEMENI GOVERNMENT TO DETAIN, REHABILITATE, AND PROSECUTE INDIVIDUALS DETAINED AT GUANTANAMO WHO ARE TRANSFERRED TO YEMEN.

(a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on the capability of the government of Yemen to detain, rehabilitate, and prosecute individuals detained at Guantanamo who are transferred to Yemen. Such report shall include an assessment of any humanitarian issues that may be encountered in transferring individuals detained at Guantanamo to Yemen.

(b) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term “individual detained at Guantanamo” has the meaning given such term in section 1035(e)(2).

SEC. 1039. REPORT ON ATTACHMENT OF RIGHTS TO INDIVIDUALS DETAINED AT GUANTANAMO IF TRANSFERRED TO THE UNITED STATES.

(a) **REPORT.**—Not later than 120 days after the date of the enactment of this Act, the Attorney General, in consultation with the Secretary of Defense, shall submit to the congressional defense committees, the Committee on the Judiciary of the House of Representatives, and the Committee on the Judiciary of the Senate a report on the legal rights, if any, for which an individual detained at Guantanamo (as such term is defined in section 1035(e)(2)), if transferred to the United States, may become eligible, by reason of such transfer.

(b) **ELEMENTS OF REPORT.**—The report required by subsection (a) shall include each of the following:

(1) An assessment of the extent to which an individual detained at Guantanamo, if transferred to the United States, could become eligible, by reason of such transfer, for—

(A) relief from removal from the United States, including pursuant to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(B) any required release from immigration detention, including pursuant to the decision of the Supreme Court in *Zadvydas v. Davis*;

(C) asylum or withholding of removal; or

(D) any additional constitutional right.

(2) For any right referred to in paragraph (1) for which the Attorney General determine such an individual could become eligible if so transferred, a description of the reasoning behind such determination and an explanation of the nature of the right.

(3) An analysis of the extent to which legislation or other steps could address any legal rights described in paragraph (1).

Subtitle E—Sensitive Military Operations

SEC. 1041. CONGRESSIONAL NOTIFICATION OF SENSITIVE MILITARY OPERATIONS.

(a) **NOTIFICATION REQUIRED.**—

(1) **IN GENERAL.**—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 130f. Congressional notification of sensitive military operations

“(a) **IN GENERAL.**—The Secretary of Defense shall promptly submit to the congressional defense committees notice in writing of any sensitive military operation conducted under this title following such operation. Department of Defense support to operations conducted under the National Security Act of 1947 (50 U.S.C. 3001 et seq.) is addressed in the classified annex prepared to accompany the National Defense Authorization Act for Fiscal Year 2014.

“(b) **PROCEDURES.**—(1) The Secretary of Defense shall establish and submit to the congressional defense committees procedures for complying with the requirements of subsection (a) consistent with the national security of the United States and the protection of operational integrity.

“(2) The congressional defense committees shall ensure that committee procedures designed to protect from unauthorized disclosure classified information relating to national security of the United States are sufficient to protect the information that is submitted to the committees pursuant to this section.

“(c) **BRIEFING REQUIREMENT.**—The Secretary of Defense shall periodically brief the congressional defense committees on Department of Defense personnel and equipment assigned to sensitive military operations.

“(d) **SENSITIVE MILITARY OPERATION DEFINED.**—The term ‘sensitive military oper-

ation’ means a lethal operation or capture operation conducted by the armed forces outside the United States and outside a theater of major hostilities pursuant to—

“(1) the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note); or

“(2) any other authority except—

“(A) a declaration of war; or

“(B) a specific statutory authorization for the use of force other than the authorization referred to in paragraph (1).

“(e) **EXCEPTION.**—The notification requirement under subsection (a) shall not apply with respect to a sensitive military operation executed within the territory of Afghanistan pursuant to the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note).

“(f) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to provide any new authority or to alter or otherwise affect the War Powers Resolution (50 U.S.C. 1541 et seq.), the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note), or any requirement under the National Security Act of 1947 (50 U.S.C. 3001 et seq.).”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130e the following new item:

“130f. Congressional notification regarding sensitive military operations.”

(b) **EFFECTIVE DATE.**—Section 130f of title 10, United States Code, as added by subsection (a), shall apply with respect to any sensitive military operation (as defined in subsection (d) of such section) executed on or after the date of the enactment of this Act.

(c) **DEADLINE FOR SUBMITTAL OF PROCEDURES.**—The Secretary of Defense shall submit to the congressional defense committees the procedures required under section 130f(b) of title 10, United States Code, as added by subsection (a), by not later than 60 days after the date of the enactment of this Act.

SEC. 1042. COUNTERTERRORISM OPERATIONAL BRIEFINGS.

(a) **BRIEFINGS REQUIRED.**—

(1) **IN GENERAL.**—Chapter 23 of title 10, United States Code, is amended by inserting after section 484 the following new section:

“§ 485. Quarterly counterterrorism operations briefings

“(a) **BRIEFINGS REQUIRED.**—The Secretary of Defense shall provide to the congressional defense committees quarterly briefings outlining Department of Defense counterterrorism operations and related activities.

“(b) **ELEMENTS.**—Each briefing under subsection (a) shall include each of the following:

“(1) A global update on activity within each geographic combatant command and how such activity supports the respective theater campaign plan.

“(2) An overview of authorities and legal issues, including limitations.

“(3) An overview of interagency activities and initiatives.

“(4) Any other matters the Secretary considers appropriate.”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 484 the following new item:

“485. Quarterly counterterrorism operations briefings.”

(b) **CONFORMING REPEAL.**—Section 1031 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1570; 10 U.S.C. 167 note) is hereby repealed.

SEC. 1043. REPORT ON PROCESS FOR DETERMINING TARGETS OF LETHAL OR CAPTURE OPERATIONS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing an explanation of the legal and policy considerations and approval processes used in determining whether an individual or group of individuals could be the target of a lethal operation or capture operation conducted by the Armed Forces of the United States outside the United States and outside of Afghanistan.

Subtitle F—Nuclear Forces

SEC. 1051. NOTIFICATION REQUIRED FOR REDUCTION OR CONSOLIDATION OF DUAL-CAPABLE AIRCRAFT BASED IN EUROPE.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that the President should not reduce or consolidate the basing of dual-capable aircraft of the United States that are based in Europe unless—

(1) the President takes into account whether the Russian Federation has carried out similar reductions or consolidations with respect to dual-capable aircraft of Russia;

(2) the Secretary of Defense has consulted with the member states of the North Atlantic Treaty Organization (NATO) with respect to the planned reduction or consolidation of dual-capable aircraft of the United States; and

(3) there is a consensus among such member states that the nuclear posture of NATO is not adversely affected by such reduction or consolidation.

(b) **NOTIFICATION.**—

(1) **IN GENERAL.**—Chapter 24 of title 10, United States Code, is amended by inserting after section 497 the following new section:

“§ 497a. Notification required for reduction or consolidation of dual-capable aircraft based in Europe

“(a) **NOTIFICATION.**—Not less than 90 days before the date on which the Secretary of Defense reduces or consolidates the dual-capable aircraft of the United States that are based in Europe, the Secretary shall submit to the congressional defense committees a notification of such planned reduction or consolidation, including the following:

“(1) The reasons for such planned reduction or consolidation.

“(2) Any effects of such planned reduction or consolidation on the extended deterrence mission of the United States.

“(3) The manner in which the military requirements of the North Atlantic Treaty Organization (NATO) will continue to be met in light of such planned reduction or consolidation.

“(4) A statement by the Secretary on the response of NATO to such planned reduction or consolidation.

“(5) Whether there is any change in the force posture of the Russian Federation as a result of such planned reduction or consolidation, including with respect to the non-strategic nuclear weapons of Russia that are within range of the member states of NATO.

“(b) **DUAL-CAPABLE AIRCRAFT DEFINED.**—In this section, the term ‘dual-capable aircraft’ means aircraft that can perform both conventional and nuclear missions.”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 497 the following new item:

“497a. Notification required for reduction or consolidation of dual-capable aircraft based in Europe.”

SEC. 1052. COUNCIL ON OVERSIGHT OF THE NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Chapter 7 of title 10, United States Code, is amended by inserting after section 171 the following new section:

“§ 171a. Council on Oversight of the National Leadership Command, Control, and Communications System

“(a) ESTABLISHMENT.—There is within the Department of Defense a council to be known as the ‘Council on Oversight of the National Leadership Command, Control, and Communications System’ (in this section referred to as the ‘Council’).

“(b) MEMBERSHIP.—The members of the Council shall be as follows:

“(1) The Under Secretary of Defense for Policy.

“(2) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

“(3) The Vice Chairman of the Joint Chiefs of Staff.

“(4) The Commander of the United States Strategic Command.

“(5) The Director of the National Security Agency.

“(6) The Chief Information Officer of the Department of Defense.

“(7) Such other officers of the Department of Defense as the Secretary may designate.

“(c) CO-CHAIR.—The Council shall be co-chaired by the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the Joint Chiefs of Staff.

“(d) RESPONSIBILITIES.—(1) The Council shall be responsible for oversight of the command, control, and communications system for the national leadership of the United States, including nuclear command, control, and communications.

“(2) In carrying out the responsibility for oversight of the command, control, and communications system as specified in paragraph (1), the Council shall be responsible for the following:

“(A) Oversight of performance assessments (including interoperability).

“(B) Vulnerability identification and mitigation.

“(C) Architecture development.

“(D) Resource prioritization.

“(E) Such other responsibilities as the Secretary of Defense shall specify for purposes of this section.

“(e) ANNUAL REPORTS.—At the same time each year that the budget of the President is submitted to Congress pursuant to section 1105(a) of title 31, the Council shall submit to the congressional defense committees a report on the activities of the Council. Each report shall include the following:

“(1) A description and assessment of the activities of the Council during the previous fiscal year.

“(2) A description of the activities proposed to be undertaken by the Council during the period covered by the current future-years defense program under section 221 of this title.

“(3) Any changes to the requirements of the command, control, and communications system for the national leadership of the United States made during the previous year, along with an explanation for why the changes were made and a description of the effects of the changes to the capability of the system.

“(4) A breakdown of each program element in such budget that relates to the system, including how such program element relates to

the operation and sustainment, research and development, procurement, or other activity of the system.

“(f) BUDGET AND FUNDING MATTERS.—(1) Not later than 30 days after the President submits to Congress the budget for a fiscal year under section 1105(a) of title 31, the Commander of the United States Strategic Command shall submit to the Chairman of the Joint Chiefs of Staff an assessment of—

“(A) whether such budget allows the Federal Government to meet the required capabilities of the command, control, and communications system for the national leadership of the United States during the fiscal year covered by the budget and the four subsequent fiscal years; and

“(B) if the Commander determines that such budget does not allow the Federal Government to meet such required capabilities, a description of the steps being taken to meet such required capabilities.

“(2) Not later than 30 days after the date on which the Chairman of the Joint Chiefs of Staff receives the assessment of the Commander of the United States Strategic Command under paragraph (1), the Chairman shall submit to the congressional defense committees—

“(A) such assessment as it was submitted to the Chairman; and

“(B) any comments of the Chairman.

“(3) If a House of Congress adopts a bill authorizing or appropriating funds for the activities of the command, control, and communications system for the national leadership of the United States that, as determined by the Council, provides insufficient funds for such activities for the period covered by such bill, the Council shall notify the congressional defense committees of the determination.

“(g) NOTIFICATION OF ANOMALIES.—(1) The Secretary of Defense shall submit to the congressional defense committees written notification of an anomaly in the nuclear command, control, and communications system for the national leadership of the United States that is reported to the Secretary or the Council by not later than 14 days after the date on which the Secretary or the Council learns of such anomaly, as the case may be.

“(2) In this subsection, the term ‘anomaly’ means any unplanned, irregular, or abnormal event, whether unexplained or caused intentionally or unintentionally by a person or a system.

“(h) NATIONAL LEADERSHIP OF THE UNITED STATES DEFINED.—In this section, the term ‘national leadership of the United States’ means the following:

“(1) The President.

“(2) The Vice President.

“(3) Such other civilian officials of the United States Government as the President shall designate for purposes of this section.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by inserting after the item relating to section 171 the following new item:

“171a. Council on Oversight of the National Leadership Command, Control, and Communications System.”.

(3) REPORT ON ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the Council on Oversight of the National Leadership Command, Control, and Communications System established by section 171a of title 10, United States Code, as added by paragraph (1), including the following:

(A) The charter and organizational structure of the Council.

(B) Such recommendations for legislative action as the Secretary considers appropriate to improve the authorities relating to the Council.

(C) A funding plan over the period of the current future-years defense program under section 221 of title 10, United States Code, to ensure a robust and modern nuclear command, control, and communications capability.

(b) CONFORMING AMENDMENTS.—Section 491 of title 10, United States Code, is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

SEC. 1053. MODIFICATION OF RESPONSIBILITIES AND REPORTING REQUIREMENTS OF NUCLEAR WEAPONS COUNCIL.

(a) RESPONSIBILITIES.—Subsection (d) of section 179 of title 10, United States Code, is amended—

(1) by striking paragraph (10); and

(2) by redesignating paragraphs (11) and (12) as paragraphs (10) and (11), respectively.

(b) ANNUAL REPORT.—Subsection (g) of such section is amended by adding at the end the following new paragraph:

“(6) A description and assessment of the joint efforts of the Secretary of Defense and the Secretary of Energy to develop common security practices that improve the security of the nuclear weapons and facilities of the Department of Defense and the Department of Energy.”.

(c) TECHNICAL AMENDMENT.—Such subsection (g) is further amended in the matter preceding paragraph (1) by striking “on the following” and inserting “that includes the following”.

SEC. 1054. MODIFICATION OF DEADLINE FOR REPORT ON PLAN FOR NUCLEAR WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX, NUCLEAR WEAPONS DELIVERY SYSTEMS, AND NUCLEAR WEAPONS COMMAND AND CONTROL SYSTEM.

Section 1043(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576) is amended—

(1) in the subsection heading, by striking “ON THE PLAN” and all that follows through “CONTROL SYSTEM” and inserting “REQUIRED”;

(2) in paragraph (1), by striking “Together with the budget of the President submitted to Congress” and inserting “Not later than 30 days after the submission to Congress of the budget of the President”; and

(3) by adding at the end the following new paragraph:

“(4) EXTENSION OF DEADLINE FOR REPORT.—

“(A) IN GENERAL.—Subject to subparagraph (B), if the Secretary of Defense and the Secretary of Energy jointly determine that a report required by paragraph (1) for a fiscal year will not be able to be transmitted to the committees specified in that paragraph by the time required under that paragraph, such Secretaries shall—

“(i) promptly, and before the submission to Congress of the budget of the President for that fiscal year under section 1105(a) of title 31, United States Code, notify those committees of the expected date for the transmission of the report; and

“(ii) not later than 30 days after the submission of that budget to Congress, provide a briefing to those committees on the content of the report.

“(B) LIMITATION.—In no case may the President transmit a report required by paragraph (1) for a fiscal year to the committees specified in that paragraph later than 60

days after the submission to Congress of the budget of the President for that fiscal year.”.

SEC. 1055. PROHIBITION ON ELIMINATION OF NUCLEAR TRIAD.

(a) **PROHIBITION.**—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to reduce, convert, or decommission any strategic delivery system if such reduction, conversion, or decommissioning would eliminate a leg of the nuclear triad.

(b) **NUCLEAR TRIAD DEFINED.**—In this section, the term “nuclear triad” means the nuclear deterrent capabilities of the United States composed of the following:

- (1) Land-based intercontinental ballistic missiles.
- (2) Submarine-launched ballistic missiles and associated ballistic missile submarines.
- (3) Nuclear-certified strategic bombers.

SEC. 1056. IMPLEMENTATION OF NEW START TREATY.

(a) **IMPLEMENTATION.**—

(1) **FISCAL YEAR 2014 ACTIVITIES.**—With respect to reductions to the nuclear forces of the United States necessary to meet the New START Treaty levels, the Secretary of Defense may only use funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 to carry out activities to prepare for such reductions. Subject to the limitation in subsection (b), such activities may include the preparation of any documents needed to support an environmental assessment process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) that may be required to support such reductions.

(2) **CONSOLIDATED BUDGET DISPLAY.**—The Secretary shall include with the defense budget materials for each fiscal year specified in paragraph (3) a consolidated budget justification display that individually covers each program and activity associated with the implementation of the New START Treaty for the period covered by the future-years defense program submitted under section 221 of title 10, United States Code, at or about the time as such defense budget materials are submitted.

(3) **FISCAL YEAR SPECIFIED.**—A fiscal year specified in this paragraph is each fiscal year that occurs during the period beginning with fiscal year 2015 and ending on the date on which the New START Treaty is no longer in force.

(b) **LIMITATION.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for environmental assessment activities to support reductions to the nuclear forces of the United States, not more than 50 percent may be obligated or expended until—

(1) the Secretary of Defense submits to Congress the plan required by subsection (a) of section 1042 of the National Defense Authorization Act of Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1575), including a description of various options for the nuclear force structure of the United States under the New START Treaty, including the preferred force structure option of the Secretary (such plan and options may be subject to modification based on the results of the environmental assessment and other subsequent developments);

(2) the Commander of the United States Strategic Command submits to the congressional defense committees a report providing the assessment of the Commander with respect to the options contained in the plan described in paragraph (1), including the pre-

ferred force structure option of the Secretary; and

(3) the Chairman of the Joint Chiefs of Staff certifies to the congressional defense committees that conducting such environmental assessment activities will not imperil the ability of the military to comply with the New START Treaty levels by February 2018.

(c) **MODIFICATION OF LIMITATION ON RETIREMENT OF B-52 AIRCRAFT.**—

(1) **COMMON CONVENTIONAL CAPABILITY CONFIGURATION.**—Subsection (a)(1)(C) of section 131 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2111), as added by section 137(a)(1)(C) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 32), is amended by striking “common capability configuration” and inserting “common conventional capability configuration”.

(2) **CONVERSION.**—Notwithstanding such section 131 or any other provision of law, the Secretary of Defense may not convert a B-52 aircraft described in subsection (a)(1)(C) of such section 131 to a configuration that does not allow the aircraft to perform nuclear missions unless the Secretary has submitted to Congress the information required under subsection (b).

(d) **REPORT ON COLLABORATION AMONG THE STRATEGIC FORCES OF THE ARMED FORCES.**—

(1) **REPORT REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on collaboration among the Army, the Navy, and the Air Force on activities related to strategic systems to provide efficiencies, improve technology sharing, and yield other potential benefits.

(2) **ELEMENTS.**—The report under paragraph (1) shall include the following:

(A) A description of current collaboration among the Army, the Navy, and the Air Force on strategic system programs, including strategic missile systems, conventional prompt global strike, and other strategic forces as the Secretary determines appropriate.

(B) A description and assessment of any additional opportunities for such collaboration, including the benefits that may be realized by such efforts, the risks and costs to existing programs, and potential effects on the defense industrial base that supports strategic systems.

(e) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the successful implementation of the New START Treaty requires the partnership of the President and Congress;

(2) the force structure required by the New START Treaty should preserve Minuteman III intercontinental ballistic missile silos that contain a deployed missile as of the date of the enactment of this Act in, at a minimum, a warm status that enables such silo to be made fully operational with a deployed missile and remain a fully functioning element of the interconnected and redundant command and control system of the missile field; and

(3) the distribution of any such warm-status silos should not disproportionately affect the force structure of any one operational intercontinental ballistic missile wing.

(f) **DEFINITIONS.**—In this section:

(1) The term “defense budget materials” has the meaning given that term in section 231(f) of title 10, United States Code.

(2) The term “New START Treaty” means the Treaty between the United States of

America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

SEC. 1057. RETENTION OF CAPABILITY TO REDEPLOY MULTIPLE INDEPENDENTLY TARGETABLE REENTRY VEHICLES.

(a) **DEPLOYMENT CAPABILITY.**—The Secretary of the Air Force shall ensure that the Air Force is capable of—

(1) deploying multiple independently targetable reentry vehicles to Minuteman III intercontinental ballistic missiles; and

(2) commencing such deployment not later than 180 days after the date on which the President determines such deployment necessary.

(b) **WARHEAD CAPABILITY.**—The Nuclear Weapons Council established by section 179 of title 10, United States Code, shall ensure that—

(1) the nuclear weapons stockpile contains a sufficient number of nuclear warheads that are capable of being deployed as multiple independently targetable reentry vehicles with respect to Minuteman III intercontinental ballistic missiles; and

(2) such deployment is capable of being commenced not later than 180 days after the date on which the President determines such deployment necessary.

SEC. 1058. REPORT ON NEW START TREATY.

Not later than January 15, 2014, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on whether the New START Treaty (as defined in section 494(a)(2)(D)(ii) of title 10, United States Code) is in the national security interests of the United States.

SEC. 1059. REPORT ON IMPLEMENTATION OF THE RECOMMENDATIONS OF THE PALOMARES NUCLEAR WEAPONS ACCIDENT REVISED DOSE EVALUATION REPORT.

Not later than one year after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of the recommendations of the Palomares Nuclear Weapons Accident Revised Dose Evaluation Report released by the Air Force in April 2001.

SEC. 1060. SENSE OF CONGRESS ON FURTHER STRATEGIC NUCLEAR ARMS REDUCTIONS WITH THE RUSSIAN FEDERATION.

(a) **IN GENERAL.**—It is the sense of Congress that, if the United States seeks further strategic nuclear arms reductions with the Russian Federation that are below the levels of the New START Treaty, such reductions should—

(1) be pursued through a mutually negotiated agreement with Russia;

(2) be verifiable;

(3) be made pursuant to the treaty-making power of the President as set forth in Article II, section 2, clause 2 of the Constitution; and

(4) take into account the full range of nuclear weapon capabilities that threaten the United States and the forward-deployed forces and allies of the United States, including such capabilities relating to nonstrategic nuclear weapons.

(b) **NEW START TREATY DEFINED.**—The term “New START Treaty” means the Treaty between the United States of America and the Russian Federation on Measures for the

Further Reduction and Limitation of Strategic Offensive Arms, signed on April 8, 2010, and entered into force on February 5, 2011.

SEC. 1061. SENSE OF CONGRESS ON COMPLIANCE WITH NUCLEAR ARMS CONTROL TREATY OBLIGATIONS.

It is the sense of Congress that, if the President determines that a foreign nation is in substantial noncompliance with its obligations under a nuclear arms control treaty to which the United States is a party in a manner that adversely affects the national security of the United States or its allies or alliances, the President should—

(1) conduct an assessment of the effect of such noncompliance on the national security interests of the United States and its allies;

(2) determine what further actions are warranted by the United States in response to such noncompliance;

(3) determine whether such noncompliance threatens the viability of such treaty;

(4) take appropriate steps to resolve the noncompliance issue;

(5) keep Congress informed of developments relating to such noncompliance issue;

(6) inform Congress of the assessment and plan of the President to resolve such noncompliance issue, including any plans to address the issue diplomatically with the government of the noncompliant nation and the affected allies and alliances;

(7) consider if the United States should, in light of such noncompliance, engage in future nuclear arms control negotiations with the government of the noncompliant nation; and

(8) consider the potential effect of such noncompliance on the consideration by the Senate of a future nuclear arms reduction treaty involving the government of the noncompliant nation.

SEC. 1062. SENSES OF CONGRESS ON ENSURING THE MODERNIZATION OF THE NUCLEAR FORCES OF THE UNITED STATES.

(a) **POLICY.**—It is the policy of the United States to—

(1) modernize or replace the triad of strategic nuclear delivery systems;

(2) proceed with a robust stockpile stewardship program;

(3) maintain and modernize the nuclear weapons production capabilities that will ensure the safety, security, reliability, and performance of the nuclear forces of the United States at the levels required by the New START Treaty; and

(4) underpin deterrence by meeting the requirements for hedging against possible international developments or technical problems, in accordance with the policies of the United States.

(b) **SENSE OF CONGRESS ON MODERNIZATION OF NUCLEAR FORCES.**—It is the sense of Congress that—

(1) Congress is committed to providing the resources needed to achieve the objectives stated in subsection (a) at a minimum at the level set forth in the 10-year plan provided to Congress on an annual basis pursuant to section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1576), as amended;

(2) Congress supports the modernization or replacement of the triad of strategic nuclear delivery systems consisting of—

(A) a heavy bomber and air-launched cruise missile;

(B) an intercontinental ballistic missile; and

(C) a ballistic missile submarine and submarine-launched ballistic missile; and

(3) the President and Congress should work together to meet the objectives stated in

subsection (a) in the most cost-efficient manner possible.

(b) **SENSE OF CONGRESS ON LONG-RANGE STRIKE BOMBER AIRCRAFT.**—It is the sense of Congress that—

(1) advancements in air-to-air and surface-to-air weapons systems by foreign powers will require increasingly sophisticated long-range strike capabilities;

(2) upgrading the existing bomber aircraft fleet of the United States consisting of B-1B, B-2, and B-52 bomber aircraft must remain a high budget priority in order to maintain the combat effectiveness of such fleet; and

(3) the Air Force should continue to prioritize development and acquisition of the long-range strike bomber program.

Subtitle G—Miscellaneous Authorities and Limitations

SEC. 1071. ENHANCEMENT OF CAPACITY OF THE UNITED STATES GOVERNMENT TO ANALYZE CAPTURED RECORDS.

(a) **IN GENERAL.**—Chapter 21 of title 10, United States Code, is amended by inserting after section 426 the following new section:

“§ 427. Conflict Records Research Center

“(a) **CENTER AUTHORIZED.**—The Secretary of Defense may establish a center to be known as the ‘Conflict Records Research Center’ (in this section referred to as the ‘Center’).

“(b) **PURPOSES.**—The purposes of the Center shall be the following:

“(1) To establish a digital research database, including translations, and to facilitate research and analysis of records captured from countries, organizations, and individuals, now or once hostile to the United States, with rigid adherence to academic freedom and integrity.

“(2) Consistent with the protection of national security information, personally identifiable information, and intelligence sources and methods, to make a significant portion of these records available to researchers as quickly and responsibly as possible while taking into account the integrity of the academic process and risks to innocents or third parties.

“(3) To conduct and disseminate research and analysis to increase the understanding of factors related to international relations, counterterrorism, and conventional and unconventional warfare and, ultimately, enhance national security.

“(4) To collaborate with members of academic and broad national security communities, both domestic and international, on research, conferences, seminars, and other information exchanges to identify topics of importance for the leadership of the United States Government and the scholarly community.

“(c) **CONCURRENCE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.**—The Secretary of Defense shall seek the concurrence of the Director of National Intelligence to the extent the efforts and activities of the Center involve the entities referred to in subsection (b)(4).

“(d) **SUPPORT FROM OTHER UNITED STATES GOVERNMENT DEPARTMENTS OR AGENCIES.**—The head of any non-Department of Defense department or agency of the United States Government may—

“(1) provide to the Secretary of Defense services, including personnel support, to support the operations of the Center; and

“(2) transfer funds to the Secretary of Defense to support the operations of the Center.

“(e) **ACCEPTANCE OF GIFTS AND DONATIONS.**—(1) Subject to paragraph (3), the Secretary of Defense may accept from any

source specified in paragraph (2) any gift or donation for purposes of defraying the costs or enhancing the operations of the Center.

“(2) The sources specified in this paragraph are the following:

“(A) The government of a State or a political subdivision of a State.

“(B) The government of a foreign country.

“(C) A foundation or other charitable organization, including a foundation or charitable organization that is organized or operates under the laws of a foreign country.

“(D) Any source in the private sector of the United States or a foreign country.

“(3) The Secretary may not accept a gift or donation under this subsection if acceptance of the gift or donation would compromise or appear to compromise—

“(A) the ability of the Department of Defense, any employee of the Department, or any member of the armed forces to carry out the responsibility or duty of the Department in a fair and objective manner; or

“(B) the integrity of any program of the Department or of any person involved in such a program.

“(4) The Secretary shall provide written guidance setting forth the criteria to be used in determining the applicability of paragraph (3) to any proposed gift or donation under this subsection.

“(f) **CREDITING OF FUNDS TRANSFERRED OR ACCEPTED.**—Funds transferred to or accepted by the Secretary of Defense under this section shall be credited to appropriations available to the Department of Defense for the Center, and shall be available for the same purposes, and subject to the same conditions and limitations, as the appropriations with which merged. Any funds so transferred or accepted shall remain available until expended.

“(g) **DEFINITIONS.**—In this section:

“(1) The term ‘captured record’ means a document, audio file, video file, or other material captured during combat operations from countries, organizations, or individuals, now or once hostile to the United States.

“(2) The term ‘gift or donation’ means any gift or donation of funds, materials (including research materials), real or personal property, or services (including lecture services and faculty services).”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of subchapter I of such chapter is amended by inserting after the item relating to section 426 the following new item:

“427. Conflict Records Research Center.”.

SEC. 1072. STRATEGIC PLAN FOR THE MANAGEMENT OF THE ELECTROMAGNETIC SPECTRUM.

(a) **IN GENERAL.**—Section 488 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “other year, and in time for submission to Congress under subsection (b),” and inserting “three years”;

(B) by inserting after “Secretary of Defense” the following: “, in consultation with the Director of National Intelligence and the Secretary of Commerce.”;

(C) by striking “the mission of the Department of Defense.” and inserting “the national security of the United States. Each such strategic plan shall include each of the following.”; and

(D) by adding at the end the following new paragraphs:

“(1) An inventory of the uses of the electromagnetic spectrum for national security purposes and other purposes.

“(2) An estimate of the need for electromagnetic spectrum for national security and

other purposes over each of the periods specified in subsection (b).

“(3) Any other matters that the Secretary of Defense, in consultation with the Director of National Intelligence and the Secretary of Commerce, considers appropriate for the strategic plan.”;

(2) by redesignating subsection (b) as subsection (c) and inserting after subsection (a) the following new subsection (b):

“(b) PERIODS COVERED BY STRATEGIC PLAN.—Each strategic plan prepared under subsection (a) shall cover each of the following periods (counting from the date of the issuance of the plan):

“(1) Zero to five years.

“(2) Five to ten years.

“(3) Ten to thirty years.”;

(3) in subsection (c), as so redesignated—

(A) by striking “The Secretary” and inserting “(1) The Secretary”; and

(B) by adding at the end the following new paragraph:

“(2) Each strategic plan submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.”.

(b) CLERICAL AMENDMENTS.—

(1) HEADING.—The section heading for section 488 of title 10, United States Code, is amended by striking “: biennial strategic plan”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 23 of such title is amended by striking the item relating to section 488 and inserting the following new item:

“488. Management of electromagnetic spectrum.”.

SEC. 1073. EXTENSION OF AUTHORITY TO PROVIDE MILITARY TRANSPORTATION SERVICES TO CERTAIN OTHER AGENCIES AT THE DEPARTMENT OF DEFENSE REIMBURSEMENT RATE.

(a) IN GENERAL.—Subsection (a) of section 2642 of title 10, United States Code, is amended—

(1) by striking “airlift” each place it appears and inserting “transportation”; and

(2) in paragraph (3)—

(A) by striking “October 28, 2014” and inserting “September 30, 2019”;

(B) by inserting and “military transportation services provided in support of foreign military sales” after “Department of Defense”; and

(C) by striking “air industry” and inserting “transportation industry”.

(b) TECHNICAL AMENDMENT.—The heading for such section is amended by striking “Air-lift” and inserting “Transportation”.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 157 of such title is amended by striking the item relating to section 2642 and inserting the following new item:

“2642. Transportation services provided to certain other agencies: use of Department of Defense reimbursement rates.”.

SEC. 1074. NOTIFICATION OF MODIFICATIONS TO ARMY FORCE STRUCTURE.

(a) CERTIFICATION OF ENVIRONMENTAL COMPLIANCE.—The Secretary of the Army shall certify to the congressional defense committees that Army force structure modifications, reductions, and additions authorized as of the date of the enactment of this Act that will utilize funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of the Army are compliant with the provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) NOTIFICATION OF NECESSARY ASSESSMENTS OR STUDIES.—The Secretary of the Army, when making a congressional notification in accordance with section 993 of title 10, United States Code, shall include the Secretary’s assessment of whether or not the changes covered by the notification require an Environmental Assessment or Environmental Impact Statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and, if an assessment or study is required, the plan for conducting such assessment or study.

SEC. 1075. AIRCRAFT JOINT TRAINING.

(a) UNMANNED AIRCRAFT JOINT TRAINING AND USAGE PLAN.—

(1) METHODS.—The Secretary of Defense, the Secretary of Homeland Security, and the Administrator of the Federal Aviation Administration shall jointly develop and implement plans and procedures to review the potential of joint testing and evaluation of unmanned aircraft equipment and systems with other appropriate departments and agencies of the Federal Government that may serve the dual purpose of providing capabilities to the Department of Defense to meet the future requirements of combatant commanders and domestically to strengthen international border security.

(2) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of Homeland Security, and the Administrator of the Federal Aviation Administration shall jointly submit to Congress a report on the status of the development of the plans and procedures required under paragraph (1), including a cost-benefit analysis of the shared expenses between the Department of Defense and other appropriate departments and agencies of the Federal Government to support such plans.

(b) AIRCRAFT SIMULATOR TRAINING.—It is the sense of Congress that—

(1) the use of aircraft simulators offers cost savings and provides members of the Armed Forces cost-effective preparation for combat; and

(2) existing synergies between the Department of Defense and entities in the private sector should be maintained and cultivated to provide members of the Armed Forces with the most cost-effective aircraft simulation capabilities possible.

Subtitle H—Studies and Reports

SEC. 1081. ONLINE AVAILABILITY OF REPORTS SUBMITTED TO CONGRESS.

(a) IN GENERAL.—Subsection (a) of section 122a of title 10, United States Code, is amended to read as follows:

“(a) IN GENERAL.—To the maximum extent practicable, on or after the date on which each report described in subsection (b) is submitted to Congress, the Secretary of Defense, acting through the Office of the Assistant Secretary of Defense for Public Affairs, shall ensure that the report is made available to the public by—

“(1) posting the report on a publicly accessible Internet website of the Department of Defense; and

“(2) upon request, transmitting the report by other means, as long as such transmission is at no cost to the Department.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to reports submitted to Congress after the date of the enactment of this Act.

SEC. 1082. OVERSIGHT OF COMBAT SUPPORT AGENCIES.

Section 193(a)(1) of title 10, United States Code, is amended in the matter preceding subparagraph (A) by inserting “and the con-

gressional defense committees” after “the Secretary of Defense”.

SEC. 1083. INCLUSION IN ANNUAL REPORT OF DESCRIPTION OF INTERAGENCY COORDINATION RELATING TO HUMANITARIAN DEMINING TECHNOLOGY.

Section 407(d) of title 10, United States Code, is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking the period and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(5) a description of interagency efforts to coordinate and improve research, development, test, and evaluation for humanitarian demining technology and mechanical clearance methods, including the transfer of relevant counter-improvised explosive device technology with potential humanitarian demining applications.”.

SEC. 1084. REPEAL AND MODIFICATION OF REPORTING REQUIREMENTS.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1)(A) Section 483 is repealed.

(B) The table of sections at the beginning of chapter 23 is amended by striking the item relating to section 483.

(2) Section 2216 is amended—

(A) by striking subsection (i); and

(B) by redesignating subsections (j) and (k) as subsections (i) and (j), respectively.

(3) Section 2885(a)(3) is amended by striking “If a project” and inserting “In the case of a project for new construction, if the project”.

(b) ANNUAL NATIONAL DEFENSE AUTHORIZATION ACTS.—

(1) FISCAL YEAR 2009.—Section 903(b)(5) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 10 U.S.C. 2228 note), as amended by section 334, is further amended by striking subparagraph (A), as designated by such section, and inserting the following new subparagraph (A):

“(A) Not later than December 31 of each year, the corrosion control and prevention executive of a military department shall submit to the Secretary of Defense a report containing recommendations pertaining to the corrosion control and prevention program of the military department. Such report shall include recommendations for the funding levels necessary for the executive to carry out the duties of the executive under this section.”.

(2) FISCAL YEAR 2008.—The National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181) is amended as follows:

(A) Section 1074(b)(6) (10 U.S.C. 113 note) is amended—

(i) in subparagraph (A), by striking “The Secretary” and inserting “Except as provided in subparagraph (D), the Secretary”; and

(ii) by adding at the end the following new subparagraph:

“(D) EXCEPTIONS.—Subparagraph (A) does not apply to determinations made with respect to the following individuals:

“(i) An individual described in paragraph (2)(C) who is otherwise sponsored by the Secretary of Defense, the Deputy Secretary of Defense, the Chairman of the Joint Chiefs of Staff, or the Vice Chairman of the Joint Chiefs of Staff.

“(ii) An individual described in paragraph (2)(E).”.

(B) Section 2864 (10 U.S.C. 2911 note) is repealed.

(3) FISCAL YEAR 2007.—Section 226 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2131) is repealed.

SEC. 1085. REPEAL OF REQUIREMENT FOR COMPTROLLER GENERAL ASSESSMENT OF DEPARTMENT OF DEFENSE EFFICIENCIES.

Section 1054 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1582) is repealed.

SEC. 1086. REVIEW AND ASSESSMENT OF UNITED STATES SPECIAL OPERATIONS FORCES AND UNITED STATES SPECIAL OPERATIONS COMMAND.

(a) IN GENERAL.—The Secretary of Defense shall conduct a review of the United States Special Operations Forces organization, capabilities, structure, and oversight.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the review conducted under subsection (a). Such report shall include an analysis and, where appropriate, an assessment of the adequacy of each of the following:

(1) The organizational structure of the United States Special Operations Command and each subordinate component, as in effect as of the date of the enactment of this Act.

(2) The policy and civilian oversight structures for Special Operations Forces within the Department of Defense, as in effect as of the date of the enactment of this Act, including the statutory structures and responsibilities of the Office of the Secretary of Defense for Special Operations and Low Intensity Conflict and the alignment of resources, including human capital, with regard to such responsibilities within the Department.

(3) The roles and responsibilities of United States Special Operations Command and Special Operations Forces under section 167 of title 10, United States Code.

(4) Current and future special operations peculiar requirements of the commanders of the geographic combatant commands and Theater Special Operations Commands.

(5) Command relationships between United States Special Operations Command, its subordinate component commands, and the geographic combatant commands.

(6) The funding authorities, uses, acquisition processes, and civilian oversight mechanisms of Major Force Program-11.

(7) Changes to structure, authorities, acquisition processes, oversight mechanisms, Major Force Program-11 funding, roles, and responsibilities assumed in the 2014 Quadrennial Defense Review.

(8) Any other matters the Secretary of Defense determines are appropriate to ensure a comprehensive review and assessment.

(c) IN GENERAL.—Not later than 60 days after the date on which the report required by subsection (b) is submitted, the Comptroller General of the United States shall submit to the congressional defense committees a review of the report. Such review shall include an assessment of—

(1) United States Special Operations Forces organization, force structure, capabilities, authorities, acquisition processes, and civilian oversight mechanisms;

(2) how the special operations force structure is aligned with conventional force structures and national military strategies; and

(3) any other matters the Comptroller General determines are relevant.

SEC. 1087. REPORTS ON UNMANNED AIRCRAFT SYSTEMS.

(a) REPORT ON COLLABORATION, DEMONSTRATION, AND USE CASES AND DATA SHARING.—Not later than 180 days after the date of the

enactment of this Act, the Secretary of Defense, the Secretary of Transportation, the Administrator of the Federal Aviation Administration, and the Administrator of the National Aeronautics and Space Administration, on behalf of the UAS Executive Committee, shall submit jointly to the appropriate congressional committees a report setting forth the following:

(1) The collaboration, demonstrations, and initial fielding of unmanned aircraft systems at test sites within and outside of restricted airspace.

(2) The progress being made to develop public and civil sense-and-avoid and command-and-control technology.

(3) An assessment on the sharing of operational, programmatic, and research data relating to unmanned aircraft systems operations by the Federal Aviation Administration, the Department of Defense, and the National Aeronautics and Space Administration to help the Federal Aviation Administration establish civil unmanned aircraft systems certification standards, pilot certification and licensing, and air traffic control procedures, including identifying the locations selected to collect, analyze, and store the data.

(b) REPORT ON RESOURCE REQUIREMENTS NEEDED FOR UNMANNED AIRCRAFT SYSTEMS DESCRIBED IN THE 5-YEAR ROADMAP.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, on behalf of the UAS Executive Committee, shall submit to the appropriate congressional committees a report setting forth the resource requirements needed to meet the milestones for unmanned aircraft systems integration described in the 5-year roadmap under section 332(a)(5) of the FAA Modernization and Reform Act (Public Law 112-95; 49 U.S.C. 40101 note).

(c) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Commerce, Science and Transportation, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Transportation and Infrastructure, the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives.

(2) The term “UAS Executive Committee” means the Department of Defense-Federal Aviation Administration executive committee described in section 1036(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4596) established by the Secretary of Defense and the Administrator of the Federal Aviation Administration.

SEC. 1088. REPORT ON FOREIGN LANGUAGE SUPPORT CONTRACTS FOR THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth an assessment of the current approach of the Department of Defense to managing foreign language support contracts for the Department.

(b) ELEMENTS.—The report required by subsection (a) shall include each of the following:

(1) A description and analysis of the spending by the Department on all types of foreign language support services and products acquired by the components of the Department.

(2) An assessment, in light of the analysis under paragraph (1), of whether any adjust-

ment is needed in the management of foreign language support contracts for the Department in order to obtain efficiencies in contracts for all types of foreign language support for the Department.

SEC. 1089. CIVIL AIR PATROL.

(a) REPORT.—The Secretary of the Air Force shall submit to the congressional defense committees a report on the Civil Air Patrol fleet.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of whether the current number of aircraft, operating locations, and types of aircraft in the Civil Air Patrol fleet are suitable for each of the following:

(A) Emergency missions in support of the Air Force, the Federal Emergency Management Agency, State and local governments, and others.

(B) Other operational missions in support of the Air Force, other Federal agencies, State and local governments, and others.

(C) Flight proficiency, flight training, and operational mission training and support for cadet orientation and cadet flight training programs in every State Civil Air Patrol wing.

(2) An assessment of the ideal overall size of the Civil Air Patrol aircraft fleet, including a description of the factors used in determining that size.

(3) An assessment of the process used by the Civil Air Patrol and the Air Force to determine aircraft operating locations, and whether State wing commanders are appropriately involved in that process.

(4) An assessment of the process used by the Civil Air Patrol, the Air Force, the Federal Emergency Management Agency, and others to determine the type of aircraft and number of aircraft to be needed to support emergency, operational, and training missions.

Subtitle I—Other Matters

SEC. 1091. TECHNICAL AND CLERICAL AMENDMENTS.

(a) TITLE 10.—Title 10, United States Code, is amended as follows:

(1) The table of chapters at the beginning of subtitle A, and at the beginning of part I of such subtitle, are each amended by striking the item relating to chapter 24 and inserting the following:

“24. Nuclear Posture 491”.

(2) The table of sections at the beginning of chapter 3 is amended by striking the item relating to section 130e and inserting the following new item:

“130e. Treatment under Freedom of Information Act of critical infrastructure security information.”.

(3) Section 179(a)(5) is amended by striking “commander” and inserting “Commander”.

(4) The table of sections at the beginning of chapter 9 is amended by striking the item relating to section 231 and inserting the following new item:

“231. Budgeting for construction of naval vessels: annual plan and certification.”.

(5) Section 231a(a) is amended by striking “fiscal year of Defense” and inserting “fiscal year, the Secretary of Defense”.

(6) Chapter 24 is amended by adding a period at the end of the enumerator of section 498.

(7) Section 494(c) is amended by striking “the date of the enactment of this Act” each place it appears and inserting “December 31, 2011”.

(8) Section 673(a) is amended by inserting “of the Uniform Code of Military Justice” after “120c”.

(9) Section 1401a is amended by striking “before the enactment of the National Defense Authorization Act for Fiscal Year 2008” in subsections (d) and (e) and inserting “before January 28, 2008”.

(10) Section 2359b(k)(4)(B) is amended by adding a period at the end.

(11) Section 2461(a)(5)(E)(i) is amended by striking “the a” and inserting “the”.

(b) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013.—Effective as of January 2, 2013, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) is amended as follows:

(1) Section 322(e)(2) (126 Stat. 1695) is amended by striking “Section 2366b(A)(3)(F)” and inserting “Section 2366b(a)(3)(F)”.

(2) Section 371(a)(1) (126 Stat. 1706) is amended by striking “subsections (f) and (g) as subsections (g) and (h), respectively” and inserting “subsection (f) as subsection (g)”.

(3) Section 611(7) (126 Stat. 1776) is amended by striking “Section 408a(e)” and inserting “Section 478a(e)”.

(4) Section 822(b) (126 Stat. 1830) is amended by striking “such Act” and inserting “such section”.

(5) Section 1031(b)(3)(B) (126 Stat. 1918) is amended by striking the subclause (III) immediately below clause (iv).

(6) Section 1031(b)(4) (126 Stat. 1919) is amended by striking “Section 1031(b)” and inserting “Section 1041(b)”.

(7) Section 1086(d)(1) (126 Stat. 1969) is amended by striking “paragraph (1)” and inserting “paragraph (2)”.

(8) Section 1221(a)(2) (126 Stat. 1992) is amended by striking “FISCAL” both places it appears and inserting “FISCAL”.

(9) Section 1804 (126 Stat. 2111) is amended—

(A) in subsection (h)(1)(B), by striking “inserting ‘; and;’” and inserting “inserting a semicolon;”; and

(B) in subsection (i), by inserting after “it appears” the following: “(except in those places in which ‘Administrator of FEMA’ already appears)”.

(c) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012.—Effective as of December 31, 2011, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) is amended as follows:

(1) Section 312(b)(6)(F) (125 Stat. 1354) is amended by striking “subsection (D)” and inserting “subsection (d)”.

(2) Section 585(a)(1) (125 Stat. 1434; 10 U.S.C. 1561 note) is amended by striking “experts sexual” and inserting “experts in sexual”.

(d) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004.—Section 338(a) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 10 U.S.C. 5013 note), as most recently amended by section 321 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1694), is amended by striking “subsection 4703” and inserting “section 4703”.

(e) AMENDMENT TO TITLE 41.—Section 4712(i) is amended by inserting before “the enactment” the following: “that is 180 days after the date”.

(f) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments

made by this section shall be treated as having been enacted immediately before any amendment made by other provisions of this Act.

SEC. 1092. REDUCTION IN COSTS TO REPORT CRITICAL CHANGES TO MAJOR AUTOMATED INFORMATION SYSTEM PROGRAMS.

(a) EXTENSION OF A PROGRAM DEFINED.—Section 2445a of title 10, United States Code, is amended by adding at the end the following new subsection:

“(g) EXTENSION OF A PROGRAM.—In this chapter, the term ‘extension of a program’ means, with respect to a major automated information system program or other major information technology investment program, the further deployment or planned deployment to additional users of the system which has already been found operationally effective and suitable by an independent test agency or the Director of Operational Test and Evaluation, beyond the scope planned in the original estimate or information originally submitted on the program.”

(b) REPORTS ON CRITICAL CHANGES IN MAIS PROGRAMS.—Subsection (d) of section 2445c of such title is amended—

(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraph (3)”;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph (2):

“(2) CERTIFICATION WHEN VARIANCE DUE TO EXTENSION OF PROGRAM.—If an official with milestone decision authority for a program who, following receipt of a quarterly report described in paragraph (1) and making a determination described in paragraph (3), also determines that the circumstances resulting in the determination described in paragraph (3) (A) is primarily due to an extension of a program, and (B) involves minimal developmental risk, the official may, in lieu of carrying out an evaluation and submitting a report in accordance with paragraph (1), submit to the congressional defense committees, within 45 days after receiving the quarterly report, a certification that the official has made those determinations. If such a certification is submitted, the limitation in subsection (g)(1) does not apply with respect to that determination under paragraph (3).”

(c) CONFORMING CROSS-REFERENCE AMENDMENT.—Subsection (g)(1) of such section is amended by striking “subsection (d)(2)” and inserting “subsection (d)(3)”.

(d) TOTAL ACQUISITION COST INFORMATION.—Title 10, United States Code, is further amended—

(1) in section 2445b(b)(3), by striking “development costs” and inserting “total acquisition costs”; and

(2) in section 2445c—

(A) in subparagraph (B) of subsection (c)(2), by striking “program development cost” and inserting “total acquisition cost”; and

(B) in subparagraph (C) of subsection (d)(3) (as redesignated by subsection (b)(2)), by striking “program development cost” and inserting “total acquisition cost”.

(e) CLARIFICATION OF CROSS-REFERENCE.—Section 2445c(g)(2) of such title is amended by striking “in compliance with the requirements of subsection (d)(2)” and inserting “under subsection (d)(1)(B)”.

SEC. 1093. EXTENSION OF AUTHORITY OF SECRETARY OF TRANSPORTATION TO ISSUE NON-PREMIUM AVIATION INSURANCE.

Section 44310 of title 49, United States Code, is amended—

(1) by inserting “(a) IN GENERAL.—” before “The authority”;

(2) by striking “this chapter” and inserting “any provision of this chapter other than section 44305”; and

(3) by adding at the end the following new subsection:

“(b) INSURANCE OF UNITED STATES GOVERNMENT PROPERTY.—The authority of the Secretary of Transportation to provide insurance and reinsurance for a department, agency, or instrumentality of the United States Government under section 44305 is not effective after December 31, 2018.”

SEC. 1094. EXTENSION OF MINISTRY OF DEFENSE ADVISOR PROGRAM AND AUTHORITY TO WAIVE REIMBURSEMENT OF COSTS OF ACTIVITIES FOR CERTAIN NONGOVERNMENTAL PERSONNEL.

(a) EXTENSION OF MINISTER OF DEFENSE ADVISOR PROGRAM AUTHORITY.—

(1) Subsection (b) of section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1599; 10 U.S.C. 168 note) is amended—

(A) in paragraph (1), by striking “September 30, 2014” and inserting “September 30, 2017”; and

(B) in paragraph (2), by striking “fiscal year 2012, 2013, or 2014” and inserting “a fiscal year ending on or before that date”.

(2) UPDATE OF POLICY GUIDANCE ON AUTHORITY.—The Under Secretary of Defense for Policy shall issue an update of the policy of the Department of Defense for assignment of civilian employees of the Department as advisors to foreign ministries of defense under the authority in section 1081 of the National Defense Authorization Act for Fiscal Year 2012, as amended by this section.

(3) ADDITIONAL ANNUAL REPORTS.—Subsection (c) of such section is amended by striking “2014” and inserting “2017”.

(4) TECHNICAL AMENDMENT.—Subsection (c)(4) of such section is amended by striking “carried out such by such” and inserting “carried out by such”.

(5) DATE FOR SUBMITTAL OF COMPTROLLER GENERAL OF THE UNITED STATES REPORT.—Subsection (d) of such section is amended by striking “December 30, 2013” and inserting “December 31, 2014”.

(b) EXTENSION OF AUTHORITY TO WAIVE REIMBURSEMENT OF COSTS OF ACTIVITIES FOR NONGOVERNMENTAL PERSONNEL AT DEPARTMENT OF DEFENSE REGIONAL CENTERS FOR SECURITY STUDIES.—Section 941(b)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (10 U.S.C. 184 note) is amended by striking “through 2013” and inserting “through 2014”.

SEC. 1095. AMENDMENTS TO CERTAIN NATIONAL COMMISSIONS.

(a) NATIONAL COMMISSION ON THE STRUCTURE OF THE AIR FORCE.—

(1) REVISION OF MEMBERS COMPENSATION.—Section 365(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1705) is amended—

(A) by striking “shall be compensated” and inserting “may be compensated”; and

(B) by striking “equal to” and inserting “not to exceed”; and

(C) by inserting “of \$155,400” after “annual rate”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply with respect to compensation for a duty performed on or after April 2, 2013.

(b) MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION.—

(1) SCOPE OF MILITARY COMPENSATION SYSTEM.—Section 671(c)(5) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1788) is amended by inserting before the period the following “, and includes any other laws, policies, or practices of the Federal Government

that result in any direct payment of authorized or appropriated funds to the persons specified in subsection (b)(1)(A)).

(2) COMMISSION AUTHORITIES.—Section 673 of such Act (126 Stat. 1790) is amended by adding at the end the following new subsections:

“(g) USE OF GOVERNMENT INFORMATION.—The Commission may secure directly from any department or agency of the Federal Government such information as the Commission considers necessary to carry out its duties. Upon such request of the Chair of the Commission, the head of such department or agency shall furnish such information to the Commission.

“(h) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

“(i) AUTHORITY TO ACCEPT GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services, goods, and property from non-Federal entities for the purposes of aiding and facilitating the work of the Commission. The authority in this subsection does not extend to gifts of money.

“(j) PERSONAL SERVICES.—

“(1) AUTHORITY TO PROCURE.—The Commission may—

“(A) procure the services of experts or consultants (or of organizations of experts or consultants) in accordance with the provisions of section 3109 of title 5, United States Code; and

“(B) pay in connection with such services travel expenses of individuals, including transportation and per diem in lieu of subsistence, while such individuals are traveling from their homes or places of business to duty stations.

“(2) LIMITATION.—The total number of experts or consultants procured pursuant to paragraph (1) may not exceed five experts or consultants.

“(3) MAXIMUM DAILY PAY RATES.—The daily rate paid an expert or consultant procured pursuant to paragraph (1) may not exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.”

(3) COMMISSION REPORT AND RECOMMENDATIONS.—Section 674(f) of such Act (126 Stat. 1792) is amended—

(A) in paragraph (1)—

(i) by striking “15 months” and inserting “24 months”; and

(ii) by inserting “and recommendations for administrative actions” after “legislative language”; and

(B) in paragraph (6), by inserting “, and shall publish a copy of that report on an Internet website available to the public,” after “its report to Congress”.

(4) PRESIDENTIAL CONSIDERATION OF COMMISSION RECOMMENDATIONS.—Section 675 of such Act (126 Stat. 1793) is amended by striking subsection (d).

(5) COMMISSION STAFF.—

(A) DETAILEES RECEIVING MILITARY RETIRED PAY.—Subsection (b)(3) of section 677 of such Act (126 Stat. 1794) is amended—

(i) in the paragraph heading, by striking “ELIGIBLE FOR” and inserting “RECEIVING”; and

(ii) by striking “eligible for or receiving military retired pay” and inserting “who are receiving military retired pay or who, but for being under the eligibility age applicable under section 12731 of title 10, United States Code, would be eligible to receive retired pay”.

(B) PERFORMANCE REVIEWS.—Subsection (c) of such section is amended—

(i) in the matter preceding paragraph (1), by inserting “other than a member of the uniformed services or officer or employee who is detailed to the Commission,” after “executive branch department,”; and

(ii) in paragraph (2), by inserting “(other than for administrative accuracy)” before the semicolon.

(6) TERMINATION OF COMMISSION.—Section 679 of such Act (126 Stat. 1795) is amended by striking “26 months” and inserting “35 months”.

(7) FUNDING.—Section 680 of such Act (126 Stat. 1795) is amended—

(A) by striking “\$10,000,000” and inserting “\$15,000,000”; and

(B) by adding at the end the following new sentence: “Amounts made available under this section after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014 shall be derived from fiscal year 2013 balances that remain available for obligation on that date.”

SEC. 1096. STRATEGY FOR FUTURE MILITARY INFORMATION OPERATIONS CAPABILITIES.

(a) STRATEGY REQUIRED.—The Secretary of Defense shall develop and implement a strategy for developing and sustaining through fiscal year 2020 information operations capabilities for future contingencies. The Secretary shall submit such strategy to the congressional defense committees by not later than 180 days after the date of the enactment of this Act.

(b) CONTENTS OF STRATEGY.—The strategy required by subsection (a) shall include each of the following:

(1) A plan for the sustainment of existing capabilities that have been developed during the ten-year period prior to the date of the enactment of this Act, including such capabilities developed using funds authorized to be appropriated for overseas contingency operations determined to be of enduring value for continued sustainment.

(2) A discussion of how the capabilities referred to in paragraph (1) are integrated into policy, doctrine, and operations.

(3) An assessment of the force structure that is required to sustain operational planning and potential contingency operations, including the integration across the active and reserve components.

(4) Estimates of the steady-state resources needed to support the force structure referred to in paragraph (3), as well as estimates for resources that might be needed based on selected operational plans, contingency plans, and named operations.

(5) An assessment of the impact of how new and emerging technologies can be incorporated into policy, doctrine, and operations.

(6) A description of ongoing research into new capabilities that may be needed to fill any identified gaps and programs that might be required to develop such capabilities.

(7) Potential policy implications or legal challenges that may prevent the integration of new and emerging technologies into the projected force structure.

(8) Potential policy implications or challenges to the better leveraging of capabilities from interagency partners.

SEC. 1097. SENSE OF CONGRESS ON COLLABORATION ON BORDER SECURITY.

It is the sense of Congress that the Secretary of Defense and the Secretary of Homeland Security should, consistent with existing law and authorities, seek to collaborate on enhanced United States border security, including by identifying excess property of the Department of Defense, if any, that may be suitable for use by the Department of

Homeland Security to support border security efforts.

SEC. 1098. TRANSFER OF AIRCRAFT TO OTHER DEPARTMENTS FOR WILDFIRE SUPPRESSION AND OTHER PURPOSES; TACTICAL AIRLIFT FLEET OF THE AIR FORCE.

(a) TRANSFER OF HC-130H AIRCRAFT.—

(1) TRANSFER BY DEPARTMENT OF HOMELAND SECURITY.—

(A) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act and subject to the certification requirement under subsection (f), the Secretary of Homeland Security, in consultation with the Secretary of Agriculture and the Secretary of Defense, shall begin transfer, without reimbursement, of—

(i) the seven demilitarized HC-130H aircraft specified in subparagraph (C) to the Secretary of the Air Force; and

(ii) initial spares and necessary ground support equipment for HC-130H aircraft to the Secretary of Agriculture for use by the Director of Aviation and Fire Management of the Forest Service.

(B) CALCULATION OF INITIAL SPARES.—For purposes of clause (ii) of subparagraph (A), initial spares shall be calculated based on shelf stock support for seven aircraft and each aircraft flying 400 hours each year.

(C) AIRCRAFT SPECIFIED.—The aircraft specified in this subparagraph are the HC-130H Coast Guard aircraft with serial numbers 1706, 1708, 1709, 1713, 1714, 1719, and 1721.

(2) AIR FORCE ACTIONS.—

(A) IN GENERAL.—The Secretary of the Air Force shall accept the HC-130H aircraft transferred by the Secretary of Homeland Security under paragraph (1) and, subject to the availability of funds as supplemented by transfers under paragraph (4), shall—

(i) at the first available opportunity, promptly schedule and serially synchronize with the Secretary of Homeland Security and the Secretary of Agriculture the induction of HC-130H aircraft to minimize maintenance induction on-ramp wait time of HC-130H aircraft;

(ii) except as provided in subparagraph (B), perform center and outer wing-box replacement modifications, programmed depot-level maintenance, and modifications necessary to procure and integrate a gravity-drop aerial fire retardant dispersal system in each such HC-130H aircraft; and

(iii) after modifications described in clause (ii) are completed for each such HC-130H aircraft, transfer each such aircraft, without reimbursement, to the Secretary of Agriculture for use by the Director of Aviation and Fire Management of the Forest Service.

(B) EXCEPTIONS.—Notwithstanding subparagraph (A), the Secretary of the Air Force may not—

(i) perform center wing-box replacement modifications on the HC-130H aircraft with serial numbers 1706, 1708, 1714, and 1721; or

(ii) perform an outer wing-box replacement modification on the HC-130H aircraft with serial number 1721.

(C) LIMITATIONS ON OBLIGATION OF FUNDS.—The Secretary of the Air Force may not obligate more than—

(i) \$5,000,000 per each HC-130H aircraft transferred under paragraph (1) to perform the modifications necessary to procure and integrate a gravity-drop aerial fire retardant dispersal system in each such HC-130H aircraft unless, by reimbursable order, the Secretary of Agriculture provides the additional funding necessary to the Secretary of the Air Force to complete such modifications; and

(ii) \$130,000,000 to perform all programmed depot-level maintenance and modifications

described in subparagraph (A)(ii) for all such aircraft unless, by reimbursable order, the Secretary of Agriculture provides the additional funding necessary to the Secretary of the Air Force to complete such modifications.

(3) **COAST GUARD ACTIONS.**—In the case of any HC-130 aircraft that is identified for transfer to the Secretary of the Air Force and requires induction into depot-level maintenance, the Commandant of the Coast Guard may utilize, on a limited basis, such aircraft prior to depot-level maintenance to fulfill high-priority maritime patrol mission requirements of the Coast Guard. The authority under this paragraph does not include aircraft that are modified under paragraph (2)(A)(ii).

(4) **TRANSFER OF FUNDS.**—

(A) **IN GENERAL.**—The Secretary of Defense may use any appropriations or funds of the Department of Defense available for obligation as of the date of the enactment of this Act, and shall make transfers as necessary to supplement accounts of the Department of the Air Force, to perform the HC-130H modifications described under paragraph (2).

(B) **RELATIONSHIP TO OTHER AUTHORITY.**—Transfer authority provided under this paragraph is in addition to any other transfer authority available to the Secretary of Defense for fiscal year 2014.

(C) **NOTICE TO CONGRESS.**—Not later than 15 days after making a transfer pursuant to this paragraph, the Secretary of Defense shall notify the congressional defense committees of such transfer.

(b) **TRANSFER OF C-23B+ SHERPA AIRCRAFT.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, not later than 45 days after the date of the enactment of this Act, and subject to the certification requirement under subsection (f), the Secretary of Defense, in coordination with the Secretary of Agriculture, shall begin transfer, without reimbursement, of—

(A) not more than 15 demilitarized C-23B+ Sherpa aircraft to the Secretary of Agriculture, subject to the quantity of C-23B+ Sherpa aircraft that the Director of Aviation and Fire Management of the Forest Service determines are required to meet fire-fighting requirements; and

(B) initial spares and necessary ground support equipment for operation of C-23B+ Sherpa aircraft to the Secretary of Agriculture for use by the Director of Aviation and Fire Management of the Forest Service.

(2) **CALCULATION OF INITIAL SPARES.**—For purposes of paragraph (1), initial spares shall be calculated based on shelf stock support for the quantity of aircraft the Director of Aviation and Fire Management of the Forest Service determines necessary to meet fire-fighting requirements and each aircraft flying 300 hours each year.

(c) **CONDITIONS OF TRANSFERS.**—Aircraft transferred to the Secretary of Agriculture under this section—

(1) may be used only for wildfire suppression purposes;

(2) may not be flown outside of, or otherwise removed from, the United States unless dispatched by the National Interagency Fire Center in support of an international agreement to assist in wildfire suppression efforts or for other purposes approved by the Secretary of Agriculture in writing in advance; and

(3) may not be sold by the Secretary of Agriculture after transfer.

(d) **COSTS AFTER TRANSFER.**—Any costs of operation, maintenance, sustainment, and

disposal of excess aircraft, initial spares, and ground support equipment transferred to the Secretary of Agriculture under this section that are incurred after the date of transfer shall be borne by the Secretary of Agriculture.

(e) **TRANSFER OF C-27J AIRCRAFT.**—Promptly following the completion of the certification requirement under subsection (f) and notwithstanding section 1091 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1971; 10 U.S.C. 2576 note), the Secretary of Defense shall begin transfer, without reimbursement, of—

(1) 14 C-27J aircraft to the Secretary of Homeland Security; and

(2) excess initial spares and necessary ground support equipment for 14 C-27J aircraft to the Secretary of Homeland Security for use by the Commandant of the Coast Guard as maritime patrol aircraft.

(f) **CERTIFICATION REQUIREMENT.**—Notwithstanding any other provision of law, the Secretary of Defense may not transfer any aircraft to either the Secretary of Agriculture or the Secretary of Homeland Security until the Secretary of Defense and the Director of the Office of Management and Budget submit, by not later than 45 days after the date of the enactment of this Act, to the congressional defense committees certification that adequate funding has been transferred to the Department of the Air Force for the purpose of modifying HC-130H aircraft identified for transfer pursuant to subsection (a).

(g) **TRANSFER OF CERTAIN C-23 AIRCRAFT.**—

(1) **IN GENERAL.**—(A) **OFFER OF TRANSFER.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Defense shall extend to the chief executive officer of the State of Alaska the opportunity to take title to not more than eight C-23 aircraft with tail numbers specified in subparagraph (B).

(B) **TAIL NUMBERS.**—The tail numbers of the C-23 aircraft subject to transfer under subparagraph (A) are as follows: 93-01319, 93-01329, 94-00308, 94-00309, 88-01869, 90-07015, 90-07016, and 90-07012.

(2) **REQUIREMENTS.**—Subsections (b) and (c) of section 112 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1318) shall apply with respect to the transfer of any C-23 aircraft under this subsection in the same manner as the transfer of aircraft under such section.

(h) **TACTICAL AIRLIFT FLEET OF THE AIR FORCE.**—

(1) **CONSIDERATION OF UPGRADES OF CERTAIN AIRCRAFT IN RECAPITALIZATION OF FLEET.**—The Secretary of the Air Force shall consider, as part of the recapitalization of the tactical airlift fleet of the Air Force, upgrades to C-130H aircraft designed to help such aircraft meet the fuel efficiency goals of the Department of the Air Force and retention of such aircraft, as so upgraded, in the tactical airlift fleet.

(2) **MANNER OF UPGRADES.**—The Secretary shall ensure that upgrades to the C-130H aircraft fleet are made in a manner that is proportional to the number of C-130H aircraft in the force structure of the regular Air Force, the Air Force Reserve, and the Air National Guard.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Sec. 1101. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.

Sec. 1102. One-year extension of discretionary authority to grant allowances, benefits, and gratuities to personnel on official duty in a combat zone.

Sec. 1103. Extension of voluntary reduction-in-force authority for civilian employees of the Department of Defense.

Sec. 1104. Extension of authority to make lump-sum severance payments to Department of Defense employees.

Sec. 1105. Revision to amount of financial assistance under Department of Defense Science, Mathematics, and Research for Transformation (SMART) Defense Education Program and assessment of STEM and other programs.

Sec. 1106. Extension of program for exchange of information-technology personnel.

Sec. 1107. Temporary authorities for certain positions at Department of Defense research and engineering facilities.

Sec. 1108. Compliance with law regarding availability of funding for civilian personnel.

Sec. 1109. Extension of enhanced appointment and compensation authority for civilian personnel for care and treatment of wounded and injured members of the Armed Forces.

SEC. 1101. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Effective January 1, 2014, section 1101(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4615), as most recently amended by section 1101 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1973), is further amended by striking “through 2013” and inserting “through 2014”.

SEC. 1102. ONE-YEAR EXTENSION OF DISCRETIONARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4616) and most recently amended by section 1104 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 125 Stat. 1973), is further amended by striking “2014” and inserting “2015”.

SEC. 1103. EXTENSION OF VOLUNTARY REDUCTION-IN-FORCE AUTHORITY FOR CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

Section 3502(f)(5) of title 5, United States Code, is amended by striking “September 30, 2014” and inserting “September 30, 2018”.

SEC. 1104. EXTENSION OF AUTHORITY TO MAKE LUMP-SUM SEVERANCE PAYMENTS TO DEPARTMENT OF DEFENSE EMPLOYEES.

Section 5595(i)(4) of title 5, United States Code, is amended by striking “October 1, 2014” and inserting “October 1, 2018”.

SEC. 1105. REVISION TO AMOUNT OF FINANCIAL ASSISTANCE UNDER DEPARTMENT OF DEFENSE SCIENCE, MATHEMATICS, AND RESEARCH FOR TRANSFORMATION (SMART) DEFENSE EDUCATION PROGRAM AND ASSESSMENT OF STEM AND OTHER PROGRAMS.

(a) REVISION TO FINANCIAL ASSISTANCE FOR SMART PROGRAM.—

(1) REVISION.—Paragraph (2) of section 2192a(b) of title 10, United States Code, is amended by striking “the amount determined” and all that follows through “room and board” and inserting “an amount determined by the Secretary of Defense”.

(2) BRIEFING REQUIRED.—The Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives, within 60 days after the date of the enactment of this Act, a briefing that assesses the impacts of the rising costs of higher education tuition on the number of students that the Department of Defense can accept into the Science, Mathematics, and Research for Transformation (SMART) Defense Education Program under section 2192a of title 10, United States Code.

(b) ASSESSMENT OF ELEMENTARY AND SECONDARY SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS PROGRAMS OF THE DEPARTMENT OF DEFENSE.—

(1) ASSESSMENT REQUIRED.—

(A) The Secretary of Defense shall submit to the congressional defense committees a report setting forth an assessment of each program as follows:

(i) The Army Educational Outreach Program (AEOP).

(ii) The STEM2Stern program of the Navy.

(iii) The DoD STARBASE program carried out by the Under Secretary of Defense for Personnel and Readiness.

(iv) Prekindergarten through 12th grade activities of the National Defense Education Program.

(B) The Secretary of Defense shall conduct assessments under this paragraph in consultation with the Secretary of Education and the heads of other appropriate Federal agencies.

(2) ELEMENTS.—The assessment of a program under paragraph (1) shall include the following:

(A) An assessment of the current status of the program.

(B) A determination to retain, terminate, or transfer the program to another agency, together with a justification for the determination.

(C) For a program determined under subparagraph (B) to be terminated, a justification why the science, technology, engineering, and mathematics education requirements of the program are no longer required.

(D) For a program determined under subparagraph (B) to be transferred to the jurisdiction of another agency—

(i) the name of such agency;

(ii) the funding anticipated to be provided the program by such agency during the five-year period beginning on the date of transfer; and

(iii) mechanisms to ensure that education under the program will continue to meet the science, technology, engineering, and mathematics education requirements of the Department of Defense, including requirements for the dependents covered by the program.

(E) Metrics to assess whether a program under subparagraph (C) or (D) is meeting the requirements applicable to such program under such subparagraph.

(3) LIMITATION ON CERTAIN ACTIONS ON PROGRAMS PENDING SUBMITTAL OF ASSESSMENT.—

A program specified in paragraph (1)(A) may not be terminated or transferred to the jurisdiction of another agency until 30 days after the date on which the report required by that paragraph is submitted to the congressional defense committees.

(c) ASSESSMENT OF THE NATIONAL SECURITY SCIENCE AND ENGINEERING FACULTY FELLOWSHIP.—The Secretary of Defense shall provide to the congressional defense committees, within 90 days after the date of the enactment of this Act, a briefing that assesses the National Security Science and Engineering Faculty Fellowship (in this subsection referred to as the “Fellowship”). The briefing shall include an assessment of the following:

(1) The return on investment and qualitative impact of the research funded by Fellowship awardees.

(2) Distribution of researcher awards from the past three years, including identification of researchers (if any) that have not done research with the Department of Defense in the past five years.

(3) The number of new and continuing students supported by Fellowship funding, as well as the number of those students that later receive employment by the Department of Defense, Department of Defense contractors, or other academic institutions supported by Department of Defense grants.

(4) A description of Fellowship awards and the use of the award funds.

(5) Recommendations for improving the effectiveness or efficiency of the Fellowship.

SEC. 1106. EXTENSION OF PROGRAM FOR EXCHANGE OF INFORMATION-TECHNOLOGY PERSONNEL.

(a) IN GENERAL.—Section 1110(d) of the National Defense Authorization Act for Fiscal Year 2010 (5 U.S.C. 3702 note) is amended by striking “2013.” and inserting “2018.”

(b) REPORTING REQUIREMENT.—Section 1110(i) of such Act is amended by striking “2015.” and inserting “2019.”

SEC. 1107. TEMPORARY AUTHORITIES FOR CERTAIN POSITIONS AT DEPARTMENT OF DEFENSE RESEARCH AND ENGINEERING FACILITIES.

(a) AUTHORITY TO MAKE DIRECT APPOINTMENTS.—

(1) CANDIDATES FOR SCIENTIFIC AND ENGINEERING POSITIONS AT SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.—The director of any Science and Technology Reinvention Laboratory (hereinafter in this section referred to as an “STRL”) may appoint qualified candidates possessing a bachelor's degree to positions described in paragraph (1) of subsection (b) as an employee in a laboratory described in that paragraph without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code (other than sections 3303 and 3328 of such title).

(2) VETERAN CANDIDATES FOR SIMILAR POSITIONS AT RESEARCH AND ENGINEERING FACILITIES.—The director of any STRL may appoint qualified veteran candidates to positions described in paragraph (2) of subsection (b) as an employee at a laboratory, agency, or organization specified in that paragraph without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code.

(b) COVERED POSITIONS.—

(1) CANDIDATES FOR SCIENTIFIC AND ENGINEERING POSITIONS.—The positions described in this paragraph are scientific and engineering positions that may be temporary, term, or permanent in any laboratory designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2486; 10 U.S.C. 2358

note) as a Department of Defense science and technology reinvention laboratory.

(2) QUALIFIED VETERAN CANDIDATES.—The positions described in this paragraph are scientific, technical, engineering, and mathematics positions, including technicians, in the following:

(A) Any laboratory referred to in paragraph (1).

(B) Any other Department of Defense research and engineering agency or organization designated by the Secretary for purposes of subsection (a)(2).

(c) LIMITATION ON NUMBER OF APPOINTMENTS ALLOWABLE IN A CALENDAR YEAR.—The authority under subsection (a) may not, in any calendar year and with respect to any laboratory, agency, or organization described in subsection (b), be exercised with respect to a number of candidates greater than the following:

(1) In the case of a laboratory described in subsection (b)(1), with respect to appointment authority under subsection (a)(1), the number equal to 3 percent of the total number of scientific and engineering positions in such laboratory that are filled as of the close of the fiscal year last ending before the start of such calendar year.

(2) In the case of a laboratory, agency, or organization described in subsection (b)(2), with respect to appointment authority under subsection (a)(2), the number equal to 1 percent of the total number of scientific, technical, engineering, mathematics, and technician positions in such laboratory, agency, or organization that are filled as of the close of the fiscal year last ending before the start of such calendar year.

(d) DEFINITIONS.—In this section:

(1) The term “employee” has the meaning given that term in section 2105 of title 5, United States Code.

(2) The term “veteran” has the meaning given that term in section 101 of title 38, United States Code.

(e) SUNSET.—Appointments under subsection (a) may not be made after December 31, 2019.

(f) SENIOR SCIENTIFIC TECHNICAL MANAGERS.—

(1) ESTABLISHMENT.—There is hereby established in each STRL a category of senior professional scientific and technical positions, the incumbents of which shall be designated as “senior scientific technical managers” and which shall be positions classified above GS-15 of the General Schedule, notwithstanding section 5108(a) of title 5, United States Code. The primary functions of such positions shall be—

(A) to engage in research and development in the physical, biological, medical, or engineering sciences, or another field closely related to the mission of such STRL; and

(B) to carry out technical supervisory responsibilities.

(2) APPOINTMENTS.—The positions described in paragraph (1) may be filled, and shall be managed, by the director of the STRL involved, under criteria established pursuant to section 342(b) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 108 Stat. 2721), relating to personnel demonstration projects at laboratories of the Department of Defense, except that the director of the laboratory involved shall determine the number of such positions at such laboratory, not to exceed 1 percent of the number of scientists and engineers employed at such laboratory as of the close of the last fiscal year before the fiscal year in which any appointments subject to that numerical limitation are made.

(3) SUNSET.—Appointments under this subsection may not be made after December 31, 2019.

(g) REPORTING REQUIREMENT.—The Secretary of Defense shall submit to the congressional defense committees an annual report on the operation of this section. Each such report shall include, for the period covered by such report—

(1) the total number of individuals appointed under subsection (a)(1) during such period;

(2) the total number of individuals appointed under subsection (a)(2) during such period; and

(3) the total number of senior scientific technical managers at each STRL as of the end of such period.

(h) EXCLUSION FROM PERSONNEL LIMITATIONS.—

(1) IN GENERAL.—The director of an STRL shall manage the workforce strength, structure, positions, and compensation of such STRL—

(A) without regard to any limitation on appointments, positions, or funding with respect to such STRL, subject to subparagraph (B); and

(B) in a manner consistent with the budget available with respect to such STRL.

(2) EXCEPTIONS.—Paragraph (1) shall not apply to Senior Executive Service positions (as defined in section 3132(a) of title 5, United States Code) or scientific and professional positions authorized under section 3104 of such title.

SEC. 1108. COMPLIANCE WITH LAW REGARDING AVAILABILITY OF FUNDING FOR CIVILIAN PERSONNEL.

(a) REGULATIONS.—No later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations implementing the authority in subsection (a) of section 1111 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 10 U.S.C. 1580 note prec.).

(b) COORDINATION.—The Under Secretary of Defense (Comptroller), in consultation with the Under Secretary of Defense for Personnel and Readiness, shall be responsible for coordinating the preparation of the regulations required under subsection (a).

(c) LIMITATIONS.—The regulations required under subsection (a) shall not be restricted by any civilian full-time equivalent or end-strength limitation, nor shall such regulations require offsetting civilian pay funding, civilian full-time equivalents, or civilian end-strengths.

SEC. 1109. EXTENSION OF ENHANCED APPOINTMENT AND COMPENSATION AUTHORITY FOR CIVILIAN PERSONNEL FOR CARE AND TREATMENT OF WOUNDED AND INJURED MEMBERS OF THE ARMED FORCES.

(a) EXTENSION.—Subsection (c) of section 1599c of title 10, United States Code, is amended by striking “December 31, 2015” both places it appears and inserting “December 31, 2020”.

(b) REPEAL OF FULFILLED REQUIREMENT.—Such section is further amended—

(1) by striking subsection (b); and

(2) by redesignating subsection (c), as amended by subsection (a), as subsection (b).

(c) REPEAL OF REFERENCES TO CERTAIN TITLE 5 AUTHORITIES.—Subsection (a)(2)(A) of such section is amended—

(1) by striking “sections 3304, 5333, and 5753 of title 5” and inserting “section 3304 of title 5”; and

(2) in clause (ii), by striking “the authorities in such sections” and inserting “the authority in such section”.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

Sec. 1201. Modification and extension of authorities relating to program to build the capacity of foreign military forces.

Sec. 1202. Global Security Contingency Fund.

Sec. 1203. Training of general purpose forces of the United States Armed Forces with military and other security forces of friendly foreign countries.

Sec. 1204. Authority to conduct activities to enhance the capability of foreign countries to respond to incidents involving weapons of mass destruction.

Sec. 1205. Authorization of National Guard State Partnership Program.

Sec. 1206. United States security and assistance strategies in Africa.

Sec. 1207. Assistance to the Government of Jordan for border security operations.

Sec. 1208. Support of foreign forces participating in operations to disarm the Lord's Resistance Army.

Subtitle B—Matters Relating to Afghanistan, Pakistan, and Iraq

Sec. 1211. Commanders' Emergency Response Program in Afghanistan.

Sec. 1212. One-year extension of authority to use funds for reintegration activities in Afghanistan.

Sec. 1213. Extension of authority for reimbursement of certain coalition nations for support provided to United States military operations.

Sec. 1214. Extension and modification of authority to support operations and activities of the Office of Security Cooperation in Iraq.

Sec. 1215. One-year extension and modification of authority for program to develop and carry out infrastructure projects in Afghanistan.

Sec. 1216. Requirement to withhold Department of Defense assistance to Afghanistan in amount equivalent to 100 percent of all taxes assessed by Afghanistan to extent such taxes are not reimbursed by Afghanistan.

Sec. 1217. Extension of certain authorities for support of foreign forces supporting or participating with the United States Armed Forces.

Sec. 1218. Extension and improvement of the Iraqi special immigrant visa program.

Sec. 1219. Improvement of the Afghan special immigrant visa program.

Subtitle C—Matters Relating to Afghanistan Post 2014

Sec. 1221. Report on plans to disrupt and degrade Haqqani Network activities and finances.

Sec. 1222. Completion of accelerated transition of security responsibility from United States Armed Forces to the Afghan National Security Forces.

Sec. 1223. Defense intelligence plan.

Sec. 1224. Limitation on availability of funds for certain authorities for Afghanistan.

Subtitle D—Matters Relating to Iran

Sec. 1231. Report on United States military partnership with Gulf Cooperation Council countries.

Sec. 1232. Additional elements in annual report on military power of Iran.

Sec. 1233. Integrated air and missile defense programs at training locations in Southwest Asia.

Subtitle E—Reports and Other Matters

Sec. 1241. Two-year extension of authorization for non-conventional assisted recovery capabilities.

Sec. 1242. Element on 5th generation fighter program in annual report on military and security developments involving the People's Republic of China.

Sec. 1243. Report on posture and readiness of the Armed Forces to respond to an attack or other contingency against United States diplomatic facilities overseas.

Sec. 1244. Limitation on establishment of Regional Special Operations Forces Coordination Centers.

Sec. 1245. Additional reports on military and security developments involving the Democratic People's Republic of Korea.

Sec. 1246. Sense of Congress on missile defense cooperation with the Russian Federation and limitations on providing certain missile defense information to the Russian Federation.

Sec. 1247. Amendments to annual report under Arms Control and Disarmament Act.

Sec. 1248. Report on actions to reduce support for ballistic missile proliferation.

Sec. 1249. Reports on international agreements relating to the Department of Defense.

Sec. 1250. Revision of statutory references to former NATO support organizations and related NATO agreements.

Sec. 1251. Executive agreements with the Russian Federation relating to ballistic missile defense.

Sec. 1252. Rule of construction.

Sec. 1253. Limitation on availability of funds to implement the Arms Trade Treaty.

Sec. 1254. Report on military and security developments involving the Russian Federation.

Sec. 1255. Prohibition on use of funds to enter into contracts or agreements with Rosoboroneexport.

Subtitle A—Assistance and Training

SEC. 1201. MODIFICATION AND EXTENSION OF AUTHORITIES RELATING TO PROGRAM TO BUILD THE CAPACITY OF FOREIGN MILITARY FORCES.

(a) AUTHORITY.—Subsection (a) of section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3456), as most recently amended by section 1206 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4625), is further amended by adding at the end the following new paragraph:

“(3) To build the capacity of a foreign country's security forces to conduct counterterrorism operations.”.

(b) AVAILABILITY OF FUNDS.—Subsection (c)(5) of section 1206 of the National Defense Authorization Act for Fiscal Year 2006, as most recently amended by section 1201 of the

National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1979), is further amended—

(1) by striking “not more than \$75,000,000 may be used during fiscal year 2010, not more than \$75,000,000 may be used during fiscal year 2011, and”; and

(2) by striking “each of fiscal years 2012, 2013, and 2014” and inserting “each fiscal year through fiscal year 2017”.

(c) **LIMITATION ON FISCAL YEAR 2015 FUNDS.**—Of the funds authorized to be appropriated to carry out section 1206 of the National Defense Authorization Act for Fiscal Year 2006 or otherwise made available for fiscal year 2015, not more than \$262,500,000 may be obligated or expended until the Secretary of Defense, with the concurrence of the Secretary of State, submits to the congressional defense committees a report on the proposed planning and execution of programs intended to be conducted or supported under subsection (a)(3) of section 1206 of the National Defense Authorization Act for Fiscal Year 2006, as added by subsection (a), during fiscal year 2015, including a description of the proposed planning and execution of the amount of funds to be made available for such programs.

(d) **REPORT.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the congressional defense committees a report on the scope of counterterrorism operations for which assistance is authorized to be provided under section 1206 of the National Defense Authorization Act for Fiscal Year 2006. The report shall include the following:

(1) A statement of the purposes for which assistance may be provided under the authority of section 1206 of the National Defense Authorization Act for Fiscal Year 2006, consistent with the Presidential Policy Directive on United States Security Sector Assistance issued on April 5, 2013.

(2) A description of the types of activities that are appropriately within the scope of capacity building assistance under such authority.

(3) A description and assessment of the monitoring and evaluation procedures for such assistance, including measures of effectiveness applicable to counterterrorism capacity building activities under such authority.

(4) A prioritized list and discussion of the primary security threats as of the date of the report against which counterterrorism capacity building under such authority is or may be directed, in light of the end of combat operations in Iraq and the expected completion of combat operations by coalition forces in Afghanistan by December 2014.

(e) **TERMINATION OF PROGRAM.**—Subsection (g) of section 1206 of the National Defense Authorization Act for Fiscal Year 2006, as most recently amended by section 1201 of the National Defense Authorization Act for Fiscal Year 2013, is further amended by striking “2014” each place it appears and inserting “2017”.

SEC. 1202. GLOBAL SECURITY CONTINGENCY FUND.

(a) **AUTHORITY.**—Subsection (b) of section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1625; 22 U.S.C. 2151 note) is amended—

(1) in the matter preceding paragraph (1), by inserting “or regions” after “countries”; and

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “and other national security

forces” and inserting “or other national security forces”; and

(B) in subparagraph (A)—

(i) by striking “and counterterrorism operations” and inserting “or counterterrorism operations”; and

(ii) by striking “and” at the end and inserting “or”.

(b) **NOTICES TO CONGRESS.**—Subsection (1) of such section is amended to read as follows:

“(1) **NOTICES TO CONGRESS.**—Not less than 30 days before initiating an activity under a program of assistance under subsection (b), the Secretary of State and the Secretary of Defense shall jointly submit to the specified congressional committees a notification that includes the following:

“(1) A notification of the intent to transfer funds into the Fund under subsection (f) or any other authority, including the original source of the funds.

“(2) A detailed justification for the total anticipated program for each country, including total anticipated costs and the specific activities contained therein.

“(3) The budget, execution plan and timeline, and anticipated completion date for the activity.

“(4) A list of other security-related assistance or justice sector and stabilization assistance that the United States is currently providing the country concerned and that is related to or supported by the activity.

“(5) Such other information relating to the program or activity as the Secretary of State or Secretary of Defense considers appropriate.”.

(c) **TRANSITIONAL AUTHORITIES; GUIDANCE AND PROCESSES FOR EXERCISE OF AUTHORITY.**—Such section, as so amended, is further amended—

(1) by striking subsection (n);

(2) by redesignating subsection (m) as subsection (n); and

(3) by inserting after subsection (l), as so amended, the following new subsection (m):

“(m) **GUIDANCE AND PROCESSES FOR EXERCISE OF AUTHORITY.**—Not later than 15 days after the date on which guidance and processes for implementation of the authority in subsection (b) have been issued, the Secretary of State and the Secretary of Defense shall jointly submit a report to the specified congressional committees on such guidance and processes. The Secretary of State and Secretary of Defense shall jointly submit additional reports not later than 15 days after the date on which any future modifications to the guidance and processes for implementation of the authority in subsection (b) are issued.”.

(d) **ANNUAL REPORTS.**—Subsection (n) of such section, as redesignated by subsection (c)(2) of this section, is amended—

(1) by striking “October 30, 2012, and annually thereafter” and inserting “October 30 each year”; and

(2) by striking “subsection (q)” and inserting “subsection (p)”.

(e) **FUNDING.**—Such section, as so amended, is further amended—

(1) by striking subsection (o); and

(2) by redesignating subsections (p) and (q) as subsections (o) and (p), respectively.

SEC. 1203. TRAINING OF GENERAL PURPOSE FORCES OF THE UNITED STATES ARMED FORCES WITH MILITARY AND OTHER SECURITY FORCES OF FRIENDLY FOREIGN COUNTRIES.

(a) **TRAINING AUTHORIZED.**—

(1) **IN GENERAL.**—Under regulations prescribed under subsection (f), general purpose forces of the United States Armed Forces may train with the military forces or other security forces of a friendly foreign country

if the Secretary of Defense determines that it is in the national security interests of the United States to do so. Training may be conducted under this section only with the prior approval of the Secretary of Defense.

(2) **CONCURRENCE.**—Before conducting a training event in or with a foreign country under this subsection, the Secretary of Defense shall seek the concurrence of the Secretary of State in such training event.

(b) **TYPES OF TRAINING AUTHORIZED.**—Any training conducted by the United States Armed Forces pursuant to subsection (a) shall, to the maximum extent practicable—

(1) support the mission essential tasks for which the training unit providing such training is responsible;

(2) be with a foreign unit or organization with equipment that is functionally similar to such training unit; and

(3) include elements that promote—

(A) observance of and respect for human rights and fundamental freedoms; and

(B) respect for legitimate civilian authority within the foreign country or countries concerned.

(c) **AUTHORITY TO PAY EXPENSES.**—

(1) **IN GENERAL.**—The Secretary of a military department or the commander of a combatant command may pay, or authorize payment for, the incremental expenses incurred by a friendly foreign country as the direct result of training with general purpose forces of the United States Armed Forces pursuant to subsection (a).

(2) **LIMITATION.**—The amount of incremental expenses payable under paragraph (1) in any fiscal year may not exceed \$10,000,000.

(d) **NOTICE BEFORE COMMENCEMENT OF TRAINING.**—The Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives not later than 15 days before the commencement of any training event pursuant to subsection (a). The notice on a training event shall include a description of the event and the foreign country or countries involved in the event.

(e) **ANNUAL REPORTS TO CONGRESS.**—Not later than April 1 of each year following a fiscal year in which training is conducted pursuant to subsection (a), the Secretary of Defense shall submit to the appropriate committees of Congress a report on the training conducted pursuant to that subsection. Each report shall specify the following:

(1) For the fiscal year covered by such report, the following:

(A) Each country in which training was conducted.

(B) The type of training conducted, the duration of such training, and the number of members of the United States Armed Forces involved in such training.

(C) The extent of participation in such training by foreign military forces and other security forces, including the number and service affiliation of foreign military and other security force personnel involved and the physical and financial contribution of each country specified in subparagraph (A) in such training.

(D) The relationship of such training to other overseas training programs conducted by the United States Armed Forces, such as military exercise programs sponsored by the Joint Chiefs of Staff, military exercise programs sponsored by a combatant command, and military training activities sponsored by a military department (including deployments for training, short duration exercises, and other similar unit training events).

(E) A summary of the expenditures under subsection (c) in connection with such training.

(F) A description and assessment of the unique military training benefits for members of the United States Armed Forces involved in such training.

(2) A list of the training events to be conducted during the 12-month period beginning on April 1 of the year in which such report is submitted.

(f) REGULATIONS.—Any training conducted pursuant to subsection (a) shall be conducted under regulations prescribed by the Secretary of Defense for the administration of this section. The regulations shall be prescribed not later than 180 days after the date of the enactment of this Act.

(g) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(2) The term “incremental expenses”, with respect to a friendly foreign country, means the reasonable and proper costs of rations, fuel, training ammunition, transportation, and other goods and services consumed by such country as a direct result of that country’s participation in training conducted pursuant to subsection (a), except that such term does not include pay, allowances, and other normal costs of such country’s military or security force personnel.

(3) The term “other security forces” includes national security forces that conduct border and maritime security, but does not include civilian police.

(h) EXPIRATION.—The authority under this section may not be exercised after September 30, 2017.

SEC. 1204. AUTHORITY TO CONDUCT ACTIVITIES TO ENHANCE THE CAPABILITY OF FOREIGN COUNTRIES TO RESPOND TO INCIDENTS INVOLVING WEAPONS OF MASS DESTRUCTION.

(a) AUTHORITY.—The Secretary of Defense may, with the concurrence of the Secretary of State, provide assistance to the military and civilian first responder organizations of countries that share a border with Syria in order to enhance the capability of such countries to respond effectively to potential incidents involving weapons of mass destruction in Syria and the surrounding region.

(b) AVAILABILITY OF AUTHORITY FOR OTHER COUNTRIES.—

(1) IN GENERAL.—If the Secretary of Defense determines, with the concurrence of the Secretary of State, that the Department of Defense should provide the assistance authorized in subsection (a) to countries other than the countries described in subsection (a), the Secretary of Defense may provide such assistance to such other countries.

(2) LIMITATION.—The Secretary of Defense may not provide assistance under paragraph (1) until the Secretary provides written notification to the congressional defense committees of the Secretary’s intention to provide such assistance, together with an explanation of the scope of the assistance and the reasons for providing the assistance.

(c) AUTHORIZED ELEMENTS.—Assistance provided under this section may include training, equipment, and supplies.

(d) AVAILABILITY OF FUNDS.—

(1) FUNDS AVAILABLE.—Amounts for assistance under this section in a fiscal year shall be derived from amounts authorized to be appropriated for the Department of Defense for Operation and Maintenance, Defense-wide,

and available for the Defense Threat Reduction Agency for such fiscal year.

(2) AVAILABILITY ACROSS FISCAL YEARS.—Amounts available under paragraph (1) may be available for assistance that begins in a fiscal year and ends in the next fiscal year.

(e) NOTICE TO CONGRESS ON CERTAIN ASSISTANCE.—If the amount of assistance to be provided under this section in a fiscal year is anticipated to exceed \$4,000,000, the Secretary of Defense shall notify the congressional defense committees in writing of that fact.

(f) INTERAGENCY COORDINATION.—In carrying out this section, the Secretary of Defense shall comply with all applicable requirements for coordination and consultation within the Executive Branch.

(g) REPORTS.—

(1) IN GENERAL.—Not later than 90 days after the authority in subsection (a) is first exercised and 60 days after the end of any fiscal year in which the authority under this section is exercised, the Secretary of Defense shall submit to the appropriate committees of Congress a report setting forth the following:

(A) A list of the countries to which the assistance has been or is being provided under the authority in this section, and a description of the assistance provided to each country under such authority.

(B) A description of how such assistance advances the national security interests of the United States and is consistent with broader United States national security policy and strategy in each country provided assistance and within the applicable region.

(C) The amount of funds used to provide such assistance to each country during the fiscal year covered by the report.

(D) Any other matters the Secretary of Defense considers appropriate.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(h) EXPIRATION.—The authority to provide assistance under this section may not be exercised after September 30, 2017.

SEC. 1205. AUTHORIZATION OF NATIONAL GUARD STATE PARTNERSHIP PROGRAM.

(a) AUTHORITY.—

(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to establish a program of exchanges of members of the National Guard of a State or territory and the military forces, or security forces or other government organizations whose primary functions include disaster response or emergency response, of a foreign country.

(2) STATE PARTNERSHIP PROGRAM.—Each program established under this subsection shall be known as a “State Partnership Program”.

(b) LIMITATION.—An activity under a program established under subsection (a) that involves the security forces or other government organizations whose primary functions include disaster response or emergency response of a foreign country, or an activity that the Secretary of Defense determines is a matter within the core competencies of the National Guard of a State or territory, may be carried out only if the Secretary of Defense, with the concurrence of the Secretary

of State, determines and notifies the appropriate congressional committees not less than 15 days before initiating such activity that the activity is in the national security interests of the United States.

(c) REGULATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations to carry out this section. Such regulations shall establish accounting procedures to ensure that expenditures of funds to carry out this section are accounted for and appropriate.

(2) NOTIFICATION.—Not later than 15 days after the date on which such regulations have been prescribed, the Secretary of Defense—

(A) shall notify the appropriate congressional committees that the regulations have been prescribed; and

(B) shall provide to the appropriate congressional committees a copy of the regulations.

(d) AVAILABILITY OF AUTHORIZED FUNDS FOR PROGRAM.—

(1) IN GENERAL.—Funds authorized to be appropriated to the Department of Defense, including funds authorized to be appropriated for the Army National Guard and Air National Guard, are authorized to be available—

(A) for payment of costs incurred by the National Guard of a State or territory to conduct activities under a program established under subsection (a); and

(B) for payment of incremental expenses of a foreign country to conduct activities under a program established under subsection (a).

(2) LIMITATIONS.—

(A) ACTIVE DUTY REQUIREMENT.—Funds shall not be available under paragraph (1) for the participation of a member of the National Guard of a State or territory in activities in a foreign country unless the member is on active duty in the Armed Forces at the time of such participation.

(B) INCREMENTAL EXPENSES.—The total amount of payments for incremental expenses of foreign countries as authorized under paragraph (1)(B) for activities under programs established under subsection (a) in any fiscal year may not exceed \$10,000,000.

(e) REPORTS AND NOTIFICATIONS.—

(1) REVIEW AND REPORT OF EXISTING PROGRAMS.—

(A) REVIEW.—The Secretary of Defense, with the concurrence of the Secretary of State, shall conduct a comprehensive review of each program under the State Partnership Program as in effect on the day before the date of the enactment of this Act.

(B) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report on—

(i) the findings of the review conducted under subparagraph (A); and

(ii) any recommendations with respect to the review conducted under subparagraph (A).

(2) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than January 31 of each year following a fiscal year in which activities under a program established under subsection (a) are carried out, the Secretary of Defense shall submit to the appropriate congressional committees a report on such activities under the program.

(B) MATTERS TO BE INCLUDED.—Each report shall specify, for the fiscal year covered by such report, the following:

(i) Each foreign country in which the activities were conducted.

(ii) The type of activities conducted, the duration of the activities, and the number of members of the National Guard of each State or territory involved in such activities.

(iii) The extent of participation in the activities by the military forces and security forces of such foreign country.

(iv) A summary of expenditures to conduct the activities, including the annual cost of the activities, with a breakdown of such expenditures by geographic combatant command.

(v) With respect to activities described in subsection (b), the objective of the activities, and a description of how the activities support the theater campaign plan of the commander of the geographic combatant command with responsibility for the country or countries in which the training occurred.

(f) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to supersede any authority under title 10, United States Code, as in effect on the date of the enactment of this Act.

(g) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) **INCREMENTAL EXPENSES.**—The term “incremental expenses”, with respect to a foreign country—

(A) means the reasonable and proper costs of rations, fuel, training ammunition, transportation, and other goods and services consumed by the country as a direct result of the country’s participation in activities conducted under subsection (a); and

(B) does not include—

(i) any form of lethal assistance (excluding training ammunition); or

(ii) pay, allowances, and other normal costs of the personnel of the country.

(h) **REPEAL OF SUPERSEDED AUTHORITY.**—Section 1210 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2517; 32 U.S.C. 107 note) is repealed.

(i) **TERMINATION.**—The authority granted under subsection (a) shall terminate on September 30, 2016.

SEC. 1206. UNITED STATES SECURITY AND ASSISTANCE STRATEGIES IN AFRICA.

(a) **STRATEGIC FRAMEWORK FOR COUNTERTERRORISM ASSISTANCE AND COOPERATION IN THE SAHEL AND THE MAGHREB REGIONS.**—

(1) **IN GENERAL.**—The Secretary of Defense shall, in coordination with the Secretary of State, develop a strategic framework for United States counterterrorism assistance and cooperation in the Sahel and Maghreb regions of Africa, including for programs conducted under the Trans-Sahara Counter Terrorism Partnership, Operation Enduring Freedom—Trans Sahara, and related security assistance authorities.

(2) **ELEMENTS.**—The strategic framework required by paragraph (1) shall include the following:

(A) An evaluation of the threat of terrorist organizations operating in the Sahel and Maghreb regions to the national security of the United States.

(B) An identification on a regional basis of the primary objectives, priorities, and desired end-states of United States counterterrorism assistance and cooperation programs in the region, and of the resources required to achieve such objectives, priorities, and end-states.

(C) A methodology for assessing the effectiveness of United States counterterrorism assistance and cooperation programs in the region in making progress towards the objectives and desired end-states identified pursuant to subparagraph (B), including an identification of key benchmarks of such progress.

(D) Criteria for bilateral and multilateral partnerships in the region.

(E) Plans for enhancing coordination among United States and international agencies for planning and implementation of United States counterterrorism assistance and cooperation programs for the region on a regional basis, rather than a country-by-country basis, in order to improve coordination among United States regional and bilateral counterterrorism assistance and cooperation programs in the region.

(3) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate committees of Congress a report that includes the following:

(A) A comprehensive description of the strategic framework required by paragraph (1).

(B) A description of lessons learned regarding the organization and implementation of United States counterterrorism assistance and cooperation programs for the Sahel and Maghreb regions of Africa, including an evaluation of the performance and commitment of regional partners in the Sahel and Maghreb regions, including Mali in particular, in 2012 and 2013.

(b) **STRATEGY TO SUPPORT CONSOLIDATION OF SECURITY AND GOVERNANCE GAINS IN SOMALIA.**—

(1) **REQUIREMENT FOR STRATEGY.**—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate committees of Congress a strategy to guide future United States policy and programs in Somalia to counter armed threats and support regional security, and in support of Somali and international efforts to foster economic growth and opportunity, counter armed threats to stability, and develop credible, transparent, and representative government systems and institutions.

(2) **CONTENT OF STRATEGY.**—The strategy required under paragraph (1) should include the following elements:

(A) An interagency framework to plan, coordinate and review diplomatic, military, intelligence, development, and humanitarian elements of the United States policy regarding Somalia.

(B) Plans and benchmarks for strengthening efforts, as appropriate, of the Government of Somalia, the African Union, and regional governments to stabilize the security situation within Somalia and further degrade al-Shabaab’s capabilities, in order to enable the eventual transfer of security operations to Somali security forces capable of—

(i) maintaining and expanding security and stability within Somalia;

(ii) confronting transnational security threats; and

(iii) preventing human rights abuses.

(C) A plan to support the development and professionalization of credible, civilian led, Somali security forces that are representative of the population, including the infrastructure and procedures required to ensure chain of custody and the safe storage of military equipment and an assessment of the benefits and risks of the provision of weaponry to the Somali security forces by the United States.

(D) A description of United States national security objectives addressed through mili-

tary-to-military cooperation activities with Somali security forces.

(E) A description of security risks to any United States personnel conducting security cooperation activities within Somalia and plans to assist the Somali security forces in preventing infiltration and insider attacks, including through the application of lessons learned in United States military training efforts in Afghanistan.

(F) A description of United States tools for monitoring and responding to violations of the United Nations Security Council arms embargo, charcoal ban, and other international agreements affecting the stability of Somalia.

(G) A description of mechanisms for coordinating United States military and non-military assistance with other international donors, regional governments, and relevant multilateral organizations.

(H) A plan to support the consolidation of political gains at the national level, while also encouraging and supporting complementary processes at the local and regional levels and encouraging improved collaboration among Somali national and regional administrations.

(I) Any plans to increase United States diplomatic engagement with Somalia, including through the future establishment of an embassy or other diplomatic posts in Mogadishu.

(J) Any other element the President determines appropriate.

(3) **REPORTS.**—Not later than 180 days after the date of the submission of the strategy required under paragraph (1), and annually thereafter for three years, the President shall submit to the appropriate committees of Congress an update on implementation of the strategy and progress made in Somalia and associated benchmarks for security, stability, development, and governance.

(4) **FORM.**—The strategy required under paragraph (1) and the reports required under paragraph (3) shall be submitted in unclassified form, but may include a classified annex.

(c) **INTELLIGENCE ASSESSMENT AND REPORT ON AL-SHABAAB.**—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a classified intelligence assessment of the terrorist organization known as al-Shabaab. Such assessment shall include the following:

(1) A description of organizational structure, operational objectives, and funding sources for al-Shabaab.

(2) An assessment of the extent to which al-Shabaab threatens security and stability within Somalia and surrounding countries.

(3) An assessment of the extent to which al-Shabaab threatens the security of United States citizens or the national security or interests of the United States.

(4) The description of the relationship between al-Shabaab and al-Qaeda and al-Qaeda affiliates.

(5) An assessment of the capacity of the Government of Somalia to counter the threat posed by al-Shabaab.

(6) An assessment of the capacity of regional countries and organizations, including the African Union, to counter the threat posed by al-Shabaab.

(d) **DESIGNATION OF GOVERNMENT OFFICIAL FOR AFRICA EXPORT POLICY.**—Not later than 60 days after the date of the enactment of this Act, and for the following three years, the President shall designate an existing senior United States Government official

with existing interagency authority for export policy for Africa to coordinate among various United States Government agencies existing export strategies with the goal of significantly increasing United States exports to Africa in real dollar value.

(e) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1207. ASSISTANCE TO THE GOVERNMENT OF JORDAN FOR BORDER SECURITY OPERATIONS.

(a) **AUTHORITY TO PROVIDE ASSISTANCE.**—

(1) **IN GENERAL.**—The Secretary of Defense may, with the concurrence of the Secretary of State, provide assistance on a reimbursement basis to the Government of Jordan for purposes of supporting and maintaining efforts of the armed forces of Jordan to increase security and sustain increased security along the border between Jordan and Syria.

(2) **FREQUENCY.**—Assistance under this subsection may be provided on a quarterly basis.

(3) **CERTIFICATION.**—Assistance may be provided under this subsection only if the Secretary of Defense certifies to the specified congressional committees that the Government of Jordan is continuing to support and maintain efforts of the armed forces of Jordan to increase security or sustain increased security along the border between Jordan and Syria.

(b) **FUNDS AVAILABLE FOR ASSISTANCE.**—Amounts authorized to be appropriated for fiscal year 2014 by title XV and available for reimbursement of certain coalition nations for support provided to United States military operations pursuant to section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181) as specified in the funding table in section 4302 may be used to provide assistance under the authority in subsection (a).

(c) **LIMITATIONS.**—

(1) **LIMITATION ON AMOUNT.**—The total amount of assistance provided under the authority in subsection (a) may not exceed \$150,000,000.

(2) **PROHIBITION ON CONTRACTUAL OBLIGATIONS.**—The Secretary of Defense may not enter into any contractual obligation to provide assistance under the authority in subsection (a).

(d) **NOTICE BEFORE EXERCISE.**—Not later than 15 days before providing assistance under the authority in subsection (a), the Secretary of Defense shall submit to the specified congressional committees a report setting forth a full description of the assistance to be provided, including the amount of assistance to be provided, and the timeline for the provision of such assistance.

(e) **SPECIFIED CONGRESSIONAL COMMITTEES.**—In this section, the term “specified congressional committees” means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(f) **EXPIRATION OF AUTHORITY.**—No assistance may be provided under the authority in subsection (a) after December 31, 2015.

SEC. 1208. SUPPORT OF FOREIGN FORCES PARTICIPATING IN OPERATIONS TO DISARM THE LORD’S RESISTANCE ARMY.

(a) **AUTHORITY.**—Pursuant to the policy established by the Lord’s Resistance Army Disarmament and Northern Uganda Recovery Act of 2009 (Public Law 111-172; 124 Stat. 1209), the Secretary of Defense may, with the concurrence of Secretary of State, provide logistic support, supplies, and services, and intelligence support, to foreign forces participating in operations to mitigate and eliminate the threat posed by the Lord’s Resistance Army as follows:

(1) The national military forces of Uganda.

(2) The national military forces of any other country determined by the Secretary of Defense to be participating in such operations.

(b) **FUNDING.**—

(1) **IN GENERAL.**—Of the amount authorized to be appropriated for a fiscal year for the Department of Defense for operation and maintenance, not more than \$50,000,000 may be used in such fiscal year to provide support under subsection (a).

(2) **AVAILABILITY OF FUNDS ACROSS FISCAL YEARS.**—Amounts available under this subsection for a fiscal year for support under the authority in subsection (a) may be used for support under that authority that begins in such fiscal year but ends in the next fiscal year.

(c) **LIMITATIONS.**—

(1) **IN GENERAL.**—The Secretary of Defense may not use the authority in subsection (a) to provide any type of support that is otherwise prohibited by any provision of law.

(2) **AVAILABILITY OF FUNDS FOR FISCAL YEAR 2014.**—Of the amount available under subsection (b) for fiscal year 2014, not more than \$37,500,000 may be obligated or expended to provide support under subsection (a) until the Secretary submits to the appropriate committees of Congress a report on Operation Observant Compass, including the specific goals of the campaign to counter the Lord’s Resistance Army, the precise metrics used to measure progress in the campaign, and the actions that will be taken to transition the campaign if it is determined that it is no longer necessary for the United States to support the mission of the campaign.

(d) **NOTICE TO CONGRESS ON SUPPORT TO BE PROVIDED.**—Not less than 15 days before the date on which funds are obligated to provide support under subsection (a), the Secretary of Defense shall submit to the appropriate committees of Congress a notice setting forth the following:

(1) The type of support to be provided.

(2) The national military forces to be supported.

(3) The objectives of such support.

(4) The estimated cost of such support.

(5) The intended duration of such support.

(e) **DEFINITIONS.**—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(2) The term “logistic support, supplies, and services” has the meaning given that term in section 2350(1) of title 10, United States Code.

(f) **EXPIRATION.**—The authority provided under this section may not be exercised after September 30, 2017.

(g) **REPEAL OF SUPERSEDED AUTHORITY.**—Section 1206 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1624; 22 U.S.C. 2151 note) is repealed.

Subtitle B—Matters Relating to Afghanistan, Pakistan, and Iraq

SEC. 1211. COMMANDERS’ EMERGENCY RESPONSE PROGRAM IN AFGHANISTAN.

(a) **ONE YEAR EXTENSION.**—

(1) **IN GENERAL.**—Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1619), as amended by section 1221 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1992), is further amended by striking “fiscal year 2013” each place it appears and inserting “fiscal year 2014”.

(2) **CONFORMING AMENDMENT.**—The heading of subsection (a) of such section is amended by striking “FOR FISCAL YEAR 2013”.

(b) **FUNDS AVAILABLE DURING FISCAL YEAR 2014.**—Subsection (a) of such section, as so amended, is further amended by striking “\$200,000,000” and inserting “\$60,000,000”.

(c) **REPEAL OF REQUIREMENT FOR QUARTERLY BRIEFINGS.**—Subsection (b) of such section is amended—

(1) in the subsection heading, by striking “AND BRIEFINGS”; and

(2) by striking paragraph (3).

(d) **REVIEW REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Department of Defense Office of the Inspector General, the Special Inspector General for Afghanistan Reconstruction, the Special Inspector General for Iraq Reconstruction, and the Government Accountability Office, shall submit to Congress a comprehensive report on lessons learned and best practices from execution of the Commanders’ Emergency Response Program (CERP) from Iraq and Afghanistan.

(e) **CONTENTS OF REPORT.**—The report required by subsection (d) shall include the following:

(1) A description of any modifications to CERP since the commencement of the program.

(2) A description of CERP best practices and lessons learned related to the following:

(A) Requirements, training, and certifications for CERP managers in the field and headquarters.

(B) Project planning, execution, management, closeout, sustainability, and transfer to host government.

(C) Project approval process, including appropriate approval levels for higher-value projects.

(D) Project monitoring and evaluation.

(E) Control and accountability of funds.

(F) Procurement procedures, including local procurement.

(G) Processes to maintain flexibility and rapid implementation of funds, but retain accountability of CERP projects.

(H) Reporting requirements to the Department of Defense and Congress.

(I) Recommendations for the use of CERP in future contingency operations.

(J) Recommendations for developing a CERP handbook for use by future CERP administrators.

(3) A description and assessment of the application of CERP practices in the success of reconstruction efforts and of commanders’ pursuit of their missions.

SEC. 1212. ONE-YEAR EXTENSION OF AUTHORITY TO USE FUNDS FOR REINTEGRATION ACTIVITIES IN AFGHANISTAN.

Section 1216 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4392), as most recently amended by section 1218 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1990), is further amended—

- (1) in subsection (a)—
 - (A) by striking “\$35,000,000” and inserting “\$25,000,000”; and
 - (B) by striking “for fiscal year 2013” and inserting “for fiscal year 2014”; and
- (2) in subsection (e), by striking “December 31, 2013” and inserting “December 31, 2014”.

SEC. 1213. EXTENSION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) **EXTENSION OF AUTHORITY.**—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 393), as most recently amended by section 1227 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2000), is further amended by striking “fiscal year 2013” and inserting “fiscal year 2014”.

(b) **LIMITATION ON AMOUNT AVAILABLE.**—Subsection (d)(1) of such section 1233, as so amended, is further amended by striking “during fiscal year 2013 may not exceed \$1,650,000,000” and inserting “during fiscal year 2014 may not exceed \$1,500,000,000”.

(c) **EXTENSION OF NOTICE REQUIREMENT RELATING TO REIMBURSEMENT OF PAKISTAN FOR SUPPORT PROVIDED BY PAKISTAN.**—Section 1232(b)(6) of the National Defense Authorization Act for Fiscal Year 2008 (122 Stat. 393), as most recently amended by section 1213(d) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1630), is further amended by striking “September 30, 2013” and inserting “September 30, 2014”.

(d) **EXTENSION OF LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.**—Subsection (d) of section 1227 of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 2000) is amended—

- (1) in the subsection heading, by striking “IN FISCAL YEAR 2013”; and
- (2) in paragraph (1), by striking “Effective as of the date of the enactment of this Act,” and all that follows through “remain available for obligation” and inserting “No amounts authorized to be appropriated for the Department of Defense for fiscal year 2014 or any prior fiscal year”.

SEC. 1214. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) **EXTENSION AND MODIFICATION OF AUTHORITY.**—Subsection (f) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 113 note) is amended—

- (1) by striking “(f)” and all that follows through “fiscal year 2013,” and inserting the following:

“(f) **ADDITIONAL AUTHORITY FOR ACTIVITIES OF OSCI.**—

“(1) **IN GENERAL.**—During fiscal year 2014,”; and

(2) by adding at the end the following new paragraph (2):

“(2) **REQUIRED ELEMENTS OF TRAINING.**—The training conducted under paragraph (1) shall include elements that promote the following:

“(A) Observance of and respect for human rights and fundamental freedoms.

“(B) Military professionalism.

“(C) Respect for legitimate civilian authority within Iraq.”.

(b) **LIMITATION ON AMOUNT.**—Subsection (c) of such section is amended by striking “2012” and all that follows through the period at the end and inserting “2014 may not exceed \$209,000,000.”.

(c) **SOURCE OF FUNDS.**—Subsection (d) of such section is amended—

- (1) by striking “fiscal year 2012 or fiscal year 2013” and inserting “fiscal year 2014”; and
- (2) by striking “fiscal year 2012 or 2013, as the case may be,” and inserting “that fiscal year”.

(d) **UPDATES OF REPORT ON ACTIVITIES OF OSCI.**—Section 1211(d)(3) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1983) is amended—

- (1) by striking “UPDATE REQUIRED.—Not later than September 30, 2013,” and inserting “UPDATES REQUIRED.—Not later than September 30, 2013, and every 180 days thereafter until the authority in section 1215 of the National Defense Authorization Act for Fiscal Year 2012 expires,”; and
- (2) by striking “including” and all that follows and inserting “including the following:

“(A) A description of any changes to the specific element or process described in subparagraphs (A) through (F) of paragraph (2).

“(B) An evaluation of the activities of the Office of Security Cooperation in Iraq based on the measures of effectiveness described in paragraph (2)(F) and a discussion of any determinations to expand, alter, or terminate specific activities of the Office based on those measures.

“(C) An evaluation of the effectiveness of the training provided pursuant to section 1215(f)(2) of the National Defense Authorization Act for Fiscal Year 2012 in promoting respect for human rights, military professionalism, and respect for legitimate civilian authority in Iraq.”.

SEC. 1215. ONE-YEAR EXTENSION AND MODIFICATION OF AUTHORITY FOR PROGRAM TO DEVELOP AND CARRY OUT INFRASTRUCTURE PROJECTS IN AFGHANISTAN.

(a) **EXTENSION OF AUTHORITY.**—Section 1217(f) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4393), as most recently amended by section 1219 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1991), is further amended—

- (1) in paragraph (1), by adding at the end the following new subparagraph:

“(C) Up to \$250,000,000 made available to the Department of Defense for operation and maintenance for fiscal year 2014.”;

- (2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by inserting “, or phase of a project,” after “each project”;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following new subparagraph (C):

“(C) An assessment of the capability of the Afghan National Security Forces (ANSF) to provide security for such project after January 1, 2015, including an estimate of the ANSF force levels, if any, required to secure such project. Such assessment should include the estimated costs of providing security and whether or not the Government of Afghanistan is committed to providing such security.”; and

(3) in paragraph (3), by adding at the end the following new subparagraph:

“(D) In the case of funds for fiscal year 2014, until September 30, 2015.”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on October 1, 2013.

(c) **REPORT ON TRANSITION OF PROJECT MANAGEMENT.**—

(1) **REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State and the Administrator of the United States Agency for International Development, submit to the congressional defense committees a plan for the transition to the Government of Afghanistan, or a utility entity owned by the Government of Afghanistan, of the project management of projects funded with amounts authorized by this Act for the Afghanistan Infrastructure Fund. Such transition shall be planned to be completed by not later December 31, 2014.

(2) **ELEMENTS.**—The report required under paragraph (1) shall include the following:

(A) A description of the projects to be transitioned as described in that paragraph, the cost of such projects, and the timelines for completion and other key implementation milestones for such projects.

(B) For each such project, the following:

(i) An estimate of the financial and other requirements necessary to manage such project, and sustain the infrastructure developed through such project, on an annual basis after the completion of such project.

(ii) An assessment of the capacity of the Government of Afghanistan or such utility entity to manage such project, and maintain and use the infrastructure developed through such project, after the completion of such project.

(iii) A description of any arrangements, and an estimate of associated costs, to support the Government of Afghanistan or such utility entity if the Government of Afghanistan or such utility entity, as the case may be, lacks the capacity (in either financial or human resources) to manage such project, or sustain the infrastructure developed through such project, after the completion of such project.

(C) An assessment of the ministries or organizations of Afghanistan that will be responsible for the management of such projects after transition, including an assessment of any critical institutional shortfalls of such ministries and organizations that must be addressed for such ministries and organization to acquire the capacity required to assume project management responsibilities for such projects.

SEC. 1216. REQUIREMENT TO WITHHOLD DEPARTMENT OF DEFENSE ASSISTANCE TO AFGHANISTAN IN AMOUNT EQUIVALENT TO 100 PERCENT OF ALL TAXES ASSESSED BY AFGHANISTAN TO EXTENT SUCH TAXES ARE NOT REIMBURSED BY AFGHANISTAN.

(a) **REQUIREMENT TO WITHHOLD ASSISTANCE TO AFGHANISTAN.**—An amount equivalent to 100 percent of the total taxes assessed during fiscal year 2013 by the Government of Afghanistan on all Department of Defense assistance shall be withheld by the Secretary of Defense from obligation from funds appropriated for such assistance for fiscal year 2014 to the extent that the Secretary of Defense certifies and reports in writing to the Committees on Armed Services of the Senate and the House of Representatives that such taxes have not been reimbursed by the Government of Afghanistan to the Department

of Defense or the grantee, contractor, or subcontractor concerned.

(b) **WAIVER AUTHORITY.**—The Secretary of Defense may waive the requirement in subsection (a) if the Secretary determines that such a waiver is necessary to achieve United States goals in Afghanistan.

(c) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the total taxes assessed during fiscal year 2013 by the Government of Afghanistan on all Department of Defense assistance.

(d) **DEPARTMENT OF DEFENSE ASSISTANCE DEFINED.**—In this section, the term “Department of Defense assistance” means funds provided during fiscal year 2013 to Afghanistan by the Department of Defense, either directly or through grantees, contractors, or subcontractors.

(e) **TERMINATION.**—This section shall terminate at the close of the date on which the Secretary of Defense submits to the Committees on Armed Services of the Senate and the House of Representatives a notification that the United States and Afghanistan have signed a bilateral security agreement and such agreement has entered into force.

SEC. 1217. EXTENSION OF CERTAIN AUTHORITIES FOR SUPPORT OF FOREIGN FORCES SUPPORTING OR PARTICIPATING WITH THE UNITED STATES ARMED FORCES.

(a) **LOGISTICAL SUPPORT FOR COALITION FORCES SUPPORTING UNITED STATES MILITARY OPERATIONS IN AFGHANISTAN.**—Section 1234 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 394), as most recently amended by section 1216(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1989), is further amended—

(1) in subsection (a), by striking “fiscal year 2013” and inserting “fiscal year 2014”;

(2) in subsection (d), by striking “in fiscal year 2013” and inserting “during the period beginning on October 1, 2013, and ending on December 31, 2014.”; and

(3) in subsection (e)(1), by striking “of fiscal year 2013” and inserting “through December 31, 2014”.

(b) **USE OF ACQUISITION AND CROSS-SERVICING AGREEMENTS TO LEND CERTAIN MILITARY EQUIPMENT TO CERTAIN FOREIGN FORCES FOR PERSONNEL PROTECTION AND SURVIVABILITY.**—Section 1202(e) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2413), as most recently amended by section 1202(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1621), is further amended by striking “September 30, 2014” and inserting “December 31, 2014”.

SEC. 1218. EXTENSION AND IMPROVEMENT OF THE IRAQI SPECIAL IMMIGRANT VISA PROGRAM.

The Refugee Crisis in Iraq Act of 2007 (8 U.S.C. 1157 note) is amended—

(1) in section 1242, by striking subsection (c) and inserting the following:

“(c) **IMPROVED APPLICATION PROCESS.**—

“(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall improve the efficiency by which applications for special immigrant visas under section 1244(a), are processed so that all steps under the control of the respective de-

partments incidental to the issuance of such visas, including required screenings and background checks, should be completed not later than 9 months after the date on which an eligible alien submits all required materials to complete an application for such visa.

“(2) **CONSTRUCTION.**—Nothing in this section shall be construed to limit the ability of a Secretary referred to in paragraph (1) to take longer than 9 months to complete those steps incidental to the issuance of such visas in high-risk cases for which satisfaction of national security concerns requires additional time.

“(d) **REPRESENTATION.**—An alien applying for admission to the United States pursuant to this subtitle may be represented during the application process, including at relevant interviews and examinations, by an attorney or other accredited representative. Such representation shall not be at the expense of the United States Government.”;

(2) in section 1244—

(A) in subsection (b)—

(i) in paragraph (4)—

(I) by striking “A recommendation” and inserting the following:

“(A) **IN GENERAL.**—Except as provided under subparagraph (B), a recommendation”;

and

(II) by adding at the end the following:

“(B) **REVIEW PROCESS FOR DENIAL BY CHIEF OF MISSION.**—

“(i) **IN GENERAL.**—An applicant who has been denied Chief of Mission approval required by subparagraph (A) shall—

“(I) receive a written decision that provides, to the maximum extent feasible, information describing the basis for the denial, including the facts and inferences underlying the individual determination; and

“(II) be provided not more than one written appeal—

“(aa) that shall be submitted not more than 120 days after the date that the applicant receives such decision in writing; and

“(bb) that may request reopening of such decision and provide additional information, clarify existing information, or explain any unfavorable information.

“(ii) **IRAQI SPECIAL IMMIGRANT VISA COORDINATOR.**—The Secretary of State shall designate, in the Embassy of the United States in Baghdad, Iraq, an Iraqi Special Immigrant Visa Coordinator responsible for overseeing the efficiency and integrity of the processing of special immigrant visas under this section, who shall be given—

“(I) sufficiently high security clearance to review information supporting Chief of Mission denials if an appeal of a denial is filed;

“(II) responsibility for ensuring that an applicant described in clause (i) receives the information described in clause (i)(I); and

“(III) responsibility for ensuring that every applicant is provided a reasonable opportunity to provide additional information, clarify existing information, or explain any unfavorable information pursuant to clause (i)(II).”;

(ii) by adding at the end the following:

“(5) **EVIDENCE OF SERIOUS THREAT.**—A credible sworn statement depicting dangerous country conditions, together with official evidence of such country conditions from the United States Government, should be considered as a factor in determination of whether the alien has experienced or is experiencing an ongoing serious threat as a consequence of the alien's employment by the United States Government for purposes of paragraph (1)(D).”;

(B) in subsection (c)(3), by striking subparagraph (C) and inserting the following:

“(C) **LIMITATION ON NUMBER OF VISAS.**—

“(i) **IN GENERAL.**—The total number of principal aliens who may be provided special immigrant status under this section after January 1, 2014, shall be not more than 2500.

“(ii) **EMPLOYMENT PERIOD.**—The 1-year period during which the principal alien is required to have been employed by or on behalf of the United States Government in Iraq under subsection (b)(1)(B) shall begin on or after March 20, 2003, and end on or before September 30, 2013.

“(iii) **APPLICATION DEADLINE.**—The principal alien seeking special immigrant status under this subparagraph shall apply to the Chief of Mission in accordance with subsection (b)(4) not later than September 30, 2014.”; and

(3) in section 1248, by adding at the end the following:

“(f) **REPORT ON IMPROVEMENTS.**—

“(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit a report, with a classified annex, if necessary, to—

“(A) the Committee on the Judiciary, the Committee on Foreign Relations, and the Committee on Armed Services of the Senate; and

“(B) the Committee on the Judiciary, the Committee on Foreign Affairs, and the Committee on Armed Services of the House of Representatives.

“(2) **CONTENTS.**—The report submitted under paragraph (1) shall describe the implementation of improvements to the processing of applications for special immigrant visas under section 1244(a), including information relating to—

“(A) enhancing existing systems for conducting background and security checks of persons applying for special immigrant status, which shall—

“(i) support immigration security; and

“(ii) provide for the orderly processing of such applications without significant delay;

“(B) the financial, security, and personnel considerations and resources necessary to carry out this subtitle;

“(C) the number of aliens who have applied for special immigrant visas under section 1244 during each month of the preceding fiscal year;

“(D) the reasons for the failure to process any applications that have been pending for longer than 9 months;

“(E) the total number of applications that are pending due to the failure—

“(i) to receive approval from the Chief of Mission;

“(ii) of U.S. Citizenship and Immigration Services to complete the adjudication of the Form I-360;

“(iii) to conduct a visa interview; or

“(iv) to issue the visa to an eligible alien;

“(F) the average wait times for an applicant at each of the stages described in subparagraph (E);

“(G) the number of denials or rejections at each of the stages described in subparagraph (E); and

“(H) the reasons for denials by the Chief of Mission based on the categories already made available to denied special immigrant visa applicants in the denial letter sent to them by the Chief of Mission.

“(g) **PUBLIC QUARTERLY REPORTS.**—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, and every 3

months thereafter, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall publish a report on the website of the Department of State that describes the efficiency improvements made in the process by which applications for special immigrant visas under section 1244(a) are processed, including information described in subparagraphs (C) through (H) of subsection (f)(2).

“(h) SENIOR COORDINATING OFFICIALS.—

“(1) REQUIREMENT TO DESIGNATE.—The Secretary of Homeland Security, the Secretary of State, and the Secretary of Defense shall each designate a senior coordinating official, with sufficient expertise, authority, and resources, to carry out the duties described in paragraph (2), with regard to the issuance of special immigrant visas under this subtitle and the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note).

“(2) DUTIES.—Each senior coordinating official designated under paragraph (1) shall—

“(A) develop proposals to improve the efficiency and effectiveness of the process for issuing special immigrant visas under this subtitle and the Afghan Allies Protection Act of 2009;

“(B) coordinate and monitor the implementation of such proposals;

“(C) include such proposals in the report required by subsection (f) and in each quarterly report required by subsection (g); and

“(D) implement appropriate actions as authorized by law to carry out the improvements described in the report required by subsection (f).

“(3) SUBMISSION TO CONGRESS.—Not later than 30 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of Homeland Security, the Secretary of State, and the Secretary of Defense shall each submit to the committees set out in subparagraphs (A) and (B) of subsection (f)(1) the name and title of the senior coordinating official designated under paragraph (1) by each such Secretary, along with a description of the relevant expertise, authority, and resources of such official.”

SEC. 1219. IMPROVEMENT OF THE AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.

Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in paragraph (2)—

(A) in subparagraph (D)—

(i) by striking “A recommendation” and inserting the following:

“(i) IN GENERAL.—Except as provided under clause (ii), a recommendation”; and

(ii) by adding at the end the following:

“(ii) REVIEW PROCESS FOR DENIAL BY CHIEF OF MISSION.—

“(I) IN GENERAL.—An applicant who has been denied Chief of Mission approval shall—

“(aa) receive a written decision that provides, to the maximum extent feasible, information describing the basis for the denial, including the facts and inferences underlying the individual determination; and

“(bb) be provided not more than one written appeal—

“(AA) that shall be submitted not more than 120 days after the date that the applicant receives such decision in writing; and

“(BB) that may request reopening of such decision and provide additional information, clarify existing information, or explain any unfavorable information.

“(II) AFGHAN SPECIAL IMMIGRANT VISA COORDINATOR.—The Secretary of State shall designate, in the Embassy of the United States in Kabul, Afghanistan, an Afghan Special

Immigrant Visa Coordinator responsible for overseeing the efficiency and integrity of the processing of special immigrant visas under this section, who shall be given—

“(aa) sufficiently high security clearance to review information supporting Chief of Mission denials if an appeal of a denial is filed;

“(bb) responsibility for ensuring that an applicant described in subclause (I) receives the information described in subclause (I)(aa); and

“(cc) responsibility for ensuring that every applicant is provided a reasonable opportunity to provide additional information, clarify existing information, or explain any unfavorable information pursuant to clause (I)(bb).”; and

(B) by adding at the end the following:

“(E) EVIDENCE OF SERIOUS THREAT.—A credible sworn statement depicting dangerous country conditions, together with official evidence of such country conditions from the United States Government, should be considered as a factor in determination of whether the alien has experienced or is experiencing an ongoing serious threat as a consequence of the alien’s employment by the United States Government for purposes of subparagraph (A)(iv).

“(F) REPRESENTATION.—An alien applying for admission to the United States pursuant to this title may be represented during the application process, including at relevant interviews and examinations, by an attorney or other accredited representative. Such representation shall not be at the expense of the United States Government.”;

(2) in paragraph (4)—

(A) in the heading, by striking “PROHIBITION ON FEES.—” and inserting “APPLICATION PROCESS.—”; and

(B) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall improve the efficiency by which applications for special immigrant visas under paragraph (1), are processed so that all steps under the control of the respective departments incidental to the issuance of such visas, including required screenings and background checks, should be completed not later than 9 months after the date on which an eligible alien submits all required materials to complete an application for such visa.

“(B) CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of a Secretary referred to in subparagraph (A) to take longer than 9 months to complete those steps incidental to the issuance of such visas in high-risk cases for which satisfaction of national security concerns requires additional time.

“(C) PROHIBITION ON FEES.—The Secretary”; and

(3) by adding at the end the following:

“(12) REPORT ON IMPROVEMENTS.—

“(A) REQUIREMENT FOR REPORT.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress a report, with a classified annex, if necessary.

“(B) CONTENTS.—The report required by subparagraph (A) shall describe the imple-

mentation of improvements to the processing of applications for special immigrant visas under this subsection, including information relating to—

“(i) enhancing existing systems for conducting background and security checks of persons applying for special immigrant status, which shall—

“(I) support immigration security; and

“(II) provide for the orderly processing of such applications without significant delay;

“(ii) the financial, security, and personnel considerations and resources necessary to carry out this section;

“(iii) the number of aliens who have applied for special immigrant visas under this subsection during each month of the preceding fiscal year;

“(iv) the reasons for the failure to process any applications that have been pending for longer than 9 months;

“(v) the total number of applications that are pending due to the failure—

“(I) to receive approval from the Chief of Mission;

“(II) of U.S. Citizenship and Immigration Services to complete the adjudication of the Form I-360;

“(III) to conduct a visa interview; or

“(IV) to issue the visa to an eligible alien;

“(vi) the average wait times for an applicant at each of the stages described in clause (v);

“(vii) the number of denials or rejections at each of the stages described in clause (v); and

“(viii) the reasons for denials by the Chief of Mission based on the categories already made available to denied special immigrant visa applicants in the denial letter sent to them by the Chief of Mission.

“(13) PUBLIC QUARTERLY REPORTS.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, and every 3 months thereafter, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall publish a report on the website of the Department of State that describes the efficiency improvements made in the process by which applications for special immigrant visas under this subsection are processed, including information described in clauses (iii) through (viii) of paragraph (12)(B).”

Subtitle C—Matters Relating to Afghanistan Post 2014

SEC. 1221. REPORT ON PLANS TO DISRUPT AND DEGRADE HAQQANI NETWORK ACTIVITIES AND FINANCES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) disrupting and degrading the Haqqani Network should be a high priority; and

(2) the Administration should use the full extent of its authority to deny the organization the finances required to carry out its activities.

(b) REPORT ON ACTIVITIES AND PLAN TO DISRUPT AND DEGRADE HAQQANI NETWORK ACTIVITIES AND FINANCES.—

(1) REPORT REQUIRED.—Not later than nine months after the date of the enactment of this Act, the President shall report to the appropriate committees of Congress on activities and the plan to disrupt and degrade Haqqani Network activities and finances.

(2) COORDINATION.—The report required by paragraph (1) shall be prepared by the Secretary of Defense, in coordination with the Secretary of State, the Secretary of the Treasury, the Attorney General, and the Director of National Intelligence, and any other department or agency of the United

States Government that has lead responsibility for activities directed at disrupting and degrading the Haqqani Network.

(3) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) A description of the current activities of the Department of Defense, the Department of State, the Department of the Treasury, the Department of Justice, and the elements of the intelligence community to disrupt and degrade Haqqani Network activities, finances, and resources.

(B) An assessment of the intelligence community—

(i) of the operations of the Haqqani Network in Afghanistan and Pakistan, and its activities outside the region; and

(ii) of the relationships, networks, and vulnerabilities of the Haqqani Network, including with Pakistan's military, intelligence services, and government officials, including provincial and district officials.

(C) A review of the plans and intentions of the Haqqani Network with respect to the continued drawdown of United States and coalition troops.

(D) A review of the current United States policies, activities, and funding, and a description of a plan, for applying sustained and systemic pressure against the Haqqani Network's financial infrastructure, including—

(i) identification of the agencies that would participate in implementing the plan;

(ii) a description of the legal authorities under which the plan would be conducted;

(iii) a description of the objectives and desired outcomes of the plan, including specific steps to achieve these objectives and outcomes;

(iv) metrics to measure the success of the plan; and

(v) the identity of the agency or office to be designated as the lead agency in implementing the plan.

(E) An examination of the extent, if any, to which current United States and coalition contracting processes have furthered the financial interests of the Haqqani Network, and how the activities and plans specified in paragraph (1) would mitigate the unintended consequences of such processes.

(F) An assessment of formal and informal business sectors penetrated by the Haqqani Network in Afghanistan, Pakistan, and other countries, particularly in the Persian Gulf region, and a description of steps to counter these activities.

(G) An estimate of costs associated with the implementation of the plan to disrupt and degrade the Haqqani Network's financial activities.

(H) A description of how activities and plans specified in paragraph (1) fit in the broader United States efforts to stabilize Afghanistan and prevent the region from being a safe haven for al Qaeda and its affiliates.

(4) **UPDATE OF REPORT ON ACTIVITIES AND PLAN.**—Not later than 180 days after the submission of the report required by paragraph (1), the President shall submit an update of the report to the appropriate committees of Congress.

(5) **FORM.**—The report required by paragraph (1) and the update required by paragraph (4) shall be submitted in unclassified form, but may include a classified annex.

(c) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) **INTELLIGENCE COMMUNITY.**—The term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

SEC. 1222. COMPLETION OF ACCELERATED TRANSITION OF SECURITY RESPONSIBILITY FROM UNITED STATES ARMED FORCES TO THE AFGHAN NATIONAL SECURITY FORCES.

(a) **IN GENERAL.**—It is the policy of the United States, in coordination with the Government of Afghanistan, North Atlantic Treaty Organization (NATO) member countries, and other allies in Afghanistan, that—

(1) the accelerated transition of security responsibility from United States Armed Forces to the Afghan National Security Forces and the associated draw down of United States Armed Forces from Afghanistan shall be completed by not later than December 31, 2014;

(2) the United States shall support an Afghan-led and Afghan-owned peace negotiation process leading to a political settlement of the conflict in Afghanistan, with the goal of establishing a secure and independent Afghanistan and promoting regional security and stability; and

(3) any political settlement resulting from such peace negotiations must result in insurgent groups breaking ties with al Qaeda, renouncing violence, and accepting the Afghanistan constitution, including its protections for women and minorities.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that, before making a public announcement regarding a decision on a United States military presence in Afghanistan after December 31, 2014, the President should consult with Congress regarding the size, mission, and estimated duration of such a presence.

(c) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed so as to limit or prohibit any authority of the President to modify the military strategy, tactics, and operations of United States Armed Forces as such Armed Forces draw down from Afghanistan.

SEC. 1223. DEFENSE INTELLIGENCE PLAN.

(a) **PLAN REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a Department of Defense plan regarding covered defense intelligence assets in relation to the drawdown of the United States Armed Forces in Afghanistan. Such plan shall include—

(1) a description of the covered defense intelligence assets;

(2) a description of any such assets to remain in Afghanistan after December 31, 2014, to continue to support military operations;

(3) a description of any such assets that will be or have been reallocated to other locations outside of the United States in support of the Department of Defense;

(4) the defense intelligence priorities that will be or have been addressed with the reallocation of such assets from Afghanistan;

(5) the necessary logistics, operations, and maintenance plans to operate in the locations where such assets will be or have been reallocated, including personnel, basing, and any host country agreements; and

(6) a description of any such assets that will be or have been returned to the United States.

(b) **COVERED DEFENSE INTELLIGENCE ASSETS DEFINED.**—In this section, the term “covered defense intelligence assets” means Department of Defense intelligence assets and personnel supporting military operations in Afghanistan at any time during the one-year period ending on the date of the enactment of this Act.

SEC. 1224. LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN AUTHORITIES FOR AFGHANISTAN.

(a) **LIMITATION.**—

(1) **IN GENERAL.**—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 to carry out each of the provisions of law described in paragraph (2), not more than 50 percent may be obligated or expended until 15 days after the date on which the Secretary of Defense submits to the specified congressional committees the certification described in subsection (b).

(2) **PROVISIONS OF LAW.**—The provisions of law referred to in paragraph (1) are the following:

(A) Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1619; relating to the Commanders' Emergency Response Program in Afghanistan).

(B) Section 1217 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4393; relating to authority for program to develop and carry out infrastructure projects in Afghanistan).

(C) Section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 428; relating to the Afghanistan Security Forces Fund).

(b) **CERTIFICATION DESCRIBED.**—The certification referred to in subsection (a) is a certification of the Secretary of Defense, in consultation with the Secretary of State, that the United States and Afghanistan have signed a bilateral security agreement that is in the national security interests of the United States.

(c) **NATIONAL SECURITY WAIVER AUTHORITY.**—The Secretary of Defense may waive the applicability of the limitation in subsection (a)(1) if the Secretary determines that the waiver is in the national security interests of the United States.

(d) **SPECIFIED CONGRESSIONAL COMMITTEES.**—In this section, the term “specified congressional committees” means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

Subtitle D—Matters Relating to Iran

SEC. 1231. REPORT ON UNITED STATES MILITARY PARTNERSHIP WITH GULF COOPERATION COUNCIL COUNTRIES.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the United States military partnership with Gulf Cooperation Council countries.

(b) **MATTERS TO BE INCLUDED.**—The report required by subsection (a) shall include the following:

(1) An explanation of the steps that the Department of Defense has taken and is planning to take to improve the coordination, effectiveness, and interoperability of the regional missile defense systems and capabilities of the United States and Gulf Cooperation Council countries, both bilaterally and multilaterally.

(2) An outline of the defense agreements with Gulf Cooperation Council countries, including caveats and restrictions on United States operations.

(3) An outline of United States efforts in Gulf Cooperation Council countries that are funded by overseas contingency operations funding, an explanation of overseas contingency operations funding for such efforts, and a plan to transition overseas contingency operations funding for such efforts to long-term, sustainable funding sources.

(c) FORM.—The report required by subsection (a) may be submitted in classified or unclassified form.

SEC. 1232. ADDITIONAL ELEMENTS IN ANNUAL REPORT ON MILITARY POWER OF IRAN.

(a) IN GENERAL.—Section 1245(b)(3) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2542) is amended—

(1) in subparagraph (C), by striking “and” at the end;

(2) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(E) a description of the structure of Iran’s global network of terrorist and criminal groups and an analysis of the capability of such network of groups and how such network of groups operates to support and reinforce Iran’s grand strategy.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply with respect to reports required to be submitted under section 1245 of the National Defense Authorization Act for Fiscal Year 2010, as so amended, on or after that date.

SEC. 1233. INTEGRATED AIR AND MISSILE DEFENSE PROGRAMS AT TRAINING LOCATIONS IN SOUTHWEST ASIA.

Section 544(c)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2347c(c)(1)) is amended—

(1) in the first sentence, by inserting after “programs” the following: “and integrated air and missile defense programs”; and

(2) in the second sentence, by adding at the end before the period the following: “and integrated air and missile defense training”.

Subtitle E—Reports and Other Matters

SEC. 1241. TWO-YEAR EXTENSION OF AUTHORIZATION FOR NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.

Section 943(h) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4579), as amended by section 1205(g) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1624), is further amended by striking “2013” and inserting “2015”.

SEC. 1242. ELEMENT ON 5TH GENERATION FIGHTER PROGRAM IN ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE’S REPUBLIC OF CHINA.

Section 1202(b) of the National Defense Authorization Act for Fiscal Year 2000 (10 U.S.C. 113 note) is amended by adding at the end the following new paragraph:

“(20) The status of the 5th generation fighter program of the People’s Republic of

China, including an assessment of each individual aircraft type, estimated initial and full operational capability dates, and the ability of such aircraft to provide air superiority.”.

SEC. 1243. REPORT ON POSTURE AND READINESS OF THE ARMED FORCES TO RESPOND TO AN ATTACK OR OTHER CONTINGENCY AGAINST UNITED STATES DIPLOMATIC FACILITIES OVERSEAS.

(a) REPORT REQUIRED.—Not later than April 1, 2014, the Secretary of Defense shall, in consultation with the Secretary of State and the Chairman of the Joint Chiefs of Staff, submit to the congressional defense committees a report on the posture and readiness of the United States Armed Forces to respond to a request by the Department of State to supplement or support existing embassy security assets in the case of an attack or other contingency against a United States diplomatic facility overseas.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description and assessment of the posture and readiness of the United States Armed Forces that are expected or available to be tasked to supplement or support United States embassy security, including an assessment of the following:

(A) Forward deployed assets that are capable of responding to an attack or other contingency against a United States diplomatic facility overseas.

(B) Department of Defense support of the efforts of the Department of State to improve diplomatic security at United States diplomatic facilities overseas (in terms of both personnel and installations).

(C) Potential enhancements of intelligence support to ensure that the United States Armed Forces in the vicinity of high threat, high risk United States diplomatic facilities overseas are in an appropriate posture to respond to an attack or other contingency against such facilities.

(2) A description of any unfulfilled Marine Security Detachment requirements with respect to high threat, high risk United States diplomatic facilities overseas, a description and assessment of mitigation efforts to meet such requirements, and a schedule for meeting such requirements.

(c) FORM.—The report required by subsection (a) may be submitted in classified or unclassified form.

SEC. 1244. LIMITATION ON ESTABLISHMENT OF REGIONAL SPECIAL OPERATIONS FORCES COORDINATION CENTERS.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to establish Regional Special Operations Forces Coordination Centers (RSCCs).

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional committees specified in subsection (c) a report on the following:

(1) A detailed description of the intent and purpose of the RSCCs concept.

(2) Defined and validated requirements justifying the establishment of RSCCs or similar entities within each geographic combatant command, to include how such RSCCs or similar entities have been coordinated and de-conflicted with existing regional and multilateral frameworks or approaches.

(3) The relevance to and coordination with other multilateral engagement activities and academic institutions supported by the

geographic combatant commanders and the Department of State.

(4) Cost estimates across the Future Years Defense Program for RSCCs or similar entities, to include estimates of contributions of participating nations.

(5) Any legislative authorities that may be needed to establish RSCCs or similar entities.

(6) Any other matters that the Secretary of Defense or Secretary of State determines appropriate.

(c) SPECIFIED CONGRESSIONAL COMMITTEES.—The congressional committees referred to in subsection (b) are—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1245. ADDITIONAL REPORTS ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE DEMOCRATIC PEOPLE’S REPUBLIC OF KOREA.

(a) REPORT.—Subsection (a) of section 1236 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1641), as amended by section 1292 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2042), is further amended by striking “November 1, 2012, and November 1, 2013,” and inserting “November 1, 2013, November 1, 2015, and November 1, 2017.”.

(b) UPDATE.—Section 1236 of the National Defense Authorization Act for Fiscal Year 2012 is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

“(c) UPDATE.—The Secretary of Defense shall revise or supplement the most recent report submitted pursuant to subsection (a) if, in the Secretary’s estimation, interim events or developments occurring in a period between reports required under subsection (a) warrant revision or supplement.”.

SEC. 1246. SENSE OF CONGRESS ON MISSILE DEFENSE COOPERATION WITH THE RUSSIAN FEDERATION AND LIMITATIONS ON PROVIDING CERTAIN MISSILE DEFENSE INFORMATION TO THE RUSSIAN FEDERATION.

(a) FINDING.—Congress finds that the President certified to the Senate on February 2, 2011, pursuant to condition (5) of the resolution of the Senate giving the advice and consent of the Senate to the ratification of the Treaty Between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (commonly referred to as the “New START Treaty”), signed in Prague on April 8, 2010, the following: “The New START Treaty does not require, at any point during which it will be in force, the United States to provide to the Russian Federation telemetric information under Article IX of the New START Treaty, Part Seven of the Protocol, and the Annex on Telemetric Information to the Protocol for the launch of (a) any missile defense interceptor, as defined in paragraph 44 of Part One of the Protocol to the New START Treaty; (b) any satellite launches, missile defense sensor targets, and missile defense intercept targets, the launch of which uses the first stage of an existing type of United States intercontinental ballistic missile (ICBM) or submarine-launched ballistic missile (SLBM) listed in paragraph 8 of Article III of the New START Treaty; or (c) any missile described in clause (a) of paragraph 7 of Article III of the New START Treaty.”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) as stated in declaration (1) of the resolution of the Senate giving the advice and consent of the Senate to the ratification of the New START Treaty—

(A) “further limitations on the missile defense capabilities of the United States are not in the national security interest of the United States”; and

(B) “[t]he New START Treaty and the April 7, 2010, unilateral statement of the Russian Federation on missile defense do not limit in any way, and shall not be interpreted as limiting, activities that the United States Government currently plans or that might be required over the duration of the New START Treaty to protect the United States pursuant to the National Missile Defense Act of 1999, or to protect United States Armed Forces and United States allies from limited ballistic missile attack, including further planned enhancements to the Ground-based Midcourse Defense system and all phases of the Phased Adaptive Approach to missile defense in Europe.”;

(2) as stated in declaration (2) of the resolution of the Senate giving the advice and consent of the Senate to the ratification of the New START Treaty, “the United States will welcome steps by the Russian Federation also to adopt a fundamentally defensive strategic posture that no longer views robust strategic defensive capabilities as undermining the overall strategic balance, and stands ready to cooperate with the Russian Federation on strategic defensive capabilities, as long as such cooperation is aimed at fostering and in no way constrains the defensive capabilities of both sides”;

(3) any missile defense cooperation with the Russian Federation should not in any way limit United States’ or NATO’s missile defense capabilities, and should be mutually beneficial and reciprocal in nature;

(4) the United States should not provide the Russian Federation with sensitive missile defense information that would in any way compromise United States national security, including “hit-to-kill” technology and telemetry data for missile defense interceptors or target vehicles; and

(5) the sovereignty of the United States and its ability to unilaterally pursue its own missile defense program shall be protected.

(c) LIMITATIONS ON PROVIDING CERTAIN MISSILE DEFENSE INFORMATION TO THE RUSSIAN FEDERATION.—

(1) CERTAIN “HIT-TO-KILL” TECHNOLOGY AND TELEMETRY DATA.—No funds authorized to be appropriated or otherwise made available for fiscal years 2014 through 2016 for the Department of Defense may be used to provide the Russian Federation with “hit-to-kill” technology and telemetry data for missile defense interceptors or target vehicles.

(2) OTHER SENSITIVE MISSILE DEFENSE INFORMATION.—No funds authorized to be appropriated or otherwise made available for fiscal year 2014 for the Department of Defense may be used to provide the Russian Federation with sensitive missile defense information that would in any way compromise United States national security.

(3) CONGRESSIONAL NOTIFICATION.—If the Secretary of Defense intends to provide the Russian Federation with any sensitive missile defense information that the Secretary determines will not compromise United States national security, the Secretary shall notify the congressional defense committees of the Secretary’s intent to provide such information not less than 7 days prior to the provision of such information, including an

explanation of the reasons for providing the information and the reasons why providing the information will not compromise United States national security.

SEC. 1247. AMENDMENTS TO ANNUAL REPORT UNDER ARMS CONTROL AND DISARMAMENT ACT.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES.—Section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a) is amended—

(1) in subsection (a), by striking “the Speaker of the House of Representatives and to the chairman of the Committee on Foreign Relations of the Senate” and inserting “the appropriate congressional committees”;

(2) in subsection (c), by striking “Congress” and inserting “appropriate congressional committees”;

(3) by adding at the end the following new subsection:

“(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ‘appropriate congressional committees’ means—

“(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

“(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.”.

(b) CONGRESSIONAL BRIEFING.—Section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a), as amended by subsection (a) of this section, is further amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection:

“(e) CONGRESSIONAL BRIEFING.—Not later than May 15 of each year, the President shall provide to the appropriate congressional committees a briefing on the most-recent report required by this section.”.

SEC. 1248. REPORT ON ACTIONS TO REDUCE SUPPORT FOR BALLISTIC MISSILE PROLIFERATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States Government should develop a plan to reduce the spread of technology and expertise that could support the ballistic missile development programs of Iran, North Korea, and Syria, as well as any other nation determined by the United States Government to be a ballistic missile proliferation risk; and

(2) such plan should include efforts to secure the cooperation of the Russian Federation and the People’s Republic of China to help reduce the spread of such ballistic missile technology and expertise.

(b) REPORT.—

(1) IN GENERAL.—Not later than 240 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with appropriate Federal departments and agencies, shall submit to the appropriate congressional committees a report on steps that have been taken, and that are planned to be taken, to reduce the spread of technology and expertise that could support the ballistic missile development programs of Iran, North Korea, and Syria, as well as any other nation the Secretary determines to be a ballistic missile proliferation risk.

(2) DEFINITION.—In this subsection, the term “appropriate congressional committees” means—

(A) the congressional defense committees;

(B) the Select Committee on Intelligence of the Senate and the Permanent Select

Committee on Intelligence of the House of Representatives; and

(C) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(3) FORM.—The report required by this subsection shall be submitted in unclassified form, but may contain a classified annex, if necessary.

SEC. 1249. REPORTS ON INTERNATIONAL AGREEMENTS RELATING TO THE DEPARTMENT OF DEFENSE.

(a) REPORTS REQUIRED.—The Secretary of Defense, in coordination with the Secretary of State, shall semi-annually submit to the Committees on Armed Services of the Senate and the House of Representatives a report on agreements described in subsection (b) which have entered into force, have been amended, or have been terminated during the previous 6-month period and with respect to which such agreements were previously notified by the Secretary of State to the Congress pursuant to section 112b of title 1, United States Code (commonly known as the “Case-Zablocki Act”).

(b) AGREEMENTS DESCRIBED.—Agreements referred to in subsection (a) are agreements relating to matters primarily or significantly related to or involving the Department of Defense, including, but not limited to—

(1) matters such as where the Department of Defense will carry out activities under the agreement; and

(2) matters such as where Department of Defense personnel are able to be present in a foreign country in light of the status protections, exemptions, and responsibilities afforded by the agreement.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to supersede the requirements of section 112b of title 1, United States Code.

(d) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act, and shall apply with respect to an agreement described in subsection (b) on or after that date.

(e) TERMINATION.—The section shall terminate at the close of December 31, 2019.

SEC. 1250. REVISION OF STATUTORY REFERENCES TO FORMER NATO SUPPORT ORGANIZATIONS AND RELATED NATO AGREEMENTS.

(a) TITLE 10, UNITED STATES CODE.—Section 2350d of title 10, United States Code, is amended—

(1) by striking “NATO Maintenance and Supply Organization” each place it appears and inserting “NATO Support Organization and its executive agencies”;

(2) in subsection (a)(1)—

(A) by striking “Weapon System Partnership Agreements” and inserting “Support Partnership Agreements”; and

(B) in subparagraph (B), by striking “a specific weapon system” and inserting “activities”; and

(3) in subsections (b), (c), (d), and (e), by striking “Weapon System Partnership Agreement” each place it appears and inserting “Support Partnership Agreement”.

(b) ARMS EXPORT CONTROL ACT.—Section 21(e)(3) of the Arms Export Control Act (22 U.S.C. 2761(e)(3)) is amended—

(1) in subparagraphs (A) and (C)(i), by striking “Maintenance and Supply Agency of the North Atlantic Treaty Organization” and inserting “North Atlantic Treaty Organization (NATO) Support Organization and its executive agencies”;

(2) in subparagraph (A)(i), by striking “weapon system partnership agreement” and inserting “support partnership agreement”; and

(3) in subparagraph (C)(i)(II), by striking “a specific weapon system” and inserting “activities”.

SEC. 1251. EXECUTIVE AGREEMENTS WITH THE RUSSIAN FEDERATION RELATING TO BALLISTIC MISSILE DEFENSE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that any executive agreement between the United States and the Russian Federation relating to ballistic missile defense should not limit the development or deployment of ballistic missile defense systems or capabilities of the United States or of the North Atlantic Treaty Organization.

(b) BRIEFING.—Prior to signing an executive agreement with the Russian Federation relating to ballistic missile defense, the President, or the President's designee, shall brief the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the objectives and contents of the executive agreement.

SEC. 1252. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed as authorizing the use of force against Syria or Iran.

SEC. 1253. LIMITATION ON AVAILABILITY OF FUNDS TO IMPLEMENT THE ARMS TRADE TREATY.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to implement the Arms Trade Treaty, or to make any change to existing programs, projects, or activities as approved by Congress in furtherance of, pursuant to, or otherwise to implement the Arms Trade Treaty, unless the Arms Trade Treaty has received the advice and consent of the Senate and has been the subject of implementing legislation, as required, by the Congress.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude the Department of Defense from assisting foreign countries in bringing their laws and regulations up to United States standards.

SEC. 1254. REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE RUSSIAN FEDERATION.

(a) REPORT.—Not later than June 1, 2014, the Secretary of Defense shall submit to the specified congressional committees a report on the security and military strategy of the Russian Federation.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following:

(1) An assessment of the security priorities and objectives of Russia.

(2) The goals and factors shaping Russian security and military strategy, including military spending and investment priorities.

(3) An assessment of the Russian military's force structure.

(4) Recent developments in Russian military doctrine and training.

(5) The current state of United States military-to-military cooperation with Russia's armed forces, which shall include the following:

(A) A comprehensive and coordinated strategy for such military-to-military cooperation.

(B) A summary of all such military-to-military cooperation during the one-year period preceding the report, including a summary of topics discussed.

(C) A description of such military-to-military cooperation planned for the 12-month period following such report.

(D) The Secretary's assessment of the benefits the Russians expect to gain from such military-to-military cooperation.

(E) The Secretary's assessment of the benefits the Department of Defense expects to gain from such military-to-military cooperation, and any concerns regarding such cooperation.

(F) The Secretary's assessment of how such military-to-military cooperation fit into the larger security relationship between the United States and the Russian Federation.

(6) A description of Russia's key military-to-military relationships with other countries, and how these relationships fit into Russia's larger security and military strategy.

(7) Other military and security developments involving Russia that the Secretary of Defense considers relevant to United States national security.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITION.—In this section the term “specified congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(2) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

SEC. 1255. PROHIBITION ON USE OF FUNDS TO ENTER INTO CONTRACTS OR AGREEMENTS WITH ROSBORONEXPORT.

(a) PROHIBITION.—None of the funds authorized to be appropriated for the Department of Defense for fiscal year 2014 may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, to make a grant, to, or to provide a loan or loan guarantee to Rosoboronexport.

(b) NATIONAL SECURITY WAIVER AUTHORITY.—The Secretary of Defense may waive the applicability of subsection (a) if the Secretary determines that such a waiver is in the national security interests of the United States.

(c) REQUIREMENTS RELATING TO USE OF FUNDS PURSUANT TO WAIVER.—

(1) NOTICE TO CONGRESS BEFORE OBLIGATION OF FUNDS.—Not later than 30 days before obligating funds pursuant to the waiver under subsection (b), the Secretary of Defense shall submit to Congress a notice on the obligation of funds pursuant to the waiver.

(2) REPORT.—Not later than 15 days after the submittal of the notice under paragraph (1), the Secretary shall submit to Congress a report setting forth the following:

(A) An assessment of the number, if any, of S-300 advanced anti-aircraft missiles that Rosoboronexport has delivered to the Assad regime in Syria.

(B) A list of the known contracts, if any, that Rosoboronexport has signed with the Assad regime since January 1, 2013.

(d) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to prohibit the use of funds authorized to be appropriated for the Department of Defense to enter into a contract or other agreement with Rosoboronexport for the purpose of supplying spare parts for the sustained maintenance of helicopters operated by the Afghan National Security Forces.

TITLE XIII—COOPERATIVE THREAT REDUCTION

Sec. 1301. Specification of cooperative threat reduction programs and funds.

Sec. 1302. Funding allocations.

Sec. 1303. Extension of authority for utilization of contributions to the cooperative threat reduction program.

Sec. 1304. Strategy to modernize cooperative threat reduction and prevent the proliferation of weapons of mass destruction and related materials in the Middle East and North Africa region.

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS.

(a) SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS.—For purposes of section 301 and other provisions of this Act, Cooperative Threat Reduction programs are the programs specified in section 1501 of the National Defense Authorization Act for Fiscal Year 1997 (50 U.S.C. 2362 note).

(b) FISCAL YEAR 2014 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term “fiscal year 2014 Cooperative Threat Reduction funds” means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs.

(c) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs shall be available for obligation for fiscal years 2014, 2015, and 2016.

SEC. 1302. FUNDING ALLOCATIONS.

(a) FUNDING FOR SPECIFIC PURPOSES.—Of the \$528,455,000 authorized to be appropriated to the Department of Defense for fiscal year 2014 in section 301 and made available by the funding table in section 4301 for Cooperative Threat Reduction programs, the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, \$5,700,000.

(2) For chemical weapons destruction, \$13,000,000.

(3) For global nuclear security, \$32,808,000.

(4) For cooperative biological engagement, \$306,325,000.

(5) For proliferation prevention, \$136,072,000.

(6) For threat reduction engagement, \$6,375,000.

(7) For activities designated as Other Assessments/Administrative Costs, \$28,175,000.

(b) REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—No fiscal year 2014 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (1) through (7) of subsection (a) until 15 days after the date that the Secretary of Defense submits to Congress a report on the purpose for which the funds will be obligated or expended and the amount of funds to be obligated or expended. Nothing in the preceding sentence shall be construed as authorizing the obligation or expenditure of fiscal year 2014 Cooperative Threat Reduction funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under this title or any other provision of law.

(c) LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS.—

(1) IN GENERAL.—Subject to paragraph (2), in any case in which the Secretary of Defense determines that it is necessary to do so in the national interest, the Secretary may obligate amounts appropriated for fiscal year 2014 for a purpose listed in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for that purpose.

(2) NOTICE-AND-WAIT REQUIRED.—An obligation of funds for a purpose stated in paragraphs (1) through (7) of subsection (a) in excess of the specific amount authorized for

such purpose may be made using the authority provided in paragraph (1) only after—

(A) the Secretary submits to Congress notification of the intent to do so together with a complete discussion of the justification for doing so; and

(B) 15 days have elapsed following the date of the notification.

(d) ENHANCED AUTHORITY.—

(1) IN GENERAL.—The percentage limitation specified in subsection (a) of section 1305 of the National Defense Authorization Act for Fiscal Year 2010 (22 U.S.C. 5965) shall not apply with respect to amounts appropriated or otherwise made available for fiscal year 2014 or 2015 for the Cooperative Threat Reduction Program of the Department of Defense to the extent that amounts expended in excess of such percentage limitation for either such fiscal year are expended for activities undertaken under that section with respect to Syria.

(2) QUARTERLY BRIEFINGS.—

(A) INITIAL BRIEFING.—Not later than April 15, 2014, the Secretary shall provide to the appropriate congressional committees a briefing on activities described in subsection (a) that includes the following:

(i) A comprehensive assessment of the chemical weapons stockpiles in Syria, including names, types, and quantities of chemical weapons agents, types of munitions, and location and form of storage, production, and research and development facilities.

(ii) An assessment of undeclared chemical weapons stockpiles, munitions, and facilities.

(iii) A detailed plan for carrying out such activities.

(iv) Estimated costs, timelines, and milestones for carrying out the plan, including accounting of funds expended between September 27, 2013, and the date of the initial briefing.

(v) A discussion of the planned final disposition of equipment and facilities procured using funds authorized for such activities.

(vi) A detailed list of pledges made and funds received by foreign nations and multilateral organizations.

(vii) Any other issues or events that reflect the current status of the efforts to remove and destroy Syria's chemical weapons.

(B) SUBSEQUENT BRIEFINGS.—Not later than 90 days after providing the briefing required by subparagraph (A), and each 90-day period thereafter, the Secretary shall provide to the appropriate congressional committees a briefing on the activities carried out under subsection (a) that includes the following:

(i) An accounting of the funds expended as of the date of the briefing to carry out such activities.

(ii) An estimate of the funds that are expected to be expended for such activities in the 90-day period following the briefing.

(iii) An identification of recipients of assistance pursuant to such activities.

(iv) A description of the types of equipment and services procured in carrying out such activities.

(v) A detailed list of pledges made and funds received by foreign nations and multilateral organizations.

(vi) Any other issues or events that reflect the current status of the efforts to remove and destroy Syria's chemical weapons.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means the following:

(A) The congressional defense committees.

(B) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1303. EXTENSION OF AUTHORITY FOR UTILIZATION OF CONTRIBUTIONS TO THE COOPERATIVE THREAT REDUCTION PROGRAM.

Section 1303(g) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2557; 22 U.S.C. 5952 note) is amended by striking “December 31, 2015” and inserting “December 31, 2018”.

SEC. 1304. STRATEGY TO MODERNIZE COOPERATIVE THREAT REDUCTION AND PREVENT THE PROLIFERATION OF WEAPONS OF MASS DESTRUCTION AND RELATED MATERIALS IN THE MIDDLE EAST AND NORTH AFRICA REGION.

(a) STRATEGY REQUIRED.—The Secretary of Defense, in coordination with the Secretary of State and the Secretary of Energy, shall establish a comprehensive and broad nonproliferation strategy to advance cooperative efforts with the governments of countries in the Middle East and North Africa to reduce the threat from the proliferation of weapons of mass destruction and related materials.

(b) ELEMENTS.—The strategy required by subsection (a) shall—

(1) build upon the current activities of the nonproliferation programs of the Department of Defense, the Department of State, the Department of Energy, and other departments and agencies of the Federal Government designed to mitigate the range of threats posed by weapons of mass destruction and related materials in the Middle East and North Africa region;

(2) review issues relating to the threat from the proliferation of weapons of mass destruction and related materials in the Middle East and North Africa region on a regional basis as well as on a country-by-country basis;

(3) review the activities and achievements in the Middle East and North Africa region of—

(A) the Cooperative Threat Reduction program of the Department of Defense;

(B) the nonproliferation programs of the Department of State and the Department of Energy; and

(C) programs of other departments and agencies of the Federal Government designed to address nuclear, chemical, and biological safety and security issues;

(4) ensure the continued coordination of cooperative nonproliferation efforts within the Federal Government;

(5) mobilize and leverage additional resources from countries that cooperate with the United States with respect to nonproliferation efforts, nongovernmental and multilateral organizations, and international institutions;

(6) include an assessment of what countries are financially, materially, or technologically supporting proliferation in the Middle East and North Africa region and how the strategy will prevent, stop, or interdict such support;

(7) include an estimate of associated costs required to plan and execute the proposed cooperative threat reduction activities under the strategy; and

(8) include a discussion of the metrics to measure the success of the strategy and such activities in reducing the regional threat of the proliferation of weapons of mass destruction.

(c) INTEGRATION AND COORDINATION.—The strategy required by subsection (a) shall include—

(1) an assessment of gaps in current cooperative efforts to reduce the threat from the proliferation of weapons of mass destruction and related materials in the Middle East and North Africa region;

(2) an articulation of the priorities of the United States with respect to reducing such threat;

(3) the establishment of appropriate metrics for determining success with respect to reducing such threat; and

(4) methods for ensuring that the strategy conforms to broader efforts by the United States to reduce the threat from weapons of mass destruction.

(d) CONSULTATIONS.—In establishing the strategy required by subsection (a), the Secretary of Defense shall consult with governmental and nongovernmental experts in matters relating to nonproliferation that present a diverse set of views.

(e) SUBMISSION OF STRATEGY AND IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than March 31, 2014, the Secretary of Defense shall submit to the appropriate congressional committees the strategy required by subsection (a) and a plan for the implementation of the strategy.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means the following:

(A) The congressional defense committees.

(B) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(3) FORM.—The strategy and plan required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

Sec. 1401. Working capital funds.

Sec. 1402. National Defense Sealift Fund.

Sec. 1403. Chemical Agents and Munitions Destruction, Defense.

Sec. 1404. Drug Interdiction and Counter-Drug Activities, Defense-wide.

Sec. 1405. Defense Inspector General.

Sec. 1406. Defense Health Program.

Subtitle B—National Defense Stockpile

Sec. 1411. Use of National Defense Stockpile for the conservation of a strategic and critical materials supply.

Sec. 1412. Authority to acquire additional materials for the National Defense Stockpile.

Subtitle C—Other Matters

Sec. 1421. Authority for transfer of funds to Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois.

Sec. 1422. Authorization of appropriations for Armed Forces Retirement Home.

Sec. 1423. Cemetery expenses.

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the National

Defense Sealift Fund, as specified in the funding table in section 4501.

SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2014 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) **USE.**—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2014 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2014 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1406. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the Defense Health Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the health of eligible beneficiaries.

Subtitle B—National Defense Stockpile

SEC. 1411. USE OF NATIONAL DEFENSE STOCKPILE FOR THE CONSERVATION OF A STRATEGIC AND CRITICAL MATERIALS SUPPLY.

(a) **PRESIDENTIAL RESPONSIBILITY FOR CONSERVATION OF STOCKPILE MATERIALS.**—Section 6(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98e(a)) is amended—

(1) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively; and

(2) by inserting after paragraph (4) the following new paragraph (5):

“(5) provide for the appropriate recovery of any strategic and critical materials under section 3(a) that may be available from excess materials made available for recovery purposes by other Federal agencies;”.

(b) **USES OF NATIONAL DEFENSE STOCKPILE TRANSACTION FUND.**—Section 9(b)(2) of such Act (50 U.S.C. 98h(b)(2)) is amended—

(1) by redesignating subparagraphs (D) through (L) as subparagraphs (E) through (M), respectively; and

(2) by inserting after subparagraph (C) the following new subparagraph (D):

“(D) Encouraging the appropriate conservation of strategic and critical materials.”.

(c) **DEVELOPMENT OF DOMESTIC SOURCES.**—Section 15(a) of such Act (50 U.S.C. 98h-6(a)) is amended, in the matter preceding paragraph (1), by inserting “and appropriate conservation” after “development”.

SEC. 1412. AUTHORITY TO ACQUIRE ADDITIONAL MATERIALS FOR THE NATIONAL DEFENSE STOCKPILE.

(a) **ACQUISITION AUTHORITY.**—Using funds available in the National Defense Stockpile

Transaction Fund, the National Defense Stockpile Manager may acquire the following materials determined to be strategic and critical materials required to meet the defense, industrial, and essential civilian needs of the United States:

(1) Ferroniobium.

(2) Dysprosium Metal.

(3) Yttrium Oxide.

(4) Cadmium Zinc Tellurium Substrate Materials.

(5) Lithium Ion Precursors.

(6) Triamino-Trinitrobenzene and Insensitive High Explosive Molding Powders.

(b) **AMOUNT OF AUTHORITY.**—The National Defense Stockpile Manager may use up to \$41,000,000 of the National Stockpile Transaction Fund for acquisition of the materials specified in subsection (a).

(c) **FISCAL YEAR LIMITATION.**—The authority under this section is available for purchases during fiscal year 2014 through fiscal year 2019.

Subtitle C—Other Matters

SEC. 1421. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) **AUTHORITY FOR TRANSFER OF FUNDS.**—Of the funds authorized to be appropriated by section 1406 and available for the Defense Health Program for operation and maintenance, \$143,087,000 may be transferred by the Secretary of Defense to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) **USE OF TRANSFERRED FUNDS.**—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

SEC. 1422. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2014 from the Armed Forces Retirement Home Trust Fund the sum of \$67,800,000 for the operation of the Armed Forces Retirement Home.

SEC. 1423. CEMETERY EXPENSES.

Funds are hereby authorized to be appropriated for the Department of the Army for fiscal year 2014 for cemetery expenses, not otherwise provided for, in the amount of \$45,800,000.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Additional Appropriations

Sec. 1501. Purpose.

Sec. 1502. Procurement.

Sec. 1503. Research, development, test, and evaluation.

Sec. 1504. Operation and maintenance.

Sec. 1505. Military personnel.

Sec. 1506. Working capital funds.

Sec. 1507. Drug Interdiction and Counter-Drug Activities, Defense-wide.

Sec. 1508. Defense Inspector General.

Sec. 1509. Defense Health Program.

Subtitle B—Financial Matters

Sec. 1521. Treatment as additional authorizations.

Sec. 1522. Special transfer authority.

Subtitle C—Limitations, Reports, and Other Matters

Sec. 1531. Afghanistan Security Forces Fund.

Sec. 1532. Joint Improvised Explosive Device Defeat Fund.

Sec. 1533. Future role of Joint Improvised Explosive Device Defeat Organization.

Sec. 1534. Extension of authority for Task Force for Business and Stability Operations in Afghanistan.

Subtitle A—Authorization of Additional Appropriations

SEC. 1501. PURPOSE.

The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2014 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

SEC. 1502. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2014 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.

SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

SEC. 1504. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4302.

SEC. 1505. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4402.

SEC. 1506. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2014 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2014 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

SEC. 1508. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2014 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

SEC. 1509. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2014 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

Subtitle B—Financial Matters**SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1522. SPECIAL TRANSFER AUTHORITY.

(a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.**—

(1) **AUTHORITY.**—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2014 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) **LIMITATION.**—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed \$4,000,000,000.

(b) **TERMS AND CONDITIONS.**—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) **ADDITIONAL AUTHORITY.**—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—Limitations, Reports, and Other Matters**SEC. 1531. AFGHANISTAN SECURITY FORCES FUND.**

(a) **CONTINUATION OF EXISTING LIMITATIONS ON USE OF FUNDS IN FUND.**—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2014 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4424).

(b) **REVISION OF PLAN FOR USE OF AFGHANISTAN SECURITY FORCES FUND.**—

(1) **REVISION AND PURPOSE.**—The Secretary of Defense shall revise the plan required by section 1531(e) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2056) regarding use of the Afghanistan Security Forces Fund through September 30, 2017, to ensure that an office or official of the Department of Defense is identified as responsible for each program or activity supported using funds available to the Department of Defense through the Afghanistan Security Forces Fund.

(2) **SUBMISSION.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional committees the plan as revised pursuant to paragraph (1).

(c) **PROMOTION OF RECRUITMENT AND RETENTION OF WOMEN.**—

(1) **IN GENERAL.**—Of the funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2014, no less than \$25,000,000 shall be available to be used for programs and activities to support the recruitment, integration, retention, training, and treatment of women in the Afghanistan National Security Forces (ANSF).

(2) **TYPES OF PROGRAMS AND ACTIVITIES.**—Such programs and activities may include, but are not limited to—

(A) efforts to recruit women into the ANSF, including the special operations forces;

(B) programs and activities of the Afghan Ministry of Defense Directorate of Human Rights and Gender Integration and the Afghan Ministry of Interior Office of Human Rights, Gender and Child Rights;

(C) development and dissemination of gender and human rights educational and training materials and programs within the Afghan Ministry of Defense and the Afghan Ministry of Interior;

(D) efforts to address harassment and violence against women within the ANSF;

(E) efforts to increase female security personnel in connection with elections in Afghanistan; and

(F) improvements to infrastructure that address the requirements of women serving in the ANSF.

(d) **EQUIPMENT DISPOSAL.**—

(1) **ACCEPTANCE OF CERTAIN EQUIPMENT.**—The Secretary of Defense may accept equipment procured using funds authorized under prior Acts that was transferred to the security forces of Afghanistan and returned by such forces to the United States if the Secretary provides written notification to the congressional defense committees of the Secretary's intention to accept such equipment.

(2) **TREATMENT AS DEPARTMENT OF DEFENSE STOCKS.**—The equipment described in paragraph (1), and equipment not yet transferred to the security forces of Afghanistan that is determined by the Commander, Combined Security Transition Command-Afghanistan (or the Commander's designee) to no longer be required for transfer to such forces, may be treated as stocks of the Department of Defense upon notification to the congressional defense committees of such treatment.

(3) **REPORTS.**—

(A) **INITIAL REPORT.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that details all equipment that was transferred to the security forces of Afghanistan and returned by such forces to the United States, including type of equipment and reason for its return.

(B) **SUBSEQUENT REPORTS.**—Not later than 30 days after the end of the first two fiscal year quarters of fiscal year 2014, and not later than 30 days after the end of each fiscal half-year thereafter, the Secretary shall submit to the congressional defense committees a report on the equipment accepted under paragraph (1) during such fiscal year quarter or half-year, as the case may be. Each report shall include, for the period covered by such report, a list of all equipment accepted under paragraph (1) that was treated as the stocks of the Department pursuant to paragraph (2).

SEC. 1532. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.

(a) **USE AND TRANSFER OF FUNDS.**—Subsections (b) and (c) of section 1514 of the

John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2439), as in effect before the amendments made by section 1503 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4649), shall apply to the funds made available to the Department of Defense for the Joint Improvised Explosive Device Defeat Fund for fiscal year 2014.

(b) **TERMINATION OF NOTIFICATION REQUIREMENT.**—Effective December 31, 2014, paragraph (4) of subsection (c) of section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2439), as amended by section 1503(c) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4649), is repealed.

(c) **EXTENSION OF INTERDICTION OF IMPROVISED EXPLOSIVE DEVICE PRECURSOR CHEMICALS AUTHORITY.**—Section 1532(c)(4) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2057) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(d) **SEMIANNUAL OBLIGATIONS AND EXPENDITURE REPORTS.**—Not later April 15 and October 15, 2014, the Secretary of Defense shall provide to the congressional defense committees a report on the Joint Improvised Explosive Device Defeat Fund explaining commitments, obligations, and expenditures by line of operation during the preceding six months.

SEC. 1533. FUTURE ROLE OF JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT ORGANIZATION.

(a) **REPORT REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the future plans of the Department of Defense for the Joint Improvised Explosive Device Defeat Organization (JIEDDO). The Secretary shall prepare the report in consultation with the Chairman of the Joint Chiefs of Staff.

(b) **REQUIRED ELEMENTS.**—The report required by subsection (a) shall include the following elements:

(1) The operational and enduring requirements considered in determining the future plans for JIEDDO.

(2) If the Secretary of Defense plans to discontinue JIEDDO—

(A) a description of how JIEDDO's major programs, capabilities, and lines of operations will be integrated into other components within the Department of Defense or discontinued; and

(B) a statement of the estimated costs to other components of the Department for any JIEDDO program, capability, or line of operations reassigned to such components.

(3) If the Secretary of Defense plans to continue JIEDDO—

(A) a statement of the expected mission of JIEDDO;

(B) a description of the expected organizational structure for JIEDDO, including the reporting structure and lines of operation within the Department and personnel strength, including contractors; and

(C) a statement of the estimated costs and budgetary impacts related to implementing any changes to the mission of JIEDDO and its organizational structure.

(4) A timeline for implementation of the selected alternative described in paragraph (2) or (3).

(5) A description of how the Department will identify and incorporate lessons learned

from establishing and managing JIEDDO and its programs.

SEC. 1534. EXTENSION OF AUTHORITY FOR TASK FORCE FOR BUSINESS AND STABILITY OPERATIONS IN AFGHANISTAN.

(a) **EXTENSION.**—Subsection (a) of section 1535 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4426), as most recently amended by section 1533 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2058), is further amended—

(1) in paragraph (6), by striking “and October 31, 2011, October 31, 2012, and October 31, 2013” and inserting “October 31 of each of 2011 through 2014”; and

(2) in paragraph (8), by striking “September 30, 2013” and inserting “December 31, 2014”.

(b) **FUNDING.**—Subparagraph (B) of paragraph (4) of such subsection, as so amended, is further amended—

(1) in clause (i), by striking “and” at the end;

(2) in clause (ii), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new clause:

“(iii) may not exceed \$63,800,000 for fiscal year 2014.”.

(c) **ADDITIONAL LIMITATION ON AVAILABILITY OF FUNDS.**—Paragraph (4) of such subsection is further amended—

(1) by redesignating subparagraph (C) as subparagraph (D);

(2) by inserting after subparagraph (B) the following new subparagraph (C):

“(C) **LIMITATION ON AVAILABILITY OF FUNDS FOR FISCAL YEAR 2014.**—None of the funds available for fiscal year 2014 pursuant to subparagraph (B)(iii) may be obligated to assist the Government of Afghanistan in the purchase of equipment, supplies, or materials for mining and oil and gas resources during fiscal year 2014 or the installation of such equipment, supplies, or materials, until the date on which the Secretary of Defense certifies to the Committees on Armed Services of the Senate and the House of Representatives that the Government of Afghanistan has agreed to reimburse the Government of the United States for the amount of any such funds, from royalties received from mining or oil and gas contracts awarded by the Government of Afghanistan.”; and

(3) in subparagraph (D), as redesignated by paragraph (1), by inserting “OF FUNDS ACROSS FISCAL YEARS” after “AVAILABILITY”.

(d) **CONVERSION OF UPDATE OF IMPLEMENTATION OF TRANSITION ACTION PLAN FROM QUARTERLY TO BIANNUALLY.**—Paragraph (7)(B) of such subsection, as so amended, is further amended by striking “90 days” and inserting “180 days”.

TITLE XVI—INDUSTRIAL BASE MATTERS

Subtitle A—Defense Industrial Base Matters

Sec. 1601. Periodic audits of contracting compliance by Inspector General of Department of Defense.

Sec. 1602. Foreign space activities.

Sec. 1603. Proof of Concept Commercialization Pilot Program.

Subtitle B—Matters Relating to Small Business Concerns

Sec. 1611. Advancing small business growth.

Sec. 1612. Amendments relating to Procurement Technical Assistance Cooperative Agreement Program.

Sec. 1613. Reporting on goals for procurement contracts awarded to small business concerns.

Sec. 1614. Credit for certain small business subcontractors.

Sec. 1615. Inapplicability of requirement to review and justify certain contracts.

Subtitle A—Defense Industrial Base Matters

SEC. 1601. PERIODIC AUDITS OF CONTRACTING COMPLIANCE BY INSPECTOR GENERAL OF DEPARTMENT OF DEFENSE.

(a) **REQUIREMENT FOR PERIODIC AUDITS OF CONTRACTING COMPLIANCE.**—The Inspector General of the Department of Defense shall conduct periodic audits of contracting practices and policies related to procurement under section 2533a of title 10, United States Code.

(b) **REQUIREMENT FOR ADDITIONAL INFORMATION IN SEMIANNUAL REPORTS.**—The Inspector General of the Department of Defense shall ensure that findings and other information resulting from audits conducted pursuant to subsection (a) are included in the semi-annual report transmitted to congressional committees under section 8(f)(1) of the Inspector General Act of 1978 (5 U.S.C. App.).

SEC. 1602. FOREIGN SPACE ACTIVITIES.

(a) **CONTRACTS WITH CERTAIN FOREIGN ENTITIES.**—

(1) **IN GENERAL.**—Chapter 135 of title 10, United States Code, as amended by section 911(a) of this Act, is further amended by adding at the end the following new section:

“§ 2279. Foreign commercial satellite services

“(a) **PROHIBITION.**—Except as provided in subsection (b), the Secretary of Defense may not enter into a contract for satellite services with a foreign entity if the Secretary reasonably believes that—

“(1) the foreign entity is an entity in which the government of a covered foreign country has an ownership interest that enables that government to affect satellite operations; or

“(2) the foreign entity plans to or is expected to provide launch or other satellite services under the contract from a covered foreign country.

“(b) **NOTICE AND EXCEPTION.**—The prohibition in subsection (a) shall not apply to a contract if—

“(1) the Secretary determines it is in the national security of the United States to enter into such contract; and

“(2) not later than 7 days before entering into such contract, the Secretary, in consultation with the Director of National Intelligence, submits to the congressional defense committees a national security assessment for such contract that includes the following:

“(A) The projected period of performance (including any period covered by options to extend the contract), the financial terms, and a description of the services to be provided under the contract.

“(B) To the extent practicable, a description of the ownership interest that a covered foreign country has in the foreign entity providing satellite services to the Department of Defense under the contract and the launch or other satellite services that will be provided in a covered foreign country under the contract.

“(C) A justification for entering into a contract with such foreign entity and a description of the actions necessary to eliminate the need to enter into such a contract with such foreign entity in the future.

“(D) A risk assessment of entering into a contract with such foreign entity, including an assessment of mission assurance and security of information and a description of

any measures necessary to mitigate risks found by such risk assessment.

“(c) **DELEGATION OF NOTICE AND EXCEPTION AUTHORITY.**—The Secretary of Defense may only delegate the authority under subsection (b) to enter into a contract subject to the prohibition under subsection (a) to the Deputy Secretary of Defense, the Under Secretary of Defense for Policy, or the Under Secretary of Defense for Acquisition, Technology, and Logistics and such authority may not be further delegated.

“(d) **FORM OF ASSESSMENTS.**—Each assessment under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

“(e) **COVERED FOREIGN COUNTRY DEFINED.**—In this section, the term ‘covered foreign country’ means a country described in section 1261(c)(2) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2019).”.

(2) **TABLE OF SECTIONS AMENDMENT.**—The table of sections at the beginning of such chapter, as amended by section 911(b) of this Act, is further amended by adding at the end the following item:

“2279. Foreign commercial satellite services.”.

(b) **LIMITATION ON CONSTRUCTION ON UNITED STATES TERRITORY OF SATELLITE POSITIONING GROUND MONITORING STATIONS OF FOREIGN GOVERNMENTS.**—

(1) **CERTIFICATION.**—

(A) **IN GENERAL.**—The President may not authorize or permit the construction of a global navigation satellite system ground monitoring station directly or indirectly controlled by a foreign government (including a ground monitoring station owned, operated, or controlled on behalf of a foreign government) in the territory of the United States unless the Secretary of Defense and the Director of National Intelligence jointly certify to the appropriate congressional committees that such ground monitoring station will not possess the capability or potential to be used for the purpose of gathering intelligence in the United States or improving any foreign weapon system.

(B) **FORM.**—Each certification under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(2) **NATIONAL SECURITY WAIVER.**—The Secretary of Defense and the Director of National Intelligence may jointly waive the certification requirement in paragraph (1) for a ground monitoring station if—

(A) the Secretary and the Director jointly determine that the waiver is in the vital interests of the national security of the United States; and

(B) the Secretary and the Director ensure that—

(i) all data collected or transmitted from ground monitoring stations covered by the waiver are not encrypted;

(ii) all persons involved in the construction, operation, and maintenance of such ground monitoring stations are United States persons;

(iii) such ground monitoring stations are not located in geographic proximity to sensitive United States national security sites;

(iv) the United States approves all equipment to be located at such ground monitoring stations;

(v) appropriate actions are taken to ensure that any such ground monitoring stations do not pose a cyber espionage or other threat, including intelligence or counterintelligence, to the national security of the United States; and

(vi) any improvements to such ground monitoring stations do not reduce or compete with the advantages of Global Positioning System technology for users.

(3) **WAIVER REPORT.**—For each waiver under paragraph (2), the Secretary of Defense and the Director of National Intelligence, in consultation with the Secretary of State, shall jointly submit to the appropriate congressional committees a report containing—

(A) the reason why it is not possible to provide the certification under paragraph (1) for the ground monitoring stations covered by such waiver;

(B) an assessment of the impact of the exercise of authority under paragraph (2) with respect to such ground monitoring stations on the national security of the United States;

(C) a description of the means to be used to mitigate any such impact to the United States for the duration that such ground monitoring stations are operated in the territory of the United States; and

(D) any other information in connection with the waiver that the Secretary of Defense and the Director of National Intelligence, in consultation with the Secretary of State, consider appropriate.

(4) **NOTICE.**—Not later than 30 days before the exercise of the authority to waive under paragraph (2) the certification requirement under paragraph (1) for a ground monitoring station, the Secretary of Defense and the Director of National Intelligence shall jointly provide to the appropriate congressional committees notice of the exercise of such authority and the report required under paragraph (3) with respect to such ground monitoring station.

(5) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(6) **SUNSET.**—Effective on the date that is five years after the date of the enactment of this Act, paragraphs (1) through (5) are repealed.

SEC. 1603. PROOF OF CONCEPT COMMERCIALIZATION PILOT PROGRAM.

(a) **PILOT PROGRAM.**—The Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering, may establish and implement a pilot program, to be known as the “Proof of Concept Commercialization Pilot Program”, in accordance with this section.

(b) **PURPOSE.**—The purpose of the pilot program is to accelerate the commercialization of basic research innovations from qualifying institutions.

(c) **AWARDS.**—

(1) **IN GENERAL.**—Under the pilot program, the Secretary shall make financial awards to qualifying institutions in accordance with this subsection.

(2) **COMPETITIVE, MERIT-BASED PROCESS.**—An award under the pilot program shall be made using a competitive, merit-based process.

(3) **ELIGIBILITY.**—A qualifying institution shall be eligible for an award under the pilot program if the institution agrees to—

(A) use funds from the award for the uses specified in paragraph (5); and

(B) oversee the use of the funds through—

(i) a rigorous, diverse review board comprised of experts in translational and proof of concept research, including industry, start-up, venture capital, technical, financial, and business experts and university technology transfer officials;

(ii) technology validation milestones focused on market feasibility;

(iii) simple reporting on program progress; and

(iv) a process to reallocate funding from poor performing projects to those with more potential.

(4) **CRITERIA.**—An award may be made under the pilot program to a qualifying institution in accordance with the following criteria:

(A) The extent to which a qualifying institution—

(i) has an established and proven technology transfer or commercialization office and has a plan for engaging that office in the program’s implementation or has outlined an innovative approach to technology transfer that has the potential to increase or accelerate technology transfer outcomes and can be adopted by other qualifying institutions;

(ii) can assemble a project management board comprised of industry, start-up, venture capital, technical, financial, and business experts;

(iii) has an intellectual property rights strategy or office; and

(iv) demonstrates a plan for sustainability beyond the duration of the funding from the award.

(B) Such other criteria as the Secretary determines necessary.

(5) **USE OF AWARD.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the funds from an award may be used to evaluate the commercial potential of existing discoveries, including activities that contribute to determining a project’s commercialization path, including technical validations, market research, clarifying intellectual property rights, and investigating commercial and business opportunities.

(B) **LIMITATIONS.**—

(i) The amount of an award may not exceed \$500,000 a year.

(ii) Funds from an award may not be used for basic research, or to fund the acquisition of research equipment or supplies unrelated to commercialization activities.

(d) **REPORT.**—Not later than one year after the establishment of the pilot program, the Secretary shall submit to the congressional defense committees and to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report evaluating the effectiveness of the activities of the pilot program. The report shall include—

(1) a detailed description of the pilot program, including incentives and activities undertaken by review board experts;

(2) an accounting of the funds used in the pilot program;

(3) a detailed description of the institutional selection process;

(4) a detailed compilation of results achieved by the pilot program; and

(5) an analysis of the program’s effectiveness, with data supporting the analysis.

(e) **QUALIFYING INSTITUTION DEFINED.**—In this section, the term “qualifying institution” means a nonprofit institution, as defined in section 4(3) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3703(3)), or a Federal laboratory, as defined in section 4(4) of the Stevenson-Wylder Tech-

nology Innovation Act of 1980 (15 U.S.C. 3703(4)).

(f) **LIMITATION.**—Not more than \$5,000,000 may be obligated or expended to conduct the pilot program under this section.

(g) **TERMINATION.**—The pilot program conducted under this section shall terminate on September 30, 2018.

Subtitle B—Matters Relating to Small Business Concerns

SEC. 1611. ADVANCING SMALL BUSINESS GROWTH.

(a) **ADVANCING SMALL BUSINESS GROWTH.**—

(1) **IN GENERAL.**—Chapter 142 of title 10, United States Code, is amended—

(A) by redesignating section 2419 as section 2420; and

(B) by inserting after section 2418 the following new section 2419:

“§ 2419. Advancing small business growth

“(a) **CONTRACT CLAUSE REQUIRED.**—(1) The Under Secretary of Defense for Acquisition, Technology, and Logistics shall require the clause described in paragraph (2) to be included in each covered contract awarded by the Department of Defense.

“(2) The clause described in this paragraph is a clause that—

“(A) requires the contractor to acknowledge that acceptance of the contract may cause the business to exceed the applicable small business size standards (established pursuant to section 3(a) of the Small Business Act) for the industry concerned and that the contractor may no longer qualify as a small business concern for that industry; and

“(B) encourages the contractor to develop capabilities and characteristics typically desired in contractors that are competitive as an other-than-small business in that industry.

“(b) **AVAILABILITY OF ASSISTANCE.**—Covered small businesses may be provided assistance as part of any procurement technical assistance furnished pursuant to this chapter.

“(c) **DEFINITIONS.**—In this section:

“(1) The term ‘covered contract’ means a contract—

“(A) awarded to a qualified small business concern as defined pursuant to section 3(a) of the Small Business Act; and

“(B) with an estimated annual value—

“(i) that will exceed the applicable receipt-based small business size standard; or

“(ii) if the contract is in an industry with an employee-based size standard, that will exceed \$70,000,000.

“(2) The term ‘covered small business’ means a qualified small business concern as defined pursuant to section 3(a) of the Small Business Act that has entered into a contract with the Department of Defense that includes a contract clause described in subsection (a)(2).”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by striking the item relating to section 2419 and inserting the following:

“2419. Advancing small business growth.
“2420. Regulations.”

(b) **EXCEPTION TO LIMITATION ON FUNDING.**—Section 2414 of such title is amended—

(1) in subsection (a), by striking “The value” and inserting “Except as provided in subsection (c), the value”; and

(2) by adding at the end the following new subsection (c):

“(c) **EXCEPTION.**—The value of the assistance provided in accordance with section 2419(b) of this title is not subject to the limitations in subsection (a).”

(c) REVISIONS TO COOPERATIVE AGREEMENTS.—

(1) FULL FUNDING ALLOWED FOR CERTAIN ASSISTANCE.—Section 2413(b) of such title is amended—

(A) by striking “except that in the case” and inserting: “except that—

“(1) in the case”;

(B) by striking the period at the end and inserting “; and”;

(C) by adding at the end the following new paragraph:

“(2) in the case of a program sponsored by such an entity that provides assistance for covered small businesses pursuant to section 2419(b) of this title, the Secretary may agree to furnish the full cost of such assistance.”.

(2) ADDITIONAL CONSIDERATIONS.—Section 2413 of such title is further amended by adding at the end the following new subsection:

“(e) In determining the level of funding to provide under an agreement under subsection (b), the Secretary shall consider the forecast by the eligible entity of demand for procurement technical assistance, and, in the case of an established program under this chapter, the outlays and receipts of such program during prior years of operation.”.

(3) CONFORMING AMENDMENT.—Section 2413(d) of such title is amended by striking “and in determining the level of funding to provide under an agreement under subsection (b),”.

(d) REPORT REQUIRED.—Not later than March 15, of 2015, 2016, and 2017, the Secretary of Defense shall submit to the congressional defense committees a report on the implementation of the amendments made by this section, along with any recommendations for improving the Procurement Technical Assistance Cooperative Agreement Program.

SEC. 1612. AMENDMENTS RELATING TO PROCUREMENT TECHNICAL ASSISTANCE COOPERATIVE AGREEMENT PROGRAM.

(a) INCREASE IN GOVERNMENT SHARE.—Section 2413(b) of title 10, United States Code, is amended—

(1) by striking “one-half” both places it appears and inserting “65 percent”; and

(2) by striking “three-fourths” and inserting “75 percent”.

(b) INCREASE IN LIMITATIONS ON VALUE OF ASSISTANCE.—Section 2414(a) of such title is amended—

(1) in paragraphs (1) and (4), by striking “\$600,000” and inserting “\$750,000”;

(2) in paragraph (2), by striking “\$300,000” and inserting “\$450,000”; and

(3) in paragraph (3), by striking “\$150,000” and inserting “\$300,000”.

SEC. 1613. REPORTING ON GOALS FOR PROCUREMENT CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS.

Subsection (h)(1) of section 15 of the Small Business Act (15 U.S.C. 644) is amended—

(1) by striking “and” at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting “; and”;

(3) by adding at the end the following new subparagraph:

“(D) a remediation plan with proposed new practices to better meet such goals, including analysis of factors leading to any failure to achieve such goals.”.

SEC. 1614. CREDIT FOR CERTAIN SMALL BUSINESS SUBCONTRACTORS.

(a) IN GENERAL.—Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended—

(1) in paragraph (6)(D), by adding before the semicolon at the end the following: “, and assurances at a minimum that the offer-

or or bidder, and all subcontractors required to maintain subcontracting plans pursuant to this paragraph, will—

“(i) review and approve subcontracting plans submitted by their subcontractors;

“(ii) monitor subcontractor compliance with their approved subcontracting plans;

“(iii) ensure that subcontracting reports are submitted by their subcontractors when required;

“(iv) acknowledge receipt of their subcontractors’ reports;

“(v) compare the performance of their subcontractors to subcontracting plans and goals; and

“(vi) discuss performance with subcontractors when necessary to ensure their subcontractors make a good faith effort to comply with their subcontracting plans”;

(2) in paragraph (6)(F), by striking “and” at the end;

(3) by redesignating subparagraph (G) of paragraph (6) as subparagraph (H), and inserting after subparagraph (F) of paragraph (6) the following new subparagraph (G):

“(G) a recitation of the types of records the successful offeror or bidder will maintain to demonstrate procedures which have been adopted to ensure subcontractors at all tiers comply with the requirements and goals set forth in the plan established in accordance with subparagraph (D) of this paragraph, including—

“(i) the establishment of source lists of small business concerns, small business concerns owned and controlled by veterans, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women; and

“(ii) efforts to identify and award subcontracts to such small business concerns; and”;

(4) by adding at the end the following:

“(16) CREDIT FOR CERTAIN SUBCONTRACTORS.—

“(A) For purposes of determining whether or not a prime contractor has attained the percentage goals specified in paragraph (6)—

“(i) if the subcontracting goals pertain only to a single contract with the executive agency, the prime contractor shall receive credit for small business concerns performing as first tier subcontractors or subcontractors at any tier pursuant to the subcontracting plans required under paragraph (6)(D) in an amount equal to the dollar value of work awarded to such small business concerns; and

“(ii) if the subcontracting goals pertain to more than one contract with one or more executive agencies, or to one contract with more than one executive agency, the prime contractor may only count first tier subcontractors that are small business concerns.

“(B) Nothing in this paragraph shall abrogate the responsibility of a prime contractor to make a good-faith effort to achieve the first tier small business subcontracting goals negotiated under paragraph (6)(A), or the requirement for subcontractors with further opportunities for subcontracting to make a good-faith effort to achieve the goals established under paragraph (6)(D).”.

(b) DEFINITIONS PERTAINING TO SUBCONTRACTING.—Section 3 of the Small Business Act (15 U.S.C. 632) is amended by adding at the end the following:

“(dd) DEFINITIONS PERTAINING TO SUBCONTRACTING.—In this Act:

“(1) SUBCONTRACT.—The term ‘subcontract’ means a legally binding agreement between a contractor that is already under contract to another party to perform work, and a third party, hereinafter referred to as the subcontractor, for the subcontractor to perform a part, or all, of the work that the contractor has undertaken.

“(2) FIRST TIER SUBCONTRACTOR.—The term ‘first tier subcontractor’ means a subcontractor who has a subcontract directly with the prime contractor.

“(3) AT ANY TIER.—The term ‘at any tier’ means any subcontractor other than a subcontractor who is a first tier subcontractor.”.

(c) IMPLEMENTATION AND EFFECTIVE DATE.—

(1) REQUIREMENT FOR PLAN.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Small Business Administration, the Secretary of Defense, and the Administrator of General Services shall submit to the Committee on Small Business and the Committee on Armed Services of the House of Representatives and the Committee on Small Business and Entrepreneurship and the Committee on Armed Services of the Senate a plan to implement this section and the amendments made by this section. The plan shall contain assurances that the appropriate tracking mechanisms are in place to enable transparency of subcontracting activities at all tiers.

(2) COMPLETION OF PLAN ACTIONS.—Not later than one year after the date of the enactment of this Act, the Administrator of the Small Business Administration, the Secretary of Defense, and the Administrator of General Services shall complete the actions required by the plan.

(3) REGULATIONS.—No later than 18 months after the date of the enactment of this Act, the Administrator of the Small Business Administration shall promulgate any regulations necessary, and the Federal Acquisition Regulation shall be revised, to implement this section and the amendments made by this section.

(4) APPLICABILITY.—Any regulations promulgated pursuant to paragraph (3) shall apply to contracts entered into after the last day of the fiscal year in which the regulations are promulgated.

SEC. 1615. INAPPLICABILITY OF REQUIREMENT TO REVIEW AND JUSTIFY CERTAIN CONTRACTS.

In the case of a contract to which the provisions of section 46 of the Small Business Act (15 U.S.C. 657s) apply, the requirements under section 802 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1824; 10 U.S.C. 2304 note) do not apply.

TITLE XVII—SEXUAL ASSAULT PREVENTION AND RESPONSE AND RELATED REFORMS

Subtitle A—Reform of Uniform Code of Military Justice

Sec. 1701. Extension of crime victims’ rights to victims of offenses under the Uniform Code of Military Justice.

Sec. 1702. Revision of Article 32 and Article 60, Uniform Code of Military Justice.

Sec. 1703. Elimination of five-year statute of limitations on trial by court-martial for additional offenses involving sex-related crimes.

Sec. 1704. Defense counsel interview of victim of an alleged sex-related offense in presence of trial counsel, counsel for the victim, or a Sexual Assault Victim Advocate.

Sec. 1705. Discharge or dismissal for certain sex-related offenses and trial of such offenses by general courts-martial.

Sec. 1706. Participation by victim in clemency phase of courts-martial process.

Sec. 1707. Repeal of the offense of consensual sodomy under the Uniform Code of Military Justice.

Sec. 1708. Modification of Manual for Courts-Martial to eliminate factor relating to character and military service of the accused in rule on initial disposition of offenses.

Sec. 1709. Prohibition of retaliation against members of the Armed Forces for reporting a criminal offense.

Subtitle B—Other Amendments to Title 10, United States Code

Sec. 1711. Prohibition on service in the Armed Forces by individuals who have been convicted of certain sexual offenses.

Sec. 1712. Issuance of regulations applicable to the Coast Guard regarding consideration of request for permanent change of station or unit transfer by victim of sexual assault.

Sec. 1713. Temporary administrative reassignment or removal of a member of the Armed Forces on active duty who is accused of committing a sexual assault or related offense.

Sec. 1714. Expansion and enhancement of authorities relating to protected communications of members of the Armed Forces and prohibited retaliatory actions.

Sec. 1715. Inspector General investigation of allegations of retaliatory personnel actions taken in response to making protected communications regarding sexual assault.

Sec. 1716. Designation and availability of Special Victims' Counsel for victims of sex-related offenses.

Subtitle C—Amendments to Other Laws

Sec. 1721. Tracking of compliance of commanding officers in conducting organizational climate assessments for purposes of preventing and responding to sexual assaults.

Sec. 1722. Advancement of submittal deadline for report of independent panel on assessment of military response systems to sexual assault.

Sec. 1723. Retention of certain forms in connection with Restricted Reports and Unrestricted Reports on sexual assault involving members of the Armed Forces.

Sec. 1724. Timely access to Sexual Assault Response Coordinators by members of the National Guard and Reserves.

Sec. 1725. Qualifications and selection of Department of Defense sexual assault prevention and response personnel and required availability of Sexual Assault Nurse Examiners.

Sec. 1726. Additional responsibilities of Sexual Assault Prevention and Response Office for Department of Defense sexual assault prevention and response program.

Subtitle D—Studies, Reviews, Policies, and Reports

Sec. 1731. Independent reviews and assessments of Uniform Code of Military Justice and judicial proceedings of sexual assault cases.

Sec. 1732. Review and policy regarding Department of Defense investigative practices in response to allegations of Uniform Code of Military Justice violations.

Sec. 1733. Review of training and education provided members of the Armed Forces on sexual assault prevention and response.

Sec. 1734. Report on implementation of Department of Defense policy on the retention of and access to evidence and records relating to sexual assaults involving members of the Armed Forces.

Sec. 1735. Review of the Office of Diversity Management and Equal Opportunity role in sexual harassment cases.

Subtitle E—Other Matters

Sec. 1741. Enhanced protections for prospective members and new members of the Armed Forces during entry-level processing and training.

Sec. 1742. Commanding officer action on reports on sexual offenses involving members of the Armed Forces.

Sec. 1743. Eight-day incident reporting requirement in response to unrestricted report of sexual assault in which the victim is a member of the Armed Forces.

Sec. 1744. Review of decisions not to refer charges of certain sex-related offenses for trial by court-martial.

Sec. 1745. Inclusion and command review of information on sex-related offenses in personnel service records of members of the Armed Forces.

Sec. 1746. Prevention of sexual assault at military service academies.

Sec. 1747. Required notification whenever members of the Armed Forces are completing Standard Form 86 of the Questionnaire for National Security Positions.

Subtitle F—Sense of Congress Provisions

Sec. 1751. Sense of Congress on commanding officer responsibility for command climate free of retaliation.

Sec. 1752. Sense of Congress on disposition of charges involving certain sexual misconduct offenses under the Uniform Code of Military Justice through courts-martial.

Sec. 1753. Sense of Congress on the discharge in lieu of court-martial of members of the Armed Forces who commit sex-related offenses.

Subtitle A—Reform of Uniform Code of Military Justice

SEC. 1701. EXTENSION OF CRIME VICTIMS' RIGHTS TO VICTIMS OF OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) VICTIMS' RIGHTS.—

(1) IN GENERAL.—Subchapter I of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by adding at the end the following new section (article):

“§ 806b. Art. 6b. Rights of the victim of an offense under this chapter

“(a) RIGHTS OF A VICTIM OF AN OFFENSE UNDER THIS CHAPTER.—A victim of an offense under this chapter has the following rights:

“(1) The right to be reasonably protected from the accused.

“(2) The right to reasonable, accurate, and timely notice of any of the following:

“(A) A public hearing concerning the continuation of confinement prior to trial of the accused.

“(B) A preliminary hearing under section 832 of this title (article 32) relating to the offense.

“(C) A court-martial relating to the offense.

“(D) A public proceeding of the service clemency and parole board relating to the offense.

“(E) The release or escape of the accused, unless such notice may endanger the safety of any person.

“(3) The right not to be excluded from any public hearing or proceeding described in paragraph (2) unless the military judge or investigating officer, as applicable, after receiving clear and convincing evidence, determines that testimony by the victim of an offense under this chapter would be materially altered if the victim heard other testimony at that hearing or proceeding.

“(4) The right to be reasonably heard at any of the following:

“(A) A public hearing concerning the continuation of confinement prior to trial of the accused.

“(B) A sentencing hearing relating to the offense.

“(C) A public proceeding of the service clemency and parole board relating to the offense.

“(5) The reasonable right to confer with the counsel representing the Government at any proceeding described in paragraph (2).

“(6) The right to receive restitution as provided in law.

“(7) The right to proceedings free from unreasonable delay.

“(8) The right to be treated with fairness and with respect for the dignity and privacy of the victim of an offense under this chapter.

“(b) VICTIM OF AN OFFENSE UNDER THIS CHAPTER DEFINED.—In this section, the term ‘victim of an offense under this chapter’ means a person who has suffered direct physical, emotional, or pecuniary harm as a result of the commission of an offense under this chapter (the Uniform Code of Military Justice).

“(c) LEGAL GUARDIAN FOR CERTAIN VICTIMS.—In the case of a victim of an offense under this chapter who is under 18 years of age, incompetent, incapacitated, or deceased, the military judge shall designate a legal guardian from among the representatives of the estate of the victim, a family member, or other suitable person to assume the victim's rights under this section. However, in no event may the person so designated be the accused.

“(d) RULE OF CONSTRUCTION.—Nothing in this section (article) shall be construed—

“(1) to authorize a cause of action for damages; or

“(2) to create, to enlarge, or to imply any duty or obligation to any victim of an offense under this chapter or other person for

the breach of which the United States or any of its officers or employees could be held liable in damages.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 47 of such title (the Uniform Code of Military Justice) is amended by adding at the end the following new item:

“806b. Art. 6b. Rights of the victim of an offense under this chapter.”.

(b) IMPLEMENTATION.—

(1) ISSUANCE.—Not later than one year after the date of the enactment of this Act—

(A) the Secretary of Defense shall recommend to the President changes to the Manual for Courts-Martial to implement section 806b of title 10, United States Code (article 6b of the Uniform Code of Military Justice), as added by subsection (a); and

(B) the Secretary of Defense and Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall prescribe such regulations as each such Secretary considers appropriate to implement such section.

(2) MECHANISMS FOR AFFORDING RIGHTS.—The recommendations and regulations required by paragraph (1) shall include the following:

(A) Mechanisms for ensuring that victims are notified of, and accorded, the rights specified in section 806b of title 10, United States Code (article 6b of the Uniform Code of Military Justice), as added by subsection (a).

(B) Mechanisms for ensuring that members of the Armed Forces and civilian personnel of the Department of Defense and the Coast Guard make their best efforts to ensure that victims are notified of, and accorded, the rights specified in such section.

(C) Mechanisms for the enforcement of such rights, including mechanisms for application for such rights and for consideration and disposition of applications for such rights.

(D) The designation of an authority within each Armed Force to receive and investigate complaints relating to the provision or violation of such rights.

(E) Disciplinary sanctions for members of the Armed Forces and other personnel of the Department of Defense and Coast Guard who willfully or wantonly fail to comply with requirements relating to such rights.

SEC. 1702. REVISION OF ARTICLE 32 AND ARTICLE 60, UNIFORM CODE OF MILITARY JUSTICE.

(a) USE OF PRELIMINARY HEARINGS.—

(1) IN GENERAL.—Section 832 of title 10, United States Code (article 32 of the Uniform Code of Military Justice), is amended to read as follows:

“§ 832. Art. 32. Preliminary hearing

“(a) PRELIMINARY HEARING REQUIRED.—(1) No charge or specification may be referred to a general court-martial for trial until completion of a preliminary hearing.

“(2) The purpose of the preliminary hearing shall be limited to the following:

“(A) Determining whether there is probable cause to believe an offense has been committed and the accused committed the offense.

“(B) Determining whether the convening authority has court-martial jurisdiction over the offense and the accused.

“(C) Considering the form of charges.

“(D) Recommending the disposition that should be made of the case.

“(b) HEARING OFFICER.—(1) A preliminary hearing under subsection (a) shall be conducted by an impartial judge advocate certified under section 827(b) of this title (article 27(b)) whenever practicable or, in excep-

tional circumstances in which the interests of justice warrant, by an impartial hearing officer who is not a judge advocate. If the hearing officer is not a judge advocate, a judge advocate certified under section 827(b) of this title (article 27(b)) shall be available to provide legal advice to the hearing officer.

“(2) Whenever practicable, when the judge advocate or other hearing officer is detailed to conduct the preliminary hearing, the officer shall be equal to or senior in grade to military counsel detailed to represent the accused or the Government at the preliminary hearing.

“(c) REPORT OF RESULTS.—After conducting a preliminary hearing under subsection (a), the judge advocate or other officer conducting the preliminary hearing shall prepare a report that addresses the matters specified in subsections (a)(2) and (f).

“(d) RIGHTS OF ACCUSED AND VICTIM.—(1) The accused shall be advised of the charges against the accused and of the accused's right to be represented by counsel at the preliminary hearing under subsection (a). The accused has the right to be represented at the preliminary hearing as provided in section 838 of this title (article 38) and in regulations prescribed under that section.

“(2) The accused may cross-examine witnesses who testify at the preliminary hearing and present additional evidence in defense and mitigation, relevant to the limited purposes of the hearing, as provided for in paragraph (4) and subsection (a)(2).

“(3) A victim may not be required to testify at the preliminary hearing. A victim who declines to testify shall be deemed to be not available for purposes of the preliminary hearing.

“(4) The presentation of evidence and examination (including cross-examination) of witnesses at a preliminary hearing shall be limited to the matters relevant to the limited purposes of the hearing, as provided in subsection (a)(2).

“(e) RECORDING OF PRELIMINARY HEARING.—A preliminary hearing under subsection (a) shall be recorded by a suitable recording device. The victim may request the recording and shall have access to the recording as prescribed by the Manual for Courts-Martial.

“(f) EFFECT OF EVIDENCE OF UNCHARGED OFFENSE.—If evidence adduced in a preliminary hearing under subsection (a) indicates that the accused committed an uncharged offense, the hearing officer may consider the subject matter of that offense without the accused having first been charged with the offense if the accused—

“(1) is present at the preliminary hearing;

“(2) is informed of the nature of each uncharged offense considered; and

“(3) is afforded the opportunities for representation, cross-examination, and presentation consistent with subsection (d).

“(g) EFFECT OF VIOLATION.—The requirements of this section are binding on all persons administering this chapter, but failure to follow the requirements does not constitute jurisdictional error.

“(h) VICTIM DEFINED.—In this section, the term ‘victim’ means a person who—

“(1) is alleged to have suffered a direct physical, emotional, or pecuniary harm as a result of the matters set forth in a charge or specification being considered; and

“(2) is named in one of the specifications.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter VI of chapter 47 of such title is amended by striking the item relating to section 832 and inserting the following new item:

“832. Art 32. Preliminary hearing.”.

(b) ELIMINATION OF UNLIMITED COMMAND PREROGATIVE AND DISCRETION; IMPOSITION OF ADDITIONAL LIMITATIONS.—Subsection (c) of section 860 of title 10, United States Code (article 60 of the Uniform Code of Military Justice), is amended to read as follows:

“(c)(1) Under regulations of the Secretary concerned, a commissioned officer commanding for the time being, a successor in command, or any person exercising general court-martial jurisdiction may act under this section in place of the convening authority.

“(2)(A) Action on the sentence of a court-martial shall be taken by the convening authority or by another person authorized to act under this section. Subject to regulations of the Secretary concerned, such action may be taken only after consideration of any matters submitted by the accused under subsection (b) or after the time for submitting such matters expires, whichever is earlier.

“(B) Except as provided in paragraph (4), the convening authority or another person authorized to act under this section may approve, disapprove, commute, or suspend the sentence of the court-martial in whole or in part.

“(C) If the convening authority or another person authorized to act under this section acts to disapprove, commute, or suspend, in whole or in part, the sentence of the court-martial for an offense (other than a qualifying offense), the convening authority or other person shall provide, at that same time, a written explanation of the reasons for such action. The written explanation shall be made a part of the record of the trial and action thereon.

“(3)(A) Action on the findings of a court-martial by the convening authority or by another person authorized to act under this section is not required.

“(B) If the convening authority or another person authorized to act under this section acts on the findings of a court-martial, the convening authority or other person—

“(i) may not dismiss any charge or specification, other than a charge or specification for a qualifying offense, by setting aside a finding of guilty thereto; or

“(ii) may not change a finding of guilty to a charge or specification, other than a charge or specification for a qualifying offense, to a finding of guilty to an offense that is a lesser included offense of the offense stated in the charge or specification.

“(C) If the convening authority or another person authorized to act under this section acts on the findings to dismiss or change any charge or specification for an offense (other than a qualifying offense), the convening authority or other person shall provide, at that same time, a written explanation of the reasons for such action. The written explanation shall be made a part of the record of the trial and action thereon.

“(D)(i) In this subsection, the term ‘qualifying offense’ means, except in the case of an offense excluded pursuant to clause (ii), an offense under this chapter for which—

“(I) the maximum sentence of confinement that may be adjudged does not exceed two years; and

“(II) the sentence adjudged does not include dismissal, a dishonorable or bad-conduct discharge, or confinement for more than six months.

“(ii) Such term does not include any of the following:

“(I) An offense under subsection (a) or (b) of section 920 of this title (article 120).

“(II) An offense under section 920b or 925 of this title (articles 120b and 125).

“(III) Such other offenses as the Secretary of Defense may specify by regulation.

“(4)(A) Except as provided in subparagraph (B) or (C), the convening authority or another person authorized to act under this section may not disapprove, commute, or suspend in whole or in part an adjudged sentence of confinement for more than six months or a sentence of dismissal, dishonorable discharge, or bad conduct discharge.

“(B) Upon the recommendation of the trial counsel, in recognition of the substantial assistance by the accused in the investigation or prosecution of another person who has committed an offense, the convening authority or another person authorized to act under this section shall have the authority to disapprove, commute, or suspend the adjudged sentence in whole or in part, even with respect to an offense for which a mandatory minimum sentence exists.

“(C) If a pre-trial agreement has been entered into by the convening authority and the accused, as authorized by Rule for Courts-Martial 705, the convening authority or another person authorized to act under this section shall have the authority to approve, disapprove, commute, or suspend a sentence in whole or in part pursuant to the terms of the pre-trial agreement, subject to the following limitations for convictions of offenses that involve a mandatory minimum sentence:

“(i) If a mandatory minimum sentence of a dishonorable discharge applies to an offense for which the accused has been convicted, the convening authority or another person authorized to act under this section may commute the dishonorable discharge to a bad conduct discharge pursuant to the terms of the pre-trial agreement.

“(ii) Except as provided in clause (i), if a mandatory minimum sentence applies to an offense for which the accused has been convicted, the convening authority or another person authorized to act under this section may not disapprove, otherwise commute, or suspend the mandatory minimum sentence in whole or in part, unless authorized to do so under subparagraph (B).”

(c) CONFORMING AMENDMENTS.—

(1) REFERENCES TO SOLE DISCRETION AND OTHER PERSONS AUTHORIZED TO ACT UNDER ARTICLE 60.—Section 860 of title 10, United States Code (article 60 of the Uniform Code of Military Justice), is further amended—

(A) in subsection (b)(2), by striking “or other person taking action under this section” and inserting “or another person authorized to act under this section”;

(B) in subsection (d), by striking “or other person taking action under this section” the first place it appears and inserting “or another person authorized to act under this section”;

(C) in subsection (e)(1), by striking “or other person taking action under this section, in his sole discretion,” and inserting “or another person authorized to act under this section”; and

(D) in subsection (e)(3), by striking “or other person taking action under this section” and inserting “or another person authorized to act under this section”.

(2) OTHER AUTHORITY FOR CONVENING AUTHORITY TO SUSPEND SENTENCE.—Section 871(d) of such title (article 71(d) of the Uniform Code of Military Justice) is amended by adding at the end the following new sentence: “Paragraphs (2) and (4) of subsection (c) of section 860 of this title (article 60) shall apply to any decision by the convening authority or another person authorized to act under this section to suspend the execution

of any sentence or part thereof under this subsection.”.

(3) REFERENCES TO ARTICLE 32 INVESTIGATION.—(A) Section 802(d)(1)(A) of such title (article 2(d)(1)(A) of the Uniform Code of Military Justice) is amended by striking “investigation under section 832” and inserting “a preliminary hearing under section 832”.

(B) Section 834(a)(2) of such title (article 34(a)(2) of the Uniform Code of Military Justice) is amended by striking “investigation under section 832 of this title (article 32) (if there is such a report)” and inserting “a preliminary hearing under section 832 of this title (article 32)”.

(C) Section 838(b)(1) of such title (article 38(b)(1) of the Uniform Code of Military Justice) is amended by striking “an investigation under section 832” and inserting “a preliminary hearing under section 832”.

(D) Section 847(a)(1) of such title (article 47(a)(1) of the Uniform Code of Military Justice) is amended by striking “an investigation pursuant to section 832(b) of this title (article 32(b))” and inserting “a preliminary hearing pursuant to section 832 of this title (article 32)”.

(E) Section 948b(d)(1)(C) of such title is amended by striking “pretrial investigation” and inserting “preliminary hearing”.

(d) EFFECTIVE DATES.—

(1) ARTICLE 32 AMENDMENTS.—The amendments made by subsections (a) and (c)(3) shall take effect one year after the date of the enactment of this Act and shall apply with respect to offenses committed under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), on or after that effective date.

(2) ARTICLE 60 AMENDMENTS.—The amendments made by subsection (b) and paragraphs (1) and (2) of subsection (c) shall take effect 180 days after the date of the enactment of this Act and shall apply with respect to offenses committed under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), on or after that effective date.

SEC. 1703. ELIMINATION OF FIVE-YEAR STATUTE OF LIMITATIONS ON TRIAL BY COURT-MARTIAL FOR ADDITIONAL OFFENSES INVOLVING SEX-RELATED CRIMES.

(a) INCLUSION OF ADDITIONAL OFFENSES.—Section 843(a) of title 10, United States Code (article 43(a) of the Uniform Code of Military Justice), is amended by striking “rape, or rape of a child” and inserting “rape or sexual assault, or rape or sexual assault of a child”.

(b) CONFORMING AMENDMENT.—Section 843(b)(2)(B)(i) of title 10, United States Code (article 43(b)(2)(B)(i) of the Uniform Code of Military Justice), is amended by inserting before the period at the end the following: “, unless the offense is covered by subsection (a)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to an offense covered by section 920(b) or 920b(b) of title 10, United States Code (article 120(b) or 120b(b) of the Uniform Code of Military Justice), that is committed on or after that date.

SEC. 1704. DEFENSE COUNSEL INTERVIEW OF VICTIM OF AN ALLEGED SEX-RELATED OFFENSE IN PRESENCE OF TRIAL COUNSEL, COUNSEL FOR THE VICTIM, OR A SEXUAL ASSAULT VICTIM ADVOCATE.

Section 846 of title 10, United States Code (article 46 of the Uniform Code of Military Justice), is amended—

(1) by inserting “(a) OPPORTUNITY TO OBTAIN WITNESSES AND OTHER EVIDENCE.—” before “The trial counsel”;

(2) by striking “Process issued” and inserting the following:

“(c) PROCESS.—Process issued”; and

(3) by inserting after subsection (a), as designated by paragraph (1), the following new subsection (b):

“(b) DEFENSE COUNSEL INTERVIEW OF VICTIM OF ALLEGED SEX-RELATED OFFENSE.—(1) Upon notice by trial counsel to defense counsel of the name of an alleged victim of an alleged sex-related offense who trial counsel intends to call to testify at a preliminary hearing under section 832 of this title (article 32) or a court-martial under this chapter, defense counsel shall make any request to interview the victim through trial counsel.

“(2) If requested by an alleged victim of an alleged sex-related offense who is subject to a request for interview under paragraph (1), any interview of the victim by defense counsel shall take place only in the presence of trial counsel, a counsel for the victim, or a Sexual Assault Victim Advocate.

“(3) In this subsection, the term ‘alleged sex-related offense’ means any allegation of—

“(A) a violation of section 920, 920a, 920b, 920c, or 925 of this title (article 120, 120a, 120b, 120c, or 125); or

“(B) an attempt to commit an offense specified in a paragraph (1) as punishable under section 880 of this title (article 80).”.

SEC. 1705. DISCHARGE OR DISMISSAL FOR CERTAIN SEX-RELATED OFFENSES AND TRIAL OF SUCH OFFENSES BY GENERAL COURTS-MARTIAL.

(a) MANDATORY DISCHARGE OR DISMISSAL REQUIRED.—

(1) IMPOSITION.—Section 856 of title 10, United States Code (article 56 of the Uniform Code of Military Justice), is amended—

(A) by inserting “(a)” before “The punishment”; and

(B) by adding at the end the following new subsection:

“(b)(1) While a person subject to this chapter who is found guilty of an offense specified in paragraph (2) shall be punished as a general court-martial may direct, such punishment must include, at a minimum, dismissal or dishonorable discharge, except as provided for in section 860 of this title (article 60).

“(2) Paragraph (1) applies to the following offenses:

“(A) An offense in violation of subsection (a) or (b) of section 920 of this title (article 120(a) or (b)).

“(B) Rape and sexual assault of a child under subsection (a) or (b) of section 920b of this title (article 120b).

“(C) Forcible sodomy under section 925 of this title (article 125).

“(D) An attempt to commit an offense specified in subparagraph (A), (B), or (C) that is punishable under section 880 of this title (article 80).”.

(2) CLERICAL AMENDMENTS.—

(A) SECTION HEADING.—The heading of such section is amended to read as follows:

“§ 856. Art. 56. Maximum and minimum limits.”

(B) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter VIII of chapter 47 of such title is amended by striking the item relating to section 856 and inserting the following new item:

“856. Art 56. Maximum and minimum limits.”.

(b) JURISDICTION LIMITED TO GENERAL COURTS-MARTIAL.—Section 818 of title 10, United States Code (article 18 of the Uniform Code of Military Justice), is amended—

(1) by inserting “(a)” before the first sentence;

(2) in the third sentence, by striking “However, a general court-martial” and inserting the following:

“(b) A general court-martial”; and

(3) by adding at the end the following new subsection:

“(c) Consistent with sections 819, 820, and 856(b) of this title (articles 19, 20, and 56(b)), only general courts-martial have jurisdiction over an offense specified in section 856(b)(2) of this title (article 56(b)(2)).”

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect 180 days after the date of the enactment of this Act, and apply to offenses specified in section 856(b)(2) of title 10, United States Code (article 56(b)(2) of the Uniform Code of Military Justice), as added by subsection (a)(1), committed on or after that date.

SEC. 1706. PARTICIPATION BY VICTIM IN CLEMENCY PHASE OF COURTS-MARTIAL PROCESS.

(a) **VICTIM SUBMISSION OF MATTERS FOR CONSIDERATION BY CONVENING AUTHORITY.**—Section 860 of title 10, United States Code (article 60 of the Uniform Code of Military Justice), as amended by section 1702, is further amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection:

“(d)(1) In any case in which findings and sentence have been adjudged for an offense that involved a victim, the victim shall be provided an opportunity to submit matters for consideration by the convening authority or by another person authorized to act under this section before the convening authority or such other person takes action under this section.

“(2)(A) Except as provided in subparagraph (B), the submission of matters under paragraph (1) shall be made within 10 days after the later of—

“(i) the date on which the victim has been given an authenticated record of trial in accordance with section 854(e) of this title (article 54(e)); and

“(ii) if applicable, the date on which the victim has been given the recommendation of the staff judge advocate or legal officer under subsection (e).

“(B) In the case of a summary court-martial, the submission of matters under paragraph (1) shall be made within seven days after the date on which the sentence is announced.

“(3) If a victim shows that additional time is required for submission of matters under paragraph (1), the convening authority or other person taking action under this section, for good cause, may extend the submission period under paragraph (2) for not more than an additional 20 days.

“(4) A victim may waive the right under this subsection to make a submission to the convening authority or other person taking action under this section. Such a waiver shall be made in writing and may not be revoked. For the purposes of subsection (c)(2), the time within which a victim may make a submission under this subsection shall be deemed to have expired upon the submission of such waiver to the convening authority or such other person.

“(5) In this section, the term ‘victim’ means a person who has suffered a direct physical, emotional, or pecuniary loss as a result of a commission of an offense under this chapter (the Uniform Code of Military Justice) and on which the convening authority or other person authorized to take action under this section is taking action under this section.”

(b) **LIMITATIONS ON CONSIDERATION OF VICTIM’S CHARACTER.**—Subsection (b) of section 860 of title 10, United States Code (article 60 of the Uniform Code of Military Justice), is amended by adding at the end the following new paragraph:

“(5) The convening authority or other person taking action under this section shall not consider under this section any submitted matters that relate to the character of a victim unless such matters were presented as evidence at trial and not excluded at trial.”

(c) **CONFORMING AMENDMENT.**—Subsection (b)(1) of section 860 of title 10, United States Code (article 60 of the Uniform Code of Military Justice), is amended by striking “subsection (d)” and inserting “subsection (e)”.

SEC. 1707. REPEAL OF THE OFFENSE OF CONSENSUAL SODOMY UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) **RESTATEMENT OF ARTICLE 125 WITH CONSENSUAL SODOMY OMITTED.**—Section 925 of title 10, United States Code (article 125 of the Uniform Code of Military Justice), is amended to read as follows:

“§ 925. Art 125. Forcible sodomy; bestiality

“(a) **FORCIBLE SODOMY.**—Any person subject to this chapter who engages in unnatural carnal copulation with another person of the same or opposite sex by force or without the consent of the other person is guilty of forcible sodomy and shall be punished as a court-martial may direct.

“(b) **BESTIALITY.**—Any person subject to this chapter who engages in unnatural carnal copulation with an animal is guilty of bestiality and shall be punished as a court-martial may direct.

“(c) **SCOPE OF OFFENSES.**—Penetration, however slight, is sufficient to complete an offense under subsection (a) or (b).”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of subchapter X of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by striking the item relating to section 925 (article 125) and inserting the following new item:

“§ 925. Art 125. Forcible sodomy; bestiality.”

SEC. 1708. MODIFICATION OF MANUAL FOR COURTS-MARTIAL TO ELIMINATE FACTOR RELATING TO CHARACTER AND MILITARY SERVICE OF THE ACCUSED IN RULE ON INITIAL DISPOSITION OF OFFENSES.

Not later than 180 days after the date of the enactment of this Act, the discussion pertaining to Rule 306 of the Manual for Courts-Martial (relating to policy on initial disposition of offenses) shall be amended to strike the character and military service of the accused from the matters a commander should consider in deciding how to dispose of an offense.

SEC. 1709. PROHIBITION OF RETALIATION AGAINST MEMBERS OF THE ARMED FORCES FOR REPORTING A CRIMINAL OFFENSE.

(a) **REGULATIONS ON PROHIBITION OF RETALIATION.**—

(1) **REGULATIONS REQUIRED.**—The Secretary of Defense shall prescribe regulations, or require the Secretaries of the military departments to prescribe regulations, that prohibit retaliation against an alleged victim or other member of the Armed Forces who reports a criminal offense. The regulations shall prescribe that a violation of the regulations is an offense punishable under section 892 of title 10, United States Code (article 92 of the Uniform Code of Military Justice).

(2) **DEADLINE.**—The regulations required by this subsection shall be prescribed not later

than 120 days after the date of the enactment of this Act.

(b) **RETALIATION AND PERSONNEL ACTION DESCRIBED.**—

(1) **RETALIATION.**—For purposes of the regulations required by subsection (a), the Secretary of Defense shall define retaliation to include, at a minimum—

(A) taking or threatening to take an adverse personnel action, or withholding or threatening to withhold a favorable personnel action, with respect to a member of the Armed Forces because the member reported a criminal offense; and

(B) ostracism and such of acts of maltreatment, as designated by the Secretary of Defense, committed by peers of a member of the Armed Forces or by other persons because the member reported a criminal offense.

(2) **PERSONNEL ACTIONS.**—For purposes of paragraph (1)(A), the Secretary of Defense shall define the personnel actions to be covered by the regulations.

(c) **REPORT ON SEPARATE PUNITIVE ARTICLE.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the recommendations of the Secretary regarding whether chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), should be amended to add a new punitive article to subchapter X of such chapter to prohibit retaliation against an alleged victim or other member of the Armed Forces who reports a criminal offense.

Subtitle B—Other Amendments to Title 10, United States Code

SEC. 1711. PROHIBITION ON SERVICE IN THE ARMED FORCES BY INDIVIDUALS WHO HAVE BEEN CONVICTED OF CERTAIN SEXUAL OFFENSES.

(a) **PROHIBITION.**—

(1) **IN GENERAL.**—Chapter 37 of title 10, United States Code, is amended adding at the end the following new section:

“§ 657. Prohibition on service in the armed forces by individuals convicted of certain sexual offenses

“(a) **PROHIBITION ON COMMISSIONING OR ENLISTMENT.**—A person who has been convicted of an offense specified in subsection (b) under Federal or State law may not be processed for commissioning or permitted to enlist in the armed forces.

“(b) **COVERED OFFENSES.**—An offense specified in this subsection is any felony offense as follows:

“(1) Rape or sexual assault.

“(2) Forcible sodomy.

“(3) Incest.

“(4) An attempt to commit an offense specified in paragraph (1) through (3), as punishable under applicable Federal or State law.”

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 37 of such title is amended by adding at the end the following new item:

“657. Prohibition on service in the armed forces by individuals convicted of certain sexual offenses.”

(b) **REPEAL OF SUPERSEDED PROHIBITION.**—Section 523 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1723; 10 U.S.C. 504 note) is repealed.

SEC. 1712. ISSUANCE OF REGULATIONS APPLICABLE TO THE COAST GUARD REGARDING CONSIDERATION OF REQUEST FOR PERMANENT CHANGE OF STATION OR UNIT TRANSFER BY VICTIM OF SEXUAL ASSAULT.

Section 673(b) of title 10, United States Code, is amended by striking “The Secretaries of the military departments” and inserting “The Secretary concerned”.

SEC. 1713. TEMPORARY ADMINISTRATIVE REASSIGNMENT OR REMOVAL OF A MEMBER OF THE ARMED FORCES ON ACTIVE DUTY WHO IS ACCUSED OF COMMITTING A SEXUAL ASSAULT OR RELATED OFFENSE.

(a) IN GENERAL.—Chapter 39 of title 10, United States Code, is amended by inserting after section 673 the following new section:

“§ 674. Temporary administrative reassignment or removal of a member on active duty accused of committing a sexual assault or related offense

“(a) GUIDANCE FOR TIMELY CONSIDERATION AND ACTION.—The Secretary concerned may provide guidance, within guidelines provided by the Secretary of Defense, for commanders regarding their authority to make a timely determination, and to take action, regarding whether a member of the armed forces serving on active duty who is alleged to have committed an offense under section 920, 920a, 920b, 920c, or 925 of this title (article 120, 120a, 120b, 120c, or 125 of the Uniform Code of Military Justice) or an attempt to commit such an offense as punishable under section 880 of this title (article 80 of the Uniform Code of Military Justice) should be temporarily reassigned or removed from a position of authority or from an assignment, not as a punitive measure, but solely for the purpose of maintaining good order and discipline within the member’s unit.

“(b) TIME FOR DETERMINATION.—A determination described in subsection (a) may be made at any time after receipt of notification of an unrestricted report of a sexual assault or other sex-related offense that identifies the member as an alleged perpetrator.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 39 of such title is amended by inserting after the item relating to section 673 the following new item:

“674. Temporary administrative reassignment or removal of a member on active duty accused of committing a sexual assault or related offense.”.

(c) ADDITIONAL TRAINING REQUIREMENT FOR COMMANDERS.—The Secretary of Defense shall provide for the inclusion of information and discussion regarding the availability and use of the authority described by section 674 of title 10, United States Code, as added by subsection (a), as part of the training for new and prospective commanders at all levels of command required by section 585(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 10 U.S.C. 1561 note).

SEC. 1714. EXPANSION AND ENHANCEMENT OF AUTHORITIES RELATING TO PROTECTED COMMUNICATIONS OF MEMBERS OF THE ARMED FORCES AND PROHIBITED RETALIATORY ACTIONS.

(a) EXPANSION OF PROHIBITED RETALIATORY PERSONNEL ACTIONS.—Subsection (b) of section 1034 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “preparing—” and inserting “preparing or being perceived as making or preparing—”;

(B) in subparagraph (A), by striking “or” at the end;

(C) in subparagraph (B)—

(i) in clause (iv), by striking “or” at the end;

(ii) by redesignating clause (v) as clause (vi) and, in such clause, by striking the period at the end and inserting “; or”;

(iii) by inserting after clause (iv) the following new clause (v):

“(v) a court-martial proceeding; or”;

(D) by adding at the end the following new subparagraph:

“(C) testimony, or otherwise participating in or assisting in an investigation or proceeding related to a communication under subparagraph (A) or (B), or filing, causing to be filed, participating in, or otherwise assisting in an action brought under this section.”; and

(2) in paragraph (2)—

(A) by striking “and” after “unfavorable action” and inserting a comma; and

(B) by inserting after “any favorable action” the following: “, or making or threatening to make a significant change in the duties or responsibilities of a member of the armed forces not commensurate with the member’s grade”.

(b) INSPECTOR GENERAL INVESTIGATIONS OF ALLEGATIONS.—Subsection (c) of section 1034 of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “paragraph (3)” and inserting “paragraph (4)”;

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively;

(3) by inserting after paragraph (2) the following new paragraph (3):

“(3) A communication described in paragraph (2) shall not be excluded from the protections provided in this section because—

“(A) the communication was made to a person who participated in an activity that the member reasonably believed to be covered by paragraph (2);

“(B) the communication revealed information that had previously been disclosed;

“(C) of the member’s motive for making the communication;

“(D) the communication was not made in writing;

“(E) the communication was made while the member was off duty; and

“(F) the communication was made during the normal course of duties of the member.”;

(4) in paragraph (5), as redesignated by paragraph (2) of this subsection—

(A) by striking “paragraph (3)(A)” and inserting “paragraph (4)(A)”;

(B) by striking “paragraph (3)(D)” and inserting “paragraph (4)(D)”;

(C) by striking “60 days” and inserting “one year”;

(5) in paragraph (6), as redesignated by paragraph (2) of this subsection, by striking “outside the immediate chain of command of both the member submitting the allegation and the individual or individuals alleged to have taken the retaliatory action.” and inserting the following: “one or both of the following:

“(A) Outside the immediate chain of command of both the member submitting the allegation and the individual or individuals alleged to have taken the retaliatory action.

“(B) At least one organization higher in the chain of command than the organization of the member submitting the allegation and the individual or individuals alleged to have taken the retaliatory action.”.

(c) INSPECTOR GENERAL INVESTIGATIONS OF UNDERLYING ALLEGATIONS.—Subsection (d) of section 1034 of title 10, United States Code, is

amended by striking “subparagraph (A) or (B) of subsection (c)(2)” and inserting “subparagraph (A), (B), or (C) of subsection (c)(2)”.

(d) REPORTS ON INVESTIGATIONS.—Subsection (e) of section 1034 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “subsection (c)(3)(E)” both places it appears and inserting “subsection (c)(4)(E)”;

(B) by inserting “and the Secretary of the military department concerned” after “the Secretary of Defense”; and

(C) by striking “transmitted to the Secretary” and inserting “transmitted to such Secretaries”;

(2) in paragraph (3), by inserting “and the Secretary of the military department concerned” after “the Secretary of Defense”.

(e) ACTION IN CASE OF VIOLATIONS.—Section 1034 of title 10, United States Code, is further amended—

(1) by redesignating subsections (f), (g), (h), and (i) as subsections (g), (h), (i), and (j), respectively; and

(2) by inserting after subsection (e) the following new subsection (f):

“(f) ACTION IN CASE OF VIOLATIONS.—(1) Not later than 30 days after receiving a report from the Inspector General under subsection (e), the Secretary of Homeland Security or the Secretary of the military department concerned, as applicable, shall determine whether there is sufficient basis to conclude whether a personnel action prohibited by subsection (b) has occurred.

“(2) If the Secretary concerned determines under paragraph (1) that a personnel action prohibited by subsection (b) has occurred, the Secretary shall—

“(A) order such action as is necessary to correct the record of a personnel action prohibited by subsection (b); and

“(B) take any appropriate disciplinary action against the individual who committed such prohibited personnel action.

“(3) If the Secretary concerned determines under paragraph (1) that an order for corrective or disciplinary action is not appropriate, not later than 30 days after making the determination, such Secretary shall—

“(A) provide to the Secretary of Defense and the member or former member a notice of the determination and the reasons for not taking action; and

“(B) when appropriate, refer the report to the appropriate board for the correction of military records for further review under subsection (g).”.

(f) CORRECTION OF RECORDS.—Subsection (g) of section 1034 of title 10, United States Code, as redesignated by subsection (e)(1) of this section, is amended in paragraph (3)—

(1) in the matter preceding subparagraph (A), by striking “board elects to hold” and inserting “board holds”; and

(2) in subparagraph (A)(ii), by striking “the case is unusually complex or otherwise requires” and inserting “the member or former member would benefit from”.

SEC. 1715. INSPECTOR GENERAL INVESTIGATION OF ALLEGATIONS OF RETALIATORY PERSONNEL ACTIONS TAKEN IN RESPONSE TO MAKING PROTECTED COMMUNICATIONS REGARDING SEXUAL ASSAULT.

Section 1034(c)(2)(A) of title 10, United States Code, is amended by striking “sexual harassment or” and inserting “rape, sexual assault, or other sexual misconduct in violation of sections 920 through 920c of this title (articles 120 through 120c of the Uniform Code of Military Justice), sexual harassment, or”.

SEC. 1716. DESIGNATION AND AVAILABILITY OF SPECIAL VICTIMS' COUNSEL FOR VICTIMS OF SEX-RELATED OFFENSES.

(a) DESIGNATION AND DUTIES.—

(1) IN GENERAL.—Chapter 53 of title 10, United States Code, is amended by inserting after section 1044d the following new section:

“§ 1044e. Special Victims' Counsel for victims of sex-related offenses

“(a) DESIGNATION; PURPOSES.—The Secretary concerned shall designate legal counsel (to be known as ‘Special Victims' Counsel’) for the purpose of providing legal assistance to an individual eligible for military legal assistance under section 1044 of this title who is the victim of an alleged sex-related offense, regardless of whether the report of that offense is restricted or unrestricted.

“(b) TYPES OF LEGAL ASSISTANCE AUTHORIZED.—The types of legal assistance authorized by subsection (a) include the following:

“(1) Legal consultation regarding potential criminal liability of the victim stemming from or in relation to the circumstances surrounding the alleged sex-related offense and the victim's right to seek military defense services.

“(2) Legal consultation regarding the Victim Witness Assistance Program, including—

“(A) the rights and benefits afforded the victim;

“(B) the role of the Victim Witness Assistance Program liaison and what privileges do or do not exist between the victim and the liaison; and

“(C) the nature of communication made to the liaison in comparison to communication made to a Special Victims' Counsel or a legal assistance attorney under section 1044 of this title.

“(3) Legal consultation regarding the responsibilities and support provided to the victim by the Sexual Assault Response Coordinator, a unit or installation Sexual Assault Victim Advocate, or domestic abuse advocate, to include any privileges that may exist regarding communications between those persons and the victim.

“(4) Legal consultation regarding the potential for civil litigation against other parties (other than the Department of Defense).

“(5) Legal consultation regarding the military justice system, including (but not limited to)—

“(A) the roles and responsibilities of the trial counsel, the defense counsel, and investigators;

“(B) any proceedings of the military justice process in which the victim may observe;

“(C) the Government's authority to compel cooperation and testimony; and

“(D) the victim's responsibility to testify, and other duties to the court.

“(6) Accompanying the victim at any proceedings in connection with the reporting, military investigation, and military prosecution of the alleged sex-related offense.

“(7) Legal consultation regarding eligibility and requirements for services available from appropriate agencies or offices for emotional and mental health counseling and other medical services;

“(8) Legal consultation and assistance—

“(A) in personal civil legal matters in accordance with section 1044 of this title;

“(B) in any proceedings of the military justice process in which a victim can participate as a witness or other party;

“(C) in understanding the availability of, and obtaining any protections offered by, civilian and military protecting or restraining orders; and

“(D) in understanding the eligibility and requirements for, and obtaining, any available military and veteran benefits, such as transitional compensation benefits found in section 1059 of this title and other State and Federal victims' compensation programs.

“(9) Such other legal assistance as the Secretary of Defense (or, in the case of the Coast Guard, the Secretary of the Department in which the Coast Guard is operating) may authorize in the regulations prescribed under subsection (h).

“(c) NATURE OF RELATIONSHIP.—The relationship between a Special Victims' Counsel and a victim in the provision of legal advice and assistance shall be the relationship between an attorney and client.

“(d) QUALIFICATIONS.—An individual may not be designated as a Special Victims' Counsel under this section unless the individual—

“(1) meets the qualifications specified in section 1044(d)(2) of this title; and

“(2) is certified as competent to be designated as a Special Victims' Counsel by the Judge Advocate General of the armed force in which the judge advocate is a member or by which the civilian attorney is employed.

“(e) ADMINISTRATIVE RESPONSIBILITY.—(1) Consistent with the regulations prescribed under subsection (h), the Judge Advocate General (as defined in section 801(1) of this title) under the jurisdiction of the Secretary, and within the Marine Corps the Staff Judge Advocate to the Commandant of the Marine Corps, is responsible for the establishment and supervision of individuals designated as Special Victims' Counsel.

“(2) The Secretary of Defense (and, in the case of the Coast Guard, the Secretary of the Department in which the Coast Guard is operating) shall conduct a periodic evaluation of the Special Victims' Counsel programs operated under this section.

“(f) AVAILABILITY OF SPECIAL VICTIMS' COUNSEL.—(1) An individual eligible for military legal assistance under section 1044 of this title who is the victim of an alleged sex-related offense shall be offered the option of receiving assistance from a Special Victims' Counsel upon report of an alleged sex-related offense or at the time the victim seeks assistance from a Sexual Assault Response Coordinator, a Sexual Assault Victim Advocate, a military criminal investigator, a victim/witness liaison, a trial counsel, a healthcare provider, or any other personnel designated by the Secretary concerned for purposes of this subsection.

“(2) The assistance of a Special Victims' Counsel under this subsection shall be available to an individual eligible for military legal assistance under section 1044 of this title regardless of whether the individual elects unrestricted or restricted reporting of the alleged sex-related offense. The individual shall also be informed that the assistance of a Special Victims' Counsel may be declined, in whole or in part, but that declining such assistance does not preclude the individual from subsequently requesting the assistance of a Special Victims' Counsel.

“(g) ALLEGED SEX-RELATED OFFENSE DEFINED.—In this section, the term ‘alleged sex-related offense’ means any allegation of—

“(1) a violation of section 920, 920a, 920b, 920c, or 925 of this title (article 120, 120a, 120b, 120c, or 125 of the Uniform Code of Military Justice); or

“(2) an attempt to commit an offense specified in a paragraph (1) as punishable under section 880 of this title (article 80 of the Uniform Code of Military Justice).

“(h) REGULATIONS.—The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall prescribe regulations to carry out this section.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1044d the following new item:

“1044e. Special Victims' Counsel for victims of sex-related offenses.”.

(3) CONFORMING AMENDMENTS.—

(A) QUALIFICATIONS OF PERSONS PROVIDING LEGAL ASSISTANCE.—Section 1044(d)(2) of such title is amended by inserting before the period at the end the following: ‘and, for purposes of service as a Special Victims' Counsel under section 1044e of this title, meets the additional qualifications specified in subsection (d)(2) of such section.’.

(B) INCLUSION IN DEFINITION OF MILITARY LEGAL ASSISTANCE.—Section 1044(d)(3)(B) of such title is amended by striking ‘and 1044d’ and inserting ‘1044d, 1044e, and 1565b(a)(1)(A)’.

(C) ACCESS TO LEGAL ASSISTANCE AND SERVICES.—Section 1565b(a)(1)(A) of such title is amended by striking ‘section 1044’ and inserting ‘sections 1044 and 1044e’.

(4) IMPLEMENTATION.—Section 1044e of title 10, United States Code, as added by paragraph (1), shall be implemented within 180 days after the date of the enactment of this Act.

(b) ENHANCED TRAINING REQUIREMENT.—The Secretary of each military department, and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Department of the Navy, shall implement, consistent with the guidelines provided under section 1044e of title 10, United States Code, as added by subsection (a), in-depth and advanced training for all military and civilian attorneys providing legal assistance under section 1044 or 1044e of such title to support victims of alleged sex-related offenses.

(c) SECRETARY OF DEFENSE IMPLEMENTATION REPORT.—

(1) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of Homeland Security with respect to the Coast Guard, shall submit to the Committees on Armed Services and Commerce, Science, and Transportation of the Senate and the Committees on Armed Services and Transportation and Infrastructure of the House of Representatives a report describing how the Armed Forces will implement the requirements of section 1044e of title 10, United States Code, as added by subsection (a).

(2) ADDITIONAL SUBMISSION REQUIREMENT.—The report required by paragraph (1) shall also be submitted to the independent review panel established by the Secretary of Defense under section 576(a)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1758) and to the Joint Services Committee on Military Justice.

Subtitle C—Amendments to Other Laws

SEC. 1721. TRACKING OF COMPLIANCE OF COMMANDING OFFICERS IN CONDUCTING ORGANIZATIONAL CLIMATE ASSESSMENTS FOR PURPOSES OF PREVENTING AND RESPONDING TO SEXUAL ASSAULTS.

Section 572 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1753; 10 U.S.C. 1561 note) is amended by adding at the end the following new subsection:

“(d) TRACKING OF ORGANIZATIONAL CLIMATE ASSESSMENT COMPLIANCE.—The Secretary of Defense shall direct the Secretaries of the military departments to verify and track the compliance of commanding officers in conducting organizational climate assessments, as required by subsection (a)(3).”.

SEC. 1722. ADVANCEMENT OF SUBMITTAL DEADLINE FOR REPORT OF INDEPENDENT PANEL ON ASSESSMENT OF MILITARY RESPONSE SYSTEMS TO SEXUAL ASSAULT.

Section 576(c)(1)(B) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1759) is amended by striking “Eighteen months” and inserting “Twelve months”.

SEC. 1723. RETENTION OF CERTAIN FORMS IN CONNECTION WITH RESTRICTED REPORTS AND UNRESTRICTED REPORTS ON SEXUAL ASSAULT INVOLVING MEMBERS OF THE ARMED FORCES.

(a) REQUIREMENT FOR RETENTION.—Subsection (a) of section 577 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1762; 10 U.S.C. 1561 note) is amended—

(1) by striking “At the request of a member of the Armed Forces who files a Restricted Report on an incident of sexual assault involving the member, the Secretary of Defense shall” and inserting “The Secretary of Defense shall”; and

(2) by striking “the Restricted Report” and inserting “a Restricted Report or Unrestricted Report on an incident of sexual assault involving a member of the Armed Forces”.

(b) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:

“SEC. 577. RETENTION OF CERTAIN FORMS IN CONNECTION WITH RESTRICTED REPORTS AND UNRESTRICTED REPORTS ON SEXUAL ASSAULT INVOLVING MEMBERS OF THE ARMED FORCES.”.

SEC. 1724. TIMELY ACCESS TO SEXUAL ASSAULT RESPONSE COORDINATORS BY MEMBERS OF THE NATIONAL GUARD AND RESERVES.

Section 584(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1433; 10 U.S.C. 1561 note) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph (2):

“(2) AVAILABILITY FOR RESERVE COMPONENT MEMBERS.—The Secretary of the military department concerned shall ensure the timely access to a Sexual Assault Response Coordinator by any member of the National Guard or Reserve who—

“(A) is the victim of a sexual assault during the performance of duties as a member of the National Guard or Reserves; or

“(B) is the victim of a sexual assault committed by a member of the National Guard or Reserves.”.

SEC. 1725. QUALIFICATIONS AND SELECTION OF DEPARTMENT OF DEFENSE SEXUAL ASSAULT PREVENTION AND RESPONSE PERSONNEL AND REQUIRED AVAILABILITY OF SEXUAL ASSAULT NURSE EXAMINERS.

(a) QUALIFICATIONS FOR ASSIGNMENT.—Section 1602(e)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 10 U.S.C. 1561 note; 124 Stat. 4431) is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by striking subparagraph (A) and inserting the following new subparagraphs:

“(A) the qualifications necessary for a member of the Armed Forces or a civilian employee of the Department of Defense to be selected for assignment to duty as a Sexual Assault Response and Prevention Program Manager, Sexual Assault Response Coordinator, or Sexual Assault Victim Advocate, whether assigned to such duty on a full-time or part-time basis;

“(B) consistent with section 584(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 10 U.S.C. 1561 note; 125 Stat. 1433), the training, certification, and status of members of the Armed Forces and civilian employees of the department assigned to duty as Sexual Assault Response and Prevention Program Managers, Sexual Assault Response Coordinators, and Sexual Assault Victim Advocates for the Armed Forces; and”.

(b) AVAILABILITY OF SEXUAL ASSAULT NURSE EXAMINERS AT MILITARY MEDICAL TREATMENT FACILITIES.—

(1) FACILITIES WITH FULL-TIME EMERGENCY DEPARTMENT.—The Secretary of a military department shall require the assignment of at least one full-time sexual assault nurse examiner to each military medical treatment facility under the jurisdiction of that Secretary in which an emergency department operates 24 hours per day. The Secretary may assign additional sexual assault nurse examiners based on the demographics of the patients who utilize the military medical treatment facility.

(2) OTHER FACILITIES.—In the case of a military medical treatment facility not covered by paragraph (1), the Secretary of the military department concerned shall require that a sexual assault nurse examiner be made available to a patient of the facility, consistent with the Department of Justice National Protocol for Sexual Assault Medical Forensic Examinations, Adult/Adolescent, when a determination is made regarding the patient's need for the services of a sexual assault nurse examiner.

(3) QUALIFICATIONS.—A sexual assault nurse examiner assigned under paragraph (1) or made available under paragraph (2) shall meet such training and certification requirements as are prescribed by the Secretary of Defense.

(c) REPORT ON TRAINING, QUALIFICATIONS, AND EXPERIENCE OF SEXUAL ASSAULT PREVENTION AND RESPONSE PERSONNEL.—

(1) REPORT REQUIRED.—The Secretary shall prepare a report on the review, conducted pursuant to the Secretary of Defense Memorandum of May 17, 2013, of the adequacy of the training, qualifications, and experience of each member of the Armed Forces and civilian employee of the Department of Defense who is assigned to a position that includes responsibility for sexual assault prevention and response within the Armed Forces for the successful discharge of such responsibility.

(2) REPORT ELEMENTS.—The report shall include the following:

(A) An assessment of the adequacy of the training and certifications required for members and employees described in paragraph (1).

(B) The number of such members and employees who did not have the training, qualifications, or experience required to successfully discharge their responsibility for sexual assault prevention and response within the Armed Forces.

(C) The actions taken by the Secretary of Defense with respect to such members and employees who were found to lack the training, qualifications, or experience to successfully discharge such responsibility.

(D) Such improvements as the Secretary considers appropriate in the process used to select and assign members and employees to positions that include responsibility for sexual assault prevention and response within the Armed Forces in order to ensure the highest caliber candidates are selected and assigned to such positions.

(3) SUBMISSION.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit the report to the Committees on Armed Services of the Senate and the House of Representatives.

SEC. 1726. ADDITIONAL RESPONSIBILITIES OF SEXUAL ASSAULT PREVENTION AND RESPONSE OFFICE FOR DEPARTMENT OF DEFENSE SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM.

(a) ADDITIONAL DIRECTOR DUTIES.—Subsection (b) of section 1611 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 10 U.S.C. 1561 note) is amended—

(1) by striking “and” at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

“(4) collect and maintain data of the military departments on sexual assault in accordance with subsection (e);

“(5) act as liaison between the Department of Defense and other Federal and State agencies on programs and efforts relating to sexual assault prevention and response; and

“(6) oversee development of strategic program guidance and joint planning objectives for resources in support of the sexual assault prevention and response program, and make recommendations on modifications to policy, law, and regulations needed to ensure the continuing availability of such resources.”.

(b) COLLECTION AND MAINTENANCE OF DATA.—Such section is further amended by adding at the end the following new subsection:

“(e) DATA COLLECTION AND MAINTENANCE METRICS.—In carrying out the requirements of subsection (b)(4), the Director of the Sexual Assault Prevention and Response Office shall develop metrics to measure the effectiveness of, and compliance with, training and awareness objectives of the military departments on sexual assault prevention and response.”.

Subtitle D—Studies, Reviews, Policies, and Reports

SEC. 1731. INDEPENDENT REVIEWS AND ASSESSMENTS OF UNIFORM CODE OF MILITARY JUSTICE AND JUDICIAL PROCEEDINGS OF SEXUAL ASSAULT CASES.

(a) ADDITIONAL DUTIES FOR RESPONSE SYSTEMS PANEL.—

(1) ADDITIONAL ASSESSMENTS SPECIFIED.—The independent panel established by the Secretary of Defense under subsection (a)(1) of section 576 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1758), known as the “response systems panel”, shall conduct the following:

(A) An assessment of the impact, if any, that removing from the chain of command any disposition authority regarding charges preferred under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), would have on overall reporting and prosecution of sexual assault cases.

(B) An assessment regarding whether the roles, responsibilities, and authorities of Special Victims' Counsel to provide legal assistance under section 1044e of title 10,

United States Code, as added by section 1716, to victims of alleged sex-related offenses should be expanded to include legal standing to represent the victim during investigative and military justice proceedings in connection with the prosecution of the offense.

(C) An assessment of the feasibility and appropriateness of extending to victims of crimes covered by chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), the right afforded a crime victim in civilian criminal legal proceedings under subsection (a)(4) of section 3771 of title 18, United States Code, and the legal standing to seek enforcement of crime victim rights provided by subsection (d) of such section.

(D) An assessment of the means by which the name, if known, and other necessary identifying information of an alleged offender that is collected as part of a restricted report of a sexual assault could be compiled into a protected, searchable database accessible only to military criminal investigators, Sexual Assault Response Coordinators, or other appropriate personnel only for the purposes of identifying individuals who are subjects of multiple accusations of sexual assault and encouraging victims to make an unrestricted report of sexual assault in those cases in order to facilitate increased prosecutions, particularly of serial offenders. The assessment should include an evaluation of the appropriate content to be included in the database, as well as the best means to maintain the privacy of those making a restricted report.

(E) As part of the comparison of military and civilian systems for the investigation, prosecution, and adjudication of adult sexual assault crimes, as required by subsection (d)(1)(B) of section 576 of the National Defense Authorization Act for Fiscal Year 2013, an assessment of the opportunities for clemency provided in the military and civilian systems, the appropriateness of clemency proceedings in the military system, the manner in which clemency is used in the military system, and whether clemency in the military justice system could be reserved until the end of the military appeals process.

(F) An assessment of whether the Department of Defense should promulgate, and ensure the understanding of and compliance with, a formal statement of what accountability, rights, and responsibilities a member of the Armed Forces has with regard to matters of sexual assault prevention and response, as a means of addressing those issues within the Armed Forces. If the response systems panel recommends such a formal statement, the response systems panel shall provide key elements or principles that should be included in the formal statement.

(2) SUBMISSION OF RESULTS.—The response systems panel shall include the results of the assessments required by paragraph (1) in the report required by subsection (c)(1) of section 576 of the National Defense Authorization Act for Fiscal Year 2013, as amended by section 1722.

(b) ADDITIONAL DUTIES FOR JUDICIAL PROCEEDINGS PANEL.—

(1) ADDITIONAL ASSESSMENTS SPECIFIED.—The independent panel established by the Secretary of Defense under subsection (a)(2) of section 576 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1758), known as the “judicial proceedings panel”, shall conduct the following:

(A) An assessment of the likely consequences of amending the definition of rape and sexual assault under section 920 of title

10, United States Code (article 120 of the Uniform Code of Military Justice), to expressly cover a situation in which a person subject to chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), commits a sexual act upon another person by abusing one's position in the chain of command of the other person to gain access to or coerce the other person.

(B) An assessment of the implementation and effect of section 1044e of title 10, United States Code, as added by section 1716, and make such recommendations for modification of such section 1044e as the judicial proceedings panel considers appropriate.

(C) An assessment of the implementation and effect of the mandatory minimum sentences established by section 856(b) of title 10, United States Code (article 56(b) of the Uniform Code of Military Justice), as added by section 1705, and the appropriateness of statutorily mandated minimum sentencing provisions for additional offenses under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).

(D) An assessment of the adequacy of the provision of compensation and restitution for victims of offenses under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), and develop recommendations on expanding such compensation and restitution, including consideration of the options as follows:

(i) Providing the forfeited wages of incarcerated members of the Armed Forces to victims of offenses as compensation.

(ii) Including bodily harm among the injuries meriting compensation for redress under section 939 of title 10, United States Code (article 139 of the Uniform Code of Military Justice).

(iii) Requiring restitution by members of the Armed Forces to victims of their offenses upon the direction of a court-martial.

(2) SUBMISSION OF RESULTS.—The judicial proceedings panel shall include the results of the assessments required by paragraph (1) in one of the reports required by subsection (c)(2)(B) of section 576 of the National Defense Authorization Act for Fiscal Year 2013.

SEC. 1732. REVIEW AND POLICY REGARDING DEPARTMENT OF DEFENSE INVESTIGATIVE PRACTICES IN RESPONSE TO ALLEGATIONS OF UNIFORM CODE OF MILITARY JUSTICE VIOLATIONS.

(a) REVIEW.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a review of the practices of the military criminal investigative organizations (Army Criminal Investigation Command, Naval Criminal Investigative Service, and Air Force Office of Special Investigation) in response to an allegation that a member of the Armed Forces has committed an offense under the Uniform Code of Military Justice, including the extent to which the military criminal investigative organizations make a recommendation regarding whether an allegation appears founded or unfounded.

(b) POLICY.—After conducting the review required by subsection (a), the Secretary of Defense shall develop a uniform policy for the Armed Forces, to the extent practicable, regarding the use of case determinations to record the results of the investigation of an alleged violation of the Uniform Code of Military Justice. In developing the policy, the Secretary shall consider the feasibility of adopting case determination methods, such as the uniform crime report, used by nonmilitary law enforcement agencies.

SEC. 1733. REVIEW OF TRAINING AND EDUCATION PROVIDED MEMBERS OF THE ARMED FORCES ON SEXUAL ASSAULT PREVENTION AND RESPONSE.

(a) REVIEW REQUIRED.—The Secretary of Defense shall carry out a review of the adequacy of the training and education provided members of the Armed Forces on sexual assault prevention and response.

(b) RESPONSIVE ACTION.—Upon completion of the review, the Secretary of Defense shall—

(1) identify common core elements that must be included in any training or education provided members of the Armed Forces on sexual assault prevention and response; and

(2) recommend such other modifications of such training and education as the Secretary considers appropriate to address any inadequacies identified during the review.

(c) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the review, including the common core elements identified in the review that will be included in any training or education provided members of the Armed Forces on sexual assault prevention and response.

SEC. 1734. REPORT ON IMPLEMENTATION OF DEPARTMENT OF DEFENSE POLICY ON THE RETENTION OF AND ACCESS TO EVIDENCE AND RECORDS RELATING TO SEXUAL ASSAULTS INVOLVING MEMBERS OF THE ARMED FORCES.

(a) REVIEW OF EVIDENCE AND RECORDS RETENTION AND ACCESS POLICY.—The Secretary of Defense shall conduct a review of the progress made in developing and implementing the comprehensive policy on the retention of and access to evidence and records relating to sexual assaults involving members of the Armed Forces, which was required by section 586 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1434; 10 U.S.C. 1561 note).

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the review. In the report, the Secretary shall explain how the Secretary has addressed each of the matters listed in paragraphs (1) through (11) of subsection (c) of section 586 of the National Defense Authorization Act for Fiscal Year 2012 that, at a minimum, were required to be considered in the development of the policy.

SEC. 1735. REVIEW OF THE OFFICE OF DIVERSITY MANAGEMENT AND EQUAL OPPORTUNITY ROLE IN SEXUAL HARASSMENT CASES.

(a) REVIEW REQUIRED.—The Secretary of Defense shall conduct a review of the Office of Diversity Management and Equal Opportunity for the purposes specified in subsection (b).

(b) ELEMENTS OF STUDY.—In conducting the review under subsection (a), the Secretary of Defense shall—

(1) determine whether sexual harassment cases should be evaluated or addressed within the Office of Diversity Management and Equal Opportunity;

(2) identify and evaluate how the Office of Diversity Management and Equal Opportunity works with the Sexual Assault Prevention and Response Office to address sexual harassment in the Armed Forces and the

current role of the Office of Diversity Management and Equal Opportunity in sexual harassment cases;

(3) identify and evaluate the resource and personnel gaps, if any, in the Office of Diversity Management and Equal Opportunity to adequately address sexual harassment cases; and

(4) identify and assess the capability of the Office of Diversity Management and Equal Opportunity to track incidences of sexual harassment cases.

(c) **DEFINITION.**—In this section, the term “sexual harassment” has the meaning given such term in Department of Defense Directive 1350.2, Department of Defense Military Equal Opportunity Program.

Subtitle E—Other Matters

SEC. 1741. ENHANCED PROTECTIONS FOR PROSPECTIVE MEMBERS AND NEW MEMBERS OF THE ARMED FORCES DURING ENTRY-LEVEL PROCESSING AND TRAINING.

(a) **DEFINING INAPPROPRIATE AND PROHIBITED RELATIONSHIPS, COMMUNICATION, CONDUCT, AND CONTACT BETWEEN CERTAIN MEMBERS.**—

(1) **POLICY REQUIRED.**—The Secretary of a military department and the Secretary of the Department in which the Coast Guard is operating shall maintain a policy that defines and prescribes, for the persons described in paragraph (2), what constitutes an inappropriate and prohibited relationship, communication, conduct, or contact, including when such an action is consensual, between a member of the Armed Forces described in paragraph (2)(A) and a prospective member or member of the Armed Forces described in paragraph (2)(B).

(2) **COVERED MEMBERS.**—The policy required by paragraph (1) shall apply to—

(A) a member of the Armed Forces who exercises authority or control over, or supervises, a person described in subparagraph (B) during the entry-level processing or training of the person; and

(B) a prospective member of the Armed Forces or a member of the Armed Forces undergoing entry-level processing or training.

(3) **INCLUSION OF CERTAIN MEMBERS REQUIRED.**—The members of the Armed Forces covered by paragraph (2)(A) shall include, at a minimum, military personnel assigned or attached to duty—

(A) for the purpose of recruiting or assessing persons for enlistment or appointment as a commissioned officer, warrant officer, or enlisted member of the Armed Forces;

(B) at a Military Entrance Processing Station; or

(C) at an entry-level training facility or school of an Armed Force.

(b) **EFFECT OF VIOLATIONS.**—A member of the Armed Forces who violates the policy required by subsection (a) shall be subject to prosecution under the Uniform Code of Military Justice.

(c) **PROCESSING FOR ADMINISTRATIVE SEPARATION.**—

(1) **IN GENERAL.**—(A) The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall require the processing for administrative separation of any member of the Armed Forces described in subsection (a)(2)(A) in response to the first substantiated violation by the member of the policy required by subsection (a), when the member is not otherwise punitively discharged or dismissed from the Armed Forces for that violation.

(B) The Secretary of a military department shall revise regulations applicable to the Armed Forces under the jurisdiction of that

Secretary as necessary to ensure compliance with the requirement under subparagraph (A).

(2) **REQUIRED ELEMENTS.**—(A) In imposing the requirement under paragraph (1), the Secretaries shall ensure that any separation decision regarding a member of the Armed Forces is based on the full facts of the case and that due process procedures are provided under existing law or regulations or additionally prescribed, as considered necessary by the Secretaries, pursuant to subsection (f).

(B) The requirement imposed by paragraph (1) shall not be interpreted to limit or alter the authority of the Secretary of a military department and the Secretary of the Department in which the Coast Guard is operating to process members of the Armed Forces for administrative separation—

(i) for reasons other than a substantiated violation of the policy required by subsection (a); or

(ii) under other provisions of law or regulation.

(3) **SUBSTANTIATED VIOLATION.**—For purposes of paragraph (1), a violation by a member of the Armed Forces described in subsection (a)(2)(A) of the policy required by subsection (a) shall be treated as substantiated if—

(A) there has been a court-martial conviction for violation of the policy, but the adjudged sentence does not include discharge or dismissal; or

(B) a nonjudicial punishment authority under section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice), has determined that a member has committed an offense in violation of the policy and imposed nonjudicial punishment upon the member.

(d) **REPORT ON NEED FOR UCMJ PUNITIVE ARTICLE.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the recommendations of the Secretary regarding the need to amend chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), to create an additional article under subchapter X of such chapter to address violations of the policy required by subsection (a).

(e) **DEFINITIONS.**—In this section:

(1) The term “entry-level processing or training”, with respect to a member of the Armed Forces, means the period beginning on the date on which the member became a member of the Armed Forces and ending on the date on which the member physically arrives at that member’s first duty assignment following completion of initial entry training (or its equivalent), as defined by the Secretary of the military department concerned or the Secretary of the Department in which the Coast Guard is operating.

(2) The term “prospective member of the Armed Forces” means a person who has had a face-to-face meeting with a member of the Armed Forces assigned or attached to duty described in subsection (a)(3)(A) regarding becoming a member of the Armed Forces, regardless of whether the person eventually becomes a member of the Armed Forces.

(f) **REGULATIONS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall issue such regulations as may be necessary to carry out this section. The Secretary of Defense shall ensure that, to the extent practicable, the regulations are

uniform for each armed force under the jurisdiction of that Secretary.

SEC. 1742. COMMANDING OFFICER ACTION ON REPORTS ON SEXUAL OFFENSES INVOLVING MEMBERS OF THE ARMED FORCES.

(a) **IMMEDIATE ACTION REQUIRED.**—A commanding officer who receives a report of a sex-related offense involving a member of the Armed Forces in the chain of command of such officer shall act upon the report in accordance with subsection (b) immediately after receipt of the report by the commanding officer.

(b) **ACTION REQUIRED.**—The action required by this subsection with respect to a report described in subsection (a) is the referral of the report to the military criminal investigation organization with responsibility for investigating that offense of the military department concerned or such other investigation service of the military department concerned as the Secretary of the military department concerned may specify for purposes of this section.

SEC. 1743. EIGHT-DAY INCIDENT REPORTING REQUIREMENT IN RESPONSE TO UNRESTRICTED REPORT OF SEXUAL ASSAULT IN WHICH THE VICTIM IS A MEMBER OF THE ARMED FORCES.

(a) **INCIDENT REPORTING POLICY REQUIREMENT.**—The Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall establish and maintain a policy to require the submission by a designated person of a written incident report not later than eight days after an unrestricted report of sexual assault has been made in which a member of the Armed Forces is the victim. At a minimum, this incident report shall be provided to the following:

(1) The installation commander, if such incident occurred on or in the vicinity of a military installation.

(2) The first officer in the grade of O-6, and the first general officer or flag officer, in the chain of command of the victim.

(3) The first officer in the grade of O-6, and the first general officer or flag officer, in the chain of command of the alleged offender if the alleged offender is a member of the Armed Forces.

(b) **PURPOSE OF REPORT.**—The purpose of the required incident report under subsection (a) is to detail the actions taken or in progress to provide the necessary care and support to the victim of the assault, to refer the allegation of sexual assault to the appropriate investigatory agency, and to provide initial notification of the serious incident when that notification has not already taken place.

(c) **ELEMENTS OF REPORT.**—

(1) **IN GENERAL.**—The report of an incident under subsection (a) shall include, at a minimum, the following:

(A) Time/Date/Location of the alleged incident.

(B) Type of offense alleged.

(C) Service affiliation, assigned unit, and location of the victim.

(D) Service affiliation, assigned unit, and location of the alleged offender, including information regarding whether the alleged offender has been temporarily transferred or removed from an assigned billet or ordered to pretrial confinement or otherwise restricted, if applicable.

(E) Post-incident actions taken in connection with the incident, including the following:

(i) Referral of the victim to a Sexual Assault Response Coordinator for referral to services available to members of the Armed

Forces who are victims of sexual assault, including the date of each such referral.

(ii) Notification of incident to appropriate military criminal investigative organization, including the organization notified and date of such notification.

(iii) Receipt and processing status of a request for expedited victim transfer, if applicable.

(iv) Issuance of any military protective orders in connection with the incident.

(2) MODIFICATION.—

(A) IN GENERAL.—The Secretary of Defense may modify the elements required in a report under this section regarding an incident involving a member of the Armed Forces (including the Coast Guard when it is operating as service in the Department of the Navy) if the Secretary determines that such modification will facilitate compliance with best practices for such reporting as identified by the Sexual Assault Prevention and Response Office of the Department of Defense.

(B) COAST GUARD.—The Secretary of the Department in which the Coast Guard is operating may modify the elements required in a report under this section regarding an incident involving a member of the Coast Guard if the Secretary determines that such modification will facilitate compliance with best practices for such reporting as identified by the Coast Guard Office of Work-Life Programs.

(d) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating shall prescribe regulations to carry out this section.

SEC. 1744. REVIEW OF DECISIONS NOT TO REFER CHARGES OF CERTAIN SEX-RELATED OFFENSES FOR TRIAL BY COURT-MARTIAL.

(a) REVIEW REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall require the Secretaries of the military departments to provide for review of decisions not to refer charges for trial by court-martial in cases where a sex-related offense has been alleged by a victim of the alleged offense.

(2) SPECIFIC REVIEW REQUIREMENTS.—As part of a review conducted pursuant to paragraph (1), the Secretary of a military department shall require that—

(A) consideration be given to the victim's statement provided during the course of the criminal investigation regarding the alleged sex-related offense perpetrated against the victim; and

(B) a determination be made whether the victim's statement and views concerning disposition of the alleged sex-related offense were considered by the convening authority in making the referral decision.

(b) SEX-RELATED OFFENSE DEFINED.—In this section, the term "sex-related offense" means any of the following:

(1) Rape or sexual assault under subsection (a) or (b) of section 920 of title 10, United States Code (article 120 of the Uniform Code of Military Justice).

(2) Forcible sodomy under section 925 of such title (article 125 of the Uniform Code of Military Justice).

(3) An attempt to commit an offense specified in paragraph (1) or (2) as punishable under section 880 of such title (article 80 of the Uniform Code of Military Justice).

(c) REVIEW OF CASES NOT REFERRED TO COURT-MARTIAL FOLLOWING STAFF JUDGE ADVOCATE RECOMMENDATION OF REFERRAL FOR TRIAL.—In any case where a staff judge advocate, pursuant to section 834 of title 10, United States Code (article 34 of the Uniform

Code of Military Justice), recommends that charges of a sex-related offense be referred for trial by court-martial and the convening authority decides not to refer any charges to a court-martial, the convening authority shall forward the case file to the Secretary of the military department concerned for review as a superior authorized to exercise general court-martial convening authority.

(d) REVIEW OF CASES NOT REFERRED TO COURT-MARTIAL FOLLOWING STAFF JUDGE ADVOCATE RECOMMENDATION NOT TO REFER FOR TRIAL.—In any case where a staff judge advocate, pursuant to section 834 of title 10, United States Code (article 34 of the Uniform Code of Military Justice), recommends that charges of a sex-related offense should not be referred for trial by court-martial and the convening authority decides not to refer any charges to a court-martial, the convening authority shall forward the case file for review to the next superior commander authorized to exercise general court-martial convening authority.

(e) ELEMENTS OF CASE FILE.—A case file forwarded to higher authority for review pursuant to subsection (c) or (d) shall include the following:

(1) All charges and specifications preferred under section 830 of title 10, United States Code (article 30 of the Uniform Code of Military Justice).

(2) All reports of investigations of such charges, including the military criminal investigative organization investigation report and the report prepared under section 832 of title 10, United States Code (article 32 of the Uniform Code of Military Justice), as amended by section 1702.

(3) A certification that the victim of the alleged sex-related offense was notified of the opportunity to express views on the victim's preferred disposition of the alleged offense for consideration by the convening authority.

(4) All statements of the victim provided to the military criminal investigative organization and to the victim's chain of command relating to the alleged sex-related offense and any statement provided by the victim to the convening authority expressing the victim's view on the victim's preferred disposition of the alleged offense.

(5) The written advice of the staff judge advocate to the convening authority pursuant to section 834 of title 10, United States Code (article 34 of the Uniform Code of Military Justice).

(6) A written statement explaining the reasons for the convening authority's decision not to refer any charges for trial by court-martial.

(7) A certification that the victim of the alleged sex-related offense was informed of the convening authority's decision to forward the case as provided in subsection (c) or (d).

(f) NOTICE ON RESULTS OR REVIEW.—The victim of the alleged sex-related offense shall be notified of the results of the review conducted under subsection (c) or (d) in the manner prescribed by the victims and witness assistance program of the Armed Force concerned.

(g) VICTIM ALLEGATION OF SEX-RELATED OFFENSE.—The Secretary of Defense shall require the Secretaries of the military departments to develop a system to ensure that a victim of a possible sex-related offense under the Uniform Code of Military Justice is given the opportunity to state, either at the time of making an unrestricted report of the allegation or during the criminal investigation of the allegation, whether or not the

victim believes that the offense alleged is a sex-related offense subject to the requirements of this section.

SEC. 1745. INCLUSION AND COMMAND REVIEW OF INFORMATION ON SEX-RELATED OFFENSES IN PERSONNEL SERVICE RECORDS OF MEMBERS OF THE ARMED FORCES.

(a) INFORMATION ON REPORTS ON SEX-RELATED OFFENSES.—

(1) IN GENERAL.—If a complaint of a sex-related offense is made against a member of the Armed Forces and the member is convicted by court-martial or receives non-judicial punishment or punitive administrative action for such sex-related offense, a notation to that effect shall be placed in the personnel service record of the member, regardless of the member's grade.

(2) PURPOSE.—The purpose of the inclusion of information in personnel service records under paragraph (1) is to alert commanders to the members of their command who have received courts-martial conviction, non-judicial punishment, or punitive administrative action for sex-related offenses in order to reduce the likelihood that repeat offenses will escape the notice of commanders.

(b) LIMITATION ON PLACEMENT.—A notation under subsection (a) may not be placed in the restricted section of the personnel service record of a member.

(c) CONSTRUCTION.—Nothing in subsection (a) or (b) may be construed to prohibit or limit the capacity of a member of the Armed Forces to challenge or appeal the placement of a notation, or location of placement of a notation, in the member's personnel service record in accordance with procedures otherwise applicable to such challenges or appeals.

(d) COMMAND REVIEW OF HISTORY OF SEX-RELATED OFFENSES OF MEMBERS UPON ASSIGNMENT OR TRANSFER TO NEW UNIT.—

(1) REVIEW REQUIRED.—Under uniform regulations prescribed by the Secretary of Defense, the commanding officer of a facility, installation, or unit to which a member of the Armed Forces described in paragraph (2) is permanently assigned or transferred shall review the history of sex-related offenses as documented in the personnel service record of the member in order to familiarize such officer with such history of the member.

(2) COVERED MEMBERS.—A member of the Armed Forces described in this paragraph is a member of the Armed Forces who, at the time of assignment or transfer as described in paragraph (1), has a history of one or more sex-related offenses as documented in the personnel service record of such member or such other records or files as the Secretary shall specify in the regulations prescribed under paragraph (1).

SEC. 1746. PREVENTION OF SEXUAL ASSAULT AT MILITARY SERVICE ACADEMIES.

The Secretary of Defense shall ensure that the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy include a section in the curricula of that military service academy that outlines honor, respect, and character development as such pertain to the issue of preventing sexual assault in the Armed Forces. Such curricula section shall include a brief history of the problem of sexual assault in the Armed Forces, a definition of sexual assault, information relating to reporting a sexual assault, victims' rights, and dismissal and dishonorable discharge for offenders. Training in such section in the curricula shall be provided within 14 days after the initial arrival of a new cadet or midshipman at that military service academy and repeated annually thereafter.

SEC. 1747. REQUIRED NOTIFICATION WHENEVER MEMBERS OF THE ARMED FORCES ARE COMPLETING STANDARD FORM 86 OF THE QUESTIONNAIRE FOR NATIONAL SECURITY POSITIONS.

(a) **NOTIFICATION OF POLICY.**—Whenever a member of the Armed Forces is required to complete Standard Form 86 of the Questionnaire for National Security Positions in connection with an application, investigation, or reinvestigation for a security clearance, the member shall be notified of the policy described in subsection (b) regarding question 21 of such form.

(b) **POLICY DESCRIBED.**—The policy referred to in subsection (a) is the policy of instructing an individual to answer “no” to question 21 of Standard Form 86 of the Questionnaire for National Security Positions with respect to consultation with a health care professional if—

(1) the individual is a victim of a sexual assault; and

(2) the consultation occurred with respect to an emotional or mental health condition strictly in relation to the sexual assault.

Subtitle F—Sense of Congress Provisions

SEC. 1751. SENSE OF CONGRESS ON COMMANDING OFFICER RESPONSIBILITY FOR COMMAND CLIMATE FREE OF RETALIATION.

It is the sense of Congress that—

(1) commanding officers in the Armed Forces are responsible for establishing a command climate in which sexual assault allegations are properly managed and fairly evaluated and in which a victim can report criminal activity, including sexual assault, without fear of retaliation, including ostracism and group pressure from other members of the command;

(2) the failure of commanding officers to maintain such a command climate is an appropriate basis for relief from their command positions; and

(3) senior officers should evaluate subordinate commanding officers on their performance in establishing a command climate as described in paragraph (1) during the regular periodic counseling and performance appraisal process prescribed by the Armed Force concerned for inclusion in the systems of records maintained and used for assignment and promotion selection boards.

SEC. 1752. SENSE OF CONGRESS ON DISPOSITION OF CHARGES INVOLVING CERTAIN SEXUAL MISCONDUCT OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE THROUGH COURTS-MARTIAL.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) any charge regarding an offense specified in subsection (b) should be disposed of by court-martial, rather than by non-judicial punishment or administrative action; and

(2) in the case of any charge regarding an offense specified in subsection (b) that is disposed of by non-judicial punishment or administrative action, rather than by court-martial, the disposition authority should include in the case file a justification for the disposition of the charge by non-judicial punishment or administrative action, rather than by court-martial.

(b) **COVERED OFFENSES.**—An offense specified in this subsection is any of the following offenses under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice):

(1) Rape or sexual assault under subsection (a) or (b) of section 920 of such title (article 120 of the Uniform Code of Military Justice).

(2) Forcible sodomy under section 925 of such title (article 125 of the Uniform Code of Military Justice).

(3) An attempt to commit an offense specified in paragraph (1) or (2), as punishable under section 880 of such title (article 80 of the Uniform Code of Military Justice).

SEC. 1753. SENSE OF CONGRESS ON THE DISCHARGE IN LIEU OF COURT-MARTIAL OF MEMBERS OF THE ARMED FORCES WHO COMMIT SEX-RELATED OFFENSES.

It is the sense of Congress that—

(1) the Armed Forces should be exceedingly sparing in discharging in lieu of court-martial members of the Armed Forces who have committed rape, sexual assault, forcible sodomy, or attempts to commit such offenses, and should do so only when the facts of the case clearly warrant such discharge;

(2) whenever possible, the victims of offenses referred to in paragraph (1) shall be consulted prior to the determination regarding whether to discharge the members who committed such offenses;

(3) convening authorities should consider the views of victims of offenses referred to in paragraph (1) when determining whether to discharge the members who committed such offenses in lieu of trying such members by court-martial; and

(4) the discharge of any member who is discharged as described in paragraph (1) should be characterized as Other Than Honorable.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2014”.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) **EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.**—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military con-

struction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2016; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017.

(b) **EXCEPTION.**—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2016; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2017 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

TITLE XXI—ARMY MILITARY CONSTRUCTION

Sec. 2101. Authorized Army construction and land acquisition projects.

Sec. 2102. Family housing.

Sec. 2103. Authorization of appropriations, Army.

Sec. 2104. Limitation on construction of cadet barracks at United States Military Academy, New York.

Sec. 2105. Additional authority to carry out certain fiscal year 2004 project.

Sec. 2106. Modification of authority to carry out certain fiscal year 2010 project.

Sec. 2107. Modification of authority to carry out certain fiscal year 2011 project.

Sec. 2108. Extension of authorizations of certain fiscal year 2010 projects.

Sec. 2109. Extension of authorizations of certain fiscal year 2011 projects.

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Alaska	Fort Wainwright	\$103,000,000
Colorado	Fort Carson, Colorado	\$242,200,000
Florida	Eglin Air Force Base	\$4,700,000
Georgia	Fort Gordon	\$61,000,000
Hawaii	Fort Shafter	\$70,000,000
Kansas	Fort Leavenworth	\$17,000,000
Kentucky	Fort Campbell, Kentucky	\$4,800,000
Maryland	Aberdeen Proving Ground	\$21,000,000
Missouri	Fort Detrick	\$7,100,000
North Carolina	Fort Leonard Wood	\$90,700,000
Texas	Fort Bragg	\$5,900,000
Virginia	Fort Bliss	\$46,800,000
Washington	Joint Base Langley-Eustis	\$50,000,000
	Joint Base Lewis-McChord	\$144,000,000

Army: Inside the United States—Continued

State	Installation or Location	Amount
	Yakima	\$9,100,00

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military construction

projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out the military con-

struction project for the installations or locations outside the United States, and in the amount, set forth in the following table:

Army: Outside the United States

Country	Installation or Location	Amount
Japan	Kyoga-Misaki	\$33,000,000
Marshall Islands	Kwajalein Atoll	\$63,000,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103

and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units

(including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

Country	Installation	Units	Amount
Germany	South Camp Vilseck	29	\$16,600,000
Wisconsin	Fort McCoy	56	\$23,000,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,408,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) \$64,000,000 (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2119) for cadet barracks increment 2 at the United States Military Academy, New York).

SEC. 2104. LIMITATION ON CONSTRUCTION OF CADET BARRACKS AT UNITED STATES MILITARY ACADEMY, NEW YORK.

No amounts may be obligated or expended for the construction of increment 2 of the Cadet Barracks at the United States Military Academy, New York, as authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2119), until the Secretary of the Army certifies to the congressional defense committees that the Secretary intends to award a contract for the renovation of MacArthur Short Barracks at the United States Military Academy concurrent with assuming beneficial occupancy of the renovated Scott Barracks at the United States Military Academy.

SEC. 2105. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2004 PROJECT.

(a) PROJECT AUTHORIZATION.—In connection with the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108-136; 117 Stat. 1697) for Picatinny Arsenal, New Jersey, for construction of a Research and Development Loading Facility, the Secretary of the Army may carry out a military construction project in the amount of \$4,500,000 to complete work on the facility within the initial scope of the project.

(b) CONGRESSIONAL NOTIFICATION.—The Secretary of the Army shall provide information in accordance with section 2851(c) of title 10, United States Code, regarding the project described in subsection (a).

SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECT.

In the case of the authorization contained in the table in section 2101(b) of the Military

Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2629) for Camp Arifjan, Kuwait, for construction of APS Warehouses, the Secretary of the Army may construct up to 74,976 square meters of hardstand parking, 22,741 square meters of access roads, a 6 megawatt power plant, and 50,724 square meters of humidity-controlled warehouses.

SEC. 2107. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2011 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111-383; 124 Stat. 4437) for Fort Lewis, Washington, for construction of a Regional Logistic Support Complex at the installation, the Secretary of the Army may construct up to 98,381 square yards of Organizational Vehicle Parking.

SEC. 2108. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2010 PROJECTS.

(a) EXTENSIONS.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2627), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (126 Stat. 2628) and extended by section 2106 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2121), shall remain in effect until October 1, 2014, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2010 Project Authorizations

State	Installation or Location	Project	Amount
Virginia	Fort Belvoir	Road and Access Control Point	\$9,500,000
Washington	Fort Lewis	Fort Lewis-McChord AFB Joint Access	\$9,000,000

Army: Extension of 2010 Project Authorizations—Continued

State	Installation or Location	Project	Amount
Kuwait	Camp Arifjan	APS Warehouses	\$82,000,000

SEC. 2109. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2011 PROJECTS.

(a) EXTENSIONS.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of

Public Law 111-383; 124 Stat. 4436), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (124 Stat. 4437), shall remain in effect until October 1, 2014, or the date of the en-

actment of an Act authorizing funds for military construction for fiscal year 2015, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2011 Project Authorizations

State	Installation or Location	Project	Amount
California	Presidio of Monterey	Advanced Individual Training Barracks	\$63,000,000
Georgia	Fort Benning	Land Acquisition	\$12,200,000
New Mexico	White Sands Missile Range	Barracks	\$29,000,000
Germany	Wiesbaden Air Base	Access Control Point	\$5,100,000

TITLE XXII—NAVY MILITARY CONSTRUCTION

Sec. 2201. Authorized Navy construction and land acquisition projects.

Sec. 2202. Family housing.

Sec. 2203. Improvements to military family housing units.

Sec. 2204. Authorization of appropriations, Navy.

Sec. 2205. Modification of authority to carry out certain fiscal year 2011 project.

Sec. 2206. Modification of authority to carry out certain fiscal year 2012 project.

Sec. 2207. Extension of authorizations of certain fiscal year 2011 projects.

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the au-

thorization of appropriations in section 2204 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
California	Barstow	\$14,998,000
	Camp Pendleton	\$13,124,000
	Coronado	\$8,910,000
	Point Mugu	\$24,667,000
	Port Hueneme	\$33,600,000
	San Diego	\$34,331,000
	Twentynine Palms	\$33,437,000
Florida	Jacksonville	\$20,752,000
	Key West	\$14,001,000
	Mayport	\$16,093,000
Georgia	Albany	\$16,610,000
	Savannah	\$61,717,000
Guam	Joint Region Marianas	\$318,377,000
Hawaii	Kaneohe Bay	\$236,982,000
	Pearl City	\$30,100,000
	Pearl Harbor	\$57,998,000
Illinois	Great Lakes	\$35,851,000
Maine	Bangor	\$13,800,000
	Kittery	\$11,522,000
Maryland	Fort Meade	\$83,988,000
Nevada	Fallon	\$11,334,000
North Carolina	Camp Lejeune	\$77,999,000
	New River	\$45,863,000
Oklahoma	Tinker Air Force Base	\$14,144,000
Rhode Island	Newport	\$12,422,000
South Carolina	Charleston	\$73,932,000
	Dam Neck	\$10,587,000
Virginia	Norfolk	\$3,380,000
	Quantico	\$38,374,000
	Yorktown	\$18,700,000
	Bremerton	\$18,189,000
Washington	Whidbey Island	\$117,649,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military construction

projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction

projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Djibouti	Camp Lemonier	\$29,000,000
Japan	Camp Butler	\$5,820,000
	Yokosuka	\$7,568,000

SEC. 2202. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,438,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed \$68,969,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) **LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.**—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other

cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act and the projects described in paragraphs (2) and (3) of this subsection may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) \$357,877,000 (the balance of the amount authorized under section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1666) for an explosive handling wharf at Kitsap, Washington).

(3) \$68,196,000 (the balance of the amount authorized under section 2201(b) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2633) for ramp parking at Joint Region Marianas, Guam).

SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2011 PROJECT.

In the case of the authorization contained in the table in section 2201(b) of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4441) for Southwest Asia, Bahrain, for construction of Navy Central Command Ammunition Magazines, the Secretary of the Navy may construct additional Type C earth covered magazines (to provide a project total of eighteen), ten new modular storage magazines, an inert storage facility, a maintenance and ground support equipment facility, concrete pads for portable ready service

lockers, and associated supporting facilities using appropriations available for the project.

SEC. 2206. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECT.

In the case of the authorization contained in the table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1666) for Kitsap, Washington, for construction of Explosives Handling Wharf No. 2, the Secretary of the Navy may construct new hardened facilities in lieu of hardening existing structures and a new facility to replace the existing Coast Guard Maritime Force Protection Unit and the Naval Undersea Warfare Command unhardened facilities using appropriations available for the project.

SEC. 2207. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2011 PROJECTS.

(a) **EXTENSION.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111–383; 124 Stat. 4436), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (124 Stat. 4441), shall remain in effect until October 1, 2014, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015, whichever is later.

(b) **TABLE.**—The table referred to in subsection (a) is as follows:

Navy: Extension of 2011 Project Authorizations

State/Country	Installation or Location	Project	Amount
Bahrain	Southwest Asia	Navy Central Command Ammunition Magazines	\$89,280,000
Guam	Naval Activities, Guam	Defense Access Roads Improvements	\$66,730,000

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

Sec. 2301. Authorized Air Force construction and land acquisition projects.

Sec. 2302. Family housing.

Sec. 2303. Improvements to military family housing units.

Sec. 2304. Authorization of appropriations, Air Force.

Sec. 2305. Limitation on project authorization to carry out certain fiscal year 2014 project.

Sec. 2306. Modification of authority to carry out certain fiscal year 2013 project.

Sec. 2307. Extension of authorization of certain fiscal year 2011 project.

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military construction

projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Arizona	Luke Air Force Base	\$26,900,000
California	Beale Air Force Base	\$62,000,000
Florida	Tyndall Air Force Base	\$9,100,000
Guam	Joint Region Marianas	\$176,230,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$4,800,000
Kansas	McConnell Air Force Base	\$219,120,000
Kentucky	Fort Campbell	\$8,000,000
Mariana Islands	Saipan	\$29,300,000
Maryland	Fort Meade	\$358,000,000
	Joint Base Andrews	\$30,000,000
Missouri	Whiteman Air Force Base	\$5,900,000

Air Force: Inside the United States—Continued

State	Installation or Location	Amount
New Mexico	Cannon Air Force Base	\$34,100,000
	Holloman Air Force Base	\$2,250,000
	Kirtland Air Force Base	\$30,500,000
Nevada	Nellis Air Force Base	\$78,500,000
North Dakota	Minot Air Force Base	\$23,830,000
Oklahoma	Altus Air Force Base	\$30,850,000
	Tinker Air Force Base	\$8,600,000
Texas	Fort Bliss	\$3,350,000
Utah	Hill Air Force Base	\$32,000,000
Virginia	Joint Base Langley-Eustis	\$4,800,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military construction

projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction

projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation	Amount
Greenland	Thule AB	\$43,904,000
United Kingdom	RAF Lakenheath	\$22,047,000

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$4,267,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304 and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed \$72,093,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the

cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act and the project described in paragraph (2) of this subsection may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) \$69,000,000 (the balance of the amount authorized under section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1670) for the United States Strategic Command Headquarters at Offutt Air Force Base, Nebraska).

SEC. 2305. LIMITATION ON PROJECT AUTHORIZATION TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

No amounts may be obligated or expended for the construction of a maintenance facility, a hazardous cargo pad, or an airport storage facility in the Commonwealth of the Northern Mariana Islands, as authorized by section 2301(a), until the Secretary of the Air Force submits a report to the congressional defense committees that provides—

(1) a summary of alternatives considered to support divert-field operations associated with Andersen Air Force Base;

(2) a description of the overall construction requirements to support divert-field operations associated with Andersen Air Force

Base and any other alternative considered; and

(3) a comparison of the costs and benefits of leasing, as compared to purchasing real estate in fee, that supports the entirety of the divert-field requirement.

SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.

The table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2126) is amended in the item relating to Andersen Air Force Base, Guam, for construction of a hangar by striking “\$58,000,000” in the amount column and inserting “\$128,000,000”.

SEC. 2307. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2011 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111-383; 124 Stat. 4436), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (124 Stat. 4444), shall remain in effect until October 1, 2014, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2011 Project Authorization

State	Installation or Location	Project	Amount
Bahrain	Southwest Asia	North Apron Expansion	\$45,000,000

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

Subtitle A—Defense Agency Authorizations

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.

Sec. 2402. Authorized energy conservation projects.

Sec. 2403. Authorization of appropriations, Defense Agencies.

Subtitle B—Chemical Demilitarization Authorizations

Sec. 2411. Authorization of appropriations, chemical demilitarization construction, defense-wide.

Subtitle A—Defense Agency Authorizations

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the au-

thorization of appropriations in section 2403 and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alaska	Clear Air Force Base	\$17,204,000
California	Fort Greely	\$82,000,000
	Brawley	\$23,095,000
	Defense Distribution Depot-Tracy	\$37,554,000
	Miramar	\$6,000,000
Colorado	Fort Carson	\$22,282,000
Florida	Hurlburt Field	\$7,900,000
	Jacksonville	\$7,500,000
	Key West	\$3,600,000
	Panama City	\$2,600,000
	Tyndall Air Force Base	\$9,500,000
Georgia	Fort Benning	\$43,335,000
	Fort Stewart	\$44,504,000
	Hunter Army Airfield	\$13,500,000
	Moody Air Force Base	\$3,800,000
Hawaii	Ford Island	\$2,615,000
	Joint Base Pearl Harbor-Hickam	\$2,800,000
Kentucky	Fort Campbell	\$124,211,000
	Fort Knox	\$303,023,000
Maryland	Aberdeen Proving Ground	\$210,000,000
	Bethesda Naval Hospital	\$66,800,000
Massachusetts	Hanscom Air Force Base	\$36,213,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	\$10,000,000
New Mexico	Holloman Air Force Base	\$81,400,000
North Carolina	Camp Lejeune	\$43,377,000
	Fort Bragg	\$172,065,000
North Dakota	Minot Air Force Base	\$6,400,000
Oklahoma	Altus Air Force Base	\$2,100,000
	Tinker Air Force Base	\$36,000,000
Pennsylvania	Defense Distribution Depot New Cumberland	\$9,000,000
South Carolina	Beaufort	\$41,324,000
Tennessee	Arnold Air Force Base	\$2,200,000
Texas	Joint Base San Antonio	\$12,600,000
Virginia	Dam Neck	\$11,147,000
	Defense Distribution Depot Richmond	\$87,000,000
	Joint Expeditionary Base Little Creek - Story	\$30,404,000
	Pentagon	\$57,600,000
	Quantico	\$40,586,000
Washington	Whidbey Island	\$10,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for military construction

projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction

projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Bahrain Island	Southwest Asia	\$45,400,000
Belgium	Brussels	\$67,613,000
Germany	Kaiserlautern Air Base	\$49,907,000
	Ramstein Air Base	\$98,762,000
	Weisbaden	\$109,655,000
Japan	Atsugi	\$4,100,000
	Iwakuni	\$34,000,000
	Kadena Air Base	\$38,792,000
	Kyoga-Misaki	\$15,000,000
	Torri Commo Station	\$71,451,000
	Yokosuka	\$10,600,000
Korea	Camp Walker	\$52,164,000
United Kingdom	Royal Air Force Lakenheath	\$69,638,000
	Royal Air Force Mildenhall	\$84,629,000

SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403

and available for energy conservation projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy con-

servation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Inside the United States

State	Installation or Location	Amount
Alabama	Anniston Army Depot	\$2,700,000
California	MCAS Miramar	\$17,968,000
	Parks DRTA	\$4,150,000

Energy Conservation Projects: Inside the United States—Continued

State	Installation or Location	Amount
Florida	NAS Jacksonville	\$2,840,000
Hawaii	Camp Smith	\$7,966,000
	Hickam	\$3,100,000
	Hickam	\$3,000,000
Idaho	Mountain Home	\$2,630,000
Kansas	Tokepka Readiness Center	\$2,050,000
Massachusetts	Devens	\$2,600,000
New York	US Military Academy	\$3,200,000
South Carolina	Shaw	\$2,500,000
Texas	NAS Corpus Christi	\$2,340,000
	Sheppard	\$3,779,000
	Laughlin	\$2,800,000
Utah	Dugway Proving Ground	\$9,966,000
	Tooele Army Depot	\$5,900,000
	Tooele Army Depot	\$5,500,000
	Tooele Army Depot	\$4,300,000
Virginia	NSA Hampton Roads	\$4,060,000
	Pentagon	\$2,120,000
Various Locations	Various Locations	\$20,476,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403 and available for energy conservation

projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of

title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Outside the United States

Country	Installation or Location	Amount
Germany	Ramstein	\$2,140,000
Greenland	Thule	\$5,175,000
Italy	NAS Sigonella	\$3,300,000
Japan	CFA Sasebo	\$14,766,000
	Yokota	\$5,674,000
Various Locations	Various Locations	\$3,000,000

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act and the projects described in paragraphs (2) through (11) of this subsection may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) \$190,000,000 (the balance of the amount authorized under section 2401(a) for an Ambulatory Care Center at Fort Knox, Kentucky).

(3) \$135,000,000 (the balance of the amount authorized under section 2401(a) for a Public Health Command, Aberdeen Proving Ground, Maryland).

(4) \$45,600,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2128) for NSA Recapitalize Building #1 at Fort Meade, Maryland).

(5) \$20,800,000 (the balance of the amount authorized under section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2129) for the Aegis Ashore Mis-

sile Defense System Complex at Deveselu, Romania).

(6) \$175,639,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1672) for a data center at Fort Meade, Maryland).

(7) \$11,500,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1672) for an Ambulatory Care Center Phase III at Joint Base Andrews, Maryland).

(8) \$134,900,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1672) for an Ambulatory Care Center Phase III at Joint Base San Antonio, Texas).

(9) \$715,863,000 (the balance of the amount authorized under section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1673) for a hospital at the Rhine Ordnance Barracks, Germany).

(10) \$412,869,000 (the balance of the amount authorized under section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2640) for a hospital at Fort Bliss, Texas).

(11) \$41,913,000 (the balance of the amount authorized as a Military Construction, Defense-Wide project by title X of the Supplemental Appropriations Act, 2009 (Public Law 111-32; 123 Stat. 1888) for a data center at Camp Williams, Utah).

Subtitle B—Chemical Demilitarization Authorizations

SEC. 2411. AUTHORIZATION OF APPROPRIATIONS, CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for military construction and land acquisition for chemical demilitarization, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under subsection (a) and the project described in paragraph (2) of this subsection may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

(2) \$36,433,000 (the balance of the amount authorized for ammunition demilitarization at Blue Grass Army Depot, Kentucky, by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 835), as most recently amended by section 2412 of the Military Construction Authorization Act for Fiscal Year 2011 (division B Public Law 111-383; 124 Stat. 4450).

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Sec. 2501. Authorized NATO construction and land acquisition projects.

Sec. 2502. Authorization of appropriations, NATO.

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section

2501 as specified in the funding table in section 4601.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES**Subtitle A—Project Authorizations and Authorization of Appropriations**

- Sec. 2601. Authorized Army National Guard construction and land acquisition projects.
- Sec. 2602. Authorized Army Reserve construction and land acquisition projects.
- Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
- Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
- Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
- Sec. 2606. Authorization of appropriations, National Guard and Reserve.

Subtitle B—Other Matters

- Sec. 2611. Modification of authority to carry out certain fiscal year 2013 project.
- Sec. 2612. Extension of authorizations of certain fiscal year 2011 projects.

Subtitle A—Project Authorizations and Authorization of Appropriations**SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard: Inside the United States

State	Location	Amount
Alabama	Decatur	\$4,000,000
Arkansas	Fort Chaffee	\$21,000,000
Florida	Pinellas Park	\$5,700,000
Illinois	Kankakee	\$42,000,000
Massachusetts	Camp Edwards	\$19,000,000
Michigan	Camp Grayling	\$17,000,000
Minnesota	Stillwater	\$17,000,000
Mississippi	Camp Shelby	\$3,000,000
Missouri	Pascagoula	\$4,500,000
.....	Macon	\$9,100,000
.....	Whiteman AFB	\$5,000,000
New York	New York	\$31,000,000
Ohio	Ravenna Army Ammunition Plant	\$5,200,000
Pennsylvania	Fort Indiantown Gap	\$40,000,000
Puerto Rico	Camp Santiago	\$5,600,000
South Carolina	Greenville	\$26,000,000
Texas	Fort Worth	\$14,270,000
Wyoming	Afton	\$10,200,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry

out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve

State	Location	Amount
California	Camp Parks	\$17,500,000
.....	Fort Hunter Liggett	\$16,500,000
Maryland	Bowie	\$25,500,000
North Carolina	Fort Bragg	\$24,500,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	\$36,200,000
New York	Bullville	\$14,500,000
Wisconsin	Fort McCoy	\$23,400,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the

Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
California	March Air Force Base	\$11,086,000
Missouri	Kansas City	\$15,020,000
Tennessee	Memphis	\$4,330,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and

carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
Alabama	Birmingham International Airport	\$8,500,000
Indiana	Hulman Regional Airport	\$7,300,000
Maryland	Fort Meade	\$4,000,000
Montana	Martin State Airport	\$8,000,000
New York	Great Falls International Airport	\$22,000,000
Ohio	Fort Drum	\$4,700,000
Pennsylvania	Springfield Beckley-Map	\$7,200,000
Rhode Island	Fort Indiantown Gap	\$7,700,000
Tennessee	Quonset State Airport	\$6,000,000
	McGhee-Tyson Airport	\$18,000,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and

carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

Air Force Reserve

State	Location	Amount
California	March Air Force Base	\$19,900,000
Florida	Homestead Air Reserve Base	\$9,800,000
Oklahoma	Tinker Air Force Base	\$12,200,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

(b) LIMITATION ON COMMENCING CERTAIN PROJECTS.—No amounts may be obligated or expended for the projects associated with the 175th Network Warfare Squadron Facility at Fort Meade, Maryland, or the Cyber/ISR Facility at Martin State Airport, Maryland, as authorized by section 2604, until the date on which the Commander of the United States Cyber Command certifies to the congressional defense committees, and provides adequate supporting documentation, that—

(1) the scope of the military construction projects referred to in this subsection is con-

sistent with the organizational manning construct being developed by the United States Cyber Command;

(2) units operating within such facilities will be trained to the readiness standards set by the Armed Force concerned and the United States Cyber Command for the missions to which these units will be assigned;

(3) plans for proper mitigation measures will be implemented to prevent inadvertent disclosure of classified information; and

(4) rules exist or will be developed to control access to classified systems operating pursuant to authorities under title 10, United States Code, when operations are conducted pursuant to authorities under title 32, United States Code.

Subtitle B—Other Matters**SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.**

In the case of the authorization contained in the table in section 2603 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2135) for Fort Des Moines, Iowa, for

construction of a Joint Reserve Center at that location, the Secretary of the Navy may, instead of constructing a new facility at Camp Dodge, acquire up to approximately 20 acres to construct a Joint Reserve Center and associated supporting facilities in the greater Des Moines, Iowa, area using amounts appropriated for the project pursuant to the authorization of appropriations in section 2606 of such Act (126 Stat. 2136).

SEC. 2612. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2011 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111-383; 124 Stat. 4436), the authorizations set forth in the table in subsection (b), as provided in sections 2601, 2602, and 2604 of that Act (124 Stat. 4452, 4453, 4454), shall remain in effect until October 1, 2014, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Extension of 2011 National Guard and Reserve Project Authorizations

State	Installation or Location	Project	Amount
Puerto Rico	Camp Santiago	Multi Purpose Machine Gun Range	\$9,200,000
Tennessee	Nashville International Airport	Intelligence Group and Remotely Piloted Aircraft Remote Split Operations Group	\$5,500,000
Virginia	Fort Story	Army Reserve Center	\$11,000,000

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES**Subtitle A—Authorization of Appropriations**

Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account.

Subtitle B—Other Matters

Sec. 2711. Prohibition on conducting additional Base Realignment and Closure (BRAC) round.

Sec. 2712. Elimination of quarterly certification requirement regarding availability of military health care in National Capital Region.

Sec. 2713. Report on 2005 base closure and realignment joint basing initiative.

Subtitle A—Authorization of Appropriations
SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2013, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2140)), as specified in the funding table in section 4601.

Subtitle B—Other Matters

SEC. 2711. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

SEC. 2712. ELIMINATION OF QUARTERLY CERTIFICATION REQUIREMENT REGARDING AVAILABILITY OF MILITARY HEALTH CARE IN NATIONAL CAPITAL REGION.

Section 1674(c) of the Wounded Warrior Act (title XVI of Public Law 110-181; 122 Stat. 483) is amended by striking “on a quarterly basis”.

SEC. 2713. REPORT ON 2005 BASE CLOSURE AND REALIGNMENT JOINT BASING INITIATIVE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report on the 2005 base closure and realignment joint basing initiative.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) An analysis and explanation of the costs necessary to implement the joint basing initiative.

(2) An analysis and explanation of any savings achieved to date and planned in future years, including quantifiable goals and a timeline for meeting such goals.

(3) A description of implementation challenges and other lessons learned.

(4) An assessment of any additional savings that could be achieved through more rigorous management and streamlined administration of joint bases.

(5) Any other matters the Under Secretary considers appropriate.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Sec. 2801. Modification and extension of authority to utilize unspecified minor military construction authority for laboratory revitalization projects.

Sec. 2802. Repeal of separate authority to enter into limited partnerships with private developers of housing.

Sec. 2803. Military construction standards to improve force protection.

Sec. 2804. Application of cash payments received for utilities and services.

Sec. 2805. Repeal of advance notification requirement for use of military housing investment authority.

Sec. 2806. Additional element for annual report on military housing privatization projects.

Sec. 2807. Policies and requirements regarding overseas military construction and closure and realignment of United States military installations in foreign countries.

Sec. 2808. Extension and modification of temporary, limited authority to use operation and maintenance funds for construction projects in certain areas outside the United States.

Sec. 2809. Limitation on construction projects in European Command area of responsibility.

Subtitle B—Real Property and Facilities Administration

Sec. 2811. Development of master plans for major military installations.

Sec. 2812. Authority for acceptance of funds to cover administrative expenses associated with real property leases and easements.

Sec. 2813. Modification of authority to enter into long-term contracts for receipt of utility services as consideration for utility systems conveyances.

Sec. 2814. Report on efficient utilization of Department of Defense real property.

Sec. 2815. Conditions on Department of Defense expansion of Piñon Canyon Maneuver Site, Fort Carson, Colorado.

Subtitle C—Provisions Related to Asia-Pacific Military Realignment

Sec. 2821. Change from previous calendar year to previous fiscal year for period covered by annual report of Interagency Coordination Group of Inspectors General for Guam Realignment.

Sec. 2822. Realignment of Marines Corps forces in Asia-Pacific Region.

Subtitle D—Land Conveyances

Sec. 2831. Real property acquisition, Naval Base Ventura County, California.

Sec. 2832. Land conveyance, former Oxnard Air Force Base, Ventura County, California.

Sec. 2833. Land conveyance, Joint Base Pearl Harbor-Hickam, Hawaii.

Sec. 2834. Land conveyance, Philadelphia Naval Shipyard, Philadelphia, Pennsylvania.

Sec. 2835. Land conveyance, Camp Williams, Utah.

Sec. 2836. Conveyance, Air National Guard radar site, Francis Peak, Wasatch Mountains, Utah.

Sec. 2837. Land conveyances, former United States Army Reserve Centers, Connecticut, New Hampshire, and Pennsylvania.

Subtitle E—Other Matters

Sec. 2841. Repeal of annual Economic Adjustment Committee reporting requirement.

Sec. 2842. Establishment of military divers memorial.

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. MODIFICATION AND EXTENSION OF AUTHORITY TO UTILIZE UNSPECIFIED MINOR MILITARY CONSTRUCTION AUTHORITY FOR LABORATORY REVITALIZATION PROJECTS.

(a) MODIFICATION AND EXTENSION OF AUTHORITY.—Section 2805(d) of title 10, United States Code, is amended—

(1) in paragraph (1)(A), by striking “not more than \$2,000,000” and inserting “not more than \$4,000,000, notwithstanding subsection (c)”;

(2) in paragraph (2), by striking the first sentence and inserting the following: “For purposes of this subsection, an unspecified minor military construction project is a military construction project that (notwithstanding subsection (a)) has an approved cost equal to or less than \$4,000,000.”; and

(3) in paragraph (5), by striking “2016” and inserting “2018”.

(b) NO APPLICATION TO CURRENT PROJECTS.—The amendments made by subsection (a) do not apply to any laboratory revitalization project for which the design phase has been completed as of the date of the enactment of this Act.

SEC. 2802. REPEAL OF SEPARATE AUTHORITY TO ENTER INTO LIMITED PARTNERSHIPS WITH PRIVATE DEVELOPERS OF HOUSING.

(a) REPEAL.—

(1) IN GENERAL.—Section 2837 of title 10, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 169 of such title is amended by striking the item relating to section 2837.

(b) EFFECT ON EXISTING CONTRACTS.—The repeal of section 2837 of title 10, United States Code, shall not affect the validity or terms of any contract in connection with a limited partnership under subsection (a) or a collateral incentive agreement under subsection (b) of such section entered into before the date of the enactment of this Act.

(c) EFFECT ON DEFENSE HOUSING INVESTMENT ACCOUNT.—Any unobligated amounts remaining in the Defense Housing Investment Account on the date of the enactment of this Act shall be transferred to the Department of Defense Family Housing Improvement Fund. Amounts transferred shall be merged with amounts in such fund and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund.

SEC. 2803. MILITARY CONSTRUCTION STANDARDS TO IMPROVE FORCE PROTECTION.

(a) CONSIDERATION OF OTHER AVAILABLE SECURITY OR FORCE-PROTECTION MEASURES.—Section 2859(a)(2) of title 10, United States Code, is amended by striking “develop construction standards designed” and inserting “develop construction standards that, taking into consideration other security or force-protection measures available for the facility or military installation concerned, are designed”.

(b) REPORT ON CURRENT AND ADDITIONAL SECURITY SYSTEMS AND TECHNOLOGIES.—

(1) REPORT REQUIRED.—Not later than June 1, 2014, the Secretary of Defense shall submit to the congressional defense committees a report describing and evaluating—

(A) current expeditionary physical barrier systems; and

(B) new systems or technologies that are being used for, or can be adopted for use for, force protection, including providing blast protection for forces supporting contingency operations.

(2) ELEMENTS.—The report required by this subsection shall include the following:

(A) A review of current and projected threats in connection with force protection, a description of any recent changes to policies on force protection, and an assessment of current planning methods on force protection, including standoff distances and physical barriers, to provide consistent and adequate levels of force protection.

(B) An assessment of the use of expeditionary physical barrier systems to meet the goals of the combatant commands for force protection and force resiliency.

(C) A description of the specifications developed by the Department of Defense to meet requirements for effectiveness, affordability, lifecycle management, and reuse or disposal of expeditionary physical barrier systems.

(D) A description of the process used within the Department to ensure appropriate consideration of the decommissioning cost, environmental impact, and subsequent disposal of expeditionary physical barrier materials in the procurement process for such materials.

(E) An assessment of the availability of new technologies or designs that improve the capabilities or lifecycle costs of expeditionary physical barrier systems.

(3) FORMS OF REPORT.—The report required by this subsection shall be submitted in unclassified form, but may include a classified annex.

SEC. 2804. APPLICATION OF CASH PAYMENTS RECEIVED FOR UTILITIES AND SERVICES.

Section 2872a(c)(2) of title 10, United States Code, is amended—

(1) by striking “under paragraph (1) shall be” and all that follows through “was paid.” and inserting the following: “under paragraph (1) as reimbursement for the cost of furnishing utilities or services shall—

“(A) in the case of a cost paid using funds appropriated or otherwise made available before October 1, 2014, be credited to the appropriation or working capital account from which the cost of furnishing utilities or services concerned was paid; or

“(B) in the case of a cost paid using funds appropriated or otherwise made available on or after October 1, 2014, be credited to the appropriation or working capital account currently available for the purpose of furnishing utilities or services under subsection (a).”; and

(2) by striking “Amounts so credited” and inserting the following:

“(3) Amounts credited under paragraph (2)”.

SEC. 2805. REPEAL OF ADVANCE NOTIFICATION REQUIREMENT FOR USE OF MILITARY HOUSING INVESTMENT AUTHORITY.

Section 2875 of title 10, United States Code, is amended by striking subsection (e).

SEC. 2806. ADDITIONAL ELEMENT FOR ANNUAL REPORT ON MILITARY HOUSING PRIVATIZATION PROJECTS.

Section 2884(c)(3) of title 10, United States Code, is amended by inserting before the period at the end the following: “, to specifically include any unique variances associated with litigation costs”.

SEC. 2807. POLICIES AND REQUIREMENTS REGARDING OVERSEAS MILITARY CONSTRUCTION AND CLOSURE AND REALIGNMENT OF UNITED STATES MILITARY INSTALLATIONS IN FOREIGN COUNTRIES.

(a) OVERSEAS BASE CLOSURES AND REALIGNMENTS AND BASING MASTER PLANS.—Section 2687a of title 10, United States Code, is amended to read as follows:

“§ 2687a. Overseas base closures and realignments and basing master plans

“(a) ANNUAL REPORT ON STATUS OF OVERSEAS CLOSURES AND REALIGNMENTS AND MASTER PLANS.—(1) At the same time that the budget is submitted under section 1105(a) of title 31 for a fiscal year, the Secretary of Defense shall submit to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on—

“(A) the status of overseas base closure and realignment actions undertaken as part of a global defense posture realignment strategy; and

“(B) the status of development and execution of comprehensive master plans for overseas military main operating bases, forward operating sites, and cooperative security locations.

“(2) A report under paragraph (1) shall address the following:

“(A) How the master plans described in paragraph (1)(B) would support the security commitments undertaken by the United States pursuant to any international security treaty.

“(B) The impact of such plans on the current security environments in the combatant commands, including United States participation in theater security cooperation activities and bilateral partnership, exchanges, and training exercises.

“(C) Any comments of the Secretary of Defense resulting from an interagency review of these plans that includes the Department of State and other Federal departments and agencies that the Secretary of Defense considers necessary for national security.

“(b) DEPARTMENT OF DEFENSE OVERSEAS MILITARY FACILITY INVESTMENT RECOVERY ACCOUNT.—(1) Except as provided in subsection (c), amounts paid to the United States, pursuant to any treaty, status of forces agreement, or other international agreement to which the United States is a party, for the residual value of real property or improvements to real property used by civilian or military personnel of the Department of Defense shall be deposited into the Department of Defense Overseas Military Facility Investment Recovery Account.

“(2) Money deposited in the Department of Defense Overseas Military Facility Investment Recovery Account shall be available to the Secretary of Defense for payment, as provided in appropriation Acts, of costs incurred by the Department of Defense in connection with—

“(A) military construction, facility maintenance and repair, and environmental restoration at military installations in the United States; and

“(B) military construction, facility maintenance and repair, and compliance with applicable environmental laws at military installations outside the United States at which the Secretary anticipates the United States will have an enduring presence.

“(3) Funds in the Department of Defense Overseas Facility Investment Recovery Account shall remain available until expended.

“(4) Not later than December 1 of each year, the Secretary of Defense shall submit to the congressional defense committees a report detailing all expenditures made from the Department of Defense Overseas Facility Investment Recovery Account during the preceding fiscal year.

“(c) TREATMENT OF AMOUNTS CORRESPONDING TO THE VALUE OF PROPERTY PURCHASED WITH NONAPPROPRIATED FUNDS.—In the case of a payment referred to in sub-

section (b)(1) for the residual value of real property or improvements at an overseas military facility, the portion of the payment that is equal to the depreciated value of the investment made with nonappropriated funds shall be deposited in the reserve account established under section 204(b)(7)(C) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note). The Secretary of Defense may use amounts in the account (in such an aggregate amount as is provided in advance by appropriation Acts) for the purpose of acquiring, constructing, or improving commissary stores and nonappropriated fund instrumentalities.

“(d) OMB REVIEW OF PROPOSED OVERSEAS BASING SETTLEMENTS.—(1) The Secretary of Defense may not enter into an agreement of settlement with a host country regarding the release to the host country of improvements made by the United States to facilities at an installation located in the host country until 30 days after the date on which the Secretary submits the proposed settlement to the Director of the Office of Management and Budget. The prohibition set forth in the preceding sentence shall apply only to agreements of settlement for improvements having a value in excess of \$10,000,000. The Director shall evaluate the overall equity of the proposed settlement. In evaluating the proposed settlement, the Director shall consider such factors as the extent of the United States capital investment in the improvements being released to the host country, the depreciation of the improvements, the condition of the improvements, and any applicable requirements for environmental remediation or restoration at the installation.

“(2) Each year, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on each proposed agreement of settlement that was not submitted by the Secretary to the Director of the Office of Management and Budget in the previous year under paragraph (1) because the value of the improvements to be released pursuant to the proposed agreement did not exceed \$10,000,000.

“(e) CONGRESSIONAL OVERSIGHT OF USE OF PAYMENTS-IN-KIND FOR CONSTRUCTION OR OPERATIONS.—(1) Before concluding an agreement for acceptance of military construction or facility improvements as a payment-in-kind, the Secretary of Defense shall submit to the congressional defense committees a notification on the proposed agreement. Any such notification shall contain the following:

“(A) A description of the military construction project or facility improvement project.

“(B) An explanation of the military requirement to be satisfied with the project.

“(C) A certification that the project is included in the current future-years defense program.

“(2) Before concluding an agreement for acceptance of host nation support or host nation payment of operating costs of United States forces as a payment-in-kind, the Secretary of Defense shall submit to the congressional defense committees a notification on the proposed agreement. Any such notification shall contain the following:

“(A) A description of each activity to be covered by the payment-in-kind.

“(B) A certification that the costs to be covered by the payment-in-kind are included in the budget of one or more of the military departments or that it will otherwise be necessary to provide for payment of such costs in a budget of one or more of the military departments in the current or the next fiscal year.

“(3) When the Secretary of Defense submits a notification of a proposed agreement under paragraph (1) or (2), the Secretary may then enter into the agreement described in the notification only after the end of the 30-day period beginning on the date on which the notification is submitted or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title.

“(f) AUTHORIZED USE OF PAYMENTS-IN-KIND.—(1) A military construction project, as defined in chapter 159 of this title, may be accepted as a payment-in-kind contribution pursuant to a bilateral agreement with a host country only if that military construction project is authorized by law.

“(2) Operations of United States forces may be funded through a payment-in-kind contribution under this section only if the costs covered by such payment are included in the budget justification documents for the Department of Defense submitted to Congress in connection with the budget submitted under 1105 of title 31.

“(3) If funds previously appropriated for a military construction project, facility improvement, or operating costs are subsequently addressed in an agreement for a payment-in-kind contribution, the Secretary of Defense shall return to the Treasury funds in the amount equal to the value of the appropriated funds.

“(4) This subsection does not apply to a military construction project that—

“(A) was specified in a bilateral agreement with a host country that was entered into prior to the date of the enactment of the Military Construction Authorization Act for Fiscal Year 2014;

“(B) was accepted as payment-in-kind for the residual value of improvements made by the United States at military installations released to the host country under section 2921 of the Military Construction Authorization Act for Fiscal Year 1991 (division B of Public Law 101-510; 10 U.S.C. 2687 note) prior to the date of the enactment of the Military Construction Authorization Act for Fiscal Year 2014; or

“(C) subject to paragraph (5), will cost less than the cost specified in subsection (a)(2) of section 2805 of this title for certain unspecified minor military construction projects.

“(5) In the case of a military construction project excluded pursuant to paragraph (4)(C) whose cost will exceed the cost specified in subsection (b) of section 2805 of this title for certain unspecified minor military construction projects, the congressional notification requirements and waiting period specified in paragraph (2) of such subsection shall apply.

“(g) DEFINITIONS.—In this section:

“(1) The term ‘fair market value of the improvements’ means the value of improvements determined by the Secretary of Defense on the basis of their highest use.

“(2) The term ‘improvements’ includes new construction of facilities and all additions, improvements, modifications, or renovations made to existing facilities or to real property, without regard to whether they were carried out with appropriated or nonappropriated funds.

“(3) The term ‘nonappropriated funds’ means funds received from—

“(A) the adjustment of, or surcharge on, selling prices at commissary stores fixed under section 2685 of this title; or

“(B) a nonappropriated fund instrumentality.

“(4) The term ‘nonappropriated fund instrumentality’ means an instrumentality of

the United States under the jurisdiction of the armed forces (including the Army and Air Force Exchange Service, the Navy Resale and Services Support Office, and the Marine Corps exchanges) which is conducted for the comfort, pleasure, contentment, or physical or mental improvement of members of the armed forces.”.

(b) REPEAL OF SUPERSEDED PROVISIONS RELATED TO OVERSEAS BASE CLOSURES AND REALIGNMENTS.—

(1) REPEAL; RETENTION OF SENSE OF CONGRESS.—Section 2921 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2687 note) is amended—

(A) by striking “(a) SENSE OF CONGRESS.—”; and

(B) by striking subsections (b) through (g).

(2) TREATMENT OF SPECIAL ACCOUNT.—The repeal of subsection (c) of section 2921 of the National Defense Authorization Act for Fiscal Year 1991 by paragraph (1)(B) shall not affect the Department of Defense Overseas Military Facility Investment Recovery Account established by such subsection, amounts in such account, or the continued use of such account as provided in section 2687a of title 10, United States Code, as amended by subsection (a) of this section.

(c) REQUIREMENTS RELATED TO PAYMENT-IN-KIND CONTRIBUTIONS PURSUANT TO BILATERAL AGREEMENTS WITH HOST COUNTRIES.—Section 2802 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d)(1) The requirement under subsection (a) that a military construction project must be authorized by law includes military construction projects funded through payment-in-kind contributions pursuant to a bilateral agreement with a host country.

“(2) The Secretary of Defense or the Secretary concerned shall include military construction projects covered under paragraph (1) in the budget justification documents for the Department of Defense submitted to Congress in connection with the budget for a fiscal year submitted under 1105 of title 31.

“(3) This subsection does not apply to a military construction project that—

“(A) was specified in a bilateral agreement with a host country that was entered into prior to the date of the enactment of the Military Construction Authorization Act for Fiscal Year 2014;

“(B) was accepted as payment-in-kind for the residual value of improvements made by the United States at military installations released to the host country under section 2921 of the Military Construction Authorization Act for Fiscal Year 1991 (division B of Public Law 101-510; 10 U.S.C. 2687 note) prior to the date of the enactment of the Military Construction Authorization Act for Fiscal Year 2014; or

“(C) will cost less than the cost specified in subsection (a)(2) of section 2805 of this title for certain unspecified minor military construction projects.

“(4) In the case of a military construction project excluded pursuant to paragraph (3)(C) whose cost will exceed the cost specified in subsection (b) of section 2805 of this title for certain unspecified minor military construction projects, the congressional notification requirements and waiting period specified in paragraph (2) of such subsection shall apply.”.

SEC. 2808. EXTENSION AND MODIFICATION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS IN CERTAIN AREAS OUTSIDE THE UNITED STATES.

Section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108-136; 117 Stat. 1723), as most recently amended by section 2804 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2149), is further amended—

(1) in subsection (a), by striking “The Secretary” and all that follows through “conditions:” and inserting “The Secretary of Defense may obligate appropriated funds available for operation and maintenance to carry out, inside the area of responsibility of the United States Central Command or certain countries in the area of responsibility of the United States Africa Command, a construction project that the Secretary determines meets each of the following conditions:”;

(2) in subsection (c)(1), by striking “shall not exceed” and all that follows through the period at the end and inserting “shall not exceed \$100,000,000 between October 1, 2013, and the earlier of December 31, 2014, or the date of the enactment of an Act authorizing funds for military activities of the Department of Defense for fiscal year 2015.”;

(3) in subsection (h)—

(A) in paragraph (1), by striking “September 30, 2013” and inserting “December 31, 2014”; and

(B) in paragraph (2), by striking “fiscal year 2014” and inserting “fiscal year 2015”; and

(4) by striking subsection (i) and inserting the following new subsection:

“(i) CERTAIN COUNTRIES IN THE AREA OF RESPONSIBILITY OF UNITED STATES AFRICA COMMAND DEFINED.—In this section, the term ‘certain countries in the area of responsibility of the United States Africa Command’ means Kenya, Somalia, Ethiopia, Djibouti, Seychelles, Burundi, and Uganda.”.

SEC. 2809. LIMITATION ON CONSTRUCTION PROJECTS IN EUROPEAN COMMAND AREA OF RESPONSIBILITY.

(a) LIMITATION.—Except as provided in subsection (b), the Secretary of Defense or the Secretary of a military department shall not award any contract in connection with a construction project authorized by this division to be carried out at an installation operated in the European Command area of responsibility until the Secretary of Defense certifies to the congressional defense committees that—

(1) the installation and specific military construction requirement—

(A) have been assessed as part of the basing assessment initiated by the Secretary of Defense on January 25, 2013 (known as the “European Infrastructure Consolidation Assessment”); and

(B) have been determined, pursuant to such assessment, to be of an enduring nature; and

(2) the specific military construction requirement most effectively meets combatant commander requirements at the authorized location.

(b) EXCEPTIONS.—Subsection (a) does not apply with respect to a construction project that—

(1) is authorized by law before the date of the enactment of this Act;

(2) is carried out at an installation located in Greenland;

(3) is funded through the North Atlantic Treaty Organization Security Investment Program or intended to specifically support the North Atlantic Treaty Organization; or

(4) is carried out under the authority of, and subject to the limits specified in, section 2805 of title 10, United States Code.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. DEVELOPMENT OF MASTER PLANS FOR MAJOR MILITARY INSTALLATIONS.

Section 2864 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “At a time” and inserting “(1) At a time”; and

(B) by adding at the end the following new paragraph:

“(2) To address the requirements under paragraph (1), each installation master plan shall include consideration of—

“(A) planning for compact and infill development;

“(B) horizontal and vertical mixed-use development;

“(C) the full lifecycle costs of real property planning decisions; and

“(D) capacity planning through the establishment of growth boundaries around cantonment areas to focus development towards the core and preserve range and training space.”;

(2) in subsection (b)—

(A) by striking “The transportation” and inserting “(1) The transportation”; and

(B) by adding at the end the following new paragraph:

“(2) To address the requirements under subsection (a) and paragraph (1), each installation master plan shall include consideration of ways to diversify and connect transit systems.”;

(3) by redesignating subsection (c) as subsection (d); and

(4) by inserting after subsection (b) the following new subsection:

“(c) SAVINGS CLAUSE.—Nothing in this section shall supersede the requirements of section 2859(a) of this title.”.

SEC. 2812. AUTHORITY FOR ACCEPTANCE OF FUNDS TO COVER ADMINISTRATIVE EXPENSES ASSOCIATED WITH REAL PROPERTY LEASES AND EASEMENTS.

(a) AUTHORITY.—Subsection (e)(1)(C) of section 2667 of title 10, United States Code, is amended by adding at the end the following new clause:

“(vi) Administrative expenses incurred by the Secretary concerned under this section and for easements under section 2668 of this title.”.

(b) ADMINISTRATIVE EXPENSES DEFINED.—Subsection (i) of such section is amended—

(1) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively; and

(2) by inserting before paragraph (2), as so redesignated, the following new paragraph (1):

“(1) The term ‘administrative expenses’ means only those expenses related to assessing, negotiating, executing, and managing lease and easement transactions. The term does not include any Government personnel costs.”.

SEC. 2813. MODIFICATION OF AUTHORITY TO ENTER INTO LONG-TERM CONTRACTS FOR RECEIPT OF UTILITY SERVICES AS CONSIDERATION FOR UTILITY SYSTEMS CONVEYANCES.

Section 2688(d)(2) of title 10, United States Code, is amended by adding at the end the following new sentence: “The determination of cost effectiveness shall be made using a business case analysis that includes an independent estimate of the level of investment that should be required to maintain ade-

quate operation of the utility system over the proposed term of the contract.”.

SEC. 2814. REPORT ON EFFICIENT UTILIZATION OF DEPARTMENT OF DEFENSE REAL PROPERTY.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the efficient utilization of real property across the Department of Defense.

(b) ELEMENTS OF REPORT.—The report required by subsection (a) shall describe the following:

(1) The strategy of the Department of Defense for maximizing efficient utilization of existing facilities, progress implementing this strategy, and obstacles to implementing this strategy.

(2) The efforts of the Department of Defense to systematically collect, process, and analyze data on the efficient utilization of real property to aid in the planning and implementation of the strategy referred to in paragraph (1).

(3) The number of underutilized Department facilities, to be defined as facilities rated less than 66 percent utilization, and unutilized Department facilities, to be defined as facilities rated at zero percent utilization, in the Real Property Inventory Database of the Department of Defense.

(4) The annual cost of maintaining and improving such underutilized and unutilized Department facilities.

(5) The efforts of the Department of Defense to dispose of underutilized and unutilized facilities.

(c) CLASSIFIED ANNEX.—The report required by subsection (a) may include a classified annex if necessary to fully describe the matters required by subsection (b).

SEC. 2815. CONDITIONS ON DEPARTMENT OF DEFENSE EXPANSION OF PIÑON CANYON MANEUVER SITE, FORT CARSON, COLORADO.

The Secretary of Defense and the Secretary of the Army may not acquire, by purchase, condemnation, or other means, any land to expand the size of the Piñon Canyon Maneuver Site near Fort Carson, Colorado, unless each of the following occurs:

(1) The land acquisition is specifically authorized in an Act of Congress enacted after the date of the enactment of this Act.

(2) Funds are specifically appropriated for the land acquisition.

(3) The Secretary of Defense and the Secretary of the Army comply with the environmental review requirements of section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) with respect to the land acquisition.

Subtitle C—Provisions Related to Asia-Pacific Military Realignment

SEC. 2821. CHANGE FROM PREVIOUS CALENDAR YEAR TO PREVIOUS FISCAL YEAR FOR PERIOD COVERED BY ANNUAL REPORT OF INTERAGENCY COORDINATION GROUP OF INSPECTORS GENERAL FOR GUAM REALIGNMENT.

Section 2835(e)(1) of the Military Construction Authorization Act for Fiscal Year 2010 (Public Law 111-84; 10 U.S.C. 2687 note) is amended in the first sentence by striking “calendar year” and inserting “fiscal year”.

SEC. 2822. REALIGNMENT OF MARINES CORPS FORCES IN ASIA-PACIFIC REGION.

(a) RESTRICTION ON USE OF FUNDS.—Except as provided in subsection (b), none of the funds authorized to be appropriated under this Act, and none of the amounts provided by the Government of Japan for construction activities on land under the jurisdiction of

the Department of Defense, may be obligated to implement the realignment of Marine Corps forces from Okinawa to Guam or Hawaii until the Secretary of Defense submits to the congressional defense committees each of the following:

(1) The report required by section 1068(c) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1945).

(2) Master plans for the construction of facilities and infrastructure to execute the Marine Corps distributed lay-down on Guam and Hawaii, including a detailed description of costs and the schedule for such construction.

(3) A plan, coordinated by all pertinent Federal agencies, detailing descriptions of work, costs, and a schedule for completion of construction, improvements, and repairs to the non-military utilities, facilities, and infrastructure, if any, on Guam affected by the realignment of forces.

(b) EXCEPTIONS TO RESTRICTION ON USE OF FUNDS.—Notwithstanding subsection (a), the Secretary of Defense may use funds described in such subsection for the following purposes:

(1) To complete additional analysis or studies required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for proposed actions on Guam or Hawaii.

(2) To initiate planning and design of construction projects on Guam.

(3) To carry out any military construction project for which an authorization of appropriations is provided in section 2204, as specified in the funding table in section 4601.

(4) To carry out the construction of a utility and site improvement project to support the North Ramp expansion at Andersen Air Force Base.

(c) RESTRICTION ON DEVELOPMENT OF PUBLIC INFRASTRUCTURE.—If the Secretary of Defense determines that any grant, cooperative agreement, transfer of funds to another Federal agency, or supplement of funds available in fiscal year 2014 under Federal programs administered by agencies other than the Department of Defense will result in the development (including repair, replacement, renovation, conversion, improvement, expansion, acquisition, or construction) of public infrastructure on Guam, the Secretary of Defense may not carry out such grant, transfer, cooperative agreement, or supplemental funding unless such grant, transfer, cooperative agreement, or supplemental funding is specifically authorized by law.

(d) ECONOMIC ADJUSTMENT COMMITTEE CONSIDERATION OF ADDITIONAL GUAM PUBLIC INFRASTRUCTURE FUNDING SOURCES.—

(1) CONVENING OF COMMITTEE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, as the chairperson of the Economic Adjustment Committee established in Executive Order No. 127887 (10 U.S.C. 2391 note), shall convene the Economic Adjustment Committee to consider assistance, including assistance to support public infrastructure requirements, necessary to support the preferred alternative for the relocation of Marine Corps forces to Guam.

(2) REPORT REQUIRED.—Not later than the date on which the Record of Decision for the relocation of Marine Corps forces to Guam associated with the “Guam and CNMI Military Relocation (2012 Roadmap Adjustments) Supplemental Environmental Impact Statement” is issued, the Secretary of Defense shall submit to the congressional defense committees a report—

(A) describing the results of the Economic Adjustment Committee deliberations required by paragraph (1); and

(B) containing an implementation plan to support the preferred alternative for the relocation of Marine Corps forces to Guam.

(e) DEFINITIONS.—In this section:

(1) DISTRIBUTED LAY-DOWN.—The term “distributed lay-down” refers to the planned distribution of members of the Marine Corps in Okinawa, Guam, Hawaii, Australia, and possibly elsewhere that is contemplated in support of the joint statement of the United States–Japan Security Consultative Committee issued April 26, 2012, in the District of Columbia (April 27, 2012, in Tokyo, Japan) and revised on October 3, 2013, in Tokyo.

(2) MASTER PLAN.—The term “master plan” means documentation that provides the scope, cost, and schedule for each military construction project.

(3) PUBLIC INFRASTRUCTURE.—The term “public infrastructure” means any utility, method of transportation, item of equipment, or facility under the control of a public entity or State or local government that is used by, or constructed for the benefit of, the general public.

(f) REPEAL OF SUPERSEDED LAW.—Section 2832 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2155) is repealed.

Subtitle D—Land Conveyances

SEC. 2831. REAL PROPERTY ACQUISITION, NAVAL BASE VENTURA COUNTY, CALIFORNIA.

(a) AUTHORITY.—The Secretary of the Navy may acquire all right, title, and interest in and to real property, including improvements thereon, located at Naval Base Ventura County, California, that was initially constructed under the former section 2828(g) of title 10, United States Code (commonly known as the “Build to Lease program”), as added by section 801 of the Military Construction Authorization Act, 1984 (Public Law 98–115; 97 Stat. 782).

(b) USE.—Upon acquiring the real property under subsection (a), the Secretary of the Navy may use the improvements as provided in sections 2835 and 2835a of title 10, United States Code.

SEC. 2832. LAND CONVEYANCE, FORMER OXNARD AIR FORCE BASE, VENTURA COUNTY, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey, without consideration, to Ventura County, California (in this section referred to as the “County”), all right, title, and interest of the United States in and to the real property, including any improvements thereon, consisting of former Oxnard Air Force Base for the purpose of permitting the County to use the property for public purposes.

(b) CONDITION ON USE OF REVENUES.—If the property conveyed under subsection (a) is used, consistent with such subsection, for a public purpose that results in the generation of revenue for the County, the County shall agree to use the generated revenue only for airport purposes by depositing the revenues in an airport fund designated for airport use.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Navy shall require the County to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the County in advance of

the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the County.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy.

(e) REVERSIONARY INTEREST.—If the Secretary of the Navy determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in subsection (a) or that the County has violated the condition on the use of revenues imposed by subsection (b), all right, title, and interest in and to such real property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(f) ADDITIONAL TERMS.—The Secretary of the Navy may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2833. LAND CONVEYANCE, JOINT BASE PEARL HARBOR-HICKAM, HAWAII.

(a) CONVEYANCES AUTHORIZED.—The Secretary of the Navy may convey to the Hale Keiki School all right, title, and interest of the United States, or any portion thereof, in and to certain real property, including any improvements thereon, consisting of approximately 11 acres located at or in the nearby vicinity of 153 Bougainville Drive, Honolulu, Hawaii (City and County of Honolulu Tax Map Key No. 9–9–02:37), which is part of the Joint Base Pearl Harbor-Hickam, before such real property, or any portion thereof, is made available for transfer pursuant to the Hawaiian Home Lands Recovery Act (title II of Public Law 104–42; 109 Stat. 357), for use by any other Federal agency, or for disposal under applicable laws.

(b) CONSIDERATION.—As consideration for a conveyance under subsection (a), the Hale Keiki School shall provide the United States, whether by cash payment, in-kind consideration described in section 2667(c) of title 10, United States Code, or a combination thereof, an amount that is not less than the fair market value of the conveyed property, as determined pursuant to an appraisal acceptable to the Secretary.

(c) EXERCISE OF RIGHT TO PURCHASE PROPERTY.—

(1) ACCEPTANCE OF OFFER.—For a period of 180 days beginning on the date the Secretary makes a written offer to convey the property or any portion thereof under subsection (a), the Hale Keiki School shall have the exclusive right to accept such offer by providing written notice of acceptance to the Secretary within the specified 180-day time period. If the Secretary’s offer is not so accept-

ed within the 180-day period, the offer shall expire.

(2) CONVEYANCE DEADLINE.—If the Hale Keiki School accepts the offer to convey the property or a portion thereof in accordance with paragraph (1), the conveyance shall take place not later than two years after the date of the Hale Keiki School’s written acceptance. The Secretary and the Hale Keiki School, by mutual agreement, may extend the two-year conveyance deadline for a reasonable period of time, as evidenced by a new lease or license executed by the parties before the deadline.

(d) PAYMENT OF COSTS OF CONVEYANCES.—

(1) PAYMENT REQUIRED.—The Secretary shall require the Hale Keiki School to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out a conveyance under subsection (a), including survey costs, related to the conveyance. If amounts are collected from the Hale Keiki School in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Hale Keiki School. The Secretary may collect the costs from the Hale Keiki School in advance of incurring any costs and may pay the administrative costs of processing the conveyance as they are incurred or at any time thereafter.

(2) ASSUMPTION OF RISK OF PAYING COSTS OF CONVEYANCE.—In the event that the conveyance is not completed by the deadline set forth in subsection (c)(2), including any extension thereof, the amounts collected from the Hale Keiki School under paragraph (1) will not be refunded or reimbursed. The Hale Keiki School shall be considered to have assumed the risk of paying all costs of processing the conveyance after the offer has been accepted by the Hale Keiki School, regardless of whether or not the conveyance is ever completed.

(3) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out a conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of any real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(f) ADDITIONAL TERM AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2834. LAND CONVEYANCE, PHILADELPHIA NAVAL SHIPYARD, PHILADELPHIA, PENNSYLVANIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey to the Philadelphia Regional Port Authority (in this section referred to as the “Port Authority”) all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately .595 acres located at the Philadelphia Naval Shipyard, Philadelphia, Pennsylvania. The Secretary may void any land

use restrictions associated with the property to be conveyed under this subsection.

(b) CONSIDERATION.—

(1) AMOUNT AND DETERMINATION.—As consideration for the conveyance under subsection (a), the Port Authority shall pay to the Secretary of the Navy an amount that is not less than the fair market value of the property conveyed, as determined by the Secretary. The Secretary's determination of fair market value shall be final. In lieu of all or a portion of cash payment of consideration, the Secretary may accept in-kind consideration.

(2) TREATMENT OF CASH CONSIDERATION.—The Secretary shall deposit any cash payment received under paragraph (1) in the special account in the Treasury established for that Secretary under subsection (e) of section 2667 of title 10, United States Code. The entire amount deposited shall be available for use in accordance with paragraph (1)(D) of such subsection.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Navy shall require the Port Authority to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Port Authority.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the parcel of real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2835. LAND CONVEYANCE, CAMP WILLIAMS, UTAH.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Interior, acting through the Bureau of Land Management, may convey, without consideration, to the State of Utah all right, title, and interest of the United States in and to certain lands comprising approximately 420 acres, as generally depicted on a map entitled "Proposed Camp Williams Land Transfer" and dated June 14, 2011, which are located within the boundaries of the public lands currently withdrawn for military use by the Utah National Guard and known as Camp Williams, Utah, for the purpose of permitting the Utah National Guard to use the conveyed land for military purposes.

(b) SUPERSEDDENCE OF EXECUTIVE ORDER.—Executive Order No. 1922 of April 24, 1914, as amended by section 907 of the Camp W.G. Williams Land Exchange Act of 1989 (title IX of Public Law 101-628; 104 Stat. 4501), is here-

by superseded, only insofar as it affects the lands conveyed to the State of Utah under subsection (a).

(c) REVERSIONARY INTEREST.—If the Secretary of the Army, in consultation with the Secretary of the Interior, determines at any time that the lands conveyed under subsection (a), or any portion thereof, are sold or attempted to be sold, or that the lands, or any portion thereof, are not being used in a manner consistent with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to the lands shall, at the option of the Secretary of the Army, in consultation with the Secretary of the Interior, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto the lands. A determination under this subsection shall be made on the record after an opportunity for a hearing.

(d) ADDITIONAL TERMS.—The Secretary of the Interior, in consultation with the Secretary of the Army, may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary of the Interior considers appropriate to protect the interests of the United States.

SEC. 2836. CONVEYANCE, AIR NATIONAL GUARD RADAR SITE, FRANCIS PEAK, WASATCH MOUNTAINS, UTAH.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the State of Utah (in this section referred to as the "State"), all right, title, and interest of the United States in and to the structures, including equipment and any other personal property related thereto, comprising the Air National Guard radar site located on Francis Peak, Utah, for the purpose of permitting the State to use the structures to support emergency public safety communications, including 911 emergency response service for Northern Utah.

(b) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Air Force may require the State to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the State.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(c) DESCRIPTION OF PROPERTY.—The exact inventory of equipment and other personal property to be conveyed under subsection (a) shall be determined by the Secretary of the Air Force.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Air Force may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(e) CONTINUATION OF LAND USE PERMIT.—The conveyance of the structures under sub-

section (a) shall not affect the validity and continued applicability of the land use permit, in effect on the date of the enactment of this Act, that was issued by the Forest Service for placement and use of the structures.

(f) DURATION OF AUTHORITY.—The authority to make a conveyance under this section shall expire on the later of—

(1) September 30, 2014; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015.

SEC. 2837. LAND CONVEYANCES, FORMER UNITED STATES ARMY RESERVE CENTERS, CONNECTICUT, NEW HAMPSHIRE, AND PENNSYLVANIA.

(a) CONVEYANCES AUTHORIZED.—The Secretary of the Army may convey, without consideration, all right, title, and interest of the United States in and to the parcels of real property described in paragraphs (1) through (4), including any improvements thereon and easements related thereto, to the entity specified in such a paragraph for the corresponding parcel and for the purposes specified in such paragraph:

(1) Approximately 5.11 acres and improvements known as the LT John S. Turner Army Reserve Center in Fairfield, Connecticut, to the City of Fairfield, Connecticut, for the public benefit of a public park or recreational use.

(2) Approximately 6.9 acres and improvements known as the Paul J. Sutcovoy Army Reserve Center in Waterbury, Connecticut, to the City of Waterbury, Connecticut, for the public benefit of emergency services and public safety activities.

(3) Approximately 3.4 acres and improvements known as the Paul A. Doble Army Reserve Center in Portsmouth, New Hampshire, to the City of Portsmouth, New Hampshire, for the public benefit of a public park or recreational use.

(4) Approximately 4.52 acres and containing the Mifflin County Army Reserve Center located at 73 Reserve Lane, Lewistown, Pennsylvania (parcel number 16.01-0113J) to Derry Township, Pennsylvania for a regional police headquarters or other purposes of public benefit.

(b) TERMS APPLICABLE TO MIFFLIN COUNTY ARMY RESERVE CENTER CONVEYANCE.—

(1) INTERIM LEASE.—Until such time as the real property described in subsection (a)(4) is conveyed to Derry Township, Pennsylvania, the Secretary of the Army may lease the property to the Township.

(2) CONDITIONS OF CONVEYANCE.—The conveyance of the real property under subsection (a)(4) shall be subject to the condition that Derry Township, Pennsylvania, not use any Federal funds to cover—

(A) any portion of the conveyance costs required by subsection (d) to be paid by the Township; or

(B) to cover the costs for the design or construction of any facility on the property.

(c) REVERSION; EXCEPTION.—

(1) REVERSION.—The deed of conveyance for a parcel of real property conveyed under this section shall provide that all of the property be used and maintained for the purpose for which it was conveyed, as specified in subsection (a). If the Secretary of the Army determines at any time that the real property is no longer used or maintained in accordance with the purpose of the conveyance, all right, title, and interest in and to the property shall revert, at the option of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this paragraph shall

be made on the record after an opportunity for hearing.

(2) **PAYMENT OF CONSIDERATION IN LIEU OF REVERSION.**—In lieu of exercising the right of reversion retained under paragraph (1) with respect to a parcel of real property conveyed under this section, the Secretary may require the recipient of the property to pay to the United States an amount equal to the fair market value of the property conveyed. The fair market value of the property shall be determined by the Secretary.

(3) **TREATMENT OF CASH CONSIDERATION.**—Any cash payment received by the United States under paragraph (2) shall be deposited in the special account in the Treasury established under subsection (b) of section 572 of title 40, United States Code, and shall be available in accordance with paragraph (5)(B) of such subsection.

(d) **PAYMENT OF COSTS OF CONVEYANCE.**—

(1) **PAYMENT REQUIRED.**—The Secretary of the Army shall require the recipient of a parcel of real property conveyed under this section to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance of the property, including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the recipient of the property in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance of the property, the Secretary shall refund the excess amount to the recipient of the property.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyances under this section. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) **DESCRIPTION OF PROPERTIES.**—The exact acreage and legal description of a parcel of real property to be conveyed under this section shall be determined by a survey satisfactory to the Secretary of the Army.

(f) **ADDITIONAL TERMS.**—The Secretary of the Army may require such additional terms and conditions in connection with the conveyance of a parcel of real property under this section as the Secretary considers appropriate to protect the interests of the United States.

Subtitle E—Other Matters

SEC. 2841. REPEAL OF ANNUAL ECONOMIC ADJUSTMENT COMMITTEE REPORTING REQUIREMENT.

Subsection (d) of section 4004 of the Defense Economic Adjustment, Diversification, Conversion, and Stabilization Act of 1990 (division D of Public Law 101-510; 10 U.S.C. 2391 note), as amended by section 4212(b) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2664), is further amended—

(1) by inserting “and” at the end of paragraph (1);

(2) by striking “; and” at the end of paragraph (2) and inserting a period; and

(3) by striking paragraph (3).

SEC. 2842. ESTABLISHMENT OF MILITARY DIVERS MEMORIAL.

(a) **MEMORIAL AUTHORIZED.**—The Secretary of the Navy may permit a third party to establish and maintain a memorial to honor

the members of the United States Armed Forces who have served as divers and whose service in defense of the United States has been carried out beneath the waters of the world.

(b) **USE OF FEDERAL FUNDS PROHIBITED.**—Federal funds may not be used to design, procure, prepare, install, or maintain the memorial authorized by subsection (a), but the Secretary may accept and expend contributions of non-Federal funds and resources for such purposes.

(c) **LOCATION OF MEMORIAL.**—

(1) **IN GENERAL.**—Consistent with the sense of the Congress expressed in section 2855 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2162), the Secretary may permit the memorial authorized by subsection (a) to be established—

(A) at a suitable location at the former Navy Dive School at the Washington Navy Yard in the District of Columbia; or

(B) at another suitable location under the jurisdiction of the Secretary.

(2) **CONDITION.**—The memorial authorized by subsection (a) may not be established at any location under the jurisdiction of the Secretary until the Secretary determines that an assured source of non-Federal funding has been established for the design, procurement, installation, and maintenance of the memorial.

(d) **DESIGN OF MEMORIAL.**—The final design of the memorial authorized by subsection (a) shall be subject to the approval of the Secretary.

TITLE XXIX—WITHDRAWAL, RESERVATION, AND TRANSFER OF PUBLIC LANDS TO SUPPORT MILITARY READINESS AND SECURITY

Sec. 2901. Short title.

Sec. 2902. Definitions.

Subtitle A—General Provisions

Sec. 2911. General applicability; definitions.

Sec. 2912. Maps and legal descriptions.

Sec. 2913. Access restrictions.

Sec. 2914. Changes in use.

Sec. 2915. Brush and range fire prevention and suppression.

Sec. 2916. Ongoing decontamination.

Sec. 2917. Water rights.

Sec. 2918. Hunting, fishing, and trapping.

Sec. 2919. Limitation on extensions and renewals.

Sec. 2920. Application for renewal of a withdrawal and reservation.

Sec. 2921. Limitation on subsequent availability of land for appropriation.

Sec. 2922. Relinquishment.

Sec. 2923. Immunity of the United States.

Subtitle B—Limestone Hills Training Area, Montana

Sec. 2931. Withdrawal and reservation of public land.

Sec. 2932. Management of withdrawn and reserved land.

Sec. 2933. Special rules governing minerals management.

Sec. 2934. Grazing.

Sec. 2935. Payments in lieu of taxes.

Sec. 2936. Duration of withdrawal and reservation.

Subtitle C—Marine Corps Air Ground Combat Center Twentynine Palms, California

Sec. 2941. Withdrawal and reservation of public land.

Sec. 2942. Management of withdrawn and reserved land.

Sec. 2943. Public access.

Sec. 2944. Resource management group.

Sec. 2945. Johnson Valley Off-Highway Vehicle Recreation Area.

Sec. 2946. Duration of withdrawal and reservation.

Subtitle D—White Sands Missile Range, New Mexico, and Fort Bliss, Texas

Sec. 2951. Withdrawal and reservation of public land.

Sec. 2952. Grazing.

Subtitle E—Chocolate Mountain Aerial Gunnery Range, California

Sec. 2961. Transfer of administrative jurisdiction of public land.

Sec. 2962. Management and use of transferred land.

Sec. 2963. Effect of termination of military use.

Sec. 2964. Temporary extension of existing withdrawal period.

Sec. 2965. Water rights.

Sec. 2966. Realignment of range boundary and related transfer of title.

Subtitle F—Naval Air Weapons Station China Lake, California

Sec. 2971. Withdrawal and reservation of public land.

Sec. 2972. Management of withdrawn and reserved land.

Sec. 2973. Assignment of management responsibility to Secretary of the Navy.

Sec. 2974. Geothermal resources.

Sec. 2975. Wild horses and burros.

Sec. 2976. Continuation of existing agreement.

Sec. 2977. Management plans.

Sec. 2978. Termination of prior withdrawals.

Sec. 2979. Duration of withdrawal and reservation.

SEC. 2901. SHORT TITLE.

This title may be cited as the “Military Land Withdrawals Act of 2013”.

SEC. 2902. DEFINITIONS.

In this title:

(1) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

(2) **MANAGE; MANAGEMENT.**—

(A) **INCLUSIONS.**—The terms “manage” and “management” include the authority to exercise jurisdiction, custody, and control over the land withdrawn and reserved by this title.

(B) **EXCLUSIONS.**—The terms “manage” and “management” do not include authority for disposal of the land withdrawn and reserved by this title.

(3) **SECRETARY CONCERNED.**—The term “Secretary concerned” has the meaning given the term in section 101(a) of title 10, United States Code.

Subtitle A—General Provisions

SEC. 2911. GENERAL APPLICABILITY; DEFINITIONS.

(a) **APPLICABILITY.**—This subtitle applies to each land withdrawal and reservation made by this title.

(b) **RULES OF CONSTRUCTION.**—Nothing in this title assigns management of real property under the administrative jurisdiction of the Secretary concerned to the Secretary of the Interior.

SEC. 2912. MAPS AND LEGAL DESCRIPTIONS.

(a) **PREPARATION OF MAPS AND LEGAL DESCRIPTIONS.**—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior shall—

(1) publish in the Federal Register a notice containing the legal descriptions of the land withdrawn and reserved by this title; and

(2) file maps and legal descriptions of the land withdrawn and reserved by this title with—

(A) the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Armed Services and the Committee on Natural Resources of the House of Representatives.

(b) **LEGAL EFFECT.**—The maps and legal descriptions filed under subsection (a)(2) shall have the same force and effect as if the maps and legal descriptions were included in this title, except that the Secretary of the Interior may correct any clerical and typographical errors in the maps and legal descriptions.

(c) **AVAILABILITY.**—Copies of the maps and legal descriptions filed under subsection (a)(2) shall be available for public inspection—

(1) in the appropriate offices of the Bureau of Land Management;

(2) in the office of the commanding officer of the military installation for which the land is withdrawn; and

(3) if the military installation is under the management of the National Guard, in the office of the Adjutant General of the State in which the military installation is located.

(d) **COSTS.**—The Secretary concerned shall reimburse the Secretary of the Interior for the costs incurred by the Secretary of the Interior in implementing this section.

SEC. 2913. ACCESS RESTRICTIONS.

(a) **AUTHORITY TO IMPOSE RESTRICTIONS.**—If the Secretary concerned determines that military operations, public safety, or national security require the closure to the public of any road, trail, or other portion of land withdrawn and reserved by this title, the Secretary may take such action as the Secretary determines to be necessary to implement and maintain the closure.

(b) **LIMITATION.**—Any closure under subsection (a) shall be limited to the minimum area and duration that the Secretary concerned determines are required for the purposes of the closure.

(c) **CONSULTATION REQUIRED.**—

(1) **IN GENERAL.**—Subject to paragraph (3), before a closure is implemented under this section, the Secretary concerned shall consult with the Secretary of the Interior.

(2) **INDIAN TRIBE.**—Subject to paragraph (3), if a closure proposed under this section may affect access to or use of sacred sites or resources considered to be important by an Indian tribe, the Secretary concerned shall consult, at the earliest practicable date, with the affected Indian tribe.

(3) **LIMITATION.**—No consultation shall be required under paragraph (1) or (2)—

(A) if the closure is provided for in an integrated natural resources management plan, an installation cultural resources management plan, or a land use management plan; or

(B) in the case of an emergency, as determined by the Secretary concerned.

(d) **NOTICE.**—Immediately preceding and during any closure implemented under subsection (a), the Secretary concerned shall post appropriate warning notices and take other appropriate actions to notify the public of the closure.

SEC. 2914. CHANGES IN USE.

(a) **OTHER USES AUTHORIZED.**—In addition to the purposes described in a subtitle of this title applicable to the land withdrawal and reservation made by that subtitle, the Secretary concerned may authorize the use of land withdrawn and reserved by this title for defense-related purposes.

(b) **NOTICE TO SECRETARY OF THE INTERIOR.**—

(1) **IN GENERAL.**—The Secretary concerned shall promptly notify the Secretary of the

Interior if the land withdrawn and reserved by this title is used for additional defense-related purposes.

(2) **REQUIREMENTS.**—A notification under paragraph (1) shall specify—

(A) each additional use;

(B) the planned duration of each additional use; and

(C) the extent to which each additional use would require that additional or more stringent conditions or restrictions be imposed on otherwise-permitted nondefense-related uses of the withdrawn and reserved land or portions of withdrawn and reserved land.

SEC. 2915. BRUSH AND RANGE FIRE PREVENTION AND SUPPRESSION.

(a) **REQUIRED ACTIVITIES.**—Consistent with any applicable land management plan, the Secretary concerned shall take necessary precautions to prevent, and actions to suppress, brush and range fires occurring as a result of military activities on the land withdrawn and reserved by this title, including fires that occur on other land that spread from the withdrawn and reserved land.

(b) **COOPERATION OF SECRETARY OF THE INTERIOR.**—

(1) **IN GENERAL.**—At the request of the Secretary concerned, the Secretary of the Interior shall provide assistance in the suppression of fires under subsection (a). The Secretary concerned shall reimburse the Secretary of the Interior for the costs incurred by the Secretary of the Interior in providing such assistance.

(2) **TRANSFER OF FUNDS.**—Notwithstanding section 2215 of title 10, United States Code, the Secretary concerned may transfer to the Secretary of the Interior, in advance, funds to be used to reimburse the costs of the Department of the Interior in providing assistance under this subsection.

SEC. 2916. ONGOING DECONTAMINATION.

(a) **PROGRAM OF DECONTAMINATION REQUIRED.**—During the period of a withdrawal and reservation of land under this title, the Secretary concerned shall maintain, to the extent funds are available to carry out this subsection, a program of decontamination of contamination caused by defense-related uses on the withdrawn land. The decontamination program shall be carried out consistent with applicable Federal and State law.

(b) **ANNUAL REPORT.**—The Secretary of Defense shall include in the annual report required by section 2711 of title 10, United States Code, a description of decontamination activities conducted under subsection (a).

SEC. 2917. WATER RIGHTS.

(a) **NO RESERVATION OF WATER RIGHTS.**—Nothing in this title—

(1) establishes a reservation in favor of the United States with respect to any water or water right on the land withdrawn and reserved by this title; or

(2) authorizes the appropriation of water on the land withdrawn and reserved by this title, except in accordance with applicable State law.

(b) **EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED WATER RIGHTS.**—

(1) **IN GENERAL.**—Nothing in this section affects any water rights acquired or reserved by the United States before the date of enactment of this Act on the land withdrawn and reserved by this title.

(2) **AUTHORITY OF SECRETARY CONCERNED.**—The Secretary concerned may exercise any water rights described in paragraph (1).

SEC. 2918. HUNTING, FISHING, AND TRAPPING.

Section 2671 of title 10, United States Code, shall apply to all hunting, fishing, and trapping on the land—

(1) that is withdrawn and reserved by this title; and

(2) for which management of the land has been assigned to the Secretary concerned.

SEC. 2919. LIMITATION ON EXTENSIONS AND RENEWALS.

The withdrawals and reservations established under this title may not be extended or renewed except by a law enacted after the date of enactment of this Act.

SEC. 2920. APPLICATION FOR RENEWAL OF A WITHDRAWAL AND RESERVATION.

To the extent practicable, not later than five years before the date of termination of a withdrawal and reservation made by a subtitle of this title, the Secretary concerned shall—

(1) notify the Secretary of the Interior as to whether the Secretary concerned will have a continuing defense-related need for any of the land withdrawn and reserved by that subtitle after the termination date of the withdrawal and reservation; and

(2) transmit a copy of the notice submitted under paragraph (1) to—

(A) the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Armed Services and the Committee on Natural Resources of the House of Representatives.

SEC. 2921. LIMITATION ON SUBSEQUENT AVAILABILITY OF LAND FOR APPROPRIATION.

On the termination of a withdrawal and reservation made by this title, the previously withdrawn land shall not be open to any form of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws, unless the Secretary of the Interior publishes in the Federal Register an appropriate order specifying the date on which the land shall be—

(1) restored to the public domain; and

(2) opened for appropriation under the public land laws.

SEC. 2922. RELINQUISHMENT.

(a) **NOTICE OF INTENTION TO RELINQUISH.**—If, during the period of withdrawal and reservation made by a subtitle of this title, the Secretary concerned decides to relinquish any or all of the land withdrawn and reserved by that subtitle, the Secretary concerned shall submit to the Secretary of the Interior notice of the intention to relinquish the land.

(b) **DETERMINATION OF CONTAMINATION.**—The Secretary concerned shall include in the notice submitted under subsection (a) a written determination concerning whether and to what extent the land that is to be relinquished is contaminated with explosive materials or toxic or hazardous substances.

(c) **PUBLIC NOTICE.**—The Secretary of the Interior shall publish in the Federal Register the notice of intention to relinquish the land under this section, including the determination concerning the contaminated state of the land.

(d) **DECONTAMINATION OF LAND TO BE RELINQUISHED.**—

(1) **DECONTAMINATION REQUIRED.**—The Secretary concerned shall decontaminate land subject to a notice of intention under subsection (a) to the extent that funds are appropriated for that purpose, if—

(A) the land subject to the notice of intention is contaminated, as determined by the Secretary concerned; and

(B) the Secretary of the Interior, in consultation with the Secretary concerned, determines that—

(i) decontamination is practicable and economically feasible, after taking into consideration the potential future use and value of the contaminated land; and

(ii) on decontamination of the land, the land could be opened to operation of some or all of the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

(2) **ALTERNATIVES TO RELINQUISHMENT.**—The Secretary of the Interior shall not be required to accept the land proposed for relinquishment under subsection (a), if—

(A) the Secretary of the Interior, after consultation with the Secretary concerned, determines that—

(i) decontamination of the land is not practicable or economically feasible; or

(ii) the land cannot be decontaminated sufficiently to be opened to operation of some or all of the public land laws; or

(B) sufficient funds are not appropriated for the decontamination of the land.

(3) **STATUS OF CONTAMINATED LAND ON TERMINATION.**—If, because of the contaminated state of the land, the Secretary of the Interior declines to accept land withdrawn and reserved by this title that has been proposed for relinquishment, or if at the expiration of the withdrawal and reservation, the Secretary of the Interior determines that a portion of the land withdrawn and reserved is contaminated to an extent that prevents opening the contaminated land to operation of the public land laws—

(A) the Secretary concerned shall take appropriate steps to warn the public of—

(i) the contaminated state of the land; and

(ii) any risks associated with entry onto the land;

(B) after the expiration of the withdrawal and reservation, the Secretary concerned shall undertake no activities on the contaminated land, except for activities relating to the decontamination of the land; and

(C) the Secretary concerned shall submit to the Secretary of the Interior and Congress a report describing—

(i) the status of the land; and

(ii) any actions taken under this paragraph.

(e) **REVOCATION AUTHORITY.**—

(1) **IN GENERAL.**—If the Secretary of the Interior determines that it is in the public interest to accept the land proposed for relinquishment under subsection (a), the Secretary of the Interior may order the revocation of a withdrawal and reservation made by this title.

(2) **REVOCATION ORDER.**—To carry out a revocation under paragraph (1), the Secretary of the Interior shall publish in the Federal Register a revocation order that—

(A) terminates the withdrawal and reservation;

(B) constitutes official acceptance of the land by the Secretary of the Interior; and

(C) specifies the date on which the land will be opened to the operation of some or all of the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

(f) **ACCEPTANCE BY SECRETARY OF THE INTERIOR.**—

(1) **IN GENERAL.**—Nothing in this section requires the Secretary of the Interior to accept the land proposed for relinquishment if the Secretary determines that the land is not suitable for return to the public domain.

(2) **NOTICE.**—If the Secretary makes a determination that the land is not suitable for return to the public domain, the Secretary shall provide notice of the determination to Congress.

SEC. 2923. IMMUNITY OF THE UNITED STATES.

The United States and officers and employees of the United States shall be held harmless and shall not be liable for any injuries or damages to persons or property incurred as a result of any mining or mineral or geothermal leasing activity or other authorized nondefense-related activity conducted on land withdrawn and reserved by this title.

Subtitle B—Limestone Hills Training Area, Montana

SEC. 2931. WITHDRAWAL AND RESERVATION OF PUBLIC LAND.

(a) **WITHDRAWAL.**—Subject to valid existing rights and except as otherwise provided in this subtitle, the public land (including interests in land) described in subsection (b), and all other areas within the boundaries of the land as depicted on the map referred to in such subsection that may become subject to the operation of the public land laws, is withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

(b) **DESCRIPTION OF LAND.**—The public land (including interests in land) referred to in subsection (a) is the Federal land comprising approximately 18,644 acres in Broadwater County, Montana, generally depicted as “Proposed Land Withdrawal” on the map entitled “Limestone Hills Training Area Land Withdrawal”, dated April 10, 2013, and filed in accordance with section 2912.

(c) **RESERVATION; PURPOSE.**—Subject to the limitations and restrictions contained in section 2933, the public land withdrawn by subsection (a) is reserved for use by the Secretary of the Army for the following purposes:

(1) The conduct of training for active and reserve components of the Armed Forces.

(2) The construction, operation, and maintenance of organizational support and maintenance facilities for component units conducting training.

(3) The conduct of training by the Montana Department of Military Affairs, provided that the training does not interfere with the purposes specified in paragraphs (1) and (2).

(4) The conduct of training by State and local law enforcement agencies, civil defense organizations, and public education institutions, provided that the training does not interfere with the purposes specified in paragraphs (1) and (2).

(5) Other defense-related purposes consistent with the preceding purposes.

(d) **INDIAN TRIBES.**—

(1) **IN GENERAL.**—Nothing in this subtitle alters any rights reserved for an Indian tribe for tribal use of the public land withdrawn by subsection (a) by treaty or Federal law.

(2) **CONSULTATION REQUIRED.**—The Secretary of the Army shall consult with any Indian tribes in the vicinity of the public land withdrawn by subsection (a) before taking any action within the public land affecting tribal rights or cultural resources protected by treaty or Federal law.

SEC. 2932. MANAGEMENT OF WITHDRAWN AND RESERVED LAND.

During the period of the withdrawal and reservation of land made by section 2931, the Secretary of the Army shall manage the land withdrawn and reserved by such section for the purposes described in subsection (c) of such section—

(1) subject to the limitations and restrictions contained in section 2933; and

(2) in accordance with—

(A) an integrated natural resources management plan prepared and implemented under title I of the Sikes Act (16 U.S.C. 670a et seq.);

(B) subtitle A and this subtitle; and

(C) other applicable law.

SEC. 2933. SPECIAL RULES GOVERNING MINERALS MANAGEMENT.

(a) **INDIAN CREEK MINE.**—

(1) **IN GENERAL.**—Of the land withdrawn by section 2931, locatable mineral activities in the approved Indian Creek Mine plan of operations, MTM-78300, shall be regulated in accordance with subparts 3715 and 3809 of title 43, Code of Federal Regulations.

(2) **RESTRICTIONS ON SECRETARY OF THE ARMY.**—

(A) **IN GENERAL.**—The Secretary of the Army shall make no determination that the disposition of, or exploration for, minerals as provided for in the approved plan of operations described in paragraph (1) is inconsistent with the defense-related uses of the land withdrawn under section 2931.

(B) **COORDINATION.**—The coordination of the disposition of and exploration for minerals with defense-related uses of the land shall be determined in accordance with procedures in an agreement provided for under subsection (c).

(b) **REMOVAL OF UNEXPLODED ORDNANCE ON LAND TO BE MINED.**—

(1) **REMOVAL ACTIVITIES.**—

(A) **IN GENERAL.**—Subject to the availability of funds appropriated for such purpose, the Secretary of the Army shall remove unexploded ordnance on land withdrawn by section 2931 that is subject to mining under subsection (a), consistent with applicable Federal and State law.

(B) **PHASES.**—The Secretary of the Army may provide for the removal of unexploded ordnance in phases to accommodate the development of the Indian Creek Mine under subsection (a).

(2) **REPORT ON REMOVAL ACTIVITIES.**—

(A) **IN GENERAL.**—The Secretary of the Army shall annually submit to the Secretary of the Interior a report regarding any unexploded ordnance removal activities conducted during the previous fiscal year in accordance with this subsection.

(B) **INCLUSIONS.**—The report under this paragraph shall include—

(i) a description of the amounts expended for unexploded ordnance removal on the withdrawn land during the period covered by the report; and

(ii) the identification of the land cleared of unexploded ordnance and approved for mining activities by the Secretary of the Interior.

(c) **IMPLEMENTATION AGREEMENT FOR MINING ACTIVITIES.**—

(1) **IN GENERAL.**—The Secretary of the Interior and the Secretary of the Army shall enter into an agreement to implement this section with respect to the coordination of defense-related uses and mining and the ongoing removal of unexploded ordnance.

(2) **DURATION.**—The duration of the agreement shall be equal to the period of the withdrawal under section 2936, but may be amended from time to time.

(3) **REQUIREMENTS.**—The agreement shall provide the following:

(A) That Graymont Western US, Inc., or any successor or assign of the approved Indian Creek Mine mining plan of operations, MTM-78300, shall be invited to be a party to the agreement.

(B) Provisions regarding the day-to-day joint-use of the Limestone Hills Training Area.

(C) Provisions addressing periods during which military and other authorized uses of the withdrawn land will occur.

(D) Provisions regarding when and where military use or training with explosive material will occur.

(E) Provisions regarding the scheduling of training activities conducted within the withdrawn land that restrict mining activities.

(F) Procedures for deconfliction with mining operations, including parameters for notification and resolution of anticipated changes to the schedule.

(G) Procedures for access through mining operations covered by this section to training areas within the boundaries of the Limestone Hills Training Area.

(H) Procedures for scheduling of the removal of unexploded ordnance.

(d) **EXISTING MEMORANDUM OF AGREEMENT.**—Until the date on which the agreement under subsection (c) becomes effective, the compatible joint use of the land withdrawn and reserved by section 2931 shall be governed, to the extent compatible, by the terms of the 2005 Memorandum of Agreement among the Montana Army National Guard, Graymont Western US, Inc., and the Bureau of Land Management.

SEC. 2934. GRAZING.

(a) **ISSUANCE AND ADMINISTRATION OF PERMITS AND LEASES.**—The Secretary of the Interior shall manage the issuance and administration of grazing permits and leases, including the renewal of permits and leases, on the public land withdrawn by section 2931, consistent with all applicable laws (including regulations) and policies of the Secretary of the Interior relating to the permits and leases.

(b) **SAFETY REQUIREMENTS.**—With respect to any grazing permit or lease issued after the date of enactment of this Act for land withdrawn by section 2931, the Secretary of the Interior and the Secretary of the Army shall jointly establish procedures that—

(1) are consistent with Department of the Army explosive and range safety standards; and

(2) provide for the safe use of the withdrawn land.

(c) **ASSIGNMENT.**—With the agreement of the Secretary of the Army, the Secretary of the Interior may assign the authority to issue and to administer grazing permits and leases to the Secretary of the Army, except that the assignment may not include the authority to discontinue grazing on the land withdrawn by section 2931.

SEC. 2935. PAYMENTS IN LIEU OF TAXES.

The land withdrawn by section 2931 is deemed to be entitlement land for purposes of chapter 69 of title 31, United States Code.

SEC. 2936. DURATION OF WITHDRAWAL AND RESERVATION.

The withdrawal and reservation of public land made by section 2931 shall terminate on March 31, 2039.

Subtitle C—Marine Corps Air Ground Combat Center Twentynine Palms, California **SEC. 2941. WITHDRAWAL AND RESERVATION OF PUBLIC LAND.**

(a) **WITHDRAWAL.**—Subject to valid existing rights and except as otherwise provided in this subtitle, the public land (including interests in land) described in subsection (b), and all other areas within the boundary of the land depicted on the map described in such subsection that may become subject to the operation of the public land laws, is withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

(b) **DESCRIPTION OF LAND.**—The public land (including interests in land) referred to in

subsection (a) is the Federal land comprising approximately 150,928 acres in San Bernardino County, California, generally depicted on the map titled “MCAGCC 29 Palms Expansion Map-Johnson Valley Off Highway Vehicle Recreation Area”, dated December 5, 2013, and filed in accordance with section 2912, which is divided into the following two areas:

(1) The Exclusive Military Use Area (in this subtitle referred to as the “Exclusive Military Use Area”), consisting of the following two areas:

(A) One area to the west of the Marine Corps Air Ground Combat Center, consisting of approximately 78,993 acres.

(B) One area south of the Marine Corps Air Ground Combat Center, consisting of approximately 18,704 acres.

(2) The Shared Use Area (in this subtitle referred to as the “Shared Use Area”), consisting of approximately 53,231 acres.

(c) **RESERVATION FOR SECRETARY OF THE NAVY; PURPOSES.**—The Exclusive Military Use Area is reserved for use by the Secretary of the Navy for the following purposes:

(1) Sustained, combined arms, live-fire, and maneuver field training for large-scale Marine air ground task forces.

(2) Individual and unit live-fire training ranges.

(3) Equipment and tactics development.

(4) Other defense-related purposes that are—

(A) consistent with the purposes described in the preceding paragraphs; and

(B) authorized under section 2914.

(d) **RESERVATION FOR SECRETARY OF THE INTERIOR; PURPOSES.**—The Shared Use Area is reserved—

(1) for use by the Secretary of the Navy for the purposes described in subsection (c); and

(2) for use by the Secretary of the Interior for the following purposes:

(A) Public recreation—

(i) during any period in which the land is not being used for military training; and

(ii) as determined to be suitable for public use.

(B) Natural resources conservation.

(e) **ADJUSTMENT.**—The boundary of the Exclusive Military Use Area at Emerson Ridge provided in subsection (b)(1) shall be located in such a manner so as to ensure access to the pass northwest of the ridge for purposes described in subsection (d).

SEC. 2942. MANAGEMENT OF WITHDRAWN AND RESERVED LAND.

(a) **MANAGEMENT BY THE SECRETARY OF THE NAVY; CONDITION.**—

(1) **IN GENERAL.**—Except as provided in subsection (b), during the period of withdrawal and reservation of land made by section 2941, the Secretary of the Navy shall manage the land withdrawn and reserved by such section for the purposes described in subsection (c) of such section in accordance with—

(A) an integrated natural resources management plan prepared and implemented under title I of the Sikes Act (16 U.S.C. 670a et seq.);

(B) subtitle A and this subtitle;

(C) a programmatic agreement between the Marine Corps and the California State Historic Preservation Officer regarding operation, maintenance, training, and construction at the United States Marine Air Ground Task Force Training Command, Marine Corps Air Ground Combat Center, Twentynine Palms, California; and

(D) any other applicable law.

(2) **LIVE-FIRE TRAINING.**—The boundary of the Exclusive Military Use Area described in section 2941 shall be clearly identified before

the Exclusive Military Use Area is used for any live-fire military training. The Secretary of the Navy shall ensure the military boundary is maintained.

(b) **MANAGEMENT BY THE SECRETARY OF THE INTERIOR; EXCEPTION.**—

(1) **SECRETARY OF THE INTERIOR MANAGEMENT.**—

(A) **IN GENERAL.**—Except as provided in paragraph (2), during the period of withdrawal and reservation of land made by section 2941, the Secretary of the Interior shall manage the Shared Use Area.

(B) **APPLICABLE LAW.**—During the period of the management by the Secretary of the Interior under this paragraph, the Secretary of the Interior shall manage the Shared Use Area for the purposes described in subsection (d) of section 2941 in accordance with—

(i) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(ii) any other applicable law.

(2) **SECRETARY OF THE NAVY MANAGEMENT.**—

(A) **EXCEPTION.**—Twice a year during the period of withdrawal and reservation of land by this section, there shall be a 30-day period during which the Secretary of the Navy shall—

(i) manage the Shared Use Area; and

(ii) exclusively use the Shared Use Area for military training purposes.

(B) **APPLICABLE LAW.**—During the period of the management by the Secretary of the Navy under this paragraph, the Secretary of the Navy shall manage the Shared Use Area for the purposes described in subsection (c) of section 2941 in accordance with—

(i) an integrated natural resources management plan prepared and implemented in accordance with title I of the Sikes Act (16 U.S.C. 670a et seq.);

(ii) subtitle A and this subtitle;

(iii) the programmatic agreement described in subsection (a)(3); and

(iv) any other applicable law.

(C) **LIMITATION.**—The Secretary of the Navy shall prohibit the firing of dud-producing ordnance into the Shared Use Area.

(c) **IMPLEMENTATION AGREEMENT.**—

(1) **IN GENERAL.**—The Secretary of the Interior and the Secretary of the Navy shall enter into a written agreement to implement the management responsibilities of the respective Secretaries with respect to the Shared Use Area.

(2) **COMPONENTS.**—The agreement entered into under paragraph (1)—

(A) shall be of a duration that is equal to the period of the withdrawal and reservation of land under section 2941;

(B) may be amended from time to time;

(C) may provide for the integration of the management plans required of the Secretary of the Interior and the Secretary of the Navy;

(D) may provide for delegation, to civilian law enforcement personnel of the Department of the Navy, of the authority of the Secretary of the Interior to enforce laws relating to protection of natural and cultural resources and fish and wildlife; and

(E) may provide for the Secretary of the Interior and the Secretary of the Navy to share resources so as to most efficiently and effectively manage the Shared Use Area.

(3) **LINKAGE.**—The Secretary of the Interior shall ensure access is provided between the two non-contiguous Johnson Valley Off-Highway Vehicle Recreation Area parcels described in section 2945.

(d) **MILITARY TRAINING.**—

(1) **NOT CONDITIONAL.**—Military training within the Shared Use Area shall not be conditioned on—

(A) the existence of, or precluded by the lack of, a recreation management plan or land use management plan for the area developed and implemented by the Secretary of the Interior; or

(B) the existence of any legal or administrative challenge to such a recreation management plan or land use plan.

(2) **MANAGEMENT.**—

(A) **USE AGREEMENT.**—The Secretary of the Interior shall enter into an agreement with the Secretary of the Navy within one year of the date of the enactment of this Act for the exclusive use by the Marine Corps of two company objective areas, each measuring approximately 300 meters square (approximately 22 acres), located inside the boundaries of the Shared Use Area and totaling approximately 44 acres. These areas will be closed to all public access for the period of the withdrawal specified in section 2946. The purpose of this agreement will be to accommodate the construction, maintenance, modification, and use of these areas for the purposes identified in section 2941(c).

(B) **RANGE MANAGEMENT.**—Small, static, short-range explosives may be used in the two company objective areas described in subparagraph (A). Explosives that fail to function in the company objective areas will be immediately identified and located, training will temporarily halt, and on-scene explosive ordnance disposal personnel will render the munition safe before training resumes. Existing Marine Corps range safety policies and procedures as identified in Marine Corps Order 3570.IX will be followed to ensure all munitions are rendered safe and the area will again be swept after the training exercise by qualified personnel to further ensure no hazards remain.

(C) **ACCESS.**—The Shared Use Area shall be managed in a manner that does not compromise the ability of the Navy to conduct military training in such area.

SEC. 2943. PUBLIC ACCESS.

(a) **IN GENERAL.**—Notwithstanding section 2913, the Exclusive Military Use Area shall be closed to all public access unless otherwise authorized by the Secretary of the Navy.

(b) **PUBLIC RECREATIONAL USE.**—

(1) **IN GENERAL.**—The Shared Use Area shall be open to public recreational use during the period in which the area is under the management of the Secretary of the Interior, if there is a determination by the Secretary of the Navy that the area is suitable for public use.

(2) **DETERMINATION.**—A determination of suitability under paragraph (1) shall not be withheld without a specified reason.

(c) **UTILITIES.**—Nothing in this subtitle prohibits the construction, operation, maintenance, inspection, and access to existing or future utility facilities located within a utility right of way in existence on the date of the enactment of this Act.

SEC. 2944. RESOURCE MANAGEMENT GROUP.

(a) **ESTABLISHMENT.**—The Secretary of the Navy and the Secretary of the Interior, by agreement, shall establish a Resource Management Group for the land withdrawn and reserved by section 2941 to be comprised of representatives of the Department of the Interior and the Department of the Navy.

(b) **DUTIES.**—

(1) **IN GENERAL.**—The Resource Management Group shall—

(A) develop and implement a public outreach plan to inform the public of the land uses changes and safety restrictions affecting the land withdrawn and reserved by section 2941; and

(B) advise the Secretary of the Interior and the Secretary of the Navy with respect to the issues associated with the multiple uses of the Shared Use Area.

(2) **SITING PROCESS.**—The Resource Management Group shall determine the location of the company objective areas. In siting the two areas, the Resource Management Group will seek information from representatives of relevant State agencies, Off Highway Vehicle and other recreation interest groups, and environmental advocacy groups. The Resource Management Group shall consider potential recreational and conservation uses of the area when making their location determination.

(c) **MEETINGS.**—The Resource Management Group shall—

(1) meet at least once a year; and

(2) solicit input from relevant State agencies, private off-highway vehicle interest groups, event managers, environmental advocacy groups, and others relating to the management and facilitation of recreational use within the Shared Use Area.

SEC. 2945. JOHNSON VALLEY OFF-HIGHWAY VEHICLE RECREATION AREA.

(a) **DESIGNATION.**—There is hereby designated the “Johnson Valley Off-Highway Vehicle Recreation Area”, consisting of—

(1) 43,431 acres (as depicted on the map referred to in subsection (b) of section 2941) of the existing Bureau of Land Management-designated Johnson Valley Off-Highway Vehicle Area that is not withdrawn and reserved for defense-related uses by such section; and

(2) The Shared Use Area.

(b) **AUTHORIZED ACTIVITIES.**—To the extent consistent with applicable Federal law (including regulations) and this subtitle, any authorized recreation activities and use designation in effect on the date of enactment of this Act and applicable to the Johnson Valley Off-Highway Vehicle Recreation Area may continue, including casual off-highway vehicular use and recreation.

(c) **ADMINISTRATION.**—The Secretary of the Interior shall administer the Johnson Valley Off-Highway Vehicle Recreation Area (other than the Shared Use Area, which is being managed in accordance with the other provisions of this subtitle) in accordance with—

(1) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(2) any other applicable law.

(d) **TRANSIT.**—In coordination with the Secretary of the Interior, the Secretary of the Navy may authorize transit through the Johnson Valley Off-Highway Vehicle Recreation Area for defense-related purposes supporting military training (including military range management and management of exercise activities) conducted on the land withdrawn and reserved by section 2941.

SEC. 2946. DURATION OF WITHDRAWAL AND RESERVATION.

The withdrawal and reservation of public land made by section 2941 shall terminate on March 31, 2039.

Subtitle D—White Sands Missile Range, New Mexico, and Fort Bliss, Texas

SEC. 2951. WITHDRAWAL AND RESERVATION OF PUBLIC LAND.

(a) **WITHDRAWAL.**—Subject to valid existing rights, the Federal land described in subsection (b) is withdrawn from—

(1) entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(b) **DESCRIPTION OF FEDERAL LAND.**—The Federal land referred to in subsection (a)

consists of approximately 5,100 acres of land depicted as “Parcel 1” on the map entitled “White Sands Missile Range/Fort Bliss/BLM Land Transfer and Withdrawal”, dated April 3, 2012, and filed in accordance with section 2912.

(c) **RESERVATION.**—The Federal land described in subsection (b) is reserved for use by the Secretary of the Army for military purposes in accordance with Public Land Order 833, dated May 27, 1952 (17 Fed. Reg. 4822).

SEC. 2952. GRAZING.

(a) **ISSUANCE AND ADMINISTRATION OF PERMITS AND LEASES.**—The Secretary of the Interior shall manage the issuance and administration of grazing permits and leases, including the renewal of permits and leases, on the public land withdrawn by section 2951, consistent with all applicable laws (including regulations) and policies of the Secretary of the Interior relating to the permits and leases.

(b) **SAFETY REQUIREMENTS.**—With respect to any grazing permit or lease issued after the date of enactment of this Act for land withdrawn by section 2951, the Secretary of the Interior and the Secretary of the Army shall jointly establish procedures that—

(1) are consistent with Department of the Army explosive and range safety standards; and

(2) provide for the safe use of the withdrawn land.

(c) **ASSIGNMENT.**—With the agreement of the Secretary of the Army, the Secretary of the Interior may assign the authority to issue and to administer grazing permits and leases to the Secretary of the Army, except that the assignment may not include the authority to discontinue grazing on the land withdrawn by section 2951.

Subtitle E—Chocolate Mountain Aerial Gunnery Range, California

SEC. 2961. TRANSFER OF ADMINISTRATIVE JURISDICTION OF PUBLIC LAND.

(a) **TRANSFER REQUIRED.**—The Secretary of the Interior shall transfer to the administrative jurisdiction of the Secretary of the Navy certain public land administered by the Bureau of Land Management in Imperial and Riverside Counties, California, consisting of approximately 228,324 acres, as generally depicted on the map titled “Chocolate Mountain Aerial Gunnery Range-Administration’s Land Withdrawal Legislation Proposal Map”, dated October 30, 2013, and filed in accordance with subsection (d).

(b) **VALID EXISTING RIGHTS.**—The transfer of administrative jurisdiction under subsection (a) shall be subject to any valid existing rights, including any property, easements, or improvements held by the Bureau of Reclamation and appurtenant to the Coachella Canal. The Secretary of the Navy shall provide for reasonable access by the Bureau of Reclamation for inspection and maintenance purposes not inconsistent with military training.

(c) **TIME FOR CONVEYANCE.**—The transfer of administrative jurisdiction under subsection (a) shall occur pursuant to a schedule agreed to by the Secretary of the Interior and the Secretary of the Navy.

(d) **MAP AND LEGAL DESCRIPTION.**—

(1) **PREPARATION AND PUBLICATION.**—The Secretary of the Interior shall publish in the Federal Register a legal description of the public land to be transferred under subsection (a).

(2) **SUBMISSION TO CONGRESS.**—The Secretary of the Interior shall file with the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives—

(A) a copy of the legal description prepared under paragraph (1); and

(B) the map referred to in subsection (a).

(3) **AVAILABILITY FOR PUBLIC INSPECTION.**—Copies of the legal description and map filed under paragraph (2) shall be available for public inspection in the appropriate offices of—

(A) the Bureau of Land Management;

(B) the Office of the Commanding Officer, Marine Corps Air Station Yuma, Arizona;

(C) the Office of the Commander, Navy Region Southwest; and

(D) the Office of the Secretary of the Navy.

(4) **FORCE OF LAW.**—The legal description and map filed under paragraph (2) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct clerical and typographical errors in the legal description or map.

(5) **REIMBURSEMENT OF COSTS.**—The transfer required by subsection (a) shall be made without reimbursement, except that the Secretary of the Navy shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior to prepare the legal description and map under this subsection.

SEC. 2962. MANAGEMENT AND USE OF TRANSFERRED LAND.

(a) **TREATMENT AND USE OF TRANSFERRED LAND.**—Upon the receipt of the land under section 2961—

(1) the land shall be treated as property (as defined in section 102(9) of title 40, United States Code) under the administrative jurisdiction of the Secretary of the Navy; and

(2) the Secretary of the Navy shall administer the land as the Chocolate Mountain Aerial Gunnery Range, California, and continue to authorize use of the land for military purposes.

(b) **PROTECTION OF DESERT TORTOISE.**—Nothing in the transfer required by section 2961 shall affect the prior designation of certain lands within the Chocolate Mountain Aerial Gunnery Range as critical habitat for the desert tortoise (*Gopherus agassizii*).

(c) **WITHDRAWAL OF MINERAL ESTATE.**—Subject to valid existing rights, the mineral estate of the land to be transferred under section 2961 is withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and geothermal leasing laws, for as long as the land is under the administrative jurisdiction of the Secretary of the Navy.

(d) **INTEGRATED NATURAL RESOURCES MANAGEMENT PLAN.**—Not later than one year after the transfer of the land under section 2961, the Secretary of the Navy, in cooperation with the Secretary of the Interior, shall prepare an integrated natural resources management plan pursuant to the Sikes Act (16 U.S.C. 670a et seq.) for the transferred land and for land that, as of the date of the enactment of this Act, is under the jurisdiction of the Secretary of the Navy underlying the Chocolate Mountain Aerial Gunnery Range.

(e) **RELATION TO GENERAL PROVISIONS.**—Subtitle A does not apply to the land transferred under section 2961 or to the management of such land as provided for in this subtitle.

SEC. 2963. EFFECT OF TERMINATION OF MILITARY USE.

(a) **NOTICE AND EFFECT.**—Upon a determination by the Secretary of the Navy that there is no longer a military need for all or portions of the land transferred under section 2961, the Secretary of the Navy shall notify the Secretary of the Interior of such de-

termination. Subject to subsections (b), (c), and (d), the Secretary of the Navy shall transfer the land subject to such a notice back to the administrative jurisdiction of the Secretary of the Interior.

(b) **CONTAMINATION.**—Before transmitting a notice under subsection (a), the Secretary of the Navy shall prepare a written determination concerning whether and to what extent the land to be transferred is contaminated with explosive materials or toxic or hazardous substances. A copy of the determination shall be transmitted with the notice. Copies of the notice and the determination shall be published in the Federal Register.

(c) **DECONTAMINATION.**—The Secretary of the Navy shall decontaminate any contaminated land that is the subject of a notice under subsection (a) if—

(1) the Secretary of the Interior, in consultation with the Secretary of the Navy, determines that—

(A) decontamination is practicable and economically feasible (taking into consideration the potential future use and value of the land); and

(B) upon decontamination, the land could be opened to operation of some or all of the public land laws, including the mining laws; and

(2) funds are appropriated for such decontamination.

(d) **ALTERNATIVE.**—The Secretary of the Interior is not required to accept land proposed for transfer under subsection (a) if the Secretary of the Interior is unable to make the determinations under subsection (c)(1) or if Congress does not appropriate a sufficient amount of funds for the decontamination of the land.

SEC. 2964. TEMPORARY EXTENSION OF EXISTING WITHDRAWAL PERIOD.

Notwithstanding subsection (a) of section 806 of the California Military Lands Withdrawal and Overflights Act of 1994 (title VIII of Public Law 103-433; 108 Stat. 4505), the withdrawal and reservation of the land transferred under section 2961 shall not terminate until the date on which the land transfer required by section 2961 is executed.

SEC. 2965. WATER RIGHTS.

(a) **NO RESERVATION OF WATER RIGHTS.**—Nothing in this subtitle—

(1) establishes a reservation in favor of the United States with respect to any water or water right on the land transferred by this subtitle; or

(2) to authorize the appropriation of water on the land transferred by this subtitle except in accordance with applicable State law.

(b) **EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED WATER RIGHTS.**—

(1) **IN GENERAL.**—Nothing in this subtitle affects any water rights acquired or reserved by the United States before the date of enactment of this Act on the land transferred by this subtitle.

(2) **AUTHORITY OF SECRETARY.**—The Secretary of the Navy may exercise any water rights described in paragraph (1).

SEC. 2966. REALIGNMENT OF RANGE BOUNDARY AND RELATED TRANSFER OF TITLE.

(a) **REALIGNMENT; PURPOSE.**—The Secretary of the Interior and the Secretary of the Navy shall realign the boundary of the Chocolate Mountain Aerial Gunnery Range, as in effect on the date of the enactment of this Act, to improve public safety and management of the Range, consistent with the following:

(1) The northwestern boundary of the Chocolate Mountain Aerial Gunnery Range shall be realigned to the edge of the Bradshaw Trail so that the Trail is entirely on

public land under the jurisdiction of the Department of the Interior.

(2) The centerline of the Bradshaw Trail shall be delineated by the Secretary of the Interior in consultation with the Secretary of the Navy, beginning at its western terminus at Township 8 South, Range 12 East, Section 6 eastward to Township 8 South, Range 17 East, Section 32 where it leaves the Chocolate Mountain Aerial Gunnery Range.

(3) The Secretary of the Navy shall relinquish to the Secretary of the Interior the approximately 2,000 acres of public land withdrawn for military use that is located immediately north of the Bradshaw Trail, and the Secretary of the Interior shall manage the land in accordance with the applicable land use plan developed under section of section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

(b) **TRANSFERS RELATED TO REALIGNMENT.**—

(1) **TRANSFERS TO REFLECT BOUNDARY REALIGNMENT.**—The Secretary of the Interior and the Secretary of the Navy shall make such transfers of administrative jurisdiction as may be necessary to reflect the results of the boundary realignment carried out pursuant to subsection (a).

(2) **BRADSHAW TRAIL MANAGEMENT.**—The approximately 600 acres of land north of the Bradshaw Trail identified as fee-owned lands available for disposal may be used to establish a maximum number of acres of land that the Secretary of the Navy may transfer to the administrative jurisdiction of the Secretary of the Interior in order to improve management of the Bradshaw Trail.

(c) **APPLICABILITY OF NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.**—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to any transfer of land made under subsection (b) or any decontamination actions undertaken in connection with such a transfer.

(d) **DECONTAMINATION.**—The Secretary of the Navy shall maintain, to the extent funds are available for such purpose and consistent with applicable Federal and State law, a program of decontamination of any contamination caused by defense-related uses on land transferred under subsection (b). The Secretary of Defense shall include a description of such decontamination activities in the annual report required by section 2711 of title 10, United States Code.

(e) **TIMELINE.**—The delineation of the Bradshaw Trail under subsection (a) and any transfer of land under subsection (b) shall occur pursuant to a schedule agreed to by the Secretary of the Interior and the Secretary of the Navy, but in no case later than two years after the date of the enactment of this Act.

Subtitle F—Naval Air Weapons Station China Lake, California

SEC. 2971. WITHDRAWAL AND RESERVATION OF PUBLIC LAND.

(a) **WITHDRAWAL.**—Subject to valid existing rights and except as otherwise provided in this subtitle, the public land (including interests in land) described in subsection (b), and all other areas within the boundary of the land depicted on the map described in that subsection that may become subject to the operation of the public land laws, is withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws.

(b) **DESCRIPTION OF LAND.**—The public land (including interests in land) referred to in subsection (a) is the Federal land located within the boundaries of the Naval Air Weapons Station China Lake, California, comprising approximately 1,045,000 acres in Inyo,

Kern, and San Bernardino Counties, California, as generally depicted on the maps entitled "Naval Air Weapons Station China Lake Withdrawal—Renewal", "North Range", and "South Range", dated March 18, 2013, and filed in accordance with section 2912.

(c) **RESERVATION.**—The land withdrawn by subsection (a) is reserved for use by the Secretary of the Navy for the following purposes:

- (1) Use as a research, development, test, and evaluation laboratory.
- (2) Use as a range for air warfare weapons and weapon systems.
- (3) Use as a high-hazard testing and training area for aerial gunnery, rocketry, electronic warfare and countermeasures, tactical maneuvering and air support, and directed energy and unmanned aerial systems.
- (4) Geothermal leasing, development, and related power production activities.
- (5) Other defense-related purposes that are—

- (A) consistent with the purposes described in the preceding paragraphs; and
- (B) authorized under section 2914.

SEC. 2972. MANAGEMENT OF WITHDRAWN AND RESERVED LAND.

(a) **APPLICABLE LAWS.**—Except as provided in section 2973, during the period of the withdrawal and reservation of land by section 2971, the Secretary of the Interior shall manage the land withdrawn and reserved by that section in accordance with—

- (1) subtitle A and this subtitle;
- (2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and
- (3) any other applicable law.

(b) **AUTHORIZED ACTIVITIES.**—To the extent consistent with applicable law and Executive orders, the land withdrawn by section 2971 may be managed in a manner that permits the following activities:

- (1) Grazing.
- (2) Protection of wildlife and wildlife habitat.
- (3) Preservation of cultural properties.
- (4) Control of predatory and other animals.
- (5) Recreation and education.
- (6) Prevention and appropriate suppression of brush and range fires resulting from non-military activities.

(7) Geothermal leasing and development and related power production activities.

(c) **NONDEFENSE USES.**—All nondefense-related uses of the land withdrawn by this section (including the uses described in subsection (b)), shall be subject to any conditions and restrictions that the Secretary of the Interior and the Secretary of the Navy jointly determine to be necessary to permit the defense-related use of the land for the purposes described in this section.

(d) **ISSUANCE OF LEASES AND OTHER INSTRUMENTS.**—

(1) **IN GENERAL.**—The Secretary of the Interior shall be responsible for the issuance of any lease, easement, right-of-way, permit, license, or other instrument authorized by law with respect to any activity that involves both—

(A) the land withdrawn and reserved by section 2971; and

(B) any other public land in the vicinity of the land withdrawn and reserved by section 2971 that is not under the administrative jurisdiction of the Secretary of the Navy.

(2) **CONSENT REQUIRED.**—Subject to section 2974, any lease, easement, right-of-way, permit, license, or other instrument issued under paragraph (1) shall—

(A) only be issued with the consent of the Secretary of the Navy; and

(B) be subject to such conditions as the Secretary of the Navy may require with respect to the land withdrawn and reserved by section 2971.

SEC. 2973. ASSIGNMENT OF MANAGEMENT RESPONSIBILITY TO SECRETARY OF THE NAVY.

(a) **AUTHORITY TO ASSIGN MANAGEMENT RESPONSIBILITY.**—The Secretary of the Interior may assign the management responsibility, in whole or in part, for the land withdrawn and reserved by section 2971 to the Secretary of the Navy.

(b) **APPLICABLE LAW.**—On assignment of the management responsibility under subsection (a), the Secretary of the Navy shall manage the land in accordance with—

- (1) subtitle A and this subtitle;
- (2) title I of the Sikes Act (16 U.S.C. 670a et seq.);
- (3) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);
- (4) cooperative management arrangements entered into by the Secretary of the Interior and the Secretary of the Navy; and
- (5) any other applicable law.

SEC. 2974. GEOTHERMAL RESOURCES.

(a) **TREATMENT OF EXISTING LEASES.**—Nothing in this subtitle affects—

(1) geothermal leases issued by the Secretary of the Interior before the date of enactment of this Act; or

(2) the responsibility of the Secretary of the Interior to administer and manage the leases described in paragraph (1) consistent with the provisions of this subtitle.

(b) **AUTHORITY OF THE SECRETARY OF THE INTERIOR.**—Nothing in this subtitle or any other provision of law prohibits the Secretary of the Interior from issuing, subject to the concurrence of the Secretary of the Navy, and administering any lease under the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.) and any other applicable law for the development and use of geothermal steam and associated geothermal resources on the land withdrawn and reserved by section 2971.

(c) **APPLICABLE LAW.**—Nothing in this subtitle affects the geothermal exploration and development authority of the Secretary of the Navy under section 2917 of title 10, United States Code, with respect to the land withdrawn and reserved by section 2971, except that the Secretary of the Navy shall obtain the concurrence of the Secretary of the Interior before taking action under section 2917 of title 10, United States Code.

(d) **NAVY CONTRACTS.**—On the expiration of the withdrawal and reservation of land under section 2971 or the relinquishment of the land, any Navy contract for the development of geothermal resources at Naval Air Weapons Station China Lake that is in effect on the date of the expiration or relinquishment shall remain in effect, except that the Secretary of the Interior, with the consent of the Secretary of the Navy, may offer to substitute a standard geothermal lease for the contract.

SEC. 2975. WILD HORSES AND BURROS.

(a) **MANAGEMENT.**—The Secretary of the Navy—

- (1) shall be responsible for the management of wild horses and burros located on the land withdrawn and reserved by section 2971; and
- (2) may use helicopters and motorized vehicles for the management of wild horses and burros on such land.

(b) **REQUIREMENTS.**—The activities authorized under subsection (a) shall be conducted in accordance with laws applicable to the management of wild horses and burros on public land.

(c) **AGREEMENT.**—The Secretary of the Interior and the Secretary of the Navy shall

enter into an agreement for the implementation of the management of wild horses and burros under this section.

SEC. 2976. CONTINUATION OF EXISTING AGREEMENT.

The agreement between the Secretary of the Interior and the Secretary of the Navy entered into before the date of enactment of this Act under section 805 of the California Military Lands Withdrawal and Overflights Act of 1994 (Public Law 103-433; 108 Stat. 4503) shall continue in effect until the earlier of—

- (1) the date on which the Secretary of the Interior and the Secretary of the Navy enter into a new agreement to replace such section 805 agreement; or
- (2) the date that is one year after the date of enactment of this Act.

SEC. 2977. MANAGEMENT PLANS.

(a) **COOPERATION IN DEVELOPMENT OF MANAGEMENT PLAN.**—The Secretary of the Navy and the Secretary of the Interior shall update and maintain cooperative arrangements concerning land resources and land uses on the land withdrawn and reserved by section 2971.

(b) **PURPOSE.**—A cooperative arrangement entered into under subsection (a) shall focus on and apply to sustainable management and protection of the natural and cultural resources and environmental values found on the land withdrawn and reserved by section 2971, consistent with the defense-related purposes for which the land is withdrawn and reserved.

(c) **COMPREHENSIVE LAND USE MANAGEMENT PLAN.**—A cooperative arrangement entered into under subsection (a) shall include a comprehensive land use management plan that integrates and is consistent with any applicable law, including—

- (1) subtitle A and this subtitle;
- (2) title I of the Sikes Act (16 U.S.C. 670a et seq.); and
- (3) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(d) **ANNUAL REVIEW.**—The Secretary of the Navy and the Secretary of the Interior shall—

(1) annually review the comprehensive land use management plan developed under subsection (c); and

(2) update the comprehensive land use management plan as the Secretary of the Navy and the Secretary of the Interior determine to be necessary—

(A) to respond to evolving management requirements; and

(B) to complement the updates of other applicable land use and resource management and planning.

(e) **IMPLEMENTING AGREEMENT.**—

(1) **IN GENERAL.**—The Secretary of the Interior and the Secretary of the Navy may enter into a written agreement to implement the comprehensive land use management plan developed under subsection (c).

(2) **COMPONENTS.**—Such an implementation agreement—

(A) shall be for a duration that is equal to the period of the withdrawal and reservation of land under section 2971; and

(B) may be amended from time to time.

SEC. 2978. TERMINATION OF PRIOR WITHDRAWALS.

(a) **TERMINATION.**—Subject to subsection (b), the withdrawal and reservation under section 803(a) of the California Military Lands Withdrawal and Overflights Act of 1994 (Public Law 103-433; 108 Stat. 4502) is terminated.

(b) **LIMITATION.**—Notwithstanding the termination under subsection (a), all rules, regulations, orders, permits, and other privileges issued or granted by the Secretary of

the Interior or the Secretary of the Navy with respect to the land withdrawn and reserved under section 803(a) of the California Military Lands Withdrawal and Overflights Act of 1994 (Public Law 103-433; 108 Stat. 4502), unless inconsistent with the provisions of this subtitle, shall remain in force until modified, suspended, overruled, or otherwise changed by—

- (1) the Secretary of the Interior or the Secretary of the Navy (as applicable);
- (2) a court of competent jurisdiction; or
- (3) operation of law.

SEC. 2979. DURATION OF WITHDRAWAL AND RESERVATION.

The withdrawal and reservation of public land made by section 2971 shall terminate on March 31, 2039.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

- Sec. 3101. National Nuclear Security Administration.
- Sec. 3102. Defense environmental cleanup.
- Sec. 3103. Other defense activities.

Subtitle B—Program Authorizations, Restrictions, and Limitations

- Sec. 3111. Clarification of principles of National Nuclear Security Administration.
- Sec. 3112. Cost estimation and program evaluation by National Nuclear Security Administration.
- Sec. 3113. Enhanced procurement authority to manage supply chain risk.
- Sec. 3114. Limitation on availability of funds for National Nuclear Security Administration.
- Sec. 3115. Limitation on availability of funds for Office of the Administrator for Nuclear Security.
- Sec. 3116. Establishment of Center for Security Technology, Analysis, Response, and Testing.
- Sec. 3117. Authorization of modular building strategy as an alternative to the replacement project for the Chemistry and Metallurgy Research Building, Los Alamos National Laboratory, New Mexico.
- Sec. 3118. Comparative analysis of warhead life extension options.
- Sec. 3119. Extension of authority of Secretary of Energy to enter into transactions to carry out certain research projects.
- Sec. 3120. Increase in construction design threshold.

Subtitle C—Plans and Reports

- Sec. 3121. Annual report and certification on status of security of atomic energy defense facilities.
- Sec. 3122. Modifications to annual reports regarding the condition of the nuclear weapons stockpile.
- Sec. 3123. Inclusion of integrated plutonium strategy in nuclear weapons stockpile stewardship, management, and infrastructure plan.
- Sec. 3124. Modifications to cost-benefit analyses for competition of management and operating contracts.
- Sec. 3125. Modification of deadlines for certain reports relating to program on scientific engagement for nonproliferation.

Sec. 3126. Modification of certain reports on cost containment for uranium capabilities replacement project.

Sec. 3127. Plan for tank farm waste at Hanford Nuclear Reservation.

Sec. 3128. Plan for improvement and integration of financial management of nuclear security enterprise.

Sec. 3129. Plan for developing exascale computing and incorporating such computing into the stockpile stewardship program.

Sec. 3130. Study and plan for extension of certain pilot program principles.

Sec. 3131. Study of potential reuse of nuclear weapon secondaries.

Sec. 3132. Repeal of certain reporting requirements.

Subtitle D—Other Matters

- Sec. 3141. Clarification of role of Secretary of Energy.
- Sec. 3142. Modification of deadlines for Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise.
- Sec. 3143. Department of Energy land conveyance.
- Sec. 3144. Technical amendment to Atomic Energy Act of 1954.
- Sec. 3145. Technical corrections to the National Nuclear Security Administration Act.
- Sec. 3146. Technical corrections to the Atomic Energy Defense Act.
- Sec. 3147. Sense of Congress on B61-12 life extension program.
- Sec. 3148. Sense of Congress on establishment of an advisory board on toxic substances and worker health.

Subtitle A—National Security Programs Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2014 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) **AUTHORIZATION OF NEW PLANT PROJECTS.**—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 14-D-710, Device Assembly Facility Argus Installation Project, Nevada National Security Site, Las Vegas, Nevada, \$14,000,000.

Project 14-D-901, Spent Fueling Handling Recapitalization Project, Naval Reactors Facility, Idaho, \$45,400,000.

Project 14-D-902, KL Materials Characterization Laboratory, Knolls Atomic Power Laboratory, Schenectady, New York, \$1,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2014 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2014 for other defense activities in carrying out programs as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. CLARIFICATION OF PRINCIPLES OF NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Subsection (c) of section 3211 of the National Nuclear Security Administration Act (50 U.S.C. 2401) is amended to read as follows:

“(c) **OPERATIONS AND ACTIVITIES TO BE CARRIED OUT CONSISTENTLY WITH CERTAIN PRINCIPLES.**—In carrying out the mission of the Administration, the Administrator shall ensure that all operations and activities of the Administration are consistent with the principles of—

- “(1) protecting the environment;
- “(2) safeguarding the safety and health of the public and of the workforce of the Administration; and
- “(3) ensuring the security of the nuclear weapons, nuclear material, and classified information in the custody of the Administration.”.

SEC. 3112. COST ESTIMATION AND PROGRAM EVALUATION BY NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) **ESTABLISHMENT OF DIRECTOR FOR COST ESTIMATING AND PROGRAM EVALUATION.**—

(1) **IN GENERAL.**—Subtitle A of the National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) is amended by adding at the end the following new section:

“SEC. 3221. DIRECTOR FOR COST ESTIMATING AND PROGRAM EVALUATION.

“(a) **ESTABLISHMENT.**—(1) There is in the Administration a Director for Cost Estimating and Program Evaluation (in this section referred to as the ‘Director’).

“(2) The position of the Director shall be a Senior Executive Service position (as defined in section 3132(a) of title 5, United States Code).

“(b) **DUTIES.**—(1) The Director shall be the principal advisor to the Administrator, the Deputy Secretary of Energy, and the Secretary of Energy with respect to cost estimation and program evaluation for the Administration.

“(2) The Administrator may not delegate responsibility for receiving or acting on communications from the Director with respect to cost estimation and program evaluation for the Administration.

“(c) **ACTIVITIES FOR COST ESTIMATION.**—(1) The Director shall be the responsible for the following activities relating to cost estimation:

“(A) Advising the Administrator on policies and procedures for cost analysis and estimation by the Administration, including the determination of confidence levels with respect to cost estimates.

“(B) Reviewing cost estimates and evaluating the performance baseline for each major atomic energy defense acquisition program.

“(C) Advising the Administrator on policies and procedures for developing technology readiness assessments for major atomic energy defense acquisition programs that are consistent with the guidelines of the Department of Energy for technology readiness assessments.

“(D) Reviewing technology readiness assessments for such programs to ensure that such programs are meeting levels of confidence associated with appropriate overall system performance.

“(E) As directed by the Administrator, conducting independent cost estimates for such programs.

“(2) A review, evaluation, or cost estimate conducted under subparagraph (B), (D), or (E) of paragraph (1) shall be considered an inherently governmental function, but the Director may use data collected by a national

security laboratory or a management and operating contractor of the Administration in conducting such a review, evaluation, or cost estimate.

“(3) The Director shall submit in writing to the Administrator the following:

“(A) The certification of the Director with respect to each review, evaluation, and cost estimate conducted under subparagraph (B), (D), or (E) of paragraph (1).

“(B) A statement of the confidence level of the Director with respect to each such review, evaluation, and cost estimate, including an identification of areas of uncertainty, risk, and opportunity discovered in conducting each such review, evaluation, and cost estimate.

“(d) ACTIVITIES FOR PROGRAM EVALUATION.—(1) The Director shall be responsible for the following activities relating to program evaluation:

“(A) Reviewing and commenting on policies and procedures for setting requirements for the future-years nuclear security program under section 3253 and for prioritizing and estimating the funding required by the Administration for that program.

“(B) Reviewing the future-years nuclear security program on an annual basis to ensure that the program is accurate and thorough.

“(C) Advising the Administrator on policies and procedures for analyses of alternatives for major atomic energy defense acquisition programs.

“(D) As part of the planning, programming, and budgeting process of the Administration under sections 3251 and 3252, analyzing the planning phase of that process, advising on programmatic and fiscal year guidance, and managing the program review phase of that process.

“(E) Developing and managing the submission of the Selected Acquisition Reports and independent cost estimates on nuclear weapons systems undergoing major life extension under section 4217 of the Atomic Energy Defense Act (50 U.S.C. 2537).

“(F) Reviewing cost and schedule baselines for projects under section 4713 of that Act (50 U.S.C. 2753) and managing notifications to the congressional defense committees of cost overruns under that section.

“(2) A review conducted under paragraph (1)(B) shall be considered an inherently governmental function, but the Director may use data collected by a national security laboratory or a management and operating contractor of the Administration in conducting such a review.

“(3) The Director shall submit to Congress a report on any major programmatic deviations from the future-years nuclear security program discovered in conducting a review under paragraph (1)(B) at or about the time the budget of the President is submitted to Congress under section 1105(a) of title 31, United States Code, for the next fiscal year.

“(e) DATA COLLECTION AND ACCESSIBILITY.—The Administrator, acting through the Director, shall, as appropriate, seek to use procedures, processes, and policies for collecting cost data and making that data accessible that are similar to the procedures, processes, and policies used by the Defense Cost Analysis Resource Center of the Office of Cost Assessment and Program Evaluation of the Department of Defense for those purposes.

“(f) STAFF.—The Administrator shall ensure that the Director has sufficient numbers of personnel who have competence in technical matters, budgetary matters, cost estimation, technology readiness analysis,

and other appropriate matters to carry out the functions required by this section.

“(g) REPORTS BY DIRECTOR.—The Director shall submit to Congress at or about the time that the budget of the President is submitted to Congress pursuant to section 1105(a) of title 31, United States Code, for each of fiscal years 2015 through 2018, a report that includes the following:

“(1) A description of activities conducted by the Director during the calendar year preceding the submission of the report that are related to the duties and activities described in this section.

“(2) A list of all major atomic energy defense acquisition programs and a concise description of the status of each such program and project in meeting cost and critical schedule milestones.

“(h) DEFINITIONS.—In this section:

“(1) MAJOR ATOMIC ENERGY DEFENSE ACQUISITION PROGRAM.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the term ‘major atomic energy defense acquisition program’ means an atomic energy defense acquisition program of the Administration—

“(i) the total project cost of which is more than \$500,000,000; or

“(ii) the total lifetime cost of which is more than \$1,000,000,000.

“(B) EXCLUSION OF CAPITAL ASSETS ACQUISITION PROJECTS.—The term ‘major atomic energy defense acquisition program’ does not include a project covered by Department of Energy Order 413.3 (or a successor order) for the acquisition of capital assets for atomic energy defense activities.

“(2) PERFORMANCE BASELINE.—The term ‘performance baseline’, with respect to a major atomic energy defense acquisition program, means the key parameters with respect to performance, scope, cost, and schedule for the project budget of the program.”.

(2) IMPLEMENTATION PLAN.—Not later than 270 days after the date of the enactment of this Act, the Administrator for Nuclear Security and the Director of the Office of Cost Assessment and Program Evaluation of the Department of Defense shall jointly submit to the congressional defense committees a plan for the implementation of section 3221 of the National Nuclear Security Administration Act, as added by paragraph (1), that includes the following:

(A) An identification of the number of personnel required to support the Director for Cost Estimating and Program Evaluation established under such section 3221.

(B) A description of the functions of such personnel.

(C) A plan for training such personnel in coordination with the Office of Cost Analysis and Program Evaluation of the Department of Defense with respect to the activities described in subsections (c)(1) and (d)(1) of such section 3221.

(D) An estimate of the time required to hire and train such personnel.

(E) A plan for developing cost estimation and program evaluation activities jointly with the Department of Defense on strategic system programs to the extent practicable and beneficial to both the National Nuclear Security Administration and the Department of Defense.

(3) CLERICAL AMENDMENT.—The table of contents for the National Nuclear Security Administration Act is amended by inserting after the item relating to section 3220 the following new item:

“Sec. 3221. Director for Cost Estimating and Program Evaluation.”.

(b) INDEPENDENT COST ESTIMATES ON LIFE EXTENSION PROGRAMS AND NEW NUCLEAR FA-

CILITIES.—Section 4217(b) of the Atomic Energy Defense Act (50 U.S.C. 2537(b)) is amended—

(1) in paragraph (2), by striking “for purposes of this subsection” and inserting “submitted under this subsection before October 1, 2015,”; and

(2) by adding at the end the following new paragraph:

“(3) Each cost estimate submitted under this subsection shall be submitted in unclassified form, but may include a classified annex if necessary.”.

SEC. 3113. ENHANCED PROCUREMENT AUTHORITY TO MANAGE SUPPLY CHAIN RISK.

(a) IN GENERAL.—Subtitle A of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2781 et seq.) is amended by adding at the end the following new section:

“SEC. 4806. ENHANCED PROCUREMENT AUTHORITY TO MANAGE SUPPLY CHAIN RISK.

“(a) AUTHORITY.—Subject to subsection (b), the Secretary of Energy may—

“(1) carry out a covered procurement action; and

“(2) notwithstanding any other provision of law, limit, in whole or in part, the disclosure of information relating to the basis for carrying out a covered procurement action.

“(b) REQUIREMENTS.—The Secretary may exercise the authority under subsection (a) only after—

“(1) obtaining a risk assessment that demonstrates that there is a significant supply chain risk to a covered system;

“(2) making a determination in writing, in unclassified or classified form, that—

“(A) the use of the authority under subsection (a) is necessary to protect national security by reducing supply chain risk;

“(B) less restrictive measures are not reasonably available to reduce the supply chain risk; and

“(C) in a case in which the Secretary plans to limit disclosure of information under subsection (a)(2), the risk to national security of the disclosure of the information outweighs the risk of not disclosing the information; and

“(3) submitting to the appropriate congressional committees, not later than seven days after the date on which the Secretary makes the determination under paragraph (2), a notice of such determination, in classified or unclassified form, that includes—

“(A) the information required by section 3304(e)(2)(A) of title 41, United States Code;

“(B) a summary of the risk assessment required under paragraph (1); and

“(C) a summary of the basis for the determination, including a discussion of less restrictive measures that were considered and why such measures were not reasonably available to reduce supply chain risk.

“(c) NOTIFICATIONS.—If the Secretary has exercised the authority under subsection (a), the Secretary shall—

“(1) notify appropriate parties of the covered procurement action and the basis for the action only to the extent necessary to carry out the covered procurement action;

“(2) notify other Federal agencies responsible for procurement that may be subject to the same or similar supply chain risk, in a manner and to the extent consistent with the requirements of national security; and

“(3) ensure the confidentiality of any notifications under paragraph (1) or (2).

“(d) LIMITATION OF REVIEW.—No action taken by the Secretary under the authority under subsection (a) shall be subject to review in any Federal court.

“(e) REVIEW BY COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than one year after the effective date specified in subsection (g)(1), and annually for four years thereafter, the Comptroller General of the United States shall—

“(1) review the authority provided under subsection (a), including—

“(A) the adequacy of resources, such as trained personnel, to effectively exercise that authority during the four-year period beginning on that effective date; and

“(B) the sufficiency of determinations under subsection (b)(2);

“(2) review the thoroughness of the process and systems utilized by the Office of the Chief Information Officer and the Office of Intelligence and Counterintelligence of the Department of Energy to reasonably detect supply chain threats to the national security functions of the Department; and

“(3) submit to the appropriate congressional committees a report that includes—

“(A) the results of the reviews conducted under paragraphs (1) and (2);

“(B) any recommendations of the Comptroller General for improving the process and systems described in paragraph (2); and

“(C) a description of the status of the implementation of recommendations, if any, with respect to that process and such systems made by the Comptroller General in previous years.

“(f) DEFINITIONS.—In this section:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) the congressional defense committees; and

“(B) the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.

“(2) COVERED ITEM OF SUPPLY.—The term ‘covered item of supply’ means an item—

“(A) that is purchased for inclusion in a covered system; and

“(B) the loss of integrity of which could result in a supply chain risk for a covered system.

“(3) COVERED PROCUREMENT.—The term ‘covered procurement’ means the following:

“(A) A source selection for a covered system or a covered item of supply involving either a performance specification, as described in subsection (a)(3)(B) of section 3306 of title 41, United States Code, or an evaluation factor, as described in subsection (b)(1) of such section, relating to supply chain risk.

“(B) The consideration of proposals for and issuance of a task or delivery order for a covered system or a covered item of supply, as provided in section 4106(d)(3) of title 41, United States Code, where the task or delivery order contract concerned includes a contract clause establishing a requirement relating to supply chain risk.

“(C) Any contract action involving a contract for a covered system or a covered item of supply if the contract includes a clause establishing requirements relating to supply chain risk.

“(4) COVERED PROCUREMENT ACTION.—The term ‘covered procurement action’ means, with respect to an action that occurs in the course of conducting a covered procurement, any of the following:

“(A) The exclusion of a source that fails to meet qualification requirements established pursuant to section 3311 of title 41, United States Code, for the purpose of reducing supply chain risk in the acquisition of covered systems.

“(B) The exclusion of a source that fails to achieve an acceptable rating with regard to an evaluation factor providing for the consideration of supply chain risk in the evaluation of proposals for the award of a contract or the issuance of a task or delivery order.

“(C) The withholding of consent for a contractor to subcontract with a particular source or the direction to a contractor for a covered system to exclude a particular source from consideration for a subcontract under the contract.

“(5) COVERED SYSTEM.—The term ‘covered system’ means the following:

“(A) National security systems (as defined in section 3542(b) of title 44, United States Code) and components of such systems.

“(B) Nuclear weapons and components of nuclear weapons.

“(C) Items associated with the design, development, production, and maintenance of nuclear weapons or components of nuclear weapons.

“(D) Items associated with the surveillance of the nuclear weapon stockpile.

“(E) Items associated with the design and development of nonproliferation and counterproliferation programs and systems.

“(6) SUPPLY CHAIN RISK.—The term ‘supply chain risk’ means the risk that an adversary may sabotage, maliciously introduce unwanted function, or otherwise subvert the design, integrity, manufacturing, production, distribution, installation, operation, or maintenance of a covered system or covered item of supply so as to surveil, deny, disrupt, or otherwise degrade the function, use, or operation of the system or item of supply.

“(g) EFFECTIVE DATE.—

“(1) IN GENERAL.—This section shall take effect on the date that is 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014.

“(2) APPLICABILITY.—The authority under subsection (a) shall apply to—

“(A) contracts awarded on or after the effective date specified in paragraph (1); and

“(B) task and delivery orders issued on or after that effective date pursuant to contracts awarded before, on, or after that effective date.

“(3) TERMINATION.—The authority under this section shall terminate on the date that is four years after the effective date specified in paragraph (1).”

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4805 the following new item:

“Sec. 4806. Enhanced procurement authority to manage supply chain risk.”

SEC. 3114. LIMITATION ON AVAILABILITY OF FUNDS FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) LIMITATION.—Except as provided in subsection (d), of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the National Nuclear Security Administration, the amount specified in subsection (c) may not be obligated or expended until the date on which the Administrator for Nuclear Security submits to the congressional defense committees—

(1) a detailed plan to realize the planned efficiencies; and

(2) written certification that the planned efficiencies will be achieved during fiscal year 2014.

(b) UNREALIZED EFFICIENCIES.—If the Administrator does not submit to the congressional defense committees the matters described in paragraphs (1) and (2) of subsection (a) by the date that is 60 days after

the date of the enactment of this Act, the Administrator shall submit to the congressional defense committees a report on—

(1) the amount of planned efficiencies that will not be realized during fiscal year 2014; and

(2) any effects caused by such unrealized planned efficiencies to the programs funded under the directed stockpile work and nuclear programs accounts.

(c) AMOUNT SPECIFIED.—The amount specified in this subsection is \$139,500,000, reduced by the amount the Administrator certifies to the congressional defense committees that the Administrator has saved through the planned efficiencies realized during fiscal year 2014.

(d) EXCEPTIONS.—The limitation under subsection (a) shall not—

(1) apply to funds authorized to be appropriated for directed stockpile work, nuclear programs, or Naval Reactors; or

(2) affect the authority of the Secretary of Energy under sections 4702, 4705, and 4711 of the Atomic Energy Defense Act (50 U.S.C. 2742, 2745, and 2751).

(e) EFFECT OF PLANNED EFFICIENCIES ON LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT.—The implementation of the planned efficiencies may not result in reductions in amounts provided for laboratory-directed research and development under section 4811(c) of the Atomic Energy Defense Act (50 U.S.C. 2791(c)) in fiscal year 2014.

(f) RULE OF CONSTRUCTION.—The limitation under subsection (a) shall not be considered a specific denial of funds for purposes of the authority referred to in subsection (d)(2).

(g) PLANNED EFFICIENCIES DEFINED.—In this section, the term “planned efficiencies” means the \$106,800,000, with respect to directed stockpile work, and \$32,700,000, with respect to nuclear programs, that the Administrator plans to save during fiscal year 2014 through management efficiency and workforce restructuring reductions, as described in the budget request for fiscal year 2014 that the President submitted to Congress under section 1105(a) of title 31, United States Code.

SEC. 3115. LIMITATION ON AVAILABILITY OF FUNDS FOR OFFICE OF THE ADMINISTRATOR FOR NUCLEAR SECURITY.

Of the funds authorized to be appropriated for fiscal year 2014 by section 3101 and available for the Office of the Administrator as specified in the funding table in section 4701, or otherwise made available for that Office for that fiscal year, not more than 75 percent may be obligated or expended until—

(1) the President transmits to Congress the matters required to be transmitted during 2013 and 2014 under section 4205(f)(2) of the Atomic Energy Defense Act (50 U.S.C. 2525(f)(2));

(2) the President transmits to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives the matters—

(A) required to be transmitted during 2013 and 2014 under section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1576); and

(B) with respect to which the Secretary of Energy is responsible;

(3) the Secretary submits to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives the reports required to be submitted during 2013 and 2014 under section 3122(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1710); and

(4) the Administrator for Nuclear Security submits to the congressional defense committees—

(A) the detailed report on the stockpile stewardship, management, and infrastructure plan required to be submitted during 2013 under paragraph (2) of section 4203(b) of the Atomic Energy Defense Act (50 U.S.C. 2523(b)); and

(B) the summary of the plan required to be submitted during 2014 under paragraph (1) of such section.

SEC. 3116. ESTABLISHMENT OF CENTER FOR SECURITY TECHNOLOGY, ANALYSIS, RESPONSE, AND TESTING.

(a) **ESTABLISHMENT.**—The Administrator for Nuclear Security shall establish within the nuclear security enterprise (as defined in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501) a Center for Security Technology, Analysis, Response, and Testing.

(b) **DUTIES.**—The center established under subsection (a) shall carry out the following:

(1) Provide to the Administrator, the Chief of Defense Nuclear Security, and the management and operating contractors of the nuclear security enterprise a wide range of objective expertise on security technologies, systems, analysis, testing, and response forces.

(2) Assist the Administrator in developing standards, requirements, analysis methods, and testing criteria with respect to security.

(3) Collect, analyze, and distribute lessons learned with respect to security.

(4) Support inspections and oversight activities with respect to security.

(5) Promote professional development and training for security professionals.

(6) Provide for advance and bulk procurement for security-related acquisitions that affect multiple facilities of the nuclear security enterprise.

(7) Advocate for continual improvement and security excellence throughout the nuclear security enterprise.

(8) Such other duties as the Administrator may assign.

SEC. 3117. AUTHORIZATION OF MODULAR BUILDING STRATEGY AS AN ALTERNATIVE TO THE REPLACEMENT PROJECT FOR THE CHEMISTRY AND METALLURGY RESEARCH BUILDING, LOS ALAMOS NATIONAL LABORATORY, NEW MEXICO.

Section 3114(c) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2171; 50 U.S.C. 2535 note) is amended—

(1) by striking “No funds” and inserting the following:

“(1) **LIMITATION ON USE OF FUNDS.**—Except as provided in paragraph (2), no funds”; and

(2) by adding at the end the following new paragraphs:

“(2) **USE OF FUNDS FOR MODULAR BUILDING STRATEGY.**—The Administrator for Nuclear Security may obligate and expend funds referred to in paragraph (1) for activities relating to a modular building strategy on and after the date that is 60 days after the date on which the Nuclear Weapons Council established under section 179 of title 10, United States Code, notifies the congressional defense committees that—

“(A) the modular building strategy—

“(i) meets requirements for maintaining the nuclear weapons stockpile over a 30-year period;

“(ii) meets requirements for implementation of a responsive infrastructure, including meeting plutonium pit production requirements; and

“(iii) will achieve full operating capability for not less than two modular structures by not later than 2027;

“(B) in fiscal year 2015, the National Nuclear Security Administration will begin the process of designing and building modular buildings in accordance with Department of Energy Order 413.3 (relating to relating to program management and project management for the acquisition of capital assets); and

“(C) the Administrator will include the costs of the modular building strategy in the estimated expenditures and proposed appropriations reflected in the future-years nuclear security program submitted under section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453).

“(3) **MODULAR BUILDING STRATEGY DEFINED.**—In this subsection, the term ‘modular building strategy’ means an alternative strategy to the replacement project that consists of repurposing existing facilities and constructing a series of modular structures, each of which is fully useable, to complement the function of the plutonium facility (PF-4) at Los Alamos National Laboratory, New Mexico, in accordance with all applicable safety and security standards of the Department of Energy.”.

SEC. 3118. COMPARATIVE ANALYSIS OF WARHEAD LIFE EXTENSION OPTIONS.

(a) **IN GENERAL.**—In carrying out Phase 6.2 and Phase 6.2A of the Joint W78/88-1 Warhead Life Extension Program, the Secretary of Defense and the Secretary of Energy, acting through the Nuclear Weapons Council established by section 179 of title 10, United States Code, shall conduct a comparative analysis of the feasibility of, and preliminary design definitions and cost estimates for, each of the following life extension options:

(1) A separate life extension option to produce a W78-1 warhead.

(2) A separate life extension option to produce a W88-1 warhead.

(3) An interoperable W78/88-1 life extension option.

(4) Any other life extension option the Nuclear Weapons Council considers appropriate.

(b) **LIMITATION ON USE OF FUNDS.**—None of the funds authorized to be appropriated by this Act may be obligated or expended for Phase 6.3 (development engineering) activities for the Joint W78/88-1 Warhead Life Extension Program until the date that is 90 days after the Chairman of the Nuclear Weapons Council submits to the congressional defense committees a report containing the comparative analysis required by subsection (a).

SEC. 3119. EXTENSION OF AUTHORITY OF SECRETARY OF ENERGY TO ENTER INTO TRANSACTIONS TO CARRY OUT CERTAIN RESEARCH PROJECTS.

Section 646(g)(10) of the Department of Energy Organization Act (42 U.S.C. 7256(g)(10)) is amended by striking “September 30, 2015” and inserting “September 30, 2020”.

SEC. 3120. INCREASE IN CONSTRUCTION DESIGN THRESHOLD.

Section 4706(b) of the Atomic Energy Defense Act (50 U.S.C. 2746(b)) is amended by striking “\$600,000” both places it appears and inserting “\$1,000,000”.

Subtitle C—Plans and Reports

SEC. 3121. ANNUAL REPORT AND CERTIFICATION ON STATUS OF SECURITY OF ATOMIC ENERGY DEFENSE FACILITIES.

(a) **IN GENERAL.**—Section 4506 of the Atomic Energy Defense Act (50 U.S.C. 2657) is amended to read as follows:

“SEC. 4506. ANNUAL REPORT AND CERTIFICATION ON STATUS OF SECURITY OF ATOMIC ENERGY DEFENSE FACILITIES.

“(a) **REPORT AND CERTIFICATION ON NUCLEAR SECURITY ENTERPRISE.**—(1) Not later than September 30 of each year, the Administrator shall submit to the Secretary of Energy—

“(A) a report detailing the status of security at facilities holding Category I and II quantities of special nuclear material that are administered by the Administration; and

“(B) written certification that such facilities are secure and that the security measures at such facilities meet the security standards and requirements of the Administration and the Department of Energy.

“(2) If the Administrator is unable to make the certification described in paragraph (1)(B) with respect to a facility, the Administrator shall submit to the Secretary with the matters required by paragraph (1) a corrective action plan for the facility describing—

“(A) the deficiency that resulted in the Administrator being unable to make the certification;

“(B) the actions to be taken to correct the deficiency; and

“(C) timelines for taking such actions.

“(3) Not later than December 1 of each year, the Secretary shall submit to the congressional defense committees the unaltered report, certification, and any corrective action plans submitted by the Administrator under paragraphs (1) and (2) together with any comments of the Secretary.

“(b) **REPORT AND CERTIFICATION ON ATOMIC ENERGY DEFENSE FACILITIES NOT ADMINISTERED BY THE ADMINISTRATION.**—(1) Not later than December 1 of each year, the Secretary shall submit to the congressional defense committees—

“(A) a report detailing the status of the security of atomic energy defense facilities holding Category I and II quantities of special nuclear material that are not administered by the Administration; and

“(B) written certification that such facilities meet the security standards and requirements of the Department of Energy.

“(2) If the Secretary is unable to make the certification described in paragraph (1)(B) with respect to a facility, the Secretary shall submit to the congressional defense committees, together with the matters required by paragraph (1), a corrective action plan describing—

“(A) the deficiency that resulted in the Secretary being unable to make the certification;

“(B) the actions to be taken to correct the deficiency; and

“(C) timelines for taking such actions.”.

(b) **CLERICAL AMENDMENT.**—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4506 and inserting the following new item:

“Sec. 4506. Annual report and certification on status of security of atomic energy defense facilities.”.

SEC. 3122. MODIFICATIONS TO ANNUAL REPORTS REGARDING THE CONDITION OF THE NUCLEAR WEAPONS STOCKPILE.

(a) **REPORT ON ASSESSMENTS.**—Subsection (e) of section 4205 of the Atomic Energy Defense Act (50 U.S.C. 2525) is amended—

(1) in paragraph (3)—

(A) in subparagraph (C), by striking “; and” and inserting a semicolon;

(B) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new subparagraph:

“(E) a concise summary of any significant finding investigations initiated or active during the previous year for which the head of the national security laboratory has full or partial responsibility.”; and

(2) by amending paragraph (4) to read as follows:

“(4) In the case of a report submitted by the Commander of the United States Strategic Command—

“(A) a discussion of the relative merits of other nuclear weapon types (if any), or compensatory measures (if any) that could be taken, that could enable accomplishment of the missions of the nuclear weapon types to which the assessments relate, should such assessments identify any deficiency with respect to such nuclear weapon types; and

“(B) a summary of all major assembly releases in place as of the date of the report for the active and inactive nuclear weapon stockpiles.”.

(b) **REPORTS SUBMITTED TO THE PRESIDENT AND CONGRESS.**—Subsection (f) of such section is amended—

(1) in paragraph (1), by striking “March 1” and inserting “February 1”; and

(2) by adding at the end the following new paragraph:

“(3) If the President does not forward to Congress the matters required under paragraph (2) by the date required by such paragraph, the officials specified in subsection (b) shall provide a briefing to the congressional defense committees not later than March 30 on the report such officials submitted to the Secretary concerned under subsection (e).”.

SEC. 3123. INCLUSION OF INTEGRATED PLUTONIUM STRATEGY IN NUCLEAR WEAPONS STOCKPILE STEWARDSHIP, MANAGEMENT, AND INFRASTRUCTURE PLAN.

Section 4203(d) of the Atomic Energy Defense Act (50 U.S.C. 2523(d)) is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following new paragraph (6):

“(6) A strategy for the integrated management of plutonium for stockpile and stockpile stewardship needs over a 20-year period that includes the following:

“(A) An assessment of the baseline science issues necessary to understand plutonium aging under static and dynamic conditions under manufactured and nonmanufactured plutonium geometries.

“(B) An assessment of scientific and testing instrumentation for plutonium at elemental and bulk conditions.

“(C) An assessment of manufacturing and handling technology for plutonium and plutonium components.

“(D) An assessment of computational models of plutonium performance under static and dynamic loading, including manufactured and nonmanufactured conditions.

“(E) An identification of any capability gaps with respect to the assessments described in subparagraphs (A) through (D).

“(F) An estimate of costs relating to the issues, instrumentation, technology, and models described in subparagraphs (A) through (D) over the period covered by the future-years nuclear security program under section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453).

“(G) An estimate of the cost of eliminating the capability gaps identified under subparagraph (E) over the period covered by the future-years nuclear security program.

“(H) Such other items as the Administrator considers important for the integrated management of plutonium for stockpile and stockpile stewardship needs.”.

SEC. 3124. MODIFICATIONS TO COST-BENEFIT ANALYSES FOR COMPETITION OF MANAGEMENT AND OPERATING CONTRACTS.

(a) **ANALYSES OF BID PROTESTS.**—Subsection (a) of section 3121 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2175) is amended to read as follows:

“(a) **REPORTS REQUIRED.**—The Administrator for Nuclear Security shall submit to the congressional defense committees a report described in subsection (b) by not later than 30 days after the later of—

“(1) the date on which the Administrator awards a contract to manage and operate a facility of the National Nuclear Security Administration; or

“(2) the date on which a protest concerning an alleged violation of a procurement statute or regulation brought under subchapter V of chapter 35 of title 31, United States Code, with respect to such a contract is resolved.”.

(b) **REPORTING ON EXPECTED COST SAVINGS.**—Subsection (b)(1) of such section is amended by inserting “, including a description of the assumptions used and analysis conducted to determine such expected cost savings” before the semicolon.

(c) **REVIEW BY COMPTROLLER GENERAL OF THE UNITED STATES.**—Subsection (c) of such section is amended to read as follows:

“(c) **REVIEW BY COMPTROLLER GENERAL OF THE UNITED STATES.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), the Comptroller General of the United States shall submit to the congressional defense committees a review of each report required by subsection (a) or (d)(2) not later than 180 days after the report is submitted to such committees.

“(2) **EXCEPTION.**—The Comptroller General may not conduct a review under paragraph (1) of a report relating to a contract to manage and operate a facility of the National Nuclear Security Administration while a protest described in subsection (a)(2) is pending with respect to that contract.”.

(d) **EXCEPTION FOR NAVAL REACTORS.**—Subsection (d) of such section is amended by adding at the end the following new paragraph:

“(3) **NAVAL REACTORS.**—The requirement for reports under subsections (a) and (d)(2) shall not apply with respect to a management and operations contract for a Naval Reactor facility.”.

SEC. 3125. MODIFICATION OF DEADLINES FOR CERTAIN REPORTS RELATING TO PROGRAM ON SCIENTIFIC ENGAGEMENT FOR NONPROLIFERATION.

Section 3122 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2176; 50 U.S.C. 2562 note) is amended—

(1) in subsection (b)(1), by inserting “, and to the Comptroller General of the United States,” after “the appropriate congressional committees”; and

(2) in subsection (c)—

(A) in paragraph (1), by striking “15” and inserting “30”; and

(B) by redesignating paragraph (3) as paragraph (4);

(C) by inserting after paragraph (2) the following new paragraph (3):

“(3) **WAIVER.**—The Administrator may waive the requirement under paragraph (1) to submit a report on a modification in the program under subsection (a) not later than 30 days before making the modification if the Administrator—

“(A) determines that the modification is urgent and necessary to the national security interests of the United States; and

“(B) not later than 30 days after making the modification, submits to the appropriate congressional committees—

“(i) the report on the modification required by paragraph (1); and

“(ii) a justification for exercising the waiver authority under this paragraph.”; and

(D) in paragraph (4), as redesignated by subparagraph (B), by striking “The report under paragraph (1)” and inserting “Each report submitted under paragraph (1) or (3)(B)”;

(3) in subsection (e)(1), by striking “two years after the date of the enactment of this Act” and inserting “18 months after the date of the submittal of the report described in subsection (b)(1)”.

SEC. 3126. MODIFICATION OF CERTAIN REPORTS ON COST CONTAINMENT FOR URANIUM CAPABILITIES REPLACEMENT PROJECT.

Section 3123(f) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2178) is amended—

(1) in the subsection heading, by striking “QUARTERLY”;

(2) by striking paragraph (1) and inserting the following new paragraph (1):

“(1) **IN GENERAL.**—The Comptroller General of the United States shall submit to the congressional defense committees a report on the project referred to in subsection (a)—

“(A) not later than 90 days after the date of the enactment of this Act and every 90 days thereafter through the date that is one year after such date of enactment; and

“(B) after the date that is one year after such date of enactment, at such times as the Comptroller General, in consultation with the congressional defense committees, determines appropriate, taking into consideration the critical decision points of the project (as defined in orders of the Department of Energy).”;

(3) in paragraph (2)—

(A) in subparagraph (A), by striking “and the progress on meeting the requirements of section 4713 of the Atomic Energy Defense Act (50 U.S.C. 2753)”;

(B) in subparagraph (D), by striking “programmatic”.

SEC. 3127. PLAN FOR TANK FARM WASTE AT HANFORD NUCLEAR RESERVATION.

(a) **IN GENERAL.**—Subtitle D of title XLIV of the Atomic Energy Defense Act (50 U.S.C. 2621 et seq.) is amended by adding at the end the following new section:

“SEC. 4445. PLAN FOR TANK FARM WASTE AT HANFORD NUCLEAR RESERVATION.

“(a) **PLAN.**—Not later than June 1, 2014, the Secretary of Energy shall submit to the congressional defense committees a plan for the initial activities (as defined in subsection (d)) for the Waste Treatment and Immobilization Plant and any related, required infrastructure facilities.

“(b) **MATTERS INCLUDED.**—The plan under subsection (a) shall include the following:

“(1) A list of significant requirements needed for the initial activities.

“(2) A schedule of significant activities needed to carry out the initial activities.

“(3) Actions required to accelerate, to the extent possible, the treatment of lower risk, low-activity waste while continuing efforts to resolve the technical challenges associated with higher risk, high-activity waste.

“(4) A description of how the Secretary will—

“(A) provide adequate protection to workers and the public under the plan; and

“(B) incorporate into the plan any significant new science and technical information that was not available before the development of the plan.

“(c) DETERMINATIONS.—(1) For each significant requirement identified by the Secretary under subsection (b)(1), the Secretary shall include in the plan submitted under subsection (a) a determination regarding whether such requirement is finalized and will be used to inform the initial activities.

“(2) For each significant requirement that the Secretary cannot make a finalized determination for under paragraph (1) by the date on which the plan under subsection (a) is submitted to the congressional defense committees, the Secretary shall—

“(A) include in the plan—

“(i) a description of the requirement;

“(ii) a list of significant activities required to finalize the requirement; and

“(iii) the date on which the Secretary anticipates making such determination; and

“(B) once the Secretary makes a determination that such a significant requirement is finalized, submit to such committees notification that the requirement is finalized and will be used to inform the initial activities.

“(3)(A) Notwithstanding any determination made under paragraph (1) with respect to a significant requirement identified by the Secretary under subsection (b)(1)—

“(i) the Secretary shall change a requirement if necessary to provide adequate protection to workers and the public; and

“(ii) the Secretary may change a requirement if the Secretary determines such change is necessary.

“(B) If the Secretary authorizes a change to a requirement under subparagraph (A) that will have a significant material effect on the schedule or cost of the initial activities, the Secretary shall promptly notify the congressional defense committees of such change.

“(C) The authority of the Secretary under this paragraph may be delegated only to the Deputy Secretary of Energy.

“(d) INITIAL ACTIVITIES DEFINED.—In this section, the term ‘initial activities’ means activities necessary to start the operations of the Waste Treatment and Immobilization Plant at the Hanford Tank Farms of the Hanford Nuclear Reservation, Richland, Washington, with respect to the design, construction, and operating of the Waste Treatment and Immobilization Plant and any related, required infrastructure facilities.”

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4444 the following new item:

“Sec. 4445. Plan for tank farm waste at Hanford Nuclear Reservation.”

SEC. 3128. PLAN FOR IMPROVEMENT AND INTEGRATION OF FINANCIAL MANAGEMENT OF NUCLEAR SECURITY ENTERPRISE.

(a) IN GENERAL.—The Administrator for Nuclear Security shall develop a plan for improving and integrating the financial management of the nuclear security enterprise.

(b) MATTERS TO BE INCLUDED.—The plan required by subsection (a) shall include the following:

(1) An assessment of the expected results of the plan.

(2) An assessment of the feasibility of the plan.

(3) The estimated costs of carrying out the plan.

(4) A timeline for implementation of the plan.

(c) CONSIDERATIONS IN DEVELOPMENT OF PLAN.—In developing the plan required by subsection (a), the Administrator shall consider the following:

(1) Efforts to improve the structure for the allocation of work to be used by the entities within the nuclear security enterprise for the activities carried out by those entities.

(2) Efforts to develop a clear and consistent cost structure for each program and entity within the nuclear security enterprise.

(3) Methodologies for identifying costs for programs of record and base capabilities required for programs carried out by the nuclear security enterprise.

(4) Mechanisms for monitoring those programs during the execution of those programs and to provide data to inform oversight of those programs.

(5) Reporting frameworks to be used by the entities within the nuclear security enterprise to facilitate analyses, projections, and comparisons of similar activities carried out by different programs across the nuclear security enterprise.

(6) Effects of the plan on the facilities and management and operating contractors of the nuclear security enterprise.

(d) SUBMISSION TO CONGRESS.—The Administrator shall submit the plan required by subsection (a) to the congressional defense committees not later than one year after the date of the enactment of this Act.

(e) NUCLEAR SECURITY ENTERPRISE DEFINED.—In this section, the term ‘nuclear security enterprise’ has the meaning given that term in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501).

SEC. 3129. PLAN FOR DEVELOPING EXASCALE COMPUTING AND INCORPORATING SUCH COMPUTING INTO THE STOCKPILE STEWARDSHIP PROGRAM.

(a) PLAN REQUIRED.—The Administrator for Nuclear Security shall develop and carry out a plan to develop exascale computing and incorporate such computing into the stockpile stewardship program under section 4201 of the Atomic Energy Defense Act (50 U.S.C. 2521) during the 10-year period beginning on the date of the enactment of this Act.

(b) MILESTONES.—The plan required by subsection (a) shall include major programmatic milestones in—

(1) the development of a prototype exascale computer for the stockpile stewardship program; and

(2) mitigating disruptions resulting from the transition to exascale computing.

(c) COORDINATION WITH OTHER AGENCIES.—In developing the plan required by subsection (a), the Administrator shall coordinate, as appropriate, with the Under Secretary of Energy for Science, the Secretary of Defense, and elements of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))).

(d) INCLUSION OF COSTS IN FUTURE-YEARS NUCLEAR SECURITY PROGRAM.—The Administrator shall—

(1) address, in the estimated expenditures and proposed appropriations reflected in each future-years nuclear security program submitted under section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453) during the 10-year period beginning on the date of the enactment of this Act, the costs of—

(A) developing exascale computing and incorporating such computing into the stockpile stewardship program; and

(B) mitigating potential disruptions resulting from the transition to exascale computing; and

(2) include in each such future-years nuclear security program a description of the costs of efforts to develop exascale computing borne by the National Nuclear Secu-

rity Administration, the Office of Science of the Department of Energy, other Federal agencies, and private industry.

(e) SUBMISSION TO CONGRESS.—The Administrator shall submit the plan required by subsection (a) to the congressional defense committees with each summary of the plan required by subsection (a) of section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523) submitted under subsection (b)(1) of that section during the 10-year period beginning on the date of the enactment of this Act.

(f) EXASCALE COMPUTING DEFINED.—In this section, the term ‘exascale computing’ means computing through the use of a computing machine that performs near or above 10 to the 18th power floating point operations per second.

SEC. 3130. STUDY AND PLAN FOR EXTENSION OF CERTAIN PILOT PROGRAM PRINCIPLES.

(a) IN GENERAL.—The Administrator for Nuclear Security shall conduct a study of the feasibility of, and develop a plan for, extending the principles of the pilot program to improve and streamline oversight of the Kansas City Plant, Kansas City, Missouri, initiated on or about April 2006, to additional facilities of the nuclear security enterprise.

(b) ELEMENTS.—The study and plan required by subsection (a) shall address the following:

(1) The applicability of all or some of the principles of the pilot program to additional facilities of the nuclear security enterprise.

(2) The costs, benefits, risks, opportunities, and cost avoidances that may result from the extension of the principles of the pilot program to additional facilities.

(3) The cost avoidances that have been realized from the pilot program described in subsection (a) since the pilot program was initiated.

(4) The actions and timelines that would be required to extend the principles of the pilot program to additional facilities if the Administrator determines that extending such principles is feasible.

(c) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall submit to the appropriate congressional committees a report that includes the following:

(1) The results of the study and the plan required by subsection (a).

(2) The determination of the Administrator regarding whether the principles of the pilot program will be extended to additional facilities of the nuclear security enterprise.

(d) DEFINITIONS.—In this section:

(1) The term ‘appropriate congressional committees’ means the following:

(A) The congressional defense committees.

(B) The Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(2) The term ‘nuclear security enterprise’ has the meaning given that term in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501).

(3) The term ‘principles of the pilot program’ means the principles regarding the use of third-party certification, industrial standards, best business practices, and verification of internal procedures and performance to improve and streamline oversight, as demonstrated in the pilot program at the Kansas City Plant described in subsection (a).

SEC. 3131. STUDY OF POTENTIAL REUSE OF NUCLEAR WEAPON SECONDARIES.

(a) STUDY.—Not later than 60 days after the date of the enactment of this Act, the

Administrator for Nuclear Security shall conduct a study of the potential reuse of nuclear weapon secondaries that includes an assessment of the potential for reusing secondaries in future life extension programs, including—

(1) a description of which secondaries could be reused;

(2) the number of such secondaries available in the stockpile as of the date of the study; and

(3) the number of such secondaries that are planned to be available after such date as a result of the dismantlement of nuclear weapons.

(b) **MATTERS INCLUDED.**—The study under subsection (a) shall include the following:

(1) The feasibility and practicability of potential full or partial reuse options with respect to nuclear weapon secondaries.

(2) The benefits and risks of reusing such secondaries.

(3) A list of technical challenges that must be resolved to certify aged materials under dynamic loading conditions and the full stockpile-to-target sequence of weapons, including a program plan and timeline for resolving such technical challenges and an assessment of the importance of resolving outstanding materials issues on certifying aged secondaries.

(4) The potential costs and cost savings of such reuse.

(5) The effects of such reuse on the requirements for secondaries manufacturing.

(6) An assessment of how such reuse affects plans to build a responsive nuclear weapons infrastructure.

(c) **SUBMISSION.**—Not later than March 1, 2014, the Administrator shall submit to the congressional defense committees the study under subsection (a).

SEC. 3132. REPEAL OF CERTAIN REPORTING REQUIREMENTS.

(a) **REPORT ON COUNTERINTELLIGENCE AND SECURITY PRACTICES AT NATIONAL SECURITY LABORATORIES.**—

(1) **IN GENERAL.**—Section 4507 of the Atomic Energy Defense Act (50 U.S.C. 2658) is repealed.

(2) **CLERICAL AMENDMENT.**—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4507.

(b) **REPORTS ON ADVANCED SUPERCOMPUTER SALES TO CERTAIN FOREIGN NATIONS.**—Section 3157 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 50 U.S.C. App. 2404 note) is repealed.

Subtitle D—Other Matters

SEC. 3141. CLARIFICATION OF ROLE OF SECRETARY OF ENERGY.

The amendment made by section 3113 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2169) to section 4102 of the Atomic Energy Defense Act (50 U.S.C. 2512) may not be construed as affecting the authority of the Secretary of Energy, in carrying out national security programs, with respect to the management, planning, and oversight of the National Nuclear Security Administration or as affecting the delegation by the Secretary of authority to carry out such activities, as set forth under subsection (a) of such section 4102 as it existed before the amendment made by such section 3113.

SEC. 3142. MODIFICATION OF DEADLINES FOR CONGRESSIONAL ADVISORY PANEL ON THE GOVERNANCE OF THE NUCLEAR SECURITY ENTERPRISE.

Section 3166 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2208) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking “180 days after the date of the enactment of this Act” and inserting “March 1, 2014”; and

(B) in paragraph (2), by striking “February 1, 2014” and inserting “July 1, 2014”; and

(2) in subsection (f), by striking “June 1, 2014” and inserting “September 30, 2014”.

SEC. 3143. DEPARTMENT OF ENERGY LAND CONVEYANCE.

(a) **CONSOLIDATION OF TITLE TO BANNISTER FEDERAL COMPLEX.**—Notwithstanding sections 521 and 522 of title 40, United States Code, the Administrator of General Services may transfer custody of and accountability for the portion of the real property described in subsection (b) in the custody of the General Services Administration on the date of the enactment of this Act to the National Nuclear Security Administration.

(b) **REAL PROPERTY DESCRIBED.**—

(1) **IN GENERAL.**—The real property described in this subsection is the real property, including any improvements thereon, consisting of the Bannister Federal Complex in Kansas City, Missouri.

(2) **FURTHER DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the real property described in this subsection shall be determined by a survey satisfactory to the Administrator for Nuclear Security and the Administrator of General Services.

(c) **AUTHORITIES RELATING TO CONVEYANCE OF BANNISTER FEDERAL COMPLEX.**—After the consolidation of custody of and accountability for the real property described in subsection (b) in the National Nuclear Security Administration under subsection (a), the Administrator for Nuclear Security may—

(1) negotiate an agreement to convey to an eligible entity all right, title, and interest of the United States in and to the real property described in subsection (b); and

(2) enter into an agreement, on a reimbursable basis or otherwise, with the eligible entity to provide funding for the costs of—

(A) the negotiation of the agreement described in paragraph (1);

(B) planning for the disposition of the property; and

(C) carrying out the responsibilities of the Administrator under section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) with respect to the property, including—

(i) identification, investigation, and clean up of, and research and development with respect to, contamination from a hazardous substance or pollutant or contaminant;

(ii) correction of other environmental damage that creates an imminent and substantial endangerment to the public health or welfare or to the environment; and

(iii) demolition and removal of buildings and structures as required to clean up contamination or as required for completion of the responsibilities of the Administrator under that section.

(d) **LIMITATIONS.**—

(1) **PRICE.**—The Administrator for Nuclear Security shall select, through a public process provided for under the regulations of the Department of Energy, the eligible entity to which the real property described in subsection (b) is to be conveyed under subsection (c). The Administrator shall use good faith efforts to ensure the greatest possible return on such conveyance considering the conditions described in paragraphs (2) and (3).

(2) **CONDITION ON CONVEYANCE.**—The conveyance under subsection (c) shall be subject to the requirements relating to transfer of

property by the Federal Government under section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(3) **OCCUPANCY BY NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.**—The conveyance under subsection (c) shall be subject to the condition that the National Oceanic and Atmospheric Administration may continue to occupy until December 31, 2015, the space in the real property described in subsection (b) that the Administration occupies as of the date of the enactment of this Act.

(e) **PAYMENT OF COSTS OF CONVEYANCE.**—

(1) **REIMBURSEMENT OF COSTS OF CONVEYANCE.**—The Administrator for Nuclear Security shall use any funds received from the conveyance under subsection (c) to reimburse the Administrator for costs (other than costs referred to in paragraph (2) of that subsection) incurred by the Administrator to carry out the conveyance, including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance.

(2) **TREATMENT OF AMOUNTS RECEIVED.**—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs referred to in that paragraph. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(f) **ADDITIONAL TERMS AND CONDITIONS.**—The Administrator for Nuclear Security may require such additional terms and conditions in connection with the conveyance under subsection (c) as the Administrator considers appropriate to protect the interests of the United States.

(g) **ELIGIBLE ENTITY DEFINED.**—In this section, the term “eligible entity” means a non-governmental entity that has demonstrated to the Administrator for Nuclear Security, in the Administrator’s sole discretion, that the entity has the capability to operate and maintain the real property described in subsection (b).

SEC. 3144. TECHNICAL AMENDMENT TO ATOMIC ENERGY ACT OF 1954.

Chapter 10 of the Atomic Energy Act of 1954 (42 U.S.C. 2131 et seq.), as amended by section 3176 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2215), is amended in the matter following section 111 by inserting before “a. The Commission” the following: “Sec. 112. DOMESTIC MEDICAL ISOTOPE PRODUCTION.—”.

SEC. 3145. TECHNICAL CORRECTIONS TO THE NATIONAL NUCLEAR SECURITY ADMINISTRATION ACT.

(a) **ADMINISTRATOR FOR NUCLEAR SECURITY.**—Section 3212(c) of the National Nuclear Security Administration Act (50 U.S.C. 2402(c)) is amended by striking “section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3))” and inserting “section 1702(c) of title 41, United States Code”.

(b) **STATUS OF ADMINISTRATION AND CONTRACTOR PERSONNEL.**—Section 3220 of such Act (50 U.S.C. 2410) is amended in subsection (a)(1)(A) and subsection (b) by inserting “(42 U.S.C. 7132(c)(3))” after “section 202(c)(3) of the Department of Energy Organization Act”.

(c) **GOVERNMENT ACCESS TO INFORMATION AND COMPUTERS.**—Section 3235(b) of such Act (50 U.S.C. 2425(b)) is amended by inserting “(Public Law 99-508; 100 Stat. 1848)” after “of 1986”.

(d) **AUTHORITY TO ESTABLISH CERTAIN POSITIONS.**—Section 3241 of such Act (50 U.S.C. 2441) is amended in the last sentence—

(1) by striking “excepted positions established” and inserting “positions established”;

(2) by striking “an excepted position” and inserting “a position”; and

(3) by striking “nonexcepted position” and inserting “position not established under this section”.

(e) SEPARATE TREATMENT IN BUDGET.—Section 3251(a) of such Act (50 U.S.C. 2451(a)) is amended by striking “the Congress” and inserting “Congress”.

(f) FUTURE-YEARS NUCLEAR SECURITY PROGRAM.—Section 3253(b) of such Act (50 U.S.C. 2453(b)) is amended—

(1) by striking “five-fiscal year” each place it appears and inserting “five-fiscal-year”;

(2) by striking paragraph (5) and by redesignating paragraph (6) as paragraph (5); and

(3) in subparagraph (B) of paragraph (5), as redesignated by paragraph (2), by striking “National Nuclear Security”.

(g) COMPLIANCE WITH FEDERAL ACQUISITION REGULATION.—Section 3262 of such Act (50 U.S.C. 2462) is amended by striking “the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)” and inserting “section 1303(a)(1) of title 41, United States Code”.

(h) USE OF CAPABILITIES OF NATIONAL SECURITY LABORATORIES.—Section 3264 of such Act (50 U.S.C. 2464) is amended by inserting “of Energy” after “Secretary”.

(i) DEFINITIONS.—Section 3281(2)(F) of such Act (50 U.S.C. 2471(2)(F)) is amended by striking “the Congress” and inserting “Congress”.

(j) FUNCTIONS TRANSFERRED.—Section 3291(d)(1) of such Act (50 U.S.C. 2481(d)(1)) is amended by moving the flush text after subparagraph (B) 2 ems to the left.

SEC. 3146. TECHNICAL CORRECTIONS TO THE ATOMIC ENERGY DEFENSE ACT.

(a) DEFINITIONS.—

(1) IN GENERAL.—Section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501) is amended—

(A) in the matter preceding paragraph (1), by striking “In this division” and inserting “Except as otherwise provided, in this division”;

(B) by redesignating paragraphs (5), (6), (7), and (8) as paragraphs (6), (7), (9), and (10), respectively;

(C) by inserting after paragraph (4) the following new paragraph (5):

“(5) The terms ‘defense nuclear facility’ and ‘Department of Energy defense nuclear facility’ have the meaning given the term ‘Department of Energy defense nuclear facility’ in section 318 of the Atomic Energy Act of 1954 (42 U.S.C. 2286g).”;

(D) by inserting after paragraph (7), as redesignated by subparagraph (B), the following new paragraph (8):

“(8) The term ‘Nuclear Weapons Council’ means the Nuclear Weapons Council established by section 179 of title 10, United States Code.”; and

(E) in paragraph (10), as redesignated by subparagraph (B), by striking “restricted data” and inserting “Restricted Data”.

(2) CONFORMING AMENDMENTS.—

(A) NUCLEAR WEAPONS STOCKPILE STEWARDSHIP PLAN.—Section 4203(e)(1) of such Act (50 U.S.C. 2523(e)(1)) is amended in the matter preceding subparagraph (A) by striking “established by section 179 of title 10, United States Code.”.

(B) REPORTS ON LIFE EXTENSION PROGRAMS.—Section 4216(a) of such Act (50 U.S.C. 2536(a)) is amended in the matter preceding paragraph (1) by striking “established by section 179 of title 10, United States Code.”.

(C) SELECTED ACQUISITION REPORTS.—Section 4217(b)(1) of such Act (50 U.S.C. 2537(b)(1)) is amended in the matter preceding subparagraph (A) by striking “established under section 179 of title 10, United States Code.”.

(D) ADVICE ON NUCLEAR WEAPONS STOCKPILE.—Section 4218 of such Act (50 U.S.C. 2538) is amended—

(i) in subsection (e), by striking “Joint”; and

(ii) in subsection (f)(1), in the matter preceding subparagraph (A), by striking “established under section 179 of title 10, United States Code”.

(E) REPORTS ON PERMANENT CLOSURES OF DEFENSE NUCLEAR FACILITIES.—Section 4422(a) of such Act (50 U.S.C. 2602(a)) is amended by striking “(as defined in section 318 of the Atomic Energy Act of 1954 (42 U.S.C. 2286(g)))”.

(F) PROHIBITION ON INTERNATIONAL INSPECTIONS.—Section 4501(a) of such Act (50 U.S.C. 2651(a)) is amended by striking “restricted data” and inserting “Restricted Data”.

(G) REVIEW OF CERTAIN DOCUMENTS BEFORE DECLASSIFICATION AND RELEASE.—Section 4521 of such Act (50 U.S.C. 2671) is amended by striking “restricted data” each place it appears and inserting “Restricted Data”.

(H) PROTECTION AGAINST INADVERTENT RELEASE OF RESTRICTED DATA AND FORMERLY RESTRICTED DATA.—Section 4522 of such Act (50 U.S.C. 2672) is amended by striking subsection (g).

(I) DEFINITIONS.—Section 4701 of such Act (50 U.S.C. 2741) is amended—

(i) by striking paragraph (2); and

(ii) by redesignating paragraph (3) as paragraph (2).

(J) PROHIBITION AND REPORT ON BONUSES TO CONTRACTORS.—Section 4802 of such Act (50 U.S.C. 2782) is amended—

(i) by striking subsection (b); and

(ii) by redesignating subsection (c) as subsection (b).

(K) TRANSFERS OF REAL PROPERTY.—Section 4831(f) of such Act (50 U.S.C. 2811(f)) is amended by striking “section:” and all that follows through “(2) The terms” and inserting “section, the terms”.

(b) RESTRICTION ON CERTAIN LICENSING REQUIREMENT.—Section 4103 of such Act (50 U.S.C. 2513) is amended by inserting “; 94 Stat. 3197” after “Public Law 96-540”.

(c) NUCLEAR WEAPONS STOCKPILE MATTERS.—

(1) STOCKPILE STEWARDSHIP PROGRAM.—Section 4201 of such Act (50 U.S.C. 2521) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by striking “for Nuclear Security”; and

(B) in subsection (b)—

(i) in paragraph (4)(D), by striking “Nevada national security site” and inserting “Nevada National Security Site”; and

(ii) in paragraph (5)—

(I) by striking subparagraphs (A) through (D) and inserting the following new subparagraph (A):

“(A) the nuclear weapons production facilities; and”; and

(II) by redesignating subparagraph (E) as subparagraph (B).

(2) STOCKPILE MANAGEMENT PROGRAM.—Section 4204(a) of such Act (50 U.S.C. 2524(a)) is amended by striking “for Nuclear Security”.

(3) ANNUAL ASSESSMENTS OF NUCLEAR WEAPONS STOCKPILE.—Section 4205 of such Act (50 U.S.C. 2525) is amended—

(A) in subsection (c), in the matter preceding paragraph (1), by striking “for Nuclear Security”; and

(B) in subsection (h)—

(i) in the subsection heading, by striking “DEFINITIONS” and inserting “DEFINITION”; and

(ii) by striking “section:” and all that follows through “(2) The term” and inserting “section, the term”; and

(iii) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and by moving such paragraphs, as so redesignated, 2 ems to the left.

(4) NUCLEAR TEST BAN READINESS PROGRAM.—Section 4207 of such Act (50 U.S.C. 2527) is amended—

(A) by striking subsection (a);

(B) by redesignating subsections (b), (c), and (d) as subsections (a), (b), and (c), respectively;

(C) in subsection (a), as redesignated by subparagraph (B), by striking “Soviet Union” and inserting “Russian Federation”; and

(D) in subsection (b), as redesignated by subparagraph (B), by striking “subsection (b)” and inserting “subsection (a)”; and

(E) in subsection (c), as redesignated by subparagraph (B)—

(i) by striking “subsection (b)” and inserting “subsection (a)”; and

(ii) by striking “national nuclear weapons laboratories” and inserting “national security laboratories”.

(5) REQUIREMENTS FOR SPECIFIC REQUEST FOR NEW OR MODIFIED NUCLEAR WEAPONS.—Section 4209(d) of such Act (50 U.S.C. 2529(d)) is amended by striking “the date of the enactment of this Act” each place it appears and inserting “December 2, 2002”.

(6) MANUFACTURING INFRASTRUCTURE.—Section 4212 of such Act (50 U.S.C. 2532) is amended—

(A) in subsection (a)(2), by striking “Review” and inserting “Memorandum”; and

(B) in subsection (c), by striking “the Congress” and inserting “Congress”.

(7) REPORTS ON CRITICAL DIFFICULTIES.—Section 4213 of such Act (50 U.S.C. 2533) is amended—

(A) in subsection (a)—

(i) in the subsection heading, by striking “PLANTS” and inserting “FACILITIES”; and

(ii) by striking “plant” each place it appears and inserting “facility”; and

(B) in subsection (d)—

(i) in the subsection heading, by striking “CERTIFICATION” and inserting “ASSESSMENT”; and

(ii) by striking “included with the decision documents” and all that follows through “the President” and inserting “submitted to the President and Congress with the matters required to be submitted under section 4205(f)”.

(8) PLAN FOR TRANSFORMATION OF NUCLEAR SECURITY ENTERPRISE.—

(A) REPEAL.—Section 4214 of such Act (50 U.S.C. 2534) is repealed.

(B) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 4214.

(9) REPLACEMENT PROJECT FOR CHEMISTRY AND METALLURGY RESEARCH BUILDING.—Section 4215(d)(2) of such Act (50 U.S.C. 2535(d)(2)) is amended by striking “National Nuclear Security”.

(10) ADVICE ON NUCLEAR WEAPONS STOCKPILE.—Section 4218 of such Act (50 U.S.C. 2538), as amended by subsection (a)(2)(D), is further amended—

(A) by striking subsection (a);

(B) by redesignating subsections (b) through (g) as subsections (a) through (f), respectively; and

(C) in subsection (d), as redesignated by subparagraph (B), by striking “(under section 3159 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law

104-201; 42 U.S.C. 7274o))” and inserting “under section 4213”.

(1) TRITIUM PRODUCTION PROGRAM.—

(A) IN GENERAL.—Subsection (b) of section 4233 of such Act (50 U.S.C. 2543) is—

(i) transferred to the end of section 4231 (50 U.S.C. 2541); and

(ii) redesignated as subsection (c).

(B) CONFORMING REPEAL.—Section 4233 of such Act (50 U.S.C. 2543) is repealed.

(C) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 4233.

(d) PROLIFERATION MATTERS.—

(1) NONPROLIFERATION INITIATIVES AND ACTIVITIES.—

(A) REPEAL.—Section 4302 of such Act (50 U.S.C. 2562) is repealed.

(B) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 4302.

(2) NUCLEAR CITIES INITIATIVE.—

(A) REPEAL.—Section 4304 of such Act (50 U.S.C. 2564) is repealed.

(B) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 4304.

(e) DEFENSE ENVIRONMENTAL CLEANUP.—

(1) DEFENSE ENVIRONMENTAL CLEANUP ACCOUNT.—Section 4401 of such Act (50 U.S.C. 2581) is amended—

(A) in the section heading, by striking “RESTORATION AND WASTE MANAGEMENT” and inserting “CLEANUP”;

(B) in subsection (a), by striking “Restoration and Waste Management” and inserting “Cleanup”; and

(C) in subsection (b), by striking “environmental restoration and waste management” and inserting “defense environmental cleanup”.

(2) FUTURE USE PLANS FOR DEFENSE ENVIRONMENTAL CLEANUP.—Section 4402 of such Act (50 U.S.C. 2582) is amended—

(A) in the section heading, by striking “ENVIRONMENTAL MANAGEMENT PROGRAM” and inserting “DEFENSE ENVIRONMENTAL CLEANUP”;

(B) in subsection (a), by striking “environmental restoration and waste management” and inserting “defense environmental cleanup”;

(C) in subsection (b)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively;

(D) in subsection (c)(2), by striking “for program direction in carrying out environmental restoration and waste management” and inserting “for defense environmental cleanup”;

(E) by striking subsection (f);

(F) by redesignating subsections (g) and (h) as subsections (f) and (g), respectively; and

(G) in paragraph (2) of subsection (g), as redesignated by subparagraph (F)—

(i) by striking “an environmental restoration or waste management” and inserting “a defense environmental cleanup”; and

(ii) by striking “environmental restoration and waste management” and inserting “defense environmental cleanup”.

(3) FUTURE-YEARS DEFENSE ENVIRONMENTAL CLEANUP PLAN.—Section 4402A of such Act (50 U.S.C. 2582A) is amended—

(A) in the section heading, by striking “MANAGEMENT” and inserting “CLEANUP”;

(B) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking “management” and inserting “cleanup”; and

(ii) in paragraph (1), by striking “environmental management” and inserting “defense environmental cleanup”; and

(C) in subsection (b), by striking “management” each place it appears and inserting “cleanup”.

(4) INTEGRATED FISSILE MATERIALS MANAGEMENT PLAN.—Section 4403 of such Act (50 U.S.C. 2583) is amended—

(A) in subsection (a)(1)—

(i) by striking “the Office of Fissile Materials Disposition, the Office of Nuclear Energy, and the Office of Defense Programs” and inserting “the Office of Nuclear Energy, and the Administration”; and

(ii) by striking “storage” and inserting “storage.”; and

(B) in subsection (b), by striking “March 31, 2000” and inserting “March 31, 2014”.

(5) BASELINE ENVIRONMENTAL MANAGEMENT REPORTS.—Section 4404 of such Act (50 U.S.C. 2584) is repealed.

(6) ACCELERATED SCHEDULE FOR DEFENSE ENVIRONMENTAL CLEANUP ACTIVITIES.—Section 4405 of such Act (50 U.S.C. 2585) is amended—

(A) in the section heading, by striking “ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT” and inserting “DEFENSE ENVIRONMENTAL CLEANUP”;

(B) in subsection (a), by striking “environmental restoration and waste management” and inserting “defense environmental cleanup”;

(C) in subsection (b)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively;

(D) by striking subsection (c);

(E) by redesignating subsection (d) as subsection (c); and

(F) in subsection (c), as redesignated by subparagraph (E)—

(i) by striking “environmental restoration or waste management” and inserting “defense environmental cleanup”; and

(ii) by striking “environmental restoration and waste management” and inserting “defense environmental cleanup”.

(7) DEFENSE ENVIRONMENTAL CLEANUP TECHNOLOGY PROGRAM.—Section 4406 of such Act (50 U.S.C. 2586) is amended—

(A) in the section heading, by striking “WASTE” and inserting “ENVIRONMENTAL”;

(B) by striking subsections (b) and (c); and

(C) by redesignating subsection (d) as subsection (b).

(8) REPORT ON DEFENSE ENVIRONMENTAL CLEANUP EXPENDITURES.—Section 4407 of such Act (50 U.S.C. 2587) is amended—

(A) in the section heading, by striking “ENVIRONMENTAL RESTORATION” and inserting “DEFENSE ENVIRONMENTAL CLEANUP”; and

(B) by striking “environmental restoration and waste management funds for defense activities” and inserting “defense environmental cleanup funds”.

(9) PUBLIC PARTICIPATION IN PLANNING FOR DEFENSE ENVIRONMENTAL CLEANUP.—Section 4408 of such Act (50 U.S.C. 2588) is amended—

(A) in the section heading, by striking “ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT AT DEFENSE NUCLEAR FACILITIES” and inserting “DEFENSE ENVIRONMENTAL CLEANUP”;

(B) by striking “Attorneys General” and inserting “attorneys general”; and

(C) by striking “environmental restoration and waste management” and inserting “defense environmental cleanup activities”.

(10) PROJECTS TO ACCELERATE CLOSURE ACTIVITIES.—Section 4421 of such Act (50 U.S.C. 2601) is repealed.

(11) REPORTS IN CONNECTION WITH CLOSURES.—Section 4422 of such Act (50 U.S.C. 2602) is amended—

(A) in subsection (a), as amended by subsection (a)(2)(E)—

(i) by striking “must” and inserting “shall”; and

(ii) by striking “environmental remediation and cleanup” and inserting “defense environmental cleanup”; and

(B) in subsection (b)(2), by striking “environmental restoration and other remediation and cleanup efforts” and inserting “defense environmental cleanup activities”.

(12) DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION PROJECTS.—Subtitle C of title XLIV of such Act (50 U.S.C. 2611) is repealed.

(13) HANFORD WASTE TANK CLEANUP PROGRAM.—Section 4442(b)(2) of such Act (50 U.S.C. 2622(b)(2)) is amended by striking “responsible for” and all that follows through “aspects” and inserting “responsible for managing all aspects”.

(14) FUNDING FOR TERMINATION COSTS OF RIVER PROTECTION PROJECT.—Section 4444(2) of such Act (50 U.S.C. 2624(2)) is amended by striking “environmental restoration and waste management” and inserting “defense environmental cleanup”.

(15) SAVANNAH RIVER SITE.—Subtitle E of title XLIV of such Act (50 U.S.C. 2631 et seq.) is amended by striking sections 4453A, 4453B, 4453C, and 4453D.

(16) CONFORMING AMENDMENTS.—Title XLIV of such Act (50 U.S.C. 2581 et seq.) is amended—

(A) in the title heading, by striking “ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT” and inserting “DEFENSE ENVIRONMENTAL CLEANUP”;

(B) in the subtitle heading for subtitle A, by striking “Environmental Restoration and Waste Management” and inserting “Defense Environmental Cleanup”; and

(C) by redesignating subtitles D and E as subtitles C and D, respectively.

(17) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the items relating to title XLIV and inserting the following new items:

“TITLE XLIV—DEFENSE
ENVIRONMENTAL CLEANUP MATTERS

“Subtitle A—Defense Environmental
Cleanup

“Sec. 4401. Defense Environmental Cleanup Account.

“Sec. 4402. Requirement to develop future use plans for defense environmental cleanup.

“Sec. 4402A. Future-years defense environmental cleanup plan.

“Sec. 4403. Integrated fissile materials management plan.

“Sec. 4405. Accelerated schedule for defense environmental cleanup activities.

“Sec. 4406. Defense environmental cleanup technology program.

“Sec. 4407. Report on defense environmental cleanup expenditures.

“Sec. 4408. Public participation in planning for defense environmental cleanup.

“Subtitle B—Closure of Facilities

“Sec. 4422. Reports in connection with permanent closures of Department of Energy defense nuclear facilities.

“Subtitle C—Hanford Reservation,
Washington

“Sec. 4441. Safety measures for waste tanks at Hanford nuclear reservation.

“Sec. 4442. Hanford waste tank cleanup program reforms.

“Sec. 4443. River Protection Project.

"Sec. 4444. Funding for termination costs of River Protection Project, Richmond, Washington.

"Subtitle D—Savannah River Site, South Carolina

"Sec. 4451. Accelerated schedule for isolating high-level nuclear waste at the defense waste processing facility, Savannah River Site.

"Sec. 4452. Multi-year plan for clean-up.

"Sec. 4453. Continuation of processing, treatment, and disposal of legacy nuclear materials.

"Sec. 4454. Limitation on use of funds for decommissioning F-canyon facility."

(f) SAFEGUARDS AND SECURITY MATTERS.—

(1) RESTRICTIONS ON ACCESS TO NATIONAL SECURITY LABORATORIES.—Section 4502 of such Act (50 U.S.C. 2652) is amended—

(A) by striking subsections (b), (c), (d), and (e);

(B) by redesignating subsections (f) and (g) as subsections (b) and (c), respectively; and

(C) in paragraph (2) of subsection (c), as redesignated by subparagraph (B), by striking "as in effect on January 1, 1999".

(2) COUNTERINTELLIGENCE POLYGRAPH PROGRAM.—Section 4504 of such Act (50 U.S.C. 2654) is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(3) NOTICE TO CONGRESS OF CERTAIN SECURITY AND COUNTERINTELLIGENCE FAILURES.—Section 4505(e)(2) of such Act (50 U.S.C. 2656(e)(2)) is amended by striking "the Congress" and inserting "Congress".

(4) AMOUNTS FOR DECLASSIFICATION ACTIVITIES.—Section 4525 of such Act (50 U.S.C. 2675) is amended by striking subsection (c).

(5) RESPONSIBILITY FOR DEFENSE PROGRAMS EMERGENCY RESPONSE PROGRAM.—

(A) REPEAL.—Subtitle C of title XLV of such Act (50 U.S.C. 2691) is repealed.

(B) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the items relating to subtitle C of title XLV.

(g) PERSONNEL MATTERS.—

(1) APPOINTMENT OF CERTAIN PERSONNEL.—Section 4601(a) of such Act (50 U.S.C. 2701(a)) is amended by striking paragraph (4).

(2) WHISTLEBLOWER PROTECTION PROGRAM.—Section 4602 of such Act (50 U.S.C. 2702) is amended—

(A) in subsection (l), by striking "Public Law 101-512" and inserting "Public Law 101-12; 103 Stat. 16"; and

(B) by striking subsection (n).

(3) INCENTIVES FOR EMPLOYEES AT CLOSURE PROJECT FACILITIES.—

(A) REPEAL.—Section 4603 of such Act (50 U.S.C. 2703) is repealed.

(B) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 4603.

(4) WORKFORCE RESTRUCTURING PLACE.—Section 4604 of such Act (50 U.S.C. 2704) is amended—

(A) in subsection (c)(6)(A), by inserting "(29 U.S.C. 2801 et seq.)" after "of 1998"; and

(B) in subsection (f)(1), by striking "the 236 H facility at Savannah River, South Carolina; and the Mound Laboratory, Ohio" and inserting "and the 236 H facility at Savannah River, South Carolina".

(5) CERTIFICATES OF COMMENDATION.—Section 4605(b) of such Act (50 U.S.C. 2705(b)) is amended by striking "Cold War" and inserting "cold war".

(6) EXECUTIVE MANAGEMENT TRAINING.—Section 4621(b)(6) of such Act (50 U.S.C. 2721(b)(6)) is amended by striking "environmental restoration and defense waste man-

agement" and inserting "defense environmental cleanup".

(7) STOCKPILE STEWARDSHIP RECRUITMENT AND TRAINING PROGRAM.—Section 4622 of such Act (50 U.S.C. 2722) is amended—

(A) in subsection (a), by striking "Sandia" and all that follows through "Los Alamos National Laboratory" and inserting "national security laboratories"; and

(B) in subsections (b) and (c), by striking "laboratories referred to in subsection (a)(1)" each place it appears and inserting "national security laboratories".

(8) FELLOWSHIP PROGRAM.—Section 4623(b) of such Act (50 U.S.C. 2723(b)) is amended in the matter preceding paragraph (1) by inserting "either of" after "who are".

(9) WORKER PROTECTION.—Section 4641 of such Act (50 U.S.C. 2731) is amended by striking subsection (e).

(10) SAFETY OVERSIGHT AND ENFORCEMENT.—Section 4642 of such Act (50 U.S.C. 2732) is amended—

(A) by striking "(a) SAFETY AT DEFENSE NUCLEAR FACILITIES.—"; and

(B) by striking subsection (b).

(11) MONITORING WORKERS EXPOSED TO HAZARDOUS AND RADIOACTIVE SUBSTANCES.—Section 4643 of such Act (50 U.S.C. 2733) is amended—

(A) in subsection (a), by inserting "of Energy" after "Secretary"; and

(B) in subsection (b)—

(i) in paragraph (2)(B)—

(I) by inserting "and Prevention" after "Disease Control"; and

(II) by striking the semicolon at the end and inserting a period;

(ii) in paragraph (3)(C), by inserting "and Measurements" after "Radiation Protection";

(iii) in paragraph (4)—

(I) by striking "paragraph (1)(D)" and inserting "paragraph (1)(B)"; and

(II) by striking "paragraph (1)(E)" and inserting "paragraph (1)"; and

(iv) in paragraph (5), by striking "paragraph (1)(E)" and inserting "paragraph (1)".

(12) PROGRAMS RELATING TO EXPOSURE ON HANFORD RESERVATION.—Section 4644(c) of such Act (50 U.S.C. 2734(c)) is amended—

(A) by striking "the Congress" each place it appears and inserting "Congress"; and

(B) in paragraph (4), by inserting "and Prevention" after "Disease Control".

(13) NOTIFICATION OF NUCLEAR CRITICALITY AND NON-NUCLEAR INCIDENTS.—Section 4646(a) of such Act (50 U.S.C. 2736(a)) is amended by striking "Energy and" and inserting "Energy or".

(h) BUDGET AND FINANCIAL MATTERS.—

(1) REPROGRAMMING.—Section 4702(c) of such Act (50 U.S.C. 2742(c)) is amended by striking "subsection (a)" and insert "this subsection".

(2) TRANSFER OF DEFENSE ENVIRONMENTAL CLEANUP FUNDS.—Section 4710 of such Act (50 U.S.C. 2750) is amended—

(A) in the section heading, by striking "MANAGEMENT" and inserting "CLEANUP";

(B) in subsection (a)—

(i) in the subsection heading, by striking "MANAGEMENT" and inserting "CLEANUP"; and

(ii) by striking "management" and inserting "cleanup"; and

(C) in subsection (e)—

(i) in paragraph (1)—

(I) by striking "environmental restoration or waste management" and inserting "defense environmental cleanup"; and

(II) by striking "environmental management" and inserting "environmental clean-

(up)" in paragraph (2)—

(I) by striking "environmental management" and inserting "environmental cleanup"; and

(II) by striking "environmental restoration and waste management" and inserting "defense environmental cleanup".

(3) TRANSFER OF WEAPONS ACTIVITIES FUNDS.—Section 4711(d) of such Act (50 U.S.C. 2751(d)) is amended by striking "for Nuclear Security".

(4) NOTIFICATION OF COST OVERRUNS.—Section 4713(a)(3) of such Act (50 U.S.C. 2753(a)(3)) is amended—

(A) in the paragraph heading, by striking "MANAGEMENT" and inserting "CLEANUP"; and

(B) in subparagraph (A), by striking "environmental management" and inserting "environmental cleanup".

(5) USE OF FUNDS FOR PENALTIES UNDER ENVIRONMENTAL LAWS.—Section 4721(b)(2) of such Act (50 U.S.C. 2761(b)(2)) is amended by striking "the Congress" and inserting "Congress".

(6) RESTRICTION ON USE OF FUNDS TO PAY CERTAIN PENALTIES.—Section 4722 of such Act (50 U.S.C. 2762) is amended—

(A) by inserting "; 94 Stat. 3197" after "Public Law 96-540"; and

(B) by striking "the Congress" and inserting "Congress".

(i) ADMINISTRATIVE MATTERS.—

(1) COSTS NOT ALLOWED UNDER COVERED CONTRACTS.—Section 4801(b)(1) of such Act (50 U.S.C. 2781(b)(1)) is amended by striking "section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b)" and inserting "section 1707 of title 41, United States Code".

(2) CONTRACTOR LIABILITY FOR CERTAIN INJURIES OR LOSS OF PROPERTY.—Section 4803(b)(1) of such Act (50 U.S.C. 2783(b)(1)) is amended by striking "by the Act of March 9, 1920 (46 U.S.C. App. 741-752), or by the Act of March 3, 1925 (46 U.S.C. App. 781-790)" and inserting "or by chapter 309 or 311 of title 46, United States Code".

(3) USE OF FUNDS FOR LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT.—Section 4812 of such Act (50 U.S.C. 2792) is amended—

(A) by striking subsection (b);

(B) by striking "GENERAL LIMITATIONS.—(1)" and inserting "LIMITATION ON USE OF WEAPONS ACTIVITIES FUNDS.—";

(C) by striking "(2)" and inserting "(b) LIMITATION ON USE OF CERTAIN OTHER FUNDS.—"; and

(D) in subsection (b), as redesignated by subparagraph (C)—

(i) by striking "environmental restoration, waste management, or nuclear materials and facilities stabilization" and inserting "defense environmental cleanup"; and

(ii) by striking "environmental restoration mission, waste management mission, or materials stabilization mission, as the case may be," and inserting "defense environmental cleanup mission".

(4) REPORT ON LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT FUNDS.—

(A) IN GENERAL.—Section 4812A of such Act (50 U.S.C. 2793) is amended—

(i) in the section heading, by striking "LIMITATION" and inserting "REPORT";

(ii) by striking subsection (a);

(iii) by striking "(b) ANNUAL REPORT.—(1)" and inserting "(a) REPORT REQUIRED.—";

(iv) by striking "(2)" and inserting "(b) PREPARATION OF REPORT.—"; and

(v) by striking "(3)" and inserting "(c) CRITERIA USED IN PREPARATION OF REPORT.—".

(B) CLERICAL AMENDMENT.—The table of contents for such Act is amended by striking

the item relating to section 4812A and inserting the following new item:

“Sec. 4812A. Report on use of funds for certain research and development purposes.”.

(5) **CRITICAL TECHNOLOGY PARTNERSHIPS.**—Section 4813 of such Act (50 U.S.C. 2794) is amended—

(A) in subsection (b)(1), by striking “for Nuclear Security”; and

(B) in subsection (c)—

(i) in paragraph (1), by striking subparagraph (C) and inserting the following new subparagraph (C):

“(C) that is a defense critical technology (as defined in section 2500 of title 10, United States Code).”; and

(ii) in paragraph (3)(B)(iii), by striking “Governments” and inserting “governments”.

(6) **CERTAIN TRANSFERS OF REAL PROPERTY.**—Section 4831 of such Act (50 U.S.C. 2811), as amended by subsection (a)(2)(K), is further amended—

(A) by striking “Secretary of Energy” each place it appears (other than in subsection (a)(1)) and inserting “Secretary”; and

(B) in subsection (d), in the subsection heading, by striking “OF ENERGY”.

(7) **ENGINEERING AND MANUFACTURING RESEARCH, DEVELOPMENT, AND DEMONSTRATION.**—

(A) **IN GENERAL.**—Section 4832 of such Act (50 U.S.C. 2812) is amended in the section heading by striking “**PLANT MANAGERS OF CERTAIN NUCLEAR WEAPONS PRODUCTION PLANTS**” and inserting “**MANAGERS OF CERTAIN NUCLEAR WEAPONS PRODUCTION FACILITIES**”.

(B) **CLERICAL AMENDMENT.**—The table of contents for such Act is amended by striking the item relating to section 4832 and inserting the following new item:

“Sec. 4832. Engineering and manufacturing research, development, and demonstration by managers of certain nuclear weapons production facilities.”.

SEC. 3147. SENSE OF CONGRESS ON B61-12 LIFE EXTENSION PROGRAM.

It is the sense of Congress that—

(1) the B61-12 life extension program must be a high priority of the National Nuclear Security Administration;

(2) the B61-12 life extension program must be given top priority in the budget of the Administration and, if necessary, funding should be shifted from other programs of the Administration to ensure that the B61-12 life extension program stays on schedule to begin delivering B61-12 nuclear bombs to the military by not later than fiscal year 2020; and

(3) further delays to the B61-12 life extension program would undermine the credibility and reliability of the nuclear deterrent of the United States and the assurances provided to allies of the United States.

SEC. 3148. SENSE OF CONGRESS ON ESTABLISHMENT OF AN ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.

It is the sense of Congress that the President should establish an Advisory Board on Toxic Substances and Worker Health, as described in the report of the Comptroller General of the United States titled “Energy Employees Compensation: Additional Independent Oversight and Transparency Would Improve Program’s Credibility”, numbered GAO-10-302, to—

(1) advise the President concerning the review and approval of the Department of Labor site exposure matrix;

(2) conduct periodic peer reviews of, and approve, medical guidance for part E claims

examiners with respect to the weighing of a claimant’s medical evidence;

(3) obtain periodic expert review of evidentiary requirements for part B claims related to lung disease regardless of approval;

(4) provide oversight over industrial hygienists, Department of Labor staff physicians, and Department of Labor’s consulting physicians and their reports to ensure quality, objectivity, and consistency; and

(5) coordinate exchanges of data and findings with the Advisory Board on Radiation and Worker Health (under section 3624 the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384o)) to the extent necessary.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2014, \$29,915,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXIV—NAVAL PETROLEUM RESERVES

Sec. 3401. Authorization of appropriations.

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) **AMOUNT.**—There are hereby authorized to be appropriated to the Secretary of Energy \$20,000,000 for fiscal year 2014 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) **PERIOD OF AVAILABILITY.**—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME ADMINISTRATION

Sec. 3501. Authorization of appropriations for national security aspects of the Merchant Marine for fiscal year 2014.

Sec. 3502. 5-year reauthorization of vessel war risk insurance program.

Sec. 3503. Sense of Congress.

Sec. 3504. Treatment of funds for intermodal transportation maritime facility, Port of Anchorage, Alaska.

Sec. 3505. Strategic seaports.

SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SECURITY ASPECTS OF THE MERCHANT MARINE FOR FISCAL YEAR 2014.

Funds are hereby authorized to be appropriated for fiscal year 2014, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for Maritime Administration programs associated with maintaining national security aspects of the merchant marine, as follows:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, \$81,268,000, of which—

(A) \$67,268,000 shall remain available until expended for Academy operations; and

(B) \$14,000,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, \$17,100,000, of which—

(A) \$2,400,000 shall remain available until expended for student incentive payments;

(B) \$3,600,000 shall remain available until expended for direct payments to such academies; and

(C) \$11,100,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels.

(3) For expenses necessary to dispose of vessels in the National Defense Reserve

Fleet, \$2,000,000, to remain available until expended.

(4) For expenses to maintain and preserve a United States-flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, \$186,000,000.

(5) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, \$72,655,000, of which \$2,655,000 shall remain available until expended for administrative expenses of the program.

SEC. 3502. 5-YEAR REAUTHORIZATION OF VESSEL WAR RISK INSURANCE PROGRAM.

Section 53912 of title 46, United States Code, is amended by striking “December 31, 2015” and inserting “December 31, 2020”.

SEC. 3503. SENSE OF CONGRESS.

(a) **FINDINGS.**—Congress finds the following:

(1) It is in the interest of United States national security that the United States merchant marine, both ships and mariners, serve as a naval auxiliary in times of war or national emergency.

(2) The readiness of the United States merchant fleet should be augmented by a Government-owned reserve fleet comprised of ships with national defense features that may not be available immediately in sufficient numbers or types in the active United States-owned, United States-flagged, and United States-crewed commercial industry.

(3) The Ready Reserve Force of the Maritime Administration, a component of the National Defense Reserve Fleet, plays an important role in United States national security by providing necessary readiness and efficiency in the form of a Government-owned sealift fleet.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) maintaining a United States shipbuilding base is critical to meeting United States national security requirements;

(2) it is of vital importance that the Ready Reserve Force of the Maritime Administration remains capable, modern, and efficient in order to best serve the national security needs of the United States in times of war or national emergency;

(3) Federal agencies must consider investment options for replacing aging vessels within the Ready Reserve Force to meet future operational commitments;

(4) investment in recapitalizing the Ready Reserve Force may include—

(A) construction of dual-use vessels, based on need, for use in the America’s Marine Highway Program of the Department of Transportation, as a recent study performed under a cooperative agreement between the Maritime Administration and the Navy demonstrated that dual-use vessels transporting domestic freight between United States ports could be called upon to supplement sealift capacity;

(B) construction of tanker vessels to meet military transport needs; and

(C) construction of vessels for use in transporting potential new energy exports; and

(5) the Department of Transportation, in consultation with the Navy, should pursue the most cost-effective means of recapitalizing the Ready Reserve Force, including by promoting the building of new vessels that are militarily useful and commercially viable.

SEC. 3504. TREATMENT OF FUNDS FOR INTER-MODAL TRANSPORTATION MARITIME FACILITY, PORT OF ANCHORAGE, ALASKA.

Section 10205 of Public Law 109-59 (119 Stat. 1934) is amended by striking “shall” and inserting “may”.

SEC. 3505. STRATEGIC SEAPORTS.

(a) PRIORITY.—

(1) IN GENERAL.—Under the port infrastructure development program established under section 50302(c) of title 46, United States Code, the Maritime Administrator, in consultation with the Secretary of Defense, may give priority to providing funding to strategic seaports in support of national security requirements.

(2) STRATEGIC SEAPORT DEFINED.—In this subsection the term “strategic seaport” means a military port or and commercial port that is subject to a port planning order or Basic Ordering Agreement (or both) that is projected to be used for the deployment of forces and shipment of ammunition or sustainment supplies in support of military operations.

(b) FINANCIAL ASSISTANCE.—Section 50302(c)(2)(D) of title 46, United States Code, is amended by inserting “and financial assistance, including grants,” after “technical assistance”.

DIVISION D—FUNDING TABLES

Sec. 4001. Authorization of amounts in funding tables.

TITLE XLI—PROCUREMENT

Sec. 4101. Procurement.

Sec. 4102. Procurement for overseas contingency operations.

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 4201. Research, development, test, and evaluation.

Sec. 4202. Research, development, test, and evaluation for overseas contingency operations.

TITLE XLIII—OPERATION AND MAINTENANCE

Sec. 4301. Operation and maintenance.

Sec. 4302. Operation and maintenance for overseas contingency operations.

TITLE XLIV—MILITARY PERSONNEL

Sec. 4401. Military personnel.

Sec. 4402. Military personnel for overseas contingency operations.

TITLE XLV—OTHER AUTHORIZATIONS

Sec. 4501. Other authorizations.

Sec. 4502. Other authorizations for overseas contingency operations.

TITLE XLVI—MILITARY CONSTRUCTION

Sec. 4601. Military construction.

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Sec. 4701. Department of energy national security programs.

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1522 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

**SEC. 4101. PROCUREMENT
(In Thousands of Dollars)**

Line	Item	FY 2014 Request	Agreement Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
001	UTILITY F/W AIRCRAFT	19,730	19,730
003	AERIAL COMMON SENSOR (ACS) (MIP)	142,050	85,050
	Reduction of EMARSS LRIP aircraft		[- 57,000]
004	MQ-1 UAV	518,460	518,460
005	RQ-11 (RAVEN)	10,772	10,772
	ROTARY		
006	HELICOPTER, LIGHT UTILITY (LUH)	96,227	171,227
	Program increase for additional aircraft		[75,000]
007	AH-64 APACHE BLOCK IIIA REMAN	608,469	608,469
008	ADVANCE PROCUREMENT (CY)	150,931	150,931
012	UH-60 BLACKHAWK M MODEL (MYP)	1,046,976	1,032,915
	Transfer to PE 0203774A at Army request		[- 14,061]
013	ADVANCE PROCUREMENT (CY)	116,001	116,001
014	CH-47 HELICOPTER	801,650	801,650
015	ADVANCE PROCUREMENT (CY)	98,376	98,376
	MODIFICATION OF AIRCRAFT		
016	MQ-1 PAYLOAD—UAS	97,781	97,781
017	GUARDRAIL MODS (MIP)	10,262	10,262
018	MULTI SENSOR ABN RECON (MIP)	12,467	12,467
019	AH-64 MODS	53,559	53,559
020	CH-47 CARGO HELICOPTER MODS (MYP)	149,764	149,764
021	UTILITY/CARGO AIRPLANE MODS	17,500	17,500
022	UTILITY HELICOPTER MODS	74,095	74,095
023	KIOWA MODS WARRIOR	184,044	184,044
024	NETWORK AND MISSION PLAN	152,569	152,569
025	COMMS, NAV SURVEILLANCE	92,779	92,779
026	GATM ROLLUP	65,613	65,613
027	RQ-7 UAV MODS	121,902	121,902
	GROUND SUPPORT AVIONICS		
028	AIRCRAFT SURVIVABILITY EQUIPMENT	47,610	47,610
029	SURVIVABILITY CM	5,700	5,700
030	CMWS	126,869	126,869
	OTHER SUPPORT		
031	AVIONICS SUPPORT EQUIPMENT	6,809	6,809
032	COMMON GROUND EQUIPMENT	65,397	65,397
033	AIRCREW INTEGRATED SYSTEMS	45,841	45,841
034	AIR TRAFFIC CONTROL	79,692	79,692
035	INDUSTRIAL FACILITIES	1,615	1,615

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
036	LAUNCHER, 2.75 ROCKET	2,877	2,877
	TOTAL AIRCRAFT PROCUREMENT, ARMY	5,024,387	5,028,326
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
002	MSE MISSILE	540,401	540,401
	AIR-TO-SURFACE MISSILE SYSTEM		
003	HELLFIRE SYS SUMMARY	4,464	4,464
	ANTI-TANK/ASSAULT MISSILE SYS		
004	JAVELIN (AAWS-M) SYSTEM SUMMARY	110,510	110,510
005	TOW 2 SYSTEM SUMMARY	49,354	49,354
006	ADVANCE PROCUREMENT (CY)	19,965	19,965
007	GUIDED MLRS ROCKET (GMLRS)	237,216	237,216
008	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	19,022	19,022
	MODIFICATIONS		
011	PATRIOT MODS	256,438	256,438
012	STINGER MODS	37,252	37,252
013	ITAS/TOW MODS	20,000	20,000
014	MLRS MODS	11,571	11,571
015	HIMARS MODIFICATIONS	6,105	6,105
	SPARES AND REPAIR PARTS		
016	SPARES AND REPAIR PARTS	11,222	11,222
	SUPPORT EQUIPMENT & FACILITIES		
017	AIR DEFENSE TARGETS	3,530	3,530
018	ITEMS LESS THAN \$5.0M (MISSILES)	1,748	1,748
019	PRODUCTION BASE SUPPORT	5,285	5,285
	TOTAL MISSILE PROCUREMENT, ARMY	1,334,083	1,334,083
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
001	STRYKER VEHICLE	374,100	374,100
	MODIFICATION OF TRACKED COMBAT VEHICLES		
002	STRYKER (MOD)	20,522	20,522
003	FIST VEHICLE (MOD)	29,965	29,965
004	BRADLEY PROGRAM (MOD)	158,000	158,000
005	HOWITZER, MED SP FT 155MM M109A6 (MOD)	4,769	4,769
006	PALADIN INTEGRATED MANAGEMENT (PIM)	260,177	219,477
	Transfer to PE 0604854A at Army Request		[- 40,700]
007	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	111,031	186,031
	Program increase		[75,000]
008	ASSAULT BRIDGE (MOD)	2,500	2,500
009	ASSAULT BREACHER VEHICLE	62,951	62,951
010	M88 FOV MODS	28,469	28,469
011	JOINT ASSAULT BRIDGE	2,002	2,002
012	M1 ABRAMS TANK (MOD)	178,100	178,100
013	ABRAMS UPGRADE PROGRAM		90,000
	Program increase		[90,000]
	SUPPORT EQUIPMENT & FACILITIES		
014	PRODUCTION BASE SUPPORT (TCV-WTCV)	1,544	1,544
	WEAPONS & OTHER COMBAT VEHICLES		
015	INTEGRATED AIR BURST WEAPON SYSTEM FAMILY	69,147	0
	Transfer to PE 0604601A per Army's request		[- 11,000]
	XM25 Counter Defilade Target Engagement		[- 58,147]
018	MORTAR SYSTEMS	5,310	5,310
019	XM320 GRENADE LAUNCHER MODULE (GLM)	24,049	24,049
021	CARBINE	70,846	21,254
	Individual Carbine program cancelation		[- 49,592]
023	COMMON REMOTELY OPERATED WEAPONS STATION	56,580	56,580
024	HANDGUN	300	300
	MOD OF WEAPONS AND OTHER COMBAT VEH		
026	M777 MODS	39,300	39,300
027	M4 CARBINE MODS	10,300	10,300
028	M2 50 CAL MACHINE GUN MODS	33,691	33,691
029	M249 SAW MACHINE GUN MODS	7,608	7,608
030	M240 MEDIUM MACHINE GUN MODS	2,719	2,719
031	SNIPER RIFLES MODIFICATIONS	7,017	7,017
032	M119 MODIFICATIONS	18,707	18,707
033	M16 RIFLE MODS	2,136	2,136
034	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV)	1,569	1,569
	SUPPORT EQUIPMENT & FACILITIES		
035	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	2,024	2,024
036	PRODUCTION BASE SUPPORT (WOCV-WTCV)	10,108	10,108
037	INDUSTRIAL PREPAREDNESS	459	459
038	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	1,267	1,267
	TOTAL PROCUREMENT OF W&TCV, ARMY	1,597,267	1,602,828
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
002	CTG, 5.56MM, ALL TYPES	112,167	87,167

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	Unit cost efficiencies—Army requested reduction		[– 25,000]
003	CTG, 7.62MM, ALL TYPES	58,571	53,571
	Unit cost efficiencies—Army requested reduction		[– 5,000]
004	CTG, HANDGUN, ALL TYPES	9,858	9,858
005	CTG, .50 CAL, ALL TYPES	80,037	55,037
	Unit cost efficiencies—Army requested reduction		[– 25,000]
007	CTG, 25MM, ALL TYPES	16,496	6,196
	Program decrease		[– 10,300]
008	CTG, 30MM, ALL TYPES	69,533	50,033
	Unit cost efficiencies—Army requested reduction		[– 19,500]
009	CTG, 40MM, ALL TYPES	55,781	55,781
	MORTAR AMMUNITION		
010	60MM MORTAR, ALL TYPES	38,029	38,029
011	81MM MORTAR, ALL TYPES	24,656	24,656
012	120MM MORTAR, ALL TYPES	60,781	60,781
	TANK AMMUNITION		
013	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	121,551	121,551
	ARTILLERY AMMUNITION		
014	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	39,825	39,825
015	ARTILLERY PROJECTILE, 155MM, ALL TYPES	37,902	37,902
016	PROJ 155MM EXTENDED RANGE M982	67,896	67,896
017	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	71,205	71,205
	ROCKETS		
020	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	1,012	1,012
021	ROCKET, HYDRA 70, ALL TYPES	108,476	108,476
	OTHER AMMUNITION		
022	DEMOLITION MUNITIONS, ALL TYPES	24,074	24,074
023	GRENADERS, ALL TYPES	33,242	33,242
024	SIGNALS, ALL TYPES	7,609	7,609
025	SIMULATORS, ALL TYPES	5,228	5,228
	MISCELLANEOUS		
026	AMMO COMPONENTS, ALL TYPES	16,700	16,700
027	NON-LETHAL AMMUNITION, ALL TYPES	7,366	7,366
028	CAD/PAD ALL TYPES	3,614	3,614
029	ITEMS LESS THAN \$5 MILLION (AMMO)	12,423	12,423
030	AMMUNITION PECULIAR EQUIPMENT	16,604	16,604
031	FIRST DESTINATION TRANSPORTATION (AMMO)	14,328	14,328
032	CLOSEOUT LIABILITIES	108	108
	PRODUCTION BASE SUPPORT		
033	PROVISION OF INDUSTRIAL FACILITIES	242,324	242,324
034	CONVENTIONAL MUNITIONS DEMILITARIZATION	179,605	179,605
035	ARMS INITIATIVE	3,436	3,436
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	1,540,437	1,455,637
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
001	TACTICAL TRAILERS/DOLLY SETS	4,000	4,000
002	SEMITRAILERS, FLATBED:	6,841	6,841
003	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	223,910	223,910
004	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	11,880	11,880
005	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	14,731	14,731
006	PLS ESP	44,252	44,252
009	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	39,525	39,525
011	TACTICAL WHEELED VEHICLE PROTECTION KITS	51,258	25,958
	Funding ahead of need		[– 25,300]
012	MODIFICATION OF IN SVC EQUIP	49,904	49,904
013	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	2,200	2,200
	NON-TACTICAL VEHICLES		
014	HEAVY ARMORED SEDAN	400	400
015	PASSENGER CARRYING VEHICLES	716	716
016	NONTACTICAL VEHICLES, OTHER	5,619	5,619
	COMM—JOINT COMMUNICATIONS		
018	WIN-T—GROUND FORCES TACTICAL NETWORK	973,477	973,477
019	SIGNAL MODERNIZATION PROGRAM	14,120	14,120
020	JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY	7,869	7,869
021	JCSE EQUIPMENT (USREDCOM)	5,296	5,296
	COMM—SATELLITE COMMUNICATIONS		
022	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	147,212	147,212
023	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	7,998	7,998
024	SHF TERM	7,232	7,232
025	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	3,308	3,308
026	SMART-T (SPACE)	13,992	13,992
028	GLOBAL BRDCST SVC—GBS	28,206	28,206
029	MOD OF IN-SVC EQUIP (TAC SAT)	2,778	2,778
	COMM—C3 SYSTEM		
031	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	17,590	17,590
	COMM—COMBAT COMMUNICATIONS		
032	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	786	786
033	JOINT TACTICAL RADIO SYSTEM	382,930	382,930

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(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
034	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	19,200	19,200
035	RADIO TERMINAL SET, MIDS LVT(2)	1,438	1,438
036	SINGARS FAMILY	9,856	9,856
037	AMC CRITICAL ITEMS—OPA2	14,184	14,184
038	TRACTOR DESK	6,271	6,271
040	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	1,030	1,030
041	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	31,868	31,868
042	UNIFIED COMMAND SUITE	18,000	18,000
044	RADIO, IMPROVED HF (COTS) FAMILY	1,166	1,166
045	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	22,867	22,867
	COMM—INTELLIGENCE COMM		
048	CI AUTOMATION ARCHITECTURE	1,512	1,512
049	ARMY CA/MISO GPF EQUIPMENT	61,096	61,096
	INFORMATION SECURITY		
050	TSEC—ARMY KEY MGT SYS (AKMS)	13,890	13,890
051	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	23,245	23,245
052	BIOMETRICS ENTERPRISE	3,800	3,800
053	COMMUNICATIONS SECURITY (COMSEC)	24,711	24,711
	COMM—LONG HAUL COMMUNICATIONS		
055	BASE SUPPORT COMMUNICATIONS	43,395	43,395
	COMM—BASE COMMUNICATIONS		
057	INFORMATION SYSTEMS	104,577	104,577
058	DEFENSE MESSAGE SYSTEM (DMS)	612	612
059	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	39,000	39,000
060	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	248,477	248,477
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
064	JTT/CIBS-M	824	824
065	PROPHET GROUND	59,198	59,198
067	DCGS-A (MIP)	267,214	267,214
068	JOINT TACTICAL GROUND STATION (JTAGS)	9,899	9,899
069	TROJAN (MIP)	24,598	24,598
070	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	1,927	1,927
071	CI HUMINT AUTO REPRING AND COLL(CHARCS)	6,169	6,169
072	MACHINE FOREIGN LANGUAGE TRANSLATION SYSTEM-M	2,924	2,924
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
074	LIGHTWEIGHT COUNTER MORTAR RADAR	40,735	40,735
075	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	13	13
076	ENEMY UAS	2,800	2,800
079	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	1,237	1,237
080	CI MODERNIZATION	1,399	1,399
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
082	SENTINEL MODS	47,983	47,983
083	SENSE THROUGH THE WALL (STTW)	142	142
084	NIGHT VISION DEVICES	202,428	202,428
085	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM	5,183	5,183
086	NIGHT VISION, THERMAL WPN SIGHT	14,074	14,074
087	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	22,300	22,300
089	GREEN LASER INTERDICTION SYSTEM (GLIS)	1,016	1,016
090	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	55,354	55,354
091	ARTILLERY ACCURACY EQUIP	800	800
092	PROFILER	3,027	3,027
093	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	1,185	1,185
094	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	103,214	103,214
096	MOD OF IN-SVC EQUIP (LLDR)	26,037	26,037
097	MORTAR FIRE CONTROL SYSTEM	23,100	23,100
098	COUNTERFIRE RADARS	312,727	312,727
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
101	FIRE SUPPORT C2 FAMILY	43,228	43,228
102	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM	14,446	14,446
103	FAAD C2	4,607	4,607
104	AIR & MSL DEFENSE PLANNING & CONTROL SYS	33,090	33,090
105	IAMD BATTLE COMMAND SYSTEM	21,200	21,200
107	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	1,795	1,795
109	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	54,327	54,327
110	MANEUVER CONTROL SYSTEM (MCS)	59,171	59,171
111	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	83,936	83,936
113	LOGISTICS AUTOMATION	25,476	25,476
114	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	19,341	19,341
	ELECT EQUIP—AUTOMATION		
115	ARMY TRAINING MODERNIZATION	11,865	11,865
116	AUTOMATED DATA PROCESSING EQUIP	219,431	219,431
117	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	6,414	6,414
118	HIGH PERF COMPUTING MOD PGM (HPCMP)	62,683	62,683
120	RESERVE COMPONENT AUTOMATION SYS (RCAS)	34,951	34,951
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
121	ITEMS LESS THAN \$5.0M (A/V)	7,440	7,440
122	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT)	1,615	1,615
	ELECT EQUIP—SUPPORT		
123	PRODUCTION BASE SUPPORT (C-E)	554	554

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Line	Item	FY 2014 Request	Agreement Authorized
124	BCT EMERGING TECHNOLOGIES	20,000	20,000
	CLASSIFIED PROGRAMS		
124A	CLASSIFIED PROGRAMS	3,558	3,558
	CHEMICAL DEFENSIVE EQUIPMENT		
126	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	762	762
127	BASE DEFENSE SYSTEMS (BDS)	20,630	20,630
128	CBRN DEFENSE	22,151	22,151
	BRIDGING EQUIPMENT		
130	TACTICAL BRIDGING	14,188	14,188
131	TACTICAL BRIDGE, FLOAT-RIBBON	23,101	23,101
132	COMMON BRIDGE TRANSPORTER (CBT) RECAP	15,416	15,416
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
134	GRND STANDOFF MINE DETECTN SYM (GSTAMIDS)	50,465	50,465
135	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	6,490	6,490
136	EOD ROBOTICS SYSTEMS RECAPITALIZATION	1,563	1,563
137	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	20,921	20,921
138	REMOTE DEMOLITION SYSTEMS	100	100
139	< \$5M, COUNTERMINE EQUIPMENT	2,271	2,271
	COMBAT SERVICE SUPPORT EQUIPMENT		
140	HEATERS AND ECU'S	7,269	7,269
141	LAUNDRIES, SHOWERS AND LATRINES	200	200
142	SOLDIER ENHANCEMENT	1,468	1,468
143	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	26,526	26,526
144	GROUND SOLDIER SYSTEM	81,680	71,680
	Unjustified unit cost growth		[- 10,000]
147	FIELD FEEDING EQUIPMENT	28,096	28,096
148	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	56,150	56,150
149	MORTUARY AFFAIRS SYSTEMS	3,242	3,242
150	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	38,141	38,141
151	ITEMS LESS THAN \$5M (ENG SPT)	5,859	5,859
	PETROLEUM EQUIPMENT		
152	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	60,612	60,612
	MEDICAL EQUIPMENT		
153	COMBAT SUPPORT MEDICAL	22,042	22,042
154	MEDEVAC MISSION EQUIPMENT PACKAGE (MEP)	35,318	35,318
	MAINTENANCE EQUIPMENT		
155	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	19,427	19,427
156	ITEMS LESS THAN \$5.0M (MAINT EQ)	3,860	3,860
	CONSTRUCTION EQUIPMENT		
157	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	2,000	2,000
159	SCRAPERS, EARTHMOVING	36,078	36,078
160	MISSION MODULES—ENGINEERING	9,721	9,721
162	HYDRAULIC EXCAVATOR	50,122	50,122
163	TRACTOR, FULL TRACKED	28,828	28,828
164	ALL TERRAIN CRANES	19,863	19,863
166	HIGH MOBILITY ENGINEER EXCAVATOR (HME)	23,465	23,465
168	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP	13,590	13,590
169	CONST EQUIP ESP	16,088	16,088
170	ITEMS LESS THAN \$5.0M (CONST EQUIP)	6,850	6,850
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
171	ARMY WATERCRAFT ESP	38,007	19,007
	Funding ahead of need		[- 19,000]
172	ITEMS LESS THAN \$5.0M (FLOAT/RAIL)	10,605	10,605
	GENERATORS		
173	GENERATORS AND ASSOCIATED EQUIP	129,437	129,437
	MATERIAL HANDLING EQUIPMENT		
174	ROUGH TERRAIN CONTAINER HANDLER (RTCH)	1,250	1,250
175	FAMILY OF FORKLIFTS	8,260	8,260
	TRAINING EQUIPMENT		
176	COMBAT TRAINING CENTERS SUPPORT	121,710	121,710
177	TRAINING DEVICES, NONSYSTEM	225,200	225,200
178	CLOSE COMBAT TACTICAL TRAINER	30,063	30,063
179	AVIATION COMBINED ARMS TACTICAL TRAINER	34,913	34,913
180	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	9,955	9,955
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
181	CALIBRATION SETS EQUIPMENT	8,241	8,241
182	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	67,506	67,506
183	TEST EQUIPMENT MODERNIZATION (TEMOD)	18,755	18,755
	OTHER SUPPORT EQUIPMENT		
184	M25 STABILIZED BINOCULAR	5,110	5,110
185	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	5,110	5,110
186	PHYSICAL SECURITY SYSTEMS (OPA3)	62,904	62,904
187	BASE LEVEL COMMON EQUIPMENT	1,427	1,427
188	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	96,661	96,661
189	PRODUCTION BASE SUPPORT (OTH)	2,450	2,450
190	SPECIAL EQUIPMENT FOR USER TESTING	11,593	11,593
191	AMC CRITICAL ITEMS OPA3	8,948	8,948
192	TRACTOR YARD	8,000	8,000
	OPA2		

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Line	Item	FY 2014 Request	Agreement Authorized
195	INITIAL SPARES—C&E	59,700	59,700
	TOTAL OTHER PROCUREMENT, ARMY	6,465,218	6,410,918
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
001	EA-18G	2,001,787	1,940,874
	Excess engineering change order funding		[- 8,790]
	GFE electronics cost growth		[- 5,943]
	Other GFE cost growth		[- 1,180]
	Program adjustment		[- 45,000]
003	F/A-18E/F (FIGHTER) HORNET	206,551	206,551
004	ADVANCE PROCUREMENT (CY)		75,000
	Program increase		[75,000]
005	JOINT STRIKE FIGHTER CV	1,135,444	1,135,444
006	ADVANCE PROCUREMENT (CY)	94,766	94,766
007	JSF STOVL	1,267,260	1,267,260
008	ADVANCE PROCUREMENT (CY)	103,195	103,195
009	V-22 (MEDIUM LIFT)	1,432,573	1,432,573
010	ADVANCE PROCUREMENT (CY)	55,196	55,196
011	H-1 UPGRADES (UH-1Y/AH-1Z)	749,962	749,962
012	ADVANCE PROCUREMENT (CY)	71,000	71,000
013	MH-60S (MYP)	383,831	383,831
014	ADVANCE PROCUREMENT (CY)	37,278	37,278
015	MH-60R (MYP)	599,237	599,237
016	ADVANCE PROCUREMENT (CY)	231,834	231,834
017	P-8A POSEIDON	3,189,989	3,189,989
018	ADVANCE PROCUREMENT (CY)	313,160	313,160
019	E-2D ADV HAWKEYE	997,107	997,107
020	ADVANCE PROCUREMENT (CY)	266,542	266,542
	TRAINER AIRCRAFT		
021	JPATS	249,080	249,080
	OTHER AIRCRAFT		
022	KC-130J	134,358	134,358
023	ADVANCE PROCUREMENT (CY)	32,288	32,288
025	ADVANCE PROCUREMENT (CY)	52,002	4,802
	Advance procurement appropriated in fiscal year 2013		[- 47,200]
026	MQ-8 UAV	60,980	60,980
028	OTHER SUPPORT AIRCRAFT	14,958	14,958
	MODIFICATION OF AIRCRAFT		
029	EA-6 SERIES	18,577	18,577
030	AEA SYSTEMS	48,502	48,502
031	AV-8 SERIES	41,575	41,575
032	ADVERSARY	2,992	2,992
033	F-18 SERIES	875,371	833,530
	ECP 6038 radome kits cost growth (OSIP 002-07)		[- 2,952]
	Integrated logistics support growth (OSIP 14-03)		[- 8,000]
	Other support and ILS ahead of need (OSIP 04-14)		[- 20,989]
	Retrofit radars (APG-79B) cost growth (OSIP 002-07)		[- 9,900]
034	H-46 SERIES	2,127	2,127
036	H-53 SERIES	67,675	67,675
037	SH-60 SERIES	135,054	135,054
038	H-1 SERIES	41,706	41,706
039	EP-3 SERIES	55,903	77,903
	12th aircraft to Spiral 3		[8,000]
	Sensor obsolescence		[14,000]
040	P-3 SERIES	37,436	37,436
041	E-2 SERIES	31,044	31,044
042	TRAINER A/C SERIES	43,720	40,520
	Avionics Obsolescence installation cost growth		[- 3,200]
043	C-2A	902	902
044	C-130 SERIES	47,587	47,587
045	FEWSG	665	665
046	CARGO/TRANSPORT A/C SERIES	14,587	14,587
047	E-6 SERIES	189,312	183,218
	FAB-T funding previously appropriated (OSIP 014-14)		[- 6,094]
048	EXECUTIVE HELICOPTERS SERIES	85,537	85,537
049	SPECIAL PROJECT AIRCRAFT	3,684	13,684
	Program office sustainment		[5,000]
	Sensor obsolescence		[5,000]
050	T-45 SERIES	98,128	98,128
051	POWER PLANT CHANGES	22,999	22,999
052	JPATS SERIES	1,576	1,576
053	AVIATION LIFE SUPPORT MODS	6,267	6,267
054	COMMON ECM EQUIPMENT	141,685	141,685
055	COMMON AVIONICS CHANGES	120,660	120,660
056	COMMON DEFENSIVE WEAPON SYSTEM	3,554	3,554
057	ID SYSTEMS	41,800	41,800
058	P-8 SERIES	9,485	9,485
059	MAGTF EW FOR AVIATION	14,431	14,431

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Line	Item	FY 2014 Request	Agreement Authorized
060	MQ-8 SERIES	1,001	1,001
061	RQ-7 SERIES	26,433	26,433
062	V-22 (TILT/ROTOR ACFT) OSPREY	160,834	160,834
063	F-35 STOVL SERIES	147,130	147,130
064	F-35 CV SERIES	31,100	31,100
	AIRCRAFT SPARES AND REPAIR PARTS		
065	SPARES AND REPAIR PARTS	1,142,461	1,142,461
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
066	COMMON GROUND EQUIPMENT	410,044	410,044
067	AIRCRAFT INDUSTRIAL FACILITIES	27,450	27,450
068	WAR CONSUMABLES	28,930	28,930
069	OTHER PRODUCTION CHARGES	5,268	5,268
070	SPECIAL SUPPORT EQUIPMENT	60,306	60,306
071	FIRST DESTINATION TRANSPORTATION	1,775	1,775
	TOTAL AIRCRAFT PROCUREMENT, NAVY	17,927,651	17,875,403
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,140,865	1,140,865
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	7,617	7,617
	STRATEGIC MISSILES		
003	TOMAHAWK	312,456	312,456
	TACTICAL MISSILES		
004	AMRAAM	95,413	95,413
005	SIDEWINDER	117,208	117,208
006	JSOW	136,794	136,794
007	STANDARD MISSILE	367,985	367,985
008	RAM	67,596	65,984
	Guidance and control assembly contract savings		[- 1,612]
009	HELLFIRE	33,916	33,916
011	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	6,278	6,278
012	AERIAL TARGETS	41,799	41,799
013	OTHER MISSILE SUPPORT	3,538	3,538
	MODIFICATION OF MISSILES		
014	ESSM	76,749	76,749
015	HARM MODS	111,902	111,902
	SUPPORT EQUIPMENT & FACILITIES		
016	WEAPONS INDUSTRIAL FACILITIES	1,138	1,138
017	FLEET SATELLITE COMM FOLLOW-ON	23,014	23,014
	ORDNANCE SUPPORT EQUIPMENT		
018	ORDNANCE SUPPORT EQUIPMENT	84,318	84,318
	TORPEDOES AND RELATED EQUIP		
019	SSTD	3,978	3,978
020	ASW TARGETS	8,031	8,031
	MOD OF TORPEDOES AND RELATED EQUIP		
021	MK-54 TORPEDO MODS	125,898	125,898
022	MK-48 TORPEDO ADCAP MODS	53,203	53,203
023	QUICKSTRIKE MINE	7,800	7,800
	SUPPORT EQUIPMENT		
024	TORPEDO SUPPORT EQUIPMENT	59,730	59,730
025	ASW RANGE SUPPORT	4,222	4,222
	DESTINATION TRANSPORTATION		
026	FIRST DESTINATION TRANSPORTATION	3,963	3,963
	GUNS AND GUN MOUNTS		
027	SMALL ARMS AND WEAPONS	12,513	12,513
	MODIFICATION OF GUNS AND GUN MOUNTS		
028	CIWS MODS	56,308	62,708
	Additional RMA kits		[6,400]
029	COAST GUARD WEAPONS	10,727	7,269
	Machine gun equipment cost growth		[- 3,458]
030	GUN MOUNT MODS	72,901	59,521
	MK38 gun kits cost growth		[- 13,380]
031	CRUISER MODERNIZATION WEAPONS	1,943	1,943
032	AIRBORNE MINE NEUTRALIZATION SYSTEMS	19,758	19,758
	SPARES AND REPAIR PARTS		
034	SPARES AND REPAIR PARTS	52,632	52,632
	TOTAL WEAPONS PROCUREMENT, NAVY	3,122,193	3,110,143
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	37,703	37,703
002	AIRBORNE ROCKETS, ALL TYPES	65,411	65,411
003	MACHINE GUN AMMUNITION	20,284	20,284
004	PRACTICE BOMBS	37,870	37,870
005	CARTRIDGES & CART ACTUATED DEVICES	53,764	53,764
006	AIR EXPENDABLE COUNTERMEASURES	67,194	67,194
007	JATOS	2,749	2,749
008	LRLAP 6" LONG RANGE ATTACK PROJECTILE	3,906	3,906

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
009	5 INCH/54 GUN AMMUNITION	24,151	24,151
010	INTERMEDIATE CALIBER GUN AMMUNITION	33,080	33,080
011	OTHER SHIP GUN AMMUNITION	40,398	40,398
012	SMALL ARMS & LANDING PARTY AMMO	61,219	61,219
013	PYROTECHNIC AND DEMOLITION	10,637	10,637
014	AMMUNITION LESS THAN \$5 MILLION	4,578	4,578
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	26,297	26,297
016	LINEAR CHARGES, ALL TYPES	6,088	6,088
017	40 MM, ALL TYPES	7,644	7,644
018	60MM, ALL TYPES	3,349	3,349
020	120MM, ALL TYPES	13,361	13,361
022	GRENADERS, ALL TYPES	2,149	2,149
023	ROCKETS, ALL TYPES	27,465	27,465
026	FUZE, ALL TYPES	26,366	26,366
028	AMMO MODERNIZATION	8,403	8,403
029	ITEMS LESS THAN \$5 MILLION	5,201	5,201
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	589,267	589,267
	SHIPBUILDING & CONVERSION, NAVY		
	OTHER WARSHIPS		
001	CARRIER REPLACEMENT PROGRAM	944,866	944,866
003	VIRGINIA CLASS SUBMARINE	2,930,704	3,422,704
	Increase to Virginia class		[492,000]
004	ADVANCE PROCUREMENT (CY)	2,354,612	2,354,612
005	CVN REFUELING OVERHAULS	1,705,424	1,683,353
	CVN 72 requirement previously funded in Fiscal Year 2012 reprogramming		[- 22,071]
006	ADVANCE PROCUREMENT (CY)	245,793	245,793
007	DDG 1000	231,694	231,694
008	DDG-51	1,615,564	1,615,564
009	ADVANCE PROCUREMENT (CY)	388,551	388,551
010	LITTORAL COMBAT SHIP	1,793,014	1,793,014
	AMPHIBIOUS SHIPS		
012	AFLOAT FORWARD STAGING BASE	524,000	579,300
	Navy requested adjustment		[55,300]
014	JOINT HIGH SPEED VESSEL	2,732	2,732
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
016	ADVANCE PROCUREMENT (CY)	183,900	207,300
	Program shortfall		[23,400]
017	OUTFITTING	450,163	450,163
019	LCAC SLEP	80,987	80,987
020	COMPLETION OF PY SHIPBUILDING PROGRAMS	625,800	733,400
	DDG-51		[100,000]
	Joint High Speed Vessel		[7,600]
	TOTAL SHIPBUILDING & CONVERSION, NAVY	14,077,804	14,734,033
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
001	LM-2500 GAS TURBINE	10,180	10,180
002	ALLISON 501K GAS TURBINE	5,536	5,536
003	HYBRID ELECTRIC DRIVE (HED)	16,956	3,956
	Contract delay		[- 13,000]
	GENERATORS		
004	SURFACE COMBATANT HM&E	19,782	19,782
	NAVIGATION EQUIPMENT		
005	OTHER NAVIGATION EQUIPMENT	39,509	39,509
	PERISCOPES		
006	SUB PERISCOPES & IMAGING EQUIP	52,515	52,515
	OTHER SHIPBOARD EQUIPMENT		
007	DDG MOD	285,994	285,994
008	FIREFIGHTING EQUIPMENT	14,389	14,389
009	COMMAND AND CONTROL SWITCHBOARD	2,436	2,436
010	LHA/LHD MIDLIFE	12,700	12,700
011	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	40,329	40,329
012	POLLUTION CONTROL EQUIPMENT	19,603	19,603
013	SUBMARINE SUPPORT EQUIPMENT	8,678	8,678
014	VIRGINIA CLASS SUPPORT EQUIPMENT	74,209	74,209
015	LCS CLASS SUPPORT EQUIPMENT	47,078	47,078
016	SUBMARINE BATTERIES	37,000	37,000
017	LPD CLASS SUPPORT EQUIPMENT	25,053	25,053
018	STRATEGIC PLATFORM SUPPORT EQUIP	12,986	12,986
019	DSSP EQUIPMENT	2,455	2,455
020	CG MODERNIZATION	10,539	10,539
021	LCAC	14,431	14,431
022	UNDERWATER EOD PROGRAMS	36,700	36,700
023	ITEMS LESS THAN \$5 MILLION	119,902	119,902
024	CHEMICAL WARFARE DETECTORS	3,678	3,678
025	SUBMARINE LIFE SUPPORT SYSTEM	8,292	8,292
	REACTOR PLANT EQUIPMENT		

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(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
027	REACTOR COMPONENTS	286,744	286,744
	OCEAN ENGINEERING		
028	DIVING AND SALVAGE EQUIPMENT	8,780	8,780
	SMALL BOATS		
029	STANDARD BOATS	36,452	33,056
	CNIC force protection medium contract delay		[- 3,396]
	TRAINING EQUIPMENT		
030	OTHER SHIPS TRAINING EQUIPMENT	36,145	36,145
	PRODUCTION FACILITIES EQUIPMENT		
031	OPERATING FORCES IPE	69,368	49,868
	Emergent repair facility outfitting ahead of need		[- 19,500]
	OTHER SHIP SUPPORT		
032	NUCLEAR ALTERATIONS	106,328	106,328
033	LCS COMMON MISSION MODULES EQUIPMENT	45,966	45,966
034	LCS MCM MISSION MODULES	59,885	59,885
035	LCS SUW MISSION MODULES	37,168	37,168
	LOGISTIC SUPPORT		
036	LSD MIDLIFE	77,974	77,974
	SHIP SONARS		
038	SPQ-9B RADAR	27,934	27,934
039	AN/SQQ-89 SURF ASW COMBAT SYSTEM	83,231	83,231
040	SSN ACOUSTICS	199,438	199,438
041	UNDERSEA WARFARE SUPPORT EQUIPMENT	9,394	9,394
042	SONAR SWITCHES AND TRANSDUCERS	12,953	12,953
043	ELECTRONIC WARFARE MILDEC	8,958	8,958
	ASW ELECTRONIC EQUIPMENT		
044	SUBMARINE ACOUSTIC WARFARE SYSTEM	24,077	24,077
045	SSTD	11,925	8,500
	AN/SLQ-25X cancellation		[- 3,425]
046	FIXED SURVEILLANCE SYSTEM	94,338	94,338
047	SURTASS	9,680	9,680
048	MARITIME PATROL AND RECONNSAISANCE FORCE	18,130	18,130
	ELECTRONIC WARFARE EQUIPMENT		
049	AN/SLQ-32	203,375	199,691
	Excess block 2 support funding		[- 3,684]
	RECONNAISSANCE EQUIPMENT		
050	SHIPBOARD IW EXPLOIT	123,656	123,656
051	AUTOMATED IDENTIFICATION SYSTEM (AIS)	896	896
	SUBMARINE SURVEILLANCE EQUIPMENT		
052	SUBMARINE SUPPORT EQUIPMENT PROG	49,475	49,475
	OTHER SHIP ELECTRONIC EQUIPMENT		
053	COOPERATIVE ENGAGEMENT CAPABILITY	34,692	34,692
054	TRUSTED INFORMATION SYSTEM (TIS)	396	396
055	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	15,703	15,703
056	ATDLS	3,836	3,836
057	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	7,201	7,201
058	MINESWEEPING SYSTEM REPLACEMENT	54,400	54,400
059	SHALLOW WATER MCM	8,548	8,548
060	NAVSTAR GPS RECEIVERS (SPACE)	11,765	11,765
061	AMERICAN FORCES RADIO AND TV SERVICE	6,483	6,483
062	STRATEGIC PLATFORM SUPPORT EQUIP	7,631	7,631
	TRAINING EQUIPMENT		
063	OTHER TRAINING EQUIPMENT	53,644	53,644
	AVIATION ELECTRONIC EQUIPMENT		
064	MATCALS	7,461	7,461
065	SHIPBOARD AIR TRAFFIC CONTROL	9,140	9,140
066	AUTOMATIC CARRIER LANDING SYSTEM	20,798	20,798
067	NATIONAL AIR SPACE SYSTEM	19,754	19,754
068	FLEET AIR TRAFFIC CONTROL SYSTEMS	8,909	8,909
069	LANDING SYSTEMS	13,554	13,554
070	ID SYSTEMS	38,934	38,934
071	NAVAL MISSION PLANNING SYSTEMS	14,131	14,131
	OTHER SHORE ELECTRONIC EQUIPMENT		
072	DEPLOYABLE JOINT COMMAND & CONTROL	3,249	3,249
073	MARITIME INTEGRATED BROADCAST SYSTEM	11,646	11,646
074	TACTICAL/MOBILE C4I SYSTEMS	18,189	18,189
075	DCGS-N	17,350	17,350
076	CANES	340,567	340,567
077	RADIAC	9,835	9,835
078	CANES-INTELL	59,652	59,652
079	GPETE	6,253	6,253
080	INTEG COMBAT SYSTEM TEST FACILITY	4,963	4,963
081	EMI CONTROL INSTRUMENTATION	4,664	4,664
082	ITEMS LESS THAN \$5 MILLION	66,889	66,889
	SHIPBOARD COMMUNICATIONS		
084	SHIP COMMUNICATIONS AUTOMATION	23,877	23,877
086	COMMUNICATIONS ITEMS UNDER \$5M	28,001	28,001
	SUBMARINE COMMUNICATIONS		
087	SUBMARINE BROADCAST SUPPORT	7,856	7,856

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(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
088	SUBMARINE COMMUNICATION EQUIPMENT	74,376	74,376
	SATELLITE COMMUNICATIONS		
089	SATELLITE COMMUNICATIONS SYSTEMS	27,381	27,381
090	NAVY MULTIBAND TERMINAL (NMT)	215,952	215,952
	SHORE COMMUNICATIONS		
091	JCS COMMUNICATIONS EQUIPMENT	4,463	4,463
092	ELECTRICAL POWER SYSTEMS	778	778
	CRYPTOGRAPHIC EQUIPMENT		
094	INFO SYSTEMS SECURITY PROGRAM (ISSP)	133,530	133,530
095	MIO INTEL EXPLOITATION TEAM	1,000	1,000
	CRYPTOLOGIC EQUIPMENT		
096	CRYPTOLOGIC COMMUNICATIONS EQUIP	12,251	12,251
	OTHER ELECTRONIC SUPPORT		
097	COAST GUARD EQUIPMENT	2,893	2,893
	SONOBUOYS		
099	SONOBUOYS—ALL TYPES	179,927	179,927
	AIRCRAFT SUPPORT EQUIPMENT		
100	WEAPONS RANGE SUPPORT EQUIPMENT	55,279	55,279
101	EXPEDITIONARY AIRFIELDS	8,792	8,792
102	AIRCRAFT REARMING EQUIPMENT	11,364	11,364
103	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	59,502	59,502
104	METEOROLOGICAL EQUIPMENT	19,118	19,118
105	DCRS/DPL	1,425	1,425
106	AVIATION LIFE SUPPORT	29,670	29,670
107	AIRBORNE MINE COUNTERMEASURES	101,554	101,554
108	LAMPS MK III SHIPBOARD EQUIPMENT	18,293	18,293
109	PORTABLE ELECTRONIC MAINTENANCE AIDS	7,969	7,969
110	OTHER AVIATION SUPPORT EQUIPMENT	5,215	5,215
111	AUTONOMIC LOGISTICS INFORMATION SYSTEM (ALIS)	4,827	4,827
	SHIP GUN SYSTEM EQUIPMENT		
112	NAVAL FIRES CONTROL SYSTEM	1,188	1,188
113	GUN FIRE CONTROL EQUIPMENT	4,447	4,447
	SHIP MISSILE SYSTEMS EQUIPMENT		
114	NATO SEASPARROW	58,368	58,368
115	RAM GMLS	491	491
116	SHIP SELF DEFENSE SYSTEM	51,858	51,858
117	AEGIS SUPPORT EQUIPMENT	59,757	59,757
118	TOMAHAWK SUPPORT EQUIPMENT	71,559	71,559
119	VERTICAL LAUNCH SYSTEMS	626	626
120	MARITIME INTEGRATED PLANNING SYSTEM-MIPS	2,779	2,779
	FBM SUPPORT EQUIPMENT		
121	STRATEGIC MISSILE SYSTEMS EQUIP	224,484	224,484
	ASW SUPPORT EQUIPMENT		
122	SSN COMBAT CONTROL SYSTEMS	85,678	85,678
123	SUBMARINE ASW SUPPORT EQUIPMENT	3,913	3,913
124	SURFACE ASW SUPPORT EQUIPMENT	3,909	3,909
125	ASW RANGE SUPPORT EQUIPMENT	28,694	28,694
	OTHER ORDNANCE SUPPORT EQUIPMENT		
126	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	46,586	46,586
127	ITEMS LESS THAN \$5 MILLION	11,933	11,933
	OTHER EXPENDABLE ORDNANCE		
128	ANTI-SHIP MISSILE DECOY SYSTEM	62,361	62,361
129	SURFACE TRAINING DEVICE MODS	41,813	41,813
130	SUBMARINE TRAINING DEVICE MODS	26,672	26,672
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
131	PASSENGER CARRYING VEHICLES	5,600	5,600
132	GENERAL PURPOSE TRUCKS	3,717	3,717
133	CONSTRUCTION & MAINTENANCE EQUIP	10,881	10,881
134	FIRE FIGHTING EQUIPMENT	14,748	14,748
135	TACTICAL VEHICLES	5,540	5,540
136	AMPHIBIOUS EQUIPMENT	5,741	5,741
137	POLLUTION CONTROL EQUIPMENT	3,852	3,852
138	ITEMS UNDER \$5 MILLION	25,757	25,757
139	PHYSICAL SECURITY VEHICLES	1,182	1,182
	SUPPLY SUPPORT EQUIPMENT		
140	MATERIALS HANDLING EQUIPMENT	14,250	14,250
141	OTHER SUPPLY SUPPORT EQUIPMENT	6,401	6,401
142	FIRST DESTINATION TRANSPORTATION	5,718	5,718
143	SPECIAL PURPOSE SUPPLY SYSTEMS	22,597	22,597
	TRAINING DEVICES		
144	TRAINING SUPPORT EQUIPMENT	22,527	22,527
	COMMAND SUPPORT EQUIPMENT		
145	COMMAND SUPPORT EQUIPMENT	50,428	50,428
146	EDUCATION SUPPORT EQUIPMENT	2,292	2,292
147	MEDICAL SUPPORT EQUIPMENT	4,925	4,925
149	NAVAL MIP SUPPORT EQUIPMENT	3,202	3,202
151	OPERATING FORCES SUPPORT EQUIPMENT	24,294	24,294
152	C4ISR EQUIPMENT	4,287	4,287
153	ENVIRONMENTAL SUPPORT EQUIPMENT	18,276	18,276

SEC. 4101. PROCUREMENT
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Line	Item	FY 2014 Request	Agreement Authorized
154	PHYSICAL SECURITY EQUIPMENT	134,495	134,495
155	ENTERPRISE INFORMATION TECHNOLOGY	324,327	324,327
	CLASSIFIED PROGRAMS		
156A	CLASSIFIED PROGRAMS	12,140	12,140
	SPARES AND REPAIR PARTS		
157	SPARES AND REPAIR PARTS	317,234	317,234
	TOTAL OTHER PROCUREMENT, NAVY	6,310,257	6,267,252
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	32,360	32,360
002	LAV PIP	6,003	6,003
	ARTILLERY AND OTHER WEAPONS		
003	EXPEDITIONARY FIRE SUPPORT SYSTEM	589	589
004	155MM LIGHTWEIGHT TOWED HOWITZER	3,655	3,655
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	5,467	5,467
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	20,354	20,354
	OTHER SUPPORT		
007	MODIFICATION KITS	38,446	38,446
008	WEAPONS ENHANCEMENT PROGRAM	4,734	4,734
	GUIDED MISSILES		
009	GROUND BASED AIR DEFENSE	15,713	15,713
010	JAVELIN	36,175	36,175
012	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	1,136	1,136
	OTHER SUPPORT		
013	MODIFICATION KITS	33,976	30,078
	TOW Unit Cost Growth		[- 3,898]
	COMMAND AND CONTROL SYSTEMS		
014	UNIT OPERATIONS CENTER	16,273	16,273
	REPAIR AND TEST EQUIPMENT		
015	REPAIR AND TEST EQUIPMENT	41,063	41,063
	OTHER SUPPORT (TEL)		
016	COMBAT SUPPORT SYSTEM	2,930	2,930
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
018	ITEMS UNDER \$5 MILLION (COMM & ELEC)	1,637	1,637
019	AIR OPERATIONS C2 SYSTEMS	18,394	18,394
	RADAR + EQUIPMENT (NON-TEL)		
020	RADAR SYSTEMS	114,051	101,941
	Previously funded EDM refurbishment		[- 12,110]
021	RQ-21 UAS	66,612	66,612
	INTELL/COMM EQUIPMENT (NON-TEL)		
022	FIRE SUPPORT SYSTEM	3,749	3,749
023	INTELLIGENCE SUPPORT EQUIPMENT	75,979	75,979
026	RQ-11 UAV	1,653	1,653
027	DCGS-MC	9,494	9,494
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)		
028	NIGHT VISION EQUIPMENT	6,171	6,171
	OTHER SUPPORT (NON-TEL)		
029	COMMON COMPUTER RESOURCES	121,955	119,955
	Unit cost growth		[- 2,000]
030	COMMAND POST SYSTEMS	83,294	83,294
031	RADIO SYSTEMS	74,718	74,718
032	COMM SWITCHING & CONTROL SYSTEMS	47,613	47,613
033	COMM & ELEC INFRASTRUCTURE SUPPORT	19,573	19,573
	CLASSIFIED PROGRAMS		
033A	CLASSIFIED PROGRAMS	5,659	5,659
	ADMINISTRATIVE VEHICLES		
034	COMMERCIAL PASSENGER VEHICLES	1,039	1,039
035	COMMERCIAL CARGO VEHICLES	31,050	31,050
	TACTICAL VEHICLES		
036	5/4T TRUCK HMMWV (MYP)	36,333	36,333
037	MOTOR TRANSPORT MODIFICATIONS	3,137	3,137
040	FAMILY OF TACTICAL TRAILERS	27,385	27,385
	OTHER SUPPORT		
041	ITEMS LESS THAN \$5 MILLION	7,016	7,016
	ENGINEER AND OTHER EQUIPMENT		
042	ENVIRONMENTAL CONTROL EQUIP ASSORT	14,377	14,377
043	BULK LIQUID EQUIPMENT	24,864	24,864
044	TACTICAL FUEL SYSTEMS	21,592	21,592
045	POWER EQUIPMENT ASSORTED	61,353	61,353
046	AMPHIBIOUS SUPPORT EQUIPMENT	4,827	4,827
047	EOD SYSTEMS	40,011	40,011
	MATERIALS HANDLING EQUIPMENT		
048	PHYSICAL SECURITY EQUIPMENT	16,809	16,809
049	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE)	3,408	3,408
050	MATERIAL HANDLING EQUIP	48,549	48,549
051	FIRST DESTINATION TRANSPORTATION	190	190
	GENERAL PROPERTY		
052	FIELD MEDICAL EQUIPMENT	23,129	23,129

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Line	Item	FY 2014 Request	Agreement Authorized
053	TRAINING DEVICES	8,346	8,346
054	CONTAINER FAMILY	1,857	1,857
055	FAMILY OF CONSTRUCTION EQUIPMENT	36,198	36,198
056	RAPID DEPLOYABLE KITCHEN	2,390	2,390
	OTHER SUPPORT		
057	ITEMS LESS THAN \$5 MILLION	6,525	6,525
	SPARES AND REPAIR PARTS		
058	SPARES AND REPAIR PARTS	13,700	13,700
	TOTAL PROCUREMENT, MARINE CORPS	1,343,511	1,325,503
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
001	F-35	3,060,770	2,989,270
	Decrease non-recurring engineering initiatives		[- 71,500]
002	ADVANCE PROCUREMENT (CY)	363,783	363,783
	OTHER AIRLIFT		
005	C-130J	537,517	537,517
006	ADVANCE PROCUREMENT (CY)	162,000	162,000
007	HC-130J	132,121	132,121
008	ADVANCE PROCUREMENT (CY)	88,000	88,000
009	MC-130J	389,434	389,434
010	ADVANCE PROCUREMENT (CY)	104,000	104,000
	HELICOPTERS		
015	CV-22 (MYP)	230,798	230,798
	MISSION SUPPORT AIRCRAFT		
017	CIVIL AIR PATROL A/C	2,541	2,541
	OTHER AIRCRAFT		
020	TARGET DRONES	138,669	138,669
022	AC-130J	470,019	470,019
024	RQ-4	27,000	11,000
	Production closeout		[- 16,000]
027	MQ-9	272,217	352,217
	Program increase		[80,000]
028	RQ-4 BLOCK 40 PROC	1,747	1,747
	STRATEGIC AIRCRAFT		
029	B-2A	20,019	20,019
030	B-1B	132,222	132,222
031	B-52	111,002	105,882
	Internal Weapons Bay Upgrade defer low rate initial production		[- 5,120]
032	LARGE AIRCRAFT INFRARED COUNTERMEASURES	27,197	27,197
	TACTICAL AIRCRAFT		
033	A-10	47,598	47,598
034	F-15	354,624	354,624
035	F-16	11,794	11,794
036	F-22A	285,830	285,830
037	F-35 MODIFICATIONS	157,777	157,777
	AIRLIFT AIRCRAFT		
038	C-5	2,456	2,456
039	C-5M	1,021,967	983,967
	Program excess		[- 38,000]
042	C-17A	143,197	143,197
043	C-21	103	103
044	C-32A	9,780	9,780
045	C-37A	452	452
	LRIP Kit Procurement		[47,300]
	Transfer to Title II, RDAF, line 230		[- 47,300]
	TRAINER AIRCRAFT		
047	GLIDER MODS	128	128
048	T-6	6,427	6,427
049	T-1	277	277
050	T-38	28,686	28,686
	OTHER AIRCRAFT		
052	U-2 MODS	45,591	45,591
053	KC-10A (ATCA)	70,918	70,918
054	C-12	1,876	1,876
055	MC-12W	5,000	5,000
056	C-20 MODS	192	192
057	VC-25A MOD	263	263
058	C-40	6,119	6,119
059	C-130	58,577	74,277
	C-130H Propulsion System Engine Upgrades		[15,700]
061	C-130J MODS	10,475	10,475
062	C-135	46,556	46,556
063	COMPASS CALL MODS	34,494	34,494
064	RC-135	171,813	171,813
065	E-3	197,087	197,087
066	E-4	14,304	14,304
067	E-8	57,472	57,472
068	H-1	6,627	6,627

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Line	Item	FY 2014 Request	Agreement Authorized
069	H-60	27,654	27,654
070	RQ-4 MODS	9,313	9,313
071	HC/MC-130 MODIFICATIONS	16,300	16,300
072	OTHER AIRCRAFT	6,948	6,948
073	MQ-1 MODS	9,734	9,734
074	MQ-9 MODS	102,970	62,970
	Anti-ice production ahead of need		[- 5,520]
	Lynx radar reduction		[- 34,480]
076	RQ-4 GSRA/CSRA MODS	30,000	30,000
077	CV-22 MODS	23,310	23,310
	AIRCRAFT SPARES AND REPAIR PARTS		
078	INITIAL SPARES/REPAIR PARTS	463,285	463,285
	COMMON SUPPORT EQUIPMENT		
079	AIRCRAFT REPLACEMENT SUPPORT EQUIP	49,140	49,140
	POST PRODUCTION SUPPORT		
081	B-1	3,683	3,683
083	B-2A	43,786	43,786
084	B-52	7,000	7,000
087	C-17A	81,952	81,952
089	C-135	8,597	8,597
090	F-15	2,403	2,403
091	F-16	3,455	3,455
092	F-22A	5,911	5,911
	INDUSTRIAL PREPAREDNESS		
094	INDUSTRIAL RESPONSIVENESS	21,148	21,148
	WAR CONSUMABLES		
095	WAR CONSUMABLES	94,947	94,947
	OTHER PRODUCTION CHARGES		
096	OTHER PRODUCTION CHARGES	1,242,004	1,242,004
	CLASSIFIED PROGRAMS		
101A	CLASSIFIED PROGRAMS	75,845	75,845
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	11,398,901	11,323,981
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	39,104	39,104
	TACTICAL		
002	JASSM	291,151	291,151
003	SIDEWINDER (AIM-9X)	119,904	119,904
004	AMRAAM	340,015	340,015
005	PREDATOR HELLFIRE MISSILE	48,548	48,548
006	SMALL DIAMETER BOMB	42,347	42,347
	INDUSTRIAL FACILITIES		
007	INDUSTRIAL PREPAREDNESS/POL PREVENTION	752	752
	CLASS IV		
009	MM III MODIFICATIONS	21,635	21,635
010	AGM-65D MAVERICK	276	276
011	AGM-88A HARM	580	580
012	AIR LAUNCH CRUISE MISSILE (ALCM)	6,888	6,888
013	SMALL DIAMETER BOMB	5,000	5,000
	MISSILE SPARES AND REPAIR PARTS		
014	INITIAL SPARES/REPAIR PARTS	72,080	72,080
	SPACE PROGRAMS		
015	ADVANCED EHF	379,586	379,586
016	WIDEBAND GAPFILLER SATELLITES(SPACE)	38,398	38,398
017	GPS III SPACE SEGMENT	403,431	403,431
018	ADVANCE PROCUREMENT (CY)	74,167	74,167
019	SPACEBORNE EQUIP (COMSEC)	5,244	5,244
020	GLOBAL POSITIONING (SPACE)	55,997	55,997
021	DEF METEOROLOGICAL SAT PROG(SPACE)	95,673	95,673
022	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	1,852,900	1,852,900
023	SBIR HIGH (SPACE)	583,192	583,192
	SPECIAL PROGRAMS		
029	SPECIAL UPDATE PROGRAMS	36,716	36,716
	CLASSIFIED PROGRAMS		
029A	CLASSIFIED PROGRAMS	829,702	829,702
	TOTAL MISSILE PROCUREMENT, AIR FORCE	5,343,286	5,343,286
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	15,735	15,735
	CARTRIDGES		
002	CARTRIDGES	129,921	129,921
	BOMBS		
003	PRACTICE BOMBS	30,840	30,840
004	GENERAL PURPOSE BOMBS	187,397	187,397
005	JOINT DIRECT ATTACK MUNITION	188,510	188,510
	OTHER ITEMS		
006	CAD/PAD	35,837	35,837

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
007	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	7,531	7,531
008	SPARES AND REPAIR PARTS	499	499
009	MODIFICATIONS	480	480
010	ITEMS LESS THAN \$5 MILLION	9,765	9,765
	FLARES		
011	FLARES	55,864	55,864
	FUZES		
013	FUZES	76,037	76,037
	SMALL ARMS		
014	SMALL ARMS	21,026	21,026
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	759,442	759,442
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	2,048	2,048
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	8,019	8,019
003	CAP VEHICLES	946	946
004	ITEMS LESS THAN \$5 MILLION	7,138	7,138
	SPECIAL PURPOSE VEHICLES		
005	SECURITY AND TACTICAL VEHICLES	13,093	13,093
006	ITEMS LESS THAN \$5 MILLION	13,983	13,983
	FIRE FIGHTING EQUIPMENT		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES	23,794	23,794
	MATERIALS HANDLING EQUIPMENT		
008	ITEMS LESS THAN \$5 MILLION	8,669	8,669
	BASE MAINTENANCE SUPPORT		
009	RUNWAY SNOW REMOV & CLEANING EQUIP	6,144	6,144
010	ITEMS LESS THAN \$5 MILLION	1,580	1,580
	COMM SECURITY EQUIPMENT(COMSEC)		
012	COMSEC EQUIPMENT	149,661	149,661
013	MODIFICATIONS (COMSEC)	726	726
	INTELLIGENCE PROGRAMS		
014	INTELLIGENCE TRAINING EQUIPMENT	2,789	2,789
015	INTELLIGENCE COMM EQUIPMENT	31,875	31,875
016	ADVANCE TECH SENSORS	452	452
017	MISSION PLANNING SYSTEMS	14,203	14,203
	ELECTRONICS PROGRAMS		
018	AIR TRAFFIC CONTROL & LANDING SYS	46,232	46,232
019	NATIONAL AIRSPACE SYSTEM	11,685	11,685
020	BATTLE CONTROL SYSTEM—FIXED	19,248	19,248
021	THEATER AIR CONTROL SYS IMPROVEMENTS	19,292	19,292
022	WEATHER OBSERVATION FORECAST	17,166	17,166
023	STRATEGIC COMMAND AND CONTROL	22,723	22,723
024	CHEYENNE MOUNTAIN COMPLEX	27,930	27,930
025	TAC SIGNIT SPT	217	217
	SPCL COMM-ELECTRONICS PROJECTS		
027	GENERAL INFORMATION TECHNOLOGY	49,627	49,627
028	AF GLOBAL COMMAND & CONTROL SYS	13,559	13,559
029	MOBILITY COMMAND AND CONTROL	11,186	11,186
030	AIR FORCE PHYSICAL SECURITY SYSTEM	43,238	43,238
031	COMBAT TRAINING RANGES	10,431	10,431
032	C3 COUNTERMEASURES	13,769	13,769
033	GCSS-AF FOS	19,138	19,138
034	THEATER BATTLE MGT C2 SYSTEM	8,809	8,809
035	AIR & SPACE OPERATIONS CTR-WPN SYS	26,935	26,935
	AIR FORCE COMMUNICATIONS		
036	INFORMATION TRANSPORT SYSTEMS	80,558	80,558
038	AFNET	97,588	97,588
039	VOICE SYSTEMS	8,419	8,419
040	USCENTCOM	34,276	34,276
	SPACE PROGRAMS		
041	SPACE BASED IR SENSOR PGM SPACE	28,235	28,235
042	NAVSTAR GPS SPACE	2,061	2,061
043	NUDET DETECTION SYS SPACE	4,415	4,415
044	AF SATELLITE CONTROL NETWORK SPACE	30,237	30,237
045	SPACELIFT RANGE SYSTEM SPACE	98,062	98,062
046	MILSATCOM SPACE	105,935	105,935
047	SPACE MODS SPACE	37,861	37,861
048	COUNTERSPACE SYSTEM	7,171	7,171
	ORGANIZATION AND BASE		
049	TACTICAL C-E EQUIPMENT	83,537	83,537
050	COMBAT SURVIVOR EVADER LOCATER	11,884	8,634
	Unjustified unit cost growth for batteries		[- 3,250]
051	RADIO EQUIPMENT	14,711	14,711
052	CCTV/AUDIOVISUAL EQUIPMENT	10,275	10,275
053	BASE COMM INFRASTRUCTURE	50,907	50,907
	MODIFICATIONS		
054	COMM ELECT MODS	55,701	55,701

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	PERSONAL SAFETY & RESCUE EQUIP		
055	NIGHT VISION GOGGLES	14,524	4,036
	Night Vision Cueing and Display termination		[- 10,488]
056	ITEMS LESS THAN \$5 MILLION	28,655	28,655
	DEPOT PLANT+MTRLS HANDLING EQ		
057	MECHANIZED MATERIAL HANDLING EQUIP	9,332	9,332
	BASE SUPPORT EQUIPMENT		
058	BASE PROCURED EQUIPMENT	16,762	16,762
059	CONTINGENCY OPERATIONS	33,768	33,768
060	PRODUCTIVITY CAPITAL INVESTMENT	2,495	2,495
061	MOBILITY EQUIPMENT	12,859	12,859
062	ITEMS LESS THAN \$5 MILLION	1,954	1,954
	SPECIAL SUPPORT PROJECTS		
064	DARP RC135	24,528	24,528
065	DCGS-AF	137,819	137,819
067	SPECIAL UPDATE PROGRAM	479,586	479,586
068	DEFENSE SPACE RECONNAISSANCE PROG.	45,159	45,159
	CLASSIFIED PROGRAMS		
068A	CLASSIFIED PROGRAMS	14,519,256	14,519,256
	SPARES AND REPAIR PARTS		
069	SPARES AND REPAIR PARTS	25,746	25,746
	TOTAL OTHER PROCUREMENT, AIR FORCE	16,760,581	16,746,843
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DCAA		
001	ITEMS LESS THAN \$5 MILLION	1,291	1,291
	MAJOR EQUIPMENT, DCMA		
002	MAJOR EQUIPMENT	5,711	5,711
	MAJOR EQUIPMENT, DHRA		
003	PERSONNEL ADMINISTRATION	47,201	47,201
	MAJOR EQUIPMENT, DISA		
009	INFORMATION SYSTEMS SECURITY	16,189	16,189
012	TELEPORT PROGRAM	66,075	66,075
013	ITEMS LESS THAN \$5 MILLION	83,881	83,881
014	NET CENTRIC ENTERPRISE SERVICES (NCES)	2,572	2,572
015	DEFENSE INFORMATION SYSTEM NETWORK	125,557	125,557
017	CYBER SECURITY INITIATIVE	16,941	16,941
	MAJOR EQUIPMENT, DLA		
018	MAJOR EQUIPMENT	13,137	13,137
	MAJOR EQUIPMENT, DMACT		
019	MAJOR EQUIPMENT	15,414	15,414
	MAJOR EQUIPMENT, DODEA		
020	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,454	1,454
	MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY		
021	EQUIPMENT	978	978
	MAJOR EQUIPMENT, DSS		
022	MAJOR EQUIPMENT	5,020	5,020
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
023	VEHICLES	100	100
024	OTHER MAJOR EQUIPMENT	13,395	13,395
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
026	THAAD	581,005	581,005
027	AEGIS BMD	580,814	580,814
028	BMDS AN/TPY-2 RADARS	62,000	62,000
029	AEGIS ASHORE PHASE III	131,400	131,400
031	IRON DOME	220,309	220,309
	MAJOR EQUIPMENT, NSA		
039	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	14,363	14,363
	MAJOR EQUIPMENT, OSD		
040	MAJOR EQUIPMENT, OSD	37,345	37,345
041	MAJOR EQUIPMENT, INTELLIGENCE	16,678	16,678
	MAJOR EQUIPMENT, TJS		
042	MAJOR EQUIPMENT, TJS	14,792	14,792
	MAJOR EQUIPMENT, WHS		
043	MAJOR EQUIPMENT, WHS	35,259	35,259
	CLASSIFIED PROGRAMS		
043A	CLASSIFIED PROGRAMS	544,272	544,272
	AVIATION PROGRAMS		
045	ROTARY WING UPGRADES AND SUSTAINMENT	112,456	112,456
046	MH-60 MODERNIZATION PROGRAM	81,457	81,457
047	NON-STANDARD AVIATION	2,650	2,650
048	U-28	56,208	56,208
049	MH-47 CHINOOK	19,766	19,766
050	RQ-11 UNMANNED AERIAL VEHICLE	850	850
051	CV-22 MODIFICATION	98,927	98,927
052	MQ-1 UNMANNED AERIAL VEHICLE	20,576	20,576
053	MQ-9 UNMANNED AERIAL VEHICLE	1,893	14,893
	Capability Improvements		[13,000]
055	STUASL0	13,166	13,166

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
056	PRECISION STRIKE PACKAGE	107,687	107,687
057	AC/MC-130J	51,870	51,870
059	C-130 MODIFICATIONS	71,940	61,317
	C-130 TF/TA—early to need		[–10,623]
	SHIPBUILDING		
061	UNDERWATER SYSTEMS	37,439	37,439
	AMMUNITION PROGRAMS		
063	ORDNANCE ITEMS <\$5M	159,029	159,029
	OTHER PROCUREMENT PROGRAMS		
066	INTELLIGENCE SYSTEMS	79,819	79,819
068	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	14,906	14,906
070	OTHER ITEMS <\$5M	81,711	81,711
071	COMBATANT CRAFT SYSTEMS	35,053	33,897
	CCFLIR—Transfer at USSOCOM Request		[–1,156]
074	SPECIAL PROGRAMS	41,526	41,526
075	TACTICAL VEHICLES	43,353	43,353
076	WARRIOR SYSTEMS <\$5M	210,540	210,540
078	COMBAT MISSION REQUIREMENTS	20,000	20,000
082	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	6,645	6,645
083	OPERATIONAL ENHANCEMENTS INTELLIGENCE	25,581	25,581
089	OPERATIONAL ENHANCEMENTS	191,061	191,061
	CBDP		
091	INSTALLATION FORCE PROTECTION	14,271	14,271
092	INDIVIDUAL PROTECTION	101,667	101,667
094	JOINT BIO DEFENSE PROGRAM (MEDICAL)	13,447	13,447
095	COLLECTIVE PROTECTION	20,896	20,896
096	CONTAMINATION AVOIDANCE	144,540	144,540
	TOTAL PROCUREMENT, DEFENSE-WIDE	4,534,083	4,535,304
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
001	JOINT URGENT OPERATIONAL NEEDS FUND	98,800	0
	Program reduction		[–98,800]
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND	98,800	0
	TOTAL PROCUREMENT	98,227,168	98,442,249

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
002	SATURN ARCH (MIP)	48,000	48,000
004	MQ-1 UAV	31,988	31,988
	ROTARY		
009	AH-64 APACHE BLOCK IIIB NEW BUILD	142,000	142,000
011	KIOWA WARRIOR WRA	163,800	163,800
014	CH-47 HELICOPTER	386,000	386,000
	TOTAL AIRCRAFT PROCUREMENT, ARMY	771,788	771,788
	MISSILE PROCUREMENT, ARMY		
	AIR-TO-SURFACE MISSILE SYSTEM		
003	HELLFIRE SYS SUMMARY	54,000	54,000
	ANTI-TANK/ASSAULT MISSILE SYS		
007	GUIDED MLRS ROCKET (GMLRS)	39,045	39,045
010	ARMY TACTICAL MSL SYS (ATACMS)—SYS SUM	35,600	35,600
	TOTAL MISSILE PROCUREMENT, ARMY	128,645	128,645
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
002	CTG, 5.56MM, ALL TYPES	4,400	4,400
004	CTG, HANDGUN, ALL TYPES	1,500	1,500
005	CTG, .50 CAL, ALL TYPES	5,000	5,000
008	CTG, 30MM, ALL TYPES	60,000	60,000
	MORTAR AMMUNITION		
010	60MM MORTAR, ALL TYPES	5,000	5,000
	ARTILLERY AMMUNITION		
014	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	10,000	10,000
015	ARTILLERY PROJECTILE, 155MM, ALL TYPES	10,000	10,000
016	PROJ 155MM EXTENDED RANGE M982	11,000	11,000
	ROCKETS		
021	ROCKET, HYDRA 70, ALL TYPES	57,000	57,000

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	OTHER AMMUNITION		
022	DEMOLITION MUNITIONS, ALL TYPES	4,000	4,000
023	GRENADERS, ALL TYPES	3,000	3,000
024	SIGNALS, ALL TYPES	8,000	8,000
	MISCELLANEOUS		
028	CAD/PAD ALL TYPES	2,000	2,000
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	180,900	180,900
	OTHER PROCUREMENT, ARMY		
013	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	321,040	321,040
	COMM—BASE COMMUNICATIONS		
060	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	25,000	25,000
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
067	DCGS-A (MIP)	7,200	7,200
071	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	5,980	5,980
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
074	LIGHTWEIGHT COUNTER MORTAR RADAR	57,800	57,800
078	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE	15,300	15,300
079	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	4,221	4,221
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
091	ARTILLERY ACCURACY EQUIP	1,834	1,834
096	MOD OF IN-SVC EQUIP (LLDR)	21,000	21,000
098	COUNTERFIRE RADARS	85,830	85,830
	COMBAT SERVICE SUPPORT EQUIPMENT		
146	FORCE PROVIDER	51,654	51,654
147	FIELD FEEDING EQUIPMENT	6,264	6,264
	TOTAL OTHER PROCUREMENT, ARMY	603,123	603,123
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND		
	NETWORK ATTACK		
001	ATTACK THE NETWORK	417,700	417,700
	JIEDDO DEVICE DEFEAT		
002	DEFEAT THE DEVICE	248,886	248,886
	FORCE TRAINING		
003	TRAIN THE FORCE	106,000	106,000
	STAFF AND INFRASTRUCTURE		
004	OPERATIONS	227,414	182,414
	Program decrease		[– 45,000]
	TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND	1,000,000	955,000
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
011	H-1 UPGRADES (UH-1Y/AH-1Z)	29,520	29,520
	OTHER AIRCRAFT		
026	MQ-8 UAV	13,100	13,100
	MODIFICATION OF AIRCRAFT		
031	AV-8 SERIES	57,652	57,652
033	F-18 SERIES	35,500	35,500
039	EP-3 SERIES	2,700	2,700
049	SPECIAL PROJECT AIRCRAFT	3,375	3,375
054	COMMON ECM EQUIPMENT	49,183	49,183
055	COMMON AVIONICS CHANGES	4,190	4,190
059	MAGTF EW FOR AVIATION	20,700	20,700
	AIRCRAFT SPARES AND REPAIR PARTS		
065	SPARES AND REPAIR PARTS	24,776	24,776
	TOTAL AIRCRAFT PROCUREMENT, NAVY	240,696	240,696
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
009	HELLFIRE	27,000	27,000
010	LASER MAVERICK	58,000	58,000
011	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	1,500	1,500
	TOTAL WEAPONS PROCUREMENT, NAVY	86,500	86,500
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	11,424	11,424
002	AIRBORNE ROCKETS, ALL TYPES	30,332	30,332
003	MACHINE GUN AMMUNITION	8,282	8,282
006	AIR EXPENDABLE COUNTERMEASURES	31,884	31,884
011	OTHER SHIP GUN AMMUNITION	409	409
012	SMALL ARMS & LANDING PARTY AMMO	11,976	11,976
013	PYROTECHNIC AND DEMOLITION	2,447	2,447
014	AMMUNITION LESS THAN \$5 MILLION	7,692	7,692
	MARINE CORPS AMMUNITION		
015	SMALL ARMS AMMUNITION	13,461	13,461
016	LINEAR CHARGES, ALL TYPES	3,310	3,310
017	40 MM, ALL TYPES	6,244	6,244
018	60MM, ALL TYPES	3,368	3,368

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
019	81MM, ALL TYPES	9,162	9,162
020	120MM, ALL TYPES	10,266	10,266
021	CTG 25MM, ALL TYPES	1,887	1,887
022	GRENADERS, ALL TYPES	1,611	1,611
023	ROCKETS, ALL TYPES	37,459	37,459
024	ARTILLERY, ALL TYPES	970	970
025	DEMOLITION MUNITIONS, ALL TYPES	418	418
026	FUZE, ALL TYPES	14,219	14,219
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	206,821	206,821
	OTHER PROCUREMENT, NAVY		
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
135	TACTICAL VEHICLES	17,968	17,968
	TOTAL OTHER PROCUREMENT, NAVY	17,968	17,968
	PROCUREMENT, MARINE CORPS		
	GUIDED MISSILES		
010	JAVELIN	29,334	29,334
011	FOLLOW ON TO SMAW	105	105
	OTHER SUPPORT		
013	MODIFICATION KITS	16,081	13,183
	TOW Unit Cost Growth		[- 2,898]
	REPAIR AND TEST EQUIPMENT		
015	REPAIR AND TEST EQUIPMENT	16,081	16,081
	OTHER SUPPORT (TEL)		
017	MODIFICATION KITS	2,831	2,831
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
018	ITEMS UNDER \$5 MILLION (COMM & ELEC)	8,170	8,170
	INTELL/COMM EQUIPMENT (NON-TEL)		
023	INTELLIGENCE SUPPORT EQUIPMENT	2,700	2,700
026	RQ-11 UAV	2,830	2,830
	OTHER SUPPORT (NON-TEL)		
029	COMMON COMPUTER RESOURCES	4,866	4,866
030	COMMAND POST SYSTEMS	265	265
	ENGINEER AND OTHER EQUIPMENT		
042	ENVIRONMENTAL CONTROL EQUIP ASSORT	114	114
043	BULK LIQUID EQUIPMENT	523	523
044	TACTICAL FUEL SYSTEMS	365	365
045	POWER EQUIPMENT ASSORTED	2,004	2,004
047	EOD SYSTEMS	42,930	42,930
	GENERAL PROPERTY		
055	FAMILY OF CONSTRUCTION EQUIPMENT	385	385
	TOTAL PROCUREMENT, MARINE CORPS	129,584	126,686
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC AIRCRAFT		
032	LARGE AIRCRAFT INFRARED COUNTERMEASURES	94,050	94,050
	OTHER AIRCRAFT		
052	U-2 MODS	11,300	11,300
059	C-130	1,618	1,618
064	RC-135	2,700	2,700
	COMMON SUPPORT EQUIPMENT		
079	AIRCRAFT REPLACEMENT SUPPORT EQUIP	6,000	6,000
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	115,668	115,668
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
005	PREDATOR HELLFIRE MISSILE	24,200	24,200
	TOTAL MISSILE PROCUREMENT, AIR FORCE	24,200	24,200
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	326	326
	CARTRIDGES		
002	CARTRIDGES	17,634	17,634
	BOMBS		
004	GENERAL PURPOSE BOMBS	37,514	37,514
005	JOINT DIRECT ATTACK MUNITION	84,459	84,459
	FLARES		
011	FLARES	14,973	14,973
012	FUZES	3,859	3,859
	SMALL ARMS		
014	SMALL ARMS	1,200	1,200
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	159,965	159,965
	OTHER PROCUREMENT, AIR FORCE		
	ELECTRONICS PROGRAMS		
022	WEATHER OBSERVATION FORECAST	1,800	1,800
	SPACE PROGRAMS		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
046	MILSATCOM SPACE	5,695	5,695
	BASE SUPPORT EQUIPMENT		
059	CONTINGENCY OPERATIONS	60,600	60,600
061	MOBILITY EQUIPMENT	68,000	68,000
	SPECIAL SUPPORT PROJECTS		
068	DEFENSE SPACE RECONNAISSANCE PROG.	58,250	58,250
	CLASSIFIED PROGRAMS		
068A	CLASSIFIED PROGRAMS	2,380,501	2,380,501
	TOTAL OTHER PROCUREMENT, AIR FORCE	2,574,846	2,574,846
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
012	TELEPORT PROGRAM	4,760	4,760
	CLASSIFIED PROGRAMS		
043A	CLASSIFIED PROGRAMS	78,986	78,986
	AMMUNITION PROGRAMS		
062	ORDNANCE REPLENISHMENT	2,841	2,841
	OTHER PROCUREMENT PROGRAMS		
066	INTELLIGENCE SYSTEMS	13,300	13,300
084	SOLDIER PROTECTION AND SURVIVAL SYSTEMS	8,034	8,034
089	OPERATIONAL ENHANCEMENTS	3,354	3,354
	TOTAL PROCUREMENT, DEFENSE-WIDE	111,275	111,275
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
001	JOINT URGENT OPERATIONAL NEEDS FUND	15,000	0
	Program reduction		[–15,000]
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND	15,000	0
	NATIONAL GUARD & RESERVE EQUIPMENT		
	UNDISTRIBUTED		
999	MISCELLANEOUS EQUIPMENT		400,000
	Program increase		[400,000]
	TOTAL NATIONAL GUARD & RESERVE EQUIPMENT		400,000
	TOTAL PROCUREMENT	6,366,979	6,704,081

**TITLE XLII—RESEARCH, DEVELOPMENT,
TEST, AND EVALUATION**

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND
EVALUATION.**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	21,803	21,803
002	0601102A	DEFENSE RESEARCH SCIENCES	221,901	221,901
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	79,359	79,359
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	113,662	113,662
		SUBTOTAL BASIC RESEARCH	436,725	436,725
		APPLIED RESEARCH		
005	0602105A	MATERIALS TECHNOLOGY	26,585	26,585
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	43,170	43,170
007	0602122A	TRACTOR HIP	36,293	36,293
008	0602211A	AVIATION TECHNOLOGY	55,615	55,615
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY	17,585	17,585
010	0602303A	MISSILE TECHNOLOGY	51,528	51,528
011	0602307A	ADVANCED WEAPONS TECHNOLOGY	26,162	26,162
012	0602308A	ADVANCED CONCEPTS AND SIMULATION	24,063	24,063
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	64,589	64,589
014	0602618A	BALLISTICS TECHNOLOGY	68,300	76,300
		WIAMan schedule adjustment		[8,000]
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	4,490	4,490
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	7,818	7,818
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	37,798	37,798
018	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	59,021	59,021
019	0602709A	NIGHT VISION TECHNOLOGY	43,426	43,426
020	0602712A	COUNTERMINE SYSTEMS	20,574	20,574
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	21,339	21,339
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	20,316	20,316
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	34,209	34,209
024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	10,439	10,439

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
025	0602784A	MILITARY ENGINEERING TECHNOLOGY	70,064	70,064
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	17,654	17,654
027	0602786A	WARFIGHTER TECHNOLOGY	31,546	31,546
028	0602787A	MEDICAL TECHNOLOGY	93,340	93,340
		SUBTOTAL APPLIED RESEARCH	885,924	893,924
		ADVANCED TECHNOLOGY DEVELOPMENT		
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	56,056	56,056
030	0603002A	MEDICAL ADVANCED TECHNOLOGY	62,032	62,032
031	0603003A	AVIATION ADVANCED TECHNOLOGY	81,080	81,080
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	63,919	63,919
033	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	97,043	97,043
034	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY	5,866	5,866
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	7,800	7,800
036	0603008A	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	40,416	40,416
037	0603009A	TRACTOR HIKE	9,166	9,166
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	13,627	13,627
039	0603020A	TRACTOR ROSE	10,667	10,667
041	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT	15,054	15,054
042	0603130A	TRACTOR NAIL	3,194	3,194
043	0603131A	TRACTOR EGGS	2,367	2,367
044	0603270A	ELECTRONIC WARFARE TECHNOLOGY	25,348	25,348
045	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	64,009	64,009
046	0603322A	TRACTOR CAGE	11,083	11,083
047	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	180,662	180,662
048	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	22,806	22,806
049	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	5,030	5,030
050	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	36,407	36,407
051	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	11,745	11,745
052	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	23,717	23,717
053	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	33,012	33,012
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	882,106	882,106
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
054	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	15,301	15,301
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION	13,592	13,592
056	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	10,625	0
		Program deferred to fiscal year 2019		[–10,625]
058	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	30,612	30,612
059	0603653A	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	49,989	49,989
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	6,703	6,703
061	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	6,894	6,894
062	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	9,066	9,066
063	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	2,633	2,633
064	0603782A	WARFIGHTER INFORMATION NETWORK—TACTICAL—DEM/VAL	272,384	235,384
		Excess program growth		[–37,000]
065	0603790A	NATO RESEARCH AND DEVELOPMENT	3,874	3,874
066	0603801A	AVIATION—ADV DEV	5,018	5,018
067	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	11,556	11,556
069	0603807A	MEDICAL SYSTEMS—ADV DEV	15,603	15,603
070	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	14,159	14,159
071	0603850A	INTEGRATED BROADCAST SERVICE	79	79
072	0604115A	TECHNOLOGY MATURATION INITIATIVES	55,605	55,605
074	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2—INTERCEPT (IFPC2)	79,232	79,232
075	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	4,476	4,476
076	0305205A	ENDURANCE UAVS	28,991	0
		LEMV termination		[–28,991]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	636,392	559,776
		SYSTEM DEVELOPMENT & DEMONSTRATION		
077	0604201A	AIRCRAFT AVIONICS	76,588	76,588
078	0604220A	ARMED, DEPLOYABLE HELOS	73,309	73,309
079	0604270A	ELECTRONIC WARFARE DEVELOPMENT	154,621	154,621
080	0604280A	JOINT TACTICAL RADIO	31,826	31,826
081	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	23,341	23,341
082	0604321A	ALL SOURCE ANALYSIS SYSTEM	4,839	4,839
083	0604328A	TRACTOR CAGE	23,841	23,841
084	0604601A	INFANTRY SUPPORT WEAPONS	79,855	90,855
		Transfer from WTCV line 15—XM25 development		[11,000]
085	0604604A	MEDIUM TACTICAL VEHICLES	2,140	2,140
086	0604611A	JAVELIN	5,002	5,002
087	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	21,321	21,321
088	0604633A	AIR TRAFFIC CONTROL	514	514
093	0604710A	NIGHT VISION SYSTEMS—ENG DEV	43,405	43,405
094	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	1,939	1,939
095	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	18,980	18,980
097	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	18,294	18,294
098	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	17,013	17,013
099	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	6,701	6,701

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
100	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	14,575	14,575
101	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	27,634	27,634
102	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	193,748	193,748
103	0604802A	WEAPONS AND MUNITIONS—ENG DEV	15,721	15,721
104	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	41,703	41,703
105	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	7,379	7,379
106	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	39,468	39,468
107	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	92,285	92,285
108	0604814A	ARTILLERY MUNITIONS—EMD	8,209	8,209
109	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	22,958	22,958
110	0604820A	RADAR DEVELOPMENT	1,549	1,549
111	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	17,342	227
		Excess to requirement		[– 17,115]
112	0604823A	FIREFINDER	47,221	47,221
113	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	48,477	48,477
114	0604854A	ARTILLERY SYSTEMS—EMD	80,613	121,313
		Transfer from WTCV 6 at Army Request		[40,700]
117	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	68,814	68,814
118	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	137,290	137,290
119	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	116,298	116,298
120	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	68,148	68,148
121	0605380A	AMF JOINT TACTICAL RADIO SYSTEM (JTRS)	33,219	33,219
122	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	15,127	15,127
124	0605456A	PAC-3/MSE MISSILE	68,843	68,843
125	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	364,649	364,649
126	0605625A	MANNED GROUND VEHICLE	592,201	592,201
127	0605626A	AERIAL COMMON SENSOR	10,382	10,382
128	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	21,143	21,143
129	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	84,230	84,230
130	0303032A	TROJAN—RH12	3,465	3,465
131	0304270A	ELECTRONIC WARFARE DEVELOPMENT	10,806	10,806
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	2,857,026	2,891,611
		RDT&E MANAGEMENT SUPPORT		
132	0604256A	THREAT SIMULATOR DEVELOPMENT	16,934	16,934
133	0604258A	TARGET SYSTEMS DEVELOPMENT	13,488	13,488
134	0604759A	MAJOR T&E INVESTMENT	46,672	46,672
135	0605103A	RAND ARROYO CENTER	11,919	11,919
136	0605301A	ARMY KWAJALEIN ATOLL	193,658	193,658
137	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	37,158	37,158
139	0605601A	ARMY TEST RANGES AND FACILITIES	340,659	340,659
140	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	66,061	66,061
141	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	43,280	43,280
143	0605606A	AIRCRAFT CERTIFICATION	6,025	6,025
144	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	7,349	7,349
145	0605706A	MATERIEL SYSTEMS ANALYSIS	19,809	19,809
146	0605709A	EXPLOITATION OF FOREIGN ITEMS	5,941	5,941
147	0605712A	SUPPORT OF OPERATIONAL TESTING	55,504	55,504
148	0605716A	ARMY EVALUATION CENTER	65,274	65,274
149	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	1,283	1,283
150	0605801A	PROGRAMWIDE ACTIVITIES	82,035	82,035
151	0605803A	TECHNICAL INFORMATION ACTIVITIES	33,853	33,853
152	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	53,340	53,340
153	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	5,193	5,193
154	0605898A	MANAGEMENT HQ—R&D	54,175	54,175
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	1,159,610	1,159,610
		OPERATIONAL SYSTEMS DEVELOPMENT		
156	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	110,576	110,576
157	0607141A	LOGISTICS AUTOMATION	3,717	3,717
159	0607865A	PATRIOT PRODUCT IMPROVEMENT	70,053	70,053
160	0102419A	AEROSTAT JOINT PROJECT OFFICE	98,450	83,450
		JLENS program reduction		[– 15,000]
161	0203726A	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	30,940	30,940
162	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	177,532	177,532
163	0203740A	MANEUVER CONTROL SYSTEM	36,495	36,495
164	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	257,187	271,248
		Transfer from APA 11 at Army request		[14,061]
165	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	315	315
166	0203758A	DIGITIZATION	6,186	6,186
167	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	1,578	1,578
168	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	62,100	62,100
169	0203808A	TRACTOR CARD	18,778	18,778
170	0208053A	JOINT TACTICAL GROUND SYSTEM	7,108	7,108
173	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	7,600	7,600
174	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	9,357	9,357
175	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	41,225	41,225
176	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	18,197	18,197

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
177	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	14,215	14,215
179	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	33,533	33,533
180	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	27,622	27,622
181	0305219A	MQ-1C GRAY EAGLE UAS	10,901	10,901
182	0305232A	RQ-11 UAV	2,321	2,321
183	0305233A	RQ-7 UAV	12,031	12,031
185	0307665A	BIOMETRICS ENABLED INTELLIGENCE	12,449	12,449
186	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	56,136	56,136
186A	999999999	CLASSIFIED PROGRAMS	4,717	4,717
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	1,131,319	1,130,380
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	7,989,102	7,954,132
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	112,617	112,617
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	18,230	18,230
003	0601153N	DEFENSE RESEARCH SCIENCES	484,459	484,459
		SUBTOTAL BASIC RESEARCH	615,306	615,306
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	104,513	104,513
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	145,307	145,307
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	47,334	47,334
007	0602235N	COMMON PICTURE APPLIED RESEARCH	34,163	34,163
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	49,689	49,689
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	97,701	97,701
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	45,685	60,685
		AGOR mid life refit		[15,000]
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,060	6,060
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	103,050	103,050
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	169,710	169,710
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	31,326	31,326
		SUBTOTAL APPLIED RESEARCH	834,538	849,538
		ADVANCED TECHNOLOGY DEVELOPMENT		
015	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	48,201	48,201
016	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	28,328	28,328
019	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	56,179	56,179
020	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	132,400	132,400
021	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	11,854	11,854
022	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	247,931	247,931
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,760	4,760
025	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	51,463	51,463
026	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	2,000	2,000
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	583,116	583,116
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	42,246	42,246
028	0603216N	AVIATION SURVIVABILITY	5,591	5,591
029	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,262	3,262
030	0603251N	AIRCRAFT SYSTEMS	74	74
031	0603254N	ASW SYSTEMS DEVELOPMENT	7,964	7,964
032	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	5,257	5,257
033	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,570	1,570
034	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	168,040	168,040
035	0603506N	SURFACE SHIP TORPEDO DEFENSE	88,649	88,649
036	0603512N	CARRIER SYSTEMS DEVELOPMENT	83,902	83,902
037	0603525N	PILOT FISH	108,713	108,713
038	0603527N	RETRACT LARCH	9,316	9,316
039	0603536N	RETRACT JUNIPER	77,108	77,108
040	0603542N	RADIOLOGICAL CONTROL	762	762
041	0603553N	SURFACE ASW	2,349	2,349
042	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	852,977	852,977
043	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	8,764	8,764
044	0603563N	SHIP CONCEPT ADVANCED DESIGN	20,501	20,501
045	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	27,052	27,052
046	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	428,933	428,933
047	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	27,154	22,902
		Program execution		[- 4,252]
048	0603576N	CHALK EAGLE	519,140	519,140
049	0603581N	LITTORAL COMBAT SHIP (LCS)	406,389	406,389
050	0603582N	COMBAT SYSTEM INTEGRATION	36,570	18,530
		Late contract awards		[- 18,040]
051	0603609N	CONVENTIONAL MUNITIONS	8,404	8,404
052	0603611M	MARINE CORPS ASSAULT VEHICLES	136,967	122,967
		Program delay		[- 14,000]
053	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	1,489	1,489
054	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	38,422	38,422

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
055	0603658N	COOPERATIVE ENGAGEMENT	69,312	64,012
		Common array block antenna contract delay		[- 5,300]
056	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	9,196	9,196
057	0603721N	ENVIRONMENTAL PROTECTION	18,850	18,850
058	0603724N	NAVY ENERGY PROGRAM	45,618	45,618
059	0603725N	FACILITIES IMPROVEMENT	3,019	3,019
060	0603734N	CHALK CORAL	144,951	144,951
061	0603739N	NAVY LOGISTIC PRODUCTIVITY	5,797	5,797
062	0603746N	RETRACT MAPLE	308,131	308,131
063	0603748N	LINK PLUMERIA	195,189	195,189
064	0603751N	RETRACT ELM	56,358	56,358
065	0603764N	LINK EVERGREEN	55,378	55,378
066	0603787N	SPECIAL PROCESSES	48,842	48,842
067	0603790N	NATO RESEARCH AND DEVELOPMENT	7,509	7,509
068	0603795N	LAND ATTACK TECHNOLOGY	5,075	0
		Early to need		[- 5,075]
069	0603851M	JOINT NON-LETHAL WEAPONS TESTING	51,178	51,178
070	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	205,615	194,719
		JPALS 1B follow-on platform integration delay		[- 7,437]
		JPALS 1B test early to need		[- 3,459]
072	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	37,227	37,227
073	0604279N	ASE SELF-PROTECTION OPTIMIZATION	169	169
074	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW)	20,874	17,874
		Schedule delay		[- 3,000]
075	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	2,257	2,257
076	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT ...	38,327	38,327
077	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	135,985	105,985
		Adjust program to more realistic schedule		[- 30,000]
078	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	50,362	50,362
079	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	8,448	4,908
		Program delay		[- 3,540]
080	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	153	153
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	4,641,385	4,547,282
		SYSTEM DEVELOPMENT & DEMONSTRATION		
081	0604212N	OTHER HELO DEVELOPMENT	40,558	40,558
082	0604214N	AV-8B AIRCRAFT—ENG DEV	35,825	33,325
		Excess program management		[- 2,500]
083	0604215N	STANDARDS DEVELOPMENT	99,891	99,891
084	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	17,565	17,565
085	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	4,026	4,026
086	0604221N	P-3 MODERNIZATION PROGRAM	1,791	1,791
087	0604230N	WARFARE SUPPORT SYSTEM	11,725	11,725
088	0604231N	TACTICAL COMMAND SYSTEM	68,463	68,463
089	0604234N	ADVANCED HAWKEYE	152,041	152,041
090	0604245N	H-1 UPGRADES	47,123	47,123
091	0604261N	ACOUSTIC SEARCH SENSORS	30,208	30,208
092	0604262N	V-22A	43,084	43,084
093	0604264N	AIR CREW SYSTEMS DEVELOPMENT	11,401	11,401
094	0604269N	EA-18	11,138	11,138
095	0604270N	ELECTRONIC WARFARE DEVELOPMENT	34,964	34,964
096	0604273N	VH-71A EXECUTIVE HELO DEVELOPMENT	94,238	94,238
097	0604274N	NEXT GENERATION JAMMER (NGJ)	257,796	257,796
098	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	3,302	3,302
099	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	240,298	240,298
100	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	1,214	1,214
101	0604329N	SMALL DIAMETER BOMB (SDB)	46,007	46,007
102	0604366N	STANDARD MISSILE IMPROVEMENTS	75,592	75,592
103	0604373N	AIRBORNE MCM	117,854	117,854
104	0604376M	MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WARFARE (EW) FOR AVIATION.	10,080	10,080
105	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	21,413	21,413
106	0604404N	UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM.	146,683	133,683
		Schedule delay		[- 13,000]
107	0604501N	ADVANCED ABOVE WATER SENSORS	275,871	196,071
		Air and missile defense radar contract delay		[- 79,800]
108	0604503N	SSN-688 AND TRIDENT MODERNIZATION	89,672	89,672
109	0604504N	AIR CONTROL	13,754	13,754
110	0604512N	SHIPBOARD AVIATION SYSTEMS	69,615	69,615
112	0604558N	NEW DESIGN SSN	121,566	121,566
113	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	49,143	49,143
114	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	155,254	175,254
		Increased LHA-8 design efforts		[20,000]
115	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,689	3,689
116	0604601N	MINE DEVELOPMENT	5,041	5,041
117	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	26,444	26,444
118	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,897	8,897

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119	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	6,233	6,233
120	0604727N	JOINT STANDOFF WEAPON SYSTEMS	442	442
121	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	130,360	130,360
122	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	50,209	50,209
123	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	164,799	114,799
		SEWIP block 3 program delay		[– 50,000]
124	0604761N	INTELLIGENCE ENGINEERING	1,984	1,984
125	0604771N	MEDICAL DEVELOPMENT	9,458	9,458
126	0604777N	NAVIGATION/ID SYSTEM	51,430	51,430
127	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	512,631	502,631
		F-35B follow-on development ahead of need		[– 10,000]
128	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	534,187	524,187
		F-35B follow-on development ahead of need		[– 10,000]
129	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	5,564	5,564
130	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	69,659	62,823
		Unjustified request		[– 6,836]
132	0605212N	CH-53K RDTE	503,180	503,180
133	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	5,500	0
		Program uncertainty		[– 5,500]
134	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	317,358	287,358
		P-8A spiral 2 development milestone B slip		[– 30,000]
135	0204202N	DDG-1000	187,910	187,910
136	0304231N	TACTICAL COMMAND SYSTEM—MIP	2,140	2,140
137	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	9,406	9,406
138	0305124N	SPECIAL APPLICATIONS PROGRAM	22,800	22,800
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	5,028,476	4,840,840
		MANAGEMENT SUPPORT		
139	0604256N	THREAT SIMULATOR DEVELOPMENT	43,261	43,261
140	0604258N	TARGET SYSTEMS DEVELOPMENT	71,872	71,872
141	0604759N	MAJOR T&E INVESTMENT	38,033	38,033
142	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	1,352	1,352
143	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	5,566	5,566
144	0605154N	CENTER FOR NAVAL ANALYSES	48,345	48,345
146	0605804N	TECHNICAL INFORMATION SERVICES	637	637
147	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	76,585	76,585
148	0605856N	STRATEGIC TECHNICAL SUPPORT	3,221	3,221
149	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	72,725	72,725
150	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	141,778	141,778
151	0605864N	TEST AND EVALUATION SUPPORT	331,219	331,219
152	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	16,565	16,565
153	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	3,265	3,265
154	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	7,134	7,134
155	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	24,082	24,082
156	0305885N	TACTICAL CRYPTOLOGIC ACTIVITIES	497	497
		SUBTOTAL MANAGEMENT SUPPORT	886,137	886,137
		OPERATIONAL SYSTEMS DEVELOPMENT		
159	0604227N	HARPOON MODIFICATIONS	699	699
160	0604402N	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT AND PROTOTYPE DEVELOPMENT	20,961	20,961
162	0604766M	MARINE CORPS DATA SYSTEMS	35	35
163	0605525N	CARRIER ONBOARD DELIVERY (COD) FOLLOW ON	2,460	2,460
164	0605555N	STRIKE WEAPONS DEVELOPMENT	9,757	9,757
165	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	98,057	98,057
166	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	31,768	31,768
167	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	1,464	1,464
168	0101402N	NAVY STRATEGIC COMMUNICATIONS	21,729	21,729
169	0203761N	RAPID TECHNOLOGY TRANSITION (RTT)	13,561	13,561
170	0204136N	F/A-18 SQUADRONS	131,118	131,118
171	0204152N	E-2 SQUADRONS	1,971	1,971
172	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	46,155	34,423
		Joint Aerial Layer Network program delay		[– 11,732]
173	0204228N	SURFACE SUPPORT	2,374	2,374
174	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	12,407	12,407
175	0204311N	INTEGRATED SURVEILLANCE SYSTEM	41,609	41,609
176	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	7,240	7,240
177	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	78,208	78,208
178	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	45,124	45,124
179	0204574N	CRYPTOLOGIC DIRECT SUPPORT	2,703	2,703
180	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	19,563	19,563
181	0205601N	HARM IMPROVEMENT	13,586	13,586
182	0205604N	TACTICAL DATA LINKS	197,538	197,538
183	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	31,863	31,863
184	0205632N	MK-48 ADCAP	12,806	12,806
185	0205633N	AVIATION IMPROVEMENTS	88,607	88,607
187	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	116,928	116,928
188	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	178,753	178,753
189	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	139,594	118,719

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190	0206624M	Marine Personnel Carrier program deferred		[-20,875]
		MARINE CORPS COMBAT SERVICES SUPPORT	42,647	37,034
		Prior year carry over		[-5,613]
191	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	34,394	34,394
192	0207161N	TACTICAL AIM MISSILES	39,159	31,159
		Program delay		[-8,000]
193	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	2,613	2,613
194	0208058N	JOINT HIGH SPEED VESSEL (JHSV)	986	986
199	0303109N	SATELLITE COMMUNICATIONS (SPACE)	66,231	66,231
200	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	24,476	24,476
201	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	23,531	23,531
206	0305160N	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	742	742
207	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	4,804	4,804
208	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	8,381	8,381
211	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,535	5,535
212	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	19,718	19,718
213	0305220N	RQ-4 UAV	375,235	375,235
214	0305231N	MQ-8 UAV	48,713	48,713
215	0305232M	RQ-11 UAV	102	102
216	0305233N	RQ-7 UAV	710	710
217	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASLO)	5,013	5,013
219	0305239M	RQ-21A	11,122	11,122
220	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	28,851	28,851
221	0308601N	MODELING AND SIMULATION SUPPORT	5,116	5,116
222	0702207N	DEPOT MAINTENANCE (NON-IF)	28,042	28,042
223	0708011N	INDUSTRIAL PREPAREDNESS	50,933	50,933
224	0708730N	MARITIME TECHNOLOGY (MARITECH)	4,998	4,998
224A	999999999	CLASSIFIED PROGRAMS	1,185,132	1,185,132
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	3,385,822	3,339,602
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	15,974,780	15,661,821
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	373,151	373,151
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	138,333	138,333
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	13,286	13,286
		SUBTOTAL BASIC RESEARCH	524,770	524,770
		APPLIED RESEARCH		
004	0602102F	MATERIALS	116,846	116,846
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	119,672	119,672
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	89,483	89,483
007	0602203F	AEROSPACE PROPULSION	197,546	197,546
008	0602204F	AEROSPACE SENSORS	127,539	127,539
009	0602601F	SPACE TECHNOLOGY	104,063	104,063
010	0602602F	CONVENTIONAL MUNITIONS	81,521	81,521
011	0602605F	DIRECTED ENERGY TECHNOLOGY	112,845	112,845
012	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	138,161	138,161
013	0602890F	HIGH ENERGY LASER RESEARCH	40,217	40,217
		SUBTOTAL APPLIED RESEARCH	1,127,893	1,127,893
		ADVANCED TECHNOLOGY DEVELOPMENT		
014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	39,572	49,572
		Program increase		[10,000]
015	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	12,800	12,800
016	0603203F	ADVANCED AEROSPACE SENSORS	30,579	30,579
017	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	77,347	77,347
018	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	149,321	149,321
019	0603270F	ELECTRONIC COMBAT TECHNOLOGY	49,128	49,128
020	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	68,071	68,071
021	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	26,299	26,299
022	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	20,967	20,967
023	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	33,996	33,996
024	0603605F	ADVANCED WEAPONS TECHNOLOGY	19,000	19,000
025	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	41,353	41,353
026	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	49,093	49,093
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	617,526	627,526
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
028	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	3,983	3,983
029	0603287F	PHYSICAL SECURITY EQUIPMENT	3,874	3,874
032	0603438F	SPACE CONTROL TECHNOLOGY	27,024	27,024
033	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	15,899	15,899
034	0603790F	NATO RESEARCH AND DEVELOPMENT	4,568	4,568
035	0603791F	INTERNATIONAL SPACE COOPERATIVE R&D	379	379
036	0603830F	SPACE PROTECTION PROGRAM (SPP)	28,764	28,764
038	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	86,737	86,737
040	0603859F	POLLUTION PREVENTION—DEM/VAL	953	953

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042	0604015F	LONG RANGE STRIKE	379,437	379,437
044	0604317F	TECHNOLOGY TRANSFER	2,606	2,606
045	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	103	103
047	0604337F	REQUIREMENTS ANALYSIS AND MATURATION	16,018	16,018
049	0604458F	AIR & SPACE OPS CENTER	58,861	58,861
050	0604618F	JOINT DIRECT ATTACK MUNITION	2,500	2,500
051	0604635F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	21,175	21,175
052	0604857F	OPERATIONALLY RESPONSIVE SPACE		10,000
		Program increase		[10,000]
053	0604858F	TECH TRANSITION PROGRAM	13,636	13,636
054	0105921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	2,799	2,799
055	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	70,160	70,160
056	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	137,233	137,233
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	876,709	886,709
		SYSTEM DEVELOPMENT & DEMONSTRATION		
058	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	977	977
061	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	3,601	3,601
062	0604270F	ELECTRONIC WARFARE DEVELOPMENT	1,971	1,971
064	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	51,456	51,456
065	0604287F	PHYSICAL SECURITY EQUIPMENT	50	50
066	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	115,000	115,000
067	0604421F	COUNTERSPACE SYSTEMS	23,930	23,930
068	0604425F	SPACE SITUATION AWARENESS SYSTEMS	400,258	400,258
069	0604429F	AIRBORNE ELECTRONIC ATTACK	4,575	4,575
070	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	352,532	322,832
		Modernization projects execution delays excluding exploitation efforts		[- 29,700]
071	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	16,284	16,284
072	0604604F	SUBMUNITIONS	2,564	2,564
073	0604617F	AGILE COMBAT SUPPORT	17,036	17,036
074	0604706F	LIFE SUPPORT SYSTEMS	7,273	7,273
075	0604735F	COMBAT TRAINING RANGES	33,200	33,200
078	0604800F	F-35—EMD	816,335	816,335
079	0604851F	INTERCONTINENTAL BALLISTIC MISSILE—EMD	145,442	145,442
080	0604853F	INVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD	27,963	27,963
081	0604932F	LONG RANGE STANDOFF WEAPON	5,000	5,000
082	0604933F	ICBM FUZE MODERNIZATION	129,411	129,411
083	0605213F	F-22 MODERNIZATION INCREMENT 3.2B	131,100	131,100
084	0605221F	KC-46	1,558,590	1,558,590
085	0605229F	CSAR HH-60 RECAPITALIZATION	393,558	333,558
		Program delays / projected savings pending updated program estimate		[- 60,000]
086	0605278F	HC/MC-130 RECAP RDT&E	6,242	6,242
087	0605431F	ADVANCED EHF MILSATCOM (SPACE)	272,872	272,872
088	0605432F	POLAR MILSATCOM (SPACE)	124,805	124,805
089	0605433F	WIDEBAND GLOBAL SATCOM (SPACE)	13,948	13,948
090	0605931F	B-2 DEFENSIVE MANAGEMENT SYSTEM	303,500	303,500
091	0101125F	NUCLEAR WEAPONS MODERNIZATION	67,874	67,874
094	0207701F	FULL COMBAT MISSION TRAINING	4,663	4,663
097	0401318F	CV-22	46,705	46,705
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	5,078,715	4,989,015
		MANAGEMENT SUPPORT		
099	0604256F	THREAT SIMULATOR DEVELOPMENT	17,690	17,690
100	0604759F	MAJOR T&E INVESTMENT	34,841	34,841
101	0605101F	RAND PROJECT AIR FORCE	32,956	32,956
103	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	13,610	13,610
104	0605807F	TEST AND EVALUATION SUPPORT	742,658	742,658
105	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	14,203	14,203
106	0605864F	SPACE TEST PROGRAM (STP)	13,000	13,000
107	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	44,160	44,160
108	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	27,643	27,643
109	0606323F	MULTI-SERVICE SYSTEMS ENGINEERING INITIATIVE	13,935	13,935
110	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE	192,348	192,348
111	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	28,647	28,647
112	0804731F	GENERAL SKILL TRAINING	315	315
114	1001004F	INTERNATIONAL ACTIVITIES	3,785	3,785
		SUBTOTAL MANAGEMENT SUPPORT	1,179,791	1,179,791
		OPERATIONAL SYSTEMS DEVELOPMENT		
115	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	383,500	383,500
117	0604445F	WIDE AREA SURVEILLANCE	5,000	5,000
118	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	90,097	90,097
119	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	32,086	32,086
121	0101113F	B-52 SQUADRONS	24,007	24,007
122	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	450	450
123	0101126F	B-1B SQUADRONS	19,589	19,589
124	0101127F	B-2 SQUADRONS	100,194	100,194
125	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	37,448	37,448
128	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	1,700	1,700

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Line	Program Element	Item	FY 2014 Request	Agreement Authorized
130	0203761F	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND	3,844	3,844
131	0205219F	MQ-9 UAV	128,328	128,328
133	0207131F	A-10 SQUADRONS	9,614	9,614
134	0207133F	F-16 SQUADRONS	177,298	177,298
135	0207134F	F-15E SQUADRONS	244,289	244,289
136	0207136F	MANNED DESTRUCTIVE SUPPRESSION	13,138	13,138
137	0207138F	F-22A SQUADRONS	328,542	328,542
138	0207142F	F-35 SQUADRONS	33,000	33,000
139	0207161F	TACTICAL AIM MISSILES	15,460	15,460
140	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	84,172	84,172
142	0207224F	COMBAT RESCUE AND RECOVERY	2,582	2,582
143	0207227F	COMBAT RESCUE—PARARESCUE	542	542
144	0207247F	AF TENCAP	89,816	89,816
145	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	1,075	1,075
146	0207253F	COMPASS CALL	10,782	10,782
147	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	139,369	139,369
149	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	6,373	6,373
150	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	22,820	22,820
151	0207412F	CONTROL AND REPORTING CENTER (CRC)	7,029	7,029
152	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	186,256	186,256
153	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	743	743
156	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	4,471	4,471
158	0207444F	TACTICAL AIR CONTROL PARTY-MOD	10,250	10,250
159	0207448F	C2ISR TACTICAL DATA LINK	1,431	1,431
160	0207449F	COMMAND AND CONTROL (C2) CONSTELLATION	7,329	7,329
161	0207452F	DCAPES	15,081	15,081
162	0207581F	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS)	13,248	23,148
		Continue T-3 testing operations		[9,900]
163	0207590F	SEEK EAGLE	24,342	24,342
164	0207601F	USAF MODELING AND SIMULATION	10,448	10,448
165	0207605F	WARGAMING AND SIMULATION CENTERS	5,512	5,512
166	0207697F	DISTRIBUTED TRAINING AND EXERCISES	3,301	3,301
167	0208006F	MISSION PLANNING SYSTEMS	62,605	62,605
169	0208059F	CYBER COMMAND ACTIVITIES	68,099	68,099
170	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS	14,047	14,047
171	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	5,853	5,853
179	0301400F	SPACE SUPERIORITY INTELLIGENCE	12,197	12,197
180	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	18,267	18,267
181	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	36,288	36,288
182	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	90,231	100,231
		ASACoE program		[10,000]
183	0303141F	GLOBAL COMBAT SUPPORT SYSTEM	725	725
185	0303601F	MILSATCOM TERMINALS	140,170	140,170
187	0304260F	AIRBORNE SIGINT ENTERPRISE	117,110	117,110
190	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,430	4,430
191	0305103F	CYBER SECURITY INITIATIVE	2,048	2,048
192	0305105F	DOD CYBER CRIME CENTER	288	288
193	0305110F	SATELLITE CONTROL NETWORK (SPACE)	35,698	35,698
194	0305111F	WEATHER SERVICE	24,667	24,667
195	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	35,674	35,674
196	0305116F	AERIAL TARGETS	21,186	21,186
199	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	195	195
200	0305145F	ARMS CONTROL IMPLEMENTATION	1,430	1,430
201	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	330	330
206	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	3,696	3,696
207	0305174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	2,469	2,469
208	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	8,289	8,289
209	0305182F	SPACE LIFT RANGE SYSTEM (SPACE)	13,345	13,345
211	0305202F	DRAGON U-2	18,700	18,700
212	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES	3,000	3,000
213	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	37,828	50,328
		Blue Devil Replacement WAMI/NVDF		[12,500]
214	0305207F	MANNED RECONNAISSANCE SYSTEMS	13,491	13,491
215	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	7,498	7,498
216	0305219F	MQ-1 PREDATOR A UAV	3,326	3,326
217	0305220F	RQ-4 UAV	134,406	114,406
		Multiple execution delays		[- 20,000]
218	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	7,413	7,413
219	0305236F	COMMON DATA LINK (CDL)	40,503	40,503
220	0305238F	NATO AGS	264,134	264,134
221	0305240F	SUPPORT TO DCGS ENTERPRISE	23,016	23,016
222	0305265F	GPS III SPACE SEGMENT	221,276	221,276
223	0305614F	JSPOC MISSION SYSTEM	58,523	58,523
224	0305881F	RAPID CYBER ACQUISITION	2,218	2,218
226	0305913F	NUDET DETECTION SYSTEM (SPACE)	50,547	50,547
227	0305940F	SPACE SITUATION AWARENESS OPERATIONS	18,807	18,807
229	0308699F	SHARED EARLY WARNING (SEW)	1,079	1,079
230	0401115F	C-130 AIRLIFT SQUADRON	400	73,700
		C-130 AMP		[47,300]

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Line	Program Element	Item	FY 2014 Request	Agreement Authorized
		C-130H Propulsion System Propeller Upgrades		[26,000]
231	0401119F	C-5 AIRLIFT SQUADRONS (IF)	61,492	61,492
232	0401130F	C-17 AIRCRAFT (IF)	109,134	109,134
233	0401132F	C-130J PROGRAM	22,443	22,443
234	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	4,116	4,116
238	0401314F	OPERATIONAL SUPPORT AIRLIFT	44,553	44,553
239	0408011F	SPECIAL TACTICS / COMBAT CONTROL	6,213	6,213
240	0702207F	DEPOT MAINTENANCE (NON-IF)	1,605	1,605
242	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	95,238	95,238
243	0708611F	SUPPORT SYSTEMS DEVELOPMENT	10,925	10,925
244	0804743F	OTHER FLIGHT TRAINING	1,347	1,347
245	0808716F	OTHER PERSONNEL ACTIVITIES	65	65
246	0901202F	JOINT PERSONNEL RECOVERY AGENCY	1,083	1,083
247	0901218F	CIVILIAN COMPENSATION PROGRAM	1,577	1,577
248	0901220F	PERSONNEL ADMINISTRATION	5,990	5,990
249	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	786	786
250	0901279F	FACILITIES OPERATION—ADMINISTRATIVE	654	654
251	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	135,735	135,735
252A	999999999	CLASSIFIED PROGRAMS	11,874,528	11,874,528
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	16,297,542	16,383,242
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	25,702,946	25,718,946
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH INITIATIVE	45,837	45,837
002	0601101E	DEFENSE RESEARCH SCIENCES	315,033	315,033
003	0601110D8Z	BASIC RESEARCH INITIATIVES	11,171	11,171
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	49,500	49,500
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	84,271	84,271
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS	30,895	35,895
		Program increase		[5,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	51,426	51,426
		SUBTOTAL BASIC RESEARCH	588,133	593,133
		APPLIED RESEARCH		
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	20,065	20,065
009	0602115E	BIOMEDICAL TECHNOLOGY	114,790	114,790
011	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	46,875	41,875
		MIT LL reduction		[- 5,000]
013	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES	45,000	40,000
		PSC S&T reduction		[- 5,000]
014	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	413,260	415,760
		Plan X increase		[2,500]
015	0602304E	COGNITIVE COMPUTING SYSTEMS	16,330	16,330
017	0602383E	BIOLOGICAL WARFARE DEFENSE	24,537	24,537
018	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	227,065	217,065
		Program decrease		[- 10,000]
020	0602668D8Z	CYBER SECURITY RESEARCH	18,908	18,908
021	0602670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH		2,500
		HSCB Apl Res extension		[2,500]
022	0602702E	TACTICAL TECHNOLOGY	225,977	225,977
023	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	166,654	166,654
024	0602716E	ELECTRONICS TECHNOLOGY	243,469	243,469
025	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES	175,282	175,282
026	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH	11,107	11,107
027	1160401BB	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	29,246	29,246
		SUBTOTAL APPLIED RESEARCH	1,778,565	1,763,565
		ADVANCED TECHNOLOGY DEVELOPMENT		
028	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	26,646	21,646
		Program decrease		[- 5,000]
029	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	19,420	19,420
030	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	77,792	77,792
031	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT	274,033	274,033
032	0603175C	BALLISTIC MISSILE DEFENSE TECHNOLOGY	309,203	214,203
		Advanced Technology—unsustainable growth		[- 20,000]
		Common Kill VehicleTechnology—transfer to line 032X		[- 70,000]
		Directed energy—DPALS		[- 5,000]
032X	0603XXXXC	COMMON KILL VEHICLE TECHNOLOGY		100,000
		Common Kill Vehicle Technology—transfer from line 032		[70,000]
		Increase for CKVT design and development		[30,000]
034	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	19,305	19,305
035	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY	7,565	7,565
036	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY	40,426	40,426
037	0603286E	ADVANCED AEROSPACE SYSTEMS	149,804	149,804
038	0603287E	SPACE PROGRAMS AND TECHNOLOGY	172,546	172,546
039	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	170,847	170,847
040	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	9,009	9,009

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041	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	174,428	167,428
		Decrease to Strategic Capabilities Office efforts		[– 7,000]
042	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	20,000	5,000
		Net Comm reduction		[– 15,000]
045	0603668D8Z	CYBER SECURITY ADVANCED RESEARCH	19,668	19,668
046	0603670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT.		2,500
		HSCB Adv Dev extension		[2,500]
047	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	34,041	59,041
		IBIF		[25,000]
048	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	61,971	53,971
		Decrease to Strategic Capabilities Office efforts		[– 8,000]
050	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	20,000	20,000
051	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	30,256	30,256
052	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	72,324	72,324
053	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	82,700	82,700
054	0603727D8Z	JOINT WARFIGHTING PROGRAM	8,431	8,431
055	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	117,080	117,080
057	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	239,078	239,078
059	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	259,006	259,006
060	0603767E	SENSOR TECHNOLOGY	286,364	286,364
061	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	12,116	12,116
062	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	19,008	19,008
063	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	78,532	68,532
		Quick & Rapid Reaction Fund reduction		[– 10,000]
065	0603828J	JOINT EXPERIMENTATION	12,667	12,667
066	0603832D8Z	DOD MODELING AND SIMULATION MANAGEMENT OFFICE	41,370	41,370
069	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	92,508	92,508
070	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	52,001	52,001
071	0303310D8Z	CWMD SYSTEMS	52,053	55,053
		Program increase		[3,000]
072	1160402BB	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	46,809	46,809
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	3,109,007	3,099,507
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
075	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	63,641	63,641
076	0603527D8Z	RETRACT LARCH	19,152	19,152
077	0603600D8Z	WALKOFF	70,763	70,763
079	0603714D8Z	ADVANCED SENSORS APPLICATION PROGRAM	17,230	19,230
		Sustain testing effort		[2,000]
080	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	71,453	71,453
081	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	268,990	268,990
082	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	1,033,903	1,133,903
		Continue activities relative to site evaluation, EIS, and planning		[20,000]
		FTG-07 failure review board and return to flight		[80,000]
083	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	196,237	196,237
084	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	315,183	395,183
		Additional homeland missile defense radar		[30,000]
		Enhanced discrimination capability		[50,000]
086	0603890C	BMD ENABLING PROGRAMS	377,605	377,605
087	0603891C	SPECIAL PROGRAMS—MDA	286,613	286,613
088	0603892C	AEGIS BMD	937,056	937,056
089	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	44,947	44,947
090	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	6,515	6,515
091	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	418,355	418,355
092	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	47,419	47,419
093	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	52,131	52,131
094	0603906C	REGARDING TRENCH	13,864	13,864
095	0603907C	SEA BASED X-BAND RADAR (SBX)	44,478	44,478
096	0603913C	ISRAELI COOPERATIVE PROGRAMS	95,782	283,782
		Arrow Weapon System Improvements		[33,700]
		Arrow-3 Interceptor		[22,100]
		David's Sling short-range BMD		[117,200]
		US co-production capability for Iron Dome parts and components		[15,000]
097	0603914C	BALLISTIC MISSILE DEFENSE TEST	375,866	375,866
098	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	495,257	495,257
099	0603920D8Z	HUMANITARIAN DEMINING	11,704	11,704
100	0603923D8Z	COALITION WARFARE	9,842	9,842
101	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,312	13,312
		Corrosion Prevention, Control, and Mitigation		[10,000]
102	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	130,000	100,000
		Decrease to SCO efforts		[– 30,000]
103	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT.	8,300	8,300
104	0604445J	WIDE AREA SURVEILLANCE	30,000	30,000
105	0604670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH AND ENGINEERING.		2,500
		HSCB Modeling R&E extension		[2,500]

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106	0604775D8Z	DEFENSE RAPID INNOVATION PROGRAM		200,000
		Rapid Innovation Program		[200,000]
108	0604787J	JOINT SYSTEMS INTEGRATION	7,402	7,402
110	0604828J	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM	7,506	7,506
111	0604880C	LAND-BASED SM-3 (LBSM3)	129,374	129,374
112	0604881C	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT	308,522	308,522
115	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,169	3,169
116	0305103C	CYBER SECURITY INITIATIVE	946	946
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES	5,902,517	6,455,017
		SYSTEM DEVELOPMENT AND DEMONSTRATION		
118	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	8,155	8,155
119	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	65,440	65,440
120	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	451,306	451,306
122	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	29,138	29,138
123	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	19,475	19,475
124	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	12,901	12,901
125	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	13,812	13,812
126	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	386	386
127	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	3,763	3,763
128	0605027D8Z	OUSDC IT DEVELOPMENT INITIATIVES	6,788	6,788
129	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	27,917	27,917
130	0605075D8Z	DCMO POLICY AND INTEGRATION	22,297	22,297
131	0605080S	DEFENSE AGENCY INTIATIVES (DAI)—FINANCIAL SYSTEM	51,689	51,689
132	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	6,184	6,184
133	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	12,083	12,083
134	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)	3,302	3,302
		SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION	734,636	734,636
		MANAGEMENT SUPPORT		
135	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	6,393	6,393
136	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	2,479	2,479
137	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	240,213	240,213
138	0604942D8Z	ASSESSMENTS AND EVALUATIONS	2,127	2,127
139	0604943D8Z	THERMAL VICAR	8,287	8,287
140	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	31,000	31,000
141	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	24,379	24,379
143	0605117D8Z	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	54,311	54,311
144	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	47,462	47,462
146	0605130D8Z	FOREIGN COMPARATIVE TESTING	12,134	12,134
147	0605142D8Z	SYSTEMS ENGINEERING	44,237	44,237
148	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	5,871	5,871
149	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	5,028	5,028
150	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	6,301	6,301
151	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	6,504	6,504
152	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	92,046	92,046
158	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER (S.	1,868	1,868
159	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	8,362	8,362
160	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	56,024	56,024
161	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	6,908	6,908
162	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	15,451	19,451
		Program increase		[4,000]
164	0605898E	MANAGEMENT HQ—R&D	71,659	71,659
165	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,083	4,083
167	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	5,306	5,306
168	0204571J	JOINT STAFF ANALYTICAL SUPPORT	2,097	2,097
172	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	8,394	8,394
175	0305193D8Z	CYBER INTELLIGENCE	7,624	7,624
178	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)	43,247	43,247
179	0901598C	MANAGEMENT HQ—MDA	37,712	37,712
180	0901598D8W	MANAGEMENT HEADQUARTERS WHS	607	607
181A	9999999999	CLASSIFIED PROGRAMS	54,914	54,914
		SUBTOTAL MANAGEMENT SUPPORT	913,028	917,028
		OPERATIONAL SYSTEM DEVELOPMENT		
182	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	7,552	7,552
183	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA.	3,270	3,270
184	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHAIS) ...	287	287
185	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	14,000	14,000
186	0607310D8Z	OPERATIONAL SYSTEMS DEVELOPMENT	1,955	1,955
187	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	13,250	13,250
188	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	13,026	13,026
190	0607828J	JOINT INTEGRATION AND INTEROPERABILITY	12,652	12,652
191	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,061	3,061
192	0208045K	C4I INTEROPERABILITY	72,726	72,726
194	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	6,524	6,524

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
201	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	512	512
202	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	12,867	12,867
203	0303126K	LONG-HAUL COMMUNICATIONS—DCS	36,565	36,565
204	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	13,144	13,144
205	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	1,060	1,060
206	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	33,279	33,279
207	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	10,673	10,673
208	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	181,567	181,567
210	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	34,288	34,288
211	0303153K	DEFENSE SPECTRUM ORGANIZATION	7,741	7,741
212	0303170K	NET-CENTRIC ENTERPRISE SERVICES (NCES)	3,325	3,325
213	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	1,246	1,246
214	0303610K	TELEPORT PROGRAM	5,147	5,147
216	0304210BB	SPECIAL APPLICATIONS FOR CONTINGENCIES	17,352	17,352
220	0305103K	CYBER SECURITY INITIATIVE	3,658	3,658
221	0305125D8Z	CRITICAL INFRASTRUCTURE PROTECTION (CIP)	9,752	9,752
225	0305186D8Z	POLICY R&D PROGRAMS	3,210	4,210
		CRRC extension		[1,000]
227	0305199D8Z	NET CENTRICITY	21,602	21,602
230	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,195	5,195
233	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,348	3,348
235	0305219BB	MQ-1 PREDATOR A UAV	641	641
238	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,338	2,338
239	0305600D8Z	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES	4,372	4,372
247	0708011S	INDUSTRIAL PREPAREDNESS	24,691	24,691
248	0708012S	LOGISTICS SUPPORT ACTIVITIES	4,659	4,659
249	0902298J	MANAGEMENT HQ—OJCS	3,533	3,533
250	1105219BB	MQ-9 UAV	1,314	13,314
		Capability Improvements		[12,000]
254	1160403BB	AVIATION SYSTEMS	156,561	156,561
256	1160405BB	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	7,705	7,705
257	1160408BB	SOF OPERATIONAL ENHANCEMENTS	42,620	42,620
261	1160431BB	WARRIOR SYSTEMS	17,970	17,970
262	1160432BB	SPECIAL PROGRAMS	7,424	7,424
268	1160480BB	SOF TACTICAL VEHICLES	2,206	2,206
271	1160483BB	MARITIME SYSTEMS	18,325	19,481
		CCFLIR—Transfer at USSOCOM Request		[1,156]
274	1160489BB	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,304	3,304
275	1160490BB	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	16,021	16,021
275A	9999999999	CLASSIFIED PROGRAMS	3,773,704	3,773,704
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	4,641,222	4,655,378
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	17,667,108	18,218,264
		OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	75,720	75,720
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	48,423	48,423
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	62,157	62,157
		SUBTOTAL MANAGEMENT SUPPORT	186,300	186,300
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	186,300	186,300
		TOTAL RDT&E	67,520,236	67,739,463

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
		SYSTEM DEVELOPMENT & DEMONSTRATION		
087	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	7,000	7,000
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	7,000	7,000
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	7,000	7,000
		OPERATIONAL SYSTEMS DEVELOPMENT		
224A	9999999999	CLASSIFIED PROGRAMS	34,426	34,426
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	34,426	34,426
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	34,426	34,426
		OPERATIONAL SYSTEMS DEVELOPMENT		

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	Agreement Authorized
252A	9999999999	CLASSIFIED PROGRAMS	9,000	9,000
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	9,000	9,000
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	9,000	9,000
		OPERATIONAL SYSTEM DEVELOPMENT		
275A	9999999999	CLASSIFIED PROGRAMS	66,208	66,208
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	66,208	66,208
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	66,208	66,208
		TOTAL RDT&E	116,634	116,634

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	888,114	1,059,114
	Readiness funding increase		[171,000]
020	MODULAR SUPPORT BRIGADES	72,624	72,624
030	ECHELONS ABOVE BRIGADE	617,402	617,402
040	THEATER LEVEL ASSETS	602,262	602,262
050	LAND FORCES OPERATIONS SUPPORT	1,032,484	1,032,484
060	AVIATION ASSETS	1,287,462	1,303,262
	Readiness funding increase		[15,800]
070	FORCE READINESS OPERATIONS SUPPORT	3,559,656	3,768,656
	Readiness funding increase		[209,000]
080	LAND FORCES SYSTEMS READINESS	454,477	454,477
090	LAND FORCES DEPOT MAINTENANCE	1,481,156	1,706,156
	Readiness funding increase		[225,000]
100	BASE OPERATIONS SUPPORT	7,278,154	7,278,154
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,754,712	3,011,712
	Realignment of Arlington National Cemetery operations		[- 25,000]
	Sustainment to 90%		[282,000]
120	MANAGEMENT AND OPERATIONAL HQ'S	425,271	425,271
130	COMBATANT COMMANDERS CORE OPERATIONS	185,064	185,064
170	COMBATANT COMMANDERS ANCILLARY MISSIONS	463,270	463,270
	SUBTOTAL OPERATING FORCES	21,102,108	21,979,908
	MOBILIZATION		
180	STRATEGIC MOBILITY	360,240	360,240
190	ARMY PREPOSITIONING STOCKS	192,105	192,105
200	INDUSTRIAL PREPAREDNESS	7,101	7,101
	SUBTOTAL MOBILIZATION	559,446	559,446
	TRAINING AND RECRUITING		
210	OFFICER ACQUISITION	115,992	115,992
220	RECRUIT TRAINING	52,323	52,323
230	ONE STATION UNIT TRAINING	43,589	43,589
240	SENIOR RESERVE OFFICERS TRAINING CORPS	453,745	453,745
250	SPECIALIZED SKILL TRAINING	1,034,495	1,034,495
260	FLIGHT TRAINING	1,016,876	1,016,876
270	PROFESSIONAL DEVELOPMENT EDUCATION	186,565	186,565
280	TRAINING SUPPORT	652,514	652,514
290	RECRUITING AND ADVERTISING	485,500	485,500
300	EXAMINING	170,912	170,912
310	OFF-DUTY AND VOLUNTARY EDUCATION	251,523	251,523
320	CIVILIAN EDUCATION AND TRAINING	184,422	184,422
330	JUNIOR ROTC	181,105	181,105
	SUBTOTAL TRAINING AND RECRUITING	4,829,561	4,829,561
	ADMIN & SRVWIDE ACTIVITIES		
350	SERVICEWIDE TRANSPORTATION	690,089	690,089
360	CENTRAL SUPPLY ACTIVITIES	774,120	774,120
370	LOGISTIC SUPPORT ACTIVITIES	651,765	651,765
380	AMMUNITION MANAGEMENT	453,051	453,051
390	ADMINISTRATION	487,737	487,737
400	SERVICEWIDE COMMUNICATIONS	1,563,115	1,563,115
410	MANPOWER MANAGEMENT	326,853	326,853
420	OTHER PERSONNEL SUPPORT	234,364	234,364

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
430	OTHER SERVICE SUPPORT	1,212,091	1,212,091
440	ARMY CLAIMS ACTIVITIES	243,540	243,540
450	REAL ESTATE MANAGEMENT	241,101	241,101
460	BASE OPERATIONS SUPPORT	226,291	226,291
470	SUPPORT OF NATO OPERATIONS	426,651	457,851
	Realignment of NATO Special Operations Headquarters from O&M Defense-wide		[31,200]
480	MISC. SUPPORT OF OTHER NATIONS	27,248	27,248
525	CLASSIFIED PROGRAMS	1,023,946	1,023,946
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	8,581,962	8,613,162
	UNDISTRIBUTED		
530	UNDISTRIBUTED		– 284,300
	Average civilian end strength above projection		[– 284,300]
	SUBTOTAL UNDISTRIBUTED		– 284,300
	TOTAL OPERATION & MAINTENANCE, ARMY	35,073,077	35,697,777
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MANEUVER UNITS	1,621	1,621
020	MODULAR SUPPORT BRIGADES	24,429	24,429
030	ECHELONS ABOVE BRIGADE	657,099	657,099
040	THEATER LEVEL ASSETS	122,485	122,485
050	LAND FORCES OPERATIONS SUPPORT	584,058	584,058
060	AVIATION ASSETS	79,380	79,380
070	FORCE READINESS OPERATIONS SUPPORT	471,616	471,616
080	LAND FORCES SYSTEMS READINESS	74,243	74,243
090	LAND FORCES DEPOT MAINTENANCE	70,894	146,694
	Army Reserve identified shortfall—restore unjustified efficiency reduction		[75,800]
100	BASE OPERATIONS SUPPORT	569,801	569,801
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	294,145	330,545
	Readiness funding increase		[36,400]
120	MANAGEMENT AND OPERATIONAL HQ'S	51,853	51,853
	SUBTOTAL OPERATING FORCES	3,001,624	3,113,824
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	10,735	10,735
140	ADMINISTRATION	24,197	24,197
150	SERVICEWIDE COMMUNICATIONS	10,304	10,304
160	MANPOWER MANAGEMENT	10,319	10,319
170	RECRUITING AND ADVERTISING	37,857	37,857
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	93,412	93,412
	TOTAL OPERATION & MAINTENANCE, ARMY RES	3,095,036	3,207,236
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	800,880	800,880
020	MODULAR SUPPORT BRIGADES	178,650	178,650
030	ECHELONS ABOVE BRIGADE	771,503	771,503
040	THEATER LEVEL ASSETS	98,699	98,699
050	LAND FORCES OPERATIONS SUPPORT	38,779	38,779
060	AVIATION ASSETS	922,503	922,503
070	FORCE READINESS OPERATIONS SUPPORT	761,056	761,056
080	LAND FORCES SYSTEMS READINESS	62,971	62,971
090	LAND FORCES DEPOT MAINTENANCE	233,105	233,105
100	BASE OPERATIONS SUPPORT	1,019,059	1,019,059
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	712,139	786,339
	Readiness funding increase		[74,200]
120	MANAGEMENT AND OPERATIONAL HQ'S	1,013,715	1,000,418
	Army National Guard identified severance pay excess to requirement		[– 13,297]
	SUBTOTAL OPERATING FORCES	6,613,059	6,673,962
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	10,812	10,812
140	REAL ESTATE MANAGEMENT	1,551	1,551
150	ADMINISTRATION	78,284	78,284
160	SERVICEWIDE COMMUNICATIONS	46,995	46,995
170	MANPOWER MANAGEMENT	6,390	6,390
180	RECRUITING AND ADVERTISING	297,105	297,105
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	441,137	441,137
	UNDISTRIBUTED		
190	UNDISTRIBUTED		– 15,000
	Unjustified Growth For Civilian Personnel Compensation		[– 15,000]
	SUBTOTAL UNDISTRIBUTED		– 15,000
	TOTAL OPERATION & MAINTENANCE, ARNG	7,054,196	7,100,099

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
OPERATION & MAINTENANCE, NAVY			
OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	4,952,522	4,985,022
	Readiness funding increase		[32,500]
020	FLEET AIR TRAINING	1,826,404	1,826,404
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	38,639	38,639
040	AIR OPERATIONS AND SAFETY SUPPORT	90,030	90,030
050	AIR SYSTEMS SUPPORT	362,700	362,700
060	AIRCRAFT DEPOT MAINTENANCE	915,881	955,881
	Navy Unfunded Requirement for Air Depot Maintenance		[40,000]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	35,838	35,838
080	AVIATION LOGISTICS	379,914	379,914
090	MISSION AND OTHER SHIP OPERATIONS	3,884,836	3,995,736
	Readiness funding increase		[99,500]
	Spares		[11,400]
100	SHIP OPERATIONS SUPPORT & TRAINING	734,852	734,852
110	SHIP DEPOT MAINTENANCE	5,191,511	5,191,511
120	SHIP DEPOT OPERATIONS SUPPORT	1,351,274	1,381,274
	Readiness funding increase		[30,000]
130	COMBAT COMMUNICATIONS	701,316	701,316
140	ELECTRONIC WARFARE	97,710	97,710
150	SPACE SYSTEMS AND SURVEILLANCE	172,330	172,330
160	WARFARE TACTICS	454,682	454,682
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	328,406	328,406
180	COMBAT SUPPORT FORCES	946,429	1,083,297
	Navy Unfunded Requirement for Navy Expeditionary Combat Enterprise Reset/Depot		[148,000]
	Unjustified growth for human resources functions		[- 11,132]
190	EQUIPMENT MAINTENANCE	142,249	142,249
200	DEPOT OPERATIONS SUPPORT	2,603	2,603
210	COMBATANT COMMANDERS CORE OPERATIONS	102,970	102,970
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	199,128	199,128
230	CRUISE MISSILE	92,671	92,671
240	FLEET BALLISTIC MISSILE	1,193,188	1,193,188
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	105,985	105,985
260	WEAPONS MAINTENANCE	532,627	532,627
270	OTHER WEAPON SYSTEMS SUPPORT	304,160	304,160
280	ENTERPRISE INFORMATION	1,011,528	1,011,528
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	1,996,821	2,132,821
	Readiness funding increase		[136,000]
300	BASE OPERATING SUPPORT	4,460,918	4,460,918
	SUBTOTAL OPERATING FORCES	32,610,122	33,096,390
MOBILIZATION			
310	SHIP PREPOSITIONING AND SURGE	331,576	331,576
320	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,638	6,638
330	SHIP ACTIVATIONS/INACTIVATIONS	222,752	222,752
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	73,310	73,310
350	INDUSTRIAL READINESS	2,675	2,675
360	COAST GUARD SUPPORT	23,794	23,794
	SUBTOTAL MOBILIZATION	660,745	660,745
TRAINING AND RECRUITING			
370	OFFICER ACQUISITION	148,516	148,516
380	RECRUIT TRAINING	9,384	9,384
390	RESERVE OFFICERS TRAINING CORPS	139,876	139,876
400	SPECIALIZED SKILL TRAINING	630,069	630,069
410	FLIGHT TRAINING	9,294	9,294
420	PROFESSIONAL DEVELOPMENT EDUCATION	169,082	169,082
430	TRAINING SUPPORT	164,368	164,368
440	RECRUITING AND ADVERTISING	241,733	242,833
	Naval Sea Cadets		[1,100]
450	OFF-DUTY AND VOLUNTARY EDUCATION	139,815	139,815
460	CIVILIAN EDUCATION AND TRAINING	94,632	94,632
470	JUNIOR ROTC	51,373	51,373
	SUBTOTAL TRAINING AND RECRUITING	1,798,142	1,799,242
ADMIN & SRVWD ACTIVITIES			
480	ADMINISTRATION	886,088	886,088
490	EXTERNAL RELATIONS	13,131	13,131
500	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	115,742	115,742
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	382,150	382,150
520	OTHER PERSONNEL SUPPORT	268,403	268,403
530	SERVICEWIDE COMMUNICATIONS	317,293	317,293
550	SERVICEWIDE TRANSPORTATION	207,128	207,128
570	PLANNING, ENGINEERING AND DESIGN	295,855	295,855
580	ACQUISITION AND PROGRAM MANAGEMENT	1,140,484	1,140,484
590	HULL, MECHANICAL AND ELECTRICAL SUPPORT	52,873	52,873
600	COMBAT/WEAPONS SYSTEMS	27,587	27,587
610	SPACE AND ELECTRONIC WARFARE SYSTEMS	75,728	75,728

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
620	NAVAL INVESTIGATIVE SERVICE	543,026	543,026
680	INTERNATIONAL HEADQUARTERS AND AGENCIES	4,965	4,965
705	CLASSIFIED PROGRAMS	545,775	545,775
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	4,876,228	4,876,228
	UNDISTRIBUTED		
710	UNDISTRIBUTED		— 30,000
	Average civilian end strength above projection		[— 30,000]
	SUBTOTAL UNDISTRIBUTED		— 30,000
	TOTAL OPERATION & MAINTENANCE, NAVY	39,945,237	40,402,605
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	837,012	912,012
	Crisis Response Force		[40,000]
	Marine Security Guard		[35,000]
020	FIELD LOGISTICS	894,555	894,555
030	DEPOT MAINTENANCE	223,337	279,337
	Readiness funding increase		[56,000]
040	MARITIME PREPOSITIONING	97,878	97,878
050	SUSTAINMENT, RESTORATION & MODERNIZATION	774,619	774,619
060	BASE OPERATING SUPPORT	2,166,661	2,166,661
	SUBTOTAL OPERATING FORCES	4,994,062	5,125,062
	TRAINING AND RECRUITING		
070	RECRUIT TRAINING	17,693	17,693
080	OFFICER ACQUISITION	896	896
090	SPECIALIZED SKILL TRAINING	100,806	100,806
100	PROFESSIONAL DEVELOPMENT EDUCATION	46,928	46,928
110	TRAINING SUPPORT	356,426	356,426
120	RECRUITING AND ADVERTISING	179,747	179,747
130	OFF-DUTY AND VOLUNTARY EDUCATION	52,255	52,255
140	JUNIOR ROTC	23,138	23,138
	SUBTOTAL TRAINING AND RECRUITING	777,889	777,889
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	43,816	43,816
160	ADMINISTRATION	305,107	305,107
180	ACQUISITION AND PROGRAM MANAGEMENT	87,500	87,500
185	CLASSIFIED PROGRAMS	46,276	46,276
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	482,699	482,699
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	6,254,650	6,385,650
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	586,620	588,520
	Readiness funding increase		[1,900]
020	INTERMEDIATE MAINTENANCE	7,008	7,008
040	AIRCRAFT DEPOT MAINTENANCE	100,657	109,557
	Readiness funding increase		[8,900]
050	AIRCRAFT DEPOT OPERATIONS SUPPORT	305	305
060	AVIATION LOGISTICS	3,927	3,927
070	MISSION AND OTHER SHIP OPERATIONS	75,933	75,933
080	SHIP OPERATIONS SUPPORT & TRAINING	601	601
090	SHIP DEPOT MAINTENANCE	44,364	44,364
100	COMBAT COMMUNICATIONS	15,477	15,477
110	COMBAT SUPPORT FORCES	115,608	115,608
120	WEAPONS MAINTENANCE	1,967	1,967
130	ENTERPRISE INFORMATION	43,726	43,726
140	SUSTAINMENT, RESTORATION AND MODERNIZATION	69,011	74,011
	Sustainment to 90%		[5,000]
150	BASE OPERATING SUPPORT	109,604	109,604
	SUBTOTAL OPERATING FORCES	1,174,808	1,190,608
	ADMIN & SRVWD ACTIVITIES		
160	ADMINISTRATION	2,905	2,905
170	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	14,425	14,425
180	SERVICEWIDE COMMUNICATIONS	2,485	2,485
190	ACQUISITION AND PROGRAM MANAGEMENT	3,129	3,129
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	22,944	22,944
	TOTAL OPERATION & MAINTENANCE, NAVY RES	1,197,752	1,213,552
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	96,244	96,244
020	DEPOT MAINTENANCE	17,581	17,581

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	32,438	32,738
	Sustainment to 90%		[300]
040	BASE OPERATING SUPPORT	95,259	95,259
	SUBTOTAL OPERATING FORCES	241,522	241,822
	ADMIN & SRVWD ACTIVITIES		
050	SERVICEWIDE TRANSPORTATION	894	894
060	ADMINISTRATION	11,743	11,743
070	RECRUITING AND ADVERTISING	9,158	9,158
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	21,795	21,795
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	263,317	263,617
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	3,295,814	3,442,614
	Readiness funding increase		[146,800]
020	COMBAT ENHANCEMENT FORCES	1,875,095	1,875,095
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,559,109	1,579,109
	Increase for ranges		[20,000]
040	DEPOT MAINTENANCE	5,956,304	6,146,304
	Readiness funding increase		[190,000]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,834,424	1,934,738
	Readiness funding increase		[100,314]
060	BASE SUPPORT	2,779,811	2,779,811
070	GLOBAL C3I AND EARLY WARNING	913,841	911,329
	Remove program growth for foreign currency fluctuation		[- 2,512]
080	OTHER COMBAT OPS SPT PROGRAMS	916,837	916,837
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	720,349	720,349
110	LAUNCH FACILITIES	305,275	305,275
120	SPACE CONTROL SYSTEMS	433,658	433,658
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	1,146,016	1,146,016
140	COMBATANT COMMANDERS CORE OPERATIONS	231,830	231,830
	SUBTOTAL OPERATING FORCES	21,968,363	22,422,965
	MOBILIZATION		
150	AIRLIFT OPERATIONS	2,015,902	2,015,902
160	MOBILIZATION PREPAREDNESS	147,216	147,216
170	DEPOT MAINTENANCE	1,556,232	1,556,232
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	167,402	167,402
190	BASE SUPPORT	707,040	707,040
	SUBTOTAL MOBILIZATION	4,593,792	4,593,792
	TRAINING AND RECRUITING		
200	OFFICER ACQUISITION	102,334	102,334
210	RECRUIT TRAINING	17,733	17,733
220	RESERVE OFFICERS TRAINING CORPS (ROTC)	94,600	94,600
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	217,011	217,011
240	BASE SUPPORT	800,327	800,327
250	SPECIALIZED SKILL TRAINING	399,364	399,364
260	FLIGHT TRAINING	792,275	792,275
270	PROFESSIONAL DEVELOPMENT EDUCATION	248,958	248,958
280	TRAINING SUPPORT	106,741	106,741
290	DEPOT MAINTENANCE	319,331	339,331
	Readiness funding increase		[20,000]
300	RECRUITING AND ADVERTISING	122,736	122,736
310	EXAMINING	3,679	3,679
320	OFF-DUTY AND VOLUNTARY EDUCATION	137,255	137,255
330	CIVILIAN EDUCATION AND TRAINING	176,153	176,153
340	JUNIOR ROTC	67,018	67,018
	SUBTOTAL TRAINING AND RECRUITING	3,605,515	3,625,515
	ADMIN & SRVWD ACTIVITIES		
350	LOGISTICS OPERATIONS	1,103,684	1,103,684
360	TECHNICAL SUPPORT ACTIVITIES	919,923	919,923
370	DEPOT MAINTENANCE	56,601	56,601
380	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	281,061	281,061
390	BASE SUPPORT	1,203,305	1,198,128
	Unjustified increase for public-private competitions		[- 5,177]
400	ADMINISTRATION	593,865	593,865
410	SERVICEWIDE COMMUNICATIONS	574,609	574,609
420	OTHER SERVICEWIDE ACTIVITIES	1,028,600	1,028,600
430	CIVIL AIR PATROL	24,720	24,720
460	INTERNATIONAL SUPPORT	89,008	89,008
465	CLASSIFIED PROGRAMS	1,227,796	1,227,796
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	7,103,172	7,097,995
	UNDISTRIBUTED		
470	UNDISTRIBUTED		- 200,000

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	Average civilian end strength above projection		[–200,000]
	SUBTOTAL UNDISTRIBUTED		–200,000
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	37,270,842	37,540,267
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,857,951	1,857,951
020	MISSION SUPPORT OPERATIONS	224,462	220,062
	Unjustified growth in civilian personnel compensation		[–4,400]
030	DEPOT MAINTENANCE	521,182	521,182
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	89,704	98,674
	Readiness funding increase		[8,970]
050	BASE SUPPORT	360,836	360,836
	SUBTOTAL OPERATING FORCES	3,054,135	3,058,705
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
060	ADMINISTRATION	64,362	64,362
070	RECRUITING AND ADVERTISING	15,056	15,056
080	MILITARY MANPOWER AND PERS MGMT (ARPC)	23,617	23,617
090	OTHER PERS SUPPORT (DISABILITY COMP)	6,618	6,618
100	AUDIOVISUAL	819	819
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	110,472	110,472
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	3,164,607	3,169,177
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
010	AIRCRAFT OPERATIONS	3,371,871	3,371,871
020	MISSION SUPPORT OPERATIONS	720,305	720,305
030	DEPOT MAINTENANCE	1,514,870	1,514,870
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	296,953	325,153
	Readiness funding increase		[28,200]
050	BASE SUPPORT	597,303	597,303
	SUBTOTAL OPERATING FORCES	6,501,302	6,529,502
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
060	ADMINISTRATION	32,117	32,117
070	RECRUITING AND ADVERTISING	32,585	32,585
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	64,702	64,702
	TOTAL OPERATION & MAINTENANCE, ANG	6,566,004	6,594,204
	OPERATION & MAINTENANCE, DEFENSE-WIDE OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	472,239	472,239
020	SPECIAL OPERATIONS COMMAND	5,261,463	5,233,611
	AFSOC Flying Hour Program		[70,100]
	International SOF Information Sharing System		[–7,017]
	Ongoing baseline contingency operations		[–35,519]
	Other Operations—military construction collateral equipment non-recurring costs		[–5,000]
	Pilot program for SOF family members		[5,000]
	Preserve the force and families—human performance program		[–11,605]
	Preserve the force and families—resiliency		[–8,786]
	Realignment of NATO Special Operations Headquarters to O&M, Army		[–31,200]
	Regional SOF Coordination Centers		[–14,725]
	USASOC Flying Hour Program		[18,000]
	USSOCOM NCR Contractor Support		[–7,100]
	SUBTOTAL OPERATING FORCES	5,733,702	5,705,850
	TRAINING AND RECRUITING		
040	DEFENSE ACQUISITION UNIVERSITY	157,397	157,397
050	NATIONAL DEFENSE UNIVERSITY	84,899	84,899
	SUBTOTAL TRAINING AND RECRUITING	242,296	242,296
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
060	CIVIL MILITARY PROGRAMS	144,443	166,142
	STARBASE		[21,699]
080	DEFENSE CONTRACT AUDIT AGENCY	612,207	583,207
	Overestimation of Civilian Full Time Equivalent Targets		[–29,000]
090	DEFENSE CONTRACT MANAGEMENT AGENCY	1,378,606	1,319,606
	Overestimation of Civilian Full Time Equivalent Targets		[–59,000]
110	DEFENSE HUMAN RESOURCES ACTIVITY	763,091	763,091
120	DEFENSE INFORMATION SYSTEMS AGENCY	1,326,243	1,326,243
140	DEFENSE LEGAL SERVICES AGENCY	29,933	29,933
150	DEFENSE LOGISTICS AGENCY	462,545	451,517
	Cost of DISA computing service rates		[–11,028]
160	DEFENSE MEDIA ACTIVITY	222,979	222,979
170	DEFENSE POW/MIA OFFICE	21,594	21,594

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
180	DEFENSE SECURITY COOPERATION AGENCY	788,389	761,589
	Combating terrorism fellowship program		[- 7,000]
	Global Train and Equip		[- 7,800]
	Regional centers for security centers—undistributed decrease		[- 12,000]
190	DEFENSE SECURITY SERVICE	546,603	546,603
210	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	35,151	35,151
220	DEFENSE THREAT REDUCTION AGENCY	438,033	438,033
240	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,713,756	2,713,756
250	MISSILE DEFENSE AGENCY	256,201	254,801
	THAAD excess to requirement		[- 1,400]
270	OFFICE OF ECONOMIC ADJUSTMENT	371,615	217,715
	Program decrease		[- 273,300]
	Rephasing of Guam civilian water and waste water infrastructure projects		[119,400]
280	OFFICE OF THE SECRETARY OF DEFENSE	2,010,176	1,995,176
	BRAC 2015 Initiative		[- 8,000]
	OUSDP program decrease		[- 7,000]
290	WASHINGTON HEADQUARTERS SERVICES	616,572	611,572
	Price Growth Requested as Program Growth		[- 5,000]
295	CLASSIFIED PROGRAMS	14,283,558	14,323,558
	Classified adjustment		[10,000]
	Increase to Operation Observant Compass		[30,000]
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	27,021,695	26,782,266
	UNDISTRIBUTED		
305	UNDISTRIBUTED		30,000
	Impact Aid		[25,000]
	Impact Aid for Children with Severe Disabilities		[5,000]
	SUBTOTAL UNDISTRIBUTED		30,000
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	32,997,693	32,760,412
	MISCELLANEOUS APPROPRIATIONS		
040	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	13,606	13,606
050	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	109,500	109,500
060	COOPERATIVE THREAT REDUCTION	528,455	528,455
080	ACQ WORKFORCE DEV FD	256,031	131,331
	Program decrease		[- 124,700]
090	ENVIRONMENTAL RESTORATION, ARMY	298,815	298,815
100	ENVIRONMENTAL RESTORATION, NAVY	316,103	316,103
110	ENVIRONMENTAL RESTORATION, AIR FORCE	439,820	439,820
120	ENVIRONMENTAL RESTORATION, DEFENSE	10,757	10,757
130	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	237,443	237,443
160	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND	5,000	0
	Program reduction		[- 5,000]
	TOTAL MISCELLANEOUS APPROPRIATIONS	2,215,530	2,085,830
	TOTAL OPERATION & MAINTENANCE	175,097,941	176,420,426

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	217,571	217,571
020	MODULAR SUPPORT BRIGADES	8,266	8,266
030	ECHELONS ABOVE BRIGADE	56,626	56,626
040	THEATER LEVEL ASSETS	4,209,942	4,209,942
050	LAND FORCES OPERATIONS SUPPORT	950,567	950,567
060	AVIATION ASSETS	474,288	474,288
070	FORCE READINESS OPERATIONS SUPPORT	1,349,152	1,349,152
080	LAND FORCES SYSTEMS READINESS	655,000	655,000
090	LAND FORCES DEPOT MAINTENANCE	301,563	301,563
100	BASE OPERATIONS SUPPORT	706,214	706,214
140	ADDITIONAL ACTIVITIES	11,519,498	11,519,498
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	60,000	60,000
160	RESET	2,240,358	3,340,358
	Restore Critical Army Reset		[1,100,000]
	SUBTOTAL OPERATING FORCES	22,749,045	23,849,045

ADMIN & SRVWIDE ACTIVITIES

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
350	SERVICEWIDE TRANSPORTATION	4,601,356	4,601,356
380	AMMUNITION MANAGEMENT	17,418	17,418
400	SERVICEWIDE COMMUNICATIONS	110,000	110,000
420	OTHER PERSONNEL SUPPORT	94,820	94,820
430	OTHER SERVICE SUPPORT	54,000	54,000
450	REAL ESTATE MANAGEMENT	250,000	250,000
525	CLASSIFIED PROGRAMS	1,402,994	1,402,994
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	6,530,588	6,530,588
	TOTAL OPERATION & MAINTENANCE, ARMY	29,279,633	30,379,633
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
030	ECHELONS ABOVE BRIGADE	6,995	6,995
050	LAND FORCES OPERATIONS SUPPORT	2,332	2,332
070	FORCE READINESS OPERATIONS SUPPORT	608	608
100	BASE OPERATIONS SUPPORT	33,000	33,000
	SUBTOTAL OPERATING FORCES	42,935	42,935
	TOTAL OPERATION & MAINTENANCE, ARMY RES	42,935	42,935
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	29,314	29,314
020	MODULAR SUPPORT BRIGADES	1,494	1,494
030	ECHELONS ABOVE BRIGADE	15,343	15,343
040	THEATER LEVEL ASSETS	1,549	1,549
060	AVIATION ASSETS	64,504	64,504
070	FORCE READINESS OPERATIONS SUPPORT	31,512	31,512
100	BASE OPERATIONS SUPPORT	42,179	42,179
120	MANAGEMENT AND OPERATIONAL HQ'S	11,996	11,996
	SUBTOTAL OPERATING FORCES	197,891	197,891
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE COMMUNICATIONS	1,480	1,480
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	1,480	1,480
	TOTAL OPERATION & MAINTENANCE, ARNG	199,371	199,371
	AFGHANISTAN SECURITY FORCES FUND		
	MINISTRY OF DEFENSE		
010	SUSTAINMENT	2,735,603	2,735,603
020	INFRASTRUCTURE	278,650	278,650
030	EQUIPMENT AND TRANSPORTATION	2,180,382	2,180,382
040	TRAINING AND OPERATIONS	626,550	626,550
	SUBTOTAL MINISTRY OF DEFENSE	5,821,185	5,821,185
	MINISTRY OF INTERIOR		
060	SUSTAINMENT	1,214,995	1,214,995
080	EQUIPMENT AND TRANSPORTATION	54,696	54,696
090	TRAINING AND OPERATIONS	626,119	626,119
	SUBTOTAL MINISTRY OF INTERIOR	1,895,810	1,895,810
	DETAINEE OPS		
110	SUSTAINMENT	7,225	7,225
140	TRAINING AND OPERATIONS	2,500	2,500
	SUBTOTAL DETAINEE OPS	9,725	9,725
	UNDISTRIBUTED		
160	UNDISTRIBUTED		-1,500,000
	Program decrease		[-1,500,000]
	SUBTOTAL UNDISTRIBUTED		-1,500,000
	TOTAL AFGHANISTAN SECURITY FORCES FUND	7,726,720	6,226,720
	AFGHANISTAN INFRASTRUCTURE FUND		
	AFGHANISTAN INFRASTRUCTURE FUND		
010	POWER	279,000	250,000
	Unjustified expenditure		[-29,000]
	SUBTOTAL AFGHANISTAN INFRASTRUCTURE FUND	279,000	250,000
	TOTAL AFGHANISTAN INFRASTRUCTURE FUND	279,000	250,000
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	845,169	845,169
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	600	600
040	AIR OPERATIONS AND SAFETY SUPPORT	17,489	17,489
050	AIR SYSTEMS SUPPORT	78,491	78,491

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
060	AIRCRAFT DEPOT MAINTENANCE	162,420	162,420
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	2,700	2,700
080	AVIATION LOGISTICS	50,130	50,130
090	MISSION AND OTHER SHIP OPERATIONS	949,539	949,539
100	SHIP OPERATIONS SUPPORT & TRAINING	20,226	20,226
110	SHIP DEPOT MAINTENANCE	1,679,660	1,679,660
130	COMBAT COMMUNICATIONS	37,760	37,760
160	WARFARE TACTICS	25,351	25,351
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	20,045	20,045
180	COMBAT SUPPORT FORCES	1,212,296	1,212,296
190	EQUIPMENT MAINTENANCE	10,203	10,203
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	127,972	127,972
260	WEAPONS MAINTENANCE	221,427	221,427
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	13,386	13,386
300	BASE OPERATING SUPPORT	110,940	110,940
	SUBTOTAL OPERATING FORCES	5,585,804	5,585,804
	MOBILIZATION		
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	18,460	18,460
360	COAST GUARD SUPPORT	227,033	227,033
	SUBTOTAL MOBILIZATION	245,493	245,493
	TRAINING AND RECRUITING		
400	SPECIALIZED SKILL TRAINING	50,269	50,269
430	TRAINING SUPPORT	5,400	5,400
	SUBTOTAL TRAINING AND RECRUITING	55,669	55,669
	ADMIN & SRVWD ACTIVITIES		
480	ADMINISTRATION	2,418	2,418
490	EXTERNAL RELATIONS	516	516
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	5,107	5,107
520	OTHER PERSONNEL SUPPORT	1,411	1,411
530	SERVICEWIDE COMMUNICATIONS	2,545	2,545
550	SERVICEWIDE TRANSPORTATION	153,427	153,427
580	ACQUISITION AND PROGRAM MANAGEMENT	8,570	8,570
620	NAVAL INVESTIGATIVE SERVICE	1,425	1,425
705	CLASSIFIED PROGRAMS	5,608	5,608
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	181,027	181,027
	TOTAL OPERATION & MAINTENANCE, NAVY	6,067,993	6,067,993
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	992,190	992,190
020	FIELD LOGISTICS	559,574	559,574
030	DEPOT MAINTENANCE	570,000	570,000
060	BASE OPERATING SUPPORT	69,726	69,726
	SUBTOTAL OPERATING FORCES	2,191,490	2,191,490
	TRAINING AND RECRUITING		
110	TRAINING SUPPORT	108,270	108,270
	SUBTOTAL TRAINING AND RECRUITING	108,270	108,270
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	365,555	365,555
160	ADMINISTRATION	3,675	3,675
185	CLASSIFIED PROGRAMS	825	825
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	370,055	370,055
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	2,669,815	2,669,815
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	17,196	17,196
020	INTERMEDIATE MAINTENANCE	200	200
040	AIRCRAFT DEPOT MAINTENANCE	6,000	6,000
070	MISSION AND OTHER SHIP OPERATIONS	12,304	12,304
090	SHIP DEPOT MAINTENANCE	6,790	6,790
110	COMBAT SUPPORT FORCES	13,210	13,210
	SUBTOTAL OPERATING FORCES	55,700	55,700
	TOTAL OPERATION & MAINTENANCE, NAVY RES	55,700	55,700
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	11,124	11,124
040	BASE OPERATING SUPPORT	1,410	1,410
	SUBTOTAL OPERATING FORCES	12,534	12,534

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	12,534	12,534
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,712,393	1,712,393
020	COMBAT ENHANCEMENT FORCES	836,104	836,104
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	14,118	14,118
040	DEPOT MAINTENANCE	1,373,480	1,373,480
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	122,712	122,712
060	BASE SUPPORT	1,520,333	1,520,333
070	GLOBAL C3I AND EARLY WARNING	31,582	31,582
080	OTHER COMBAT OPS SPT PROGRAMS	147,524	147,524
110	LAUNCH FACILITIES	857	857
120	SPACE CONTROL SYSTEMS	8,353	8,353
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	50,495	50,495
	SUBTOTAL OPERATING FORCES	5,817,951	5,817,951
	MOBILIZATION		
150	AIRLIFT OPERATIONS	3,091,133	3,091,133
160	MOBILIZATION PREPAREDNESS	47,897	47,897
170	DEPOT MAINTENANCE	387,179	517,179
	Program increase		[130,000]
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	7,043	7,043
190	BASE SUPPORT	68,382	68,382
	SUBTOTAL MOBILIZATION	3,601,634	3,731,634
	TRAINING AND RECRUITING		
200	OFFICER ACQUISITION	100	100
210	RECRUIT TRAINING	478	478
240	BASE SUPPORT	19,256	19,256
250	SPECIALIZED SKILL TRAINING	12,845	12,845
260	FLIGHT TRAINING	731	731
270	PROFESSIONAL DEVELOPMENT EDUCATION	607	607
280	TRAINING SUPPORT	720	720
320	OFF-DUTY AND VOLUNTARY EDUCATION	152	152
	SUBTOTAL TRAINING AND RECRUITING	34,889	34,889
	ADMIN & SRVWD ACTIVITIES		
350	LOGISTICS OPERATIONS	86,273	86,273
360	TECHNICAL SUPPORT ACTIVITIES	2,511	2,511
390	BASE SUPPORT	19,887	19,887
400	ADMINISTRATION	3,493	3,493
410	SERVICEWIDE COMMUNICATIONS	152,086	152,086
420	OTHER SERVICEWIDE ACTIVITIES	269,825	269,825
460	INTERNATIONAL SUPPORT	117	117
465	CLASSIFIED PROGRAMS	16,558	16,558
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	550,750	550,750
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	10,005,224	10,135,224
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
030	DEPOT MAINTENANCE	26,599	26,599
050	BASE SUPPORT	6,250	6,250
	SUBTOTAL OPERATING FORCES	32,849	32,849
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	32,849	32,849
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	22,200	22,200
	SUBTOTAL OPERATING FORCES	22,200	22,200
	TOTAL OPERATION & MAINTENANCE, ANG	22,200	22,200
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
020	SPECIAL OPERATIONS COMMAND	2,222,868	2,222,868
	SUBTOTAL OPERATING FORCES	2,222,868	2,222,868
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
080	DEFENSE CONTRACT AUDIT AGENCY	27,781	27,781
090	DEFENSE CONTRACT MANAGEMENT AGENCY	45,746	45,746
120	DEFENSE INFORMATION SYSTEMS AGENCY	76,348	76,348
140	DEFENSE LEGAL SERVICES AGENCY	99,538	99,538
160	DEFENSE MEDIA ACTIVITY	9,620	9,620
180	DEFENSE SECURITY COOPERATION AGENCY	1,950,000	1,950,000
240	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	100,100	100,100
280	OFFICE OF THE SECRETARY OF DEFENSE	38,227	38,227

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	Agreement Authorized
290	WASHINGTON HEADQUARTERS SERVICES	2,784	2,784
295	CLASSIFIED PROGRAMS	1,862,066	1,862,066
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	4,212,210	4,212,210
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	6,435,078	6,435,078
	TOTAL OPERATION & MAINTENANCE	62,829,052	62,530,052

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2014 Request	Agreement Authorized
Military Personnel Appropriations	130,399,881	129,716,981
Enlistment bonuses excess to requirement		[– 38,000]
Excess to requirement		[– 64,300]
Full Time Pay and Allowances projected underexecution		[– 10,000]
Full Time Support projected underexecution		[– 1,000]
Military Personnel unobligated		[– 186,000]
Permanent Change of Station Travel—Army		[– 150,000]
Recruiting and Retention programs excess to requirement		[– 1,800]
Reenlistment bonuses excess to requirement		[– 68,300]
Reserve Incentive Programs excess to requirement		[– 7,750]
Travel, Active Duty for Training, projected underexecution		[– 18,000]
Undistributed reduction consistent with pace of drawdown		[– 137,750]
Medicare-Eligible Retiree Health Fund Contributions	6,676,750	6,676,750
Total, Military Personnel	137,076,631	136,393,731

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2014 Request	Agreement Authorized
Military Personnel Appropriations	9,689,307	9,648,807
Projected underexecution		[– 40,500]
Medicare-Eligible Retiree Health Fund Contributions	164,033	164,033
Total, Military Personnel	9,853,340	9,812,840

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2014 Request	Agreement Authorized
WORKING CAPITAL FUND, ARMY		
PREPOSITIONED WAR RESERVE STOCKS	25,158	25,158
TOTAL WORKING CAPITAL FUND, ARMY	25,158	25,158
WORKING CAPITAL FUND, AIR FORCE		
FUEL COSTS		
SUPPLIES AND MATERIALS (MEDICAL/DENTAL)	61,731	61,731
TOTAL WORKING CAPITAL FUND, AIR FORCE	61,731	61,731
WORKING CAPITAL FUND, DEFENSE-WIDE		
DEFENSE LOGISTICS AGENCY (DLA)	46,428	46,428
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	46,428	46,428
WORKING CAPITAL FUND, DECA		
WORKING CAPITAL FUND, DECA	1,412,510	1,412,510
TOTAL WORKING CAPITAL FUND, DECA	1,412,510	1,412,510

NATIONAL DEFENSE SEALIFT FUND
LMSR

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2014 Request	Agreement Authorized
MPF MLP	134,917	22,717
Navy requested adjustment		[− 112,200]
POST DELIVERY AND OUTFITTING	43,404	43,404
NATIONAL DEF SEALIFT VESSEL		
LG MED SPD RO/RO MAINTENANCE	116,784	116,784
DOD MOBILIZATION ALTERATIONS	60,703	60,703
TAH MAINTENANCE	19,809	19,809
RESEARCH AND DEVELOPMENT	56,058	56,058
READY RESERVE FORCE	299,025	299,025
TOTAL NATIONAL DEFENSE SEALIFT FUND	730,700	618,500
CHEM AGENTS & MUNITIONS DESTRUCTION		
OPERATION & MAINTENANCE	451,572	451,572
RDT&E	604,183	604,183
PROCUREMENT	1,368	1,368
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	1,057,123	1,057,123
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
OPERATING FORCES	815,965	815,965
DRUG DEMAND REDUCTION PROGRAM	122,580	122,580
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	938,545	938,545
OFFICE OF THE INSPECTOR GENERAL		
OPERATION AND MAINTENANCE	311,131	346,000
Program increase		[34,869]
RDT&E		
PROCUREMENT	1,000	1,000
TOTAL OFFICE OF THE INSPECTOR GENERAL	312,131	347,000
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	8,880,738	8,880,738
PRIVATE SECTOR CARE	15,842,732	15,775,732
Pharmaceutical drugs excess growth		[− 67,000]
CONSOLIDATED HEALTH SUPPORT	2,505,640	2,505,640
INFORMATION MANAGEMENT	1,450,619	1,450,619
MANAGEMENT ACTIVITIES	368,248	368,248
EDUCATION AND TRAINING	733,097	733,097
BASE OPERATIONS/COMMUNICATIONS	1,872,660	1,872,660
R&D RESEARCH	9,162	9,162
R&D EXPLORATORY DEVELOPMENT	47,977	47,977
R&D ADVANCED DEVELOPMENT	291,156	291,156
R&D DEMONSTRATION/VALIDATION	132,430	132,430
R&D ENGINEERING DEVELOPMENT	161,674	161,674
R&D MANAGEMENT AND SUPPORT	72,568	72,568
R&D CAPABILITIES ENHANCEMENT	14,646	14,646
RDT&E UNDISTRIBUTED		
DEFENSE HEALTH PROGRAM		
PROC INITIAL OUTFITTING	89,404	89,404
PROC REPLACEMENT & MODERNIZATION	377,577	377,577
PROC IEHR	204,200	204,200
UNDISTRIBUTED		− 57,000
DHP Unobligated		[− 275,000]
Restore Tricare savings		[218,000]
TOTAL DEFENSE HEALTH PROGRAM	33,054,528	32,930,528
TOTAL OTHER AUTHORIZATIONS	37,638,854	37,437,523

**SEC. 4502. OTHER AUTHORIZATIONS FOR OVER-
SEAS CONTINGENCY OPERATIONS.**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Program Title	FY 2014 Request	Agreement Authorized
WORKING CAPITAL FUND, ARMY		
PREPOSITIONED WAR RESERVE STOCKS	44,732	44,732
TOTAL WORKING CAPITAL FUND, ARMY	44,732	44,732
WORKING CAPITAL FUND, AIR FORCE		
C-17 CLS ENGINE REPAIR	78,500	78,500
TRANSPORTATION FALLEN HEROES	10,000	10,000
TOTAL WORKING CAPITAL FUND, AIR FORCE	88,500	88,500
WORKING CAPITAL FUND, DEFENSE-WIDE		
DEFENSE LOGISTICS AGENCY (DLA)	131,678	131,678
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	131,678	131,678

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Program Title	FY 2014 Request	Agreement Authorized
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
OPERATING FORCES	376,305	376,305
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	376,305	376,305
OFFICE OF THE INSPECTOR GENERAL		
OPERATION AND MAINTENANCE	10,766	10,766
TOTAL OFFICE OF THE INSPECTOR GENERAL	10,766	10,766
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	375,958	375,958
PRIVATE SECTOR CARE	382,560	382,560
CONSOLIDATED HEALTH SUPPORT	132,749	132,749
INFORMATION MANAGEMENT	2,238	2,238
MANAGEMENT ACTIVITIES	460	460
EDUCATION AND TRAINING	10,236	10,236
TOTAL DEFENSE HEALTH PROGRAM	904,201	904,201
TOTAL OTHER AUTHORIZATIONS	1,556,182	1,556,182

TITLE XLVI—MILITARY CONSTRUCTION
SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2014 Request	Agreement Authorized
	Alaska			
Army	Fort Wainwright	Aviation Battalion Complex	45,000	45,000
Army	Fort Wainwright	Aviation Storage Hangar	58,000	58,000
	Colorado			
Army	Fort Carson	Aircraft Maintenance Hangar	66,000	66,000
Army	Fort Carson	Aircraft Maintenance Hangar	73,000	73,000
Army	Fort Carson	Central Energy Plant	34,000	34,000
Army	Fort Carson	Fire Station	12,000	12,000
Army	Fort Carson	Headquarters Building	33,000	33,000
Army	Fort Carson	Runway	12,000	12,000
Army	Fort Carson	Simulator Building	12,200	12,200
	Florida			
Army	Eglin AFB	Automated Sniper Field Fire Range	4,700	4,700
	Georgia			
Army	Fort Gordon	Adv Individual Training Barracks Cplx, Ph2	61,000	61,000
	Hawaii			
Army	Fort Shafter	Command and Control Facility—Admin	75,000	70,000
	Kansas			
Army	Fort Leavenworth	Simulations Center	17,000	17,000
	Kentucky			
Army	Fort Campbell	Battlefield Weather Support Facility	4,800	4,800
	Maryland			
Army	Aberdeen Proving Ground	Operations and Maintenance Facilities	21,000	21,000
Army	Fort Detrick	Entry Control Point	2,500	2,500
Army	Fort Detrick	Hazardous Material Storage Building	4,600	4,600
	Missouri			
Army	Fort Leonard Wood	Adv Individual Training Barracks Cplx, Ph1	86,000	86,000
Army	Fort Leonard Wood	Simulator Building	4,700	4,700
	New York			
Army	U.S. Military Academy	Cadet Barracks, Incr 2	42,000	42,000
	North Carolina			
Army	Fort Bragg	Command and Control Facility	5,900	5,900
	Texas			
Army	Fort Bliss	Control Tower	10,800	10,800
Army	Fort Bliss	Unmanned Aerial Vehicle Complex	36,000	36,000
	Virginia			
Army	Joint Base Langley-Eustis	Adv Individual Training Barracks Cplx, Ph3	50,000	50,000
	Washington			
Army	Joint Base Lewis-Mcchord	Aircraft Maintenance Hangar	79,000	79,000
Army	Joint Base Lewis-Mcchord	Airfield Operations Complex	37,000	37,000
Army	Joint Base Lewis-Mcchord	Aviation Battalion Complex	28,000	28,000
Army	Yakima	Automated Multipurpose Machine Gun Range	9,100	9,100
	Worldwide Classified			
Army	Classified Location	Company Operations Complex	33,000	0
	Japan			
Army	Kyoga Misaki	Company Operations Complex	0	33,000
	Kwajalein			
Army	Kwajalein Atoll	Pier	63,000	63,000
	Worldwide Unspecified			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation			Project Title	FY 2014 Request	Agreement Authorized
Army	Unspecified	Worldwide	Locations	Host Nation Support Fy14	33,000	28,000
Army	Unspecified	Worldwide	Locations	Minor Construction Fy14	25,000	25,000
Army	Unspecified	Worldwide	Locations	Planning and Design Fy14	41,575	41,575
Total Military Construction, Army					1,119,875	1,109,875
	California					
Navy		Barstow		Engine Dynamometer Facility	14,998	14,998
Navy		Camp Pendleton		Ammunition Supply Point Upgrade	13,124	13,124
Navy		Coronado		H-60 Trainer Facility	8,910	8,910
Navy		Point Mugu		Aircraft Engine Test Pads	7,198	7,198
Navy		Point Mugu		Bams Consolidated Maintenance Hangar	17,469	17,469
Navy		Port Hueneme		Unaccompanied Housing Conversion	33,600	33,600
Navy		San Diego		Steam Plant Decentralization	34,331	34,331
Navy		Twentynine Palms		Camp Wilson Infrastructure Upgrades	33,437	33,437
	Florida					
Navy		Jacksonville		P-8a Training & Parking Apron Expansion	20,752	20,752
Navy		Key West		Aircraft Crash/Rescue & Fire Headquarters	14,001	14,001
Navy		Mayport		Lcs Logistics Support Facility	16,093	16,093
	Georgia					
Navy		Albany		Cers Dispatch Facility	1,010	1,010
Navy		Albany		Weapons Storage and Inspection Facility	15,600	15,600
Navy		Savannah		Townsend Bombing Range Land Acq—Phase 1	61,717	61,717
	Guam					
Navy		Joint Region Marianas		Aircraft Maintenance Hangar—North Ramp	85,673	85,673
Navy		Joint Region Marianas		Bams Forward Operational & Maintenance Hangar	61,702	61,702
Navy		Joint Region Marianas		Dehumidified Supply Storage Facility	17,170	17,170
Navy		Joint Region Marianas		Emergent Repair Facility Expansion	35,860	35,860
Navy		Joint Region Marianas		Modular Storage Magazines	63,382	63,382
Navy		Joint Region Marianas		Sierra Wharf Improvements	1,170	1,170
Navy		Joint Region Marianas		X-Ray Wharf Improvements	53,420	53,420
	Hawaii					
Navy		Kaneohe Bay		3rd Radio Bn Maintenance/Operations Complex	25,336	25,336
Navy		Kaneohe Bay		Aircraft Maintenance Expansion	16,968	16,968
Navy		Kaneohe Bay		Aircraft Maintenance Hangar Upgrades	31,820	31,820
Navy		Kaneohe Bay		Armory Addition and Renovation	12,952	12,952
Navy		Kaneohe Bay		Aviation Simulator Modernization/Addition	17,724	17,724
Navy		Kaneohe Bay		Mv-22 Hangar	57,517	57,517
Navy		Kaneohe Bay		Mv-22 Parking Apron and Infrastructure	74,665	74,665
Navy		Pearl City		Water Transmission Line	30,100	30,100
Navy		Pearl Harbor		Drydock Waterfront Facility	22,721	22,721
Navy		Pearl Harbor		Submarine Production Support Facility	35,277	35,277
	Illinois					
Navy		Great Lakes		Unaccompanied Housing	35,851	35,851
	Maine					
Navy		Bangor		Nctams Vlf Commercial Power Connection	13,800	13,800
Navy		Kittery		Structural Shops Consolidation	11,522	11,522
	Maryland					
Navy		Fort Meade		Marforcybercom HQ-Ops Building	83,988	83,988
	Nevada					
Navy		Fallon		Wastewater Treatment Plant	11,334	11,334
	North Carolina					
Navy		Camp Lejeune		Landfill—Phase 4	20,795	20,795
Navy		Camp Lejeune		Operations Training Complex	22,515	22,515
Navy		Camp Lejeune		Steam Decentralization—BEQ Nodes	18,679	18,679
Navy		Camp Lejeune		Steam Decentralization—Camp Johnson	2,620	2,620
Navy		Camp Lejeune		Steam Decentralization—Hadnot Point	13,390	13,390
Navy		New River		Ch-53k Maintenance Training Facility	13,218	13,218
Navy		New River		Corrosion Control Hangar	12,547	12,547
Navy		New River		Regional Communication Station	20,098	20,098
	Oklahoma					
Navy		Tinker AFB		Tacamo E-6B Hangar	14,144	14,144
	Rhode Island					
Navy		Newport		Hewitt Hall Research Center	12,422	12,422
	South Carolina					
Navy		Charleston		Nuclear Power Operational Training Facility	73,932	73,932
	Virginia					
Navy		Dam Neck		Aerial Target Operation Consolidation	10,587	10,587
Navy		Norfolk		Pier 11 Power Upgrades for Cvn-78	3,380	3,380
Navy		Quantico		Academic Instruction Facility Tecom Schools	25,731	25,731
Navy		Quantico		Atc Transmitter/Receiver Relocation	3,630	3,630
Navy		Quantico		Fuller Road Improvements	9,013	9,013
Navy		Yorktown		Small Arms Ranges	18,700	18,700
	Washington					
Navy		Bremerton		Integrated Water Treatment Sys Dry Docks 3&4	18,189	18,189
Navy		Kitsap		Explosives Handling Wharf #2 (Inc)	24,880	24,880

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation			Project Title	FY 2014 Request	Agreement Authorized
Navy	Whidbey Island			Ea-18g Facility Improvements	32,482	32,482
Navy	Whidbey Island			P-8a Hangar and Training Facilities	85,167	85,167
	Djibouti					
Navy	Camp Lemonier			Armory	6,420	6,420
Navy	Camp Lemonier			Unaccompanied Housing	22,580	22,580
	Japan					
Navy	Camp Butler			Airfield Security Upgrades	5,820	5,820
Navy	Yokosuka			Communication System Upgrade	7,568	7,568
	Worldwide Unspecified					
Navy	Unspecified	Worldwide	Loca-	Mcon Design Funds	89,830	89,830
	tions					
Navy	Unspecified	Worldwide	Loca-	Unspecified Minor Construction	19,740	19,740
	tions					
Navy	Unspecified	Worldwide	Loca-	Unspecified Worldwide Construction	0	0
	tions					
Total Military Construction, Navy					1,700,269	1,700,269
	Arizona					
AF	Luke AFB			F-35 Field Training Detachment	5,500	5,500
AF	Luke AFB			F-35 Sq Ops/Aircraft Maintenance Unit #3	21,400	21,400
	California					
AF	Beale AFB			Distributed Common Ground Station Ops Bldg	62,000	62,000
	Florida					
AF	Tyndall AFB			F-22 Munitions Storage Complex	9,100	9,100
	Guam					
AF	Joint Region Marianas			Par—Fuel Sys Hardened Bldgs	20,000	20,000
AF	Joint Region Marianas			Par—Strike Tactical Missile Mxs Facility	10,530	10,530
AF	Joint Region Marianas			Par—Tanker Gp Mx Hangar/AMU/Sqd Ops	132,600	132,600
AF	Joint Region Marianas			Prtc Red Horse Airfield Operations Facility	8,500	8,500
AF	Joint Region Marianas			Prtc Sf Fire Rescue & Emergency Mgt	4,600	4,600
	Hawaii					
AF	Joint Base	Pearl	Harbor-	C-17 Modernize Hgr 35, Docks 1&2	4,800	4,800
	Hickam					
	Kansas					
AF	Mcconnell AFB			KC-46a 2-Bay Corrosion Control/Fuel Cell Hangar	0	82,000
AF	Mcconnell AFB			KC-46a 3-Bay General Purpose Maintenance Hangar	0	80,000
AF	Mcconnell AFB			KC-46a Aircraft Parking Apron Alteration	0	2,200
AF	Mcconnell AFB			KC-46a Aprons Fuels Distribution System	0	12,800
AF	Mcconnell AFB			KC-46a Flight Simulator Facility Phase 1	0	2,150
AF	Mcconnell AFB			KC-46a General Maintenance Hangar	0	32,000
AF	Mcconnell AFB			KC-46a Miscellaneous Facilities Alteration	0	970
AF	Mcconnell AFB			KC-46a Pipeline Student Dormitory	0	7,000
	Kentucky					
AF	Fort Campbell			19th Air Support Operations Sqdrn Expansion	8,000	8,000
	Maryland					
AF	Fort Meade			Cybercom Joint Operations Center, Increment 1	85,000	85,000
AF	Joint Base Andrews			Helicopter Operations Facility	30,000	30,000
	Missouri					
AF	Whiteman AFB			Wsa Mop Igloos and Assembly Facility	5,900	5,900
	Nebraska					
AF	Offutt AFB			Usstratcom Replacement Facility, Incr 3	136,000	136,000
	Nevada					
AF	Nellis AFB			Add Rpa Weapons School Facility	20,000	20,000
AF	Nellis AFB			Dormitory (240 Rm)	35,000	35,000
AF	Nellis AFB			F-35 Alt Mission Equip (Ame) Storage	5,000	5,000
AF	Nellis AFB			F-35 Fuel Cell Hangar	9,400	9,400
AF	Nellis AFB			F-35 Parts Store	9,100	9,100
	New Mexico					
AF	Cannon AFB			Airmen and Family Readiness Center	5,500	5,500
AF	Cannon AFB			Dormitory (144 Rm)	22,000	22,000
AF	Cannon AFB			Satellite Dining Facility	6,600	6,600
AF	Holloman AFB			F-16 Aircraft Covered Washrack and Pad	2,250	2,250
AF	Kirtland AFB			Nuclear Systems Wing & Sustainment Center (Ph	30,500	30,500
	North Dakota					
AF	Minot AFB			B-52 Adal Aircraft Maintenance Unit	15,530	15,530
AF	Minot AFB			B-52 Munitions Storage Igloos	8,300	8,300
	Oklahoma					
AF	Altus AFB			KC-46a Ftu Adal Fuel Systems Maintenance Dock	0	3,350
AF	Altus AFB			KC-46a Ftu Adal Squad Ops/AMU	0	7,400
AF	Altus AFB			KC-46a Ftu Flight Training Center Simulators Facility Phase 1 ...	0	12,600
AF	Altus AFB			KC-46a Ftu Fuselage Trainer Phase 1	0	6,300
AF	Altus AFB			KC-46a Ftu Renovate Facility	0	1,200
AF	Tinker AFB			KC-46a Land Acquisition	8,600	8,600
	Texas					
AF	Fort Bliss			F-16 Bak 12/14 Aircraft Arresting System	3,350	3,350
	Utah					
AF	Hill AFB			F-35 Aircraft Mx Unit Hangar 45e Ops #1	13,500	13,500
AF	Hill AFB			Fire Crash Rescue Station	18,500	18,500

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation			Project Title	FY 2014 Request	Agreement Authorized
AF	Virginia					
	Joint Base Langley-Eustis			4-Bay Conventional Munitions Inspection Bldg	4,800	4,800
AF	Greenland					
	Thule Ab			Thule Consolidation, Phase 2	43,904	43,904
AF	Mariana Islands					
	Saipan			Par—Airport Pol/Bulk Storage Ast	18,500	18,500
AF	Saipan			Par—Hazardous Cargo Pad	8,000	8,000
AF	Saipan			Par—Maintenance Facility	2,800	2,800
AF	United Kingdom					
	Croughton Raf			Main Gate Complex	12,000	0
AF	Varlocs			Guardian Angel Operations Facility	22,047	22,047
AF	Worldwide Unspecified					
	Unspecified	Worldwide	Loca-	KC-46a Ftu Facility Projects	63,000	0
AF	Unspecified	Worldwide	Loca-	KC-46a Mob #1 Facility Projects	192,700	0
AF	Unspecified	Worldwide	Loca-	Planning & Design	11,314	11,314
AF	Unspecified	Worldwide	Loca-	Unspecified Minor Construction	20,448	20,448
Total Military Construction, Air Force					1,156,573	1,138,843
Def-Wide	Alaska					
	Clear AFS			Bmds Upgrade Early Warning Radar	17,204	17,204
Def-Wide	Fort Greely			Mechanical-Electrical Bldg Missile Field #1	82,000	82,000
Def-Wide	California					
	Brawley			SOF Desert Warfare Training Center	23,095	23,095
Def-Wide	Defense	Distribution	Depot-	General Purpose Warehouse	37,554	37,554
Def-Wide	Tracy					
	Miramar			Replace Fuel Pipeline	6,000	6,000
Def-Wide	Colorado					
	Fort Carson			SOF Group Support Battalion	22,282	22,282
Def-Wide	Florida					
	Hurlburt Field			SOF Add/Alter Operations Facility	7,900	7,900
Def-Wide	Jacksonville			Replace Fuel Pipeline	7,500	7,500
Def-Wide	Key West			SOF Boat Docks	3,600	3,600
Def-Wide	Panama City			Replace Ground Vehicle Fueling Facility	2,600	2,600
Def-Wide	Tyndall AFB			Replace Fuel Pipeline	9,500	9,500
Def-Wide	Georgia					
	Fort Benning			Faith Middle School Addition	6,031	6,031
Def-Wide	Fort Benning			White Elementary School Replacement	37,304	37,304
Def-Wide	Fort Stewart			Diamond Elementary School Replacement	44,504	44,504
Def-Wide	Hunter Army Airfield			Replace Fuel Island	13,500	13,500
Def-Wide	Moody AFB			Replace Ground Vehicle Fueling Facility	3,800	3,800
Def-Wide	Hawaii					
	Ford Island			DISA Pacific Facility Upgrades	2,615	2,615
Def-Wide	Joint Base	Pearl	Harbor-	Alter Warehouse Space	2,800	2,800
Def-Wide	Hickam					
Def-Wide	Kentucky					
	Fort Campbell			Fort Campbell High School Replacement	59,278	59,278
Def-Wide	Fort Campbell			Marshall Elementary School Replacement	38,591	38,591
Def-Wide	Fort Campbell			SOF Group Special Troops Battalion	26,342	26,342
Def-Wide	Fort Knox			Ambulatory Health Center	265,000	145,000
Def-Wide	Fort Knox			Consolidate/Replace Van Voorhis-Mudge Es	38,023	38,023
Def-Wide	Maryland					
	Aberdeen Proving Ground			Public Health Command Lab Replacement	210,000	75,000
Def-Wide	Bethesda Naval Hospital			Mech & Electrical Improvements	46,800	46,800
Def-Wide	Bethesda Naval Hospital			Parking Garage	20,000	20,000
Def-Wide	Fort Detrick			USAMRIID Replacement Stage 1, Incr 8	13,000	13,000
Def-Wide	Fort Meade			High Performance Computing Capacity Inc 3	431,000	396,000
Def-Wide	Fort Meade			NSAW Recapitalize Building #1/Site M Inc 2	58,000	58,000
Def-Wide	Joint Base Andrews			Ambulatory Care Center Inc 2	76,200	38,100
Def-Wide	Massachusetts					
	Hanscom AFB			Hanscom Primary School Replacement	36,213	36,213
Def-Wide	New Jersey					
	Joint Base	Mcguire-Dix-		Replace Fuel Distribution Components	10,000	10,000
Def-Wide	Lakehurst					
Def-Wide	New Mexico					
	Holloman AFB			Medical Clinic Replacement	60,000	60,000
Def-Wide	Holloman AFB			Replace Hydrant Fuel System	21,400	21,400
Def-Wide	North Carolina					
	Camp Lejeune			SOF Performance Resiliency Center	14,400	14,400
Def-Wide	Camp Lejeune			SOF Sustainment Training Complex	28,977	28,977
Def-Wide	Fort Bragg			Consolidate/Replace Pope Holbrook Elementary	37,032	37,032
Def-Wide	Fort Bragg			SOF Civil Affairs Battalion Annex	37,689	37,689
Def-Wide	Fort Bragg			SOF Combat Medic Skills Sustain. Course Bldg	7,600	7,600
Def-Wide	Fort Bragg			SOF Engineer Training Facility	10,419	10,419
Def-Wide	Fort Bragg			SOF Language and Cultural Center	64,606	64,606

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Account	State/Country and Installation			Project Title	FY 2014 Request	Agreement Authorized
Def-Wide	Fort Bragg			SOF Upgrade Training Facility	14,719	14,719
Def-Wide	North Dakota					
	Minot AFB			Replace Fuel Pipeline	6,400	6,400
	Oklahoma					
Def-Wide	Altus AFB			Replace Refueler Parking	2,100	2,100
Def-Wide	Tinker AFB			Replace Fuel Distribution Facilities	36,000	36,000
	Pennsylvania					
Def-Wide	Def Distribution Depot	New		Upgrade Hazardous Material Warehouse	3,100	3,100
	Cumberland					
Def-Wide	Def Distribution Depot	New		Upgrade Public Safety Facility	5,900	5,900
	Cumberland					
	South Carolina					
Def-Wide	Beaufort			Bolden Elementary/Middle School Replacement	41,324	41,324
	Tennessee					
Def-Wide	Arnold Air Force Base			Replace Ground Vehicle Fueling Facility	2,200	2,200
	Texas					
Def-Wide	Fort Bliss			Hospital Replacement Incr 5	252,100	100,000
Def-Wide	Joint Base San Antonio			Samme Hyperbaric Facility Addition	12,600	12,600
	Virginia					
Def-Wide	Dam Neck			SOF Human Performance Center	11,147	11,147
Def-Wide	Def Distribution Depot	Rich-		Operations Center Phase 1	87,000	87,000
	mond					
Def-Wide	Joint Expeditionary Base	Little		SOF Logsu Two Operations Facility	30,404	30,404
	Creek—Story					
Def-Wide	Pentagon			Boundary Channel Access Control Point	6,700	6,700
Def-Wide	Pentagon			Army Navy Drive Tour Bus Drop Off	1,850	0
Def-Wide	Pentagon			Pfpa Support Operations Center	14,800	14,800
Def-Wide	Pentagon			Raven Rock Administrative Facility Upgrade	32,000	32,000
Def-Wide	Pentagon			Raven Rock Exterior Cooling Tower	4,100	4,100
Def-Wide	Quantico			Quantico Middle/High School Replacement	40,586	40,586
	Washington					
Def-Wide	Whidbey Island			Replace Fuel Pier Breakwater	10,000	10,000
	Worldwide Classified					
Def-Wide	Classified Location			an/Tpy-2 Radar Site	15,000	0
	Bahrain Island					
Def-Wide	Sw Asia			Medical/Dental Clinic Replacement	45,400	45,400
	Belgium					
Def-Wide	Brussels			NATO Headquarters Facility	38,513	38,513
Def-Wide	Brussels			NATO Headquarters Fit-Out	29,100	29,100
	Germany					
Def-Wide	Kaiserslautern Ab			Kaiserslautern Elementary School Replacement	49,907	49,907
Def-Wide	Ramstein Ab			Ramstein High School Replacement	98,762	98,762
Def-Wide	Rhine Ordnance Barracks			Medical Center Replacement, Incr 3	151,545	76,545
Def-Wide	Weisbaden			Hainerberg Elementary School Replacement	58,899	58,899
Def-Wide	Weisbaden			Wiesbaden Middle School Replacement	50,756	50,756
	Japan					
Def-Wide	Atsugi			Replace Ground Vehicle Fueling Facility	4,100	4,100
Def-Wide	Iwakuni			Construct Hydrant Fuel System	34,000	34,000
Def-Wide	Kadena Ab			Kadena Middle School Addition/Renovation	38,792	38,792
Def-Wide	Kyoga Misaki			an/Tpy-2 Radar Site	0	15,000
Def-Wide	Torri Commo Station			SOF Facility Augmentation	71,451	71,451
Def-Wide	Yokosuka			Upgrade Fuel Pumps	10,600	10,600
	Korea					
Def-Wide	Camp Walker			Daegu Middle/High School Replacement	52,164	52,164
	Romania					
Def-Wide	Deveselu			Aegis Ashore Missile Def Sys Cmplx, Incr. 2	85,000	80,000
	United Kingdom					
Def-Wide	Raf Mildenhall			Replace Fuel Storage	17,732	17,732
Def-Wide	Raf Mildenhall			SOF Airfield Pavements and Hangar/AMU	0	48,448
Def-Wide	Raf Mildenhall			SOF Airfield Pavements	24,077	0
Def-Wide	Raf Mildenhall			SOF Hangar/AMU	24,371	0
Def-Wide	Raf Mildenhall			SOF Mrsp and Parts Storage	6,797	6,797
Def-Wide	Raf Mildenhall			SOF Squadron Operations Facility	11,652	11,652
Def-Wide	Royal Air Force Lakenheath			Lakenheath High School Replacement	69,638	69,638
	Worldwide Unspecified					
Def-Wide	Unspecified Worldwide	Loca-		Contingency Construction	10,000	0
	tions					
Def-Wide	Unspecified Worldwide	Loca-		Energy Conservation Investment Program	150,000	150,000
	tions					
Def-Wide	Unspecified Worldwide	Loca-		Exercise Related Minor Construction	9,730	9,730
	tions					
Def-Wide	Unspecified Worldwide	Loca-		Planning & Design	10,891	10,891
	tions					
Def-Wide	Unspecified Worldwide	Loca-		Planning and Design	50,192	50,192
	tions					
Def-Wide	Unspecified Worldwide	Loca-		Planning and Design	75,905	75,905
	tions					
Def-Wide	Unspecified Worldwide	Loca-		Planning and Design	57,053	57,053
	tions					

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Account	State/Country and Installation			Project Title	FY 2014 Request	Agreement Authorized
Def-Wide	Unspecified	Worldwide	Loca-	Planning and Design	36,866	36,866
	tions					
Def-Wide	Unspecified	Worldwide	Loca-	Planning and Design	6,931	6,931
	tions					
Def-Wide	Unspecified	Worldwide	Loca-	Unspecified Minor Construction	3,000	3,000
	tions					
Def-Wide	Unspecified	Worldwide	Loca-	Unspecified Minor Construction	7,430	7,430
	tions					
Def-Wide	Unspecified	Worldwide	Loca-	Unspecified Minor Construction	5,409	5,409
	tions					
Def-Wide	Unspecified	Worldwide	Loca-	Unspecified Minor Construction	5,170	5,170
	tions					
Def-Wide	Unspecified	Worldwide	Loca-	Unspecified Minor Construction	9,578	9,578
	tions					
Def-Wide	Unspecified	Worldwide	Loca-	Unspecified Minor Construction	2,000	2,000
	tions					
Def-Wide	Unspecified	Worldwide	Loca-	Unspecified Minor Construction	1,500	1,500
	tions					
Total Military Construction, Defense-Wide					3,985,300	3,413,250
Chem Demil	Kentucky					
	Blue Grass Army Depot			Ammunition Demilitarization Facility, Ph Xiv	122,536	122,536
Total Chemical Demilitarization Construction, Defense					122,536	122,536
NATO	Worldwide Unspecified					
	NATO Security Investment			NATO Security Investment Program	239,700	199,700
	Program					
Total NATO Security Investment Program					239,700	199,700
Army NG	Alabama					
	Decatur			National Guard Readiness Center Add/Alt	4,000	4,000
Army NG	Arkansas					
	Fort Chaffee			Scout/Recce Gunnery Complex	21,000	21,000
Army NG	Florida					
	Pinellas Park			Ready Building	5,700	5,700
Army NG	Illinois					
	Kankakee			Aircraft Maintenance Hangar	28,000	28,000
Army NG	Kankakee			Readiness Center	14,000	14,000
Army NG	Massachusetts					
	Camp Edwards			Enlisted Barracks, Transient Training Add	19,000	19,000
Army NG	Michigan					
	Camp Grayling			Enlisted Barracks, Transient Training	17,000	17,000
Army NG	Minnesota					
	Stillwater			Readiness Center	17,000	17,000
Army NG	Mississippi					
	Camp Shelby			Water Supply/Treatment Building, Potable	3,000	3,000
Army NG	Pascagoula			Readiness Center	4,500	4,500
Army NG	Missouri					
	Macon			Vehicle Maintenance Shop	9,100	9,100
Army NG	Whiteman AFB			Aircraft Maintenance Hangar	5,000	5,000
Army NG	New York					
	New York			Readiness Center Add/Alt	31,000	31,000
Army NG	Ohio					
	Ravenna Army Ammunition Plant			Sanitary Sewer	5,200	5,200
Army NG	Pennsylvania					
	Fort Indiantown Gap			Aircraft Maintenance Instructional Building	40,000	40,000
Army NG	Puerto Rico					
	Camp Santiago			Maneuver Area Training & Equipment Site Addit	5,600	5,600
Army NG	South Carolina					
	Greenville			Readiness Center	13,000	13,000
Army NG	Greenville			Vehicle Maintenance Shop	13,000	13,000
Army NG	Texas					
	Fort Worth			Armed Forces Reserve Center Add	14,270	14,270
Army NG	Wyoming					
	Afton			National Guard Readiness Center	10,200	10,200
Army NG	Worldwide Unspecified					
	Unspecified	Worldwide	Loca-	Planning and Design	29,005	24,005
	tions					
Army NG	Unspecified	Worldwide	Loca-	Unspecified Minor Construction	12,240	12,240
	tions					
Total Military Construction, Army National Guard					320,815	315,815
Army Res	California					
	Camp Parks			Army Reserve Center	17,500	17,500

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation			Project Title	FY 2014 Request	Agreement Authorized
Army Res	Fort Hunter Liggett			Tass Training Center (Ttc)	16,500	16,500
Army Res	Maryland					
	Bowie			Army Reserve Center	25,500	25,500
Army Res	New Jersey					
	Joint Base Mcguire-Dix-Lakehurst			Automated Multipurpose Machine Gun (Mpmg)	9,500	9,500
Army Res	Joint Base Mcguire-Dix-Lakehurst			Central Issue Facility	7,900	7,900
Army Res	Joint Base Mcguire-Dix-Lakehurst			Consolidated Dining Facility	13,400	13,400
Army Res	Joint Base Mcguire-Dix-Lakehurst			Modified Record Fire Range	5,400	5,400
Army Res	New York					
	Bullville			Army Reserve Center	14,500	14,500
Army Res	North Carolina					
	Fort Bragg			Army Reserve Center	24,500	24,500
Army Res	Wisconsin					
	Fort McCoy			Access Control Point/Mail/Freight Center	17,500	17,500
Army Res	Fort McCoy			Nco Academy Dining Facility	5,900	5,900
Army Res	Worldwide Unspecified					
	Unspecified Worldwide Locations		Loca-	Planning and Design	14,212	14,212
Army Res	Unspecified Worldwide Locations		Loca-	Unspecified Minor Construction	1,748	1,748
Total Military Construction, Army Reserve					174,060	174,060
N/MC Res	California					
	March AFB			NOSC Moreno Valley Reserve Training Center	11,086	11,086
N/MC Res	Missouri					
	Kansas City			Reserve Training Center—Belton, Missouri	15,020	15,020
N/MC Res	Tennessee					
	Memphis			Reserve Boat Maintenance and Storage Facility	4,330	4,330
N/MC Res	Worldwide Unspecified					
	Unspecified Worldwide Locations		Loca-	Mcnr Planning & Design	1,500	1,500
N/MC Res	Unspecified Worldwide Locations		Loca-	Usmcr Planning and Design	1,040	1,040
Total Military Construction, Navy and Marine Corps Reserve					32,976	32,976
Air NG	Alabama					
	Birmingham IAP			Add to and Alter Distributed Ground Station F	8,500	8,500
Air NG	Indiana					
	Hulman Regional Airport			Add/Alter Bldg 37 for Dist Common Ground Sta	7,300	7,300
Air NG	Maryland					
	Port Meade			175th Network Warfare Squadron Facility	4,000	4,000
Air NG	Martin State Airport			Cyber/ISR Facility	8,000	8,000
Air NG	Montana					
	Great Falls IAP			Intra-Theater Airlift Conversion	22,000	22,000
Air NG	New York					
	Fort Drum			Mq-9 Flight Training Unit Hangar	4,700	4,700
Air NG	Ohio					
	Springfield Beckley-Map			Alter Intelligence Operations Facility	7,200	7,200
Air NG	Pennsylvania					
	Fort Indiantown Gap			Communications Operations and Training Facili	7,700	7,700
Air NG	Rhode Island					
	Quonset State Airport			C-130J Flight Simulator Training Facility	6,000	6,000
Air NG	Tennessee					
	Mcghee-Tyson Airport			Tec Expansion- Dormitory & Classroom Facility	18,000	18,000
Air NG	Worldwide Unspecified					
	Various Worldwide Locations			Planning and Design	13,400	13,400
Air NG	Various Worldwide Locations			Unspecified Minor Construction	13,000	13,000
Total Military Construction, Air National Guard					119,800	119,800
AF Res	California					
	March AFB			Joint Regional Deployment Processing Center,	19,900	19,900
AF Res	Florida					
	Homestead AFS			Entry Control Complex	9,800	9,800
AF Res	Oklahoma					
	Tinker AFB			Air Control Group Squadron Operations	12,200	12,200
AF Res	Worldwide Unspecified					
	Various Worldwide Locations			Planning and Design	2,229	2,229
AF Res	Various Worldwide Locations			Unspecified Minor Construction	1,530	1,530
Total Military Construction, Air Force Reserve					45,659	45,659

Wisconsin

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation			Project Title	FY 2014 Request	Agreement Authorized
FH Con Army	Fort Mccoy			Family Housing New Construction (56 Units)	23,000	23,000
FH Con Army	Germany					
	South Camp Vilseck			Family Housing New Construction (29 Units)	16,600	16,600
FH Con Army	Worldwide Unspecified					
	Unspecified Worldwide Loca-			Family Housing P & D	4,408	4,408
	tions					
Total Family Housing Construction, Army					44,008	44,008
	Worldwide Unspecified					
FH Ops Army	Unspecified Worldwide Loca-			Furnishings	33,125	33,125
	tions					
FH Ops Army	Unspecified Worldwide Loca-			Leased Housing	180,924	180,924
	tions					
FH Ops Army	Unspecified Worldwide Loca-			Maintenance of Real Property Facilities	107,639	107,639
	tions					
FH Ops Army	Unspecified Worldwide Loca-			Management Account	54,433	54,433
	tions					
FH Ops Army	Unspecified Worldwide Loca-			Military Housing Privatization Initiative	25,661	25,661
	tions					
FH Ops Army	Unspecified Worldwide Loca-			Miscellaneous	646	646
	tions					
FH Ops Army	Unspecified Worldwide Loca-			Services	13,536	13,536
	tions					
FH Ops Army	Unspecified Worldwide Loca-			Utilities	96,907	96,907
	tions					
Total Family Housing Operation & Maintenance, Army					512,871	512,871
	Worldwide Unspecified					
FH Con AF	Unspecified Worldwide Loca-			Improvements	72,093	72,093
	tions					
FH Con AF	Unspecified Worldwide Loca-			Planning and Design	4,267	4,267
	tions					
Total Family Housing Construction, Air Force					76,360	76,360
	Worldwide Unspecified					
FH Ops AF	Unspecified Worldwide Loca-			Furnishings Account	39,470	39,470
	tions					
FH Ops AF	Unspecified Worldwide Loca-			Housing Privatization	41,436	41,436
	tions					
FH Ops AF	Unspecified Worldwide Loca-			Leasing	54,514	54,514
	tions					
FH Ops AF	Unspecified Worldwide Loca-			Maintenance (Rpma Rpme)	110,786	110,786
	tions					
FH Ops AF	Unspecified Worldwide Loca-			Management Account	53,044	53,044
	tions					
FH Ops AF	Unspecified Worldwide Loca-			Miscellaneous Account	1,954	1,954
	tions					
FH Ops AF	Unspecified Worldwide Loca-			Services Account	16,862	16,862
	tions					
FH Ops AF	Unspecified Worldwide Loca-			Utilities Account	70,532	70,532
	tions					
Total Family Housing Operation & Maintenance, Air Force					388,598	388,598
	Worldwide Unspecified					
FH Con Navy	Unspecified Worldwide Loca-			Design	4,438	4,438
	tions					
FH Con Navy	Unspecified Worldwide Loca-			Improvements	68,969	68,969
	tions					
Total Family Housing Construction, Navy and Marine Corps					73,407	73,407
	Worldwide Unspecified					
FH Ops Navy	Unspecified Worldwide Loca-			Furnishings Account	21,073	21,073
	tions					
FH Ops Navy	Unspecified Worldwide Loca-			Leasing	74,962	74,962
	tions					
FH Ops Navy	Unspecified Worldwide Loca-			Maintenance of Real Property	90,122	90,122
	tions					
FH Ops Navy	Unspecified Worldwide Loca-			Management Account	60,782	60,782
	tions					
FH Ops Navy	Unspecified Worldwide Loca-			Miscellaneous Account	362	362
	tions					

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(In Thousands of Dollars)

Account	State/Country and Installation			Project Title	FY 2014 Request	Agreement Authorized
FH Ops Navy	Unspecified tions	Worldwide	Loca-	Privatization Support Costs	27,634	27,634
FH Ops Navy	Unspecified tions	Worldwide	Loca-	Services Account	20,596	20,596
FH Ops Navy	Unspecified tions	Worldwide	Loca-	Utilities Account	94,313	94,313
Total Family Housing Operation & Maintenance, Navy and Marine Corps					389,844	389,844
FH Ops DW	Worldwide Unspecified tions	Worldwide	Loca-	Furnishings Account	67	67
FH Ops DW	Unspecified tions	Worldwide	Loca-	Furnishings Account	3,196	3,196
FH Ops DW	Unspecified tions	Worldwide	Loca-	Furnishings Account	20	20
FH Ops DW	Unspecified tions	Worldwide	Loca-	Leasing	10,994	10,994
FH Ops DW	Unspecified tions	Worldwide	Loca-	Leasing	40,433	40,433
FH Ops DW	Unspecified tions	Worldwide	Loca-	Maintenance of Real Property	311	311
FH Ops DW	Unspecified tions	Worldwide	Loca-	Maintenance of Real Property	74	74
FH Ops DW	Unspecified tions	Worldwide	Loca-	Management Account	418	418
FH Ops DW	Unspecified tions	Worldwide	Loca-	Services Account	32	32
FH Ops DW	Unspecified tions	Worldwide	Loca-	Utilities Account	12	12
FH Ops DW	Unspecified tions	Worldwide	Loca-	Utilities Account	288	288
Total Family Housing Operation & Maintenance, Defense-Wide					55,845	55,845
FHIF	Worldwide Unspecified tions	Worldwide	Loca-	Family Housing Improvement Fund	1,780	1,780
Total DOD Family Housing Improvement Fund					1,780	1,780
BRAC	Worldwide Unspecified			Base Realignment & Closure, Base Realignment and Closure	180,401	180,401
BRAC	Base Realignment & Closure, Army			Base Realignment & Closure	108,300	108,300
BRAC	Unspecified tions	Worldwide	Loca-	Dod BRAC Activities—Air Force	126,376	126,376
BRAC	Unspecified tions	Worldwide	Loca-	Don-100: Planing, Design and Management	7,277	7,277
BRAC	Unspecified tions	Worldwide	Loca-	Don-101: Various Locations	20,988	20,988
BRAC	Unspecified tions	Worldwide	Loca-	Don-138: NAS Brunswick, ME	993	993
BRAC	Unspecified tions	Worldwide	Loca-	Don-157: Mcsa Kansas City, MO	40	40
BRAC	Unspecified tions	Worldwide	Loca-	Don-172: NWS Seal Beach, Concord, CA	5,766	5,766
BRAC	Unspecified tions	Worldwide	Loca-	Don-84: JRB Willow Grove & Cambria Reg Ap	1,216	1,216
Total Base Realignment and Closure Account					451,357	451,357
PYS	Worldwide Unspecified tions	Worldwide	Loca-	Prior Year Savings—ANG Unspecified Minor Construction	0	0
PYS	Unspecified tions	Worldwide	Loca-	Prior Year Savings—Army Bid Savings	0	0
PYS	Unspecified tions	Worldwide	Loca-	Prior Year Savings—Army Planning and Design Fy12	0	0
PYS	Unspecified tions	Worldwide	Loca-	Prior Year Savings—Defense Wide Bid Savings	0	0
PYS	Unspecified tions	Worldwide	Loca-	Prior Year Savings—Defense Wide Unspecified Minor Construction	0	0
PYS	Unspecified tions	Worldwide	Loca-	Prior Year Savings—Navy Bid Savings	0	0
PYS	Unspecified tions	Worldwide	Loca-	Prior Year Savings—Section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966, AS Amended.	0	0

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(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2014 Request	Agreement Authorized
Total Prior Year Savings			0	0
Total Military Construction			11,011,633	10,366,853

**TITLE XLVII—DEPARTMENT OF ENERGY
NATIONAL SECURITY PROGRAMS**

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL
SECURITY PROGRAMS.**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2014 Request	Agreement Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Electricity delivery and energy reliability	16,000	0
Nuclear Energy	94,000	94,000
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	7,868,409	7,909,252
Defense nuclear nonproliferation	2,140,142	2,180,142
Naval reactors	1,246,134	1,246,134
Office of the administrator	397,784	389,784
Total, National nuclear security administration	11,652,469	11,725,312
Environmental and other defense activities:		
Defense environmental cleanup	5,316,909	5,015,409
Other defense activities	749,080	758,658
Total, Environmental & other defense activities	6,065,989	5,774,067
Total, Atomic Energy Defense Activities	17,718,458	17,499,379
Total, Discretionary Funding	17,828,458	17,593,379
Electricity Delivery & Energy Reliability		
Electricity Delivery & Energy Reliability		
Infrastructure security & energy restoration (HS)	16,000	0
Nuclear Energy		
Idaho sitewide safeguards and security	94,000	94,000
Weapons Activities		
Life extension programs and major alterations		
B61 Life extension program	537,044	537,044
W76 Life extension program	235,382	245,082
W78/88-1 Life extension program	72,691	72,691
W88 ALT 370	169,487	169,487
Total, Stockpile assessment and design	1,014,604	1,024,304
Stockpile systems		
B61 Stockpile systems	83,536	83,536
W76 Stockpile systems	47,187	47,187
W78 Stockpile systems	54,381	54,381
W80 Stockpile systems	50,330	50,330
B83 Stockpile systems	54,948	54,948
W87 Stockpile systems	101,506	101,506
W88 Stockpile systems	62,600	62,600
Stockpile systems		
Total, Stockpile systems	454,488	454,488
Surveillance		
Weapons dismantlement and disposition		
Operations and maintenance	49,264	55,264
Stockpile services		
Production support	321,416	345,000
Research and development support	26,349	26,349
R&D certification and safety	191,259	191,259
Management, technology, and production	214,187	214,187
Plutonium sustainment	156,949	156,949
Total, Stockpile services	910,160	933,744
Total, Directed stockpile work	2,428,516	2,467,800
Campaigns:		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2014 Request	Agreement Authorized
Science campaign		
Advanced certification	54,730	54,730
Primary assessment technologies	109,231	109,231
Dynamic materials properties	116,965	116,965
Advanced radiography	30,509	30,509
Secondary assessment technologies	86,467	86,467
Total, Science campaign	397,902	397,902
Engineering campaign		
Enhanced surety	51,771	51,771
Weapon systems engineering assessment technology	23,727	23,727
Nuclear survivability	19,504	19,504
Enhanced surveillance	54,909	54,909
Total, Engineering campaign	149,911	149,911
Inertial confinement fusion ignition and high yield campaign		
Ignition	80,245	80,245
Support of other stockpile programs	15,001	15,001
Diagnostics, cryogenics and experimental support	59,897	59,897
Pulsed power inertial confinement fusion	5,024	5,024
Joint program in high energy density laboratory plasmas	8,198	8,198
Facility operations and target production	232,678	232,678
Total, Inertial confinement fusion and high yield campaign	401,043	401,043
Advanced simulation and computing campaign	564,329	564,329
Technology Maturation Campaign		
Readiness Campaign		
Component manufacturing development	106,085	106,085
Tritium readiness	91,695	91,695
Total, Readiness campaign	197,780	197,780
Total, Campaigns	1,710,965	1,710,965
Nuclear programs		
Nuclear operations capability	265,937	265,937
Capabilities based investments	39,558	39,558
Construction:		
12-D-301 TRU waste facilities, LANL	26,722	26,722
11-D-801 TA-55 Reinvestment project Phase 2, LANL	30,679	30,679
07-D-220 Radioactive liquid waste treatment facility upgrade project, LANL	55,719	55,719
06-D-141 PED/Construction, Uranium Capabilities Replacement Project Y-12	325,835	325,835
Total, Construction	438,955	438,955
Total, Nuclear programs	744,450	744,450
Secure transportation asset		
Operations and equipment	122,072	122,072
Program direction	97,118	97,118
Total, Secure transportation asset	219,190	219,190
Site stewardship		
Nuclear materials integration	17,679	17,679
Corporate project management	13,017	13,017
Minority serving institution partnerships program	14,531	14,531
Enterprise infrastructure		
Site Operations	1,112,455	1,112,455
Site Support	109,561	109,561
Sustainment	433,764	433,764
Facilities disposition	5,000	5,000
Subtotal, Enterprise infrastructure	1,660,780	1,660,780
Total, Site stewardship	1,706,007	1,706,007
Defense nuclear security		
Operations and maintenance	664,981	664,981
Construction:		
14-D-710 DAF Argus, NNSS	14,000	
Total, Defense nuclear security	678,981	678,981
NNSA CIO activities	148,441	150,000
Legacy contractor pensions	279,597	279,597
Subtotal, Weapons activities	7,916,147	7,956,990
Adjustments		
Use of prior year balances	-47,738	-47,738
Total, Adjustments	-47,738	-47,738

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2014 Request	Agreement Authorized
Total, Weapons Activities	7,868,409	7,909,252
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Global threat reduction initiative	424,487	424,487
Defense Nuclear Nonproliferation R&D		
Operations and maintenance	388,838	388,838
Nonproliferation and international security	141,675	141,675
International material protection and cooperation	369,625	369,625
Fissile materials disposition		
U.S. surplus fissile materials disposition		
Operations and maintenance		
U.S. plutonium disposition	157,557	157,557
U.S. uranium disposition	25,000	25,000
Total, Operations and maintenance	182,557	182,557
Construction:		
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC	320,000	360,000
Total, Construction	320,000	360,000
Total, U.S. surplus fissile materials disposition	502,557	542,557
Total, Fissile materials disposition	502,557	542,557
Legacy contractor pensions	93,703	93,703
Total, Defense Nuclear Nonproliferation Programs	1,920,885	1,962,444
Nuclear counterterrorism incident response program	181,293	181,293
Counterterrorism and counterproliferation programs	74,666	74,666
Subtotal, Defense Nuclear Nonproliferation	2,176,844	2,216,844
Adjustments		
Use of prior year balances	-36,702	-36,702
Total, Adjustments	-36,702	-36,702
Total, Defense Nuclear Nonproliferation	2,140,142	2,180,142
Naval Reactors		
Naval reactors operations and infrastructure	455,740	453,740
Naval reactors development	419,400	419,400
Ohio replacement reactor systems development	126,400	126,400
S8G Prototype refueling	144,400	144,400
Program direction	44,404	44,404
Construction:		
14-D-902 KL Materials characterization laboratory expansion, KAPL	1,000	1,000
14-D-901 Spent fuel handling recapitalization project, NRF	45,400	45,400
13-D-905 Remote-handled low-level waste facility, INL	21,073	21,073
13-D-904 KS Radiological work and storage building, KSO	600	2,600
Naval Reactor Facility, ID	1,700	1,700
Total, Construction	69,773	71,773
Subtotal, Naval Reactors	1,260,117	1,260,117
Adjustments:		
Use of prior year balances (Naval reactors)	-13,983	-13,983
Total, Naval Reactors	1,246,134	1,246,134
Office Of The Administrator		
Office of the administrator	397,784	389,784
Total, Office Of The Administrator	397,784	389,784
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	4,702	4,702
Hanford site:		
River corridor and other cleanup operations	393,634	408,634
Central plateau remediation	513,450	513,450
Richland community and regulatory support	14,701	14,701
Total, Hanford site	921,785	936,785
Idaho National Laboratory:		
Idaho cleanup and waste disposition	362,100	372,600
Idaho community and regulatory support	2,910	2,910
Total, Idaho National Laboratory	365,010	375,510

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2014 Request	Agreement Authorized
NNSA sites		
Lawrence Livermore National Laboratory	1,476	1,476
Nuclear facility D & D Separations Process Research Unit	23,700	23,700
Nevada	61,897	61,897
Sandia National Laboratories	2,814	2,814
Los Alamos National Laboratory	219,789	234,789
Total, NNSA sites and Nevada off-sites	309,676	324,676
Oak Ridge Reservation:		
OR Nuclear facility D & D	73,716	73,716
OR cleanup and disposition	115,855	115,855
OR reservation community and regulatory support	4,365	4,365
Total, Oak Ridge Reservation	193,936	193,936
Office of River Protection:		
Waste treatment and immobilization plant		
01-D-416 A-E/ORP-0060 / Major construction	690,000	690,000
Tank farm activities		
Rad liquid tank waste stabilization and disposition	520,216	520,216
Total, Office of River protection	1,210,216	1,210,216
Savannah River sites:		
Savannah River risk management operations	432,491	432,491
SR community and regulatory support	11,210	11,210
Radioactive liquid tank waste:		
Radioactive liquid tank waste stabilization and disposition	552,560	657,560
Construction:		
05-D-405 Salt waste processing facility, Savannah River	92,000	92,000
Total, Construction	92,000	92,000
Total, Radioactive liquid tank waste	644,560	749,560
Total, Savannah River site	1,088,261	1,193,261
Waste Isolation Pilot Plant		
Waste isolation pilot plant	203,390	219,390
Total, Waste Isolation Pilot Plant	203,390	219,390
Program direction	280,784	280,784
Program support	17,979	17,979
Safeguards and Security:		
Oak Ridge Reservation	18,800	18,800
Paducah	9,435	9,435
Portsmouth	8,578	8,578
Richland/Hanford Site	69,078	69,078
Savannah River Site	121,196	121,196
Waste Isolation Pilot Project	4,977	4,977
West Valley	2,015	2,015
Technology development	24,091	24,091
Subtotal, Defense environmental cleanup	4,853,909	5,015,409
Uranium enrichment D&D fund contribution	463,000	0
Total, Defense Environmental Cleanup	5,316,909	5,015,409
Other Defense Activities		
Health, safety and security		
Health, safety and security	143,616	143,616
Program direction	108,301	108,301
Total, Health, safety and security	251,917	251,917
Specialized security activities	196,322	205,900
Office of Legacy Management		
Legacy management	163,271	163,271
Program direction	13,712	13,712
Total, Office of Legacy Management	176,983	176,983
Defense-related activities		
Defense related administrative support		
Chief financial officer	38,979	38,979
Chief information officer	79,857	79,857
Total, Defense related administrative support	118,836	118,836
Office of hearings and appeals	5,022	5,022
Subtotal, Other defense activities	749,080	758,658

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2014 Request	Agreement Authorized
Total, Other Defense Activities	749,080	758,658

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. McKEON) and the gentleman from Washington (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. McKEON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and insert extraneous material on the matter under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McKEON. Mr. Speaker, I yield myself as much time as I may consume.

I rise today in support of the fiscal year 2014 National Defense Authorization Act. The NDAA is the key mechanism by which the Congress fulfills its primary constitutional responsibility to provide for the common defense, and this year will mark the 52nd consecutive year that we have completed our work.

The NDAA passed the Armed Services Committee with a vote of 59–2. It passed the full House by a margin of 315–108. Likewise, the Senate voted its version of the bill out of committee by a vote of 23–3.

This year we had unique challenges in bringing back a bipartisan, bicameral deal to the House for final consideration. Yet despite those obstacles, we were able to negotiate a bipartisan bill with our Senate colleagues.

I am especially grateful to Ranking Member ADAM SMITH as well as Chairman LEVIN and Ranking Member INHOFE of the Senate Armed Services Committee. They all rolled up their sleeves, and we got the bill done in the allotted time. Believe me, that was no small hill to climb.

On a related note, I would be remiss if I failed to note that we will be voting on another hard-fought measure that is critical to defense. We have in sight a budget agreement for the next 2 years that provides a measure of predictability for our military. As we take the first steps to get this deal enacted, I wanted to assure Members that the NDAA's authorization levels remain in compliance with the Budget Control Act and the House, the Senate, and the Republican Study Committee-approved budgets for 2014.

What makes this bill such an important piece of legislation are the vital authorities contained therein, which is

why Chairman Dempsey, Chairman of the Joint Chiefs of Staff; General Amos, Commandant of the Marine Corps; The Washington Post; the National Guard Bureau; and others all weighed in this week urging us to complete consideration of the bill.

This legislation pays our troops and their families. It keeps our Navy fleet sailing and military aircraft flying. It maintains a strong nuclear deterrent. This year's NDAA also provides badly needed reforms to help alleviate the crisis of sexual assault in the military.

I want to thank Congressmen MIKE TURNER and NIKI TSONGAS of our committee for leading a bipartisan group of members who worked tirelessly on those reforms; also JOE WILSON, chairman of the subcommittee, and SUSAN DAVIS, his ranking member, for the efforts they made on this issue. They were long overdue.

The NDAA covers many more critical issues, but I will close in the interest of time. Before I do, I would like to thank all our members of the Armed Services Committee for their efforts. I am grateful not only for the hardworking chairs and ranking members of the HASC, but also to all Members of this body for recognizing the importance of this vital piece of legislation, along with all members of our staff on both sides of the aisle.

I reserve the balance of my time.

**JOINT EXPLANATORY STATEMENT
TO ACCOMPANY THE NATIONAL
DEFENSE AUTHORIZATION ACT
FOR FISCAL YEAR 2014**

The following consists of the explanatory material to accompany the National Defense Authorization Act for Fiscal Year 2014.

Section 4 of the Act specifies that this explanatory statement shall have the same effect with respect to the implementation of this legislation as if it were a joint explanatory statement of a committee of conference.

In this joint explanatory statement, the provisions of H.R. 1960, the House-passed version of the National Defense Authorization Act for Fiscal Year 2014, are generally referred to as "the House bill." The provisions of S. 1197, the Senate Committee on Armed Services committee-reported version of the National Defense Authorization Act for Fiscal Year 2014, are generally referred to as "the Senate committee-reported bill." The final form of the agreements reached during negotiations between the House and the Senate are referred to as "the agreement."

Compliance with rules of the House of Representatives and Senate regarding earmarks and congressionally directed spending items

Consistent with the intent of clause 9 of rule XXI of the Rules of the House of Rep-

resentatives and Rule XLIV of the Standing Rules of the Senate, neither the bill nor the accompanying joint explanatory statement contains any congressional earmarks, congressionally directed spending items, limited tax benefits, or limited tariff benefits, as defined in such rules.

Summary of discretionary authorizations and budget implication

The administration's budget request for national defense discretionary programs within the jurisdiction of the Committees on Armed Services of the Senate and the House of Representatives for fiscal year 2014 was \$625.2 billion. Of this amount, \$526.6 billion was requested for base Department of Defense (DOD) programs, \$80.7 billion was requested for overseas contingency operations (OCO), and \$17.9 billion was requested for national security programs in the Department of Energy (DOE) and the Defense Nuclear Facilities Safety Board (DNFSB).

The bill authorizes \$625.1 billion in fiscal year 2014, including \$526.8 billion for base DOD programs, \$80.7 billion for OCO, and \$17.6 billion for national security programs in the DOE and the DNFSB.

The two tables preceding the detailed program adjustments in Division D of this Joint Explanatory Statement summarize the direct discretionary authorizations in the agreement and the equivalent budget authority levels for fiscal year 2014 defense programs. The first table summarizes the agreement on authorizations within the jurisdiction of the Armed Services Committees. The second table details the budget authority implication of the discretionary authorizations in the agreement when accounting for national defense items that are not in the jurisdiction of the Armed Services Committees.

**DIVISION A—DEPARTMENT OF DEFENSE
AUTHORIZATIONS**

TITLE I—PROCUREMENT

**SUBTITLE A—AUTHORIZATION OF
APPROPRIATIONS**

Authorization of appropriations (sec. 101)

The House bill contained a provision (sec. 101) authorizing appropriations for fiscal year 2014 for procurement for the Army, the Navy and Marine Corps, the Air Force, and defense-wide activities, as specified in the funding table in section 4101.

The Senate committee-reported bill contained an identical provision (sec. 101).

The agreement includes this provision.

SUBTITLE B—ARMY PROGRAMS

Limitation on availability of funds for Stryker vehicle program (sec. 111)

The House bill contained a provision (sec. 111) that would limit the availability of funds for the Stryker vehicle program to not more than 75 percent until the Secretary of the Army submits a report on Stryker spare parts inventories.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Study on multiyear, multivehicle procurement authority for tactical vehicles (sec. 112)

The House bill contained a provision (sec. 142) that would authorize the Secretary of

Defense to enter into a 5-year pilot program for the multiyear multivehicle procurement of tactical wheeled vehicles.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision with an amendment that would express a sense of Congress and require a study and report on multiyear multivehicle procurement.

SUBTITLE C—NAVY PROGRAMS

CVN-78 class aircraft carrier program (sec. 121)

The House bill contained a provision (sec. 122) that would amend section 122 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364) by: (1) Adjusting the cap for CVN-78 from \$10,500.0 million to \$12,887.0 million; (2) Adjusting the cost cap for subsequent ships in the class from \$8,100.0 million to \$11,411.0 million; and (3) Adding a new factor for adjustment, allowing increases or decreases in the cost of CVN-78 that are attributable to the shipboard test program.

The Senate committee-reported bill contained a similar provision (sec. 122) that would amend section 122 by: (1) Adjusting the cost cap for CVN-78 from \$10,500.0 million to \$12,887.0 million; (2) Adding a new factor for adjustment, allowing increases or decreases in the cost of the CVN-78 class that are attributable to the shipboard test program; (3) Requiring quarterly updates on the cost of CVN-79; and (4) Preventing the Navy from paying fees under any cost-type or incentive fee contract if the program manager's estimate of the total cost of CVN-79 exceeds the cost cap for CVN-79.

The agreement includes a provision that would amend section 122 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364) by: (1) Adjusting the cap for CVN-78 from \$10,500.0 million to \$12,887.0 million; (2) Adjusting the cost cap for subsequent ships in the class from \$8,100.0 million to \$11,498.0 million; (3) Adding a new factor for adjustment, allowing increases or decreases in the cost of CVN-78 that are attributable to the shipboard test program, but only when the changes result from urgent and unforeseen testing problems that would delay delivery or initial operating capability of the ship; (4) Requiring quarterly updates on the cost of CVN-79; and (5) Directing the Secretary of the Navy to ensure that each prime contract for CVN-79 includes an incentive fee structure that will, throughout the entire period of performance of the contract, provide incentives for each contractor to meet the portion of the cost of the ship for which the contractor is responsible.

Repeal of requirements relating to procurement of future surface combatants (sec. 122)

The Senate committee-reported bill contained a provision (sec. 123) that would repeal a reporting requirement in section 125 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84). The report submitted by the Secretary of the Navy to Congress of February 2010 provided the Department of the Navy's implementation plan to complete these reports.

The House bill contained no similar provision.

The agreement includes this provision.

Multiyear procurement authority for E-2D aircraft program (sec. 123)

The House bill contained a provision (sec. 121) that would authorize the Secretary of the Navy to buy E-2D aircraft and E-2D mission equipment under one or more multiyear procurement contracts.

The Senate committee-reported bill contained a provision (sec. 121) that would au-

thorize the Secretary of the Navy to buy E-2D aircraft under one or more multiyear procurement contracts.

The agreement includes the Senate provision.

Limitation on availability of funds for Littoral Combat Ship (sec. 124)

The Senate committee-reported bill contained a provision (sec. 125) that would require that the Chief of Naval Operations (CNO), in coordination with the Director of Operational Test and Evaluation, to submit a report to the congressional defense committees on the current concept of operations and expected survivability attributes of each of the Littoral Combat Ship (LCS) sea frames when they would be employed according to the concept of operations.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would fence funding for LCS-25 and LCS-26 until:

- (1) The Navy provides certain reports about the LCS program; and
- (2) The Joint Requirements Oversight Council makes certain certifications about the LCS program.

SUBTITLE D—AIR FORCE PROGRAMS

Repeal of requirement for maintenance of certain retired KC-135E aircraft (sec. 131)

The Senate committee-reported bill contained a provision (sec. 133) that would repeal section 135(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364). Section 135(b) requires that the Secretary of the Air Force maintain at least 74 of the KC-135E aircraft retired after September 30, 2006 in a condition that would allow recall of the aircraft to future service in the Air Force Reserve, Air National Guard, or active forces aerial refueling force structure.

The House bill contained no similar provision.

The House bill, however, contained a provision (sec. 133) that would require that the Secretary of the Air Force maintain any retired KC-135R aircraft in a condition that would allow recall of the aircraft to future service in the Air Force Reserve, Air National Guard, or active forces aerial refueling force structure.

The agreement includes the Senate provision with a technical/clarifying amendment.

Multiyear procurement authority for C-130J aircraft (sec. 132)

The House bill contained a provision (sec. 131) that would authorize the Secretary of the Air Force to enter into one or more multiyear contracts to procure multiple variants of the C-130J aircraft.

The Senate committee-reported bill contained a similar provision (sec. 151) that would allow the Secretary of the Air Force to enter into one or more multiyear contracts to procure C-130J aircraft.

The agreement includes the Senate provision.

Prohibition on cancellation or modification of avionics modernization program for C-130 aircraft (sec. 133)

The House bill contained a provision (sec. 132) that would prohibit the Secretary of the Air Force from terminating the legacy C-130H Avionics Modernization Program (AMP). The House report accompanying H.R. 1960 (H. Rept. 113-102) of the National Defense Authorization Act for Fiscal Year 2014 recommended an increase of \$47.3 million in Aircraft Procurement, Air Force (APAF), to fund modifications of legacy C-130 with the original AMP upgrade.

The Senate committee-reported bill contained no similar provision. The Senate report accompanying S. 1197 (S. Rept. 113-44) of the National Defense Authorization Act for Fiscal Year 2014 recommended an increase of \$47.3 million in APAF to fund modifications of legacy C-130 with either: (1) the original AMP upgrade; or (2) an alternative program that would upgrade and modernize the legacy C-130 airlift fleet using a reduced scope program for avionics and mission planning systems.

The agreement includes the House provision with an amendment that would add a requirement that the Comptroller General conduct a sufficiency review of the cost-benefit analysis conducted under section 143(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), including any findings and recommendations relating to such review. The agreement also recommends an increase of \$47.3 million for Research, Development, Test, and Evaluation, Air Force, in PE 4115F for C-130 Airlift Squadrons, pending completion of that sufficiency review. This is in lieu of a recommendation for additional procurement funding in fiscal year 2014, since procurement funding for modernizing C-130 avionics would be premature.

Prohibition of procurement of unnecessary C-27J aircraft by the Air Force (sec. 134)

The Senate committee-reported bill contained a provision (sec. 134) that would prevent the Secretary of the Air Force from obligating or expending any funds for the procurement of C-27J aircraft not on contract as of June 1, 2013.

The House bill contained no similar provision.

The agreement includes the provision with an amendment that would narrow the prohibition to the use of funds authorized in fiscal year 2012, since all C-27J funds except the fiscal year 2012 funds have been obligated or transferred to other programs.

SUBTITLE E—DEFENSE-WIDE, JOINT, AND MULTISERVICE MATTERS

Personal protection equipment procurement (sec. 141)

The House bill contained a provision (sec. 144) that would require the Secretary of Defense to ensure that within each military service procurement account, a separate procurement budget line item is designated for personal protection equipment (PPE) investment and funding transparency.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision with an amendment that would direct the Secretary of Defense to submit with the annual budget request a consolidated budget display that describes and justifies all programs and activities, in the appropriations accounts for operation and maintenance as well as research, development, test, and evaluation, associated with the development and procurement of PPE.

After 12 years of war and billions of dollars spent to develop, produce, and field the best available individual PPE, such as body armor and helmets, the Department of Defense should not lose momentum in its search for better protection at lower weight and cost for individual soldiers, marines, airmen, and sailors. One of the most important lessons of the wars in Iraq and Afghanistan is that research, development, and acquisition (RDA) of improved ballistic protection for our troops must anticipate, not react, to likely threats. In this regard, budget visibility must be sufficient to allow for comprehensive oversight of the Department's

RDA efforts as reflected in the annual budget request accompanied by spending estimates projected over the subsequent 5 years. Subject to the completeness and usefulness of the information provided in the budget exhibits that would be required by this provision, Congress may consider other budgetary methods for ensuring the Department's investments over time sustain the importance of and momentum for achieving technological improvements in PPE into the future.

We also note that the Department categorizes PPE, including body armor, as an "expendable" item consistent with current acquisition and financial management policy definitions. Nonetheless, given the military's experiences during operations in Iraq and Afghanistan, the significant RDA investment for body armor, and the fact that body armor is now an essential part of individual combat equipment, one could question whether the categorization of PPE, and body armor in particular, should change from "expendable" to another category that could improve resource stability and provide for better management throughout the RDA process. Accordingly, the Secretary of Defense is encouraged to reassess the Department's categorization of PPE and body armor as "expendable" items.

Repeal of certain F-35 reporting requirements (sec. 142)

The House bill contained a provision (sec. 145) that would amend section 122 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) to eliminate the requirement to provide an annual update to the F-35 system maturity matrix.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Limitation on availability of funds for retirement of RQ-4 Global Hawk unmanned aircraft systems and A-10 aircraft (sec. 143)

The House bill contained a provision (sec. 143) that would limit the use of funds to retire Global Hawk Block 30 unmanned aircraft systems and would require the Secretary of the Air Force to take all actions necessary to maintain the operational capability of the RQ-4 Block 30 Global Hawk through December 31, 2016.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would: (1) Prohibit spending funds authorized to be appropriated or otherwise made available during fiscal year 2014 to retire Global Hawk Block 30 unmanned aircraft systems or A-10 aircraft (except for A-10s planned for retirement on or before April 9, 2013); (2) Modify the prohibited spending to include making significant changes to Global Hawk and A-10 manning levels during fiscal year 2014; (3) Prohibit the Secretary of the Air Force from retiring or planning to retire A-10 aircraft (except for A-10s planned for retirement on or before April 9, 2013) between October 1, 2014 and December 31, 2014; and (4) Add a requirement that the Secretary of Defense provide a report on all high-altitude intelligence, surveillance, and reconnaissance systems that the Department of Defense is operating or plans to operate in the future.

We intend that the prohibition on making additional A-10 aircraft retirements before December 31, 2014, be to provide breathing space for Congress to conduct oversight and to consider what actions to take on any force structure changes the Air Force may propose in fiscal year 2015.

MC-12 Liberty Intelligence, Surveillance, and Reconnaissance aircraft (sec. 144)

The Senate committee-reported bill contained a provision (sec. 934) that would require the Secretary of Defense to develop and carry out a plan for the transfer of Air Force MC-12 aircraft to the Army. The provision would also prohibit the Army from acquiring the Enhanced Medium Altitude Reconnaissance and Surveillance System (EMARSS) in fiscal year 2014.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that directs the Secretary of Defense to develop a plan for the potential transfer of MC-12 Liberty aircraft from the Air Force to the Army. In addition, the provision prohibits the Army from using fiscal year 2014 funds to procure additional aircraft under the EMARSS program, but does allow the Army to use fiscal year 2014 funds to complete conversion efforts of existing aircraft that have already been procured, and to convert transferred Liberty aircraft to the EMARSS configuration.

Competition for evolved expendable launch vehicle providers (sec. 145)

The House bill contained a provision (sec. 134) that would require the Secretary of the Air Force to develop and implement a plan to ensure the fair evaluation of competing contractors in awarding a contract to a certified evolved expendable launch vehicle provider. This plan would include descriptions of how the following areas would be addressed in the evaluation: the proposed cost, schedule, and performance; mission assurance activities; the manner in which the contractor will operate under the Federal Acquisition Regulation; the effect of other contracts in which the contractor is entered into with the Federal Government, such as the Evolved Expendable Launch Vehicle (EELV) launch capability and the space station commercial resupply services contracts; and any other areas determined appropriate by the Secretary.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that requires the plan at the same time that the Secretary issues a draft request for proposals for a contract on the EELV with respect to how the Secretary will conduct competition in awarding the contract in addition to the specific areas listed in the original House bill.

We note that the Government Accountability Office (GAO) is conducting ongoing work regarding the EELV competition. We request that GAO conduct a review of the Air Force EELV acquisition strategy, which should include an assessment of the methodology, potential challenges, gaps, and acquisition planning process of the Air Force for evaluating competitors, and that GAO brief the defense and intelligence committees on its review. We request that this briefing be provided before a draft request for proposal is released by the Air Force.

This legislative provision should not be construed as direction regarding ongoing procurement or any aspect of source selection criteria.

Reports on personal protection equipment and health and safety risks associated with ejection seats (sec. 146)

The House bill contained a provision (sec. 146) that would require the Secretary of Defense to enter into a contract with a federally-funded research and development center

(FFRDC) to conduct a study to identify and assess alternative and effective means for stimulating competition and innovation in the personal protection equipment industrial base.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision with an amendment that would also require the Secretary of the Air Force to conduct a study to assess the safety of ejection seats currently in operational use by the Air Force.

LEGISLATIVE PROVISIONS NOT ADOPTED

Modification of requirements to sustain Navy airborne intelligence, surveillance, and reconnaissance capabilities

The Senate committee-reported bill contained a provision (sec. 124) that would amend section 112 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) to require the Secretary of the Navy to maintain sufficient numbers of EP-3 Airborne Reconnaissance Integrated Electronic System II (ARIES II) Spiral 3 aircraft and Special Projects Aircraft (SPA) version P909 to support the wartime operational plans of U.S. Pacific Command (PACOM), and to maintain the capacity to support five EP-3s for allocation to the combatant commands under the Global Force Management Allocation Plan (GFMAP), until the Navy's multi-intelligence (Multi-INT) Broad Area Maritime Surveillance (BAMS) System TRITON aircraft with signals intelligence (SIGINT) capabilities reaches initial operational capability (IOC). The provision also would require the Secretary to upgrade the final (12th) EP-3 ARIES II aircraft to the Spiral 3 configuration, and to correct electronic intelligence (ELINT) obsolescence problems on both the EP-3 and the SPA aircraft. Finally, the provision would require the Chairman of the Joint Requirements Oversight Council (JROC) to coordinate with the Commanders of PACOM and the U.S. Special Operations Command (SOCOM) to determine requirements for the special capabilities provided by the SPA aircraft, and would require the Secretary to sustain sufficient numbers of SPA aircraft to meet those requirements until the Navy achieves IOC of a system with capabilities greater than or equal to the SPA.

The House bill contained no similar provision.

The agreement does not include this provision.

Section 112 of Public Law 111-383 is intended to prevent a capacity decline in capabilities as the Navy developed replacements for the EP-3 and the SPA intelligence, surveillance, and reconnaissance (ISR) systems. The Navy budget request, which is counter to congressional intent, creates a plan for transitioning from the EP-3/SPA systems to the TRITON Multi-INT and P-8 Quick Reaction Capability (QRC) that would result in a capacity decline beginning in fiscal year 2015.

The Navy also informed Congress that the JROC supports the Navy's transition plan, but in fact the JROC Memorandum (JROCM) on this issue expresses concern about the Navy's plan and requires numerous follow-up actions. In addition, the JROCM instructs the Navy to develop requirements for the Multi-INT TRITON prior to the program's next acquisition milestone review. Congressional review of the TRITON Capabilities Development Document confirms that a robust SIGNIT capability is documented only as a "potential future capability," and not a validated requirement as implied by Navy officials to Congress.

The Navy also proposes to prematurely remove highly-skilled personnel from the EP-3/SPA programs, resulting in a reduction of the number of available aircraft to support GFMAP and wartime requirements. Congress is concerned that harvesting these personnel to support an early version of TRITON that provides only optical and radar sensing, but little or no SIGINT capability, does not maximize utilization of highly-skilled personnel with perishable skill sets. Furthermore, the lack of a validated requirement for a robust SIGINT capability for TRITON raises concerns that the capacity and capability decline will turn out to be a permanent ISR capability loss.

We have serious concerns about the Navy's non-compliant EP-3/SPA to P-8 QRC/TRITON Multi-INT transition plan. Therefore, we direct that:

(1) The JROC review and report to Congress the combatant commander requirements for the simultaneous ISR collection capability provided by EP-3/SPA assets under current Operational Plans and for the GFMAP;

(2) The Joint Staff and the Under Secretary of Defense for Intelligence (USDI) identify and report to Congress alternative EP-3/SPA to P-8 QRC/TRITON Multi-INT transition options that do not result in a capacity decline or capability gap, including such options as using Navy reserve personnel to stand up the baseline TRITON system;

(3) The JROC collaborate with the Navy to develop and document a formal requirement for TRITON Multi-INT;

(4) The USDI develop, and report to Congress, a mitigation plan to address the ELINT obsolescence issues identified in the Senate report accompanying S. 1197 (S. Rept. 113-44) of the National Defense Authorization Act for Fiscal Year 2014; and,

(5) The JROC and USDI to determine, and report to Congress, the force structure quantity and type of federated ISR systems and sensors required to wholly replace the EP-3/SPA force structure of aircraft to meet or exceed the current capacity and diversity of ISR collection capability inherently resident on the EP-3/SPA aircraft.

Multiyear procurement authority for Ground-Based Interceptors

The House bill contained a provision (sec. 141) that would provide multi-year procurement authority and advance procurement authority to the Director of the Missile Defense Agency for the procurement of 14 Ground-Based Interceptors.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Sense of Senate on the United States helicopter industrial base

The Senate committee-reported bill contained a provision (sec. 152) that would express the sense of Senate on the health of the helicopter industrial base.

The House bill contained no similar provision.

The agreement does not include this provision.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SUBTITLE A—AUTHORIZATION OF APPROPRIATIONS

Authorization of appropriations (sec. 201)

The House bill contained a provision (sec. 201) authorizing appropriations for fiscal year 2014 for the use of the Department of Defense for research, development, test, and

evaluation as specified in the funding table in section 4201.

The Senate committee-reported bill contained an identical provision (sec. 201).

The agreement includes this provision.

SUBTITLE B—PROGRAM REQUIREMENTS, RESTRICTIONS, AND LIMITATIONS

Modification of requirements on biennial strategic plan for the Defense Advanced Research Projects Agency (sec. 211)

The Senate committee-reported bill contained a provision (sec. 212) that would modify the biennial strategic plan requirement for the Defense Advanced Research Projects Agency (DARPA) to make more explicit the linkages between the strategic objections of the agency with the missions of the armed forces. Additionally, the provision would reassign responsibility for submission of the plan from the Secretary of Defense to the Director of DARPA, in coordination with the Under Secretary of Defense for Acquisition, Technology, and Logistics.

The House bill contained no similar provision.

The agreement includes this provision.

We recognize the value that DARPA brings to the Department of Defense, especially in terms of high risk research that can be potentially game changing. We believe that such research has the highest probability of successful transition when it is linked early with the operational defense community.

For example, DARPA's Phoenix program has the potential to change radically how the United States approaches space systems development and servicing. As the only program looking at satellite servicing and advanced robotics for geosynchronous earth orbit systems, this program has significant national security, civil, and as well as, commercial potential. However, we note that the development of such capabilities may raise complex policy issues, as well as pose as a disruptive technology to established approaches and operations. We encourage DARPA to not only continue its technical leadership in this field, but to also work with other entities in the Department of Defense—such as the Air Force, the National Reconnaissance Office, and the Under Secretaries of Defense for Policy and Intelligence—to ensure the development of operational concepts for this capability.

Limitation on availability of funds for ground combat vehicle engineering and manufacturing phase (sec. 212)

The House bill contained a provision (sec. 211) that would prohibit the Army from obligating post-Milestone B funds for the Ground Combat Vehicle (GCV) program until the Secretary of the Army submits a report to the congressional defense committees.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision with technical and clarifying amendments.

Additionally, the Comptroller General of the United States is directed to submit to the congressional defense committees a report setting forth an assessment by the Comptroller General of the study of the Army on the Bradley Fighting Vehicle industrial base submitted to Congress pursuant to the Conference Report to accompany H.R. 4310 (112th Congress), the National Defense Authorization Act for Fiscal Year 2013 (House Report 112-705). The report required shall include an assessment of the reasonableness of the study's methods including, but not limited to, the sufficiency, validity, and reliability of the data used to conduct the study, and include findings and rec-

ommendations, if any, on the combat vehicle industrial base. In conducting this review the Comptroller General should not replicate the Army study.

Limitation and reporting requirements for unmanned carrier-launched surveillance and strike system program (sec. 213)

The House bill contained a provision (sec. 212) that would prohibit the Under Secretary of Defense for Acquisition, Technology, and Logistics from approving a Milestone A technology development contract award for the Unmanned Carrier-Launched Airborne Surveillance and Strike (UCLASS) program until 30 days after the Under Secretary certifies to the congressional defense committees that the software and system engineering designs for the control system and connectivity segment and the aircraft carrier segment of the UCLASS system can achieve, at a low level of integration risk, successful compatibility and operability with the air vehicle segment planned for selection at Milestone A contract award.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would modify the language to require that: (1) The Navy to limit the number of air vehicle segments acquired prior to receiving Milestone B approval for UCLASS; (2) The Navy provide periodic reports on cost, schedule and requirements changes for UCLASS; and (3) The Comptroller General conduct annual reviews of the UCLASS program.

Limitation on availability of funds for Air Force logistics transformation (sec. 214)

The House bill contained a provision (sec. 213) that would restrict the obligation and expenditure of Air Force procurement and research, development, test, and evaluation funds for logistics information technology programs until 30 days after the date on which the Secretary of the Air Force submits to the congressional defense committees a report on the modernization and update of Air Force logistics information technology systems following the cancellation of the expeditionary combat support system.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a technical amendment.

Limitation on availability of funds for defensive cyberspace operations of the Air Force (sec. 215)

The House bill contained a provision (sec. 214) that would limit the funds the Air Force may obligate or expend for Defensive Cyberspace Operations in PE 0202088F to not more than 90 percent until a period of 30 days after the date on which the Secretary of the Air Force submits a report to the congressional defense committees detailing the Air Force's plan for sustainment of the Application Software Assurance Center of Excellence (ASACOE) across the Future Years Defense Program.

The Senate committee-reported bill contained no similar provision but included elsewhere in the committee-reported bill is \$10.0 million in PE 33140F for sustainment of the ASACOE.

The agreement includes this provision.

Limitation on availability of funds for precision extended range munition program (sec. 216)

The House bill contained a provision (sec. 215) that would limit funds for the precision extended range munition program until the Under Secretary of Defense for Acquisition, Technology, and Logistics provides the congressional defense committees with certain

written certifications and a sufficient business case analysis.

The Senate committee-report bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Long-range standoff weapon requirement; prohibition on availability of funds for non-competitive procedures for offensive anti-surface warfare weapon contracts of the Navy (sec. 217)

The House bill contained a provision (sec. 218) that would require the Secretary of the Air Force to develop a follow-on air-launched cruise missile, Long Range Stand Off (LRSO) weapon to the AGM-86 that achieves initial operating capability for both conventional and nuclear missions by not later than 2030 and is certified for internal carriage and employment for both conventional and nuclear missions on the next-generation long-range strike bomber by not later than 2034.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that requires the LRSO to achieve initial operating capability for conventional missions prior to the retirement of the AGM-86, for nuclear missions prior to the retirement of the nuclear armed AGM-86 and is capable of internal carriage and employment for both missions in the long-range strike bomber. The amendment provides that the Secretary may carry out the consecutive development of the nuclear and conventional capabilities, with the nuclear capability first, if it is determined to be cost effective.

The amendment further includes a provision that would prohibit, during fiscal year 2014, using available funds to contract for Navy offensive anti-surface warfare weapons using other than through competitive procedures. Development, testing, and fielding of aircraft-launched offensive anti-surface warfare weapons would be exempted from that prohibition. Included in the provision is a waiver of the prohibition by the Secretary of Defense if the Secretary determines that waiving this prohibition is in the national security interests of the United States.

Review of software development for F-35 aircraft (sec. 218)

The House bill contained a provision (sec. 219) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) to establish an independent team consisting of subject matter experts to review the development of software for the F-35 aircraft program and to report on the results of that review.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the USD(AT&L) to provide a plan for the sustainment of the Autonomic Logistics Information System for the F-35 aircraft.

Evaluation and assessment of the distributed common ground system (sec. 219)

The House bill contained a provision (sec. 220) that would require that: (1) Beginning with the budget request for fiscal year 2015, future budget submissions include separate project codes for each capability component within each program element for each service version of the Distributed Common Ground System (DCGS); (2) The Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) conduct an analysis of commercial link analysis tools that could be used to meet the require-

ments of each of the service versions of the DCGS; and (3) If one or more commercial link analysis tools were found to meet the requirements of the program, the responsible service secretary would be required to initiate a request for proposals to purchase those tools.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would include the requirement that: (1) The services' budget submissions include separate project codes for each capability component within each program element for each service version of the DCGS; and (2) The USD(AT&L) conduct an analysis of capability components of DCGS that are compliant with the intelligence community data standards and could be used to meet the requirements of the DCGS program. The provision would require the USD(AT&L) to submit a report of that analysis within 180 days of enactment of this Act. We expect that the USD(AT&L) will adjust the acquisition plans for DCGS if his analysis of the competitive acquisition options for capability components within DCGS shows that expanded competition shows promise.

Operationally responsive space (sec. 220)

The House bill contained a provision (sec. 225) that would prohibit expending more than 50 percent of the funds authorized or expended for the space-based infrared system modernization initiative wide field of view test bed until the Executive Agent for Space certifies to the congressional defense committees that the Secretary of Defense is carrying out the Operationally Responsive Space program office in accordance with 10 U.S.C. 2273a.

The Senate committee-reported bill contained no similar provision.

The agreement includes an amendment requiring a report no later than 60 days from the date of enactment regarding a potential mission that would seek to leverage all the policy objectives of the Operationally Responsive Space Program in a single mission. *Sustainment or replacement of Blue Devil intelligence, surveillance, and reconnaissance capabilities (sec. 221)*

The Senate committee-reported bill contained a provision (sec. 216) that would require the Secretary of the Air Force to procure the currently deployed Blue Devil intelligence, surveillance, and reconnaissance (ISR) system or to develop a plan to replace that system with a comparable or improved system.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would require the Secretary of the Air Force to develop a plan to sustain the operational capabilities of the Blue Devil I ISR Systems, including precision signal geolocation, by procuring the existing Blue Devil I aircraft, developing a new system, or adapting and integrating capabilities from existing and development programs. The Secretary is required to submit a report that addresses the cost of procuring, operating, and sustaining Blue Devil I aircraft system; the ability of other platforms to provide similar intelligence capabilities; and a listing of related U.S. Air Force and Defense Advanced Projects Research Agency (DARPA) programs. The report should be coordinated with the Commander of U.S. Special Operations Command and the Director of DARPA.

We agree that the necessary capability to sustain is both wide-area motion imagery

combined with precision signal geolocation. The integration of these two capabilities provides significant operational utility.

SUBTITLE C—MISSILE DEFENSE PROGRAMS

Improvements to acquisition accountability reports on ballistic missile defense system (sec. 231)

The House bill contained a provision (sec. 234) that would require the Director of the Missile Defense Agency (MDA) to make certain improvements to the cost estimates included in its annual acquisition accountability reports on the ballistic missile defense system (BMDS), and to provide a report on the plans and schedule for making such improvements.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would clarify that each cost estimate shall include all of the operation and sustainment (O&S) costs for which the Director is responsible, and also include a summary description of the O&S functions and costs for which the military departments are responsible, consistent with the Deputy Secretary of Defense Memorandum of June 10, 2011, on funding responsibilities for BMDS elements.

We note that, although the MDA is required to provide life-cycle cost estimates of its acquisition programs—including O&S costs—it does not include in those cost estimates the O&S costs for which the military departments that own and operate elements of the BMDS are responsible. As the Government Accountability Office has noted, this makes it difficult to understand the comprehensive life-cycle costs of BMDS elements. Therefore, we direct the Director of the MDA to work with the military departments that own or operate elements of the BMDS to make a recommendation for how those functions and related costs should be reported in either future annual BMDS Accountability Reports or other similar reports to Congress, including annual budget submission justification materials. We believe that the military departments should provide to the congressional defense committees the life-cycle cost estimates for the O&S functions of the BMDS elements for which they are responsible, and urge them to do so as soon as possible.

Furthermore, we expect the Director of the MDA to take steps to ensure that the cost estimate improvements required by the provision are made in a manner as consistent as practicable with the guidance issued pursuant to section 832 of Public Law 112-81, relative to O&S costs, and with the guidance issued pursuant to section 2334(d) of title 10, United States Code, relative to confidence levels of baseline cost estimates.

Prohibition on use of funds for MEADS program (sec. 232)

The House bill contained a provision (sec. 231) that would prohibit the obligation or expenditure of fiscal year 2014 funds for the Medium Extended Air Defense System (MEADS), and would also place conditions on the harvesting of MEADS technology.

The Senate committee-reported bill contained a similar provision (sec. 236) that would prohibit the use of fiscal year 2014 funds for MEADS.

The agreement includes the Senate provision.

We note that the Department of Defense has invested more than \$2.5 billion in the development of MEADS technology, and has a substantial interest in making constructive use of any MEADS data and technology owned by the United States. We direct the

Secretary of Defense to submit a report to the congressional defense committees, not later than 180 days after the enactment of this Act, providing: (1) An explanation of who owns the technology and data developed under the tri-national MEADS development program; (2) How the Secretary intends to ensure that the Department gets the maximum benefit from the U.S. investment in MEADS, including by making such technology and data appropriately available for "technology harvesting" for improvements to the Integrated Air and Missile Defense (IAMD) system program of record, taking into account the report required by House Report 113-102, "*Technology harvesting of the Medium Extended Air Defense System*"; and (3) U.S. policy regarding 3rd Party Sales of such technology, which we believe could be of benefit to the United States and its allies.

Prohibition on availability of funds for integration of certain missile defense systems; report on regional ballistic missile defense (sec. 233)

The Senate committee-reported bill contained a provision (sec. 232) that would express the sense of Congress regarding regional ballistic missile defenses and would require the Secretary of Defense to submit to the congressional defense committees a report on the status and progress of regional missile defense programs and efforts.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would clarify the elements of the required report. It would also include a prohibition on the use of fiscal year 2014 funds to integrate missile defense systems of the People's Republic of China into U.S. missile defense systems.

We are concerned that the Government of Turkey made an initial decision to purchase a Chinese air and missile defense system for its territorial use. Such a system would not be compatible with, and should not be integrated with, missile defense systems of the North Atlantic Treaty Organization.

We direct that, not later than 60 days after submission of the report required by the provision, the Government Accountability Office shall provide a briefing to the congressional defense committees providing its views on the report.

We further direct that, not later than 90 days after the enactment of this Act, the Joint Staff and Joint Force Component Command for Integrated Missile Defense (JFCC-IMD) shall provide a briefing to the congressional defense committees with respect to any significant changes in the regional missile defense environment since the April 2011 Joint Capability Mix (JCM) III Study was completed, and whether and how the study could be updated to provide useful insights for future force structure levels and employment plans. The briefing should be based on updated intelligence information, updated missile defense systems efficacy and reliability information, and current and planned future budget levels, and any other matters the Joint Staff and JFCC-IMD consider useful.

Availability of funds for co-production of Iron Dome short-range rocket defense system in the United States (sec. 234)

The House bill contained a provision (sec. 237) that would authorize \$15.0 million to enhance the capability for producing the Iron Dome short-range rocket defense system in the United States.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would authorize up to \$15.0 million for non-recurring engineering costs associated with establishing the capacity for United States industry to produce parts and components of the Iron Dome system in the United States, subject to an agreement between the United States and Israel for co-production of Iron Dome parts and components. The provision would also require the Director of the Missile Defense Agency to submit a report to Congress on the plan to implement such agreement, including the estimated costs, schedule, and steps to minimize costs to the government of the United States to implement the agreement. The provision would also clarify that it is not intended to alter the planned Iron Dome procurement schedule or numbers, and would express the sense of Congress on the importance of a second production source in the United States. The provision would also require the Secretary of Defense to submit to the congressional defense committees a report on the status of missile defense cooperation between the United States and Israel.

We believe it is important for industry to pay for a substantial share of the cost of establishing a co-production capacity in the United States. Further, we direct that the Missile Defense Agency not use funds from other programs of record to pay for establishing an Iron Dome production capacity in the United States.

Additional missile defense radar for the protection of the United States homeland (sec. 235)

The Senate committee-reported bill contained a provision (sec. 234) that would require the Missile Defense Agency to deploy an additional missile defense radar for homeland missile defense, and would authorize \$30.0 million for initial costs toward such deployment.

The House bill contained no similar provision.

The agreement includes a provision that would require the Missile Defense Agency to deploy a missile defense radar at a location optimized to support defense of the homeland against long-range missile threats from North Korea, and would authorize \$30.0 million for initial costs toward such deployment. The provision would also require the Secretary of Defense to ensure that the United States is able to deploy additional tracking and discrimination sensor capabilities to support defense of the United States from future long-range ballistic missile threats that emerge from Iran. The provision would require the Secretary to submit a report on what sensor capabilities will be available for deployment on the Atlantic side of the United States by 2019, or sooner if Iran flight tests long-range missiles before then, and the manner in which such capabilities will be maintained to ensure they can be deployed in time to support the missile defense of the United States from long-range ballistic missile threats from Iran. We note that the sea-based X-band radar platform and the Cobra Judy ship-based radar platform could serve as interim or surge sensor capabilities in the Atlantic region to support homeland defense against future long-range missile threats that emerge from Iran.

The agreement also authorizes an additional \$50.0 million for the Missile Defense Agency to develop enhanced discrimination capability for the Ballistic Missile Defense System, as reflected in the tables in section 4201. The Missile Defense Agency and the missile defense operational community have identified such discrimination enhancement as a priority for improving the future effec-

tiveness of missile defenses, particularly for homeland missile defense.

Evaluation of options for future ballistic missile defense sensor architectures (sec. 236)

The Senate committee-reported bill included a provision (sec. 235) that would require the Secretary of Defense to evaluate options for future ballistic missile defense sensor architectures and to report to the congressional defense committees the results of the evaluation.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would include consideration of options for maximizing the use of various sensors for missile defense and for other missions.

Plans to improve the ground-based midcourse defense system (sec. 237)

The House bill contained a provision (sec. 236) that would require the Director of the Missile Defense Agency and the Commander of the U.S. Northern Command to develop options and a plan to improve the kill assessment capability and the hit assessment capability of the Ground-based Midcourse Defense (GMD) system, and to submit a report on the development of such capabilities.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would also require the Director of the Missile Defense Agency to submit a plan for the use of fiscal years 2013 and 2014 funds to develop, test, and deploy an upgraded enhanced exo-atmospheric kill vehicle for the GMD system.

If the report required by the provision is not submitted by April 1, 2014, we direct the Department of Defense to provide a briefing to the congressional defense committees on the subject matter required in the report not later than April 1, 2014.

The agreement authorizes \$100.0 million for design and development of common kill vehicle technology for an upgraded enhanced exo-atmospheric kill vehicle for the GMD system, an increase of \$30.0 million above the budget request, to accelerate design and development efforts, as reflected in the tables in section 4201.

Report on potential future homeland ballistic missile defense options (sec. 238)

The Senate committee-reported bill contained a provision (sec. 231) that would express the sense of Congress concerning the importance of homeland ballistic missile defense against the threat of limited ballistic missile attack from North Korea and Iran, and would require the Secretary of Defense to submit a report on potential future options for enhancing homeland ballistic missile defense.

The House bill contained no similar provision.

The agreement includes the Senate provision requiring the report, with a clarifying amendment.

The agreement authorizes an additional \$80.0 million for the Missile Defense Agency to continue efforts to understand the cause of the problem that resulted in the Ground-based Midcourse Defense system flight test failure on July 5, 2013, using the Capability Enhancement-I (CE-I) kill vehicle, and take the necessary steps to correct the problem and demonstrate the correction in an intercept flight test.

The CE-I flight test failure occurred after the budget was submitted, and no funds were planned or budgeted to analyze and correct the problem, or to conduct another intercept

flight test to demonstrate the correction of the problem. The Missile Defense Agency has stated that its highest priority is correcting the problems associated with the flight test failures of the CE-II and CE-I kill vehicles, and demonstrating the successful corrections through additional intercept flight tests.

We direct that, not later than 60 days after the submission of the report required by the provision, the Government Accountability Office provide a briefing to the congressional defense committees providing its views on the report.

Briefings on status of implementation of certain missile defense matters (sec. 239)

The House bill contained a provision (sec. 232) that would require the Missile Defense Agency to construct and make operational in fiscal year 2018 an additional homeland missile defense site, designed to complement the existing sites in Alaska and California, to deal more effectively with missile threats from the Middle East.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would require the Secretary of Defense to provide, not later than 180 days after the completion of the site evaluation study required by section 227(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), and 1 year later, a briefing to the congressional defense committees on the status of current efforts and plans to implement the requirements of section 227, including progress and plans toward preparation of the Environmental Impact Statement required by section 227(b), and the development of the contingency plan for the deployment of an additional homeland missile defense interceptor site, in case the President determines to proceed with such an additional deployment, as required by section 227(d).

The agreement authorizes an additional \$20.0 million for the Missile Defense Agency to continue activities relative to the site evaluation study, the Environmental Impact Statement, and planning activities consistent with the requirements of section 227(d) of the National Defense Authorization Act for Fiscal Year 2013, including the development of the contingency plan for the deployment of an additional homeland missile defense interceptor site. Such planning activities should include efforts to update the relevant planning documents from the deployment of missile fields at Fort Greely, Alaska, and plans for the possible deployment of a ground-based-interceptor site in Europe, to prepare for the potential deployment of an additional missile defense site in the continental United States, as well as such other preliminary planning activities as can practicably be commenced prior to site selection, or updated upon site selection.

Sense of Congress and report on NATO and missile defense burden-sharing (sec. 240)

The House bill contained a provision (sec. 238) that would require the President to seek specific levels of funding from the North Atlantic Treaty Organization (NATO) for various phases of the European Phased Adaptive Approach (EPAA) to missile defense.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would express the sense of Congress concerning the increasing importance of burden-sharing among the NATO allies for missile defense, and would require the Secretary of Defense to submit a report to the congressional defense committees providing: (1) The

estimated costs for the EPAA; (2) A description of the level of NATO burden-sharing for the costs of NATO missile defense, including the EPAA; and (3) An assessment of, and recommendations for, areas where the Secretary believes NATO and its members could make additional burden-sharing contributions to NATO missile defense, including the EPAA.

We note that, as declared at the 2010 Lisbon Summit, the United States and its NATO allies share a strong interest in developing and deploying an operationally-effective and cost-effective missile defense capability to defend the territory, population, and military forces of NATO—including forward deployed United States forces—in Europe. The United States and its NATO partners are making a variety of contributions, both individually and collectively, to NATO missile defense, including through national contributions, host-nation basing agreements, and collective funding arrangements. The United States is contributing to the EPAA as its national contribution to NATO missile defense, and a number of NATO allies are providing important support for the EPAA, as well as other support for NATO missile defense. The cancellation of Phase 4 of the EPAA eliminated the contribution that the EPAA would have made toward augmenting U.S. homeland missile defenses against potential Iranian intercontinental ballistic missiles.

We believe that burden-sharing is an important NATO principle, and is important to the recently adopted NATO mission of missile defense of NATO territory, population, and military forces. Therefore, while recognizing the important support provided by a number of NATO allies for key aspects of the EPAA, we believe the U.S. Government should encourage other NATO members to provide additional support for NATO missile defense, including the EPAA, to ensure an appropriate level of burden-sharing.

Sense of Congress on deployment of regional ballistic missile defense capabilities (sec. 241)

The House bill contained a provision (sec. 233) that would limit the use of funds to remove United States missile defense equipment in East Asia until after certain conditions are met.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would express the sense of Congress concerning the deployment of regional ballistic missile defense capabilities.

Sense of Congress on procurement of capability enhancement II exoatmospheric kill vehicle (sec. 242)

The House bill contained a provision (sec. 239) that would express the sense of Congress that the Secretary of Defense should not procure additional Capability Enhancement II (CE-II) exo-atmospheric kill vehicles for deployment until after the date on which a successful operational flight test of the CE-II has occurred.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a technical amendment.

SUBTITLE D—REPORTS

Annual Comptroller General report on the amphibious combat vehicle acquisition program (sec. 251)

The House bill contained a provision (sec. 251) that would require the Comptroller General to provide an annual report on the Marine Corps' amphibious combat vehicle acquisition program.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Annual Comptroller General of the United States report on the acquisition program for the VXX Presidential Helicopter (sec. 252)

The Senate committee-reported bill contained a provision (sec. 251) that would require the Comptroller General to produce an annual report on the VXX presidential helicopter program until the program enters full-rate production or is cancelled, whichever comes first.

The House bill contained no similar provision.

The agreement includes the Senate provision with a technical/clarifying amendment.

Report on strategy to improve body armor (sec. 253)

The House bill contained a provision (sec. 252) that would require the Secretary of Defense to submit to the congressional defense committees a comprehensive research and development strategy for achieving significant weight reductions for body armor components.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision with a technical amendment.

SUBTITLE E—OTHER MATTERS

Establishment of Communications Security Review and Advisory Board (sec. 261)

The House bill contained a provision (sec. 261) that would require the Secretary of Defense to establish a senior-level body, to be known as the Cryptographic Modernization Review and Advisory Board, to assess and advise the cryptographic modernization activities of the Department of Defense.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Chief Information Officer to chair the Board, with the Board monitoring overall communications security, cryptographic modernization, and key management efforts of the Department.

Extension and expansion of mechanisms to provide funds for defense laboratories for research and development of technologies for military missions (sec. 262)

The House bill contained a provision (sec. 263) that would extend section 219 of the National Defense Authorization Act of 2009 (Public Law 110-417) to September 2020. In addition, this provision would allow for funds to be accumulated for not more than 5 years for individual Department of Defense laboratory revitalization projects with costs up to \$4 million, provided prior notification of the total project cost is provided to the congressional defense committees.

The Senate committee-reported bill contained a provision (sec. 215) that extended section 219 of the National Defense Authorization Act of 2009 (Public Law 110-417) to September 2020.

The agreement includes the House provision with an amendment that requires an annual report on the use of the authority granted by this provision, as well as some other clarifying elements.

Extension of authority to award prizes for advanced technology achievements (sec. 263)

The House bill contained a provision (sec. 264) that would extend the authority of the Department of Defense to award prizes for advanced technology achievements until September 2018.

The Senate committee-reported bill contained a similar provision (sec. 213) that

would extend this authority until September 2017.

The agreement includes the House provision.

Five-year extension of pilot program to include technology protection features during research and development of certain defense systems (sec. 264)

The House bill contained a provision (sec. 265) that would extend the Defense Exportability Features pilot program until October 1, 2020.

The Senate committee-reported bill contained an identical provision (sec. 214).

The agreement includes this provision.

Briefing on biometrics of the Department of Defense (sec. 265)

The House bill contained a provision (sec. 216) that would place limitations on the Department of Defense to obligate or expend more than 75 percent of funds for future biometric architectures or systems until 30 days after the Secretary of Defense submits a report to the congressional defense committees assessing the future program structure and architectural requirements for biometrics enabling capability.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would remove the funding limitation and request a briefing, including an assessment of the governance process for requirements across the Department of Defense, as well as interagency and international partners.

Sense of Congress on importance of aligning common missile compartment of Ohio-class replacement program with the United Kingdom's Vanguard successor program (sec. 266)

The House bill contained a provision (sec. 223) that would make a series of findings and express the sense of Congress regarding the importance of aligning the common missile compartment of the Ohio-class ballistic missile submarine program with the Vanguard-class successor program of the United Kingdom of Great Britain and Northern Ireland.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision with an amendment that eliminates the findings contained in the House provision.

Sense of Congress on counter-electronics high power microwave missile project (sec. 267)

The House bill contained a provision (sec. 224) that expressed a sense of Congress urging the Air Force to consider the Counter-electronics High Power Microwave Advanced Missile Program (CHAMP) technology capability demonstration as a potential weapon option available to combatant commanders by 2016.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment clarifying the need to complete developmental planning for such weapons systems if requirements are established by the combatant commanders in the future.

LEGISLATIVE PROVISIONS NOT ADOPTED

Conventional Prompt Global Strike program

The Senate committee-reported bill contained a provision (sec. 211) that would prohibit the Department of Defense from executing any funds for the Conventional Prompt Global Strike (CPGS) program until 60 days after they deliver a report to the congressional defense committees addressing the policy consideration concerning the am-

biguity problems regarding the launch of CPGS missiles from submarine platforms.

The House bill contained no similar provision.

The agreement does not include this provision.

We agree that no more than 75 percent of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense for research, development, test and evaluation and available for the Prompt Global Strike Capability Development program (PE#64165D8Z) for the CPGS program should be obligated or expended for any activities relating to the development of a submarine-launched capability under that program until 60 days after the date on which the Secretary of Defense submits to the congressional defense committees a report that addresses the policy considerations concerning any potential ambiguity problems regarding the launch of a conventionally-armed missile from submarine platforms, potential verification measures, any target sets the Secretary believes a submarine-launched conventionally-armed missile could reach that a missile on board another platform could not reach, the comparative cost considerations of submarine-launched conventional missiles and such systems launched by other platforms.

We also note that in congressional testimony, the Commander, U.S. Strategic Command, stated that "[t]oday, the only prompt global strike capability to engage potentially time-sensitive, fleeting targets continues to be ballistic missile systems armed with nuclear weapons. We continue to require a deployed conventional prompt strike capability to provide the President a range of flexible military options to address a small number of highest-value targets, including in an anti-access and area denial environment."

Unmanned combat air system demonstration testing requirement

The House bill contained a provision (sec. 217) that would require the Secretary of the Navy to demonstrate unmanned, autonomous aerial refueling within the X-47B aircraft testing and evaluation program. The X-47B is an unmanned aircraft being tested under the Unmanned Combat Air System (UCAS) demonstration program.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We understand that the Chief of Naval Operations has decided that, unlike the original Navy plan, the Navy will continue flying the X-47B during fiscal year 2014, and will pursue a number of risk reduction activities. We support these Navy plans for continuing risk reduction activities for UCAS, and encourage the Navy to consider performing the aerial refueling demonstration as part of these additional risk reduction activities.

Requirement to complete individual carbine testing

The House bill contained a provision (sec. 221) that would require the Department of the Army to complete planned testing for an individual carbine.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain this provision.

We understand that during the Army's testing of eight candidate carbines under the individual carbine program that none of the carbines met the Army's target for improved

reliability requirements. We further understand that these results may be attributable to the interactions between the carbines and the recently introduced M855A1 standard 5.56mm rounds that were used during the test and evaluation. These test results suggest the Army may have used an unrealistically high reliability standard.

Accordingly, we urge the Army to reevaluate the reliability standard used for this test, as well as other standards as appropriate. We encourage the Secretary of the Army to consider a process for continuous test and evaluation of alternatives to the M4A1 carbine that is based on realistic operational requirements and with significantly improved, but reasonably achievable, performance and reliability. We note that, while the Army may have reduced needs and limited funds to procure large numbers of new rifles or carbines in the near future, maintaining research and development efforts for new small arms in this class is essential to ensure that the industrial base can respond to sudden increases in demand as it did during Operation Iraqi Freedom and Operation Enduring Freedom. In this regard, the Secretary of the Army, or designee, is directed to provide the congressional defense committees a briefing that details the Army's long range standard rifle and carbine modernization strategy. This briefing shall be provided not later than April 1, 2014, and shall include the Army's plans, including where appropriate, schedules and funding profiles, for requirements development, technology research and development, procurement, and test and evaluation of commercially available and militarily suitable alternatives.

Establishment of funding line and fielding plan for a Navy laser weapon system

The House bill contained a provision (sec. 222) that would establish a funding line and fielding plan for a Navy laser weapon system for fiscal year 2018 and beyond.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We are supportive of accelerating the development and transition of directed energy weapons to programs of record, in the Navy as well as the other military departments. However, we believe that it is premature to create such a funding line. We also note that many of the current activities supporting development of directed energy weapons are already embedded in existing research and development program elements, and therefore the creation of a consolidated funding line at this stage could be disruptive to those efforts and potentially detrimental to overall efforts to develop and field a militarily-relevant system.

Analysis of alternatives for successor to Precision Tracking Space System

The House bill contained a provision (sec. 235) that would require the Director of the Missile Defense Agency to perform an analysis of alternatives for a successor sensor system to the Precision Tracking Space System.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Sense of Congress on 30th anniversary of the Strategic Defense Initiative

The House bill contained a provision (sec. 240) that would express the sense of Congress concerning the 30th anniversary of the Strategic Defense Initiative.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Sense of Congress on negotiations affecting the missile defenses of the United States

The House bill contained a provision (sec. 242) that would express the sense of Congress concerning negotiations with the Russian Federation that would affect the missile defenses of the United States.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Report on main battle tank fuel efficiency

The House bill contained a provision (sec. 253) that would require the Secretary of the Army to submit a report to the congressional defense committees on an investment strategy to accelerate fuel efficiency improvements to the engine and transmission of the M1 Abrams tank.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that the Army and Marine Corps currently have no plan to replace the M1A2 or M1A1 Abrams main battle tank. We are also aware that the Army intends to proceed with a series of engineering change proposals that will incrementally enhance the platform's capabilities. We believe that the Army should accelerate the next series of Abrams upgrades where warranted by capability gaps or opportunities, technological maturity, and affordability. In this regard, the Army and Marine Corps should consider replacement of the current engine with a modern, fuel efficient power train. Therefore, the Secretary of the Army, in consultation with the Secretary of the Navy, is directed to submit a report to the congressional defense committees, not later than June 1, 2014, on a business case analysis and an investment strategy that could accelerate the technology development and engineering change proposal processes to include a modern fuel efficient engine and transmission for the M1 Abrams series main battle tank.

Report on powered rail system

The House bill contained a provision (sec. 254) that would require the Secretary of Defense to provide a report to the congressional defense committees that comprehensively reviews and compares powered rail systems for the M4 Carbine system.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

The Secretary of the Army, or designee, is directed to provide a report to the congressional defense committees not later than April 1, 2014 on an assessment of the current M4/M16-mounted battery requirements associated with a 3-day dismounted mission for an Army infantry platoon compared to the same unit and mission if the members were equipped with an integrated weapon-mounted power source. The assessment should compare the battery requirements, numbers, weight, costs, as well as the likely impact on the operational functionality of the M4/M16 configured with an integrated power source, including weapons system effectiveness, efficiency, ergonomics, maintainability, reliability, and related risk. The assessment should also include a business case analysis of the potential acquisition and sustainment costs and savings associated with transitioning to an integrated M4/M16-mounted power technology to replace batteries for individual weapon-mounted compo-

nents. Finally, the assessment should address the potential utility, if any, of incorporating a data link via such a weapon-mounted power source between soldier communications systems and soldier and weapon sensors. The Director, Operational Test and Evaluation is also directed to oversee the Army's live fire or other operational testing, if any, conducted as part of gathering data for this report.

Report on science, technology, engineering, and mathematics scholarship program

The House bill contained a provision (sec. 255) that would require the Secretary of Defense to assess whether the Department of Defense Science, Mathematics and Research for Transformation (SMART) scholarship program, or similar programs, could meet the undergraduate and graduate science, technology, engineering and mathematics (STEM) workforce needs of the intelligence community (IC).

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that the national security community, in general, faces growing challenges with meeting its STEM workforce needs, in particular, attracting top-level U.S. citizens that are eligible for security clearances. The SMART program was established by the Department of Defense to attract and retain promising candidates and STEM leaders into the Department, including components of the IC. SMART provides scholarships to students pursuing technical degrees in disciplines of interest to the Department and the IC. We recognize that the SMART program has been useful in meeting its intent and believe that data provided on the program shows that the SMART program could be used by a broader community within the IC, but any further expansion would require further socialization to increase participation, as well as additional resources to fund any additional students supporting the needs of the IC.

Clarification of eligibility of a State to participate in defense experimental program to stimulate competitive research

The House bill contained a provision (sec. 262) that would modify the eligibility requirements for the Defense Experimental Program to Stimulate Competitive Research (DEPSCOR) to bring it more in line with the eligibility requirements of the Experimental Program to Stimulate Competitive Research (EPSCOR) under the National Science Foundation (NSF).

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that while the Department of Defense maintains the statutory authority for DEPSCOR, the Department has not included funds to support the program since 2009 due to changing research needs and priorities. Additionally, even should funds be made available for DEPSCOR in the future, we would be concerned about potential duplication with NSF's EPSCOR. DEPSCOR was originally established as a separate activity from EPSCOR in section 257 of the National Defense Authorization Act of Fiscal Year 1995 (Public Law 103-337) because the needs of the Department were not being met by the EPSCOR. Should the Department choose to revitalize the DEPSCOR activity, we believe it should maintain a separate and distinct eligibility requirement to ensure that it is able to meet the separate and distinct research needs of the Department of Defense.

Briefing on power and energy research conducted at university-affiliated research centers

The House bill contained a provision (sec. 266) that would require the Secretary of Defense to brief the congressional defense authorizing committees on power and energy research conducted at university-affiliated research centers.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Approval of certain new uses of research, development, test, and evaluation land

The House bill contained a provision (sec. 267) that would prohibit the Secretary of Defense or the head of any other department or agency of the Federal Government from finalizing any decision regarding new land use activity on ranges, test areas, or other land used by the Department of Defense (DOD) for activities related to research, development, test, and evaluation and determined to be critical to national security unless the secretary concerned approves such activity in writing.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that the DOD Siting Clearinghouse was created to preserve military readiness and protect DOD capabilities from incompatible energy infrastructure development by collaborating with DOD components and external stakeholders to prevent, minimize, or mitigate adverse impacts on military operations, readiness, and testing. The Clearinghouse is intended to be the single point of contact and principal advocate for DOD equities in all such deliberations.

We understand that as a result of the Clearinghouse review of the Sun Zia Southwest Transmission Project, DOD raised significant concerns and identified potential impacts on the capabilities of the White Sands Missile Range (WSMR) in New Mexico. According to an August 7, 2013, letter from the Acting Deputy Under Secretary of Defense for Installations and Environment to the Principal Deputy Director of the Bureau of Land Management (BLM), the route of the proposed transmission line, without mitigation, "would result in an unacceptable risk to national security. If a bulk power transmission line is constructed along the selected route, it would preclude our capability to fully test the Joint Integrated Air and Missile Defense Architecture and other weapon systems under realistic threat environments at WSMR. This testing is absolutely necessary and it should be clearly understood that no other location exists in the United States where it is possible to conduct flight tests with the footprint requirements these weapons systems present. Critical to fully testing joint military weapons are the preservation of the restricted airspace (from the surface to unlimited) on the range area on WSMR, and the permanently-designated and specially-allocated restricted airspace in the northern extension area."

We expect that as the Sun Zia Southwest Transmission project approval request proceeds, DOD concerns will be addressed by the executive branch to preserve this critical resource. We expect that appropriate mitigation measures will be included concurrent to the issuance of a Record of Decision by BLM.

Should DOD concerns not be addressed in this case, we direct the Secretary of Defense to review the processes and effectiveness of the DOD Siting Clearinghouse and to provide

a report to the congressional defense committees not later than 90 days after a Record of Decision with proposals that will improve the ability of the Clearinghouse to assess impacts to national security in a timely manner and ultimately preserve military readiness and protect DOD capabilities from incompatible energy infrastructure development.

Canines as stand-off detection of explosives and explosive precursors

The House bill contained a provision (sec. 268) that would require the Department of Defense (DOD) to provide a report on the capability and infrastructure required to support canines as stand-off detection of explosives and explosive precursors.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We direct the Secretary of Defense to provide a report to the Committees on Armed Services of the Senate and the House of Representatives no later than 180 days after the date of enactment of this Act. The report shall make a determination based on requirements if the DOD, and each military service, intends to develop and maintain the capability and infrastructure required to support canines as stand-off detection of explosives and explosive precursors. If deemed appropriate by the Secretary, the report shall also detail: (1) The acquisition process with respect to canines as stand-off detection of explosives and explosive precursors; (2) The procedures established by the DOD to ensure that canines reach or exceed the appropriate performance standards; (3) A plan to ensure that the latest data and information regarding canine capabilities are distributed throughout the DOD; (4) Any technologies capable of replacing the canine as a stand-off detection capability; and (5) A determination of the relevant office to oversee the above elements.

TITLE III—OPERATION AND MAINTENANCE
SUBTITLE A—AUTHORIZATION OF
APPROPRIATIONS

Operation and maintenance funding (sec. 301)

The House bill contained a provision (sec. 301) authorizing appropriations for fiscal year 2014 for the use of the armed forces and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

The Senate committee-reported bill contained an identical provision (sec. 301).

The agreement includes this provision.

SUBTITLE B—ENERGY AND ENVIRONMENT

Deadline for submission of reports on proposed budgets for activities relating to operational energy strategy (sec. 311)

The House bill contained a provision (sec. 311) that would amend section 138c(e) of title 10, United States Code, to revise the date of submission for the report on the proposed budgets that were not certified for that fiscal year.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Facilitation of interagency cooperation in conservation programs of the Departments of Defense, Agriculture, and Interior to avoid or reduce adverse impacts on military readiness activities (sec. 312)

The House bill contained a provision (sec. 312) that would amend section 2684a of title 10, United States Code, to permit a recipient of funds under the Sikes Act to be able to

use the funds for matching funds or cost-sharing requirements of conservation programs. This section would also expire the authority on October 1, 2019, but permit any agreements that were entered into prior to September 30, 2019, to continue according to its terms and conditions.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision.

Reauthorization of Sikes Act (sec. 313)

The House bill contained a provision (sec. 313) that would extend the authority of the Sikes Act through 2019.

The Senate committee-reported bill amendment contained no similar provision.

The agreement includes the House provision.

Clarification of prohibition on disposing of waste in open-air burn pits (sec. 314)

The House bill contained a provision (sec. 317) that would codify the definition of covered waste as it relates to the requirements established by section 317 of the National Defense Authorization Act for Fiscal Year 2010, title 10 of United States Code 2701 note (Public Law 111-84).

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a technical amendment.

Limitation on availability of funds for procurement of drop-in fuels (sec. 315)

The House bill contained a provision (sec. 319) that would limit the Department of Defense's (DOD) ability to purchase or produce biofuels until the earlier of either the date on which the Budget Control Act of 2011 is no longer in effect, or the date on which the cost of biofuel is equal to the cost of conventional fuels. The provision would provide an exception for biofuel test and certification and research and development.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment that would prohibit DOD funds to be used for bulk purchases of drop-in fuel for operational purposes during fiscal year 2014, unless the cost of that drop-in fuel is cost competitive with traditional fuel, subject to a national security waiver. We note that the phrase "cost competitive" in this section generally refers to prices that are equal to or lower than prices offered by competitors for similar goods or services. However, we note that terms and conditions for particular purchases may vary; in particular, long-term energy purchases are likely to have different pricing structures from short-term or spot-market purchases. Accordingly, some flexibility in the application of this phrase is anticipated, where necessary to address such differences. We understand that average prices over the period of a long-term contract would be cost competitive.

SUBTITLE C—LOGISTICS AND SUSTAINMENT

Strategic policy for prepositioned materiel and equipment (sec. 321)

The Senate committee-reported bill contained a provision (sec. 312) that would direct the Secretary of Defense to develop an overarching strategy, along with an implementation plan, to integrate and synchronize at a Department-wide level, the services' prepositioning programs. The strategy and implementation plan would ensure that the Department of Defense (DOD) prepositioning programs, both ground and afloat, align with national defense strategies and new DOD pri-

orities, and emphasize joint oversight to maximize effectiveness and efficiencies in prepositioned materiel and equipment across the DOD.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Department of Defense manufacturing arsenal study and report (sec. 322)

The House bill contained a provision (sec. 322) that would require the Secretary of Defense to review current and expected manufacturing requirements across the Department of Defense to identify critical manufacturing capabilities which could be executed by the government-owned arsenals, and to brief the results of the review to the congressional defense committees.

The Senate committee-reported bill contained a similar provision (sec. 311) that would require the Secretary of Defense, in consultation with the military services and defense agencies, to review current and expected manufacturing requirements for which there is no or limited domestic commercial source and which are appropriate for manufacturing within an arsenal owned by the United States in order to support critical manufacturing capabilities.

The agreement includes the Senate provision with an amendment that would require the Secretary of Defense to review arsenals owned by the United States in order to support critical manufacturing capabilities. The agreement also directs the Government Accountability Office to report and assess the Department's review with recommendations.

Consideration of Army arsenals' capabilities to fulfill manufacturing requirements (sec. 323)

The House bill contained a provision (sec. 323) that would require program executive officers and program managers to solicit information from government-owned arsenals when undertaking a make-or-buy analysis, notify government-owned arsenals of the requirement, and allow arsenals that have the capability to fulfill a manufacturing requirement to submit a proposal for the requirement.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Strategic policy for the retrograde, reconstitution, and replacement of operating forces used to support overseas contingency operations (sec. 324)

The Senate committee-reported bill contained a provision (sec. 322) that would direct the Secretary of Defense to establish a policy setting forth the program and priorities of the Department of Defense for the retrograde, reconstitution, and replacement of units and materiel used to support overseas contingency operations. The provision directed that the policy shall take into account national security threats, the requirements of the combatant commands, the current readiness of the operational forces of the military departments, and risk associated with strategic depth and the time necessary to reestablish required personnel, equipment, and training readiness in such operating forces.

The House bill contained no similar provision.

The agreement includes the Senate provision with a technical amendment.

Littoral Combat Ship Strategic Sustainment Plan (sec. 325)

The House bill contained a provision (sec. 321) that would require the Secretary of the

Navy to submit a strategic sustainment plan for the Littoral Combat Ship (LCS) program to the congressional defense committees.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would clarify that the strategic sustainment plan would have to identify specifically any contractor support needed by the LCS vessels when they are forward deployed.

Strategy for improving asset tracking and in-transit visibility (sec. 326)

The House bill contained a provision (sec. 836) that would direct the Secretary of Defense to improve the management of defense equipment and supplies throughout their lifecycles by adopting and implementing item unique identification, radio frequency identification, biometrics, and other automated information and data capture technologies for the tracking, management, and accountability for deployed assets.

The Senate committee-reported bill contained a similar provision (sec. 331) that would direct the Secretary of Defense to complete a comprehensive strategy and implementation plan for improving asset tracking and in-transit visibility across the Department of Defense.

The agreement includes the Senate provision with a clarifying amendment that would include an operational security assessment to ensure all DOD assets are appropriately protected during the execution of the comprehensive strategy and implementation plan.

We recognize the challenges in supply chain management, including asset tracking and in-transit visibility capabilities. We see this posing an acute near-term challenge, especially in light of the experience with retrograde operations from the Republic of Iraq and the on-going operations in the Islamic Republic of Afghanistan.

Furthermore, we note that supply chain management challenges have been an ongoing source of concern for the Department of Defense, from the emergence of the Government Accountability Office's high risk list in 1990, to the current need to achieve auditability and financial management goals set by the Secretary of Defense and Congress.

We believe that the strategy called for by this provision is an important step to improving the Department's supply chain management shortfalls. In developing and implementing this strategy, we urge the Department to look at how it can better leverage new technologies. For example, item unique identification, radio frequency identification, and biometrics could be more effectively used to interface with enterprise resource planning systems and improve the tracking, management, and accountability for all Department assets.

SUBTITLE D—REPORTS

Additional reporting requirements relating to personnel and unit readiness (sec. 331)

The House bill contained a provision (sec. 331) that would amend the report required under section 482 of title 10, United States Code, to require the Secretary of Defense to report to the congressional defense committees on the ability of the geographic and functional combatant commanders to successfully meet their respective contingency and operational plans and key mission essential tasks.

The Senate committee-reported bill contained a similar provision (sec. 332) that would amend section 482 of title 10, United

States Code, to update and streamline the quarterly readiness report to Congress.

The agreement includes the House provision with a clarifying amendment that would combine both provisions and would amend section 482 of title 10, United States Code.

Modification of authorities on prioritization of funds for equipment readiness and strategic capability (sec. 332)

The House bill contained a provision (sec. 332) that would repeal the requirement that the Comptroller General of the United States report on the Army's progress in moving to a modular force design.

The Senate committee-reported bill contained a similar provision (sec. 321) that would repeal the requirement for modularity reports by both the Army and the Government Accountability Office and would also add a requirement that the Marine Corps report budget information regarding funding for the reset of equipment and reconstitution of prepositioned stocks.

The agreement includes the Senate provision.

Revision to requirement for annual submission of information regarding information technology capital assets (sec. 333)

The House bill contained a provision (sec. 333) that would amend the National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 10 U.S.C. 221 note) to align Department of Defense high-threshold information technology Capital Asset reporting with the Department's Major Automated Information Systems reporting and its Exhibit 300 reporting to the Office of Management and Budget.

The Senate committee-reported bill contained an identical provision (sec. 333).

The agreement includes this provision.

Modification of annual corrosion control and prevention reporting requirements (sec. 334)

The Senate committee-reported bill contained a provision (sec. 334) that would amend section 903(b)(5) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (P.L. 110-417; 10 U.S.C. 2228 note) to update the military departments' strategic plans with performance measures and show clear linkage to the Department of Defense's overarching goals and objectives as described in the Department's strategic plan for corrosion control and prevention.

The House bill contained no similar provision.

The agreement includes the Senate provision.

SUBTITLE E—LIMITATIONS AND EXTENSIONS OF AUTHORITY

Certification for realignment of forces at Lajes Air Force Base, Azores (sec. 341)

The House bill contained a provision (sec. 341) that would restrict the Secretary of the Air Force from reducing the force structure at Lajes Air Force Base, Azores, (Lajes) until 30 days after the European Infrastructure Consolidation Assessment is completed and is briefed to the congressional defense committees.

The Senate committee-reported bill contains no similar provision.

The agreement includes a provision requiring that, prior to taking any action to realign forces at Lajes, the Secretary of Defense must certify to the congressional defense committees that the realignment is supported by a European Infrastructure Consolidation Assessment.

Limitation on performance of Department of Defense flight demonstration teams outside the United States (sec. 342)

The House bill contained a provision (sec. 342) that would prohibit the Secretary of De-

fense from using any fiscal year 2014 or 2015 funds to allow flight demonstration teams to perform at any location outside the United States.

The Senate committee-reported bill contained no similar provision. The Senate report accompanying S. 1197 (S. Rpt. 113-44) of the National Defense Authorization Act for Fiscal Year 2014 commented on Department of Defense (DOD) guidance prohibiting all aerial demonstrations, including flyovers, jump team demonstrations, and participation in civilian air shows and military open houses. The report observed that: (1) There may be certain circumstances where an exception to this general policy could provide some level of community engagement as a no-cost addition to activities that are required for training or readiness; and (2) DOD should reconsider whether this policy should be enforced on a blanket basis or whether the policy should allow for community engagement if that engagement can be completed as a no-cost adjunct to missions fulfilling other required operational or training activities.

The agreement includes the House provision with an amendment that would prohibit spending funds for performances of flight demonstration teams outside the United States if the Department has cancelled any performances of flight demonstration teams inside the United States by reason of insufficient funds due to a sequestration. We are intending that this provision cover the Air Force Thunderbirds, the Navy Blue Angels and the Army Golden Knights.

Limitation on funding for United States Special Operations Command National Capital Region (sec. 343)

The Senate committee-reported bill contained a provision (sec. 341) that would prohibit the expenditure of any funds for the U.S. Special Operations Command National Capital Region (USSOCOM-NCR) until 30 days after the Secretary of Defense provides the congressional defense committees a report which describes, at a minimum: (1) The purpose of the USSOCOM-NCR; (2) The activities to be performed by the USSOCOM-NCR; (3) An explanation of the impact of the USSOCOM-NCR on existing activities at USSOCOM headquarters; (4) A detailed breakout, by fiscal year, of the staffing and other costs associated with the USSOCOM-NCR over the future years defense program; (5) A description of the relationship between the USSOCOM-NCR and the Office of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict (ASD SOLIC); (6) The role of the ASD SOLIC in providing oversight of USSOCOM-NCR activities; and (7) Any other matters the Secretary deems appropriate.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Limitation on availability of funds for Trans Regional Web Initiative (sec. 344)

The Senate committee-reported bill contained a provision (sec. 343) that would prohibit the Secretary of Defense from expending any funds in Operation and Maintenance, defense-wide (OMDW), for the Trans Regional Web Initiative (TRWI).

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would prohibit the Secretary of Defense from expending more than \$2.0 million in OMDW for TRWI and restrict the use of such funds for the termination of the program as managed by U.S.

Special Operations Command or for purposes of transitioning appropriate TRWI capabilities to other agencies.

In light of budget concerns for the U.S. Government, resource constraints for the Department of Defense, and shifts in the geopolitical environment and security strategies, we note our concern with regard to the Department's direction for strategically engaging in the information environment. We remain skeptical of the effectiveness of the websites established under the TRWI and believe that available resources may better be used to support tactical and operational military information support activities. We believe strategic information operations activities, like TRWI, may more appropriately be managed by other relevant U.S. Government agencies, with the Department of Defense focused on contributing to an interagency approach that is responsive to military-specific operational requirements.

If the Secretary of Defense deems it to be in the national security interests of the United States and appropriate under current fiscal pressures, we note the Department of Defense may use funds authorized by this Act for TRWI to conduct a pilot project using existing authorities with an appropriate U.S. Government agency, such as the Broadcasting Board of Governors. Such a pilot could be used to demonstrate the transition of appropriate TRWI capabilities to such agency and support the strategic information operations requirements of the Geographic Combatant Commanders. We believe that any such pilot should seek to demonstrate responsiveness to the time sensitive needs of the Department of Defense while integrating such activities with broader U.S. strategic communications objectives. Consistent with this provision, we expect that the Department of Defense will not request additional funding for TRWI in fiscal year 2015 and beyond.

SUBTITLE F—OTHER MATTERS

Gifts made for the benefit of military musical units (sec. 351)

The House bill contained a provision (sec. 599) that would amend section 974 of title 10, United States Code, to require that any gift made on the condition that the gift be used for the benefit of a military musical unit be credited to the appropriation or account providing the funds for such musical unit.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would authorize service secretaries to accept contributions of money, personal property, or services on the condition that such money, property, or services be used for the benefit of a military musical unit, and requiring that such contributions be credited to the appropriation or account for that musical unit.

Revised policy on ground combat and camouflage utility uniforms (sec. 352)

The House bill contained a provision (sec. 351) that would establish as national policy a requirement for all the U.S. military services to use a joint combat camouflage uniform by October 1, 2018, with certain exceptions.

The Senate committee-reported bill contained a similar provision (sec. 351) that would direct the Secretary of Defense to reduce the separate development and fielding of service-specific combat and camouflage utility uniforms in order to collectively adopt and field the same combat and camouflage utility uniforms for use by all members of the Armed Forces.

The agreement includes the Senate provision with a clarifying amendment that would combine both provisions and eliminate the 2018 deadline.

We note the provision adopted makes it the policy of the United States for the Secretary of Defense to eliminate the development and fielding of Armed Force-specific combat and camouflage utility uniforms and families of uniforms, in order to adopt and field a common combat and camouflage utility uniform, or family of uniforms, for specific combat environments, to be used by all members of the Armed Forces. Each Armed Force will be prohibited from adopting new combat and camouflage utility uniforms unless: (1) All the Armed Forces adopt the same uniform or family of uniforms; (2) An Armed Force adopts a uniform currently in use by another Armed Force; or (3) The Secretary of Defense grants an exception, based on unique circumstances or operational requirements.

We note that exceptions granted to this policy include: (1) Combat and camouflage utility uniforms and families of uniforms for use by special operations personnel; (2) Engineering modifications to existing combat and camouflage utility uniforms and families of uniforms such as power harnessing or generating textiles, fire resistant fabrics, and anti-vector, anti-microbial, and antibacterial treatments; (3) Ancillary uniform items such as headwear, footwear, body armor, and other items designated by the secretaries of the military departments; (4) Vehicle crew uniforms; (5) Service-specific cosmetic modifications; or (6) existing Service-specific uniforms that meet operational requirements.

We note that a secretary of a military department may not prevent the secretary of another military department from authorizing the use of any combat or camouflage utility uniform or family of uniforms approved for use by an Armed Force under the jurisdiction of the secretary. Furthermore, the secretary of a military department shall formally register with the Joint Clothing and Textiles Governance Board all current and future combat uniforms, camouflage utility uniforms, and families of uniforms.

We also note that 60 days after the enactment of this Act, the Secretary of Defense shall issue implementation guidance that requires the secretaries of the military departments to: (1) Establish joint performance criteria for the design, development, fielding, and characteristics of combat and camouflage utility uniforms and families of uniforms and include that criteria in all new requirements documents; (2) Continue to work together to assess and develop new technologies that could be incorporated into future combat and camouflage utility uniforms and families of uniforms to improve warfighter survivability; (3) Ensure that new combat and camouflage utility uniforms and families of uniforms meet the geographic and operational requirements of the commanders of the combatant commands; and (4) Ensure that all new combat and camouflage utility uniforms and families of uniforms achieve interoperability with all components of individual warfighter systems, including body armor, organizational clothing and equipment, and other individual protective systems.

We fully expect the Secretary of Defense to enforce this policy and not deviate from its intent to reduce the separate development and fielding of Armed Force-specific combat and camouflage uniforms and families of uniforms.

LEGISLATIVE PROVISIONS NOT ADOPTED

Authorization of appropriations for the Marine Corps Embassy Security Group

The House bill contained a provision (sec. 302) that would increase funding for the Marine Corps Embassy Security Group by \$13.4 million.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note the funding tables reflect an increase of \$35.0 million for the Marine Corps Embassy Security Group.

Authorization of appropriations for Crisis Response Force

The House bill contained a provision (sec. 303) that would increase funding for Crisis Response Force by \$10.6 million.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note the funding tables reflect an increase of \$40.0 million for Crisis Response Force.

Cooperative agreements under Sikes Act for land management related to Department of Defense readiness activities

The House bill contained a provision (sec. 314) that would amend section 103A of the Sikes Act, section 670c-1 of title 16, United States Code, to permit lump sum payment and accrual of interest used for the purposes of the original agreement. This section would also permit the cooperative agreements to be used to acquire property or services for the direct benefit or use of the U.S. Government, and sets limitations on agreements that are not on military installations. Finally, this section would also expire the authority on October 1, 2019, but permit any agreements that were entered into prior to September 30, 2019, to continue according to its terms and conditions.

The Senate committee-reported bill amendment contained no similar provision.

The agreement does not contain this provision.

Exclusions from definition of "chemical substance" under Toxic Substances Control Act

The House bill contained a provision (sec. 315) that would modify section 2602(2)(B) of title 15, United States Code, to add to the exclusions any component of any article including shot, bullets and other projectiles, propellants when manufactured for or used in such an article, and primers.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain the provision.

Exemption of Department of Defense from alternative fuel procurement requirement

The House bill contained a provision (sec. 316) that would amend section 526 of the Energy Independence Security Act (Section 42 of United States Code 17142) to exempt the Department of Defense from the requirements related to contracts for alternative or synthetic fuel in that section.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Limitation on plan, design, refurbishing, or construction of biofuels refineries

The House bill contained a provision (sec. 318) that would require the Department of Defense to obtain a congressional authorization before entering into a contract for the

planning, design, refurbishing, or construction of a biofuels refinery.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Military readiness and southern sea otter conservation

The House bill contained a provision (sec. 320) that would amend section 631 of title 10, United States Code, by adding a provision permitting the Secretary of the Defense to establish "Southern Sea Otter Military Readiness Areas." This provision would exempt southern sea otters from the Endangered Species Act of 1973 (16 U.S.C. 1533, 1538) and the Marine Mammal Protection Act of 1972 (16 U.S.C. 1371, 1372).

The Senate committee-reported bill contained no similar provision.

The agreement does not contain this provision.

Assessment of outreach for small business concerns owned and controlled by women and minorities required before conversion of certain functions to contractor performance

The House bill contained a provision (sec. 324) that would forbid a Department of Defense function performed by Department of Defense civilian employees and tied to a military base from being converted into a contractor function until the Secretary of Defense conducts an assessment to determine if the Department of Defense has carried out sufficient outreach programs to assist small businesses owned and controlled by women and socially and economically disadvantaged individuals.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain this provision.

Ordinance related records review and reporting requirement for Vieques and Culebra Islands, Puerto Rico

The House bill contained a provision (sec. 334) that would require the Secretary of Defense conduct a review of all Department of Defense records detailing the historical use of military munitions and training on Vieques and Culebra Islands, Puerto Rico.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain this provision.

We note that the Department of Defense, for land and water sites on Culebra Island for which the Department is responsible, has completed historical research under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) process and issued Preliminary Assessment reports concerning the Department's former use of sites on Culebra Island for live-fire training.

We also note that for these sites, the Army has completed site inspections and is currently conducting remedial investigations that will determine whether an environmental response action is required at specific sites.

Finally, we note that the Department of Defense is in the process of cleaning up portions of the former operational ranges on Vieques and also is conducting preliminary assessments, site inspections, and remedial investigations to determine whether a response action is required under CERCLA at Vieques. Therefore, we encourage the Department of Defense to work with the Commonwealth of Puerto Rico to ensure the documents and reports from the historical records reviews and investigations that the Department of Defense and the Army completed for those former military sites on

Culebra and Vieques are made available to the public.

Authorization to institute a centralized, automated mail redirection system to improve the delivery of absentee ballots to military personnel serving outside the United States

The Senate committee-reported bill contained a provision (sec. 352) that would authorize the Secretary of Defense to transfer up to \$4.5 million from defense-wide operation and maintenance to the Postal Service Fund for purposes of implementing the modernization of the U.S. Postal Service's mail delivery system to improve the delivery of absentee ballots to military personnel serving outside the United States.

The House bill contained no similar provision.

The agreement does not include this provision.

We understand that alternate funding has been used to modernize the U.S. Postal Service's mail delivery system to improve the delivery of absentee ballots to military personnel serving outside the United States.

**TITLE IV—MILITARY PERSONNEL
AUTHORIZATIONS**

SUBTITLE A—ACTIVE FORCES

End strengths for active forces (sec. 401)

The House bill contained a provision (sec. 401) that would authorize the following end strengths for active duty personnel of the armed forces as of September 30, 2014: Army, 520,000; Navy, 323,600; Marine Corps, 190,200; and Air Force, 327,600.

The Senate committee-reported bill contained an identical provision (sec. 401).

The agreement includes this provision.

End strength levels for the active forces for fiscal year 2014 are set forth in the following table:

Service	FY 2013 Authorized	FY 2014		Change from	
		Request	Recommendation	FY 2014 Request	FY 2013 Authorized
Army	552,100	520,000	520,000	0	— 32,100
Navy	322,700	323,600	323,600	0	900
Marine Corps	197,300	190,200	190,200	0	— 7,100
Air Force	329,460	327,600	327,600	0	— 1,860
DOD Total	1,401,560	1,361,400	1,361,400	0	— 40,160

Revisions in permanent active duty end strength minimum levels and in annual limitation on certain end strength reductions (sec. 402)

The House bill contained a provision (sec. 402) that would establish the following minimum end strengths for active-duty personnel as of September 30, 2014: Army, 520,000; Navy, 323,600; Marine Corps, 190,200; and Air Force, 327,600.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would establish minimum active-duty end strengths for the Army of 510,000 and the Marine Corps of 188,000, and would amend section 403 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to increase

the maximum annual reduction in end strength authorized by that section for the Army to 25,000 and for the Marine Corps to 7,500.

Minimum end strength levels for active-duty personnel for fiscal year 2014 are set forth in the following table:

Service	FY 2013 Authorized	FY 2014		Change from FY 2013
		Recommendation	Request	
Army	542,700	510,000	510,000	— 32,700
Navy	322,700	323,600	323,600	900
Marine Corps	193,500	188,000	188,000	— 5,500
Air Force	329,460	327,600	327,600	— 1,860
DOD Total	1,388,360	1,349,200	1,349,200	— 39,160

We note that continued fiscal constraints have forced the Army and the Marine Corps to alter their end strength reduction plans to reach their pre-sequester end strength targets of 490,000 for the Army and 182,100 for the Marine Corps by the end of fiscal year 2015, 2 years before originally anticipated. In order to maintain a balance between end strength, readiness of the force, and modernization, we will support this altered re-

duction plan. However, we remain concerned that unfettered reductions in end strength will have a detrimental impact on force structure and, ultimately, operational mission capability and capacity among the services, and harm the morale of the force. The services should be very cautious in their efforts to further reduce the force to ensure that we do not break faith with those who

continue to serve in the current conflicts, and those who have served our nation in war.

SUBTITLE B—RESERVE FORCES

End strengths for Selected Reserve (sec. 411)

The House bill contained a provision (sec. 411) that would authorize the following end strengths for Selected Reserve personnel, including the end strengths for reserves on active duty in support of the reserves, as of

September 30, 2014: the Army National Guard of the United States, 354,200; the Army Reserve, 205,000; the Navy Reserve, 59,100; the Marine Corps Reserve, 39,600; the Air National Guard of the United States, 105,400;

the Air Force Reserve, 70,400; and the Coast Guard Reserve, 9,000.

The Senate committee-reported bill contained an identical provision (sec. 411).

The agreement includes this provision.

End strength levels for the Selected Reserve for fiscal year 2014 are set forth in the following table:

Service	FY 2013 Authorized	FY 2014		Change from	
		Request	Recommendation	FY 2014 Request	FY 2013 Authorized
Army National Guard	358,200	354,200	354,200	0	— 4,000
Army Reserve	205,000	205,000	205,000	0	0
Navy Reserve	62,500	59,100	59,100	0	— 3,400
Marine Corps Reserve	39,600	39,600	39,600	0	0
Air National Guard	105,700	105,400	105,400	0	— 300
Air Force Reserve	70,880	70,400	70,400	0	— 480
DOD Total	841,880	833,700	833,700	0	— 8,180
Coast Guard Reserve	9,000	9,000	9,000	0	0

End strengths for reserves on active duty in support of the reserves (sec. 412)

The House bill contained a provision (sec. 412) that would authorize the following end strengths for reserves on active duty in support of the reserve components as of Sep-

tember 30, 2014: the Army National Guard of the United States, 32,060; the Army Reserve, 16,261; the Navy Reserve, 10,159; the Marine Corps Reserve, 2,261; the Air National Guard of the United States, 14,734; and the Air Force Reserve, 2,911.

The Senate committee-reported bill contained an identical provision (sec. 412).

The agreement includes this provision.

End strength levels for reserves on active duty in support of the reserves for fiscal year 2014 are set forth in the following table:

Service	FY 2013 Authorized	FY 2014		Change from	
		Request	Recommendation	FY 2014 Request	FY 2013 Authorized
Army National Guard	32,060	32,060	32,060	0	0
Army Reserve	16,277	16,261	16,261	0	— 16
Navy Reserve	10,114	10,159	10,159	0	45
Marine Corps Reserve	2,261	2,261	2,261	0	0
Air National Guard	14,765	14,734	14,734	0	— 31
Air Force Reserve	2,888	2,911	2,911	0	23
DOD Total	78,365	78,386	78,386	0	21

End strengths for military technicians (dual status) (sec. 413)

The House bill contained a provision (sec. 413) that would authorize the following end strengths for military technicians (dual status) as of September 30, 2014: the Army Na-

tional Guard of the United States, 27,210; the Army Reserve, 8,395; the Air National Guard of the United States, 21,875; and the Air Force Reserve, 10,429.

The Senate committee-reported bill contained an identical provision (sec. 413).

The agreement includes this provision.

End strength levels for military technicians (dual status) for fiscal year 2014 are set forth in the following table:

Service	FY 2013 Authorized	FY 2014		Change from	
		Request	Recommendation	FY 2014 Request	FY 2013 Authorized
Army Reserve	27,210	27,210	27,210	0	0
Air National Guard	8,395	8,395	8,395	0	0
Air Force Reserve	22,180	21,875	21,875	0	— 305
Army National Guard	10,400	10,429	10,429	0	29
DOD Total	68,185	67,909	67,909	0	— 276

Fiscal year 2014 limitation on number of non-dual status technicians (sec. 414)

The House bill contained a provision (sec. 414) that would establish the following personnel limits for the reserve components of the Army and Air Force for non-dual status

technicians as of September 30, 2014: the Army National Guard of the United States, 1,600; the Air National Guard of the United States, 350; the Army Reserve, 595; and the Air Force Reserve, 90.

The Senate committee-reported bill contained an identical provision (sec. 414).

The agreement includes this provision.

Personnel limitations for non-dual status technicians for fiscal year 2014 are set forth in the following table:

Service	FY 2013 Authorized	FY 2014		Change from	
		Request	Recommendation	FY 2014 Request	FY 2013 Authorized
Army National Guard	1,600	1,600	1,600	0	0
Air National Guard	350	350	350	0	0
Army Reserve	595	595	595	0	0
Air Force Reserve	90	90	90	0	0
DOD Total	2,635	2,635	2,635	0	0

Maximum number of reserve personnel authorized to be on active duty for operational support (sec. 415)

The House bill contained a provision (sec. 415) that would authorize the maximum number of reserve component personnel who

may be on active duty or full-time National Guard duty under section 115(b) of title 10, United States Code, during fiscal year 2014 to provide operational support.

The Senate committee-reported bill contained an identical provision (sec. 415).

The agreement includes this provision.

The maximum number of reserve component personnel who may be on active duty or full-time National Guard duty under section 115(b) of title 10, United States Code, during fiscal year 2014 is set forth in the following table:

Service	FY 2013 Authorized	FY 2014		Change from	
		Request	Recommendation	FY 2014 Request	FY 2013 Authorized
Army National Guard	17,000	17,000	17,000	0	0
Army Reserve	13,000	13,000	13,000	0	0
Navy Reserve	6,200	6,200	6,200	0	0
Marine Corps Reserve	3,000	3,000	3,000	0	0
Air National Guard	16,000	16,000	16,000	0	0
Air Force Reserve	14,000	14,000	14,000	0	0
DOD Total	69,200	69,200	69,200	0	0

SUBTITLE C—AUTHORIZATION OF
APPROPRIATIONS

Military personnel (sec. 421)

The House bill contained a provision (sec. 421) that would authorize appropriations for military personnel at the levels identified in section 4401 of division D of this Act.

The Senate committee-reported bill contained an identical provision (sec. 421).

The agreement includes this provision.

TITLE V—MILITARY PERSONNEL POLICY
SUBTITLE A—OFFICER PERSONNEL POLICY
GENERALLY

Congressional notification requirements related to increases in number of general and flag officers on Active Duty or in joint duty assignments (sec. 501)

The House bill contained a provision (sec. 501) that would amend sections 526 of title 10, United States Code, to reduce by 14 the total of the number of general and flag officers authorized to be on active duty in the military services, and by 10 the number of general and flag officers authorized to be assigned to joint duty assignments.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would amend section 526 of title 10, United States Code, to require the secretary of a military department to provide notice and rationale to the Committees on Armed Services of the Senate and the House of Representatives whenever the secretary proposes to increase the number of general or flag officers above the lower of the statutory limit on the number of general or flag officers on active duty or the number of general or flag officers on active duty on January 1, 2014. The provision would also require the Secretary of Defense, the secretary of a military department, or the Chairman of the Joint Chiefs of Staff to provide notice and rationale to the Committees on Armed Services of the Senate and the House of Representatives whenever the secretary or Chairman proposes to increase the number of general or flag officers above the lower of the statutory limit of general or flag officers in joint duty assignments or the number of general or flag officers in joint duty assignments on January 1, 2014. The proposed increases will not take place until after the end of the 60-calendar day beginning on the date that notice is provided. The provision would also require the Secretary of Defense, beginning on March 1, 2015, to submit to the Committees on Armed Services of the Senate and the House of Representatives an annual report on the number of general and flag officers on Active Duty and in joint duty assignments on January 1 of the year in which the report is submitted.

Service credit for cyberspace experience or advanced education upon original appointment as a commissioned officer (sec. 502)

The Senate committee-reported bill contained a provision (sec. 501) that would authorize service secretaries to award constructive service credit upon original ap-

pointment as a commissioned officer for special experience or training in certain cyberspace-related fields and for periods of advanced education in certain cyberspace-related fields beyond the baccalaureate degree level. Constructive service credited under this provision is limited to 1 year for each year of special experience, training or advanced education, and 3 years total of constructive service credit.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Selective early retirement authority for regular officers and selective early removal of officers from reserve active-status list (sec. 503)

The House bill contained a provision (sec. 512) that would amend section 14704 of title 10, United States Code, to require service secretaries to submit to selection boards considering officers for selective early removal from the reserve active-status list a list of reserve component officers that includes the name of each officer on the reserve active-status list in the same grade and competitive category in the zone of consideration except for officers who have been approved for voluntary retirement or who will be involuntarily retired. The provision would also require service secretaries to specify the number of officers that a selection board may recommend for removal from the reserve active-status list.

The Senate committee-reported bill contained a similar provision (sec. 506).

The agreement includes the House provision with a technical amendment and would also amend section 638a(b)(2) of title 10, United States Code, to authorize consideration for selective early retirement of: (1) officers in the regular grade of lieutenant colonel or commander who have failed to be selected for promotion at least one time, and (2) officers in the grade of colonel, or in the case of the Navy, captain, who have served on active duty in that grade for at least 2 years and whose names are not on a list of officers recommended for promotion.

SUBTITLE B—RESERVE COMPONENT MANAGEMENT
Suicide prevention efforts for members of the reserve components (sec. 511)

The House bill contained a provision (sec. 726) that would require the Secretary of Defense to share with any adjutant general of a state the contact information of members of the Individual Ready Reserve and individual mobilization augmentees who reside in the state of such adjutant general for the purpose of conducting suicide prevention outreach efforts.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would amend section 10219 of title 10, United States Code, to authorize the Secretary of Defense to share with the adjutant general of a state, upon request, the contact information of members of the Individual Ready Reserve and individual mobilization augmentees in

order for the adjutant general to include those members in suicide prevention efforts. The amendment would also amend section 706 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to authorize education and outreach for suicide prevention in the existing pilot program on enhancements of Department of Defense efforts on mental health in the National Guard and reserves through community partnerships.

Removal of restrictions on the transfer of officers between the active and inactive National Guard (sec. 512)

The House bill contained a provision (sec. 513) that would provide temporary authority for the Secretary of the Army and Secretary of the Air Force to maintain an active status and an inactive status list of members in the inactive National Guard. The provision would also authorize the transfer of officers of the Army and Air National Guard from the Selected Reserve to the inactive National Guard and from the inactive National Guard to the Selected Reserve.

The Senate committee-reported bill contained a provision (sec. 507) that would authorize the transfer of officers of the Army and Air National Guard from the Selected Reserve to the inactive National Guard and from the inactive National Guard to the Selected Reserve during the period ending on December 31, 2016.

The agreement includes the Senate provision.

Limitations on cancellations of deployment of certain reserve component units and involuntary mobilizations of certain Reserves (sec. 513)

The House bill contained a provision (sec. 511) that would require the service secretaries to provide at least 120 days advance notice to reserve component units, and individuals not part of a unit, prior to an order to active duty for deployment in connection with a contingency operation, and 120 days advance notice to such units if their deployments are canceled, postponed, or altered. In the event such notice was not provided, the provision would require the Secretary concerned to report to the Committees on Armed Services of the Senate and the House of Representatives explaining the reasons for such failure.

The Senate committee-reported bill contained a provision (sec. 508) that would require the Secretary of Defense to personally approve of any decision to cancel the deployment of a reserve component unit within 180 days of its scheduled deployment date when an active-duty unit would be sent instead to perform the same mission, and to notify the congressional defense committees and governors concerned whenever such a decision is made.

The agreement includes the Senate provision with an amendment that would add the requirement for the service secretaries to provide at least 120 days advance notice of an involuntary mobilization of a member of a reserve component who is not assigned to a

unit or who is to be mobilized apart from the member's unit. This requirement would apply to individual members mobilized on or after the date that is 120 days after the date of enactment of this Act and would sunset on the date of the completion of the withdrawal of United States combat forces from Afghanistan.

Review of requirements and authorizations for reserve component general and flag officers in an active status (sec. 514)

The House bill contained a provision (sec. 514) that would require the Secretary of Defense to conduct a review of the general officer and flag officer requirements for members of the reserve component in an active status, and to submit a report to the Committees on Armed Services of the Senate and the House of Representatives containing the results of the review not later than 18 months after the date of enactment of this Act.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision.

Feasibility of establishing a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands (sec. 515)

The House bill contained a provision (sec. 515) that would require the Secretary of Defense to conduct a study to determine the feasibility of establishing a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would require the Secretary of Defense to report on the feasibility of establishing a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands.

SUBTITLE C—GENERAL SERVICE AUTHORITIES

Provision of information under Transition Assistance Program about disability-related employment and education protections (sec. 521)

The House bill contained a provision (sec. 524) that would expand the training required under the transition assistance program to include information about disability-related employment and education protections available to service members and information on eligibility for certain education assistance programs administered by the Secretary of Veterans Affairs. The provision would also require the Secretary of Veterans Affairs to submit a report to the Committees on Veterans' Affairs and the Committees on Armed Services of the House of Representatives and the Senate assessing the feasibility of providing certain transition assistance program instruction at overseas locations.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would expand transition assistance program training to include information on disability-related employment and education protections, but would strike the rest of section 524 of the House bill.

Medical examination requirements regarding post-traumatic stress disorder or traumatic brain injury before administrative separation (sec. 522)

The House bill contained a provision (sec. 528) that would amend section 1177 of title 10, United States Code, to remove the exception

for proceedings under the Uniform Code of Military Justice from the requirement for a medical examination of certain members diagnosed with post-traumatic stress disorder or traumatic brain injury, or who otherwise reasonably alleges the influence of such a condition.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would amend section 1177 of title 10, United States Code, to clarify that an administrative separation in lieu of court-martial is an administrative separation within the meaning of this statute.

Establishment and use of consistent definition of gender-neutral occupational standard for military career designators (sec. 523)

The House bill contained a provision (sec. 526) that would amend section 543 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160) to establish a consistent definition of "gender-neutral occupational standard" for use pursuant to the requirements of that section.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a technical amendment.

Sense of Congress regarding the Women in Service Implementation Plan (sec. 524)

The House bill contained a provision (sec. 530D) that would express the sense of the Congress that no later than September 2015 the service secretaries should develop, review, and validate individual occupational standards to assess and assign members of the armed forces to units, including special operation forces, and that they should complete all assessments relating to the women in service implementation review by January 1, 2016.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a technical amendment.

Provision of military service records to the Secretary of Veterans Affairs in an electronic format (sec. 525)

The House bill contained a provision (sec. 597) that would require the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, to make specified records of each member of the armed forces who was discharged or released from the armed forces on or after September 11, 2001, available to the Secretary of Veterans Affairs in an electronic format.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would require that the specified records of service members discharged or released from the armed forces on or after January 1, 2014, be made available to the Secretary of Veterans Affairs in an electronic format.

Review of Integrated Disability Evaluation System (sec. 526)

The House bill contained a provision (sec. 521) that would require the Secretary of Defense to conduct a review of the backlog of pending reserve component cases in the Integrated Disability Evaluation System (IDES) and provide a description of the progress being made to improve the tracking and visibility of pending cases by both active duty and reserve component members during each phase or step of the IDES.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would require

the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, to conduct a review of the backlog of pending reserve component cases in the IDES and provide a description of the progress being made to improve the tracking and visibility of pending cases by both active duty and reserve component members during each phase or step of the IDES, to include when a military treatment facility is assigned a packet and pending case for action regarding a service member and when a packet is at the Veterans Tracking Application and Disability Rating Activity Site of the Department of Veterans Affairs.

SUBTITLE D—MILITARY JUSTICE MATTERS, OTHER THAN SEXUAL ASSAULT PREVENTION AND RESPONSE AND RELATED REFORMS

Modification of eligibility for appointment as judge on the United States Court of Appeals for the Armed Forces (sec. 531)

The Senate committee-reported bill contained a provision (sec. 561) that would amend Article 142 of the Uniform Code of Military Justice (section 942 of title 10, United States Code) to authorize appointment of former commissioned officers of a regular component of an armed force as judges on the United States Court of Appeals for the Armed Forces. However, these former officers could not be appointed as a judge of the court within 7 years after relief from active duty.

The House bill contained no similar provision.

The agreement includes a provision that would amend Article 142 of the Uniform Code of Military Justice (section 942 of title 10, United States Code) to provide that a person may not be appointed as a judge of the court within seven years after retirement from active duty as a commissioned officer of a regular component of an armed force.

Enhancement of protection of rights of conscience of members of the Armed Forces and chaplains of such members (sec. 532)

The House bill contained a provision (sec. 530) that would amend section 533 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) ("section 533") to expand the required accommodation of the moral and religious beliefs of service members to include actions and speech, and would limit disciplinary and administrative action to those beliefs, actions, and speech that cause actual harm to good order and discipline.

The Senate committee-reported bill contained a provision (sec. 512) that would amend section 533 to require the accommodation of individual expressions of belief by service members unless such expressions of belief could have an adverse impact on military readiness, unit cohesion, and good order and discipline. The Senate provision would also require that regulations implementing section 533 be prescribed within 120 days of enactment of this Act.

The agreement includes the Senate provision with an amendment that would require the regulations implementing section 533 be prescribed within 90 days of the date of enactment of this Act.

Inspector General investigation of Armed Forces compliance with regulations for the protection of rights of conscience of members of the Armed Forces and their chaplains (sec. 533)

The Senate committee-reported bill contained a provision (sec. 513) that would require the Department of Defense Inspector General (DOD IG) to assess and report to the congressional defense committees on the

compliance of the Department of Defense with regulations promulgated under section 533 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), within 180 days of promulgation. The provision would also require the DOD IG to investigate the Department's and the services' compliance with those regulations with respect to adverse personnel actions within 18 months of promulgating the regulations.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would strike the first report required within 180 days of the regulatory promulgation.

Survey of military chaplains views on Department of Defense policy regarding chaplain prayers outside of religious services (sec. 534)

The House bill contained a provision (sec. 529) that would amend sections 3547, 4337, 6031, 8547, and 9337 of title 10, United States Code, to provide that a chaplain, if called upon to lead a prayer outside of a religious service, had the prerogative to close such prayer according to the traditions, expressions, and religious exercises of that chaplain's endorsing faith group.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would require the Secretary of Defense to conduct a survey of military chaplains to assess whether restrictions placed on prayers offered in public or non-religious settings have prevented them from exercising the tenets of their faith as prescribed by their endorsing faith group, and whether those restrictions have had an adverse impact on their ability to fulfill their duties to minister to members of the armed forces and their families.

SUBTITLE E—MEMBER EDUCATION AND TRAINING
Additional requirements for approval of educational programs for purposes of certain educational assistance under laws administered by the Secretary of Defense (sec. 541)

The House bill contained a provision (sec. 567) that would place limitations on when educational assistance may be used to pursue civilian certifications and licenses, and would authorize the use of various educational assistance benefits under the administration of the Secretary of Defense to pursue civilian certifications and licenses.

The Senate committee-reported bill contained a provision (sec. 524) that would establish a new section 2006a of title 10, United States Code, to require that educational institutions participating in certain Department of Defense education assistance programs enter into and comply with program participation agreements under title IV of the Higher Education Act, and to meet certain other standards. The provision would authorize the Secretary of Defense to waive these requirements in certain cases.

The agreement includes the Senate provision with an amendment that would modify the conditions under which the Secretary may authorize education assistance for programs that do not meet the standards specified in the provision.

Enhancement of mechanisms to correlate skills and training for military occupational specialties with skills and training required for civilian certifications and licenses (sec. 542)

The House bill contained a provision (sec. 566) that would require the service secretaries to make information on civilian credentialing opportunities available to members of the armed forces during all

stages of their military occupational specialty training. The provision would also require the service secretaries to provide information on military course training curricula, syllabi, and materials, levels of military advancement attained, and professional skills developed by service members, to civilian credentialing agencies, for the purposes of the administration of education benefits under the purview of the Secretary of Veterans Affairs.

The Senate committee-reported bill contained a similar provision (sec. 525) that would require the information on course materials, levels of military advancement attained, and professional skills to be provided to entities approved by the Secretary of Veterans Affairs, or by state approving agencies, in addition to civilian credentialing agencies.

The agreement includes the Senate provision.

Report on the Troops to Teachers program (sec. 543)

The House bill contained a provision (sec. 570) that would require the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives not later than March 1, 2014, a report on the Troops to Teachers program that includes an evaluation of whether: (1) there is a need to broaden eligibility to allow service members and veterans without a bachelor's degree admission into the program and whether the program can be strengthened, and (2) a pilot program should be established to demonstrate the potential benefit of an institution-based award for troops to teachers.

The Senate committee-reported bill contained a provision (sec. 527) that would express the sense of the Senate to strongly urge the Secretary of Defense to ensure that the Troops to Teachers program is a priority of the Nation's commitment to the higher education of members of the armed forces, and to provide funds to the Troops to Teachers program in order to help separating members of the armed forces and veterans who wish to transition into a teaching career.

The agreement includes the House provision with a technical amendment.

Secretary of Defense report on feasibility of requiring automatic operation of current prohibition on accrual of interest on direct student loans of certain members of the Armed Forces (sec. 544)

The House bill contained a provision (sec. 570A) that would require the Secretary of Defense to submit a report to Congress within 90 days assessing the feasibility of automatically applying the prohibition on accrual of interest on student loans for certain deployed service members, and how the Department would implement such automatic application.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment to require the report within 180 days after the date of enactment of this Act.

SUBTITLE F—DEFENSE DEPENDENTS' EDUCATION AND MILITARY FAMILY READINESS MATTERS

Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees (sec. 551)

The House bill contained a provision (sec. 571) that would authorize \$20.0 million for continuation of the Department of Defense (DOD) assistance program to local edu-

cational agencies (LEAs) that are impacted by the enrollment of dependent children of military members and DOD civilian employees. The provision would also authorize \$5.0 million for assistance to LEAs with significant changes in enrollment of school-aged dependents of military members and civilian employees due to base closures, force structure changes, or force relocations.

The Senate committee-reported bill contained a provision (sec. 571) that would authorize \$25.0 million for the assistance program to LEAs impacted by the enrollment of dependent children of military members and civilian employees.

The agreement includes the Senate provision.

Impact aid for children with severe disabilities (sec. 552)

The Senate committee-reported bill contained a provision (sec. 572) that would authorize \$5.0 million in defense-wide operation and maintenance for impact aid payments for children with disabilities under section 8003(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(d)), using the formula set forth in section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398), for continuation of Department of Defense assistance to local educational agencies that benefit eligible dependents with severe disabilities.

The House bill contained no similar provision.

The agreement includes this provision.

Treatment of tuition payments received for virtual elementary and secondary education component of Department of Defense education program (sec. 553)

The House bill contained a provision (sec. 573) that would amend section 2164(l) of title 10, United States Code, to allow the Secretary of Defense to retain the tuition payments made by participants in the Department of Defense virtual elementary and secondary education programs. The retained tuition would be used to provide support for the virtual education programs authorized by section 2164(l).

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Family support programs for immediate family members of members of the Armed Forces assigned to special operations forces (sec. 554)

The House bill contained a provision (sec. 554) that would authorize the Commander, U.S. Special Operations Command, to conduct up to three pilot programs to assess the feasibility and benefits of providing family support activities for the immediate family members of the armed forces assigned to special operations forces. The provision would require that family support programs provided under the pilot not duplicate those family support programs being provided by the secretary of a military department. The provision would limit authorization for any program conducted under the pilot to fiscal years 2014 through 2016, and limit to \$5.0 million the amount that may be spent on the pilot programs in a fiscal year. The provision would also require the Commander, U.S. Special Operations Command, to provide a report to the congressional defense committees within 180 days of the completion of a program conducted under this pilot.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would authorize the Commander, U.S. Special Operations

Command, to conduct up to three pilot programs to assess the feasibility and benefits of providing family support activities for the immediate family members of the armed forces assigned to special operations forces. In selecting and conducting any pilot program, the Commander would be required to coordinate with the Under Secretary of Defense for Personnel and Readiness. The amendment would require that family support programs provided under the pilot not duplicate those family support programs being provided by the secretary of a military department. The amendment would limit authorization for any program conducted under the pilot to fiscal years 2014 through 2016, and limit to \$5.0 million the amount that may be spent on the pilot programs in a fiscal year. The amendment would also require the Commander, U.S. Special Operations Command, in coordination with the Under Secretary of Defense for Personnel and Readiness, to provide a detailed report to the congressional defense committees within 180 days of the completion of a program conducted under this pilot.

Sense of Congress on parental rights of members of the armed forces in child custody determinations (sec. 555)

The House bill contained a provision (sec. 552) that would amend title II of the Servicemembers Civil Relief Act (50 U.S.C. App. 521 et seq.) to provide that if a court renders a temporary custody order based solely on the deployment or anticipated deployment of a service member, the court shall require the reinstatement of the prior custody order upon the return of the service member from deployment, unless the court finds that reinstatement is not in the best interest of the child. The provision would also prohibit a court from considering the absence of a servicemember by reason of deployment, or the possibility of deployment, as the sole factor in determining the best interest of a child.

The Senate committee-reported bill contained a provision (sec. 1053) that would express the sense of the Senate that State courts should not consider military deployment as the sole factor in determining child custody in a State court proceeding involving a parent who is a member of the armed forces. The best interest of the child should always prevail in custody cases, but members of the armed forces should not lose custody of their children based solely upon service to our country.

The agreement includes the Senate provision with an amendment that would make it a sense of Congress.

SUBTITLE G—DECORATIONS AND AWARDS

Repeal of limitation on number of Medals of Honor that may be awarded to the same member of the Armed Forces (sec. 561)

The House bill contained a provision (sec. 582) that would amend sections 3744, 6247, and 8744 of title 10, United States Code, to authorize the award of more than one Medal of Honor to a person whose subsequent acts justify an additional award.

The Senate committee-reported bill contained a similar provision (sec. 581(a)).

The agreement includes the House provision.

Standardization of time-limits for recommending and awarding Medal of Honor, Distinguished-Service Cross, Navy Cross, Air Force Cross, and Distinguished-Service Medal (sec. 562)

The House bill contained a provision (sec. 583) that would amend sections 3744 and 8744 of title 10, United States Code, to require

that recommendations for the award of the Medal of Honor, Distinguished Service Cross, Air Force Cross, or Distinguished Service Medal for members of the Army and Air Force be made within 3 years and that the award be made within 5 years after the date of the act justifying the award.

The Senate committee-reported bill contained a similar provision (sec. 581(b)).

The agreement includes the Senate provision.

Recodification and revision of Army, Navy, Air Force, and Coast Guard Medal of Honor roll requirements (sec. 563)

The House bill contained a provision (sec. 584) that would amend chapter 57 of title 10, United States Code, to establish a roll designated as the "Army, Navy, Air Force, and Coast Guard Medal of Honor Roll" and require the service secretaries to record on this roll the name of each person who has been awarded a Medal of Honor. The provision would also amend section 1562 of title 38, United States Code, to provide for the automatic enrollment and payment of the special pension to living Medal of Honor recipients.

The Senate committee-reported bill contained a similar provision (sec. 582).

The agreement includes the House provision.

Prompt replacement of military decorations (sec. 564)

The House bill contained a provision (sec. 590B) that would amend section 1135 of title 10, United States Code, to require service secretaries, upon receipt of a request for the replacement of a military decoration, to ensure that: (1) all actions to be taken with respect to the request, including verification of the service record of the recipient of the military decoration, are completed within one year; and (2) the replacement military decoration is mailed to the person requesting the replacement military decoration within 60 days after the verification of the service record. The provision would also require an annual report on compliance with this requirement.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would require mailing of the replacement military decoration within 90 days of verification of the service record and that would delete the requirement for an annual report.

Review of eligibility for, and award of, Purple Heart to victims of the attacks at recruiting station in Little Rock, Arkansas, and at Fort Hood, Texas (sec. 565)

The House bill contained a provision (sec. 585) that would require the award of the Purple Heart to the victims of the attacks that occurred at the recruiting station in Little Rock, Arkansas on June 1, 2009, and at Fort Hood, Texas on November 5, 2009.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would require the service secretary concerned to review the circumstances of and available evidence pertaining to the attacks at the recruiting station in Little Rock, Arkansas, and at Fort Hood, Texas; to award the Purple Heart to victims of those attacks determined pursuant to that review to be eligible for the award; and to report to the Committees on Armed Services of the Senate and the House of Representatives within 180 days of the date of enactment of this Act on the results of that review. The included provision would also require the Secretary of

Defense to review the eligibility criteria for the Purple Heart to establish the actions or conditions for which the Purple Heart shall be awarded to a member of an armed force who has been wounded in such action. The included provision would require the Secretary to report to the Committees on Armed Services of the Senate and the House of Representatives within 180 days of the date of enactment of this Act on the results of that review, including any recommendations for change to the Purple Heart criteria the Secretary considers appropriate.

Authorization for award of the Medal of Honor to former members of the Armed Forces previously recommended for award of the Medal of Honor (sec. 566)

The agreement includes a provision that would amend section 552(e) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107), to authorize the award of the Medal of Honor to veterans of the armed forces who, although they were not Jewish-American or Hispanic-American war veterans, were recommended for award of the Medal of Honor as a result of the required review of service records of certain Jewish-American war veterans and Hispanic-American war veterans.

Authorization for award of the Medal of Honor for acts of valor during the Vietnam War (sec. 567)

The agreement includes a provision that would authorize the President to award the Medal of Honor to Sergeant First Class Bennie G. Adkins, United States Army, and to Specialist Four Donald P. Sloat, United States Army, for acts of valor during the Vietnam War.

Authorization for award of the Distinguished Service Cross for acts of valor during the Korean and Vietnam Wars (sec. 568)

The House bill contained a provision (sec. 588) that would authorize the Secretary of the Army to award the Distinguished Service Cross to Sergeant First Class Robert F. Keiser for acts of valor during the Korean War.

The Senate committee-reported bill contained a similar provision (sec. 583) and a provision (sec. 584) that would authorize the Secretary of the Army to award the Distinguished Service Cross to Patrick N. Watkins, Jr., for acts of valor during the Vietnam War.

The agreement includes a provision that would authorize the Secretary of the Army to award the Distinguished Service Cross to Sergeant First Class Robert F. Keiser for acts of valor during the Korean War; to Patrick N. Watkins, Jr., for acts of valor during the Vietnam War; and to Specialist Four Robert L. Towles for acts of valor during the Vietnam War.

Authorization for award of the Medal of Honor to First Lieutenant Alonzo H. Cushing for acts of valor during the Civil War (sec. 569)

The House bill contained a provision (sec. 590C) that would authorize the President to award the Medal of Honor to then First Lieutenant Alonzo H. Cushing for acts of valor during the Civil War, effective upon receipt by the Committees on Armed Services of the Senate and the House of Representatives of a report providing information on the process and materials used by review boards for the consideration of Medal of Honor recommendations for acts of heroism that occurred during the Civil War.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would remove

the requirement for receipt of the report as the report has already been received by the Committees on Armed Services of the Senate and the House of Representatives.

SUBTITLE H—OTHER STUDIES, REVIEWS,
POLICIES, AND REPORTS

Report on feasibility of expanding performance evaluation reports to include 360-degree assessment approach (sec. 571)

The House bill contained a provision (sec. 563) that would require service secretaries to develop an assessment program modeled after the current Department of the Army Multi-Source Assessment and Feedback Program, known as the “360-degree approach,” and would require the Secretary of Defense to submit to Congress, not later than 90 days after the date of enactment of this Act, a report containing the results of an assessment of the feasibility of including the 360-degree approach as part of the performance evaluation reports.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would require the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives, not later than 180 days after the date of enactment of this Act, a report containing the results of an assessment of the feasibility of including a 360-degree assessment approach as part of performance evaluation reports.

Report on Department of Defense personnel policies regarding members of the Armed Forces with HIV or Hepatitis B (sec. 572)

The House bill contained a provision (sec. 550F) that would require the Secretary of Defense to submit to Congress a report on the use of the Uniform Code of Military Justice, the Manual for Courts-Martial, and related policies, punitive articles, and regulations with regard to service members living with or at risk of contracting HIV.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would require the Secretary of Defense to submit, not later than 180 days after the date of enactment of this Act, a report to the Committees on Armed Services of the Senate and the House of Representatives on Department of Defense personnel policies regarding members of the armed forces infected with human immunodeficiency virus or Hepatitis B. The report shall include an assessment of whether the policies reflect an evidence-based, medically accurate understanding of how these conditions are contracted, how they can be transmitted to others, and the risk of transmission.

Policy on military recruitment and enlistment of graduates of secondary schools (sec. 573)

The House bill contained a provision (sec. 530G) that would require the Secretary of Defense to implement a means for ensuring that graduates of a secondary school, including graduates who receive diplomas from secondary schools that are legally operating or who otherwise complete a program of secondary education in compliance with state law, are required to meet the same standard of any test, assessment, or screening tool used to identify persons for recruitment and enlistment in the armed forces.

The Senate committee-passed bill contained no similar provision.

The agreement includes the House provision.

Comptroller General report on use of determination of personality disorder or adjustment disorder as basis to separate members from the Armed Forces (sec. 574)

The House bill contained a provision (sec. 530H) that would require the Comptroller General of the United States, not later than 180 days after the date of enactment of this Act, to submit to the Committees on Armed Services of the Senate and the House of Representatives a report evaluating: (1) the use by the secretaries of the military departments, since January 1, 2007, of the authority to separate members due to unfitness for duty because of a mental condition not amounting to disability, including separation on the basis of a personality disorder or adjustment disorder and the number of members separated on such basis; (2) the extent to which the secretaries failed to comply with regulatory requirements in separating members of the armed forces on the basis of a personality or adjustment disorder; and (3) the impact of such a separation on the ability of veterans so separated to access service-connected disability compensation, disability severance pay, and disability retirement pay.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Comptroller General to submit the report to the Committees on Armed Services of the Senate and the House of Representatives not later than one year after the date of enactment of this Act.

SUBTITLE I—OTHER MATTERS

Accounting for members of the armed forces and Department of Defense civilian employees listed as missing and related reports (sec. 581)

The Senate committee-reported bill contained a provision (sec. 591) that would amend section 1501 of title 10, United States Code, to require the Deputy Assistant Secretary of Defense for Prisoner of War/Missing Personnel Affairs to conduct periodic briefings for families of missing persons on Department activities to account for those persons.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would require the Deputy Assistant Secretary of Defense for Prisoner of War/Missing Personnel Affairs to disseminate appropriate information on the status of missing persons to authorized family members. The provision would also require the Secretary of Defense, by no later than 180 days after the date of enactment of this Act, to submit a report to the appropriate committees of the Senate and the House of Representatives detailing certain statistical data relative to the recovery of remains of missing service members from various conflicts, including those that remain missing, and a report assessing the organization of the prisoner of war/missing in action accounting community, including command and control over its constituent elements, whether certain of those elements should be reorganized, moved, or consolidated, and how the Secretary will ensure greater oversight of the community.

Expansion of privileged information authorities to debriefing reports of certain recovered persons who were never placed in a missing status (sec. 582)

The Senate committee-reported bill contained a provision (sec. 592) that would amend sections 1506 and 1513 of title 10,

United States Code, to include as privileged information, for the purposes of personnel files maintained under the system for accounting for missing persons, any survival, evasion, resistance, and escape debriefing reports by certain persons returned to United States control under a promise of confidentiality.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Revision of specified senior military colleges to reflect consolidation of North Georgia College and State University and Gainesville State College (sec. 583)

The House bill contained a provision (sec. 591) that would amend section 2111a(f) of title 10, United States Code, to reflect the name change of North Georgia College and State University to The University of North Georgia.

The Senate committee-reported bill contained a similar provision (sec. 528).

The agreement includes the House provision.

Review of security of military installations, including barracks, temporary lodging facilities, and multi-family residences (sec. 584)

The House bill contained a provision (sec. 565) that would require the Secretary of Defense to conduct a review of security measures on military installations, specifically with regard to barracks and multi-family housing units on military installations, for the purpose of ensuring the safety of members of the armed forces and their dependents who reside on military installations, and to submit a report containing the results of the review to Congress not later than 90 days after the date of enactment of this Act.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would require the Secretary of Defense to conduct a review of security measures on military installations, specifically with regard to access to barracks, temporary lodging facilities, and multi-family housing units on military installations, for the purpose of ensuring the safety of members of the armed forces and their dependents who reside on military installations, and to submit a report containing the results of the review to Congress not later than 180 days after the date of enactment of this Act.

We intend for the Secretary's review to consider a wide range of access and security issues, including but not limited to issues regarding sexual assault prevention and response. We expect the Secretary to take into consideration the findings of the three reviews of security measures at U.S. military installations worldwide by the Department of the Navy, the Department of Defense, and the independent panel following the shooting at the Washington Navy Yard.

Authority to enter into concessions contracts at Army National Military Cemeteries (sec. 585)

The House bill contained a provision (sec. 592) that would authorize the Secretary of the Army to enter into concession contracts for transportation, interpretative, and other services in support of visitors at Arlington National Cemetery and the United States Soldiers' and Airmen's Home National Cemetery. This section would also require that each concession contract ensure the protection, dignity, and solemnity of the cemetery at which services are provided. Furthermore, the section would prohibit the Secretary of the Army from instituting a concession contract for operation of the gift shop at Arlington National Cemetery without subsequent

authorization. In providing for transportation services at Arlington National Cemetery, the provision directs the Secretary of the Army to ensure that service provides visitors with access to the Custis Lee Mansion.

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision with a technical amendment.

Military salute during recitation of pledge of allegiance by members of the Armed Forces not in uniform and by veterans (sec. 586)

The House bill contained a provision (sec. 596) that would amend section 4 of title 4, United States Code, to authorize members of the armed forces not in uniform and veterans to render the military salute in the manner provided for persons in uniform.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision.

Improved climate assessments and dissemination of results (sec. 587)

The House bill contained a provision (sec. 562) that would direct the Secretary of Defense to ensure that the results of command climate assessments are provided to the relevant individual commander and to the next higher level of command; require service secretaries to include in the performance evaluation of commanders a designated form where senior commanders can indicate whether the commander has conducted the required climate assessments; require the Inspector General of the Department of Defense to develop a system to track whether commanders are conducting command climate assessments; and require unit commanders to develop a compliance report that includes a comprehensive overview of the concerns that unit members expressed in climate assessments, data showing how leadership is perceived in the unit, and a detailed strategic plan on how leadership plans to address the expressed concerns.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary of Defense to ensure that the results of command climate assessments are provided to the relevant individual commander and to the next higher level of command; require service secretaries to include in the performance evaluation of commanders a statement by the commander regarding whether the commander has conducted the required command climate assessments; and require that the failure of a commander to conduct the required command climate assessments be noted in the commander's performance evaluation.

LEGISLATIVE PROVISIONS NOT ADOPTED

Designation of state student cadet corps as Department of Defense youth organizations

The House bill contained a provision (sec. 516) that would amend section 508(d) of title 32, United States Code, to add to the list of youth and charitable organizations eligible to receive certain services from the National Guard any state student cadet corps authorized under state law.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

National Guard Youth Challenge Program

The Senate committee-reported bill contained a provision (sec. 509) that would amend section 509 of title 32, United States

Code, to require the Secretary of Defense to use the National Guard to conduct the National Guard Youth Challenge Program, and require the Chief of the National Guard Bureau to conduct the program in such states as the Chief considers appropriate, to prescribe the standards and procedures for selecting program participants, and to submit a report to Congress annually on the program.

The House bill contained no similar provision.

The agreement does not include the provision.

Authority for joint professional military education phase II instruction and credit to be offered and awarded through senior-level course of School of Advanced Military Studies of the United States Army Command and General Staff College

The Senate committee-reported bill contained a provision (sec. 521) that would amend section 2151(b) of title 10, United States Code, to authorize the School of Advanced Military Studies senior-level course at the Army Command and General Staff College to offer joint professional military education (JPME) phase II instruction and credit.

The House bill contained no similar provision.

The agreement does not include this provision.

We note that the conference report to accompany the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) recommended that JPME II credit for participation in the senior-level course of the School of Advanced Military Studies of the United States Army Command and General Staff College be awarded through the Army War College. This is a senior service college level course and attendance is determined through the selection process for Senior Service College. We direct the Army to work with the Middle States Commission on Higher Learning to designate the School of Advanced Military Studies to be an additional location of study for the U.S. Army War College in order to award JPME II credit to students who successfully complete this course.

Authority for Uniformed Services University of the Health Sciences to support undergraduate and other medical education and training programs for military medical personnel

The Senate committee-reported bill contained a provision (sec. 522) that would amend sections 2112(a) and 2113 of title 10, United States Code, to provide greater flexibility to the Secretary of Defense, through the Uniformed Services University of the Health Sciences (USUHS), to access federal resources outside of the National Capital Region and to enable the USUHS to grant undergraduate degrees, certificates, and certifications in addition to advanced degrees.

The House bill contained no similar provision.

The agreement does not include this provision.

We believe that further analysis and review of the authorities and support that may be necessary to allow the Medical Education and Training Campus (METC), the tri-service medical training center in San Antonio, Texas, to upgrade its health education programs is required. We understand that the Assistant Secretary of Defense for Health Affairs has established a working group to address several of these issues.

We direct the Secretary of Defense to expand this working group to include the Di-

rector of Training Readiness and Strategy of the Department of Defense, and other appropriate representatives outside of the health communities that may be impacted, to develop a consensus on a way forward that meets the needs of the services and the service members in a cost-efficient manner. We will await the results of such a consensus before considering expanding authorities to various organizations to support the METC.

Command responsibility and accountability for remains of members of the Army, Navy, Air Force, and Marine Corps who die outside the United States

The House bill contained a provision (sec. 523) that would require the Secretary of Defense, within 60 days of enactment of this Act, to take such steps as necessary to ensure that there is continuous, designated military command responsibility and accountability for the care, handling, and transportation of the remains of each deceased member of the armed services who dies outside the United States.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We expect the Department of Defense and the military services to ensure the effective exercise of command oversight over the process of returning the remains of service members to their families.

Expansion of eligibility for associate degree programs under the Community College of the Air Force

The Senate committee-reported bill contained a provision (sec. 523) that would amend section 9315(b) of title 10, United States Code, to authorize the Community College of the Air Force to award associate degrees to enlisted members of armed forces other than the Air Force who participate in joint-service medical training and education or instructors in such joint-service medical training and education.

The House bill contained no similar provision.

The agreement does not include this provision.

We believe that further analysis and review of the authorities and support is required before the Medical Education and Training Campus (METC), the tri-service medical training center in San Antonio, Texas, upgrades its health education programs. We understand that the Assistant Secretary of Defense for Health Affairs has established a working group to address several of these issues.

We direct the Secretary of Defense to expand the working group to include representatives from the Department's Office of Transition Assistance and other appropriate representatives outside of the health communities that may be impacted to develop a plan that meets the needs of the Services and the service members in a cost-efficient manner. We will await the completion of the plan before authorizing additional authorities for the various organizations that support the METC.

Procedures for judicial review of military personnel decisions relating to correction of military records

The House bill contained a provision (sec. 525) that would amend chapter 79 and sections 1034 and 1552 of title 10, United States Code, to revise procedures for judicial review of final military personnel decisions relating to correction of military records.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Coverage of military occupational specialties relating to military information technology under pilot program on receipt of civilian credentials for skills required for military occupational specialties

The Senate committee-reported bill contained a provision (sec. 526) that would require that the military occupational specialties designated for the purposes of the pilot program on receipt of civilian credentials authorized by section 558 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) include those specialties relating to the military information technology workforce.

The House bill contained no similar provision.

The agreement does not include this provision.

Report on data and information collected in connection with Department of Defense review of laws, policies, and regulations restricting service of female members of the Armed Forces

The House bill contained a provision (sec. 530C) that would require the Secretary of Defense to provide the Committees on Armed Services of the House of Representatives and the Senate a report containing the specific results and data produced during the research programs, tests, surveys, consultant reports, assessments, and similar projects conducted in support of the requirement in section 535 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) to review laws, policies, and regulations restricting the service of female members of the armed forces.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that the Department of Defense has provided the Committees on Armed Services of the Senate and the House of Representatives RAND's 2012 technical report entitled "A New Look at Gender and Minority Differences in Officer Career Progression in the Military" prepared for the Office of the Secretary of Defense as part of the review required by section 535 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011.

Meetings with respect to religious liberty

The House bill contained a provision (sec. 530E) that would require the Department of Defense to provide to the Committees on Armed Services of the Senate and the House of Representatives advance written notice of any meeting held between Department employees and civilians for the purpose of writing, revising, implementing, enforcing, or seeking advice, input, or counsel regarding military policy related to religious liberty.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We believe the Department and the military services should proactively reach out to and meet with religious groups of all faiths when formulating and revising policies that impact religious freedom and tolerance within the military. We are becoming increasingly concerned over reports that the Department and the services appear more responsive to some religious groups and interests than others. The Department and the services must be proactive in their efforts to overcome this perception and to ensure the fairness and equity of policies and regula-

tions that address the religious liberty of service members and their families.

Proof of period of military service for purposes of interest rate limitation under the Servicemembers Civil Relief Act

The House bill contained a provision (sec. 530F) that would amend section 207 of the Servicemembers Civil Relief Act (50 U.S.C. App. 527) to expand the ways in which a servicemember may prove a period of military service for the purposes of the interest rate limitation under that Act.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Military Hazing Prevention Oversight Panel

The House bill contained a provision (sec. 550C) that would establish the Military Hazing Prevention Oversight Panel to provide recommendations to the service secretaries on the development of policies, programs, and procedures to prevent and respond to hazing in the armed forces.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that section 534 of the National Defense Authorization Act for Fiscal Year 2013, Public Law 112-239, required the Services, along with the Coast Guard, to review the treatment of hazing and report the results of the reviews to the appropriate congressional committees. As a result of the review, the Marine Corps revised its hazing policy on May 20, 2013, to prohibit all forms of hazing. The Army established a Hazing Policy Assessment Team to review all hazing cases from 2006 through 2013, and the Navy established the Office of Hazing Prevention.

In addition, the Services are either tracking or in the process of tracking hazing incidents, and are continuing efforts to address prevention of hazing in their force. We understand that the Joint Service Committee on Military Justice recommended changes to specifically address hazing under the Uniform Code of Military Justice (UCMJ). We expect the Department of Defense, and the Department of Homeland Security for the Coast Guard, to continue to monitor this issue to ensure that the recommended changes to the UCMJ are implemented, and that all the Services have the ability to track hazing incidents within their Service.

Department of Defense recognition of spouses of members of the Armed Forces who serve in combat zones

The House bill contained a provision (sec. 551) that would amend chapter 57 of title 10, United States Code, to require the design of a spouse-of-a-combat-veteran lapel button, approved by the Secretary of Defense, to identify and recognize the spouse of a member of the armed forces who is serving or has served in a combat zone for a period of more than 30 days.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that section 901(b) of title 36, United States Code, authorizes the wearing of a service lapel button approved by the Secretary of Defense by the immediate family of an individual serving in the armed forces of the United States during any period of war or hostilities in which the armed forces of the United States are engaged.

Treatment of relocation of members of the Armed Forces for active duty for purposes of mortgage refinancing

The House bill contained a provision (sec. 553) that would amend the Servicemembers

Civil Relief Act (50 U.S.C. App. 501 et seq.) to authorize a service member to refinance a principal residence in circumstances where the service member was unable to continue residing in the residence by virtue of receiving permanent change of station orders, or when deployed or mobilized in support of a military operation for a period of at least 18 months.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Transition of members of the Armed Forces and their families from military to civilian life

The House bill contained a provision (sec. 555) that would express the sense of the Congress on the role of federal and State governments in ensuring a seamless transition back to civilian life for service members and their families.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We believe that members of the armed forces and their families make great sacrifices on behalf of the country, and their transition from military to civilian life should be as seamless as possible by providing them opportunities to earn civilian occupational credentials and licenses. State and local governments and industries should streamline methods for assessing the equivalency of military training and experience, and accelerate occupational and professional licensure and certifications for members and spouses. Further, we believe that private employers should, to the extent practicable, do their utmost to educate and inform their managers, supervisors, and human resource departments on the advantages of hiring qualified veterans who have service-connected permanent total disabilities, as well as qualified surviving spouses of service members killed in action.

We note that the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) required the Department of Defense to carry out a pilot program to assess the feasibility and advisability of permitting enlisted members of the armed forces to obtain civilian credentialing or licensing for skills required for military occupational specialties or qualification for duty specialty codes. The Department recently successfully completed the initial phase which had selected five civilian occupations for the pilot, which included aircraft mechanics, automotive mechanics, healthcare support, logistics and supply, and truck drivers. These occupations were chosen because the labor market outlook projects medium to high wages, high employment, and significant growth for civilian jobs in these occupations. As a result of the initial results, the Department recommends continuing and expanding the pilot program, expanding credentialing opportunities to military occupational codes in law enforcement, and including greater participation by the reserve components as well as wounded, ill, or injured service members.

Mortgage protection for members of the Armed Forces, surviving spouses, and certain veterans and other improvements to the Servicemembers Civil Relief Act

The House bill contained a provision (sec. 556) that would amend the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) to enhance mortgage protections under that Act for service members, surviving spouses, and certain veterans.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Department of Defense recognition of dependents of members of the Armed Forces who serve in combat zones

The House bill contained a provision (sec. 557) that would amend chapter 57 of title 10, United States Code, to require the design of a dependent-of-a-combat-veteran lapel button, approved by the Secretary of Defense, to identify and recognize the dependent of a member of the armed forces who is serving or has served in a combat zone for a period of more than 30 days.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that section 901(b) of title 36, United States Code, authorizes the wearing of a service lapel button approved by the Secretary of Defense by the immediate family of an individual serving in the armed forces of the United States during any period of war or hostilities in which the armed forces of the United States are engaged.

Inclusion of Freely Associated States within scope of Junior Reserve Officers' Training Corps Program

The House bill contained a provision (sec. 561) that would amend section 2031(a) of title 10, United States Code, to authorize the Secretary of a military department to establish and maintain a unit of the Junior Reserve Officers' Training Corps at a secondary education institution in the Freely Associated States.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Requirement to continue provision of tuition assistance for members of the Armed Forces

The House bill contained a provision (sec. 568) that would require the service secretaries to fund tuition assistance programs at appropriated levels for fiscal year 2014.

The Senate committee-reported bill contained no similar provision.

The agreement does not include the provision.

Internet access for members of the Army, Navy, Air Force, and Marine Corps serving in combat zones

The House bill contained a provision (sec. 569) that would require the secretaries of the military departments to ensure that members of the armed forces deployed in an area for which imminent danger pay or hazardous duty pay is authorized have reasonable access to the Internet.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Support for efforts to improve academic achievement and transition of military dependent students

The House bill contained a provision (sec. 572) that would authorize the Secretary of Defense to make grants to non-profit organizations that provide services to improve the academic achievement of military dependent students, including those organizations whose programs focus on improving the civic responsibility of military dependent students and their understanding of the Federal Government through direct exposure to government operations.

The Senate committee-reported bill contained no similar provision.

The agreement does not include the provision.

Fraudulent representations about receipt of military decorations or medals

The House bill contained a provision (sec. 581) that would amend title 18, United States Code, to make fraudulently claiming to be a recipient of certain decorations or medals with the intent to obtain money, property, or other tangible benefits a crime.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that this provision has already been enacted in the Stolen Valor Act of 2013 (Public Law 113-12).

Retroactive award of Army Combat Action Badge

The House bill contained a provision (sec. 586) that would authorize the Secretary of the Army to award the Army Combat Action Badge to a person who, while a member of the Army, participated in combat during which the person personally engaged, or was personally engaged by, the enemy at any time during the period beginning on December 7, 1941, and ending on September 18, 2001.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Report on Navy review, findings, and actions pertaining to Medal of Honor nomination of Marine Corps Sergeant Rafael Peralta

The House bill contained a provision (sec. 587) that would require the Secretary of the Navy to submit a report on the Navy review, findings, and actions pertaining to the Medal of Honor nomination of Sergeant Rafael Peralta to the Committees on Armed Services of the Senate and the House of Representatives.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Required gold content for Medal of Honor

The House bill contained a provision (sec. 589) that would require the metal content of the Medal of Honor to be 90 percent gold and 10 percent alloy.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Consideration of Silver Star Award nominations

The House bill contained a provision (sec. 590) that would require the Secretary of the Army to consider the nominations for the Silver Star Award, as previously submitted, for retired Master Sergeants Michael McElhiney, Ronnie Raikes, Gilbert Magallanes, and Staff Sergeant Wesley McGirr.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We are aware of the errors contained in the Valor Awards Database established by the Department of Defense in July 2012. These errors led to confusion regarding individuals whose names appear on the database as having earned a particular award for valor but have never received such award. We expect the Department of Defense and the military services to review their procedures for validating the information contained in the Valor Awards Database to eliminate the possibility of clerical errors in the future.

Report on Army review, findings, and actions pertaining to Medal of Honor nomination of Captain William L. Albracht

The House bill contained a provision (sec. 590A) that would require the Secretary of the

Army to submit to the Committee on Armed Services of the House of Representatives a report pertaining to the Medal of Honor nomination of Captain William L. Albracht.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Commission on Military Behavioral Health and Disciplinary Issues

The House bill contained a provision (sec. 593) that would establish a commission to study whether the Department of Defense mechanisms for disciplinary action adequately address the impact of service-connected mental disorders and traumatic brain injury on the basis for the disciplinary action.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Commission on Service to the Nation

The House bill contained a provision (sec. 594) that would establish the Commission on Service to the Nation to study the effect of warfare on service members, their families, and their communities; the outgoing experience and transition between military and civilian life; and the gaps between the military and those Americans who do not participate directly in the military community.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Not later than 60 days after the date of enactment of this Act, the Comptroller General of the United States shall provide to the Committees on Armed Services of the Senate and the House of Representatives a comprehensive listing of Department of Defense and Department of Veterans Affairs programs that address (1) the effect of warfare, focusing on recent wars and conflicts, on members of the armed forces, the families of members of the armed forces, and the communities of members of the armed forces; (2) the outgoing experience and transition between military and civilian life; and (3) the gaps between the military and those Americans who do not participate directly in the military community.

Sense of Congress regarding the recovery of the remains of certain members of the Armed Forces killed in Thurston Island, Antarctica

The House bill contained a provision (sec. 598) that would express the sense of Congress that the remains of service members killed at Thurston Island, Antarctica should be recovered and repatriated.

The Senate committee-reported bill contained no similar provision.

The agreement does not include the provision.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

SUBTITLE A—PAY AND ALLOWANCES

Extension of authority to provide temporary increase in rates of basic allowance for housing under certain circumstances (sec. 601)

The House bill contained a provision (sec. 601) that would extend for 1 year the authority of the Secretary of Defense to temporarily increase the rate of basic allowance for housing in areas impacted by natural disasters or experiencing a sudden influx of personnel.

The Senate committee-reported bill contained an identical provision (sec. 603).

The agreement includes this provision.

Recognition of additional means by which members of the National Guard called into Federal service for a period of 30 days or less may initially report for duty for entitlement to basic pay (sec. 602)

The House bill contained a provision (sec. 602) that would amend section 204(c) of title 37, United States Code, to provide additional means by which members of the National Guard called into federal service for a period of 30 days or less may become entitled to basic pay by including the date on which a member contacts their unit through authorized telephonic or electronic means.

The Senate committee-reported bill contained a provision (sec. 602) that would repeal section 204(c) of title 37, United States Code.

The agreement includes the House provision with a technical amendment.

SUBTITLE B—BONUSES AND SPECIAL AND INCENTIVE PAYS

One-year extension of certain bonus and special pay authorities for reserve forces (sec. 611)

The House bill contained a provision (sec. 611) that would extend for 1 year the authority to pay the Selected Reserve reenlistment bonus, the Selected Reserve affiliation or enlistment bonus, special pay for enlisted members assigned to certain high-priority units, the Ready Reserve enlistment bonus for persons without prior service, the Ready Reserve enlistment and reenlistment bonus for persons with prior service, the Selected Reserve enlistment and reenlistment bonus for persons with prior service, reimbursement of travel expenses for inactive-duty training outside of normal commuting distance, and income replacement for reserve component members experiencing extended and frequent mobilization for active duty service.

The Senate committee-reported bill contained a similar provision (sec. 611).

The agreement includes the House provision.

One-year extension of certain bonus and special pay authorities for health care professionals (sec. 612)

The House bill contained a provision (sec. 612) that would extend for 1 year the authority to pay the nurse officer candidate accession bonus, education loan repayment for certain health professionals who serve in the Selected Reserve, accession and retention bonuses for psychologists, the accession bonus for registered nurses, incentive special pay for nurse anesthetists, special pay for Selected Reserve health professionals in critically short wartime specialties, the accession bonus for dental officers, the accession bonus for pharmacy officers, the accession bonus for medical officers in critically short wartime specialties, and the accession bonus for dental specialist officers in critically short wartime specialties.

The Senate committee-reported bill contained an identical provision (sec. 612).

The agreement includes this provision.

One-year extension of special pay and bonus authorities for nuclear officers (sec. 613)

The House bill contained a provision (sec. 613) that would extend for 1 year the authority to pay the special pay for nuclear-qualified officers extending period of active service, the nuclear career accession bonus, and the nuclear career annual incentive bonus.

The Senate committee-reported bill contained an identical provision (sec. 613).

The agreement includes this provision.

One-year extension of authorities relating to title 37 consolidated special pay, incentive pay, and bonus authorities (sec. 614)

The House bill contained a provision (sec. 614) that would extend for 1 year the general bonus authority for enlisted members, the general bonus authority for officers, special bonus and incentive pay authorities for nuclear officers, special aviation incentive pay and bonus authorities for officers, and special bonus and incentive pay authorities for officers in health professions. The provision would also extend for 1 year the authority to pay hazardous duty pay, assignment or special duty pay, skill incentive pay or proficiency bonus, and retention incentives for members qualified in critical military skills or assigned to high priority units.

The Senate committee-reported bill contained an identical provision (sec. 614).

The agreement includes this provision.

One-year extension of authorities relating to payment of other title 37 bonuses and special pays (sec. 615)

The House bill contained a provision (sec. 615) that would extend for 1 year the authority to pay the aviation officer retention bonus, assignment incentive pay, the reenlistment bonus for active members, the enlistment bonus, the accession bonus for new officers in critical skills, the incentive bonus for conversion to military occupational specialty to ease personnel shortage, the incentive bonus for transfer between armed forces, and the accession bonus for officer candidates.

The Senate committee-reported bill contained an identical provision (sec. 615).

The agreement includes this provision.

One-year extension of authority to provide incentive pay for members of precommissioning programs pursuing foreign language proficiency (sec. 616)

The House bill contained a provision (sec. 616) that would extend for 1 year the authority to provide incentive pay for members of precommissioning programs pursuing foreign language proficiency.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision.

Authority to provide bonus to certain cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps (sec. 617)

The House bill contained a provision (sec. 617) that would create a new section 336 in title 37, United States Code, to authorize a bonus to certain cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a technical amendment.

Health Professions Stipend Program to obtain commissioned officers in the reserve components (sec. 618)

The Senate committee-reported bill contained a provision (sec. 617) that would amend section 16201(d) of title 10, United States Code, to authorize payment of the health professions stipend to a nurse enrolled in an accredited program of nursing in a specialty designated as critical by the Secretary of Defense who is eligible for appointment as a Reserve officer in any of the reserve components.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would require

all individuals receiving stipends under the authority of section 16201 of title 10, United States Code, to agree to serve in the Selected Reserve for 1 year for each 6 months for which the stipend is provided.

SUBTITLE C—TRAVEL AND TRANSPORTATION ALLOWANCES

Technical and standardizing amendments to Department of Defense travel and transportation authorities in connection with reform of such authorities (sec. 621)

The Senate committee-reported bill contained a provision (sec. 631) that would amend sections 1040, 1074i, 1482, and 1491 of title 10, United States Code, and sections 451 and 453 of title 37, United States Code, to make technical changes to those sections to conform with the travel consolidation reform enacted in sections 631 and 632 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81). The provision would also repeal sections 1036, 1053a, and 2634 of title 10, United States Code, as superseded.

The House bill contained no similar provision.

The agreement includes the Senate provision with a technical amendment.

SUBTITLE D—DISABILITY, RETIRED PAY, AND SURVIVOR BENEFITS

Clarification of prevention of retired pay inversion in the case of members whose retired pay is computed using high-three (sec. 631)

The House bill contained a provision (sec. 622) that would make a technical amendment to section 1401a of title 10, United States Code, to clarify that certain provisions of subsection (f) of that section do not apply to the computation of retired pay of members who first entered active duty on or after September 8, 1980.

The Senate committee-reported bill contained a similar provision (sec. 641).

The agreement includes the Senate provision with a technical amendment.

Periodic notice to members of the Ready Reserve on early retirement credit earned for significant periods of active Federal status or active duty (sec. 632)

The House bill contained a provision (sec. 595) that would require the Secretary of Defense to establish an electronic means by which members of the Ready Reserve could track qualifying service performed under section 12731(f)(2) of title 10, United States Code.

The Senate committee-reported bill contained a provision (sec. 644) that would require the secretary concerned to periodically notify members of the Ready Reserve having performed qualifying duty under section 12731(f)(2) of title 10, United States Code, of their current eligibility age for retired pay by such means as the secretary concerned considers appropriate accounting for the cost of providing notice and the convenience of service members.

The agreement includes the Senate provision.

Improved assistance for Gold Star spouses and other dependents (sec. 633)

The Senate committee-reported bill contained a provision (sec. 643) that would amend sections 1450 and 1455 of title 10, United States Code, to authorize the payment of the Survivor Benefit Plan annuity to a special needs trust created under subparagraph (A) or (C) of section 1396p(d)(4) of title 42, United States Code, for the sole benefit of a disabled dependent child incapable of self-support because of mental or physical incapacity.

The House bill contained no similar provision.

The agreement includes a provision that would require the service secretaries to designate a military member or civilian employee to provide certain assistance to spouses and other dependents of service members who die on active duty.

We direct the Secretary of Defense, in consultation with the Secretary of the Treasury and the Secretary of Health and Human Services, to assess the needs of Survivor Benefit Plan participants who have dependent children and spouses with special needs, and the feasibility and advisability of authorizing such participants to direct their annuity to a special needs trust for the benefit of the disabled child or spouse. The assessment should include a review of the number of dependents who would be potentially affected by such a change, the laws and regulations under which special needs trusts operate, and obstacles to efficient and transparent implementation of any such change, should the Secretary determine it is feasible and advisable. We direct the Secretary to submit the results of this review to the Committees on Armed Services of the Senate and the House of Representatives by no later than 180 days after the date of enactment of this Act.

SUBTITLE E—COMMISSARY AND NON-APPROPRIATED FUND INSTRUMENTALITY BENEFITS AND OPERATIONS

Expansion of protection of employees of non-appropriated fund instrumentalities from reprisals (sec. 641)

The House bill contained a provision (sec. 631) that would amend section 1587(b) of title 10, United States Code, to align protections from reprisals for employees of non-appropriated fund instrumentalities with protections from reprisals for other Department of Defense civilian personnel.

The Senate committee-reported bill contained a similar provision (sec. 1103).

The agreement includes the Senate provision.

Modernization of titles of nonappropriated fund instrumentalities for purposes of certain civil service laws (sec. 642)

The House bill contained a provision (sec. 633) that would amend section 2105(c) of title 5, United States Code, to remove the reference to Army and Air Force Motion Picture Service and Navy Ship's Stores Ashore and replace it with the Navy Ships Stores Program in order to provide a more accurate and current definition of nonappropriated fund instrumentality employees.

The Senate committee-reported bill contained a similar provision (sec. 1108).

The agreement includes the Senate provision with a technical amendment.

SUBTITLE F—OTHER MATTERS

Authority to provide certain expenses for care and disposition of human remains that were retained by the Department of Defense for forensic pathology investigation (sec. 651)

The House bill contained a provision (sec. 641) that would authorize the payment of certain expenses for the care and disposition of human remains retained by a service secretary pursuant to a forensic pathology investigation by the Armed Forces Medical Examiner under section 1471 of title 10, United States Code.

The Senate committee-reported bill contained a similar provision (sec. 671).

The agreement includes the Senate provision.

Study of the merits and feasibility of providing transitional compensation and other transitional benefits to dependents of members separated for violation of the Uniform Code of Military Justice (sec. 652)

The House bill contained a provision (sec. 621) that would establish a new section 1059a of title 10, United States Code, to authorize a monthly transitional compensation benefit for dependents of service members with more than 20 years of service who are convicted by court-martial of an offense under the Uniform Code of Military Justice (UCMJ), and who, as a result of the sentence of the court-martial, are separated from active duty and forfeit all pay and allowances.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would require the Secretary of Defense to conduct a study regarding the merits and feasibility of providing transitional compensation benefits to dependents or former dependents of members of the armed forces who are convicted by court-martial under the UCMJ, and who, as a result of the sentence of the court-martial, are separated from active duty and forfeit all pay and allowances, and to report to the Committees on Armed Services of the Senate and the House of Representatives on the results of that study by no later than 180 days after the date of enactment of this Act.

LEGISLATIVE PROVISIONS NOT ADOPTED

Fiscal year 2014 increase in military basic pay

The Senate committee-reported bill contained a provision (sec. 601) that would authorize an across-the-board pay raise for members of the uniformed services of 1 percent effective January 1, 2014.

The House bill contained no similar provision.

The agreement does not include this provision.

We note that on August 30, 2013, the President transmitted to Congress an alternative pay plan establishing an across-the-board pay increase of 1 percent for members of the uniformed services for calendar year 2014 rather than the 1.8 percent that would otherwise have taken effect under current law.

Correction of citation for extension of reimbursement authority for travel expenses for inactive-duty training outside of normal commuting distance and additional one-year extension

The Senate committee-reported bill contained a provision (sec. 616) that would correct an erroneous citation in section 611(7) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) that extended authority to pay travel expenses for certain inactive-duty training outside of normal commuting distances. The provision would further extend the authority to December 31, 2014.

The House bill contained no similar provision.

The agreement does not include this provision.

We note that the technical correction contained in this section and further extension of authority appear elsewhere in this Act.

Purchase of sustainable products, local food products, and recyclable materials for resale in commissary and exchange store systems

The House bill contained a provision (sec. 632) that would require the governing body providing oversight and management direction to the military exchange and commissary systems to establish guidelines for the identification of fresh meat, poultry,

seafood, produce, and other products raised or produced through sustainable methods. The provision would also require the governing body to establish, not later than September 30, 2018, goals for all exchange and commissary stores to purchase sustainable products, local food products, and recyclable materials.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Exchange store system participation in the Accord on Fire and Building Safety in Bangladesh

The House bill contained a provision (sec. 634) that would require the defense commissary system and the exchange store system comply with the Accord on Fire and Building Safety in Bangladesh and give preference to signatories to the Accord on Fire and Building Safety in Bangladesh. The Department of Defense must notify Congress of garments sold in defense commissaries or exchanges that are manufactured in Bangladesh by manufacturers who are not signatories to the Accord on Fire and Building Safety in Bangladesh.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Effect on division of retired pay of election to receive combat-related special compensation after previous election to receive concurrent retirement and disability compensation

The Senate committee-reported bill contained a provision (sec. 642) that would amend section 1414 of title 10, United States Code, to clarify the effect of an election to receive combat-related special compensation (CRSC) after a previous election to receive concurrent retirement and disability compensation (CRDP) was made relative to the division of retired pay under section 1408 of title 10, United States Code.

The House bill contained no similar provision.

The agreement does not include this provision.

We understand that a retiree's decision to receive CRSC may have significant consequences on a former spouse who has been receiving a division of retired pay, including a division of CRDP. Such a decision can leave a former spouse with a sizable debt to the Federal Government for the past divisions of CRDP already paid. The Defense Finance and Accounting Service (DFAS) has the authority to waive those debts upon application. We expect DFAS to waive those debts relative to past divisions of CRDP when requested, and to make retirees, spouses, and former spouses aware of their options in seeking debt forgiveness in this circumstance.

Provision of status under law by honoring certain members of the reserve components as veterans

The House bill contained a provision (sec. 642) that would add a new section 107A to title 38, United States Code, to honor as a veteran any person entitled to retired pay for nonregular service under chapter 1223 of title 10, United States Code, or who, but for age, would be entitled to such retired pay.

The Senate committee-reported bill contained no similar provision.

The agreement does not include the provision.

Survey of military pay and benefits preferences

The House bill contained a provision (sec. 643) that would require the Secretary of Defense to carry out an anonymous survey of

random service members regarding military pay and benefit preferences.

The Senate committee-reported bill contained no similar provision.

The agreement does not include the provision.

Transportation on military aircraft on a space-available basis for disabled veterans with a service-connected, permanent disability rated as total

The House bill contained a provision (sec. 644) that would amend section 2641b of title 10, United States Code, to require the Secretary of Defense to provide space-available travel on military aircraft to veterans with service-connected, permanent disabilities rated as total.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that the Under Secretary of Defense for Acquisition, Technology, and Logistics issued a letter, dated November 12, 2013, acknowledging the authority provided by section 622 of the National Defense Act for Fiscal Year 2013 (Public Law 112-239), regarding the space-available transportation program. The Department is currently conducting a detailed review of the program, to include the authorities established under section 622, and will update the appropriate regulatory issuances upon completion.

Preservation of retiree dependent status for certain dependents upon death or permanent incapacitation of the retired member on whom dependent status is based

The Senate committee-reported bill contained a provision (sec. 645) that would amend section 1060b of title 10, United States Code, to clarify that no further certification of a dependent for financial support shall be required or carried out in the case of a dependent who has been granted a permanent identification card by reason of permanent disability when the member or retiree providing the basis for dependency dies or becomes permanently incapacitated.

The House bill contained no similar provision.

The agreement does not include this provision.

Enhanced role for the Department of Justice under the Military Lending Act

The Senate committee-reported bill contained a provision (sec. 661) that would amend section 987 of title 10, United States Code, to provide civil enforcement authority over the Military Lending Act (MLA) to the Department of Justice.

The House bill contained no similar provision.

The agreement does not include this provision.

We remain concerned about reports that predatory lenders continue to prey on service members and their families using forms of credit designed specifically to evade coverage of the MLA under the rules promulgated by the Department of Defense. We strongly encourage agencies with either explicit or implied enforcement authority over the MLA to enforce the MLA to the maximum extent possible. In the conference report accompanying the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), the conferees expressed concern over the evolution of these predatory products and practices since 2006. The conferees thus directed the Secretary of Defense to review the evolution of predatory products and practices since 2006 and “to determine if changes to rules implementing section 987

are necessary to protect covered borrowers from continuing and evolving predatory lending practices, and to report to the Committees on Armed Services of the Senate and House of Representatives” by January 2, 2014, on the results of this review. In furtherance of this effort, the Department issued an advanced notice of proposed rulemaking on June 17, 2013. We expect the Department to issue its report by the end of the year together with new rules implementing the MLA that will address lending products crafted to evade coverage under existing MLA regulations, and all agencies with enforcement powers over the MLA to exercise those powers under these new rules to protect service members and their families from predatory lending practices.

Extension of ongoing pilot programs under temporary Army incentive to provide additional recruitment incentives

The Senate committee-reported bill contained a provision (sec. 672) that would amend section 681 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) to authorize the Secretary of the Army to continue through December 31, 2015, any pilot program carried out under that section that was ongoing as of December 31, 2012.

The House bill contained no similar provision.

The agreement does not include this provision.

TITLE VII—HEALTH CARE PROVISIONS

SUBTITLE A—TRICARE AND OTHER HEALTH CARE BENEFITS

Future availability of TRICARE Prime for certain beneficiaries enrolled in TRICARE Prime (sec. 701)

The House bill contained a provision (sec. 711) that would authorize a one-time opt-in to TRICARE Prime for beneficiaries who were eligible for TRICARE Prime as of September 30, 2013, provided the beneficiary remains in the same ZIP code as the ZIP code the beneficiary resided in at the time of the opt-in, notwithstanding eligibility for enrollment based on the location at which the beneficiary resides.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision with an amendment that would authorize a beneficiary who was enrolled in TRICARE Prime as of September 30, 2013, to make a one-time election to continue such enrollment in TRICARE Prime, notwithstanding eligibility for enrollment based on the location at which the beneficiary resides, provided the beneficiary remains in the same ZIP code as the ZIP code the beneficiary resided in at the time of the opt-in, and the beneficiary lives within 100 miles of a military medical treatment facility. The amendment would also clarify that the Secretary may determine whether to maintain a TRICARE network of providers in an area that is between 40 and 100 miles of a military medical treatment facility.

Mental health care treatment through telemedicine (sec. 702)

The House bill contained a provision (sec. 704) that would require the Secretary of Defense to extend coverage of the Transitional Assistance Management Program (TAMP) to individuals by an additional 180 days for treatment provided through telemedicine. The provision would also require the Secretary to extend coverage under TAMP for behavioral health services provided through telemedicine for certain individuals for an

indefinite period of time. This authority would terminate on December 31, 2018.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would authorize the Secretary of Defense to extend TAMP coverage for certain individuals for an additional 180 days for mental health care provided through telemedicine. If the Secretary chooses to extend such coverage, the amendment would require the Secretary to report to the congressional defense committees on the rates of utilization of this coverage, the types of mental health care provided, and an analysis of how the Secretary of Defense and the Secretary of Veterans Affairs coordinate the continuation of care for veterans who are no longer eligible for TAMP. This authority would terminate on December 31, 2018. The amendment would also require the Secretary of Defense, not later than 270 days after the date of the enactment of this Act, to submit a report to the congressional defense committees on the use of telemedicine to improve the diagnosis and treatment of post-traumatic stress disorder, traumatic brain injuries, and mental health conditions.

Comprehensive policy on improvements to care and transition of members of the Armed Forces with urotrauma (sec. 703)

The House bill contained a provision (sec. 705) that would require the Secretary of Defense and the Secretary of Veterans Affairs to, not later than January 1, 2014, jointly develop and implement a comprehensive policy on improvements to the care, management, and transition of recovering service members with urotrauma. The provision would also require the secretaries to develop the policy in consultation with the heads of other appropriate federal agencies, representatives of military service organizations, and nongovernmental organizations.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary of Defense and the Secretary of Veterans Affairs to, not later than 180 days after the enactment of this Act, jointly develop and implement a comprehensive policy on improvements to the care, management, and transition of recovering service members with urotrauma.

In developing the comprehensive policy, we encourage the Secretary of Defense and the Secretary of Veterans Affairs to consult with the heads of other appropriate departments and agencies of the Federal Government, representatives of military service organizations representing the interests of service members who are urotrauma patients, and appropriate nongovernmental organizations with expertise in matters relating to urotrauma.

Pilot program on investigational treatment of members of the Armed Forces for traumatic brain injury and post-traumatic stress disorder (sec. 704)

The House bill contained a provision (sec. 733) that would require the Secretary of Defense to conduct a 5-year pilot program to establish a process to provide payment for investigational treatments of traumatic brain injury (TBI) or post-traumatic stress disorder (PTSD) for service members in health care facilities other than military treatment facilities.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would require

the Secretary of Defense to carry out a pilot program under which the Secretary establishes a process for randomized placebo-controlled clinical trials of investigational treatments of TBI or PTSD for service members in health care facilities other than military treatment facilities. The authority to carry out the pilot program would terminate on December 31, 2018.

SUBTITLE B—HEALTH CARE ADMINISTRATION

Authority of Uniformed Services University of Health Sciences to enter into contracts and agreements and make grants to other non-profit entities (sec. 711)

The House bill contained a provision (sec. 722) that would clarify the authority of the Secretary of Defense, with regard to the Uniformed Services University of the Health Sciences, to enter into contracts and agreements and make grants to nonprofit entities.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Pilot program on increased third-party collection reimbursements in military medical treatment facilities (sec. 712)

The House bill contained a provision (sec. 714) that would require the Secretary of Defense, in coordination with the service secretaries, to carry out a pilot program to assess the feasibility of using revenue-cycle management processes, including cash-flow management and accounts-receivable processes, for medical payment collection at military medical treatment facilities. The provision would also require the Secretary to submit a report on the pilot program not later than 180 days after completion of the program, as well as a report on the current methods employed by the military departments to collect charges from third-party payers incurred at military medical treatment facilities not later than 180 days after the enactment of this Act.

The Senate committee-reported bill contained a similar provision (sec. 711).

The agreement includes the House provision with an amendment that would require the Secretary of Defense, in coordination with the service secretaries, to carry out a pilot program to assess the feasibility of using commercially-available enhanced recovery practices for medical payment collection, including revenue-cycle management together with rates and percentages of collection in accordance with industry standards, for medical payment collection at military medical treatment facilities. The amendment would also require the Secretary to submit a report on the pilot program not later than 180 days after completion of the program.

Electronic health records of the Department of Defense and the Department of Veterans Affairs (sec. 713)

The House bill contained a provision (sec. 734) that would require the Secretary of Defense and the Secretary of Veterans Affairs to implement an integrated electronic health record to be used by each of the secretaries, by not later than October 1, 2016. The provision would also prescribe design principles, technical objectives, activities, and milestones that must be met and require the secretaries to jointly develop and submit to the appropriate congressional committees a programs plan for the oversight and execution of the integrated electronic health record program. In addition, the provision would limit funding for the integrated electronic health record until programs plan and certification requirements are completed. The provision would also require the secre-

taries to jointly establish an advisory panel to support the development and validation of requirements, programmatic assessment, and other actions with respect to the integrated electronic health record.

The Senate committee-reported bill contained a provision (sec. 712) that would express the sense of the Senate that: (1) Despite years of effort and the expenditure of significant resources, full electronic interoperability between the health record systems of the Department of Defense and the Department of Veterans Affairs has not yet been achieved; (2) The Secretary of Defense, in collaboration with the Secretary of Veterans Affairs, should fully staff the Interagency Program Office and establish challenging, but achievable, deadlines for development and implementation of measures and goals for electronic health record interoperability; and (3) The Interagency Program Office should establish a secure, remote, and network-accessible computer storage system.

The agreement includes the House provision with an amendment that would require the Secretary of Defense and the Secretary of Veterans Affairs to ensure that the departments' electronic health record systems are interoperable with integrated display of data, or a single electronic health record, and that each complies with national standards and architectural requirements. The provision would require each department to deploy modernized electronic health record software supporting clinicians by no later than December 31, 2016. The provision would also prescribe design principles, technical objectives, activities, and milestones that must be met, as well as suggest design elements for the secretaries to consider. The amendment would require the secretaries to prepare and brief the appropriate congressional committees with a programs plan for the oversight and execution of the interoperable electronic health records with integrated display of data, or single electronic health record, and would limit funding for the records or record until the programs plan is submitted. The amendment would require the secretaries to jointly establish an executive committee to support the development and validation of adopted standards, required architectural platforms and structure, and the capacity to enforce them.

In addition, the amendment would require the Secretary of Defense to request the Defense Science Board to conduct an annual review of the progress of the Secretary of Defense in achieving the mandates prescribed by the amendment. The amendment would also require the Secretary of Defense to complete the implementation of the Healthcare Artifact and Image Management Solution (HAIMS) program not later than 180 days after the enactment of this Act and, upon completion of such implementation, to provide a report to the appropriate congressional committees describing the extent of the interoperability between HAIMS and the Veterans Benefit Management System of the Department of Veterans Affairs.

SUBTITLE C—REPORTS AND OTHER MATTERS

Display of budget information for embedded mental health providers of the reserve components (sec. 721)

The House bill contained a provision (sec. 721) that would require the Secretary of Defense to submit to Congress, as a part of the documentation that supports the President's annual budget for the Department of Defense, a budget justification display for embedded mental health providers within each reserve component, including the amount requested for each reserve component.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Report on role of Department of Veterans Affairs in certain Centers of Excellence (sec. 722)

The House bill contained a provision (sec. 729) that would require the Secretary of Veterans Affairs, not later than 60 days after the enactment of this Act, to report to the Committees on Armed Services and Veterans Affairs of the House of Representatives and the Committees on Armed Services and Veterans Affairs of the Senate, on the centers of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of: traumatic brain injury; post-traumatic stress disorder and other mental health conditions; and military eye injuries established under sections 1621, 1622, and 1623, of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181).

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision with an amendment that would require the Secretary of Veterans Affairs, not later than 180 days after the enactment of this Act, to report to the Committees on Armed Services and Veterans Affairs of the House of Representatives and the Committees on Armed Services and Veterans Affairs of the Senate on the centers of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of: traumatic brain injury; post-traumatic stress disorder and other mental health conditions; and military eye injuries established under sections 1621, 1622, and 1623, of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181). The amendment would also require the Secretary to report on the center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of hearing loss and auditory system injuries established under section 721 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417), as well as the center of excellence in the mitigation, treatment, and rehabilitation of traumatic extremity injuries and amputations established under section 723 of Public Law 110-417.

Report on memorandum regarding traumatic brain injuries (sec. 723)

The House bill contained a provision (sec. 732) that would require the Secretary of Defense to submit to the congressional defense committees a report on how the Secretary will identify, refer, and treat traumatic brain injuries with respect to service members who served in Operation Enduring Freedom or Operation Iraqi Freedom before the effective date in June 2010 of the directive type memorandum regarding using a 50-meter distance from an explosion as a criterion to properly identify, refer, and treat members for potential traumatic brain injury.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision with an amendment that would require the Secretary of Defense to submit to the congressional defense committees a report on how the Secretary identifies, refers, and treats traumatic brain injuries with respect to service members who served in Operation Enduring Freedom or Operation Iraqi Freedom before the effective date in June 2010 of directive type memorandum 09-033 regarding using a 50meter distance from an explosion as a criterion to properly identify, refer, and

treat members for potential traumatic brain injury.

Report on provision of advanced prosthetics and orthotics to members of the Armed Forces and veterans (sec. 724)

The Senate committee-reported bill contained a provision (sec. 721) that would require the Secretary of Defense and the Secretary of Veterans Affairs to report, not later than 180 days after the enactment of this Act, on the plans of the Department of Defense (DOD) and the Department of Veterans Affairs (VA) to ensure that the most clinically appropriate prosthetics and orthotics are made available to injured service members and veterans using technological advances as appropriate.

The House bill contained no similar provision.

The agreement includes this provision with an amendment that would require the Secretary of Defense and the Secretary of Veterans Affairs to report, not later than 180 days after the enactment of this Act, on the plans of the DOD and VA to ensure that the most clinically appropriate prosthetics and orthotics are made available to injured service members and veterans using technological advances as appropriate; and to include a description of the processes of each Secretary to coordinate and identify care in the VA for an injured service member who, prior to being discharged or released from the armed forces, has an advanced technology prosthetic.

Comptroller General reports on TRICARE recovery audit program and availability of compounded pharmaceuticals (sec. 725)

The House bill contained a provision (sec. 735) that would require the Comptroller General of the United States to submit to the congressional defense committees a report, not later than 180 days after the enactment of this Act, that evaluates the similarities and differences in the approaches to identifying and recovering improper payments across Medicare and TRICARE.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision with an amendment that would require the Comptroller General of the United States to submit to the congressional defense committees a report, not later than 1 year after the date of the enactment of this Act, that evaluates the similarities and differences of Medicare and the TRICARE program with respect to identifying and recovering improper payments. The amendment would also require the Comptroller General to submit a report not later than September 30, 2014, to the congressional defense committees on the availability of compounded pharmaceuticals in the military health care system.

LEGISLATIVE PROVISIONS NOT ADOPTED

Mental health assessments for members of the Armed Forces

The House bill contained a provision (sec. 701) that would amend section 1074m of title 10, United States Code, to require the Secretary of Defense to provide person-to-person mental health assessments once during each 180-day period during which a service member is deployed.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that each of the military departments has embedded behavioral health care providers in certain operational and deployable units whose purpose is to provide increased access to behavioral health care for service members in theater.

Periodic mental health assessments for members of the Armed Forces

The House bill contained a provision (sec. 702) that would require the Secretary of Defense to provide periodic person-to-person mental health assessments to each member of the armed forces serving on active duty.

The Senate committee-reported bill contained no similar provision.

The agreement does not include the provision.

Behavioral health treatment of developmental disabilities under TRICARE

The House bill contained a provision (sec. 703) that would amend section 1077 of title 10, United States Code, to authorize behavioral health treatment, including applied behavior analysis therapy, for all developmental disabilities as defined by section 15002(8) of title 42, United States Code, including autism spectrum disorders, when prescribed by a physician to be covered under the basic TRICARE program for certain beneficiaries.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Cooperative health care agreements between the military departments and non-military health care entities

The House bill contained a provision (sec. 712) that would authorize the secretaries of the military departments to establish cooperative health care agreements between military installations and local or regional non-military health care entities.

The Senate committee-reported bill contained no similar provision.

The agreement does not include the provision.

We note that the Secretary of Defense was provided the authority to enter into cooperative health care agreements under section 713 of the National Defense Authorization Act for Fiscal Year 2010 (10 U.S.C. 1073 note), and that the Secretary may delegate this authority. We believe that in circumstances where the Secretary deems it appropriate, the Secretary should utilize or delegate this authority.

Limitation on availability of funds for integrated electronic health record program

The House bill contained a provision (sec. 713) that would limit the amount of funds the Secretary of Defense may obligate or expend for procurement or research, development, test and evaluation for the integrated electronic health record program until 30 days after the date that the Secretary submits a report detailing an analysis of alternatives for the plan.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Mental health support for military personnel and families

The House bill contained a provision (sec. 723) that would authorize the Secretary of Defense to carry out collaborative programs to: respond to suicide and combat stress-related arrest rates of service members; train active-duty members to recognize and respond to combat stress disorder, suicide risk, substance addiction, risk-taking behaviors, and family violence; and determine the effectiveness of Department of Defense (DOD) efforts to reduce military suicide rates.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that in December 2012, the Drug Enforcement Administration (DEA) published in the Federal Register a Notice of Proposed Rulemaking to implement the Secure and Responsible Drug Disposal Act of 2010 (Public Law 111-273). We believe that the proposed rule severely hampers DOD efforts to collect and safely dispose of unused prescription drugs. The Assistant Secretary of Defense for Health Affairs has expressed concern that DEA's proposed rule will "limit DOD's ability to accept unused patient medications in a routine setting and reduce the potential effectiveness of efforts to eliminate opportunities for medication misuse, abuse and tragic adverse events." We understand that the DEA has been in discussions with the Department to develop workable, accessible, readily-available means for service members, retirees, and their dependents to dispose of unused or unwanted controlled substances efficiently, but we are discouraged that substantial progress has not yet been made. We expect that the DEA's final rule, once published, will provide the Department with the means to establish a meaningful drug take-back program for its beneficiaries to reduce prescription drug misuse, abuse and potential tragic adverse events.

Research regarding hydrocephalus

The House bill contained a provision (sec. 724) that would authorize the Secretary of Defense, in conducting the Peer Reviewed Medical Research Program, to consider selecting medical research projects relating to hydrocephalus.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We encourage the Secretary of Defense to consider including medical research on hydrocephalus in Department of Defense research efforts.

Traumatic brain injury research

The House bill contained a provision (sec. 725) that would require the Secretary of Defense to carry out research, development, test, and evaluation activities with respect to traumatic brain injury and psychological health, including activities regarding drug development to halt neurodegeneration following traumatic brain injury.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Increased collaboration with NIH to combat triple negative breast cancer

The House bill contained a provision (sec. 727) that would require the Department of Defense to work in collaboration with the National Institutes of Health to identify specific genetic and molecular targets and biomarkers for triple negative breast cancer and to provide information that will enable triple negative breast cancer patients to be identified earlier and aid the development of therapies for the disease.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We urge the Secretary of Defense to consider conducting research to identify specific genetic and molecular targets and biomarkers for triple negative breast cancer.

Sense of Congress on mental health counselors for members of the Armed Forces and their families

The House bill contained a provision (sec. 728) that would express the sense of Congress

that the Secretary of Defense should develop a plan to ensure a sustainable flow of qualified counselors to meet the long-term needs of service members and their families for counselors, to include the participation of accredited schools and universities, health care providers, professional counselors, family service or support centers, chaplains, and other appropriate Department of Defense resources.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Preliminary mental health assessments

The House bill contained a provision (sec. 730) that would require the Secretary of Defense to provide a mental health assessment to any individual enlisting or being commissioned as an officer in the armed forces prior to such enlistment or commissioning, and to use the results of such an assessment as a baseline for any subsequent mental health examinations.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Sense of Congress on the traumatic brain injury plan

The House bill contained a provision (sec. 731) that would express the sense of Congress that section 739(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) requires the Secretary of Defense, not later than 180 days after the enactment of such Act, to submit a plan to Congress to improve the coordination and integration of Department of Defense programs that address traumatic brain injury and the psychological health of service members, and that the Secretary should deliver the report within the required time frame.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We expect the Secretary of Defense to submit the plan required by section 739(b) to the Committees on Armed Services of the Senate and the House of Representatives as soon as possible.

Title VIII—Acquisition Policy, Acquisition Management, and Related Matters

SUBTITLE A—ACQUISITION POLICY AND MANAGEMENT

Enhanced transfer of technology developed at Department of Defense laboratories (sec. 801)

The House bill contained a provision (sec. 802) that would establish a pilot program to allow Department of Defense (DOD) laboratories to license DOD-owned intellectual property that may or may not be patented, and to retain associated royalties consistent with existing statutes on patent licensing.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Extension of limitation on aggregate annual amount available for contract services (sec. 802)

The House bill contained a provision (sec. 803) that would extend limitations on contract services under section 808 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 111-84), through 2015.

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision with an amendment that would extend the provision for 1 year.

Identification and replacement of obsolete electronic parts (sec. 803)

The House bill contained a provision (sec. 812) that would amend section 818 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) to expand the conditions under which covered contractors can qualify for exemption from strict liability associated with rework and corrective action related to counterfeits of obsolete electronic parts.

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision with an amendment that would require the Department to work with contractors or other sources of supply to identify obsolete parts and replace them through an expedited engineering change process.

SUBTITLE B—AMENDMENTS TO GENERAL CONTRACTING AUTHORITIES, PROCEDURES, AND LIMITATIONS

Government-wide limitations on allowable costs for contractor compensation (sec. 811)

The House bill contained a provision (sec. 813) that would amend section 2324(e)(1)(P) of title 10, United States Code, and section 4304(a) of title 41, United States Code, to replace the current statutory benchmark compensation formula used to determine the amount of contractor compensation that is considered an allowable cost for a federal contract, with the current compensation benchmark amount for fiscal year 2013 of \$763,209. This section would also make unallowable the entire cost of compensation for the five most-highly compensated employees of a contractor that was awarded more than \$500.0 million in federal contracts in the previous fiscal year.

The Senate committee-reported bill contained a similar provision (sec. 841) that would reduce the cap on allowable costs of compensation of contractor employees to an amount consistent with the original legislative cap, adjusted for inflation, and provide for future annual adjustments by reflecting the change in the Employment Cost Index for all workers, as calculated by the Bureau of Labor and Statistics. According to this calculation, the cap for fiscal year 2014 would be at \$487,325.

The agreement contains the provision with an amendment that would revise the cap on compensation of contractor employees and provide for future annual adjustments.

Inclusion of additional cost estimate information in certain reports (sec. 812)

The House bill contained a provision (sec. 814) that would amend section 2432 of title 10, United States Code, to require that the program's baseline cost estimate, along with the associated risk curve and sensitivity of that estimate be provided in the quarterly selected acquisition reports. In addition, this section would require that the reports include the current point estimate bounded by the low-end and high-end estimates and the associated sensitivity of those estimates, and identification of the primary risk parameters associated with the estimate. Furthermore, this section would require reporting of estimated termination liability remaining on the contract. Finally, this section would amend section 2334(f) of title 10, United States Code, to require the Director, Cost Assessment and Program Evaluation, to review the information required by this section and to include trend information, a summary of findings and recommendations to improve the cost estimates of the Department of Defense in the annual report to Congress on cost assessment activities.

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision with a technical amendment. We encourage the Secretary of Defense to include at least three programs designated as Acquisition Category I programs in the December 2014 reporting period.

Amendment relating to compelling reasons for waiving suspension or debarment (sec. 813)

The House bill contained a provision (sec. 815) that would amend section 2393(b) of title 10, United States Code, by requiring the Secretary of Defense to make available on a publicly accessible website any determination that there is a compelling reason to solicit an offer from, award a contract to, extend a contract with, or approve a subcontract with an offeror or contractor that has been debarred or suspended by a federal agency.

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision with a technical amendment.

Extension of pilot program on acquisition of military purpose nondevelopmental items (sec. 814)

The House bill contained a provision (sec. 831) that would amend section 866 of the National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383), by extending the program authority to December 31, 2019. Furthermore, the committee encouraged the Under Secretary of Defense for Acquisition, Technology, and Logistics to review the military purpose non-developmental items implementation guidance and to exercise the authority provided in section 866.

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision.

SUBTITLE C—PROVISIONS RELATING TO MAJOR DEFENSE ACQUISITION PROGRAMS

Synchronization of cryptographic systems for major defense acquisition programs (sec. 821)

The Senate committee-reported bill contained a provision (sec. 821) that as part of a milestone B decision for a major defense acquisition program, would require that there be a plan in place to mitigate and account for costs in connection with decertification of cryptographic equipment during production and procurement of the system. The provision includes a waiver based on national security needs.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that changes the date of applying this provision to 6 months after the date of enactment.

Assessment of dedicated ground control system before Milestone B approval of major defense acquisition programs constituting a space program (sec. 822)

The Senate committee-reported bill contained a provision (sec. 822) that would implement a recommendation from the Government Accountability Office (GAO) report, Satellite Control Operations, GAO-13-315, concerning the use of dedicated satellite control systems.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that modified title 10, United States Code, and requires the Secretary of Defense to develop a long-term plan for satellite ground control systems. The plan must be submitted to the congressional

defense committees 1 year after the date of enactment.

We expect that the cost-benefit analysis be based on life-cycle cost estimates found within the DOD 5000 directive and instructions.

The Comptroller General of the United States shall review the implementation plan and submit its views no later than 90 days after the plan is submitted to the congressional defense committees.

Additional responsibility for product support managers for major weapon systems (sec. 823)

The Senate committee-reported bill contained a provision (sec. 823) that would amend section 2337 of title 10, United States Code, and section 823 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), to provide an assurance that all product support arrangements explicitly state how the arrangement will maximize use of government-owned inventory before obtaining inventory from commercial sources. This provision is a result of a Department of Defense Inspector General investigation into the Defense Logistics Agency.

The House bill contained no similar provision.

The agreement contains the provision with a technical amendment.

Comptroller General review of Department of Defense processes for the acquisition of weapons systems (sec. 824)

The Senate committee-reported bill contained a provision (sec. 824) requiring the Comptroller General to carry out a comprehensive review of the processes and procedures of the Department of Defense for the acquisition of weapon systems. The objective of the review is to identify processes and procedures for the acquisition of weapon systems that provide little or no value or for which any value added is outweighed by cost or schedule delays without adding commensurate value.

The House bill contained no similar provision.

The agreement contains this provision with a clarifying amendment.

We direct the Comptroller General to provide the congressional defense committees with the required report no later than January 31, 2015.

SUBTITLE D—PROVISIONS RELATING TO CONTRACTS IN SUPPORT OF CONTINGENCY OPERATIONS IN IRAQ OR AFGHANISTAN

Prohibition on contracting with the enemy (sec. 831)

The House bill contained a provision (sec. 821) that would amend section 841 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81), regarding the authority of the Secretary of Defense to void a contract that is directly or indirectly funding a person or entity who actively supports an insurgency or otherwise actively opposes the United States or its coalition partners in a contingency operation in the United States Central Command theater of operations, to: (1) Lower the threshold for covered contracts from \$0.1 million to \$0.05 million; (2) Provide the authority to certain other geographic combatant commands during a contingency operation as defined by section 101(a)(13) of title 10, United States Code; and (3) Make the authority permanent.

The Senate committee-reported bill contained a similar provision (sec. 861) that would amend section 841 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) by striking “the date that is three years after the date of the en-

actment of this Act” and inserting “December 31, 2016.”

The Senate committee-reported bill contained an additional similar provision (section 862) that would expand section 841 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) to all combatant commanders.

The agreement contains that provision with an amendment that would amend section 841 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81), making the authorities provided in section 841 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) available to certain other combatant commanders.

We intend that the definition of a “covered person or entity” would not mean a person or entity that is engaged in speech activities but rather actions involving hostile opposition to United States or coalition forces.

Extension of authority to acquire products and services produced in countries along a major route of supply to Afghanistan (sec. 832)

The House bill contained a provision (sec. 832) that would extend through December 31, 2015, the authority under section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84), as amended, to procure products and services produced in countries along a major route of supply to Afghanistan.

The Senate committee-reported bill contained a similar provision (sec. 802).

The agreement includes the Senate provision.

LEGISLATIVE PROVISIONS NOT ADOPTED

Modification of reporting requirement for Department of Defense business system acquisition programs when initial operating capability is not achieved within 5 years of Milestone A approval

The House bill contained a provision (sec. 801) that would amend the reporting requirement imposed on defense business systems (DBS) acquisition programs by section 811 of the National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364) by clarifying the separate treatment of Major Automated Information Systems (MAIS) DBS and non-MAIS DBS. Specifically, this section would clarify that section 811 is inapplicable to MAIS DBS acquisition programs because such programs are independently subject to critical change reporting under section 2445c of title 10, United States Code. This section would also modify the requirement for non-MAIS DBS reporting a failure to achieve initial operational capacity (IOC) within 5 years of milestone A approval from a critical change report to a report to the Department of Defense pre-certification authority explaining the causes and circumstances surrounding the failure to achieve IOC within the required time.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain the provision.

Restatement and revision of requirements applicable to multiyear defense acquisitions to be specifically authorized by law

The Senate committee-reported bill contained a provision (sec. 801) that would clarify and reorganize the reporting and certification requirements of the Department of Defense when requesting specific authorization for multiyear contract authority.

The House bill contained no similar provision.

The agreement does not contain the provision.

Report on program manager training and experience

The Senate committee-reported bill contained a provision (sec. 803) that would require the Secretary of Defense to submit an updated version of the 2009 Department of Defense report titled: “OSD [Office of the Secretary of Defense] Study of Program Manager Training and Experience” not later than 120 days from enactment of this Act.

The report found senior military officers, including general officers, and civilians in charge of acquisition programs did not believe their acquisition training was “sufficiently practical and comprehensive” regarding a number of fundamental areas of acquisition management. For example, the following is a partial list of responses showing the percent of program managers polled at that time who believed their acquisition training was sufficiently practical and comprehensive:

Overseeing Contractor Performance	31%
Cost Estimating Challenges	27%
Software Management Challenges	25%
Cost Control Challenges	25%
Unexpected Cost Growth	14%

The House bill contained no similar provision.

The agreement does not contain this provision.

We direct the Secretary of Defense to provide to the congressional defense committees a comprehensive update of the 2009 report not later than 120 days after the date of enactment of this Act.

The update should also identify, describe, and analyze trends in the training and experience of personnel acquisition program management since the issuance of the 2009 report, and should provide recommendations for improving the training and experience of personnel performing acquisition program management functions.

We further direct the Secretary to specifically examine the training, qualifications, and experience of personnel performing acquisition program management functions on programs designated as Acquisition Category I, IA, and II and provide recommendations on the ways to improve the practicality and comprehensiveness of the acquisition training provided to such personnel.

Additional contractor responsibilities in regulations relating to detection and avoidance of counterfeit electronic parts

The House bill contained a provision (sec. 811) that would amend section 818 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) to provide that the costs associated with the use of counterfeit electronic parts, and the subsequent cost of rework or corrective action that may be required to remedy the use of inclusion of such parts, are allowable costs under Department of Defense contracts if the counterfeit electronic parts were procured from an original manufacturer or its authorized dealer, or from a trusted supplier.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain this provision.

Requirement that cost or price to the Federal Government be given at least equal importance as technical or other criteria in evaluating competitive proposals for defense contracts

The House bill contained a provision (sec. 816) that would amend section 2305(a)(3) of

title 10, United States Code, to require that the head of an agency of the Department of Defense, in prescribing the evaluation factors to be included in each solicitation for competitive proposals, assign importance to cost or price at least equal to all evaluation factors other than cost or price when combined. This section would allow the head of an agency to waive the requirement, and it would require the Secretary of Defense to submit to Congress, not later than 180 days after the end of each fiscal year, a report containing a list of each waiver issued during the preceding fiscal year.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain the provision.

The Federal Acquisition Regulation Part 15 permits the use of several best value competitive source selection techniques. Within the best value continuum, the government should utilize the technique that is most advantageous to its interests.

The government may choose to use the lowest price technically acceptable source selection process for acquisitions in which best value can be expected to result from the selection of the technically acceptable proposal with the lowest evaluated price.

The government may also choose to use a trade-off source selection process for acquisitions in which it may be in the best interest of the government to grant an award to an offeror other than the lowest priced offeror or the highest technically rated offeror. In such cases, non-cost or price evaluation factors may be weighed against cost or price factors in competitive source selections.

We are concerned that best value competitive source selection processes are not always properly implemented. Therefore, we direct the Comptroller General of the United States to conduct a study on Department of Defense procurements that use best value competitive source selection techniques. The study shall include, at a minimum, an assessment of:

(1) The frequency with which evaluation factors other than cost or price, when combined, are given more weight than cost or price in solicitations for competitive proposals;

(2) The types of contracts for products or services for which such evaluation factors are most frequently used;

(3) The reasons why the Department of Defense chooses to use such evaluation factors;

(4) The extent to which the use of such factors is or is not in the interest of the Department of Defense;

(5) The efficacy with which the Department of Defense's acquisition workforce implements best value competitive source selection techniques;

(6) The Department of Defense's guidance and directives on the appropriate use of best value competitive source selection techniques; and

(7) The extent to which budgetary constraints affect the use of best value competitive source selection techniques.

We direct the Comptroller General to submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of this study not later than 180 days after the date of the enactment of this Act.

Requirement to buy American flags from domestic sources

The House bill contained a provision (sec. 817) that would amend section 2533a(b) of title 10, United States Code, to include "a flag of the United States of America" to the

list of items that the Department of Defense may not procure unless the item is grown, processed, reused, or produced in the United States.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain the provision.

We note that flags of the United States procured by the Department of Defense are procured in accordance with section 2533a(b)(1)(D) of title 10, United States Code. *Collection of data relating to contracts in Iraq and Afghanistan*

The House bill contained a provision (sec. 822) that would amend section 861 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181), as amended, to allow contracts in Afghanistan entered into after the enactment of this Act to include a clause requiring the imposition of a penalty on any contractor that does not comply with the policies, guidance, or regulations issued pursuant to that section. This section would also amend section 863 of Public Law 110-181 to require that the Annual Joint Report on Contracting in Iraq and Afghanistan include information on any penalties imposed on contractors for failing to comply with requirements under section 861(e) of Public Law 110-181.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain the provision.

We are concerned about reports of contractor noncompliance with relevant policies, guidance, and regulations in Afghanistan, including contractor noncompliance with requirements to provide information for the common databases identified by section 861(b)(4) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181), as amended.

We direct the Secretary of Defense, in consultation with the Secretary of State and the Administrator for the United States Agency for International Development, to submit to the Committees on Armed Services of the Senate and the House of Representatives, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives, not later than 180 days after enactment of this Act, a report on contractor compliance in Iraq and Afghanistan.

At a minimum, the report shall include a detailed discussion of any outstanding contractor compliance issues or concerns, including any issues or concerns pertaining to the provision of information to common databases or the management thereof; a discussion of any lessons learned in Iraq or Afghanistan for improving contractor compliance in a contingency environment; and best practice recommendations for ensuring contractor compliance in future contingency contracting operations.

Report on procurement supply chain vulnerabilities

The House bill contained a provision (sec. 833) that would require the Secretary of Defense to submit a report regarding how sole source suppliers of components to the Department of Defense procurement supply chain creates vulnerabilities to military attack, terrorism, natural disaster, industrial shock, financial crisis, or geopolitical crisis, such as an embargo of key raw materials or industrial inputs.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain the provision.

Study on the impact of contracting with veteran-owned small businesses

The House bill contained a provision (sec. 834) that would require the Secretary of Defense to submit a report regarding impacts of the Department of Defense contracting with small businesses owned and controlled by veterans and service-disabled veterans on veteran entrepreneurship and unemployment; impact on veteran suicide and homelessness; and the feasibility and expected impacts of implementation of the small business goals and preferences detailed in section 8127, title 38, United States Code.

The Senate committee-reported bill contained no similar provision.

The provision does not contain the agreement.

Revisions to requirements relating to justification and approval of sole-source defense contracts

The House bill contained a provision (sec. 835) that would modify the provisions of the Department of Defense Supplement to the Federal Acquisition Regulation that implement section 811 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84), clarifying the delegable authority of the head of an agency to make an award.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain the provision.

Revision of Defense Supplement to the Federal Acquisition Regulation to take into account sourcing laws

The House bill contained a provision (sec. 837) that would revise the Department of Defense Supplement to the Federal Acquisition Regulation to implement requirements imposed by sections 129, 129a, 2330a, 2461, and 2463 of title 10, United States Code.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain the provision.

Prohibition on purchase of military coins not made in the United States

The House bill contained a provision (sec. 838) that would prohibit the purchase of any military coins not produced in the United States.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain the provision.

We note military coins are generally purchased with unit-level morale funds or funds personally contributed by the members of the unit and not with appropriated funds.

Compliance with domestic source requirements for footwear furnished to enlisted members of the Armed Forces upon their initial entry into the Armed Forces

The House bill contained a provision (sec. 839) that would amend section 418 of title 37, United States Code, by requiring the Department of Defense to issue athletic footwear compliant with the requirement detailed in section 2533a of title 10, United States Code, to members of the Armed Forces upon their initial entry in lieu of a cash allowance.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain the provision.

We note that Congress passed the Berry Amendment in 1941 to ensure that American soldiers train and operate, to the greatest extent practicable, in American-made materials. The Berry Amendment specifically

covers footwear listed in Federal Supply Class 8430 or 8435.

The Army, in 2001, and the Air Force, in 2008, have moved away from issuing athletic footwear to new recruits. Instead, new recruits are given an allowance to acquire athletic footwear from the service exchange.

During this period of time, no athletic footwear was available that could have met the requirements of the Berry Amendment without a waiver. It has been reported that at least one domestic contractor is now producing such footwear.

Therefore, we direct the Under Secretary of Defense for Acquisition, Technology and Logistics to issue a Sources Sought to determine whether there are any domestic manufacturers of Berry Amendment-compliant athletic footwear that meets the Department's requirements.

We further direct that any responses to the Sources Sought be evaluated by the Defense Logistics Agency and an independent entity to determine whether (1) such offered athletic footwear meets the requirements of the Berry Amendment and (2) whether Department requirements are actually met. Such review should consider the various sizes and fits of athletic shoes offered, cost, and capacity of suppliers to meet military requirements.

Implementation by Department of Defense of certain recommendations of the Comptroller General of the United States on oversight of pensions offered by Department contractors

The Senate committee-reported bill contained a provision (sec. 842) that would require the Secretary of Defense to assign responsibility within the Department of Defense (DOD) for oversight of the reasonableness of the pension plans offered by Department contractors and issue certain guidance on pension benefits.

The House bill contained no similar provision.

The agreement does not contain the provision.

We note that, according to the Government Accountability Office (GAO), DOD contractors are among the largest sponsors of defined benefit pension plans in the United States and also factor pension costs into the price of DOD contracts. We also note that in its January 2013 report, GAO made the following recommendations to the Secretary of Defense in order to improve oversight, management, and accountability of such pension plans:

(1) Assign responsibility within the DOD for oversight of the reasonableness of the pension plans offered by Department contractors, specifically the value of benefits earned by participants in such pension plans;

(2) Issue guidance on the measurement of the value of pension benefits that participants earn in a given year, in order to permit the Department to obtain a comprehensive understanding of the total compensation provided to employees by Department contractors;

(3) Issue guidance on the extent to which defined benefit pension plans will be included in assessments of the reasonableness of compensation for executives of Department contractors; and

(4) Issue guidance for the acquisition organizations of the Department, including the Defense Contract Management Activity and Defense Contract Audit Activity, in regards to the discount rate or rates that are acceptable for Department contractors to use in calculating person costs for forward pricing purposes.

We are pleased that the Director, Defense Procurement and Acquisition Policy, con-

curred with all such recommendations in his January 2, 2013 response letter and note that he also expressed clear intent to implement them. However, we are concerned that according to GAO, all four recommendations are yet to be closed. Therefore, we encourage the Secretary of Defense to move expeditiously to close out implementation of the recommendations, and to keep the Committees on Armed Services of the Senate and the House of Representatives informed of the progress.

Report on the elimination of improper payments

The Senate committee-reported bill contained a provision (sec. 863) that would require the Secretary of Defense to report on the Department's plan to implement the recommendations of the Comptroller General regarding the elimination of improper payments.

The House bill contained no similar provision.

The agreement does not contain the provision.

Federal Information Technology Acquisition Reform Act

The House bill contained a set of provisions (sec. 5001–5506) that would increase the authority of Chief Information Officers (CIO) regarding information technology (IT) investment practices for the 16 major civilian agencies, including the Department of Defense. The purpose of these provisions was to increase efficiencies government-wide by streamlining the acquisition process, increasing transparency, eliminating duplication and waste, and strengthening public-private partnerships by empowering the CIO with greater responsibility for IT systems within a government agency.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that the acquisition of information technology is a challenge across the Federal Government and that reform of the information technology acquisition process remains a priority in the defense committees and the Congress. We expect to continue working on improvements in this area and hope to bring a set of comprehensive reforms forward in the next fiscal year.

TITLE IX—DEPARTMENT OF DEFENSE
ORGANIZATION AND MANAGEMENT

SUBTITLE A—DEPARTMENT OF DEFENSE
MANAGEMENT

Revisions to composition of transition plan for defense business enterprise architecture (sec. 901)

The House bill contained a provision (sec. 902) that would revise the definition for legacy systems in section 2222 of title 10, United States Code, to align with the updated business systems investment review process.

The Senate committee-reported bill contained no similar provision.

The agreement does contain the provision.

Comptroller General report on potential relocation of Federal Government tenants onto military installations in the United States (sec. 902)

The House bill contained a provision (sec. 904) that would require the Comptroller General of the United States to submit a report to Congress regarding potential consolidation of federal agency facilities onto military installations, with specific consideration of installations that support Arctic missions.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment.

Clarification of authority for the command acquisition executive of the United States Special Operations Command (sec. 903)

The Senate committee-reported bill contained a provision (sec. 902) that would make the U.S. Special Operations Command (USSOCOM) Acquisition Executive subject to the direction of the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)). The provision would also require the USD(AT&L) to designate an appropriate official within the Office of the USD(AT&L) to provide such oversight and direction for those programs.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would modify the provision to make clear that the USSOCOM Acquisition Executive is responsible to the Commander of USSOCOM for the acquisition of special operations-peculiar equipment and subordinate to the USD(AT&L) for all acquisition matters. The provision would not alter the relationship between the USSOCOM Acquisition Executive and the Commander of USSOCOM. Further, it is not the intent of the provision to delay, unnecessarily impede, or undermine the flexibility of USSOCOM development and acquisition efforts.

We remain supportive of USSOCOM's unique acquisition authorities to provide for the special operations-peculiar requirements of its forces, including rapid acquisition of urgently needed capabilities for deployed or deploying special operations forces. Further, we note that the flexibility inherent in these authorities is important to ensuring that special operations forces can adapt to the rapidly evolving nature of global threats. However, given the significant growth in USSOCOM's budget in recent years and current fiscal pressures, we believe it is necessary to clarify civilian oversight of USSOCOM investment programs, particularly the development and acquisition of special operations-peculiar platforms.

We note that the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364), as amended, requires the Secretary of Defense to designate a senior acquisition official within USD(AT&L) to oversee the exercise of acquisition authority by USSOCOM, among others. Additionally, section 138 of title 10, United States Code, states that the "principal duty" of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD SOLIC) is "overall supervision (including oversight of policy and resources) of special operations activities." We believe appropriate civilian oversight by USD(AT&L) and ASD SOLIC of USSOCOM acquisition activities is critical to ensuring effective use of taxpayer funds, particularly with regard to the development and acquisition of special operations-peculiar platforms and advanced technology programs that are at greatest risk of incurring delays and additional costs. Therefore, we direct the Secretary of Defense to provide the congressional defense committees, not later than 90 days after enactment of this act, a directive type memorandum outlining the respective roles and responsibilities of the USD(AT&L) and ASD SOLIC with regard to the oversight of USSOCOM acquisition activities and the mechanisms through which such oversight will occur.

Streamlining of Department of Defense management headquarters (sec. 904)

The Senate committee-reported bill contained a provision (sec. 905) that would require the Secretary of Defense to develop a plan for streamlining Department of Defense management headquarters by reducing the size of staffs, eliminating tiers of management, cutting functions that provide little or no added value, and consolidating overlapping and duplicative program offices. The objective is to reduce aggregate spending for management headquarters by not less than \$100.0 billion over a 10 fiscal-year period beginning with fiscal year 2015.

The House bill contained no similar provision.

The agreement contains the provision with an amendment that would remove the savings objective from bill language. We note the Secretary of Defense's recent announcement that he is seeking \$40.0 billion in savings in these areas. We expect that the Secretary's goal will be met.

We also note that section 113 of title 10, United States Code, requires the Secretary of Defense to submit to Congress each year a report that contains a comprehensive net assessment of the defense capabilities and programs of the armed forces of the United States and its allies as compared with those of their potential adversaries.

We are concerned that in the course of a review intended to identify potential efficiencies and cost savings in the Office of the Secretary of Defense (OSD) the recommendation has been made to make the net assessment function subordinate to another OSD office. Such a change would risk compromising the independence of the Office of Net Assessment without achieving significant efficiencies.

Accordingly, we direct the Secretary of Defense to provide to the congressional defense committees, not later than March 1, 2014, a report that identifies the estimated savings and efficiencies that would be achieved through the reorganization or realignment of the Office of Net Assessment and explains how the Secretary of Defense would ensure the continuing independence of net assessment and the ability to report directly to the Secretary, in the event that a decision were made to modify the organizational structure or reporting arrangements of the office.

Update of statutory statement of functions of the Chairman of the Joint Chiefs of Staff relating to doctrine, training, and education (sec. 905)

The Senate committee-reported bill contained a provision (sec. 906), as requested by the Department of Defense, that would codify the responsibility of the Chairman of the Joint Chiefs of Staff (CJCS) by amending section 153 of title 10, United States Code, to reflect the current joint training, doctrine, education, and force development functions that are overseen by the CJCS.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Modification of reference to major Department of Defense headquarters activities instruction (sec. 906)

The Senate committee-reported bill contained a provision (sec. 907) that would amend section 194(f) of title 10, United States Code, to update the reference to Department of Defense Instruction 5100.73, titled "Major DOD Headquarters Activities."

The House bill contained no similar provision.

The agreement contains the provision.

Personnel security (sec. 907)

The Senate committee-reported bill contained a provision (sec. 931) that would require major reform of the personnel security clearance investigation, adjudication, and transfer processes to improve security and reduce costs. Specifically, the provision would require:

(1) The Director of Cost Analysis and Program Evaluation to conduct a comprehensive, comparative analysis of the cost, schedule, and performance of personnel security investigations acquired through the Office of Personnel Management (OPM) and through components of the Department of Defense (DOD);

(2) The Secretary of Defense to develop a plan by October 1, 2014, to acquire investigations through the approach most advantageous to DOD;

(3) The Secretary and the Director of National Intelligence (DNI) to develop a joint strategy to modernize all aspects of personnel security to lower costs and improve security, and to develop and report annually on metrics that will demonstrate progress in achieving those objectives;

(4) The Secretary and the DNI to consider, and allow them to adopt, a series of innovations in security investigation methods and data sources that have been shown to be effective through analysis and/or demonstrations;

(5) The Secretary and the DNI to ensure, to the maximum extent practicable, reciprocal acceptance of clearances; and

(6) Development of benchmarks by which to measure the current level of reciprocity in clearance transfers and the costs imposed by delays.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would (1) include the Director of the Office of Management and Budget along with the Secretary of Defense and the DNI in the requirement to develop and implement a strategy to modernize the personnel security process; (2) require the Secretary and the Directors to consider the results of ongoing reviews occasioned by unauthorized disclosures of classified information and by the events at the Washington Navy Yard; (3) require the strategy to include a risk-based monitoring approach based on the responsibilities and accesses of cleared personnel; require the Comptroller General to conduct a review of the personnel security process; and require the Suitability and Security Performance Accountability Council to convene a task force to examine access to State and local public records of Federal Government and contractor investigators.

SUBTITLE B-SPACE ACTIVITIES

National security space satellite reporting policy (sec. 911)

The House bill contained a provision (sec. 911) that would amend chapter 135 of title 10, United States Code, to add a notification, required of the Secretary of Defense, of each attempt by a foreign actor to disrupt, degrade, or destroy a U.S. national security space capability. The notification shall be submitted to the appropriate congressional committees not later than 48 hours after the Secretary determines that there is reason to believe such an attempt occurred. Not later than 10 days after the date on which the Secretary determines that there is reason to believe such an attempt occurred, further information should be provided including the

name and a brief description of the national security space capability that was impacted by such an attempt; a description of the attempt, including the foreign actor, the date and time of the attempt, and any related capability outage and the mission impact of such outage; and any other information considered relevant by the Secretary.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that strikes the sense of Congress, provides that the Commander of U.S. Strategic Command (STRATCOM) provide the notice instead of the Secretary, and adds other information the Commander considers relevant to the notice.

We note that the notice is not intended to be a duplicative process and should leverage existing STRATCOM anomaly processes. We further note that this notice is not intended to be notification of every anomaly instance; this is only notification when there is reason to believe that there was an intentional attempt to disrupt, degrade, or destroy a national security space capability.

National security space defense and protection (sec. 912)

The House bill contained a provision (sec. 912) that would require the Secretary of the Air Force to enter into an arrangement with the National Research Council to conduct a review in response to the near-term and long-term threats to the national security space systems of the United States.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary of Defense and the Director of National Intelligence to enter into an arrangement with the National Research Council while requiring, in addition to other elements of the study, the Council take into account the affordability and technical risk of recommended courses of action.

Space acquisition strategy (sec. 913)

The House bill contained a provision (sec. 913) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Chief Information Officer of the Department of Defense, to establish a strategy for the multi-year procurement of commercial satellite services.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that changes the report to a briefing within 90 days after the date of enactment with an interim briefing at the time of the fiscal year 2015 budget submission.

Consistent with the Defense Business Board report, "Taking Advantage of Opportunities for Commercial Satellite Services," Report FY13-02, February 2013, we direct the Executive Agent for Space to report back to the congressional defense committees before March 1, 2014, on how this office will take a more active role in implementing recommendation 10 of the report titled, "Facilitate future governance by designating a single DoD organization for procuring all SATCOM assets and services."

We understand the U.S. Strategic Command, through the Defense Information Systems Agency, is involved with developing a long-term strategy for satellite communications titled, "Mix of Media Study." We direct the Director of the Defense Information Systems Agency to brief the congressional defense committees on this study.

We are concerned about the Department's reliance on 1-year high-cost commercial satellite communications leases, and encourage the Department to continue to pursue innovative acquisition approaches, including multi-year leases and the procurement of government-owned transponders and payloads on commercial communication satellites.

Space control mission report (sec. 914)

The House bill contained a provision (sec. 914) that would require the Secretary of Defense to submit a report to the congressional defense committees on the space control mission of the Department of Defense.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that requires an additional element of the report regarding force levels and structure of the future space control missions.

We believe the nature of the Department's space control mission is fundamentally changing from purely collision avoidance and cataloging space objects, to additionally ensuring that the United States has, according to section 4(b) of the October 18, 2012, Department of Defense Directive on Space Policy, "the capabilities to respond at the time and place of our choosing" to "purposeful interference with U.S. space systems, including their supporting infrastructure" in ensuring the right of "free access and use of space." Consistent with the space policy directive, it is incumbent upon the Department to ensure there is a clear and concise concept of operations which supports the directive and that the congressional defense committees are updated on any significant developments as this additional mission evolves.

Responsive launch (sec. 915)

The House amendment contained a provision (sec. 915) that would require a study by the Department of Defense Executive Agent for Space on responsive, low-cost launch efforts to include a review of existing and past operationally responsive, low-cost launch capabilities; a technology assessment of various methods to develop an operationally responsive, low-cost launch capability; and an assessment of the viability of any other innovative methods, such as secondary payload adapters on existing launch vehicles. In addition, this section would require a report from the Executive Agent for Space regarding the results of the above mentioned study, as well as a consolidated plan for development within the Department of an operationally responsive, low-cost launch capability.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would add as one of the factors the Executive Agent for Space to consider as part of the study to be the identification of the conditions or requirements for responsive launch, which would provide the necessary military value, such as the requisite payload capacity, timelines for responsiveness, and the target launch costs. The amendment would also require a Government Accountability Office (GAO) review of the report by the Executive Agent for Space. The GAO may present the results of their review in the form of a briefing to the congressional defense committees.

Limitation on use of funds for Space Protection Program (sec. 916)

The Senate committee-reported bill contained a provision (sec. 921) that would limit

the amount of money able to be obligated or expended for the Space Protection Program by \$10 million until the Secretary of Defense submitted to the congressional defense committees a copy of all materials presented to inform the decision of the Deputy Secretary of Defense on the counter space strategy of the Department of Defense during the 3-year period ending on the date of the enactment of this Act that resulted in significant revisions to said strategy.

The House bill contained no similar provision.

The agreement includes this provision.

We agree that the Secretary of Defense should provide the briefing, report, or other materials that were presented to the Deputy Secretary of Defense, which includes the Deputy Secretary Management Action Group briefing materials. We do not expect new work product to be produced. We expect the Department of Defense to submit only the materials that were presented to the Secretary to inform his decision on the way forward for the counterspace strategy, which would not include preliminary or background materials.

Eagle Vision system (sec. 917)

The Senate committee-reported bill contained a provision (sec. 1065) that would require the Chief of Staff of the Air Force, within 180 days of the enactment of this Act, to submit to the congressional defense committees a report on the Eagle Vision imagery ground station. The report elements would include a description and assessment of the Department of Defense organizations to which the Eagle Vision system could be transferred, as well as the actions that would need to be taken prior to a transfer; the potential schedule for a transfer; and the possible effects of a transfer on the capabilities or use of the system. The provision would prohibit the Air Force from making changes to the organization and management of the program until 90 days after the submission of the report to Congress.

The House bill contained no similar provision.

The agreement includes the Senate committee-reported provision.

SUBTITLE C—DEFENSE INTELLIGENCE AND INTELLIGENCE-RELATED ACTIVITIES

Revision of Secretary of Defense authority to engage in commercial activities as security for intelligence collection activities (sec. 921)

The House bill contained a provision (sec. 921) that would modify current statutory authority for the Secretary of Defense to conduct commercial activities that are necessary to provide security for authorized intelligence collection activities abroad undertaken by the Department of Defense. The provision would remove the requirement that the Secretary of Defense designate a single office within the Defense Intelligence Agency to be responsible for the management and supervision of all commercial activities authorized by the intelligence commercial activity statute; change the annual audit requirement to a biennial audit requirement; and add the congressional defense committees to the reporting requirement.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would maintain the annual audit requirement.

Department of Defense intelligence priorities (sec. 922)

The House bill contained a provision (sec. 922) that would require the Secretary of Defense to establish a written policy governing

the internal coordination and prioritization of intelligence priorities of the Office of the Secretary of Defense, the Joint Staff, the combatant commands, and the military departments to improve identification of the intelligence needs of the Department of Defense. This section would also require the Secretary of Defense to identify any significant intelligence gaps of the Office of the Secretary of Defense, the Joint Staff, the combatant commands, and the military departments.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Defense Clandestine Service (sec. 923)

The House bill contained a provision (sec. 923) that would prohibit the use of 50 percent of the funds authorized to be appropriated by this Act or otherwise available to the Department of Defense (DOD) for fiscal year 2014 for the Defense Clandestine Service (DCS) to be obligated or expended for the DCS until such time as the Secretary of Defense certifies to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate, that the DCS is designed primarily to fulfill priorities of the DOD that are unique to the DOD or otherwise unmet; and provide unique capabilities to the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))).

This section would also require the Secretary of Defense to design metrics that will be used to ensure that the DCS is employed in the manner certified; provide annual assessments for 5 years based on the metrics established; submit prompt notifications of any significant changes; and provide quarterly briefings on deployments and collection activities.

The Senate committee-reported bill contained a provision (sec. 932) that would require the Secretary of Defense, acting through the Director of Cost Analysis and Program Evaluation, and in consultation with the Director of National Intelligence, acting through the Cost Analysis Improvement Group, and the Director of the Central Intelligence Agency (CIA), to assess the potential cost savings and effectiveness improvements from consolidating clandestine human intelligence collection in the National Clandestine Service managed by the CIA.

The agreement includes the House provision.

Prohibition on National Intelligence Program consolidation (sec. 924)

The House bill contained a provision (sec. 924) that would prohibit the Secretary of Defense from using any of the funds authorized to be appropriated or otherwise available to the Department of Defense during the period beginning on the date of the enactment of this Act and ending on December 31, 2014, to execute: the separation of the portion of the Department of Defense budget designated as part of the National Intelligence Program from the rest of the Department of Defense budget; the consolidation of the portion of the Department of Defense budget designated as part of the National Intelligence Program within the Department of Defense budget; or the establishment of a new appropriations account or appropriations account structure for such funds. The provision would also require the Secretary of Defense and the Director of National Intelligence to jointly brief the congressional defense and

intelligence committees not later than 30 days after enactment of this Act on any planning relating to future execution that has occurred during the past 2 years and any anticipated future planning and related efforts.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

SUBTITLE D—CYBERSPACE-RELATED MATTERS

Modification of requirement for inventory of Department of Defense tactical data link systems (sec. 931)

The House bill contained a provision (sec. 931) that would amend section 934 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to include a requirement that the vulnerabilities of data link systems be assessed in anti-access or area-denial environments.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Authorities, capabilities, and oversight of the United States Cyber Command (sec. 932)

The House bill contained a provision (sec. 932) that would require the Defense Science Board to conduct an independent assessment of the organization, missions, and authorities of U.S. Cyber Command (CYBERCOM).

The Senate committee-reported bill contained a similar provision (sec. 941) that would require the Secretary of Defense to delegate signals intelligence (SIGINT) collection authorities to CYBERCOM; provide CYBERCOM with the infrastructure and equipment to operate independently of the National Security Agency (NSA) to conduct operations in cyberspace; provide range capabilities to meet CYBERCOM's unique requirements for wartime offensive operations; designate an official within the Office of the Under Secretary of Defense for Policy to serve as the Secretary's principal advisor on offensive military cyber operations and to supervise the organization, manning, and equipping of such forces; and to establish appropriate training facilities for cyber personnel. In addition, the provision would express the sense of Congress that CYBERCOM personnel assigned to support offensive cyber missions should be funded and managed outside of the Military Intelligence Program (MIP) and Information Systems Security Program (ISSP).

The agreement includes the Senate committee-reported provision with an amendment. The amendment would assign to the principal advisor responsibility for the overall supervision of cyber activities in the Department, including oversight of policy and operational matters, resources, personnel, acquisition, and technology. In carrying out these responsibilities, the principal advisor shall create a full-time cross-functional team of subject-matter experts from the Office of the Secretary of Defense, the Joint Staff, the military departments, defense agencies, and combatant commands.

We stress that this construct of an inter-departmental team under the direction of the principal advisor for cyber is not intended to be merely a coordinating committee, but will provide strong leadership through a joint mechanism to achieve a common purpose and unity of effort in policy, planning, programming, and oversight to support a complex mission that spans the entire Department of Defense. We believe there are good models for effective cross-functional teams, such as the Joint Inter Agency Task Force-South, which successfully brings stakeholders together, including their spe-

cific authorities and capabilities, under a single organization. This team concept requires that members operate and think holistically, without regard to home institution loyalties, and receive training in team dynamics and conflict resolution.

With regard to cyber acquisitions, we note that there is an existing congressionally-mandated joint entity, the Cyber Investment Management Board, which is chaired by the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Under Secretary of Defense for Policy, and the Vice Chairman of the Joint Chiefs of Staff. We believe such organizations should be leveraged to the extent possible in organizing this cross functional team.

The amendment does not include the requirement for the Secretary of Defense to delegate SIGINT authority to CYBERCOM, because the NSA Director has already made such a delegation. If a decision is made in the future to separate the positions of NSA Director and Commander of CYBERCOM, it would be appropriate for this delegation to come directly from the Secretary of Defense.

The amendment also does not include the sense of the Congress that CYBERCOM personnel assigned to support offensive missions should be funded and managed outside of the MIP and ISSP. We expect the Secretary of Defense to devise means to ensure that CYBERCOM personnel include non-career intelligence and cybersecurity officers and enlisted personnel with experience in combat arms.

We are aware that there are renewed deliberations about the potential of elevating U.S. Cyber Command from a sub-unified command to a full unified command. As noted by section 940 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), we expect to be briefed and consulted on any such proposal at the time when the Secretary of Defense makes such a decision. As these policy discussions progress, we expect the Department to keep the Committees on Armed Services of the Senate and the House of Representatives informed, upon request, during the quarterly cyber operations briefings, particularly as they relate to the estimated costs and policy implications associated with making the U.S. Cyber Command a unified command.

Mission analysis for cyber operations of Department of Defense (sec. 933)

The House bill contained a provision (sec. 933) that would require the Secretary of Defense to conduct a mission analysis of Department of Defense cyber operations and to provide a report on the results of the mission analysis to the congressional defense committees. It would also require the Chief of the National Guard Bureau to provide an assessment of the role of the National Guard in supporting Department of Defense cyber missions.

The Senate committee-reported bill contained a similar provision (sec. 945) that would require the Secretary of Defense to develop a strategy for using the reserve components of the armed forces to support the cyber missions of U.S. Cyber Command, including in support of civil authorities, and to report to the congressional defense committees on this strategy within 180 days of the enactment of this Act.

The agreement merges these provisions with minor modifications to each.

Modification of requirement for Report on Department of Defense Progress in Defending the Department and the Defense Industrial Base from Cyber Events (sec. 934)

The House bill contained a provision (sec. 934) that would require that the Secretary of

Defense provide written notification to the congressional defense committees within 30 days of the initiation of any investigations carried out related to the potential compromise of Department of Defense critical program information related to weapon systems and other developmental activities, and within 30 days of the completion of any such investigations. Additionally, the provision would require a report to be submitted to the congressional defense committees within 60 days after the date of the enactment of this Act, on all of the known network cyber intrusions from January 1, 2000, until August 1, 2013, resulting in compromise of critical program information.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would modify section 935(b)(3) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) to include an element in the existing reporting requirement to address the economic impacts of reported network intrusions.

Additional requirements relating to the software licenses of the Department of Defense (sec. 935)

The House bill contained a provision (sec. 935) that would require the Chief Information Officer of the Department of Defense to revise the reporting requirements of section 937 of the National Defense Authorization Act for 2013 (Public Law 112-239) to include new elements that would verify that the format of the process was verified by an independent third party, implement processes for validating and reporting registration and deregistration of new software, and update the timeline for implementation based on these new requirements.

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision with a technical amendment.

Cyber outreach and threat awareness for small businesses (sec. 936)

The House bill contained a provision (sec. 938) that would require the Secretary of Defense to establish an outreach and education program to assist small businesses to help them understand the cyber threat, and develop plans to protect their intellectual property and networks.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would require a briefing to the congressional defense committees within 60 days of the enactment of this Act on options for strengthening outreach and threat awareness activities for small businesses.

We recognize the challenges faced by industry, especially small businesses, when it comes to understanding and defending against advanced cyber threats. There are a number of initiatives and mechanisms within the Department that address aspects of this challenge, such as the Defense Industrial Base Information Assurance/Cyber Security program. Because these other efforts exist, we believe that new programs are not needed. We believe, though, that inadequate attention has been paid to effectively coordinate those initiatives, focus them on supporting the needs of small businesses, or attempt to measure the strategic effectiveness of those programs.

Joint Federated Centers for Trusted Defense Systems for the Department of Defense (sec. 937)

The Senate committee-reported bill contained a provision (sec. 942) that would require the Secretary of Defense to establish a joint software assurance center to serve as a resource for securing the software acquired, developed, maintained, and used in the Department of Defense (DOD). The provision would require the Secretary to consider whether an existing center could fulfill the purposes of the required center.

The provision would require the Secretary, within 180 days after the date of enactment of this Act, to issue a charter for the center that lays out: (1) The center's role in supporting program offices in implementing DOD's supply chain risk management strategy and policies; (2) The center's expertise and capabilities; (3) The center's management, in coordination with the Center for Assured Software (CAS) of the National Security Agency, of a research and development program to improve the capability of automated software analysis tools; and (4) The center's management of the procurement and distribution of enterprise licenses for such analysis tools.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would create a federation of capabilities, rather than a single center, as well as link existing resources and centers of excellence, for hardware as well as software assurance. Additionally, the amendment would emphasize supporting the trusted defense systems strategy, which includes both software assurance activities, as well as assurance of hardware components. In assessing the capabilities that exist throughout the Department that could be used to support the trusted defense strategy, the Department shall only create new centers or new resources when it has conducted a gap analysis that indicates the need for new resources or capabilities.

We believe that the trusted defense systems strategy provides a good foundation for guiding the work of these centers in supporting the acquisition and testing community. As it relates specifically to software assurance, we further note that the DOD is in the process of developing a baseline software assurance policy for the entire life cycle of covered systems in response to section 933 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239). We believe that any such guidance and direction for Department program managers should, where possible, and where consistent with adequate security for covered systems and the national security, be consistent with recognized standards, and should explore options for accepting self-certification or third-party certification for compliance purposes.

Furthermore, we believe that this software assurance policy should, where possible, and where consistent with adequate security for covered systems and the national security, be developed in compliance with the Office of Management and Budget Memorandum for Chief Information Officers and Senior Procurement Executive's titled "Technology Neutrality," dated January 7, 2011. We also believe that any future software assurance policy that includes requirements concerning Federal participation in the development and use of voluntary consensus standards should be conducted in accordance with the National Technology Transfer and Advancement Act of 1995, section 272 of title 15,

United States Code, and the Office of Management and Budget Circular A-119.

Supervision of the acquisition of cloud computing capabilities (sec. 938)

The Senate committee-reported bill contained a provision (sec. 943) that would require the Secretary of Defense, through the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Under Secretary of the Defense for Intelligence, the Chief Information Officer of the Department of Defense, and the Chairman of the Joint Requirements Oversight Council, to supervise the development and implementation of plans for the acquisition of cloud computing capabilities for intelligence, surveillance, and reconnaissance data analysis in the military services and defense agencies.

The House bill contained no similar provision.

The agreement contains the provision with an amendment that would make the supervisory requirements apply to all cloud computing acquisition decisions in excess of \$1.0 million.

Cyber vulnerabilities of Department of Defense weapon systems and tactical communications systems (sec. 939)

The Senate committee-reported bill contained a provision (sec. 944) that would require the Secretary of Defense to provide an assessment of the cyber threats to major weapons systems and tactical communications systems that could emerge within the next years; an assessment of the cyber vulnerabilities of major weapons systems and tactical communications systems; a description of the current strategy to defend against battlefield cyber attacks; and an estimate of the costs to correct the vulnerabilities in the future. That report would be required within 180 days.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would require the report within 1 year.

Control of the proliferation of cyber weapons (sec. 940)

The Senate committee-reported bill contained a provision (sec. 946) that would require the President to establish an interagency process to develop policy to control the proliferation of cyber weapons through unilateral and cooperative export controls, law enforcement activities, financial means, diplomatic engagement, and other means that the President considers appropriate. The provision would also require the President to develop a statement of principles regarding U.S. positions on controlling the proliferation of cyber weapons to create new opportunities for bilateral and multilateral cooperation to address this shared threat. The provision would require the interagency process to produce recommendations within 270 days of the enactment of this Act.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would require the President, to the extent practicable, to provide for industry participation in the interagency process.

Integrated policy to deter adversaries in cyberspace (sec. 941)

The Senate committee-reported bill contained a provision (sec. 947) that would require the President to establish an interagency process to develop an integrated policy to deter adversaries in cyberspace. The provision would require the President to pro-

vide a report to the congressional defense committees on this policy within 270 days after the enactment of this Act.

The House bill contained no similar provision.

The agreement includes this provision.

National Centers of Academic Excellence in Information Assurance Education matters (sec. 942)

The Senate committee-reported bill contained a provision (sec. 948) that would ensure that Centers of Academic Excellence (CAEs) in Information Assurance do not lose their certification as CAEs in fiscal year 2014 as a result of recent changes in the certification criteria developed by the National Security Agency (NSA). The provision also would require the President, in consultation with the Secretary of Education and with the advice of the National Advisory Committee on Institutional Quality and Integrity, to: (1) Determine whether information assurance has matured to the point where the Federal Government should no longer serve as the accrediting authority for information assurance programs at institutions of higher education; and (2) Based on that determination, reform the current practice of NSA developing the criteria to guide the curricula and certifying the status of the CAEs.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would: (1) Extend the period through which the current CAEs would preserve their designation to June 30, 2015; (2) Task the Secretary of Defense to thoroughly assess the CAEs program, the maturity of cybersecurity as an academic discipline, the role that the Federal Government should continue to play in developing curricula and accrediting programs, and the alignment of current processes with the National Initiative for Cybersecurity Education; (3) Require the Secretary to make recommendations for improving the curricula and designation process and for transitioning that process from the sole administration of NSA; (4) Require the Secretary to assess the Department's scholarship for service program with the CAEs; and (5) Require the Secretary to submit to Congress a plan for implementing his recommendations and the results of his assessments. The provision requires the Secretary to consult with the Secretary of Homeland Security, a wide variety of others, including the Director of NSA, and other government organizations, academia, and the private sector.

SUBTITLE E—TOTAL FORCE MANAGEMENT

Reviews of appropriate manpower performance (sec. 951)

The House bill contained a provision (sec. 942) that would require the Secretary of Defense to certify that all contractor positions performing inherently governmental functions have been eliminated.

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision with an amendment that would extend the requirement contained in section 803(c) of the National Defense Authorization Act for fiscal year 2010 (P.L. 111-84) for 3 years and require the Department of Defense (DOD) Inspector General to report to the congressional defense committees the Inspector General's assessment of DOD's efforts to compile the inventory, including the actions taken to resolve the findings of the reviews, pursuant to section 2463 of this title.

Six years beyond the original requirement to implement an inventory of contracted

services, DOD has taken its first steps to implement a November 2011 plan to collect contractor manpower data from contractors. These steps included directing components to start collecting direct labor hours and associated costs from contractors and initiating efforts to develop and implement a department-wide data collection system based on the Army's Contractor Manpower Reporting Application (CMRA) to collect and store inventory data, including contractor manpower data. Reportedly, DOD officials estimate that the new system will be available in fiscal year 2014, with DOD components reporting on most of their contracted services by fiscal year 2016.

We expect DOD to continue to make progress towards implementing these goals, and therefore, have continued the reporting requirements in section 803(c) of the National Defense Authorization Act for fiscal year 2010 (P.L. 111-84) for 3 years. We expect the Comptroller General to submit a report consistent with that section including a review of progress made to develop and implement a department-wide data collection system based on CMRA.

LEGISLATIVE PROVISIONS NOT ADOPTED

Redesignation of the Department of the Navy as the Department of the Navy and Marine Corps

The House bill contained a provision (sec. 901) that would redesignate the Department of the Navy as the Department of the Navy and Marine Corps, and redesignate the position of the Secretary of the Navy as the Secretary of the Navy and the Marine Corps.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Under Secretary of Defense for Management

The Senate committee-reported bill contained a provision (sec. 901) that would convert the position of Deputy Chief Management Officer (DCMO) to Under Secretary of Defense for Management (USD(M)) and to designate that position as the Chief Information Officer (CIO) of the Department of Defense. This provision would mandate the USD(M) exercise authority, direction, and control over the Information Assurance Directorate of the National Security Agency. Additionally, this provision would unify roles and functions traditionally formed by the CIO and strengthen the office by making it a Senate-confirmed position again, but without creating a new position.

The House bill contained no similar provision.

The agreement does not contain the provision.

We note that the Department has recently made the congressional defense committees aware of a proposal that addresses the concerns raised by the Senate committee-reported bill. We will evaluate this proposal before making a decision on elevating the DCMO and designating that new position as responsible for the CIO roles.

Report on strategic importance of United States military installation of the U.S. Pacific Command

The House bill contained a provision (sec. 903) that would require the Secretary of Defense to submit a report on the strategic value of each major installation that supports operations in the U.S. Pacific Command area of responsibility.

The Senate committee-reported bill contained no similar provision.

The agreement does not include the provision.

Transfer of administration of Ocean Research Advisory Panel from Department of the Navy to National Oceanic and Atmospheric Administration

The Senate committee-reported bill contained a provision (sec. 904) that would transfer responsibility for administration of the Ocean Research Advisory Panel from the Department of the Navy to the National Oceanic and Atmospheric Administration.

The House bill contained no similar provision.

The agreement does not include this provision.

Navy broad-area maritime surveillance aircraft

The Senate committee-reported bill contained a provision (sec. 933) that would require the Secretary of Defense to take appropriate actions to modify the Navy's Broad Area Maritime Surveillance (BAMS) aircraft fleet to provide a ground moving target indicator (GMTI) collection, processing, and dissemination capability that is comparable to the performance of the Air Force's Global Hawk Block 40 Multi-Platform Radar Insertion Program. The provision would also require the Secretary to designate the BAMS aircraft fleet as a joint asset available to support the operational requirements of the unified combatant commands.

The House bill contained no similar provision.

The agreement does not include this provision.

We agree, however, that the Department of Defense should determine whether a GMTI capability should be integrated into the Navy's BAMS aircraft fleet, and whether this system should be a joint asset for the combatant commands. Therefore, we direct the Vice Chairman of the Joint Chiefs of Staff, in his capacity as the Chairman of the Joint Requirements Oversight Council (JROC), to conduct a study and provide a report to the appropriate congressional committees on the JROC's assessment of whether adding a GMTI capability to the Navy's BAMS aircraft fleet is feasible, affordable, and advisable by June 2, 2014. For this report, the appropriate congressional defense committees are the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

Limitation on availability of funds for collaborative cybersecurity activities with China

The House bill contained a provision (sec. 936) that would prevent appropriated funds to be used for collaborative cybersecurity activities with the People's Republic of China.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain the provision.

Small business cybersecurity solutions office

The House bill contained a provision (sec. 937) that would require the Secretary of Defense to submit a report to Congress on the feasibility of establishing a small business cyber technology office to assist small businesses in providing cybersecurity solutions to the Federal Government.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We recognize the challenges faced by the government in gaining access to truly innovative solutions for cybersecurity threats. Many of the most innovative technologies

available to the government come from small businesses. However, it is also clear that the defense acquisition system, which can be difficult to navigate even for large businesses, can pose acute difficulties for small businesses to be able to find opportunities, respond effectively to lengthy contracting paperwork, and maintain compliance with arcane acquisition regulations. Within the Department of Defense, there exist offices for small and disadvantaged businesses which have been established to help support small businesses specifically to navigate these problems. We recognize the value these organizations already provide in supporting small businesses, and believe it would be redundant to create new offices to focus solely on cybersecurity solutions.

Requirement to ensure sufficient levels of government oversight of functions closely associated with inherently governmental functions

The House bill contained a provision (sec. 941) that would amend sections 129a and 2330a of title 10, United States Code, to ensure that sufficient levels of government oversight are in place for contracted services and aligns current Department of Defense policies related to Total Force Management.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain the provision.

TITLE X—GENERAL PROVISIONS

BUDGET ITEM

Funding for New START Treaty preparatory activities

The funding authorized by this Act would include funds for activities to prepare to implement nuclear force reductions to meet the levels prescribed by the New START Treaty. Elsewhere in this Act, a limitation is included that would ensure only preparatory activities for such reductions may be carried out in fiscal year 2014.

SUBTITLE A—FINANCIAL MATTERS

General transfer authority (sec. 1001)

The House bill contained a provision (sec. 1001) that would provide the Department of Defense with \$3.5 billion of general transfer authority in fiscal year 2014.

The Senate committee-reported bill contained a similar provision (sec. 1001) that would provide the Department of Defense with \$4.0 billion of general transfer authority in fiscal year 2014.

The agreement includes the Senate provision with an amendment that would provide the Department of Defense with \$5.0 billion of general transfer authority in fiscal year 2014.

Budgetary effects of this Act (sec. 1002)

The House bill contained a provision (sec. 1002) that would determine the budgetary effects of this Act.

The Senate committee-reported bill contained a similar provision (sec. 4).

The agreement includes the Senate provision.

Audit of Department of Defense fiscal year 2018 financial statements (sec. 1003)

The House bill contained a provision (sec. 1003) that would express the sense of Congress regarding the Department of Defense's ongoing Financial Improvement and Audit Readiness process and support the goal of audit readiness across the Department by 2017. This section would also require that a full and complete audit takes place for fiscal year 2018.

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision with a technical amendment.

Authority to transfer funds to the National Nuclear Security Administration to sustain nuclear weapons modernization (sec. 1004)

The House bill contained a provision (sec. 1004) that would provide the Secretary of Defense the authority to transfer up to \$150.0 million to the nuclear weapons program of the National Nuclear Security Administration if the amount authorized to be appropriated or otherwise made available for that program is less than \$8.4 billion (the amount specified for fiscal year 2014 in the report required by section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84)).

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

SUBTITLE B—COUNTER-DRUG ACTIVITIES

Extension of authority to support unified counter-drug and counterterrorism campaign in Colombia (sec. 1011)

The House bill contained a provision (sec. 1011) that would extend, by 1 year, the unified counter-drug and counterterrorism campaign in the Republic of Colombia originally authorized by section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375), and most recently amended by section 1013 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239).

The Senate committee-reported bill contained a similar provision (sec. 1011) that would extend, for 2 fiscal years, the authority of the Secretary of Defense to provide assistance to support the unified counter-drug and counterterrorism campaign of the Government of Colombia. The provision would also incorporate a notification to Congress to improve transparency of the Department of Defense's use of this authority.

The agreement includes the Senate provision with an amendment that would modify the extension of the underlying authority by 1 fiscal year and modify elements of the notification requirement.

We note that the Government of Colombia has made and continues to make progress combating narcotics trafficking and designated foreign terrorist organizations. This type of flexible authority remains required to assist the Government of Colombia consolidate its hard-fought gains.

Extension of authority for joint task forces to provide support to law enforcement agencies conducting counter-terrorism activities (sec. 1012)

The House bill contained a provision (sec. 1012) that would extend, by 1 fiscal year, the support by joint task forces under section 1022(b) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136), as most recently amended by section 1011 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239).

The Senate committee-reported bill contained a similar provision (sec. 1012) to extend by 2 fiscal years the support under section 1022(b).

The agreement includes the Senate provision.

Extension and expansion of authority to provide additional support for counter-drug activities of certain foreign governments (sec. 1013)

The House bill contained a provision (sec. 1013) that would extend, by 2 years, the authority to provide support for counter-drug activities of certain foreign governments,

originally authorized by subsection (a)(2) of section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85), and most recently amended by section 1006 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81).

The Senate committee-reported bill contained a provision (sec. 1013) that would extend, by 5 years, the authority to provide support for counter-drug activities of certain foreign governments under subsection (a)(2) of section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85), as most recently amended by section 1006 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81). The provision would also expand the list of countries eligible to receive support to include the Governments of Chad, Libya, Mali, and Niger.

The agreement includes the Senate provision with an amendment that would extend the underlying authority for 3 years and expand the list of countries eligible to receive support.

We direct the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats (DASD CNGT) to provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives in fiscal year 2014 on the country plans associated with the four additional countries under this authority, including a description of the status of any assistance to be provided or planned to be provided, how the effectiveness of this assistance is to be measured, and how this assistance will reinforce other related Department of Defense activities in the region. The committee further directs the DASD CNGT to submit a report updating the aforementioned committees on the status of these matters in fiscal year 2015.

SUBTITLE C—NAVAL VESSELS AND SHIPYARDS

Modification of requirements for annual long-range plan for the construction of naval vessels (sec. 1021)

The Senate committee-reported bill contained a provision (sec. 1026) that would modify section 231 of title 10, United States Code, to include a requirement to report on the total cost of construction for each vessel used to determine estimated levels of annual funding in the report, and an assessment of the extent of the strategic and operational risk to national security whenever the number or capabilities of the naval vessels in the plan do not meet requirements.

The House bill contained no similar provision.

The agreement includes the Senate provision with a technical/clarifying amendment.

Clarification of sole ownership resulting from ship donations at no cost to the Navy (sec. 1022)

The House bill contained a provision (sec. 1021) would amend subsection (a) of section 7306 of title 10, United States Code, to clarify that ship donations would be only to operate the vessel as a museum or memorial for public display in the United States. This language would provide the Navy with the flexibility to oversee a vessel donee's actions, without any implication that the Navy retains ownership of the vessel. The provision would also prevent the Federal Government from providing funding for any improvement, upgrade, modification, maintenance, preservation, or repair to a vessel donated under this section.

The Senate committee-reported bill contained an identical provision (sec. 1024).

The agreement includes this provision, but with modifications that would prevent the

Department of Defense from providing additional funding for any donated vessel, not the Federal Government as a whole. These modifications would allow other federal departments to contribute to ship museums or ship memorials to the extent that the departments have authorization to do so.

Availability of funds for retirement or inactivation of Ticonderoga class cruisers or dock landing ships (sec. 1023)

The House bill contained a provision (sec. 1022) that would limit the obligation and expenditure of funds authorized to be appropriated or otherwise made available for fiscal year 2014 for the retirement, inactivation, or storage of a cruiser or dock landing ship. This section would provide an exception for the retirement of the U.S.S. Denver (LPD-9). The provision would also provide additional transfer authority for the purpose of providing sufficient appropriations to support the modernization of seven cruisers.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would delete the additional transfer authority.

Extension and remediation of Navy contracting actions (sec. 1024)

The House bill contained a provision (sec. 1025) that would allow the Secretary of the Navy to extend or renew the lease of not more than four blocking vessels supporting the Transit Protection System Escort Program. The provision would also require the Secretary, prior to extending or renewing such a lease, to submit to the congressional defense committees a notification of the proposed extension or renewal, along with a detailed description of the term of the proposed contract and a justification for extending or renewing the lease, as opposed to obtaining the capability through purchase of such vessels.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would allow the Secretary of the Navy to accept and retain payment-in-kind in lieu of monetary payment for purposes of settling the litigation arising from the default termination on contract number N00019-88-C-0050 for development and production of the A-12 aircraft. Also, it is understood that the Secretary of the Navy is authorized to enter into agreements to modify contracts in order to effect a settlement to the litigation.

Report comparing costs of DDG 1000 and DDG 51 Flight III ships (sec. 1025)

The House bill contained a provision (sec. 1026) that would require the Secretary of the Navy to submit to the congressional defense committees a report providing an updated comparison of the costs and risks of acquiring DDG-1000 and DDG-51 Flight III vessels equipped for enhanced ballistic missile defense capability.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a technical/clarifying amendment.

Report on naval vessels and the Force Structure Assessment (sec. 1026)

The Senate committee-reported bill contained a provision (sec. 1022) that would direct the Chief of Naval Operations (CNO) to provide a report to the congressional defense committees no later than February 1, 2014, that would assess the current fleet capabilities compared to the threat and the likely situation over the next 30 years. The CNO

should produce an unclassified report, as well as a classified annex to that report.

The House bill contained a similar provision (sec. 1024) that would express the sense of Congress that additional funding should be prioritized toward shipbuilding efforts and that Department of the Navy budget projections should realistically anticipate the true investment to meet force structure goals.

The agreement includes the Senate provision with an amendment that would add several items to the list of issues to be addressed in the report, including an assessment by the Commandant of the Marine Corps of: (1) The operational risk associated with the current and the planned number of ships of the amphibious assault force; and (2) The capabilities required to meet the needs of the Marine Corps for future ships of the amphibious assault force. The amendment would also delay the required date for the report until 30 days after the Secretary of Defense submits the annual naval vessel construction plan required by section 231 of title 10, United States Code.

Modification of policy relating to major combatant vessels of the strike forces of the Navy (sec. 1027)

The Senate committee-reported bill contained a provision (sec. 1023) that would repeal section 1012 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181). That section requires that the Navy build any new class of major surface combatant and amphibious assault ship with an integrated nuclear power system, unless the Secretary of the Navy notifies the congressional defense committees that, as a result of a cost-benefit analysis, it would not be practical for the Navy to design the class of ships with an integrated nuclear power system.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would amend section 1021 to: (1) delete the requirement to include integrated nuclear power systems in any new ship class, and (2) add the requirement that the Navy analyze integrated nuclear power alternative in its analysis of alternatives for new ship classes, and report the results of that analysis in the budget request.

SUBTITLE D—COUNTERTERRORISM

Clarification of procedures for use of alternate members on military commissions (sec. 1031)

The House bill contained a provision (sec. 1030) that would amend chapter 47A of title 10, United States Code, to clarify the procedures for the convening authority to detail alternate members to a military commission.

The Senate committee-reported bill contained a similar provision (sec. 1034).

The agreement contains the House provision.

Modification of Regional Defense Combating Terrorism Fellowship Program reporting requirement (sec. 1032)

The House bill contained a provision (sec. 1031) that would modify the Regional Defense Combating Terrorism Fellowship Program to require additional annual reporting requirements.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision.

Prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba (sec. 1033)

The House bill contained a provision (sec. 1032) that would prohibit the use of Department of Defense (DOD) funds through December 31, 2014, to construct or modify facilities in the United States, its territories, or possessions, to house any detainee transferred from U.S. Naval Station, Guantanamo Bay, Cuba, for the purposes of detention or imprisonment in DOD custody or control unless authorized by Congress.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Prohibition on the use of funds for the transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba (sec. 1034)

The House bill contained a provision (sec. 1034) that would prohibit the use of Department of Defense funds to transfer or release any detainee at U.S. Naval Station, Guantanamo Bay, Cuba, to or within the United States, its territories, or possessions through December 31, 2014.

The Senate committee-reported bill contained a provision (sec. 1033) that would prohibit the transfer or release of Guantanamo detainees to the United States during fiscal year 2014, except that the Secretary of Defense could authorize such a transfer for detention and trial if the Secretary determines that doing so would be in the U.S. national security interest and that appropriate actions have been or will be taken to address any public safety risks that could arise in connection with the transfer.

The agreement includes the House provision.

Transfers to foreign countries of individuals detained at United States Naval Station, Guantanamo Bay, Cuba (sec. 1035)

The House bill contained a provision (sec. 1033) that would restrict the Secretary of Defense from transferring or releasing individuals detained at U.S. Naval Station, Guantanamo Bay, Cuba, (GTMO) to a foreign country or foreign entity unless the Secretary makes certain specified certifications to Congress not later than 30 days prior to any such transfer or release. The restrictions of this provision would apply through December 31, 2014.

The Senate committee-reported bill contained a provision (sec. 1031) that would authorize two procedures for the transfer or release of Guantanamo detainees to their country of origin or another country other than the United States. The first part of the provision would authorize such transfers or releases under certain specified circumstances, specifically: (1) If following a review by a Periodic Review Board, the detainee is determined to no longer be a threat to U.S. national security; (2) In order to effectuate a court order; or (3) If a detainee has been tried and acquitted or tried, convicted, and has served his sentence. The second part of the provision would allow the Secretary of Defense to authorize the transfer of Guantanamo detainees overseas only if he determines, following a rigorous assessment of a number of specified factors, that doing so would be in the U.S. national security interest and steps have been or will be taken to mitigate the risk of recidivism by the individual to be transferred. The provision would require the Secretary of Defense to notify Congress of a determination to

transfer or release a Guantanamo detainee not later than 30 days prior to the transfer or release, and specifies the information that must be provided as part of such notifications.

The agreement includes the Senate provision with an amendment that would:

(a) narrow the specified circumstances under which transfers or releases are authorized under the first part of the provision to only (1) and (2) above;

(b) expand the factors that the Secretary of Defense must specifically evaluate and consider in making his determination whether to transfer a Guantanamo detainee overseas, including the security situation in the country to which the detainee would be transferred, the presence of foreign terrorist groups in the recipient country, whether the recipient country is a state sponsor of terrorism, and whether the detainee has been tried and acquitted or tried, convicted, and completed his sentence; and

(c) expand the information that must be included in the congressional notification provided not later than 30 days prior to the transfer, including information on any actions taken to address the risk of reengagement by the detainee in terrorist activities, a copy of any Periodic Review Board findings, an assessment of the capacity of the receiving country, and a description of the Secretary of Defense's evaluation of the factors to be considered in making the Secretary's determination in support of the transfer.

Report on information relating to individuals detained at Parwan, Afghanistan (sec. 1036)

The House bill contained a provision (sec. 1035) that would require the public disclosure of an unclassified summary of certain information relating to individuals held at the Detention Facility in Parwan, Afghanistan, that have been designated as enduring security threats to the United States.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would require the Secretary of Defense to submit to the congressional defense committees a classified report containing certain specified information relating to detainees at Parwan that have been designated as enduring security threats. The Secretary would also be required to review the classified report to determine what summary information, if any, can be declassified and made publicly available, to the maximum extent practicable consistent with national security.

Grade of chief prosecutor and chief defense counsel in military commissions established to try individuals detained at Guantanamo (sec. 1037)

The House bill contained a provision (sec. 1038) that would require that, for purposes of any military commission trial of an individual detained at the U.S. Naval Station, Guantanamo Bay, Cuba, the chief defense counsel and the chief prosecutor must have the same rank.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would require that for purposes of any such military commission trial, the chief defense counsel and the chief prosecutor must have the same grade. The amendment would also provide that the Secretary of Defense may temporarily waive this requirement if the Secretary determines that compliance with the requirement either would be infeasible due

to the non-availability of qualified officers of the same grade to fill the billets or would cause significant disruption to the trial proceedings. The amendment would also require the Secretary of Defense to issue guidance to ensure that the offices of the chief defense counsel and the chief prosecutor receive equitable resources, personnel support, and logistical support for conducting their duties in connection with any such military commission trial. We note that the intent of this requirement is to ensure fairness and impartiality in the resources and support provided to each of these offices.

Report on capability of Yemeni government to detain, rehabilitate, and prosecute individuals detained at Guantanamo who are transferred to Yemen (sec. 1038)

The House bill contained a provision (sec. 1039) that would require the Secretary of Defense and the Secretary of State to jointly submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate, a report on the capability of the Republic of Yemen to detain, rehabilitate, and prosecute individuals transferred there from U.S. Naval Station, Guantanamo Bay, Cuba.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Report on attachment of rights to individuals detained at Guantanamo if transferred to the United States (sec. 1039)

The House bill contained a provision (sec. 1040) that would require the Secretary of Defense and the Attorney General to jointly submit to the congressional defense committees and the Committees on the Judiciary of the Senate and the House of Representatives, a report on whether detainees, if transferred to the United States from the Guantanamo Bay Detention Facility, would become eligible for certain legal rights by reason of their transfer.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would require the Attorney General, in consultation with the Secretary of Defense, to submit to the congressional defense committees and the Committees on the Judiciary of the Senate and the House of Representatives, a report on the legal rights, if any, for which a Guantanamo detainee, if transferred to the United States, may become eligible, by reason of such transfer. The report would also include an analysis of the extent to which legislation or other steps could address any such legal rights.

SUBTITLE E—SENSITIVE MILITARY OPERATIONS
Congressional notification of sensitive military operations (sec. 1041)

The House bill contained a provision (sec. 1041) that would require the Secretary of Defense to submit to the congressional defense committees notice in writing of any sensitive military operation following such operation. This section would also require the Secretary of Defense to establish procedures not later than 60 days after the date of the enactment of this Act for providing such notice in a manner consistent with the national security of the United States and the protection of operational integrity.

The Senate committee-passed bill contained no similar provision.

The agreement includes the House provision with a technical amendment.

Counterterrorism operational briefings (sec. 1042)

The House bill contained a provision (sec. 1043) that would require the Secretary of De-

fense to provide quarterly briefings to the congressional defense committees outlining Department of Defense counterterrorism operations and related activities. Each briefing would include: a global update on activity within each geographic combatant command; an overview of authorities and legal issues including limitations; an outline of interagency activities and initiatives; and any other matters the Secretary considers appropriate.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would: (1) modify the elements required as part of the briefings and (2) repeal section 1031 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81)—a nearly identical requirement.

Report on process for determining targets of lethal or capture operations (sec. 1043)

The House bill contained a provision (sec. 1042) that would require the Secretary of Defense to submit a report within 60 days after the date of the enactment of this Act containing an explanation of the legal and policy considerations and approval processes used in determining whether an individual or group of individuals could be the target of a lethal operation or capture operation conducted by the Armed Forces of the United States outside the United States.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would provide 90 days for the Secretary of Defense to provide the required report and make a number of technical modifications.

SUBTITLE F—NUCLEAR FORCES

Notification required for reduction or consolidation of dual-capable aircraft based in Europe (sec. 1051)

The House bill contained a provision (sec. 1053) that would provide that funds authorized to be appropriated by this Act or otherwise made available may not be used to reduce or consolidate U.S. dual-capable aircraft in Europe until 90 days after the Secretary of Defense certifies to the congressional defense committees that the Russian Federation has carried out similar actions; the Secretary has consulted with the member states of the North Atlantic Treaty Organization (NATO) about the proposed action with respect to U.S. dual capable aircraft; and, there is a consensus among NATO member states in support of such action.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment replacing the provisions with a sense of Congress regarding reductions or consolidations of dual-capable aircraft. The amendment also requires a notification 90 days before the date on which the Secretary reduces or consolidates dual capable aircraft that includes the reason for the reduction or consolidation, any effects from such action on the extended deterrence mission of the United States, the manner in which the military requirements of the NATO will be met following such actions, a statement by the Secretary on the response of NATO to such actions, and whether there is any change in the force posture of Russia from such actions including nonstrategic nuclear weapons.

Council on Oversight of the National Leadership Command, Control, and Communications System (sec. 1052)

The Senate committee-reported bill contained a provision (sec. 903) that would es-

tablish a council to coordinate activities related to national leadership command, control, and communications systems, including the nuclear command, control, and communications system.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would change the co-chairs of the Council to the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Vice-Chairman of the Joint Chiefs of Staff, and would add the Director of the National Security Agency to the Council. The amendment requires an annual report by the Commander, U.S. Strategic Command, through the Chairman of the Joint Chiefs of Staff on the adequacy of the President's budget to meet required capabilities of the nuclear command and control communications system for national leadership of the United States and the impact, if any, if annual appropriations do not meet the President's budget request. The amendment would also seek to add more transparency to the budget for Nuclear Command and Control activities. A clerical amendment is made transferring a provision from 10 U.S.C. 491 regarding anomalies in the Nuclear Command and Control system to this new provision.

Modification of responsibilities and reporting requirements of Nuclear Weapons Council (sec. 1053)

The Senate committee-reported bill contained a provision (sec. 1041) that would amend section 179 of title 10, United States Code, by striking the responsibilities for nuclear command, control, and communications since another section of this Act establishes a Council on Oversight of the National Leadership Command, Control, and Communications System. The Senate committee-reported bill also contained a provision adding a new requirement to report on joint activities between the Department of Defense and the Department of Energy on nuclear security.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that clarifies the nature of the joint report by the Department of Defense and the Department of Energy. We believe the information required to be provided in this joint report should be substantially similar as that provided in the Joint Surety Report pursuant to National Security Presidential Directive 28.

Modification of deadline for report on plan for nuclear weapons stockpile, nuclear weapons complex, nuclear weapons delivery systems, and nuclear weapons command and control system (sec. 1054)

The Senate committee-reported bill contained a provision (sec. 1042) that would amend section 1043 of the National Defense Authorization Act for Fiscal year 2012 (Public Law 112-81), which provides for a report to the congressional defense committees with a 10-year funding profile for the Department of Energy's (DOE) and the Department of Defense's (DOD) strategic deterrent modernization program. Specifically, the provision would give both departments 60 days after budget submission to deliver the section 1043 report. If a delay is anticipated that is greater than 60 days, DOE and DOD must notify the congressional defense committees before the President's budget submission and provide a briefing no later than 30 days after budget submission.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would move the report deadline to 30 days after the President's budget submission. The amendment would also provide that, if it is determined that the report submission will require longer than 30 days, a briefing will be provided to the congressional defense committees within 30 days after submission of the budget request. Regardless of any such determination or briefing, the report would be required to be submitted no later than 60 days after submission of the budget request.

Prohibition on elimination of nuclear triad (sec. 1055)

The House bill contained a provision (sec. 1051) that would prohibit any of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense from being obligated or expended to reduce, convert, or decommission any strategic delivery system of the United States if such reduction, conversion, or decommissioning would eliminate a leg of the nuclear triad. This section defines "nuclear triad" as: (1) land-based intercontinental ballistic missiles; (2) submarine-launched ballistic missiles and their associated ballistic missile submarines; and (3) nuclear-certified strategic bombers.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment containing technical corrections.

Implementation of New START Treaty (sec. 1056)

The Senate committee-reported bill contained a provision (sec. 132) that would amend section 131(a)(1) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (P.L. 109-364) by striking the term in a common capability configuration.

The House bill (section 241) contained a provision that requires the Secretary of Defense to keep each Minuteman III silo as of the date of enactment of this Act in a warm status and that it remains a functioning element of the missile field and can be made functional with a deployed missile.

The Senate committee-reported bill contained a similar provision (sec. 1045) that states the Secretary of Defense may, in a manner consistent with international obligations, retain missile launch facilities currently supporting up to 800 deployed and non-deployed strategic launchers, maintain intercontinental ballistic missiles (ICBM) on alert or operationally deployed status, and preserve ICBM silos in operational or warm status.

The House bill contained a provision (sec. 1052) that would provide that none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense or the National Nuclear Security Administration may be obligated or expended to carry out reductions to the nuclear forces of the United States required by the New START Treaty until the Secretary of Defense provides the plan required by section 1042(a) of the National Defense Authorization Act of Fiscal Year 2012 (Public Law 112-81) and the President certifies that any reductions to U.S. nuclear forces below the level required by the New START Treaty will be carried out only pursuant to a treaty or international agreement approved according to the Treaty Clause of the Constitution of the United States or an affirmative act of Congress.

The agreement includes a provision that would authorize the use of fiscal year 2014

funds for the purpose of preparing to implement reductions in nuclear forces necessary to meet the levels required by the New START Treaty subject to additional limitations as found in subsection (b) of the agreement. The agreement requires the Secretary of Defense to include with the defense budget materials a consolidated budget justification display that covers each activity associated with implementation of the New START Treaty. Subsection (b) of the provision would limit amounts spent for an environmental assessment for any proposed reduction in ICBM silos to 50 percent subject to receiving the nuclear force structure plan required by section 1042(a) of the Fiscal Year 2012 National Defense Authorization Act, which is unacceptably almost 2 full years late. That plan would be required to include the various options under consideration for treaty implementation, along with a preferred final force structure option, which may be modified upon the conclusion of the environmental assessment. That plan would be accompanied by a report from the Commander of U.S. Strategic Command on his assessment of the force structure options provided by the Secretary of Defense, including the preferred final force structure option. Lastly, the Chairman of the Joint Chiefs of Staff would be required to certify to the congressional defense committees that conducting the environmental assessment will not imperil the ability of the military to comply with the deployed or non-deployed force levels of the New START Treaty by February 2018.

The agreement would prohibit the conversion of nuclear capable B-52 aircraft to conventional aircraft until the information required under subsection (b) is submitted, and requires that all B-52s in the inventory remain in a common conventional weapons employment capability configuration once nuclear decertification and modification commences for currently an undetermined quantity of B-52 aircraft.

The agreement would further require a report on collaboration between the Army, Navy, and Air Force on activities related to strategic systems to improve efficiencies, technology sharing, and other benefits.

The agreement would also express a sense of the Congress that the force structure required by the New START Treaty should preserve Minuteman III ballistic missile silos in a warm status and any non-deployed missiles and silos should be spread amongst the three missile wings in the Air Force ICBM force.

Finally, the agreement would also include, in another section of this report accompanying section 4201, an explanatory statement on the budget for activities to prepare for the implementation of the New START Treaty.

Retention of capability to redeploy multiple independently targetable reentry vehicles (sec. 1057)

The House bill contained a provision (sec. 1056) that would require the Secretary of the Air Force to ensure that the Air Force is capable of deploying multiple independently targetable reentry vehicles to Minuteman III intercontinental ballistic missiles (ICBM) and any ground-based strategic deterrent follow-on to such missiles. This section would require the Secretary to ensure that the Air Force is capable of commencing such deployment not later than 270 days after the date on which the President determines such deployment is necessary.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that changes the

270 days to 180 days and narrows the requirement to apply only to the Minuteman III ICBM system.

Report on New START Treaty (sec. 1058)

The House bill contained a provision (sec. 1059) that would require the Secretary of Defense and the Chairman, Joint Chiefs of Staff to jointly submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate, a report on whether the New START Treaty is in the national security interests of the United States.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Report on implementation of the recommendations of the Palomares Nuclear Weapons Accident Revised Dose Evaluation Report (sec. 1059)

The House bill contained a provision (sec. 1080A) that would require the Secretary of the Air Force to report on the implementation of the recommendations of the Palomares Nuclear Weapons Accident Dose Evaluation Report released by the Air Force in April 2001.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would modify the deadline for the report from 180 days to 1 year.

Sense of Congress on further strategic nuclear arms reductions with the Russian Federation (sec. 1060)

The House bill contained a provision (sec. 1054) that would provide a statement of policy concerning implementation of further nuclear arms reductions below the levels of the New START Treaty, and would limit funds to make such reductions unless certain conditions are met.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would express the sense of Congress that, if the United States seeks further strategic nuclear arms reductions with the Russian Federation that are below the levels of the New START Treaty, such reductions should: (1) Be pursued through a mutually negotiated agreement; (2) Be verifiable; (3) Be pursued through the treaty-making power of the President; and (4) Take into account the full range of nuclear weapon capabilities that threaten the United States and its allies, including non-strategic nuclear weapon capabilities.

Sense of Congress on compliance with nuclear arms control treaty obligations (sec. 1061)

The House bill contained a provision (sec. 1055) that would express the sense of Congress that the President should consider not seeking further nuclear arms reductions with a foreign country that is in noncompliance with its nuclear arms control treaty obligations.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would express the sense of Congress that, if the President determines that a foreign nation is in substantial noncompliance with its nuclear arms control treaty obligations in a manner that adversely affects the national security of the United States or its allies or alliances, the President should take certain specified steps. These steps include informing Congress of the President's assessment of the effect of such noncompliance and the

President's plans to resolve such noncompliance. They also include considering whether, in light of the noncompliance, the United States should engage in future nuclear arms control negotiations with the noncompliant government, and considering the potential effect of the noncompliance on the consideration by the Senate of a future nuclear arms reduction treaty with the noncompliant government.

Senses of Congress on ensuring the modernization of the nuclear forces of the United States (sec. 1062)

The Senate committee-reported bill contained a provision (sec. 1044) that states it is the policy of the United States to modernize the nuclear triad and sustain the nuclear stockpile, its production facilities, and science base, and a sense of Congress expressing that Congress is committed to providing the resources needed for this modernization and that Congress supports the modernization or replacement of the triad of strategic nuclear delivery systems.

The House bill contained no similar provision.

The agreement includes an amendment that includes an additional sense of Congress supporting continued upgrades of the existing B-1B, B-2, and B-52 bomber aircraft, and that the Air Force should continue to prioritize the continued development and acquisition of the long-range strike bomber program.

SUBTITLE G—MISCELLANEOUS AUTHORITIES AND LIMITATIONS

Enhancement of capacity of the United States Government to analyze captured records (sec. 1071)

The House bill contained a provision (sec. 1061) that would provide the statutory authority to the Secretary of Defense to establish a Conflict Records Research Center to facilitate research and analysis of records captured from countries, organizations, and individuals, now or once hostile, to the United States.

The Senate committee-reported bill contained no similar provision, but recommended funding of the current center, which already exists at the National Defense University, for \$1 million in the budget request for fiscal year 2014.

The agreement includes the House provision.

We note that while such a center currently exists, additional statutory authorization would allow the center to be funded collectively by the Department of Defense, the Office of the Director of National Intelligence, and other departments and agencies, rather than rely on discrete partner funding for each activity. This authorization would also allow the center to receive funding from other agencies, states, or other foreign and domestic entities, including academic and philanthropic organizations, to support important research in international relations, counterterrorism, conventional warfare and unconventional warfare.

Strategic plan for the management of the electromagnetic spectrum (sec. 1072)

The Senate committee-reported bill contained a provision (sec. 1051) that would require a national security spectrum strategy to be performed at least once every 5 years. The strategy is to provide near-term (5 years), mid-term (10 years), and long-term (30 years) assessments of the need for national security spectrum.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment to title 10 of the

United States Code, section 488, "Management of Electromagnetic spectrum: biennial strategic plan," that requires the plan be submitted in consultation with the Director of National Intelligence and the Secretary of Commerce. The plan shall include an inventory of the electromagnetic spectrum uses for national security and other purposes, an estimate of the need for electromagnetic spectrum over the time periods of the Senate committee-reported provision, and any additional matters the Secretary of Defense, in consultation with the Director of National Intelligence and the Secretary of Commerce, considers appropriate.

Extension of authority to provide military transportation services to certain other agencies at the Department of Defense reimbursement rate (sec. 1073)

The House bill contained a provision (sec. 1062) that would amend section 2642(a) of title 10, United States Code, to extend the authority to provide to other federal agencies airlift transportation at the same rate the Department of Defense (DOD) charges its own units for similar transportation and to expand the authority to include all means of transportation, not just airlift. The DOD currently uses this authority to: (1) provide transportation support to other departments and agencies to increase peacetime business, and (2) promote the improved use of airlift by filling excess capacity with paying cargo.

The Senate committee-reported bill contained a similar provision (sec. 313).

The agreement includes the House provision.

Notification of modifications to Army force structure (sec. 1074)

The House bill contained a provision (sec. 1063) that would prevent the Department of the Army from spending any fiscal year 2014 funds to modify the force structure or basing strategy of the Army until the Secretary of the Army submits the report required by section 1066 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1943).

The Senate committee-reported bill contained no similar provision.

The agreement would require the Secretary of the Army to certify that Army force structure changes authorized as of the date of the enactment of this Act comply with the provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). The provision would also require that as part of any congressional notifications of future force structure changes, in accordance with section 993 of title 10, United States Code, the Secretary should include an assessment whether or not such changes require an Environmental Assessment or Environmental Impact Statement.

Aircraft joint training (sec. 1075)

The House bill contained a provision (sec. 1065) that would require the Secretary of Defense, the Secretary of Homeland Security, and the Administrator of the Federal Aviation Administration to develop and implement plans and procedures to review the potential of joint testing and evaluation of unmanned aircraft equipment and systems with other appropriate departments and agencies of the Federal Government that may serve the dual purpose of providing capabilities to the Department of Defense (DOD) to meet the future requirements of combatant commanders and, domestically, to strengthen international border security. The two secretaries and the Administrator would also be required to submit a report on the status of the plans within 270 days of the date of enactment of this Act.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would express the sense of Congress that simulators offer cost savings to DOD, can contribute to training members of the armed services for combat, and highlights the need for synergy between the DOD and private sector.

SUBTITLE H—STUDIES AND REPORTS

Online availability of reports submitted to Congress (sec. 1081)

The House bill contained a provision (sec. 1078) that would amend section 122a of title 10, United States Code, to require certain unclassified reports be made available on a publicly accessible website of the Department of Defense.

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision with a technical amendment.

Oversight of combat support agencies (sec. 1082)

The House bill contained a provision (sec. 1071) that would require that assessments of combat support agencies undertaken pursuant to section 193(a) of title 10, United States Code, be submitted to the congressional defense committees.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Inclusion in annual report of description of interagency coordination relating to humanitarian demining technology (sec. 1083)

The House bill contained a provision (sec. 1072) that would modify current reporting requirements for humanitarian demining as defined within section 407(d) of title 10, United States Code, to include interagency, research, and development activities.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision.

Repeal and modification of reporting requirements (sec. 1084)

The Senate committee-reported bill contained a provision (sec. 1061) that would repeal or modify a number of reporting requirements that have been included in law in past years. The requirements recommended for repeal or modification in this provision are requirements identified by the committee as being no longer relevant or necessary and that can be repealed or modified without adversely affecting the committee's oversight responsibilities.

The House bill contained no similar provision.

The agreement contains the provision with a clarifying amendment.

Repeal of requirement for Comptroller General assessment of Department of Defense efficiencies (sec. 1085)

The House bill contained a provision (sec. 1074) that would repeal section 1054 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81), relating to the implementation of the efficiencies undertaken in 2010 by the Department of Defense.

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision.

Review and assessment of United States Special Operations Forces and United States Special Operations Command (sec. 1086)

The House bill contained a provision (sec. 1076) that would require the Secretary of Defense to review and assess the organization, missions, and authorities related to U.S.

Special Operations Forces and U.S. Special Operations Command and to provide a report to the congressional defense committees.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Reports on unmanned aircraft systems (sec. 1087)

The House bill contained a provision (sec. 1077) that would require the Secretary of Defense, the Secretary of Transportation, the Administrator of the Federal Aviation Administration, and the Administrator of the National Aeronautics and Space Administration, on behalf of the Unmanned Aircraft Systems (UAS) Executive Committee, to jointly submit a report on unmanned aircraft system collaboration, demonstration, use cases and data sharing to the appropriate committees of Congress within 90 days after the date of the enactment of this Act.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would extend the reporting deadline to 180 days after the date of the enactment of this Act.

Report on foreign language support contracts for the Department of Defense (sec. 1088)

The Senate committee-reported bill contained a provision (sec. 1063) that would direct the Secretary of Defense to assess the Department's current approach for managing foreign language support contracts.

The House bill contained no similar provision.

The agreement includes the Senate provision.

We note that at a minimum, the assessment shall include an analysis of spending for all the types of foreign language support services and products that have been acquired by the Department of Defense (DOD) components. Additionally, the assessment shall include a reevaluation, based on the results of the analysis of spending, of the scope of the DOD executive agent's management of foreign language support contracts to determine whether any adjustments are needed.

Civil Air Patrol (sec. 1089)

The Senate committee-reported bill contained a provision (sec. 1064) that would require the Secretary of the Air Force to produce a report on the Civil Air Patrol (CAP) that would, among other things, identify the requirement for the total fleet of CAP aircraft.

The House bill contained no similar provision.

The agreement includes this provision.

SUBTITLE I—OTHER MATTERS

Technical and clerical amendments (sec. 1091)

The House bill contained a provision (sec. 1081) that would make a number of technical and clerical amendments of a non-substantive nature to existing law.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a technical amendment.

Reduction in costs to report critical changes to major automated information system programs (sec. 1092)

The House bill contained a provision (sec. 1083) that would give Department of Defense senior officials responsible for major automated information system programs the option of submitting to the congressional defense committees either a critical change report when required, or a streamlined notification when the official further concludes

that the critical change occurred primarily due to congressional action, such as a reduction in program funding.

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision with a clarifying amendment.

Extension of authority of Secretary of Transportation to issue non-premium aviation insurance (sec. 1093)

The House bill contained a provision (sec. 1084) that would amend section 44310 of title 49, United States Code, relating to the expiration of non-premium insurance under chapter 443 of that title, to extend the authority of the Secretary of Transportation to provide insurance and reinsurance.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Extension of Ministry of Defense Advisor Program and authority to waive reimbursement of costs of activities for certain nongovernmental personnel (sec. 1094)

The House bill contained a provision (sec. 1073) that would modify section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81), to extend the deadline for the required report of the Comptroller General of the United States from December 30, 2013, to December 30, 2014.

The Senate committee-reported bill contained a provision that would modify section 1081 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) to extend the authority of the Secretary of Defense to advise foreign defense ministries for an additional 5 fiscal years. The provision would also extend the requirement of the Secretary of Defense to provide an annual report to the Committees on Armed Services of the Senate and the House of Representatives, and would provide the Comptroller General of the United States an additional year to conduct the evaluation of the effectiveness of the program under the original authority.

The agreement includes the Senate provision with an amendment that would extend the program through the end of fiscal year 2017. The agreement also extends, for 1 fiscal year, the authority of the Secretary of Defense to waive the reimbursement of costs requirement for certain nongovernmental personnel at the Department of Defense regional centers for security studies (as most recently amended section 941(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009).

Amendments to certain national commissions (sec. 1095)

The House bill contained a provision (sec. 1085) that would enable parity for compensation and ethics workday computations by decreasing and making optional the annual compensation rate for commissioners appointed to the National Commission on the Structure of the Air Force that was established in subtitle G of title III of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239).

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would make various technical changes to the Military Compensation and Retirement Modernization Commission, enacted in sections 671 through 680 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), including additional authorities for the Commission, extended timelines and milestones, and increased funding.

Strategy for future military information operations capabilities (sec. 1096)

The House bill contained a provision (sec. 1087) that would require the Secretary of Defense to develop and implement a strategy for developing and sustaining military information operations capabilities for future contingencies.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Sense of Congress on collaboration on border security (sec. 1097)

The House bill contained a provision (sec. 1090) that would authorize the Secretary of Defense to coordinate with the Secretary of Homeland Security on the transfer or long-term loan to the Department of Homeland Security (DHS) of excess Department of Defense (DOD) equipment that may be appropriate for use in efforts related to improving U.S. border security.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would express the sense of Congress that DOD and DHS should, consistent with existing laws and authorities, seek to collaborate on enhanced U.S. border security, including by identifying excess property of DOD, if any, that may be suitable for use by the DHS to support border security efforts. We believe such collaboration could be useful to increase situational awareness and to help achieve operational control of the international borders of the United States.

Transfer of aircraft to other departments for wildfire suppression and other purposes; tactical airlift fleet of the Air Force (sec. 1098)

The Senate committee-reported bill contained a provision (sec. 131) that would require the Secretary of the Air Force to consider, as part of the recapitalization of the tactical airlift fleet of the Air Force: (1) Upgrades to legacy C-130H aircraft designed to help such aircraft meet the fuel economy goals of the Air Force; and (2) Retention of such upgraded aircraft in the tactical airlift fleet. It would also require that the Secretary ensure that upgrades to the C-130H fleet are made in a manner that is proportional to the number of C-130H aircraft in the force structure of the active Air Force, the Air Force Reserve, and the Air National Guard.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would add direction that: (1) The Secretary of the Army offer to transfer eight specific C-23Bs to the Governor of Alaska; (2) The Secretary of Defense transfer up to 15 C-23Bs to the Forest Service; (3) The Coast Guard transfer seven C-130s to the Air Force; (4) The Air Force modify the Coast Guard C-130s to serve as firefighting tanker aircraft for the Forest Service; and (5) The Secretary of Defense transfer 14 C-27J aircraft to the Coast Guard upon completion of these actions.

We also direct the Secretary of the Air Force and the Secretary of the Army to provide the Committees on Armed Services of the Senate and the House of Representatives, not later than January 30, 2014, a quarterly report or briefing on the cost, schedule, and execution of notable events related to the aircraft transfers and modifications required within the provision.

LEGISLATIVE PROVISIONS NOT ADOPTED

Department of Defense Readiness Restoration Fund

The Senate committee-reported bill contained a provision (sec. 1002) that would establish a Department of Defense (DOD) Readiness Restoration Fund in order to provide the DOD with increased flexibility to transfer funds that may be available to high priority readiness accounts, where necessary to address significant shortfalls in funding otherwise available for the training activities of the armed forces (including flying hours and steaming days) and the maintenance of military equipment.

The House bill contained no similar provision.

The agreement does not include this provision.

We note that the reductions in discretionary appropriations and direct spending accounts under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) were never intended to take effect, the readiness of the Nation's military is weakened by sequestration, sequestration has budgetary and cost impacts beyond the programmatic level, and there is limited information about these indirect costs to the Federal Government. It is the sense of Congress that the Government Accountability Office should report on the long-term budgetary costs and effects of sequestration, including on procurement activities and contracts with the Federal Government.

Sense of Congress regarding the National Guard Counter-Narcotic Program

The House bill contained a provision (sec. 1014) that would express the sense of Congress regarding the importance of the National Guard Counterdrug Program (CDP) as a tool in combating drug trafficking into the United States and the need for continued support and funding of such programs, especially along the Southwest border.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that the Department of Defense requests funding annually to support the National Guard CDP. We believe that the CDP plays an important role in providing military-specific capabilities and expertise resident within the National Guard to support the counterdrug activities of federal, state, and local authorities. We believe this support has proven effective in helping to meet national counterdrug objectives.

Repair of vessels in foreign shipyards

The House bill contained a provision (sec. 1023) that would amend section 7310 of title 10, United States Code, to require that naval vessels that do not have a designated homeport to be treated as homeported in the United States or Guam, and to change the definition of voyage repair.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We direct the Secretary of the Navy, not later than June 30, 2014, to submit to the congressional defense committees a report on ship repair capabilities in Guam—including skilled personnel, equipment, and facilities—in support of Department of the Navy capabilities needed to sustain United States naval forces readiness in the Guam region.

Authority to temporarily transfer individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States for emergency or critical medical treatment

The Senate committee-reported bill contained a provision (sec. 1032) that would provide the Secretary of Defense the authority to temporarily transfer individuals detained at the Guantanamo detention facility (GTMO) to a Department of Defense medical facility for the sole purpose of providing emergency or critical medical treatment if such treatment is not available at GTMO and is necessary to prevent death or imminent significant injury or harm to the individual's health.

The House bill contained no similar provision.

The agreement does not include this provision.

Assessment of affiliates and adherents of Al Qaeda outside the United States

The House bill contained a provision (sec. 1036) that would require an assessment of any group operating outside the United States that is an affiliate or adherent of, or otherwise related to, Al Qaeda; a summary of relevant information relating to each such group; an assessment of whether each group is part of or substantially supporting Al Qaeda or the Taliban, or constitutes an associated force that is engaged in hostilities against the United States or its coalition partners; and the criteria used to determine the nature and extent of each group's relationship to Al Qaeda.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We direct the Secretary of Defense, not later than 120 days after the enactment of this Act, to provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives that provides definitions and the processes to determine if an entity is an affiliate, associated force and/or an adherent of al Qaeda or the Taliban; and an assessment of the groups or entities that the Department considers to be affiliates or adherents of al Qaeda.

In consultation with the committees of jurisdiction over the Authorization for Use of Military Force (Public Law 110-40), we direct the Secretary of State to provide the same briefing to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the aforementioned matters.

Designation of Department of Defense senior official for facilitating the transfer of individuals detained at United States Naval Station, Guantanamo Bay, Cuba

The House bill contained a provision (sec. 1037) that would require the Secretary of Defense to designate a senior official within the Department of Defense (DOD) with principal responsibility for the coordination and management of the transfer of individuals detained at U.S. Naval Station, Guantanamo Bay, Cuba.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision. We note that the Secretary of Defense appointed the senior DOD official responsible for coordinating and managing transfers of Guantanamo detainees in October 2013.

Summary of information relating to individuals detained at Guantanamo who became leaders of foreign terrorist groups

The House bill contained a provision (sec. 1040A) that would require the public release

of summary information on individuals formerly detained at United States Naval Station, Guantanamo Bay, Cuba, who have, since being transferred or released from such detention, become leaders or involved in the leadership structure of a foreign terrorist group.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Procedures governing United States citizens apprehended inside the United States pursuant to the Authorization for Use of Military Force

The House bill contained a provision (sec. 1040B) that would affirm the availability of the writ of habeas corpus for any U.S. citizen apprehended inside the United States pursuant to the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note), and set out certain procedural requirements for any habeas proceeding brought by such a U.S. citizen.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Prohibition on the use of funds for recreational facilities for individuals detained at Guantanamo

The House bill contained a provision (sec. 1040C) that would prohibit the use of Department of Defense funds to provide additional or upgraded recreational facilities for individuals detained at United States Naval Station, Guantanamo Bay, Cuba.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Prohibition on transfer or release of individuals detained at Guantanamo to Yemen

The House bill contained a provision (sec. 1040D) that would prohibit the use of Department of Defense funds to transfer, release, or assist in the transfer or release, of any individual detained at Guantanamo to the Republic of Yemen or any entity within Yemen during the period beginning on the date of enactment of this Act and ending on December 31, 2014.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Department of Defense representation in dispute resolution regarding surrender of Department of Defense bands of electromagnetic frequencies

The Senate committee-reported bill contained a provision (sec. 1052) that would amend section 1062(b)(1) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65) to require that the Department of Defense be adequately represented to convey its views with the interagency process for spectrum allocation.

The House bill contained no similar amendment.

The agreement does not include this provision.

Assessment of nuclear weapons program of the People's Republic of China

The House bill contained a provision (sec. 1057) that would amend section 1045(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to extend the date of the required assessment until August 15, 2014. The section would also provide not more than 75 percent of the funds made available to the Office of the Secretary of

Defense for travel may be obligated or expended until 30 days after the Secretary notifies the appropriate congressional committees that the assessment has begun.

The agreement does not include this provision.

Subsequent to passage by the House of H.R. 1960, the Department of Defense entered into a contract with the Institute for Defense Analyses (IDA) to carry out the requirement of section 1045(b). We have been informed that IDA was given notice to proceed on this work on September 18, 2013, and will be required to submit to the Department its draft report on July 1, 2014, with a formal final report to be submitted by August 29, 2014. We look forward to the report assembled by IDA and its panel of independent experts.

Cost estimates for nuclear weapons

The House bill contained a provision (sec. 1058) that would amend section 1043(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) to include in the annual report required by such section a detailed estimate of the personnel costs associated with sustaining and modernizing the nuclear deterrent and nuclear weapons stockpile of the United States. The annual report would also be required to describe how and which locations were included in the cost estimate.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Report on plans for the disposition of the Mine Resistant Ambush Protected vehicle fleet

The Senate committee-reported bill contained a provision (sec. 1062) that would require the Secretary of Defense to provide a report on the Department's analysis and plans for the disposition and sustainment of its fleet of Mine Resistant Ambush Protected (MRAP) vehicles.

The House bill contained no similar provision.

The agreement does not include this provision.

Limitation on use of funds for public-private cooperation activities

The House bill contained a provision (sec. 1064) that would prohibit the obligation or expenditure of funds for any public-private cooperation activity by a combatant command until the Committees on Armed Services of the Senate and the House of Representatives receive the Defense Business Board report that the Secretary of Defense was directed to provide under the committee report accompanying H.R. 4310 of the 112th Congress (H. Rept. 112-479).

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision. We note that the specified report was received by the committees in October 2013. We encourage the Secretary of Defense to ensure that the proper guidance and procedures are in place for such public-private cooperation activities by the combatant commands and to consult regularly with the committees regarding the proper scope and implementation of such activities.

Matters for inclusion in the assessment of the 2013 Quadrennial Defense Review

The House bill contained a provision (sec. 1075) that would require the National Defense Panel (NDP) established pursuant to subsection 118(f) of title 10, United States Code, to assess the recommendation of the 2009 Quadrennial Defense Review Inde-

pendent Panel (QDRIP), to establish a standing, independent strategic review panel.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Under the provisions of section 118(f)(9)(A) of title 10, United States Code, the heads of departments and agencies of the Department of Defense are required, upon request, to cooperate with the NDP to ensure that information it considers necessary to carry out its duties is promptly provided to the maximum extent practical. It is particularly important for the NDP to have access, upon request, to information, including appropriate access to previous studies, data, assumptions, scenarios, analysis, and recommendations related to the Department's series of recent strategy and program reviews such as the Defense Strategic Guidance, Strategic Choices and Management Review, and Chairman of the Joint Chiefs of Staff Risk Assessment.

Provision of defense planning guidance and contingency operation plan information to Congress

The House bill contained a provision (sec. 1079) that would require the Secretary of Defense to provide to the congressional defense committees an annual report containing summaries of the Secretary's defense planning guidance and guidance to the Chairman, Joint Chiefs of Staff for contingency operation plans. This provision would also prohibit the obligation or expenditure of 75 percent of the funds, authorized to be appropriated for operation and maintenance, defense-wide, for the Office of the Secretary of Defense, until the Secretary of Defense submits the first report.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Last year's statement of managers to accompany the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) directs the Secretary of Defense, upon request, to provide the congressional defense committees with a briefing that describes the defense planning guidance, as required by section 113 of title 10, United States Code, and from which the budget request submitted was developed. Such a briefing is particularly important now given the significant changes in the strategic and fiscal plans currently under consideration by the Department. For this reason we expect the Department to provide the required briefing, upon request, with regard to existing defense policy guidance used for the Department's fiscal year 2014 budget request. This briefing will serve as a baseline to help the committees understand any changes to the guidance that may be adopted in the course of the current review and to assist with the oversight and assessment of any subsequent strategic or budgetary changes.

Report on U.S. citizens subject to military detention

The House bill contained a provision (sec. 1080) that would require the Secretary of Defense to provide an annual report on U.S. citizens subject to military detention.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Report on long-term costs of Operation Iraqi Freedom and Operation Enduring Freedom

The House bill contained a provision (sec. 1080B) that would require the President to

submit to Congress a report containing an estimate of the previous costs of Operation New Dawn and the long-term costs of Operation Enduring Freedom.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Report on air transportation of supplies for the United States

The House bill contained a provision (sec. 1082) that would: (1) Modify section 2631a of title 10, United States Code, to provide a preference for Civil Reserve Air Fleet (CRAF) aircraft for the transportation of Department of Defense (DOD) supplies; (2) Require the DOD to submit an annual report regarding use of outsize and oversize cargo flights; and (3) Amend chapter 401 of title 49, United States Code, to direct at least 50 percent of the gross tonnage of the equipment, materials, or commodities that are procured, contracted, or subcontracted for by the U.S. Government to be transported by CRAF aircraft.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We agree that the Secretary of Defense should provide a report to the congressional defense committees within 180 days of enactment of this Act that includes assessments of the following:

(1) The effects on CRAF carriers of section 41106 of title 49, United States Code, and that section's ability to help the Secretary of Defense support the goals of the National Airlift Policy and maintain an adequate industrial base for CRAF carriers;

(2) The percentages of the gross tonnage of the equipment, materials, or commodities transported on fixed wing aircraft broken out by organic airlift and specific commercial carriers;

(4) The volume of outsize and oversize cargo flights, to include requirements and procedures;

(5) The ability of CRAF carriers to meet requirements to transport any equipment, materials, or commodities for the use of U.S. military operations and respond to a humanitarian disaster; and

(6) Current waiver authorities and whether there is any need to change those authorities to help the Secretary of Defense support the goals of the National Airlift Policy and maintain an adequate industrial base for CRAF carriers.

Transportation of supplies to members of the Armed Forces from nonprofit organizations

The House bill contained a provision (sec. 1082A) that would insert a new section after section 402 in title 10, United States Code, to allow the Secretary of Defense to transport, on a space available basis and without charge, supplies that have been furnished by a nonprofit organization and that are intended for distribution to members of the armed forces.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

The Secretary of Defense informed us that he already has the authority to accept donations and gifts for the benefit of our armed forces, but that the Department of Defense has very limited resources to receive, screen, and transport donations and gifts.

Protection of tier one task critical assets from electromagnetic pulse and high-powered microwave systems

The House bill contained a provision (sec. 1086) that would require the Secretary of Defense to certify to the congressional defense committees that certain defense critical assets are protected from the adverse effects of electromagnetic pulses (EMP) and high-powered microwave (HPM) systems, and to prepare a plan to ensure protected electrical power for any such assets that are not certified.

The Senate committee-reported bill contained no similar provision.

The agreement does not include the provision.

We note that the Department of Defense (DOD) has in place well-documented policies and practices for the protection of defense critical infrastructure against a wide variety of potential threats and hazards. This all-hazards risk mitigation and protection approach covers both natural phenomena and man-made hazards and attacks, including EMP and potential electrical power disruption, and considers both the probability and severity of potential hazards.

The Department's Defense Critical Infrastructure Protection (DCIP) program is focused on mission assurance to meet DOD needs. It performs recurring analyses of infrastructure vulnerability and risk mitigation options to reduce vulnerability and enhance mission assurance in a cost-effective manner. These assessments result in prioritized plans to mitigate risks to defense critical infrastructure, which changes as mission requirements change and as additional redundancy is established. The Department then takes appropriate risk mitigation steps according to these prioritized plans.

In reviewing the methodology supporting this prioritization, we believe DCIP has institutionalized a process that can address the type of certification process called for in the House provision, without injecting unwarranted redundant assessment or planning processes. We expect the DOD to continue using the DCIP program to review its assets against EMP and other emerging threats to ensure ongoing protection efforts supporting mission assurance. We expect the Department to keep the congressional defense committees apprised of any significant updates or changes to the DCIP program, as well as to the status of any specific infrastructure assets assessed to have a critical vulnerability to EMP, as they conduct future assessments.

While we believe the Department has a good process for evaluating the risks and mitigation measures for EMP through the DCIP program, we believe that a better understanding of the intelligence community's views on the threats posed by EMP or HPM systems would be helpful in understanding what more might be done by DOD to enhance its protective posture. Therefore, we direct the Director of the Defense Intelligence Agency to provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives, within 60 days of the enactment of this Act, on the threats posed to DOD infrastructure by the natural occurrence or intentional use of EMP or HPM effects.

Compliance of military departments with minimum safe staffing standards

The House bill contained a provision (sec. 1088) that would require the Secretary of Defense to ensure that all military departments comply with Department of Defense

Fire and Emergency Services Program policy requirements on safe staffing.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain the provision.

Determination and disclosure of transportation costs incurred by Secretary of Defense for congressional trips outside the United States

The House bill contained a provision (sec. 1089) that would require the Secretary of Defense to determine the cost of the transportation provided in the case of a trip taken by a member, officer, or employee of the House of Representatives or Senate in carrying out official duties outside the United States for which the Department of Defense provides transportation and to provide a written statement of the cost not later than 10 days after completion of the trip to the member, officer, or employee involved and to the Committee on Armed Services of the Senate or the House of Representatives.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We support public disclosure of official foreign travel by members, officers, and employees of the House of Representatives and Senate. To this end, we note that section 1754 (b) of title 22, United States Code, contains reporting and disclosure requirements for congressional travel outside the United States, including a requirement for reports to be open to public inspection and published in the Congressional Record. We recognize there are circumstances under which transportation provided by the Department of Defense best meets the needs of congressional delegations, ranging from protecting the safety and security of the delegation to expediency and accessing destinations that have little to no commercial air service. We further note that the Committees on Armed Services of the Senate and the House of Representatives each maintain policies and processes to provide further oversight of travel requests by members and employees of the committees.

Transfer to the Department of Homeland Security of the Tethered Aerostat Radar System

The House bill contained a provision (sec. 1091) that would authorize the Secretary of Defense to transfer to the Department of Homeland Security the Tethered Aerostat Radar System (TARS).

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that the transfer of the TARS program took place after the House bill was written.

Sale or donation of excess personal property for border security activities

The House bill contained a provision (sec. 1092) that would amend section 2576a of title 10, United States Code, to permit the Secretary of Defense to transfer personal property to border security activities in consultation with the Secretary of Homeland Security.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain the provision.

We note that that the Department of Homeland Security can participate in the sale or donation of excess personal property for border security activities under the current law.

We direct the Comptroller General of the United States to conduct a study of the De-

partment of Defense's process for disposing of surplus personal property, focusing on: (1) an overview of how the disposal process works in practice; (2) the means used to dispose of surplus property; and (3) recommendations to improve the efficiency and effectiveness of the current disposal process.

Unmanned aircraft systems and National Airspace

The House bill contained a provision (sec. 1093) that would authorize the Secretary of Defense to enter into a memorandum of understanding with a non-Department of Defense entity that is engaged in the test range program authorized under section 332(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95) to allow such entity access to non-regulatory special use airspace if such access: (1) is used by the entity as part of such test range program; and (2) does not interfere with the activities of the Secretary or otherwise interrupt or delay missions or training of the Department of Defense (DOD). The underlying Act authorized the Federal Aviation Administration (FAA) to identify up to six test ranges at which interested parties could develop and test procedures under which the FAA might allow access to the National Airspace System on a routine basis.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

However, we agree that: (1) developing established procedures to integrate unmanned aircraft systems into the National Airspace System will be very important in allowing both DOD and non-DOD entities to train with and operate these systems on a routine basis; and (2) developing these procedures could include the use of FAA-designated DOD non-regulatory special use airspace.

Days on which the POW/MIA flag is displayed on certain federal property

The House bill contained a provision (sec. 1094) that would require that, on federal installations, the National League of Families POW/MIA Flag be displayed on all days on which the flag of the United States is displayed.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Sense of Congress on improvised explosive devices

The House bill contained a provision (sec. 1095) that would express the sense of Congress on the use of improvised explosive devices against members of the United States Armed Forces or people of the United States.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Sense of Congress to maintain a strong National Guard and Military Reserve force

The House bill contained a provision (sec. 1096) that would express the sense of Congress that (1) the Secretary of Defense should make every effort to ensure the Military Reserve and National Guard forces are sustained by a fully-manned and fully-funded force and that the United States fulfill its longstanding commitment to unyielding readiness in terms of defense; (2) the Secretary of Defense should act with the knowledge that the National Guard and Reserves are critical components of the armed forces, particularly as a means of preserving combat power during a time of budget austerity; and

(3) Congress repudiates proposals to diminish the National Guard or Reserves and affirms the growth of these components as circumstances warrant.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Access of employees of congressional support offices to Department of Defense facilities

The House bill contained a provision (sec. 1097) that would require the Secretary of Defense to provide employees of any congressional support office who work on issues related to national security with access to facilities of the Department of Defense in the same manner, and subject to the same terms and conditions, as employees of the Committees on Armed Services of the Senate and the House of Representatives.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We encourage the Secretary of Defense to implement procedures for providing Pentagon access to employees of congressional support offices similar to the procedures currently used to provide access to Government Accountability Office employees and to keep the Committees on Armed Services of the Senate and the House of Representatives informed of the progress of implementing such procedures.

Cost of wars

The House bill contained a provision (sec. 1098) that would require the Department of Defense to post on its public web site the costs of the wars in Afghanistan and Iraq.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that reports on the costs of the wars in Afghanistan and Iraq have been published by the Congressional Budget Office (CBO) and the Congressional Research Service (CRS). We further note that CBO reports are publicly available and published on the Internet, and CRS reports are available to Members of Congress.

Sense of Congress regarding consideration of foreign languages and cultures in the building of partner capacity

The House bill contained a provision (sec. 1099) that would express the sense of Congress that the Department of Defense (DOD) should take into consideration foreign languages and cultures in DOD's training, tools and methodologies for military-to-military activities and building partner capacity.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision. We encourage the DOD to incorporate the consideration of foreign languages and cultures into its training and procedures for engaging in and benefiting from military-to-military cooperation and building partner capacity activities.

Sense of Congress regarding preservation of second amendment rights of active duty military personnel stationed or residing in the District of Columbia

The House bill contained a provision (sec. 1099A) that would express the sense of Congress that active duty military personnel who are stationed or residing in the District of Columbia should be permitted to exercise fully their rights under the Second Amendment to the Constitution of the United States and therefore should be exempt from

the District of Columbia's restrictions on the possession of firearms.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

TITLE XI—CIVILIAN PERSONNEL MATTERS

One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas (sec. 1101)

The House bill contained a provision (sec. 1101) that would authorize the head of an executive agency to waive limitations on the aggregate of basic and premium pay payable through calendar year 2014 to an employee who performs work in an overseas location that is in the area of responsibility of the Commander, U.S. Central Command (CENTCOM), or a location that was formerly in CENTCOM but has been moved to an area of responsibility of the Commander, U.S. Africa Command, in support of a contingency operation or an operation in response to a declared emergency. The amount payable may not exceed the total annual compensation payable to the Vice President under section 104 of title 3, United States Code.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

One-year extension of discretionary authority to grant allowances, benefits, and gratuities to personnel on official duty in a combat zone (sec. 1102)

The House bill contained a provision (sec. 1102) that would authorize temporary discretionary authority to federal agencies to grant allowances, benefits, and gratuities comparable to those provided to members of the foreign service to an agency's civilian employees on official duty in a combat zone. This authority would expire at the end of fiscal year 2015.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Extension of voluntary reduction-in-force authority for civilian employees of the Department of Defense (sec. 1103)

The House bill contained a provision (sec. 1103) that would amend section 3502(f)(5) of title 5, United States Code, to extend through September 30, 2015, the authority of the Secretary of Defense or the secretary of a military department to allow certain civilian employees to volunteer for reduction-in-force separations.

The Senate committee-reported bill contained a provision (sec. 1101) that would amend section 3502(f)(5) of title 5, United States Code, to extend through September 30, 2018, the authority of the Secretary of Defense or the secretary of a military department to allow certain civilian employees to volunteer for reduction-in-force separations.

The agreement includes the Senate provision.

Extension of authority to make lump-sum severance payments to Department of Defense employees (sec. 1104)

The House bill contained a provision (sec. 1104) that would amend section 5595(i)(4) of title 5, United States Code, to extend until October 1, 2018, the authority for the Secretary of Defense or the secretary of a military department to pay the total amount of severance pay to an eligible civilian employee in one lump sum.

The Senate committee-reported bill contained a similar provision (sec. 1102).

The agreement includes the House provision.

Revision to amount of financial assistance under Department of Defense Science, Mathematics, and Research for Transformation (SMART) Defense Education Program and assessment of STEM and other programs (sec. 1105)

The House bill contained a provision (sec. 1105) that would increase the flexibility of the Secretary of Defense to determine the amount of the financial assistance delivered by the Science, Mathematics, and Research for Transformation (SMART) program.

The Senate committee-reported bill contained a similar provision (sec. 1105).

The agreement includes the House provision with an amendment requiring an assessment of the SMART program, as well as for the National Security Science and Engineering Faculty Fellowship (NSSEFF) program, and a number of Department of Defense Pre-Kindergarten through 12th grade Science, Technology, Engineering and Mathematics (STEM) programs.

Extension of program for exchange of information-technology personnel (sec. 1106)

The House bill contained a provision (sec. 1106) that would authorize for an additional 10 years the Information Technology Exchange Program for the Department of Defense.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision with an amendment that would authorize for an additional 5 years the Information Technology Exchange Program for the Department of Defense.

Temporary authorities for certain positions at Department of Defense research and engineering facilities (sec. 1107)

The House bill contained a provision (sec. 1107) that would establish new authorities for the direct hiring and management of personnel at Department of Defense (DOD) Science and Technology Reinvention Laboratories. Specific elements addressed qualified candidates possessing a bachelor's degree, qualified veterans, students, members of the Senior Executive Service (SES), Senior Scientific Technical Managers (SSTM), and specially qualified scientific and professional personnel (known as ST).

The Senate committee-reported bill contained a provision (sec. 1107) that contained a number of similar elements of the House provision, namely the direct hiring authority for qualified candidates possessing a bachelor's degree as well as qualified veteran candidates.

The agreement includes the House provision with an amendment that removes elements relating to students, SESs, and STs.

We note that there have been concerns raised about the management of the senior scientific and technical workforce within DOD laboratories. Therefore, we direct the Under Secretary of Defense for Personnel and Readiness to submit a briefing to the Committees on Armed Services of the Senate and the House of Representatives within 90 days of the enactment of this Act on challenges to the management of the scientific and technical workforce of the Department, and recommendations for possible actions to improve such management. In preparing this briefing, the Under Secretary shall work with the relevant science and technology executives and personnel leadership in the Services to identify challenges to this workforce and examine opportunities to change policies and practices to improve the effectiveness and efficiencies of management procedures and practices. We note that DOD laboratories need to have streamlined, effective,

and efficient personnel system practices in order to be competitive employers of world-class scientific and technical talent.

Furthermore, as a subset of this review, we believe that the Department should also examine the mechanisms for bringing in interns and other undergraduate students from cooperative education programs into the Department's laboratories to determine if existing means are effective, and to propose any changes that might be necessary to improve those programs.

Compliance with law regarding availability of funding for civilian personnel (sec. 1108)

The House bill contained a provision (sec. 1108) that would require the Secretary of Defense to prescribe regulations, no later than 45 days after the enactment of this Act, implementing the authority provided in subsection (a) of section 1111 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84).

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision with an amendment that would require the Secretary of Defense to prescribe regulations, no later than 90 days after the enactment of this Act, implementing the authority provided in subsection (a) of section 1111 of the National Defense Authorization Act for Fiscal Year 2010.

Extension of enhanced appointment and compensation authority for civilian personnel for care and treatment of wounded and injured members of the Armed Forces (sec. 1109)

The House bill contained a provision (sec. 1109) that would amend section 1599c of title 10, United States Code, to extend through December 31, 2020, the existing authority of the Secretary of Defense to exercise any authority for the appointment and pay of health care personnel under chapter 74 of title 38, United States Code, for purposes of recruitment, employment, and retention of civilian health care professionals for the Department of Defense. The provision would repeal the now-obsolete section 1599c requirement for the service secretaries to develop and implement a strategy to disseminate the authorities and best practices for the recruitment of medical and health professionals.

The Senate committee-reported bill contained a similar provision (sec. 1104).

The agreement includes the House provision.

LEGISLATIVE PROVISION NOT ADOPTED

Flexibility in employment and compensation of civilian faculty at certain additional Department of Defense schools

The Senate committee-reported bill contained a provision (sec. 1106) that would amend section 1595(c) of title 10, United States Code, to add the Defense Institute for Security Assistance Management and the Joint Special Operations University to the list of Department of Defense schools at which the Secretary of Defense may employ and compensate civilian faculty as the Secretary considers necessary.

The House bill contained no similar provision.

The agreement does not include this provision.

We note that the Department of Defense and the military departments have proposed changes over the past several years to extend the use of civilian faculty employed under title 10, United States Code, at Department of Defense schools and Professional Military Education (PME) programs that provide less

than 10 months of academic instruction. We believe the Department and the Services have not applied adequate rigorous analysis of and justification for these requests. Section 1124 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101-189) expanded the authority to employ civilian faculty at PME schools beyond the Naval War College to the National Defense University, the Army War College and United States Army Command and General Staff College, the Marine Corps Command and Staff College and Air University for principal courses of instruction of at least 10 months. As stated in the Report of the Panel on Military Education of the One Hundredth Congress of the Committee on Armed Services, House of Representatives, the intent of the expansion was that intermediate and senior PME schools were graduate level programs of instruction and civilian instructors were key to maintaining a high quality of instruction. The panel believed competitive civilian faculty could help attract other quality faculty from civilian education institutions and add depth to the curriculum, thus improving the quality of instruction. We believe this principle still applies in today's environment and that the employment of civilian faculty under title 10, United States Code, at PME institutions and schools should be reserved for courses of instruction that are graduate level in nature.

Therefore, we direct the Secretary of Defense to review the civilian faculty requirements for all Department of Defense and PME schools, universities, and institutes to determine if there are graduate level courses of instruction that are less than 10 months in duration that may be authorized the employment of civilian faculty under title 10, United States Code. The review should include by-program justification for the utilization of civilian instructors rather than military instructors or contract instructors, and an accompanying cost-benefit analysis. The Secretary of Defense shall submit the findings of the review and any recommendations for changes to the employment of civilian faculty to the Committees on Armed Services of the Senate and the House of Representatives no later than March 1, 2015.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

SUBTITLE A—ASSISTANCE AND TRAINING

Modification and extension of authorities relating to program to build the capacity of foreign military forces (sec. 1201)

The House bill contained a provision (sec. 1201) that would extend and modify the authority under section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163), as amended, to conduct a program to build the capacity of foreign military forces to conduct counterterrorism operations or stability operations (the "global train and equip program"). The provision would expand the purposes for which train and equip assistance may be provided under this program, and expand the types of security forces that may receive such assistance. The provision would also require that information be submitted, as part of the annual budget justification materials, on the planning and execution of the global train and equip program for the coming fiscal year. The limitation on funds available for the program would be increased from \$350.0 million to \$425.0 million per fiscal year, and the termination of the program would be extended until September 30, 2016. Finally, the House provision would repeal ex-

isting authorities for training and equipping counterterrorism forces in Yemen and East Africa.

The Senate committee-reported bill contained a provision (sec. 1201) that would extend the authority for the global train and equip program through fiscal year 2018 and require a report on counterterrorism-related assistance under the program.

The agreement includes the House provision with an amendment that would maintain the current purposes for which train and equip assistance may be provided under the program, specifically building capability relating to the conduct of counterterrorism operations, and military and stability operations in conjunction with U.S. forces. The amendment would expand the types of forces that may receive assistance under the program to include a foreign country's security forces with a counterterrorism mission. We recognize that in certain countries the lead counterterrorism unit is not located in the Ministry of Defense (MOD).

The provision included in the agreement would also limit the level of funding available annually for the global train and equip program to \$350.0 million and extend the authority for the program through fiscal year 2017. In addition, funds available for fiscal year 2015 would be restricted to no more than \$262.5 million until the Secretary of Defense, with the concurrence of the Secretary of State, submits a non-binding report on the proposed planning and execution of fiscal year 2015 programs intended to be conducted or supported under the authority to build the capacity of a foreign country's security forces, other than MOD forces, to conduct counterterrorism operations.

The provision in the agreement would include the reporting requirement from the Senate provision regarding counterterrorism-related assistance, but would not include the House provision's repeal of existing authorities for training and equipping security forces in Yemen and East Africa.

Global Security Contingency Fund (sec. 1202)

The House bill contained a provision (sec. 1203) that would make certain technical amendments to the authority for the Global Security Contingency Fund (GSCF) under section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81), including changes to the notification requirements. The provision would also require a report to the specified congressional committees on the guidance and processes for the GSCF.

The Senate committee-reported bill contained a similar provision (sec. 1202) making technical changes to GSCF.

The agreement includes the House provision with a technical and clarifying amendment.

We are concerned about the procedures and processes for implementation of the GSCF program and the coordination of GSCF activities with other programs for building partner capacity. Therefore, the Comptroller General is directed to conduct a review of the procedures and processes established by the Department of Defense (DOD) and Department of State (DOS) to administer and implement activities funded by GSCF. Specifically, the Comptroller General is directed to review:

(1) The process for the DOS and DOD, including the defense agencies and the combatant commands, to identify proposed GSCF activities;

(2) The extent to which DOD, in conjunction with DOS, has procedures in place to review, prioritize, and approve activities to be

funded through GSCF and coordinate those activities with other programs to build partner capacity; and

(3) The extent to which DOD, in conjunction with DOS, has developed a monitoring and evaluation framework to measure the effectiveness of the activities implemented and funded by the GSCF.

The Comptroller General is directed to submit the report containing the findings of this review to the relevant congressional committees by October 1, 2014. For purposes of this requirement, the relevant congressional committees are the Committees on Armed Services, Foreign Relations, and Appropriations of the Senate and the Committees on Armed Services, Foreign Affairs, and Appropriations of the House of Representatives.

Training of general purpose forces of the United States Armed Forces with military and other security forces of friendly foreign countries (sec. 1203)

The Senate committee-reported bill contained a provision (sec. 1203) that would permit the Secretary of Defense to authorize training with the military forces or other security forces of a friendly foreign country in order to prepare the U.S. armed forces to train the military forces or other security forces of a friendly foreign country and enhance interoperability. Training with foreign military forces under this authority must be in the U.S. national interest and consistent with U.S. national security strategy as well as the recent presidential guidance on security sector assistance.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would: (1) Modify elements of the annual reporting requirement; (2) Add a section relating to the types of training authorized; (3) Provide for coordination and concurrence of the Secretary of State; (4) Establish a notification requirement; and (5) Define for purposes of the delivery of the annual report the appropriate congressional committees.

We are concerned about the deteriorating readiness of U.S. general purpose forces, particularly ground forces, to conduct their mission-essential tasks. We intend to monitor the execution of this authority closely and expect activities authorized by this provision to be used in a way that most effectively supports the readiness requirements of U.S. forces.

Authority to conduct activities to enhance the capability of foreign countries to respond to incidents involving weapons of mass destruction (sec. 1204)

The House bill contained a provision (sec. 1205) that would authorize the Secretary of Defense, in concurrence with the Secretary of State, to provide assistance to the military and civilian response organizations of certain foreign countries in the region around Syria in order for such countries to respond effectively to incidents involving weapons of mass destruction.

The Senate committee-reported bill contained a similar provision (sec. 1206) that would authorize the Secretary of Defense to provide such assistance to foreign nations, without limiting the assistance to countries in the region around Syria.

The agreement includes a provision that would incorporate elements of each bill provision. It would provide the authority for the Secretary of Defense to provide assistance to the military and civilian first responder organizations of the nations that border Syria,

and to provide such assistance to other nations if the Secretary notifies the congressional defense committees of the Secretary's intention to do so. The provision would also require reports for each year in which the authority is used, including details on the assistance provided and the costs incurred. The provision would also require the Secretary to provide notification if the Secretary plans to use more than \$4.0 million for the program in a fiscal year. Finally, the authority provided in the provision would expire after September 30, 2017.

Authorization of National Guard State Partnership Program (sec. 1205)

The House bill contained a provision (sec. 1204) that would codify the National Guard State Partnership Program in chapter 1 of title 32, United States Code.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would authorize the Secretary of Defense, in consultation with the Secretary of State, to establish a program for bilateral or multilateral military-to-military exchanges with the National Guard of a State or territory and the national military forces of a foreign nation ("State Partnership Program"). The provision would also require the publication of new regulations to modify existing regulation to conform to this new authority; provide certain authorization for the payment of expenses; require a series of notifications and reports; repeal Section 1210 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2517; 32 U.S.C. 107 note); and establish a sunset of the underlying authority at the end of fiscal year 2016.

We intend for engagement with other than the military forces to be focused—to the maximum extent—on disaster response or emergency response. For military-to-military engagement, we anticipate that annual reporting may be done in tabular format, but that the Department of Defense should provide a sufficient level of information so that extensive follow-up is not required. This authority is in no way intended to preclude National Guard personnel from engaging with partnered forces under other Department of Defense and State Department authorities, for example, Joint Combined Exchange Training (10 U.S.C. 2011) and implementation of Foreign Military Financing programs (22 U.S.C. 2752).

United States security and assistance strategies in Africa (sec. 1206)

The Senate committee-reported bill contained a provision (sec. 1204) that would direct the Secretary of Defense to develop a strategic framework for U.S. counterterrorism assistance and cooperation in North Africa, including but not limited to programs conducted under the Trans-Sahara Counter Terrorism Partnership, Operation Enduring Freedom-Trans Sahara, and other related security assistance activities. The provision would also require the Secretary of Defense to submit a report to Congress on the details of this framework, as well as on lessons-learned from recent developments in Mali and the region.

The House bill contained no similar provision.

The agreement includes the Senate provision with a technical and clarifying amendment. The agreement also includes provisions that would: (1) Require an interagency strategy that supports the recent security and political gains in Somalia; (2) Require a

classified intelligence assessment on al Shabaab; and (3) Designate an existing senior U.S. Government official with existing interagency authority for export policy for Africa to coordinate among various U.S. Government agencies existing export strategies with the goal of significantly increasing U.S. exports to Africa.

We also acknowledge that the number of armed robbery at sea and piracy attacks in the Gulf of Guinea are increasing, with an ongoing pattern of cargo thefts and robbery, often occurring in the territorial waters of West and Central African states. Ongoing piracy and armed robbery at sea in the Gulf of Guinea pose a threat to international navigation, security, and the economic development of states in the region. It has been the U.S. strategy to improve the region's trade competitiveness and encourage the diversification of exports beyond natural resources. No later than 90 days after enactment of this Act, we direct the Secretary of Defense to provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives on the Department of Defense strategy to use its existing authorities to build capacity to combat armed robbery at sea, piracy, and other maritime threats.

We further note the importance of bringing to justice those individuals who committed, conspired to commit, attempted to commit, or aided or abetted in the commission of the September 11–12, 2012, terrorist attack on the Special Mission Compound and Annex in Benghazi, Libya. We note that, in January 2013, the Secretary of State has authorized a reward of up to \$10 million for information leading to the arrest of those individuals.

Assistance to the Government of Jordan for border security operations (sec. 1207)

The Senate committee-reported bill contained a provision (sec. 1205) that would authorize the Secretary of Defense, upon a determination from the President that it is in the national security interests of the United States, to use up to \$75.0 million of amounts authorized for the Coalition Support Fund account in fiscal years 2013 and 2014 to support the border security operations of the Jordanian Armed Forces.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would authorize the Secretary of Defense, with the concurrence of the Secretary of State, to provide assistance—on a reimbursable basis—to the Government of Jordan for purposes of supporting their armed forces efforts to increase security along the border between Jordan and Syria. Prior to any reimbursement, the provision would require the Secretary of Defense that the Government of Jordan is continuing to support and maintain efforts of the armed forces of Jordan to increase security or sustain increased security along the border between Jordan and Syria. Upon such certification, the Secretary of Defense may provide up to \$150.0 million from fiscal year 2014 funds, to be expended in fiscal years 2014 and 2015.

Support of foreign forces participating in operations to disarm the Lord's Resistance Army (sec. 1208)

The Senate committee-reported bill contained a provision (sec. 1207) that would authorize the Department of Defense to obligate not more than \$50.0 million in each fiscal year in operation and maintenance funding to provide logistical support, services and supplies, and intelligence support to: (1)

The national military forces of Uganda participating in operations to mitigate or eliminate the threat posed by the Lord's Resistance Army (LRA); and (2) The national military forces of any other countries determined by the Secretary of Defense, with the concurrence of the Secretary of State, to be participating in operations to mitigate or eliminate the threat posed by the LRA. The Secretary's authority would expire upon the termination of Operation Observant Compass.

The House bill contained a similar provision (sec. 1206).

The agreement includes the Senate provision with an amendment that would: (1) Extend the underlying authority through the end of fiscal year 2017; (2) Require the Secretary of Defense to submit a report relating to various matters associated with the ongoing operation to support foreign forces; and (3) Prohibit utilizing 25 percent of the underlying provision until the Secretary submits the required report to Congress.

We note that the support provided by U.S. military advisors was unnecessarily restricted due to interpretation of a combat exclusion clause and therefore removed it from the existing authority. We believe that U.S. military advisors should assist their partners with the full-range of activities short of direct combat. We note this provision expands the previous authority and increases the authorized funding level to \$50.0 million to provide in-the-field advice, assistance and support to foreign forces searching for Joseph Kony and his senior lieutenants, thereby strengthening the training and capabilities of the foreign forces to counter the LRA's capabilities in the region. With this expanded authority, we expect the Department of Defense to continue their progress towards the mission objectives of Operation Observant Compass. We remain fully supportive of this advice and assist operation.

SUBTITLE B—MATTERS RELATING TO
AFGHANISTAN, PAKISTAN, AND IRAQ

Commanders' Emergency Response Program in Afghanistan (sec. 1211)

The House bill contained a provision (sec. 1213) that would extend through fiscal year 2014 the authority under section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1619), as amended, for the Commanders' Emergency Response Program (CERP). The provision would limit the amount of funds available for the program to \$60.0 million.

The Senate committee-reported bill contained a similar provision (sec. 1211) that would extend the CERP authority for one year and would require a report on lessons learned and best practices from the execution of CERP in Iraq and Afghanistan.

The agreement includes the Senate provision with a clarifying amendment.

One-year extension of authority to use funds for reintegration activities in Afghanistan (sec. 1212)

The House bill contained a provision (sec. 1212) that would amend section 1216 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383), as amended, to extend the authority to use Department of Defense funds to support reintegration activities in Afghanistan and authorize the use of up to \$25.0 million for these purposes.

The Senate committee-reported bill contained an identical provision (sec. 1213).

The agreement includes this provision.

Extension of authority for reimbursement of certain coalition nations for support provided to United States military operations (sec. 1213)

The House bill contained a provision (sec. 1211) that would extend for fiscal year 2014 and modify the authority under section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181), as amended, to provide reimbursements to certain nations for support provided to U.S. military operations in Operation Enduring Freedom. The provision would limit funds available under this authority ("Coalition Support Funds") for fiscal year 2014 to \$1.5 billion. The provision would also require that, prior to making reimbursements to Pakistan, the Secretary of Defense must make certain certifications to the congressional defense committees, or invoke a national security waiver.

The Senate committee-reported bill contained a similar provision (sec. 1215) that would extend the authority under section 1233 of Public Law 110-181, as amended, for fiscal year 2014. The provision would also extend through fiscal year 2014 the notification requirements, under section 1232(b)(6) of the National Defense Authorization Act for Fiscal Year 2008 (122 Stat. 393) as amended, relating to Coalition Support Funds reimbursements for Pakistan for support provided by Pakistan. The provision would further extend the limitations, under section 1227(d) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2000), on reimbursements of Pakistan pending certain certifications regarding Pakistan.

The agreement includes the Senate provision with a technical amendment.

Extension and modification of authority to support operations and activities of the Office of Security Cooperation in Iraq (sec. 1214)

The House bill contained a provision (sec. 1214) that would extend for fiscal year 2014 the authority under section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81), as amended by section 1211 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-329), for the Secretary of Defense to use up to \$209.0 million in funds to support the operations and activities of the Office of Security Cooperation in Iraq (OSC-I). The provision would also authorize the OSC-I during fiscal year 2014 to conduct non-operational training of Iraqi Ministry of Defense (MOD) personnel in an institutional environment to build certain capabilities of the Iraqi security forces.

The Senate committee-reported bill contained a similar provision (sec. 1212) that would extend for fiscal year 2014 the authority to fund the OSC-I under section 1215 of Public Law 112-81, as amended. The provision would also authorize the OSC-I during fiscal year 2014 to conduct non-operational, institution-based training of Iraqi MOD and Counter Terrorism Service personnel. Such training would be required to include elements that promote the observance of and respect for human rights and fundamental freedoms, military professionalism, and respect for legitimate civilian authority within Iraq.

The agreement includes the provision in the Senate committee-reported bill.

An issue of concern is the safety and security of the residents of Camp Liberty (Hurriya), Iraq, and impediments to their resettlement in other countries. We direct the Secretary of State, in coordination with the Secretary of Defense, the Secretary of Home-

land Security, and the Attorney General, to submit a report on the current security situation at Camp Liberty and efforts to relocate the camp residents to other countries. The report should include:

(1) A description of the current security situation at Camp Liberty, the disposition of security resources such as T-walls and sandbags, and decisions by camp residents on how to use those resources;

(2) A description of the status review and resettlement process conducted by the United Nations High Commissioner on Refugees (UNHCR), a discussion of the degree of cooperation by camp residents with that process, and an estimate of when that process is expected to be completed;

(3) An estimate as of the date of the report on the number of residents still at Camp Liberty, the number of residents that have received refugee status, the number of residents that have been relocated (including to which countries), and the countries that have indicated a willingness to receive resettled residents; and

(4) A discussion of the steps that would need to be taken by recipient countries, the UNHCR, and the camp residents to relocate the residents to other countries.

The report should be provided not later than 120 days after the date of enactment of this Act to the Committees on Foreign Relations, Armed Services, Homeland Security and Governmental Affairs and Judiciary of the Senate and the Committees on Foreign Affairs, Armed Services, Homeland Security, and Judiciary of the House of Representatives.

One-year extension and modification of authority for program to develop and carry out infrastructure projects in Afghanistan (sec. 1215)

The House bill contained a provision (sec. 1215) that would extend the authority under section 1217 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383), as amended, for the program to build large-scale infrastructure projects funded by the Afghanistan Infrastructure Fund (AIF). The provision would limit the amount available for the AIF in fiscal year 2014 to \$279.0 million. The provision would also amend the reporting elements of the plan that must be submitted to the appropriate congressional committees prior to the use of AIF funds in any given fiscal year.

The Senate committee-reported bill contained a provision (sec. 1214) that would extend the authority under section 1217 of Public Law 111-383 and limit AIF funding during fiscal year 2014 to \$250.0 million. It would also require a report on the plan for transitioning to the Government of Afghanistan, or a utility owned by the Government of Afghanistan, the project management of any projects funded with fiscal year 2014 AIF funds.

The agreement includes the Senate provision with technical and clarifying amendments. We believe that with the drawdown of U.S. troops in Afghanistan and the approaching conclusion of the International Security Assistance Force mission at the end of December 2014, the justification for the Department of Defense funding large-scale infrastructure projects in Afghanistan is increasingly attenuated. We expect that the Department of Defense will cease AIF funding for any new large-scale infrastructure projects after fiscal year 2014.

Requirement to withhold Department of Defense assistance to Afghanistan in amount equivalent to 100 percent of all taxes assessed by Afghanistan to extent such taxes are not reimbursed by Afghanistan (sec. 1216)

The House bill contained a provision (sec. 1217) that would require the withholding of Department of Defense (DOD) assistance for Afghanistan during fiscal year 2014 in an amount equal to the total of all taxes assessed during fiscal year 2013 by the Government of Afghanistan on assistance provided by DOD. The Secretary of Defense would be able to waive this requirement if the Secretary determines that doing so is necessary to achieve U.S. goals in Afghanistan.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would provide that the requirements of this section terminate on the date when the Secretary of Defense notifies the Committees on Armed Services of the Senate and House of Representatives that a bilateral security agreement between the United States and Afghanistan has entered into force.

Extension of certain authorities for support of foreign forces supporting or participating with the United States Armed Forces (sec. 1217)

The Senate committee-reported bill contained a provision (sec. 1216) that would extend through fiscal year 2014 the authority under section 1234 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181), as amended, to provide logistical support to coalition partners in Afghanistan.

The House bill contained no similar provision.

The agreement includes a provision that would extend through December 31, 2014, two authorities for supporting foreign forces participating in coalition operations with U.S. armed forces. First, the provision would extend the authority under section 1234 of Public Law 110-181 to provide logistical support to coalition partners in Afghanistan. Second, the provision would extend the authority under section 1202 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364), as amended, to use acquisition and cross-servicing agreements to loan personnel protection equipment to partner nations in coalition operations and in connection with training for deployment to such operations. The Department has requested the extension of both of these authorities in connection with coalition operations in Afghanistan.

Extension and improvement of the Iraqi special immigrant visa program (sec. 1218)

The House bill contained a provision (sec. 1218) that would make certain improvements to the Iraq Special Immigrant Visa program.

The Senate committee-reported bill contained a similar provision (sec. 1217).

The agreement includes the Senate committee-reported bill provision with a technical/clarifying amendment.

Improvement of the Afghan special immigrant visa program (sec. 1219)

The House bill contained a provision (sec. 1219) that would make improvements to Afghan Special Immigrant Visa program.

The Senate committee-reported bill contained a similar provision (sec. 1218).

The agreement includes the Senate committee-reported bill provision with a technical/clarifying amendment.

SUBTITLE C—MATTERS RELATING TO AFGHANISTAN POST 2014

Report on plans to disrupt and degrade Haqqani Network activities and finances (sec. 1221)

The House bill contained a provision (sec. 1221) that would modify the report required under section 1230 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181), as amended, to require additional reporting semi-annually on: The redeployment of U.S. armed forces from Afghanistan; the transfer of Department of Defense tasks and functions to other entities as part of the transition; and the long-term capability of the Afghan National Security Forces (ANSF) to sustain infrastructure projects constructed for the ANSF.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would require the President to submit to the appropriate committees of Congress a report on U.S. Government activities and plans to disrupt and degrade Haqqani Network activities and finances. The provision sets out specific elements of the report, which would be required to be submitted not later than 9 months after the date of enactment of this Act.

Completion of accelerated transition of security responsibility from United States Armed Forces to the Afghan National Security Forces (sec. 1222)

The House bill contained a provision (sec. 1222) that would set out the policy of the United States and a sense of Congress relating to the security transition and the post-2014 U.S. military presence in Afghanistan.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

We expect the Department of Defense to note the cost of any post-2014 presence in its budget request so that Congress can appropriately consider the presence and maintain oversight of U.S. efforts in Afghanistan.

Defense Intelligence Plan (sec. 1223)

The House bill contained a provision (sec. 1223) that would require the Secretary of Defense to submit to the congressional defense and intelligence committees a plan regarding defense intelligence assets in relation to the drawdown of U.S. forces in the Islamic Republic of Afghanistan. The provision would require the plan to include a description of the defense intelligence assets; a description of any such assets that are slated to remain in Afghanistan after December 31, 2014; a description of any such assets that will be, or have been, reallocated to other locations outside of the United States; the defense intelligence priorities that will be, or have been, addressed with the reallocation of such assets; the necessary logistics, and operation and maintenance plans, to operate in the locations where such assets will be, or have been, reallocated, including personnel, basing, and any host country agreements; and a description of any such assets that will be, or have been, returned to the United States.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision.

Limitation on availability of funds for certain authorities for Afghanistan (sec. 1224)

The House bill contained a provision (sec. 1224) that would restrict the availability of funds for certain authorities in Afghanistan until 15 days after the Secretary of Defense

certifies that the United States and the Islamic Republic of Afghanistan have concluded a Bilateral Security Agreement (BSA) that meets certain specified criteria.

The Senate committee-reported bill contains no similar provision.

The agreement includes the House provision with an amendment that would limit the availability of funds for certain authorities in Afghanistan to no more than 50 percent of the amount authorized to be appropriated until 15 days after the Secretary of Defense certifies that a BSA has been signed that is in the national security interest of the United States. The Secretary of Defense would be authorized to waive the requirements of this provision if the Secretary determines that doing so is in the U.S. national security interest. If the waiver is invoked, the Secretary of Defense is directed to brief the Committees on Armed Services of the Senate and the House of Representatives on the basis for the determination.

We believe that such a BSA should ensure that:

(1) the Department of Defense, its military and civilian personnel, and its contractors are protected from liability to pay taxes or other similar charges associated with efforts to carry out missions in Afghanistan that have been mutually agreed to between the U.S. Government and the Afghan Government;

(2) the United States has exclusive legal jurisdiction over U.S. Armed Forces deployed in Afghanistan;

(3) the right of self-defense of the U.S. military mission and of U.S. military personnel is not infringed;

(4) the U.S. military in Afghanistan is able to take the necessary measures to protect other U.S. Government offices and personnel in Afghanistan; and

(5) the U.S. military has sufficient access to bases and freedom of movement to carry out such missions and activities as the President assigns the military in Afghanistan, including the continuing effort to counter al Qaeda and its associated forces.

SUBTITLE D—MATTERS RELATING TO IRAN

Report on United States military partnership with Gulf Cooperation Council countries (sec. 1231)

The House bill contained a provision (sec. 1231) that would require the Secretary of Defense to provide a report to the congressional defense committees, within 90 days after the date of the enactment of this Act, on the United States military partnership with the Gulf Cooperation Council countries.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a technical/clarifying amendment.

Additional elements in annual report on military power of Iran (sec. 1232)

The House bill contained a provision (sec. 1232) that would amend section 1245 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84) by requiring the Secretary of Defense to provide information on the global Iranian threat network and how the Iranian threat network reinforces the grand strategy of the Islamic Republic of Iran. Additionally, this section would require the Secretary of Defense to provide a list of gaps in intelligence and to prioritize those gaps by operational need.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the report to include a section on Iran's

global network of terrorist and criminal groups and the associated capabilities of those entities.

We urge the Chairman of the Joint Chiefs of Staff to describe the Department of Defense's gaps in intelligence associated with Iran's global network of terrorist and criminal groups when the Chairman prepares the report required under section 1231 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239).

Integrated air and missile defense programs at training locations in Southwest Asia (sec. 1233)

The House bill contained a provision (sec. 1234) that would amend Section 544(c)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2347c(c)(1)) to allow for multilateral missile defense exercises.

The Senate committee-reported bill included no similar provision.

The agreement includes the House provision.

SUBTITLE E—REPORTS AND OTHER MATTERS

Two-year extension of authorization for non-conventional assisted recovery capabilities (sec. 1241)

The House bill contained a provision (sec. 1202) that would extend the authority of the Department of Defense to establish, develop, and maintain non-conventional assisted recovery (NAR) capabilities for 3 additional years.

The Senate committee-reported bill contained a similar provision (sec. 1231) that would extend the authority of the Department of Defense to establish, develop, and maintain non-conventional assisted recovery capabilities for 2 additional years.

The agreement includes the Senate provision.

We remain concerned about the lack of clarity in the reporting of NAR activities to include planning, prioritization, and execution and have included a statement on their concerns in the classified annex accompanying this report.

Element on 5th generation fighter program in annual report on military and security developments involving the People's Republic of China (sec. 1242)

The Senate committee-reported bill contained a provision (sec. 1232) that would add a requirement for the Department of Defense to include information on China's 5th generation fighter programs in the congressionally-mandated Annual Report on Military and Security Developments Involving the People's Republic of China.

The House bill contained no similar provision.

The agreement includes this provision.

To improve insight into the dynamics of the relationship and interactions between the United States and the People's Republic of China and their impact on security, we direct the Chairman of the United States-China Economic and Security Review Commission, not later than March 15, 2014, to submit a report on the mandate and purpose of the Commission to the appropriate congressional committees.

The report shall include: (1) A summary and description of the changes that have occurred in the relationship between the United States and China since December 31, 2000, with respect to those national security and economic issues that would impact the mandate of the Commission; and (2) Recommendations of the Commission for statutory changes to update the mandate and purpose of the Commission, taking into the account changes in the relationship between the United States and China.

The appropriate congressional committees include (1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Finance of the Senate; and (2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Ways and Means of the House of Representatives.

Report on posture and readiness of the Armed Forces to respond to an attack or other contingency against United States diplomatic facilities overseas (sec. 1243)

The House bill contained a provision (sec. 1241) that would require the Secretary of Defense, in consultation with the Chairman, Joint Chiefs of Staff, to submit a report, not later than 180 days after the date of the enactment of this Act, to the Senate Committee on Armed Services, the House Committee on Armed Services, the Senate Committee on Foreign Relations, and the House Committee on Foreign Affairs, that assesses the terrorist groups that threaten the United States in Africa and a description of the readiness, posture, and alert status of relevant U.S. Armed Forces in Europe, the Middle East, Africa, and the United States; and any changes implemented since the terrorist attack in Benghazi, Libya.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would make modifications to the required contents of the report.

Limitation on establishment of Regional Special Operations Forces Coordination Centers (sec. 1244)

The House bill contained a provision (sec. 1245) that would prohibit the expenditure of funds for the establishment of Regional Special Operations Forces Coordination Centers (RSCC) or similar regional entities and require a joint report by the Secretary of Defense and the Secretary of State to be submitted to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

The Senate committee-reported bill contained a similar provision (sec. 342) that would prohibit the expenditure of any funds for the RSCCs in fiscal year 2014 and direct the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict, in coordination with the Commander of U.S. Special Operations Command, not later than September 30, 2013, to submit a report to the congressional defense committees outlining, at a minimum: (1) the requirement and justification for the establishment of RSCCs; (2) the number and locations of planned RSCCs; (3) the projected cost to establish and maintain the proposed RSCCs in future years; (4) the relevance to and coordination with other multilateral engagement activities and academic institutes supported by the geographic combatant commanders and State Department; and (5) any legislative authorities that may be needed to establish RSCCs.

The agreement includes the House provision with a clarifying amendment.

Additional reports on military and security developments involving the Democratic People's Republic of Korea (sec. 1245)

The House bill contained a provision (sec. 1246) that would amend the report on Military and Security Developments Involving the Democratic People's Republic of Korea (DPRK), as originally required by section 1236 of the National Defense Authorization

Act for Fiscal Year 2012 (Public Law 112-81), to require the Secretary of Defense to submit the report every 2 years beginning on November 1, 2013, through November 1, 2017. The section would also require the Secretary of Defense to submit an update to the report if, in the Secretary of Defense's estimation, interim events or developments occurring during the 2-year period between reports requires an update.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision.

We note that the only change to section 1236 of the National Defense Authorization Act for Fiscal Year 2012 is that the report will be submitted every 2 years instead of every year, and interim reports may be submitted, as needed.

We direct the Secretary of Defense, in coordination with the Secretary of State, to provide a classified briefing to the appropriate congressional committees, not later than 270 days after the date of enactment of this Act, on the following issues related to the DPRK:

(1) A description of the governmental and economic activities, including bilateral trade, economic development, and financial investment, between the People's Republic of China and the DPRK.

(2) A description of the entities and individuals of the People's Republic of China engaged in the activities described under subparagraph (1).

(3) An assessment of the impact of the activities described under subparagraph (1) on the weapons of mass destruction program and ballistic missile program of the DPRK.

The appropriate congressional committees are (1) the Committee on Armed Services, the Committee on Finance, and the Committee on Foreign Relations of the Senate; and (2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Ways and Means of the House of Representatives.

Sense of Congress on missile defense cooperation with the Russian Federation and limitations on providing certain missile defense information to the Russian Federation (sec. 1246)

The House bill contained a provision (sec. 1248) that would limit funds to provide the Russian Federation with access to certain missile defense information.

The Senate committee-reported bill contained a similar provision (sec. 233) that would express the sense of Congress concerning missile defense cooperation with Russia and would also limit funds to provide the Russian Federation access to certain missile defense information.

The agreement includes the Senate provision with an amendment that would express the sense of Congress concerning missile defense cooperation with the Russian Federation and would establish several limitations on providing the Russian Federation with access to certain missile defense information.

Amendments to annual report under Arms Control and Disarmament Act (sec. 1247)

The House bill contained a provision (sec. 1247) that would modify section 403 of the Arms Control and Disarmament Act (Title 22, United States Code, section 2593a) to define the appropriate congressional committees to which the annual report required under section 2593a would be provided. Those committees are: the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate, and the Committee on

Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives. The provision would also require a briefing to the appropriate congressional committees each spring on the most recent version of the report.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a technical amendment.

Report on actions to reduce support for ballistic missile proliferation (sec. 1248)

The House bill contained a provision (sec. 1249) that would require reports on efforts to gain the cooperation of Russia and China to reduce the spread of technology and expertise that supports the ballistic missile programs of Iran, North Korea, Syria, and other nations.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would require the Secretary of Defense to submit a report on steps that have been taken, and that are planned to be taken, to reduce the spread of technology and expertise that could support the ballistic missile development programs of Iran, North Korea, Syria, and other nations.

We expect the appropriate elements of the Intelligence Community to brief the appropriate committees of Congress on the ballistic missile development programs of Iran, North Korea, and Syria, as well as other nations of proliferation concern, and the spread of technology and expertise that supports those programs.

Reports on international agreements relating to the Department of Defense (sec. 1249)

The House bill contained a provision (sec. 1250) that would require the Secretary of Defense, in consultation with the Secretary of State, to notify the congressional defense committees, and the House Committee on Foreign Affairs and the Senate Committee on Foreign Relations, not later than 15 days after the date on which a Status of Forces Agreement between the United States and a foreign nation is signed, renewed, amended, otherwise revised, or terminated. This section would apply to such agreements that are signed on or after the date of the enactment of this Act.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary of Defense to submit semi-annually a report on certain agreements pertaining to matters primarily or significantly related to or involving the Department of Defense. The amendment would also terminate the requirement established in this provision on December 31, 2019.

We note that nothing in this section shall be construed to supersede section 112b of title 1 United States Code (commonly known as the "Case-Zablocki Act").

Revision of statutory references to former NATO support organizations and related NATO agreements (sec. 1250)

The House bill contained a provision (sec. 1252) that would revise certain references in titles 10 and 22, United States Code, to reflect recent changes to the North Atlantic Treaty Organization organizational structure.

The Senate committee-reported bill contained a similar provision (sec. 1234).

The agreement includes this provision.

Executive agreements with the Russian Federation relating to ballistic missile defense (sec. 1251)

The House bill contained a provision (sec. 1253) that would limit funds to implement executive agreements relating to the ballistic missile defense capabilities of the United States, unless certain conditions are met.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would express the sense of Congress that any executive agreement between the United States and the Russian Federation relating to ballistic missile defense should not limit the development or deployment of missile defense systems or capabilities of the United States or the North Atlantic Treaty Organization. It would also require the President, or the President's designee, to brief the appropriate committees of Congress prior to signing an executive agreement with Russia relating to ballistic missile defense.

Rule of construction (sec. 1252)

The House bill contained a provision (sec. 1258) that would set forth that nothing in this Act shall be construed as authorizing the use of force against the Syrian Arab Republic or the Islamic Republic of Iran.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision.

We note that this provision shall not be construed to infringe on the President's constitutional authorities to preserve, protect, and defend the Nation.

Limitation on availability of funds to implement the Arms Trade Treaty (sec. 1253)

The House bill contained a provision (sec. 1262) that would limit the availability of funds available to the Department of Defense for the implementation of the Arms Trade Treaty.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would add a clause stating that nothing in this provision would preclude the Department of Defense from assisting foreign countries in bringing their laws and regulations up to U.S. standards. Should the Secretary of Defense determine such activities are required and appropriate, we encourage the Secretary to coordinate, to the maximum extent practicable, on such activities with the Secretary of State.

Report on military and security developments involving the Russian Federation (sec. 1254)

The House bill contained a provision (sec. 1268) that would require the Secretary of Defense, not later than June 1, 2014, and annually thereafter through 2017, to submit to the specified congressional committees a report on the current and future military power of the Russian Federation. The report would address the current and probable future course of military-technological development of the Russian military, the tenets and probable development of Russian security and military strategy, and military organizations and operational concepts, for the 20-year period following the report.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would require a one-time report by the Secretary of Defense to the specified congressional committees on the security and military strategy of the Russian Federation. The amendment would require that the report include certain specified matters.

Prohibition on use of funds to enter into contracts or agreements with Rosoboronexport (sec. 1255)

The House bill contained a provision (sec. 1274) that would prohibit the use of funds authorized to be appropriated for the Department of Defense after fiscal year 2013 for the purchase of any equipment from the Russian state corporation, Rosoboronexport, until the Secretary of Defense makes certain specified certifications to the congressional defense committees. The Secretary of Defense would be authorized to waive this restriction if the Secretary certifies that doing so is in the national security interests of the United States. If the waiver is invoked, the Secretary is required to submit a report to Congress not later than 30 days before purchasing equipment from Rosoboronexport.

The Senate committee-reported bill contained a similar provision (sec. 1233).

The agreement includes the Senate provision with an amendment that would clarify that nothing in the Act would prohibit the supply of spare parts for the sustained maintenance of helicopters operated by the Afghan National Security Forces.

LEGISLATIVE PROVISIONS NOT ADOPTED

Monitoring and evaluation of overseas humanitarian, disaster, and civic aid programs of the Department of Defense

The House bill contained a provision (sec. 1207) that would permit that up to 5 percent of funds authorized to be appropriated by this Act to carry out sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code, may be made available to conduct monitoring and evaluation of programs conducted pursuant to such authorities during fiscal year 2014.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We understand the Department of Defense is in the process of developing metrics and incorporating them into existing program management tools to better monitor and evaluate overseas humanitarian, disaster, and civic aid programs of the Department. However, according to the Department, such efforts are not expected to be fully implemented for at least 1 to 2 years.

We, therefore, direct the Under Secretary of Defense for Policy to provide a briefing to the Committees on Armed Services of the Senate and the House Representatives on the status of the Department's implementation efforts no later than 180 days after enactment of this Act. The briefing shall include, but not be limited to, a status update on metrics development and implementation, a description of how the Department plans to evaluate program and project outcomes and impact, including cost effectiveness and the extent to which programs meet designated goals, and an analysis of steps taken to implement the recommendations from the following reports: (1) The Government Accountability Office's Report titled "Project Evaluations and Better Information Sharing Needed to Manage the Military's Efforts"; (2) The Department of Defense Inspector General Report numbered "DODIG-2012-119"; and (3) The RAND Corporation's Report prepared for the Office of the Secretary of Defense titled "Developing a Prototype Handbook for Monitoring and Evaluating Department of Defense Humanitarian Assistance Projects."

Special Immigrant Visas for certain Iraqi and Afghan allies

The House bill contained a provision (sec. 1216) that would make certain amendments

to section 602(b) of Afghan Allies Protection Act of 2009 (Public Law 111-8) and section 1244 of the Refugee Crisis in Iraq Act of 2007 (Public Law 110-181).

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Sense of Congress on commencement of new long-term nation building or large-scale infrastructure development projects in Afghanistan

The Senate committee-reported bill contained a provision (sec. 1219) that would express the sense of Congress that the Department of Defense should seek not to commence any new long-term nation building or large-scale infrastructure development project in Afghanistan after 2014.

The House bill contained no similar provision.

The agreement does not include this provision. We expect that, with the conclusion of the International Security Assistance Force mission at the end of 2014, the Department of Defense should no longer seek to begin new large-scale infrastructure development projects in Afghanistan.

Sense of Congress

The House bill contained a provision (sec. 1220) expressing the Sense of the House of Representatives that the Special Immigration Visa programs for Iraqis and Afghans are critical to the U.S. national security, and that these programs must be reformed and extended in order to meet the congressional intent with which they were created.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Limitation on funds to establish permanent military installations or bases in Afghanistan

The House bill contained a provision (sec. 1225) that would prohibit the use of funds to establish any military installation or base for the permanent stationing of U.S. armed forces in Afghanistan.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Sense of Congress on the defense of the Arabian Gulf

The House bill contained a provision (sec. 1233) that would express the sense of Congress with respect to the importance of the defense of the Arabian Gulf.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We believe that the United States should continue to maintain the appropriate posture to defend the Arabian Gulf.

Statement of policy on condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority

The House bill contained a provision (sec. 1235) that would condemn the Government of the Islamic Republic of Iran for its persecution of its Baha'i minority in Iran.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that both the U.S. House of Representatives and the U.S. Senate have passed similar resolutions condemning the actions of the Government of the Islamic Republic of Iran as it relates to the Baha'i minority.

Technical correction relating to funding for NATO Special Operations Headquarters

The Senate committee-reported bill contained a provision (sec. 1235) that would make technical modifications to section 1244 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84), as amended, that would authorize the Secretary of Defense to use up to \$50.0 million from Operation and Maintenance in any fiscal year to support the North Atlantic Treaty Organization Special Operations Headquarters.

The House bill contained no similar provision.

The agreement does not include this provision.

Role of the Government of Egypt to United States national security

The House bill contained a provision (sec. 1242) that would require the Secretary of Defense, in consultation with the Secretary of State, to submit a report that contains a plan for United States military assistance and cooperation with Egypt.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note the continuing national security interests of the United States in ensuring that the Government of Egypt enhances its ability to detect, disrupt, dismantle, and defeat terrorist organizations and that Egypt remains a stable, strategic partner in the region. We urge the Secretary of Defense to ensure that any plan to modernize and improve U.S. security cooperation with and assistance to Egypt addresses these matters.

Sense of Congress on the military developments on the Korean peninsula

The House bill contained a provision (sec. 1243) that would express certain findings and the sense of Congress regarding the military developments on the Korean peninsula.

The Senate committee-reported bill contained no similar provision.

The agreement does not include the provision.

Statement of Congress on defense cooperation with Georgia

The House bill contained a provision (sec. 1244) that would express findings and a statement of Congress with respect to the Republic of Georgia.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Sense of Congress on the conflict in Syria

The House bill contained a provision (sec. 1251) that would express the sense of Congress with respect to the situation in Syria.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Limitation on availability of funds for Threat Reduction Engagement activities and United States contributions to the Comprehensive Nuclear-Test-Ban Treaty

The House bill contained a provision (sec. 1254) that would provide that none of the funds made available for fiscal year 2014 for Threat Reduction Engagement activities may be obligated or expended until the President certifies to Congress that no state party to the Comprehensive Nuclear-Test-Ban Treaty (CTBT) has undertaken nuclear weapons test activities in fiscal year 2013 that are inconsistent with U.S. interpretations regarding obligations under such Treaty.

This section would also provide that none of the funds made available for fiscal year 2014 for contributions to the Comprehensive Test Ban Treaty Organization may be used for lobbying or advocacy in the United States relating to the CTBT.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that regarding lobbying and advocacy activities in the United States by the Comprehensive Ban Treaty Organization (18 U.S.C. 1913) prohibits such activities.

Sense of Congress on military-to-military cooperation between the United States and Burma

The House bill contained a provision (sec. 1255) that would express the sense of Congress regarding military-to-military cooperation between the United States and the Union of Burma.

The Senate committee-reported bill contained no similar provision.

The agreement does not include the provision.

We have a pronounced interest in the status of military-to-military relations between the United States and the Union of Burma and support efforts to enhance military professionalism, accountability, and civilian controls. We recognize that high standards of military professionalism, strict accountability, and effective civilian controls reduce the risks of abuse committed by military forces and encourage the Secretary of Defense to keep the congressional defense committees informed of military-to-military engagements between the United States and the Union of Burma.

Sense of Congress on the stationing of United States forces in Europe

The House bill contained a provision (sec. 1256) that would express certain findings and the sense of Congress with respect to the stationing of U.S. armed forces in Europe.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that an enduring U.S. presence and engagement with allies and other partners across Europe and Eurasia provides critical access and infrastructure necessary to accomplish U.S. strategic priorities and to facilitate a rapid U.S. response for complex contingencies in Europe, Eurasia, the Middle East, Africa as well as the Mediterranean and Atlantic Ocean. We further note that the United States continues to have an interest in supporting the stability and security of Europe.

Accordingly, we direct the Secretary of Defense, not later than 90 days after the date of enactment of this Act, to provide the Committees on Armed Services of the Senate and the House of Representatives a report on:

(1) The plans, if any, of the Department of Defense to maintain and enhance the capabilities of the forward-stationed active duty service members, forward-deployed rotational units, and reserve forces assigned to U.S. European Command to fulfill U.S. commitments under Article V of the North Atlantic Charter and other missions vital to protecting U.S. national security interests;

(2) The plans, if any, of the Department of Defense to maintain and enhance the capabilities of such forces to provide logistical and operational support to U.S. Central Command, U.S. Africa Command, and U.S. Strategic Command; and

(3) The steps, if any, that the Department of Defense has taken to implement the recommendations of the Government Accountability Office with regard to improved cost estimation to support informed force posture decisions with regard to the stationing of U.S. armed forces in Europe.

Sense of Congress on military capabilities of the People's Republic of China

The House bill contained a provision (sec. 1257) that would express certain findings and the sense of Congress regarding the military developments of the People's Republic of China.

The Senate committee-reported bill contained no similar provision.

The agreement does not include the provision.

We reaffirm our interest in the Asia-Pacific region and the implementation of the rebalance to that region, as described in the Defense Strategic Guidance, dated January 2012. We encourage the Secretary of Defense to continue engaging with the congressional defense committees to facilitate the successful implementation of the strategic rebalance and to continue to support the national security interests of the United States and its allies and partners in the Asia-Pacific region.

Sense of Congress regarding relations with Taiwan

The House bill contained a provision (sec. 1259) that would express the sense of Congress regarding the diplomatic allowances granted to high-level Taiwanese officials and commercial interests.

The Senate committee-reported bill contained no similar provision.

The agreement does not include the provision.

Sense of Congress on the threat posed by Hezbollah

The House bill contained a provision (sec. 1260) that would express the sense of Congress with respect to the threat posed by Hezbollah.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Combating crime through intelligence capabilities

The House bill contained a provision (sec. 1261) that would authorize the supply of intelligence resources to the Joint Interagency Task Force South (JIATF-S) in coordination with U.S. Southern Command (SOUTHCOM) to combat crime.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note sequestration and budget restrictions are having a negative impact not only on readiness and modernization accounts, but also on the ability of the Department of Defense (DOD) to carry out ongoing missions.

Budgetary restrictions have drastically reduced the ability of DOD and partner agencies to allocate assets—particularly as it pertains to intelligence capabilities to the JIATF-S mission of countering illicit drug trafficking and disruption of transnational criminal organizations in the SOUTHCOM area of responsibility.

We believe that the across-the-board sequestration cuts to the DOD budget are arbitrary and undermine the national security of the United States. We encourage the Secretary of Defense to do as much as prac-

ticable to continue key operations of the geographic combatant commands, such as the counternarcotics missions of SOUTHCOM and JIATF-S.

War Powers of Congress

The House bill contained a provision (sec. 1263) that would set forth that nothing in this Act shall be construed to authorize any use of military force.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Prohibition on use of drones to kill United States citizens

The House bill contained a provision (sec. 1264) that would prohibit the Department of Defense from using drones to kill U.S. citizens.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Sale of F-16 fighter aircraft to Taiwan

The House bill contained a provision (sec. 1265) that would require the sale of no fewer than 66 F-16C/D multirole fighter aircraft to Taiwan.

The Senate committee-reported bill contained no similar provision.

The agreement does not include the provision.

We recognize that the Taiwan Relations Act (Public Law 96-8) states that “the United States will make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability” and that “the President and the Congress shall determine the nature and quantity of such defense articles based solely upon their judgment on the needs of Taiwan, in accordance with procedures established by law.” We believe the President should continue to take steps, consistent with the Taiwan Relations Act, to enable the Taiwan air forces to contribute to a sufficient self-defense capability.

Statement of policy and report on the inherent right of Israel to self-defense

The House bill contained a provision (sec. 1266) that would make a statement of policy and require a report on the inherent right of Israel to self-defense.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We reaffirm the U.S. commitment to the security of the State of Israel to help the Government of Israel preserve its qualitative military edge.

Report on collective and national security implications of Central Asian and South Caucasus energy development

The House bill contained a provision (sec. 1267) that would require the Secretary of Defense, in consultation with the Secretary of State and the Secretary of Energy, to submit to the appropriate congressional committees a detailed report on the implications of new energy resource development and distribution networks, in the areas surrounding the Caspian Sea, for energy security strategies of the United States and the North Atlantic Treaty Organization (NATO).

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We direct the Secretary of Defense to provide a briefing to the Committees on Armed

Services of the Senate and the House of Representatives, not later than 90 days after enactment of the Act, on regional security in the Caucasus region and its implications for the security interests of the United States and NATO.

Limitation on assistance to provide tear gas or other riot control items

The House bill contained a provision (sec. 1269) that would prohibit funds authorized or appropriated by the House bill from being used to provide tear gas or other riot control items to the government of a country undergoing a transition to democracy in the Middle East or North Africa without certification from the Secretary of Defense.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Report on certain financial assistance to Afghan military

The House bill contained a provision (sec. 1270) that would require the Secretary of Defense to report to Congress on measures to monitor and ensure that U.S. financial assistance to the Afghan National Security Forces (ANSF) is not being used to purchase fuel from Iran in violation of U.S. sanctions.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision. We direct the Secretary of Defense to provide the Committees on Armed Services of the Senate and the House of Representatives a briefing, within 90 days of the enactment of this Act, on the Department's measures to monitor and ensure that U.S. financial assistance to the ANSF is not being used to purchase Iranian fuel in violation of U.S. sanctions.

Israel's right to self-defense

The House bill contained a provision (sec. 1271) that would express the support of Congress for Israel's lawful exercise of self-defense including actions to halt regional aggression.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Sense of Congress strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation

The House bill contained a provision (sec. 1272) that would express Congress' support for full implementation of U.S. and international sanctions against Iran and would urge the President to continue to strengthen enforcement of sanctions legislation.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Sense of Congress on the illegal nuclear weapons programs of Iran and North Korea

The House bill contained a provision (sec. 1273) that would express the sense of Congress regarding the threat posed by nuclear proliferation in North Korea and Iran.

The Senate committee-reported bill contained no similar provision.

The agreement does not include the provision.

TITLE XIII—COOPERATIVE THREAT REDUCTION
Specification of cooperative threat reduction programs and funds (sec. 1301)

The House bill contained a provision (sec. 1301) that would define the programs and

funds that are Cooperative Threat Reduction (CTR) programs and funds as those authorized to be appropriated in section 301 of this Act and specify that CTR funds shall remain available for obligation for 3 fiscal years.

The Senate committee-reported bill contained an identical provision (sec. 1301).

The agreement includes this provision.

Funding allocations (sec. 1302)

The House bill contained a provision (sec. 1302) that would allocate specific amounts for each program element under the Department of Defense Cooperative Threat Reduction (CTR) Program from within the overall \$528.5 million that the committee would authorize for the CTR program. This section would also require notification to Congress 15 days before the Secretary of Defense obligates and expends fiscal year 2014 funds for purposes other than those specifically authorized. In addition, this section would provide limited authority to obligate amounts for a program element under the CTR program in excess of the amount specifically authorized for that purpose.

The Senate committee-reported bill contained a similar provision (sec. 1302).

The agreement includes the Senate provision with an amendment that provides that for fiscal years 2014 and 2015 the Department may exceed the 10-percent limitation of section 5965 of title 22, United States Code for activities with respect to Syria. This enhanced authority is an extraordinary measure that is without precedent in the CTR program, and we will exercise congressional oversight to ensure the enhanced authority is properly and effectively used. We expect the Department to balance the need for destroying the Syrian chemical weapons stockpile, an urgent national security threat, with the expediency of using the CTR funds to assist in this effort. Given the fluid and urgent nature of this endeavor, the amendment contains enhanced briefing requirements rather than detailed reports. We expect these briefings to provide the appropriate congressional committees with the necessary detailed information to ensure an accounting of the funding provided under the program while achieving the ultimate goal of destroying Syria's chemical stockpile. We expect the Department to provide, without delay, thorough answers to questions that might arise during these briefings to ensure adequate oversight in the use of this enhanced authority.

Extension of authority for utilization of contributions to the cooperative threat reduction program (sec. 1303)

The House bill contained a provision (sec. 1303) that would extend the authority of the Cooperative Threat Reduction (CTR) program to accept monetary contributions from partner nations, as set forth in the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84), from December 31, 2015, to December 31, 2018.

The Senate committee-reported bill contained a similar provision (sec. 1303).

The agreement includes the Senate provision.

Strategy to modernize Cooperative Threat Reduction and prevent the proliferation of weapons of mass destruction and related materials in the Middle East and North Africa region (sec. 1304)

The House bill contained a provision (sec. 1304) that would direct the Secretary of Defense, in coordination with the Secretary of State and the Secretary of Energy, to prepare a strategy and implementation plan for preventing the proliferation of weapons of

mass destruction and related materials in the Middle East and North Africa not later than March 31, 2014.

The Senate committee-reported bill contained a similar provision (sec. 1236) requiring the President to prepare such report and strategy.

The agreement includes the House provision with an amendment that would make technical changes.

TITLE XIV—OTHER AUTHORIZATIONS

SUBTITLE A—MILITARY PROGRAMS

Working capital funds (sec. 1401)

The House bill contained a provision (sec. 1401) authorizing appropriations for fiscal year 2014 for the use of the armed forces and agencies of the Department of Defense for working capital and revolving funds, as specified in the funding table in section 4501.

The Senate committee-reported bill contained an identical provision (sec. 1401).

The agreement includes this provision.

National Defense Sealift Fund (sec. 1402)

The House bill contained a provision (sec. 1402) authorizing appropriations for fiscal year 2014 for the National Defense Sealift Fund, as specified in the funding table in section 4501.

The Senate committee-reported bill contained a similar provision (sec. 1402).

The agreement includes the Senate provision.

Chemical Agents and Munitions Destruction, Defense (sec. 1403)

The House bill contained a provision (sec. 1403) authorizing appropriations for fiscal year 2014 for the Department of Defense for chemical agents and munitions destruction, as specified in the funding table in section 4501.

The Senate committee-reported bill contained an identical provision (sec. 1403).

The agreement includes this provision.

Drug Interdiction and Counter-Drug activities, Defense-wide (sec. 1404)

The House bill contained a provision (sec. 1404) authorizing appropriations for fiscal year 2014 for the Department of Defense for drug interdiction and counterdrug activities, defense-wide, as specified in the funding table in section 4501.

The Senate committee-reported bill contained an identical provision (sec. 1404).

The agreement includes this provision.

Defense Inspector General (sec. 1405)

The House bill contained a provision (sec. 1405) authorizing appropriations for fiscal year 2014 for the Department of Defense for the Office of the Inspector General, as specified in the funding table in section 4501.

The Senate committee-reported bill contained an identical provision (sec. 1405).

The agreement includes this provision.

Defense Health Program (sec. 1406)

The House bill contained a provision (sec. 1406) authorizing appropriations for fiscal year 2014 for the Defense Health Program, as specified in the funding table in section 4501.

The Senate committee-reported bill contained an identical provision (sec. 1406).

The agreement includes this provision.

SUBTITLE B—NATIONAL DEFENSE STOCKPILE

Use of National Defense Stockpile for the conservation of a strategic and critical materials supply (sec. 1411)

The House bill contained a provision (sec. 1411) that would modify certain provisions of the President's authority to maintain and manage a national defense stockpile to allow the Defense Logistics Agency to more proactively engage in the market.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Authority to acquire additional materials for the National Defense Stockpile (sec. 1412)

The House bill contained a provision (sec. 1412) that would provide authority to acquire certain additional strategic and critical materials for the National Defense Stockpile.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision.

SUBTITLE C—OTHER MATTERS

Authority for transfer of funds to Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois (sec. 1421)

The House bill contained a provision (sec. 1421) that would authorize the Secretary of Defense to transfer \$143.1 million from the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund created by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84) for the operations of the Captain James A. Lovell Federal Health Care Center.

The Senate committee-reported bill contained a similar provision (sec. 1422).

The agreement includes the Senate provision with a technical amendment.

Authorization of appropriations for Armed Forces Retirement Home (sec. 1422)

The House bill contained a provision (sec. 1422) that would authorize \$67.8 million to be appropriated for fiscal year 2014 from the Armed Forces Retirement Home Trust Fund for the operation of the Armed Forces Retirement Home.

The Senate committee-reported bill contained an identical provision (sec. 1421).

The agreement includes this provision.

Cemeterial expenses (sec. 1423)

The House bill contained a provision (sec. 1423) that would authorize \$45.8 million to be appropriated for the Department of the Army for fiscal year 2014 for cemeterial expenses.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

SUBTITLE A—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS

Purpose (sec. 1501)

The House bill contained a provision (sec. 1501) stating the purpose of the title.

The Senate committee-reported bill contained an identical provision (sec. 1501).

The agreement includes this provision.

Procurement (sec. 1502)

The House bill contained a provision (sec. 1502) authorizing additional appropriations for fiscal year 2014 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and defense-wide activities, as specified in the funding table in section 4102.

The Senate committee-reported bill contained an identical provision (sec. 1502).

The agreement includes this provision.

Research, development, test, and evaluation (sec. 1503)

The House bill contained a provision (sec. 1503) authorizing additional appropriations

for fiscal year 2014 for the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

The Senate committee-reported bill contained an identical provision (sec. 1503).

The agreement includes this provision.

OPERATION AND MAINTENANCE (SEC. 1504)

The House bill contained a provision (sec. 1504) authorizing additional appropriations for fiscal year 2014 for the use of the Armed Forces and other agencies of the Department of Defense for operation and maintenance, as specified in the funding table in section 4302.

The Senate committee-reported bill contained an identical provision (sec. 1504).

The agreement includes this provision.

MILITARY PERSONNEL (SEC. 1505)

The House bill contained a provision (sec. 1505) authorizing additional appropriations for fiscal year 2014 for the use of the armed forces and other agencies of the Department of Defense for military personnel, as specified in the funding table in section 4402.

The Senate committee-reported bill contained an identical provision (sec. 1505).

The agreement includes this provision.

WORKING CAPITAL FUNDS (SEC. 1506)

The House bill contained a provision (sec. 1506) authorizing additional appropriations for fiscal year 2014 for the use of the armed forces and other agencies of the Department of Defense for working capital and revolving funds, as specified in the funding table in section 4502.

The Senate committee-reported bill contained an identical provision (sec. 1506).

The agreement includes this provision.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE (SEC. 1507)

The House bill contained a provision (sec. 1507) authorizing additional appropriations for fiscal year 2014 for the Department of Defense for drug interdiction and counterdrug activities, defense-wide, as specified in the funding table in section 4502.

The Senate committee-reported bill contained an identical provision (sec. 1509).

The agreement includes this provision.

Defense Inspector General (sec. 1508)

The House bill contained a provision (sec. 1508) authorizing additional appropriations for fiscal year 2014 for the Department of Defense for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

The Senate committee-reported bill contained an identical provision (sec. 1510).

The agreement includes this provision.

Defense Health Program (sec. 1509)

The House bill contained a provision (sec. 1509) authorizing additional appropriations for fiscal year 2014 for the use of the armed forces and other agencies of the Department of Defense for the Defense Health Program, as specified in the funding table in section 4502.

The Senate committee-reported bill contained an identical provision (sec. 1511).

The agreement includes this provision.

SUBTITLE B—FINANCIAL MATTERS

Treatment as additional authorizations (sec. 1521)

The House bill contained a provision (sec. 1521) stating that the amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

The Senate committee-reported bill contained an identical provision (sec. 1521).

The agreement includes this provision.

Special transfer authority (sec. 1522)

The House bill contained a provision (sec. 1522) that would provide the Department of Defense with \$3.0 billion of special transfer authority in fiscal year 2014.

The Senate committee-reported bill contained a similar provision (sec. 1522) that would provide the Department of Defense with \$4.0 billion of special transfer authority in fiscal year 2014.

The agreement includes the Senate provision.

SUBTITLE C—LIMITATIONS, REPORTS, AND OTHER MATTERS

Afghanistan Security Forces Fund (sec. 1531)

The House bill contained a provision (sec. 1531) that would require that funds available to the Department of Defense for the Afghanistan Security Forces Fund (ASFF) for fiscal year 2014 be subject to the specified conditions contained in section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181), as amended. The provision would also require that an office or official be identified as responsible for each program or activity supported with ASFF. In addition, the provision would require that not less than \$47.3 million of ASFF for fiscal year 2014 be used for the recruitment and retention of women in the Afghanistan National Security Forces (ANSF).

The Senate committee-reported bill contained a provision (sec. 1532) that would require that ASFF for fiscal year 2014 be subject to the specified conditions contained in section 1513 of Public Law 110-181. The provision would also provide the Secretary of Defense certain authorities for the disposal of equipment in Afghanistan.

The agreement includes the House provision with an amendment that would require that not less than \$25.0 million of ASFF for fiscal year 2014 be available to be used for programs and activities to support the recruitment, integration, retention, training, and treatment of women in the ANSF. The amendment would also include certain authorities for the Secretary of Defense relating to the disposal of equipment in Afghanistan. In this regard, we direct the Secretary of Defense to submit to the congressional defense committees a report on the Department's plans for the final disposition of the C-27A aircraft acquired to build the capabilities of the ANSF. The report should be submitted not later than 180 days after the enactment of this Act.

A key objective of the ASFF is to build the capacity of the ANSF, specifically the Afghan Air Force and the Special Mission Wing, to operate, maintain, and sustain rotary wing aircraft. We direct the Secretary of Defense, not later than 180 days after the date of enactment of this Act, to submit to the congressional defense committees a report assessing the potential to incorporate U.S.-manufactured rotary wing aircraft into the ANSF after the current program of record is completed. The report should include an estimate of the anticipated costs (including costs associated with procurement and sustainment), schedule, and a description of the training required for potentially incorporating U.S.-manufactured rotary wing aircraft into the ANSF. The report should also include a description of any other actions required to be undertaken to facilitate incorporating such aircraft into the ANSF.

Joint Improvised Explosive Device Defeat Fund (sec. 1532)

The Senate committee-reported bill contained a provision (sec. 1531) that would au-

thorize annual transfer authorities, current reporting requirements, and other associated activities for the Joint Improvised Explosive Device Defeat Fund.

The House bill contained no similar provision.

The agreement includes the Senate provision with a technical/clarifying amendment.

Future role of Joint Improvised Explosive Device Defeat Organization (sec. 1533)

The House bill contained a provision (sec. 1532) that would require the Secretary of Defense to provide a report to Congress on the future role of the Joint Improvised Explosive Device Defeat Organization.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a technical/clarifying amendment.

Extension of authority for Task Force for Business and Stability Operations in Afghanistan (sec. 1534)

The Senate committee-reported bill contained a provision (sec. 1533) that would extend the authority under section 1535 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) for the Task Force for Business and Stability Operations in Afghanistan. The provision would limit funding available for the programs of the Task Force to \$63.8 million during fiscal year 2014.

The House bill contained no similar provision.

The agreement includes the Senate provision with a clarifying amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

National Defense Sealift Fund

The Senate committee-reported bill contained a provision (sec. 1507) authorizing additional appropriations for fiscal year 2014 for the National Defense Sealift Fund as specified in the funding table in section 4502.

The House bill contained no similar provision.

The agreement does not include this provision.

Chemical Agents and Munitions Destruction, Defense

The Senate committee-reported bill contained a provision (sec. 1508) authorizing additional appropriations for fiscal year 2014 for chemical agents and munitions destruction as specified in the funding table in section 4502.

The House bill contained no similar provision.

The agreement does not include this provision.

Limitation on intelligence, surveillance, and reconnaissance support for Operation Observant Compass

The House bill contained a provision (sec. 1533) that would require that none of the amounts authorized to be appropriated for operation and maintenance by section 1504, as specified in the funding table in section 4302 of this Act, may be obligated or expended for intelligence, surveillance, and reconnaissance support for Operation Observant Compass until the Secretary of Defense submits to the congressional defense committees a report, required elsewhere in this Act, on Operation Observant Compass.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Report on U.S. force levels and costs of military operations in Afghanistan

The House bill contained a provision (sec. 1534) that would require the Secretary of Defense to report to the Committees on Armed

Services of the Senate and the House of Representatives on U.S. forces levels in Afghanistan and the estimated costs of U.S. military operations in Afghanistan for each of fiscal years 2015 through 2020.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Limitation on funds for the Afghanistan Security Forces Fund to acquire certain aircraft, vehicles, and equipment

The House bill contained a provision (sec. 1535) that would limit the availability of \$2.6 billion of the funds authorized to be appropriated for the Afghanistan Security Forces Fund (ASFF) until the Secretary of Defense submits a report to the Committees on Armed Services of the Senate and the House of Representatives on the aircraft, vehicles, and equipment to be purchased with ASFF authorized to be appropriated by this Act.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision. We note that the Department of Defense has revised its requested funding for the ASFF, resulting in a reduction of \$1.45 billion from the budget request.

TITLE XVI—INDUSTRIAL BASE MATTERS

SUBTITLE A—DEFENSE INDUSTRIAL BASE MATTERS

Periodic audits of contracting compliance by Inspector General of Department of Defense (sec. 1601)

The House bill contained a provision (sec. 1601) that would require the Inspector General of the Department of Defense to conduct an audit of the Department's compliance with contracting practices and policies related to procurement under section 2533a of title 10, United States Code, which pertains to the requirement to buy certain articles from American sources and is frequently referred to as the "Berry Amendment." This section would also require the Inspector General to include the findings of such periodic audits as part of the semiannual report transmitted to congressional committees as required by the Inspector General Act of 1978 (Public Law 95-452).

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision with a clarifying amendment.

Foreign space activities (sec. 1602)

The House bill contained a provision (sec. 1605) that would prevent the Secretary of Defense from entering into contracts for commercial satellite services with a covered foreign entity in a covered foreign country.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would add a determination standard (of reasonable belief) that the covered foreign entity has an ownership interest that enables that government to affect satellite operations. The notice and exception provision has also been adjusted to require a 7-day notice-and-wait to the congressional defense committee.

The amendment further contains a provision that prohibits the President from authorizing or permitting the construction of a global navigation satellite system ground monitoring station owned or operated on behalf of a foreign government on U.S. territory unless the Secretary of Defense and Director of National Intelligence certify that the ground station will not be capable of being used to gather intelligence in the

United States or to improve a foreign weapons system. The amendment contains a national security waiver if certain conditions are met, and a report to accompany the waiver with a notice to the appropriate congressional committees 30 days before such waiver is used. The provision has a sunset period of 5 years following the date of enactment.

We do not intend this provision to affect general private or scientific cooperation with other parties.

Proof of Concept Commercialization Pilot Program (sec. 1603)

The House bill contained a provision (sec. 1606) that would allow the Assistant Secretary of Defense for Research and Engineering to establish a 5-year pilot program to accelerate the commercialization of basic research innovations from qualifying institutions.

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision with a clarifying amendment.

SUBTITLE B—MATTERS RELATING TO SMALL BUSINESS CONCERNS

Advancing small business growth (sec. 1611)

The House bill contained a provision (sec. 1602) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics to publish, and update annually, a list of capabilities and characteristics that would enable a qualified small business concern to become competitive as an other-than-small business for future contracts awarded by the Department of Defense.

This section would also require any contract awarded to a qualified small business concern that would exceed the applicable receipt-based small business size standard (or if the contract would exceed \$70.0 million in an industry with an employee based size standard) to include a contract clause that would encourage the small business to develop the capabilities and characteristics identified by the Under Secretary if they desire to remain competitive as other-than-small business in that industry.

In addition, this section would amend chapter 142 of title 10, United States Code, to enable Procurement Technical Assistance Centers (PTAC) to provide additional support to these businesses without the funding and cost-share limitations that are otherwise applicable to PTAC support.

Finally, this section would require the Secretary of Defense to submit three annual reports to the congressional defense committees beginning on March 1, 2015, on the implementation of the amendments made by this section, along with any recommendations for improving the Procurement Technical Assistance Cooperative Agreement Program.

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision with a clarifying amendment.

Amendments relating to Procurement Technical Assistance Cooperative Agreement Program (sec. 1612)

The House bill contained a provision (sec. 1603) that would amend section 2413 of title 10, United States Code, to allow the Secretary of Defense to defray up to 65 percent of the eligible entity's cost of furnishing assistance under the program and would also amend section 2414 of title 10, United States Code, to increase limitations on the value of assistance that may be provided under the program.

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision.

Reporting on goals for procurement contracts awarded to small business concerns (sec. 1613)

The House bill contained a provision (sec. 1607) that would amend section 644 of title 15, United States Code, to require each federal agency to submit a report detailing small business concerns. This report would include information regarding, among other concerns, veteran and service-disabled veteran-owned small businesses.

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision with a clarifying amendment.

Credit for certain small business subcontractors (sec. 1614)

The House bill contained a provision (sec. 1609) that would amend section 637d of title 15, United States Code, redefining pertaining to subcontracting.

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision with a clarifying amendment.

Inapplicability of requirement to review and justify certain contracts (sec. 1615)

The House bill contained a provision (sec. 1611) that would dismiss the requirements stated in section 802 of the National Defense Authorization Act for Fiscal Year 2013 pertaining to the provisions of section 46 of the Small Business Act (15 U.S.C. 657s). The purpose of this provision is to reduce the number of unnecessarily duplicative reports.

The Senate committee-reported bill contained no similar provision.

The agreement contains the provision.

LEGISLATIVE PROVISIONS NOT ADOPTED

Strategic plan for requirements for war reserve stocks of meals ready-to-eat

The House bill contained a provision (sec. 1604) that would require the Administrator of the Defense Logistics Agency (DLA) not to make any reductions in requirements for war reserve stocks of meals ready-to-eat (MRE) until a comprehensive strategy is developed and briefed to the congressional defense committees.

The Senate committee-reported bill contained no similar provision.

The agreement does not include the provision.

We note that the DLA has developed a comprehensive strategic plan that: ensures an adequate MRE inventory for each of the Services; maintains the appropriate levels of MRE war reserves; and provides for a surge capability to support unforeseen contingencies. We also acknowledge that the DLA has decided to hold current MRE stock levels steady through the end of combat operations in the Islamic Republic of Afghanistan until the enduring requirement can be fully established.

Program to provide federal contracts to early stage small businesses

The House bill contained a provision (sec. 1608) that would amend section 631 of title 15, United States Code, which would provide improved access to federal contract opportunities for early stage small business concerns.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain the provision.

GAO study on subcontracting reporting systems

The House bill contained a provision (sec. 1610) that would require the Comptroller General to submit a report to the Committee

on Small Business of the House of Representatives and to the Committee on Small Business and Entrepreneurship of the Senate regarding the feasibility of using federal subcontracting reporting systems.

The Senate committee-reported bill contained no similar provision.

The agreement does not contain the provision.

We direct the Comptroller General of the United States to submit not later than 365 days after enactment of this Act a report studying the feasibility of using federal subcontracting reporting systems, including the federal subcontracting reporting system required by section 2 of the Federal Funding Accountability and Transparency Act of 2006 and any electronic subcontracting reporting award system used by the Small Business Administration, to attribute subcontractors to any particular contracts in the case of contractors that have subcontracting plans under section 8(d) of the Small Business Act that pertain to multiple contracts with executive agencies.

**TITLE XVII—SEXUAL ASSAULT PREVENTION
AND RESPONSE AND RELATED REFORMS**

**SUBTITLE A—REFORM OF UNIFORM CODE OF
MILITARY JUSTICE**

*Extension of crime victims' rights to victims of
offenses under the Uniform Code of Military
Justice (sec. 1701)*

The House bill contained a provision (sec. 542) that would amend chapter 47 of title 10, United States Code, to include in the Uniform Code of Military Justice (UCMJ) specified rights for victims of offenses under the UCMJ.

The Senate committee-reported bill contained a similar provision (sec. 564) that would require the Secretary of Defense to recommend modifications to the Manual for Courts-Martial (MCM) to include in the MCM specified rights for victims of offenses under the UCMJ.

The agreement includes the House provision with a clarifying amendment.

*Revision of Article 32 and Article 60, Uniform
Code of Military Justice (sec. 1702)*

The House bill contained a provision (sec. 531) that would amend Article 60 of the Uniform Code of Military Justice (UCMJ) (10 U.S.C. 860) to limit the authority of a court-martial convening authority to modify the findings and sentence imposed by a court-martial.

The Senate committee-reported bill contained a similar provision (sec. 555).

The agreement includes the House provision with a clarifying amendment and a provision that would amend Article 32, UCMJ, (10 U.S.C. 832) to require the completion of a preliminary hearing, normally conducted by a judge advocate, prior to referral to general court-martial for trial of any charge or specification.

The changes to Article 60, UCMJ, included in the agreement significantly restrict the ability of a convening authority to modify the adjudged findings and sentence of a court-martial, except in limited circumstances.

The provision included in the agreement changes Article 32, UCMJ, proceedings from an investigation to a preliminary hearing. Under current law and Rule 405 of the Rules for Court-Martial, an Article 32, UCMJ, investigation includes inquiry into the truth of the matters set forth in the charges, provides a means to ascertain and impartially weigh all available facts in arriving at conclusions and recommendations, and serves as a tool of discovery. The agreement estab-

lishes that an Article 32, UCMJ, preliminary hearing has a narrower objective: (1) To determine whether there is probable cause to believe an offense has been committed and the accused committed the offense; (2) Determine whether the convening authority has court-martial jurisdiction over the offense and the accused; (3) Consider the form of the charges; and (4) Recommend the disposition that should be made of the case.

The Secretary of Defense is directed to recommend changes to Rule 405 of the Rules for Court-Martial and other rules, if appropriate, in the Manual for Courts-Martial to facilitate the purposes of the Article 32, UCMJ, preliminary investigation, as revised by the agreement. Changes to the Manual for Courts-Martial shall be completed in time to coincide with the effective date of changes to Article 32, UCMJ, effectuated by this Act.

*Elimination of five-year statute of limitations on
trial by court-martial for additional offenses
involving sex-related crimes (sec. 1703)*

The House bill contained a provision (sec. 532) that would amend Article 43 of the Uniform Code of Military Justice (section 843 of title 10, United States Code) to eliminate the 5-year statute of limitations on trial by court-martial for sexual assault and sexual assault of a child.

The Senate committee-reported bill contained a similar provision (sec. 551).

The agreement includes the House provision.

*Defense counsel interview of victim of an alleged
sex-related offense in presence of trial coun-
sel, counsel for the victim, or a Sexual As-
sault Victim Advocate (sec. 1704)*

The House bill contained a provision (sec. 543) that would amend Article 46 of the Uniform Code of Military Justice (10 U.S.C. 846) to require that, upon notice by trial counsel to defense counsel that trial counsel intends to call a complaining witness to testify at an investigation under Article 32, Uniform Code of Military Justice (10 U.S.C. 842) or court-martial, the defense counsel shall make all requests to interview the complaining witness through the trial counsel, and, if requested by the complaining witness, the defense counsel interview shall take place only in the presence of the counsel for the complaining witness or a Sexual Assault Victim Advocate.

The Senate committee-reported bill contained a similar provision (sec. 553).

The agreement includes the House provision with a clarifying amendment that would require that, if requested by an alleged victim of an alleged sex-related offense who is subject to a request for interview by defense counsel, such interview shall take place only in the presence of trial counsel, a counsel for the victim, or a Sexual Assault Victim Advocate.

*Discharge or dismissal for certain sex-related of-
fenses and trial of such offenses by general
courts-martial (sec. 1705)*

The House bill contained a provision (sec. 533) that would amend article 56 of the Uniform Code of Military Justice (10 U.S.C. 856) to require that the sentence for a person found guilty of specified sex-related offenses include, at a minimum, a dismissal or dishonorable discharge.

The House bill also contained a provision (sec. 550A) that would amend article 56 of the Uniform Code of Military Justice (10 U.S.C. 856) to require that the sentence for a person found guilty of specified sex-related offenses include, at a minimum, a dismissal or dishonorable discharge and confinement for 2 years.

The Senate committee-reported bill contained a provision (sec. 554) that would amend article 56 of the Uniform Code of Military Justice (10 U.S.C. 856) to require that the sentence for a person found guilty of specified sex-related offenses include, at a minimum, a dismissal or dishonorable discharge, and would limit jurisdiction over these specified sex-related offenses to a general court-martial.

The agreement includes the Senate provision with a technical amendment.

*Participation by victim in clemency phase of
courts-martial process (sec. 1706)*

The House bill contained a provision (sec. 544) that would amend Article 60(b) of the Uniform Code of Military Justice (10 U.S.C. 860(b)) to require that complaining witnesses be provided an opportunity to submit matters for consideration by the convening authority before the convening authority acts on the findings and sentence of a court-martial.

The Senate committee-reported bill contained a provision (sec. 556) that would amend Article 60(b) of the Uniform Code of Military Justice (10 U.S.C. 860(b)) to: (1) Afford a complaining witness an opportunity to respond to any clemency matters submitted by an accused to the convening authority that refer to the complaining witness; (2) Afford a complaining witness an opportunity to submit matters to the convening authority in any case in which findings and sentence have been adjudged for an offense involving the complaining witness; and (3) Prohibit the convening authority from considering matters that go to the character of a complaining witness unless the matters were presented at the court-martial.

The agreement includes a provision that would amend Article 60(b) of the Uniform Code of Military Justice (10 U.S.C. 860(b)) to require that a victim be provided an opportunity to submit matters for consideration by the convening authority before the convening authority takes action on the findings or sentence of a court-martial that involved the victim, and to provide that the convening authority shall not consider any submitted matters that relate to the character of a victim unless such matters were presented as evidence at trial and not excluded at trial.

*Repeal of the offense of consensual sodomy
under the Uniform Code of Military Justice
(sec. 1707)*

The Senate committee-reported bill contained a provision (sec. 562) that would amend Article 125 of the Uniform Code of Military Justice (section 925 of title 10, United States Code) to prohibit forcible sodomy and bestiality.

The House bill contained no similar provision.

The agreement includes the Senate provision.

*Modification of Manual for Courts-Martial to
eliminate factor relating to character and
military service of the accused in rule on
initial disposition of offenses (sec. 1708)*

The House bill contained a provision (sec. 546) that would require the Secretary of Defense to recommend to the President a change to the Manual for Courts-Martial that would strike the character and the military service of the accused from the factors a commander should consider when deciding how to dispose of sex-related offenses under the Uniform Code of Military Justice.

The Senate committee-reported bill contained a similar provision (sec. 565) that would require that the discussion pertaining

to Rule 306 of the Manual for Courts-Martial be amended, not later than 180 days after the date of enactment of this Act, to strike the character and military service of the accused from the factors a commander should consider in deciding how to dispose of any offense.

The agreement includes the Senate provision.

Prohibition of retaliation against members of the armed forces for reporting a criminal offense (sec. 1709)

The Senate committee-reported bill contained a provision (sec. 563) that would require the Secretary of Defense to prescribe regulations, not later than 120 days after the enactment of this Act, that prohibit retaliation against an alleged victim or other member of the armed forces who reports a criminal offense. This provision would also require the Secretary of Defense to submit a report to Congress, not later than 180 days after the enactment of this Act, setting forth recommendations as to whether the Uniform Code of Military Justice should be amended to prohibit retaliation against an alleged victim or other member of the armed forces who reports a criminal offense.

The House bill contained no similar provision.

The agreement includes the Senate provision with a clarifying amendment.

SUBTITLE B—OTHER AMENDMENTS TO TITLE 10,
UNITED STATES CODE

Prohibition on service in the Armed Forces by individuals who have been convicted of certain sexual offenses (sec. 1711)

The Senate committee-reported bill contained a provision (sec. 531) that would amend chapter 37 of title 10, United States Code, to prohibit the commissioning or enlistment in the armed forces of individuals who have been convicted of felony offenses of rape or sexual assault, forcible sodomy, incest, or of an attempt to commit these offenses.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Issuance of regulations applicable to the Coast Guard regarding consideration of request for permanent change of station or unit transfer by victim of sexual assault (sec. 1712)

The House bill contained a provision (sec. 534) that would amend section 673(b) of title 10, United States Code, to clarify that the requirement for timely determination and action on an application by a victim of certain sexual offenses for a change of station or unit transfer applies to the Coast Guard.

The Senate committee-reported bill contained a similar provision (sec. 533).

The agreement includes the Senate provision.

Temporary administrative reassignment or removal of a member of the armed forces on active duty who is accused of committing a sexual assault or related offense (sec. 1713)

The House bill contained a provision (sec. 535) that would authorize service secretaries to provide guidance for commanders regarding their authority to make a timely determination and to take action regarding whether a service member serving on active duty who is alleged to have committed specified sexual offenses under the Uniform Code of Military Justice should be temporarily reassigned or removed from a position of authority or from an assignment, not as a punitive measure, but solely for the purpose of

maintaining good order and discipline within the unit.

The Senate committee-reported bill contained a similar provision (sec. 532).

The agreement includes the Senate provision.

Expansion and enhancement of authorities relating to protected communications of members of the Armed Forces and prohibited retaliatory actions (sec. 1714)

The House bill contained a provision (sec. 527) that would amend section 1034 of title 10, United States Code, to enhance protections for military whistleblowers. The House provision would: expand the categories of prohibited personnel actions; expand the class of communications protected under the statute; increase the time period during which an allegation of reprisal must be investigated from 60 days to 1 year; require Department of Defense Inspectors General to make explicit determinations as to whether a prohibited personnel action had occurred, a determination that is now made by the Secretary concerned; require the Secretary concerned, in cases where a violation occurred, to take corrective action on behalf of the whistleblower and appropriate disciplinary action against the individual who committed the prohibited personnel action; require military legal assistance before a board for correction of military records on behalf of whistleblowers; and apply the burdens of proof applicable in civilian whistleblower cases under title 5, United States Code, to military whistleblower cases.

The Senate committee-reported bill contained a similar provision (sec. 511) that would amend section 1034 of title 10, United States Code, to: expand the categories of prohibited personnel actions and class of protected communications under the statute; increase the time period during which an allegation of reprisal must be investigated from 60 days to 180 days; retain the authority of the Secretary concerned to make the determination as to whether reprisal occurred, but require such Secretary to make such a determination within 30 days of receiving a report from an Inspector General, and if so determined, to take corrective action on behalf of the whistleblower and appropriate disciplinary action against the individual who committed the prohibited personnel action; and retain the current burdens of proof applicable to military whistleblower cases.

The agreement includes the Senate provision with an amendment that would: increase the time period during which an allegation of reprisal must be investigated from 60 days to 1 year; authorize military legal assistance before a board for correction of military records on behalf of a whistleblower in cases where the Judge Advocate General concerned determines that the whistleblower would benefit from such assistance; and require that the Inspector General investigation be conducted outside the immediate chain of command, or at least one organizational level higher in the chain of command, relative to the whistleblower and the person alleged to have taken the retaliatory action.

Inspector General investigation of allegations of retaliatory personnel actions taken in response to making protected communications regarding sexual assault (sec. 1715)

The House bill contained a provision (sec. 537) that would amend section 1034(c)(2)(A) of title 10, United States Code, to require the Inspector General to review and investigate allegations of retaliatory personnel actions for making a protected communication regarding violations of law or regulation that

prohibit rape, sexual assault, or other sexual misconduct.

The Senate committee-reported bill contained a similar provision (sec. 542).

The agreement includes the House provision.

Designation and availability of Special Victims' Counsel for victims of sex-related offenses (sec. 1716)

The House bill contained a provision (sec. 536) that would amend chapter 53 of title 10, United States Code, to require service secretaries to designate legal counsel (to be known as "Victims' Counsel") for the purpose of providing legal assistance to an individual eligible for legal assistance who is the victim of an alleged sex-related offense, regardless of whether the report of that offense is restricted or unrestricted.

The Senate committee-reported bill contained a similar provision (sec. 539) that would require the service secretaries to implement a program to provide a Special Victims' Counsel to service members who are victims of a sexual assault committed by a member of the armed forces.

The agreement includes the House provision with an amendment clarifying the types of legal assistance that may be provided under this provision.

SUBTITLE C—AMENDMENTS TO OTHER LAWS

Tracking of compliance of commanding officers in conducting organizational climate assessments for purposes of preventing and responding to sexual assaults (sec. 1721)

The House bill contained a provision (sec. 522) that would require the Secretary of Defense to direct service secretaries to verify and track the compliance of commanding officers in conducting organizational climate assessments required as part of the comprehensive policy for the Department of Defense sexual assault prevention and response program.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would amend section 572 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to require the Secretary of Defense to direct the service secretaries to verify and track the compliance of commanding officers in conducting organizational climate assessments.

Advancement of submittal deadline for report of independent panel on assessment of military response systems to sexual assault (sec. 1722)

The House bill contained a provision (sec. 549(b)) that would amend section 576(c)(1)(B) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to provide that the panel established to conduct an independent review and assessment of the systems used to investigate, prosecute, and adjudicate crimes involving sexual assault and related offenses under the Uniform Code of Military Justice would terminate no later than one year after the first meeting of the panel.

The Senate committee-reported bill contained a similar provision (sec. 543).

The agreement includes the Senate provision.

Retention of certain forms in connection with Restricted Reports and Unrestricted Reports on sexual assault involving members of the Armed Forces (sec. 1723)

The Senate committee-reported bill contained a provision (sec. 538) that would require the Secretary of Defense to ensure that

copies of Department of Defense Forms 2910 and 2911 filed in connection with Restricted Reports and Unrestricted Reports of sexual assault are retained for the longer of 50 years or the period that such forms are required to be retained pursuant to Department of Defense directives.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Timely access to Sexual Assault Response Coordinators by members of the National Guard and Reserves (sec. 1724)

The Senate committee-reported bill contained a provision (sec. 537) that would require service secretaries to ensure that each member of the National Guard or Reserves who is the victim of a sexual assault either during the performance of duties as a member of the National Guard or Reserves, or is a victim of a sexual assault by another member of the National Guard or Reserves, has access to a Sexual Assault Response Coordinator not later than 2 business days following a request for such assistance.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would require that each member of the National Guard or Reserves who is the victim of a sexual assault either during the performance of duties as a member of the National Guard or Reserves, or is a victim of a sexual assault by another member of the National Guard or Reserves, has timely access to a Sexual Assault Response Coordinator.

Qualifications and selection of Department of Defense sexual assault prevention and response personnel and required availability of Sexual Assault Nurse Examiners (sec. 1725)

The House bill contained a provision (sec. 541) that would amend section 1602(e)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) to require the Secretary of Defense to establish selection qualifications for members of the armed forces or civilian employees for assignment to duty as Sexual Assault Response and Prevention Program Managers, Sexual Assault Response Coordinators, and Sexual Assault Victim Advocates. In addition, this provision would require the Secretary of each military department to assign at least one Sexual Assault Nurse Examiner-Adult/Adolescent to each brigade or equivalent unit level unless the Secretary determines that compliance would impose an undue burden.

The Senate committee-reported bill contained a provision (sec. 536(b)) that would require the Secretary of Defense to review the adequacy of the training, qualifications, and experience of service members and civilian employees assigned to a position that includes responsibility for sexual assault prevention and response.

The agreement includes the House provision with an amendment that would: (1) Require the assignment of at least one full-time sexual assault nurse examiner to each military medical treatment facility in which an emergency department operates 24 hours per day; (2) Require that a sexual assault nurse examiner be made available at other military medical treatment facilities, consistent with the Department of Justice National Protocol for Sexual Assault Medical Forensic Examinations, Adult/Adolescent; and (3) Require that the Secretary of Defense submit a report to the Committees on Armed

Services of the Senate and the House of Representatives, not later than 120 days after the date of enactment of this Act, on the review of the adequacy of the training, qualifications, and experience of service members and civilian employees assigned to positions that include responsibility for sexual assault prevention and response in the armed forces.

We encourage the Department of Defense to include board certification to the extent possible as part of the training and certification requirement for sexual assault nurse examiners.

Additional responsibilities of Sexual Assault Prevention and Response Office for Department of Defense sexual assault prevention and response program (sec. 1726)

The Senate committee-reported bill contained a provision (sec. 535) that would amend section 1611(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) to require the Director of the Sexual Assault Prevention and Response Office (the Director) to: (1) oversee development and implementation of the comprehensive policy for the Department of Defense (DOD) sexual assault prevention and response program; (2) serve as the single point of authority, accountability, and oversight for the sexual assault prevention and response program; (3) undertake responsibility for the oversight of the implementation of the sexual assault prevention and response program by the armed forces; (4) collect and maintain data of the military departments on sexual assault; (5) provide oversight to ensure that the military departments maintain documents relating to allegations and complaints of sexual assault involving service members and courts-martial or trials of service members for sexual assault offenses; (6) act as a liaison between DOD and other federal and state agencies on programs and efforts relating to sexual assault prevention and response; (7) oversee development of strategic program guidance and joint planning objectives for resources in support of the sexual assault prevention and response program, and make recommendations on modifications to policy, law, and regulations needed to ensure the continuing availability of such resources; and (8) provide the Secretary of the Department of Veterans Affairs (VA) any records or documents on sexual assault in the armed forces, including restricted reports with the approval of the individuals who filed such reports, that are required for the purposes of the administration of the laws administered by the Secretary of the VA.

The provision would amend subtitle A of title XVI of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) to require the Director to collect and maintain data from the services on sexual assaults involving service members and to develop metrics to measure the effectiveness of, and compliance with, the training and awareness objectives on sexual assault and prevention.

The provision would also amend section 1631(f) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) to require the service secretaries to include in the case synopsis portion of the annual report regarding sexual assaults involving members of the armed forces the unit of each service member accused of committing a sexual assault and the unit of each service member who is a victim of a sexual assault.

The House bill contained no similar provision.

The agreement includes a provision that would amend section 1611(b) of the Ike Skel-

ton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) to require the Director to collect and maintain data of the military departments on sexual assault; act as a liaison between DOD and other federal and state agencies on programs and efforts relating to sexual assault prevention and response; oversee development of strategic program guidance and joint planning objectives for resources in support of the sexual assault prevention and response program, and make recommendations on modifications to policy, law, and regulations needed to ensure the continuing availability of such resources; and develop metrics to measure the effectiveness of, and compliance with, training and awareness objectives of the military departments on sexual assault prevention and response.

SUBTITLE D—STUDIES, REVIEWS, POLICIES, AND REPORTS

Independent reviews and assessments of Uniform Code of Military Justice and judicial proceedings of sexual assault cases (sec. 1731)

The House bill contained a provision (sec. 533(c)) that would require the Response Systems Panel established under subsection (a)(1) of section 576 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) (FY13 NDAA) to assess the appropriateness of statutorily mandated minimum sentencing provisions for additional offenses under the Uniform Code of Military Justice (UCMJ), and would require the Judicial Proceedings Panel established under subsection (a)(2) of the FY13 NDAA to assess the implementation and effect of the mandatory minimum sentences established elsewhere in this bill.

The House bill contained a provision (sec. 536(c)) that would require the Response Systems Panel to conduct an assessment regarding whether the roles, responsibilities, and authorities of Victims' Counsel to provide legal assistance to victims of alleged sex-related offenses should be expanded to include legal standing to represent the victim during investigative and military justice proceedings in connection with the prosecution of the offense; and would require the Judicial Proceedings Panel to conduct an assessment of the implementation and effect of authorizing Victims' Counsel to provide legal assistance to victims of alleged sex-related offenses.

The House bill contained a provision (sec. 542(c)) that would require the Response Systems Panel to assess the feasibility and appropriateness of extending to victims of military crimes the additional right afforded a crime victim in civilian criminal legal proceedings under subsection (a)(4) of section 3771 of title 18, United States Code, and the legal standing to seek enforcement of crime victim rights provided by subsection (d) of such section.

The House bill contained a provision (sec. 549 (a), (c), and (d)) that would require the Response Systems Panel to conduct an assessment of the impact, if any, that removing from the chain of command any disposition authority regarding charges preferred under the UCMJ would have on overall reporting and prosecution of sexual assault cases, and to review and provide comment on the report of the Secretary of Defense on the role of military commanders in the military justice process required elsewhere in this Act; and would require the Judicial Proceedings Panel to assess the likely consequences of amending of the definition of rape and sexual assault under Article 120 of the UCMJ to expressly cover a situation in which a person

subject to the UCMJ commits a sexual act upon another person by abusing one's position in the chain of command of the other person to gain access to or coerce the other person.

The Senate committee-reported bill contained a provision (sec. 544) that would require the Response Systems Panel to include in the comparison of military and civilian systems for the investigation, prosecution, and adjudication of adult sexual assault crimes, required by section 576(d)(1)(B), an assessment of the opportunities for clemency provided in the military and civilian systems, the appropriateness of clemency proceedings in the military system, the manner in which clemency is used in the military system, and whether clemency in the military justice system could be reserved until the end of the military appeals process. The provision would also require the Response Systems Panel to assess the means by which the name, if known, and other necessary identifying information of an alleged offender that is collected as part of a restricted report of a sexual assault could be compiled into a protected, searchable database.

The Senate committee-reported bill contained a provision (sec. 546) that would require the Judicial Proceedings Panel to assess the adequacy of the provision of compensation and restitution for victims of offenses under the UCMJ, and develop recommendations on expanding such compensation and restitution.

The Senate committee-reported bill contained a provision (sec. 545) that would require the Response Systems Panel and the Judicial Proceedings Panel to assess the effectiveness of provisions of law on sexual assault prevention and response adopted and provisions offered but not adopted during the markup by the Senate Committee on Armed Services of the bill to enact the National Defense Authorization Act for Fiscal Year 2014.

The agreement includes a provision that would consolidate the provisions, delete redundant provisions, and align the additional responsibilities as appropriate under the Response Systems Panel and the Judicial Proceedings Panel.

Review and policy regarding Department of Defense investigative practices in response to allegations of Uniform Code of Military Justice violations (sec. 1732)

The House bill contained a provision (sec. 539) that would require the Secretary of Defense to review the practices of military criminal investigative organizations (MCIO) regarding the investigation of alleged sex-related offenses involving members of the armed forces, including the extent to which the MCIOs make a recommendation regarding whether an allegation of a sex-related offense appears founded or unfounded, and to develop a uniform policy regarding the use of case determinations to record the results of investigations of violations of the Uniform Code of Military Justice.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would expand the scope of the review to MCIO investigations of allegations of any offense under the Uniform Code of Military Justice.

Review of training and education provided members of the Armed Forces on sexual assault prevention and response (sec. 1733)

The House bill contained a provision (sec. 540) that would require the Secretary of Defense to develop a uniform curriculum, to in-

clude lesson plans, to ensure that sexual assault prevention and response training and education for members of the armed forces are uniform across the Department of Defense.

The Senate committee-reported bill contained a provision (sec. 536(a)) that would require the Secretary to review the adequacy of the training provided to service members on sexual assault prevention and response, and to prescribe any modifications necessary to the training provided members of the armed forces on sexual assault prevention and response.

The agreement includes the Senate provision with an amendment that would require the Secretary of Defense to identify common core elements that must be included in any training or education provided to service members on sexual assault prevention and response and to submit a report containing the results of the review, including the common core elements identified in the review, to the Committees on Armed Services of the Senate and the House of Representatives not later than 120 days after the date of enactment of this Act.

Report on implementation of Department of Defense policy on the retention of and access to evidence and records relating to sexual assaults involving members of the Armed Forces (sec. 1734)

The House bill contained a provision (sec. 550G) that would amend section 1631(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) to require service secretaries to include in their annual reports to the Secretary of Defense on sexual assaults: (1) A description of the implementation of the comprehensive policy on the retention of and access to evidence and records relating to sexual assaults involving service members; and (2) The policies, procedures, and the processes implemented by the secretary concerned to ensure detailed evidence and records are transmitted to the Department of Veterans Affairs for sexual trauma that occurred during active duty service.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would require the Secretary of Defense to conduct a review of the progress made in developing and implementing the comprehensive policy on the retention and access to evidence and records relating to sexual assaults involving service members and to submit a report containing the results of the review to the Committees on Armed Services of the Senate and the House of Representatives not later than 180 days after the date of enactment of this Act.

Review of the Office of Diversity Management and Equal Opportunity role in sexual harassment cases (sec. 1735)

The House bill contained a provision (sec. 550) that would require the Secretary of Defense to conduct a review of the Office of Diversity Management and Equal Opportunity for the purposes of identifying resource and personnel gaps in the office, the role of the office in sexual harassment cases, and evaluating how the office works with the Sexual Assault Prevention and Response Office to address sexual assault in the armed forces.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary of Defense to determine whether sexual harassment cases should be evaluated or addressed within the Office of

Diversity Management and Equal Opportunity and to identify and assess the capability of the Office of Diversity Management and Equal Opportunity to track sexual harassment cases.

SUBTITLE E—OTHER MATTERS

Enhanced protections for prospective members and new members of the Armed Forces during entry-level processing and training (sec. 1741)

The House bill contained a provision (sec. 548) that would require the Secretary of Defense and the secretary of the department in which the Coast Guard is operating to maintain a policy that defines and prescribes what constitutes an inappropriate relationship, communication, conduct, or contact, including when such an action is consensual, between a service member who exercises authority or control over, or supervises a prospective member of the armed forces undergoing entry-level processing or training. The provision would also require that a service member who violates this policy be processed for administrative separation when the member is not otherwise punitively discharged or dismissed from the armed forces for that violation, and would require the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives a proposed amendment to chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), to create an additional article regarding violations of the policy described above.

The Senate committee-reported bill contained a provision (sec. 557) that would require the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives, not later than 120 days after the enactment of this act, a report on whether legislative action is required to modify the Uniform Code of Military Justice (chapter 47 of title 10, United States Code), to prohibit sexual acts and contacts between military instructors and their trainees.

The agreement includes a provision that would combine the House and Senate provisions.

Commanding officer action on reports on sexual offenses involving members of the Armed Forces (sec. 1742)

The Senate committee-reported bill contained a provision (sec. 541) that would require commanding officers to immediately refer to the appropriate military criminal investigation organization reports of sex-related offenses involving members of the commander's chain of command.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Eight-day incident reporting requirement in response to unrestricted report of sexual assault in which the victim is a member of the Armed Forces (sec. 1743)

The House bill contained a provision (sec. 545) that would require the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating to establish and maintain a policy for a written incident report to detail actions taken or in progress to provide the victim of a sexual assault with necessary care and support, to refer the allegation of sexual assault to the appropriate investigative agency, and to provide initial notification to the chain of command above the unit in which the victim served when such notification had not already taken place. This provision would require the incident report to be provided

within 8 days of the unrestricted report of a sexual assault, and would require the Secretary of Defense to prescribe regulations to carry out the policy within 180 days of the date of enactment of this Act.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Review of decisions not to refer charges of certain sex-related offenses for trial by court-martial (sec. 1744)

The Senate committee-reported bill contained a provision (sec. 552) that would require review of decisions not to refer charges of rape or sexual assault, forcible sodomy, or attempts to commit these offenses to trial by court-martial. In any case in which the staff judge advocate recommends that the charges be referred to trial by court-martial and the convening authority decides not to refer the charges to trial by court-martial, the convening authority would be required to forward the case file to the service secretary for review. In cases where the staff judge advocate recommends that the charges not be referred to trial by court-martial and the convening authority agrees, the convening authority would be required to forward the case file to a superior commander authorized to exercise general court-martial convening authority for review.

The House bill contained no similar provision.

The agreement includes the Senate provision with a clarifying amendment.

Inclusion and command review of information on sex-related offenses in personnel service records of members of the Armed Forces (sec. 1745)

The House bill contained a provision (sec. 547) that would require the Secretary of Defense to require commanders to include letters of reprimand, nonpunitive letters of actions and counseling statements involving substantiated cases of sexual harassment or sexual assault in the performance evaluation reports of service members.

The Senate committee-reported bill contained a provision (sec. 534) that would require that complaints of a sex-related offense resulting in a court-martial conviction, non-judicial punishment, or administrative action be noted in the personnel service record of the service member, regardless of the member's grade. The provision would also require the Secretary of Defense to prescribe regulations requiring commanders to review the history of substantiated sexual offenses of service members permanently assigned to the commander's facility, installation, or unit.

The agreement includes the Senate provision with a clarifying amendment.

Prevention of sexual assault at military service academies (sec. 1746)

The House bill contained a provision (sec. 550D) that would require the Secretary of Defense to ensure that each of the military service academies adds a section in the ethics curricula of such academies that outlines honor, respect, and character development as such pertain to the issue of preventing sexual assault in the armed forces.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would require the curricula of each of the military service academies to include a section that outlines honor, respect, and character development as such pertain to the issue of preventing sexual assault in the armed forces and that the training included

in the curricula be provided within 14 days after the initial arrival of a new cadet or midshipman at the military service academy and repeated annually thereafter.

Required notification whenever members of the Armed Forces are completing Standard Form 86 of the Questionnaire for National Security Positions (sec. 1747)

The House bill contained a provision (sec. 550E) that would require the Secretary of Defense to inform service members at the earliest time possible, such as upon enlistment and commissioning, and during sexual assault awareness training and service member interactions with sexual assault response coordinators, of the policy of instructing an individual to answer "no" to question 21 of Standard Form 86 of the Questionnaire for National Security Positions with respect to consultation with a health care professional if the individual is a victim of sexual assault and the consultation occurred with respect to an emotional or mental health condition strictly in relation to the sexual assault.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would require that a service member be notified of the policy of instructing an individual to answer "no" to question 21 of Standard Form 86 of the Questionnaire for National Security Positions with respect to consultation with a health care professional if the individual is a victim of sexual assault and the consultation occurred with respect to an emotional or mental health condition strictly in relation to the sexual assault whenever the member is required to complete Standard Form 86 of the Questionnaire for National Security Positions.

SUBTITLE F—SENSE OF CONGRESS PROVISIONS
Sense of Congress on commanding officer responsibility for command climate free of retaliation (sec. 1751)

The Senate committee-reported bill contained a provision (sec. 540) that would express the sense of Congress that: (1) commanding officers are responsible for establishing a command climate in which sexual assault allegations are properly managed and fairly evaluated and a victim can report criminal activity, including sexual assault, without fear of retaliation, including ostracism and group pressure from other members of the command; (2) the failure of commanding officers to maintain such a command climate is an appropriate basis for relief from their command positions; and (3) senior officers should evaluate subordinate commanding officers on their performance in establishing a command climate free of retaliation.

The House bill contained no similar provision.

The agreement includes the Senate provision with a technical amendment.

Sense of Congress on disposition of charges involving certain sexual misconduct offenses under the Uniform Code of Military Justice through courts-martial (sec. 1752)

The Senate committee-reported bill contained a provision (sec. 558) that would express the sense of the Senate that charges of rape, sexual assault, forcible sodomy, or attempts to commit these offenses should be disposed of by court-martial rather than by non-judicial punishment or administrative action, and that the disposition authority should include in the case file a justification in any case where these charges are disposed of by non-judicial punishment or administrative action.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would express the sense of Congress.

Sense of Congress on the discharge in lieu of court-martial of members of the Armed Forces who commit sex-related offenses (sec. 1753)

The Senate committee-reported bill contained a provision (sec. 559) that would express the sense of the Senate that: (1) the armed forces should be sparing in discharging in lieu of court-martial service members who have committed rape, sexual assault, forcible sodomy, or attempts to commit such offenses, and should do so only when the facts of the case clearly warrant such discharge; (2) whenever possible, victims of these offenses should be consulted about the discharge of the service member; (3) commanding officers should consider the views of these victims when determining whether to discharge service members in lieu of court-martial; and (4) discharges of service members in lieu of court-martial for the specified offenses should be characterized as Other Than Honorable.

The House bill contained no similar provision.

The agreement includes the Senate provision with a clarifying amendment that would express a sense of Congress.

LEGISLATIVE PROVISIONS NOT ADOPTED
Servicemembers' accountability, rights, and responsibilities training

The House bill contained a provision (sec. 530A) that would require the Secretary of Defense to ensure that all service members understand and comply with specified rights and responsibilities.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Inspector General of the Department of Defense review of separation of members of the Armed Forces who made unrestricted reports of sexual assault

The House bill contained a provision (sec. 530B) that would require the Inspector General of the Department of Defense to conduct a review to identify all members of the armed forces who, since January 1, 2002, were separated from the armed forces after making an unrestricted report of sexual assault.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Secretary of Defense report on role of commanders in military justice process

The House bill contained a provision (sec. 538) that would require the Secretary of Defense to assess the current role and authorities of commanders in the administration of military justice and the investigation, prosecution, and adjudication of offenses under the Uniform Code of Military Justice.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Enhancement to requirements for availability of information on sexual assault prevention and response resources

The House bill contained a provision (sec. 550B) that would require the Secretary of Defense to ensure that information relating to sexual assault prevention and response and resource information is prominently posted in specified locations.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that section 572(a)(4) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) requires the Department of Defense to “post and widely disseminate information about the resources available to report and respond to sexual assaults, including the establishment of a hotline phone number and Internet websites available to all members of the armed forces.” We further understand that the Sexual Assault Prevention and Response Office is currently updating existing policy to include this requirement, and look forward to the final policy being published as soon as possible.

Health welfare inspections

The House bill contained a provision (sec. 564) that would require the secretary of each military department to conduct health and welfare inspections on a monthly basis to ensure and maintain security, military readiness, and good order and discipline.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Summary and explanation of funding tables

Division B of this Act authorizes funding for military construction projects of the Department of Defense. It includes funding authorizations for the construction and operation of military family housing as well as military construction for the reserve components, the defense agencies, and the North Atlantic Treaty Organization Security Investment Program. It also provides authorization for the base closure accounts that fund military construction, environmental cleanup, and other activities required to implement the decisions in base closure rounds.

The following tables provide the project-level authorizations for the military construction funding authorized in Division B of this Act and summarize that funding by account. Funding for base closure projects is summarized in the table that follows, and is explained in additional detail in the table included in title XXVII of this report.

LEGISLATIVE PROVISIONS ADOPTED

Short title (sec. 2001)

The House bill contained a provision (sec. 2001) that would designate division B of this Act as the Military Construction Authorization Act for Fiscal Year 2014.

The Senate committee-reported bill contained an identical provision (sec. 2001).

The agreement includes this provision.

Expiration of authorizations and amounts required to be specified by law (sec. 2002)

The House bill contained a provision (sec. 2002) that would ensure that the authorizations provided in titles XXI through XXVII and XXIX shall expire on October 1, 2016, or the date of enactment of an act authorizing funds for military construction for fiscal year 2017, whichever is later.

The Senate committee-reported bill contained a similar provision (sec. 2002).

The agreement includes the House provision with a clarifying amendment.

LEGISLATIVE PROVISION NOT ADOPTED

Effective date

The House bill contained a provision (sec. 2003) that would provide that titles XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, and

XXIX of this Act take effect on October 1, 2013, or the date of enactment of this Act, whichever is later.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

TITLE XXI—ARMY MILITARY CONSTRUCTION

Summary

The Department of Defense requested authorization of appropriations of \$1.1 billion for military construction and \$556.9 million for family housing for the Army for fiscal year 2014. The agreement includes authorization of appropriations of \$1.1 billion for military construction and \$556.9 million for family housing for the Army for fiscal year 2014.

The budget request included \$75.0 million for a Command and Control facility for U.S. Army Pacific. While we support the requirement for this facility, we are concerned that the unit cost for this facility is high compared to a standard design even when accounting for Area Cost Factors. Additionally, we believe the full amount requested by the Department is not necessary in light of efforts to reduce the size of headquarters staffs across the Department. Therefore, the agreement includes \$70.0 million, a reduction of \$5.0 million, for this facility.

The budget request included \$33.0 million for Host Nation Support Planning and Design. In light of unobligated balances in the Planning and Design accounts from previous years, the agreement reflects a \$5.0 million reduction.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Army construction and land acquisition projects (sec. 2101)

The House bill contained a provision (sec. 2101) that would authorize military construction projects for the active component of the Army for fiscal year 2014.

The Senate committee-reported bill contained a similar provision (sec. 2101).

The agreement includes the House provision with a clarifying amendment.

We note the authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4601 of this Act provides the binding list of specific construction projects authorized at each location.

Family housing (sec. 2102)

The House bill contained a provision (sec. 2102) that would authorize new construction and planning and design of family housing units for the Army for fiscal year 2014. It would also authorize funds for facilities that support family housing, including housing management offices and housing maintenance and storage facilities.

The Senate committee-reported bill contained a similar provision (sec. 2102).

The agreement includes the House provision.

Authorization of appropriations, Army (sec. 2103)

The House bill contained a provision (sec. 2103) that would authorize appropriations for the active component military construction and family housing projects of the Army for fiscal year 2014. This provision would also provide an overall limitation on the cost of the fiscal year 2014 military construction and family housing projects authorized for the active duty component of the Army.

The Senate committee-reported bill contained a similar provision (sec. 2103).

The agreement includes the House provision with a clarifying amendment.

Limitation on construction of cadet barracks at United States Military Academy, New York (sec. 2104)

The Senate committee-reported bill contained a provision (sec. 2109) that would prohibit the obligation or expenditure of funds for the second increment of barracks construction at the U.S. Military Academy (USMA), New York, as requested, until the Secretary of the Army certifies to the congressional defense committees that the Secretary has entered into a contract for the renovation of MacArthur Short Barracks at the USMA, consistent with the plan provided to the congressional defense committees in March 2013.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would require the Secretary of the Army to certify to the congressional defense committees that the Secretary intends to award a contract for the renovation of MacArthur Short Barracks concurrent with assuming beneficial occupancy of the renovated Scott Barracks.

Additional authority to carry out certain fiscal year 2004 project (sec. 2105)

The House bill contained a provision (sec. 2104) that would provide additional authority for a project initially provided in section 2101 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108-136) at Picatinny Arsenal, New Jersey, for construction of a Research and Development Loading Facility.

The Senate committee-reported bill contained a similar provision (sec. 2106).

The agreement includes the House provision with a clarifying amendment.

Modification of authority to carry out certain fiscal year 2010 project (sec. 2106)

The House bill contained a provision (sec. 2105) that would modify the authorization contained in section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 123 Stat. 2629) for construction of an APS Warehouses at Camp Arifjan, Kuwait.

The Senate committee-reported bill contained a similar provision (sec. 2105).

The agreement includes the House provision.

Modification of authority to carry out certain fiscal year 2011 project (sec. 2107)

The House bill contained a provision (sec. 2106) that would modify the authorization contained in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111-383; 124 Stat. 4437) for construction of a Regional Logistic Support Complex at Fort Lewis, Washington.

The Senate committee-reported bill contained a similar provision (sec. 2104).

The agreement includes the House provision with a clarifying amendment.

Extension of authorizations of certain fiscal year 2010 projects (sec. 2108)

The House bill contained a provision (sec. 2107) that would extend the authorizations for three projects originally authorized by section 2002 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 11-84) until October 1, 2014, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2015, whichever is later.

The Senate committee-reported bill contained a similar provision (sec. 2108).

The agreement includes the House provision.

Extension of authorizations of certain fiscal year 2011 projects (sec. 2109)

The House bill contained a provision (sec. 2108) that would extend the authorizations listed until October 1, 2014, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2015, whichever is later.

The Senate committee-reported bill contained an identical provision (sec. 2107).

The agreement includes this provision.

LEGISLATIVE PROVISIONS NOT ADOPTED

Transfer of Administrative Jurisdiction, Camp Frank D. Merrill, Dahlonaga, Georgia

The House bill contained a provision (sec. 2109) that would require the Secretary of Agriculture to transfer certain Federal land administered as part of the Chattahoochee National Forest to the administrative jurisdiction of the Secretary of the Army.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We believe that the current agreement between the Department of Agriculture and the Department of the Army related to an Army Ranger training area at Camp Frank D. Merrill in Dahlonaga, Georgia, is inadequate to support the existing missions of the Department of the Army. We note that Secretary of the Army and the Secretary of Agriculture have entered into discussions to address procedures for management and administration of the property that we expect will ameliorate these concerns. We urge the Secretary of the Army and the Secretary of Agriculture to expeditiously conclude these discussions to preserve and enhance the training and military readiness capacity at Camp Frank D. Merrill. Lastly, we direct the Secretary of the Army to submit a report to the congressional defense committees on the status of negotiations not later than 90 days after enactment of this Act and summarizing the results of the negotiations not later than 90 days after an agreement is reached.

Authorized Army construction and land acquisition project

The House bill contained a provision (sec. 2901) that would authorize Army construction projects for fiscal year 2014 at Guantanamo Bay, Cuba. The provision would also require the Secretary of Defense to provide a brief to the congressional defense committees on infrastructure costs associated with continued detention operations at Guantanamo Bay, Cuba, and would require the President to provide a plan relating to detainees at Guantanamo Bay, future terrorist captures, and detainees held at the detention Facility at Parwan, Afghanistan.

The Senate committee-reported bill did not contain a similar provision.

The agreement does not include this provision.

TITLE XXII—NAVY MILITARY CONSTRUCTION
Summary

The Department of Defense requested authorization of appropriations of \$1.7 billion for military construction and \$463.2 million for family housing for the Department of the Navy for fiscal year 2014. The agreement includes the requested amounts.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Navy construction and land acquisition projects (sec. 2201)

The House bill contained a provision (sec. 2201) that would authorize military construction projects for the active component of the Navy for fiscal year 2014.

The Senate committee-reported bill contained a similar provision (sec. 2201).

The agreement includes the House provision.

We note the authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4601 of this Act provides the binding list of specific construction projects authorized at each location.

Family housing (sec. 2202)

The House bill contained a provision (sec. 2202) that would authorize new construction and planning and design of family housing units for the Navy for fiscal year 2014. It would also authorize funds for facilities that support family housing, including housing management offices and housing maintenance and storage facilities.

The Senate committee-reported bill contained a similar provision (sec. 2202).

The agreement includes the House provision.

Improvements to military family housing units (sec. 2203)

The House bill contained a provision (sec. 2203) that would authorize funding for fiscal year 2014 to improve existing Navy family housing.

The Senate committee-reported bill contained a similar provision (sec. 2203).

The agreement includes the House provision.

Authorization of appropriations, Navy (sec. 2204)

The House bill contained a provision (sec. 2204) that would authorize appropriations for the active component military construction and family housing projects of the Navy for fiscal year 2014. This provision would also provide an overall limitation on the cost of the fiscal year 2014 military construction and family housing projects authorized for the active duty component of the Navy.

The Senate committee-reported bill contained a similar provision (sec. 2204).

The agreement includes the House provision with a clarifying amendment.

Modification of authority to carry out certain fiscal year 2011 project (sec. 2205)

The House bill contained a provision (sec. 2206) that would modify the authorization contained in section 2201(b) of the Military Construction Authorization Act for Fiscal Year 2011 (division B of Public Law 111-383; 124 Stat. 4441), for construction of Navy Central Command ammunition magazines in Bahrain.

The Senate committee-reported bill contained a similar provision (sec. 2206).

The agreement includes the House provision.

Modification of authority to carry out certain fiscal year 2012 project (sec. 2206)

The House bill contained a provision (sec. 2207) that would modify the authorization contained in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112-81; 125 Stat. 1666) for construction of Explosives Handling Wharf No. 2 at Kitsap, Washington.

The Senate committee-reported bill contained a similar provision (sec. 2205).

The agreement includes the House provision.

Extension of authorizations of certain fiscal year 2011 projects (sec. 2207)

The House bill contained a provision (sec. 2208) that would extend the fiscal year 2011 authorization for two projects until October 1, 2014, or the date of the enactment of an

Act authorizing funds for military construction for fiscal year 2015, whichever is later.

The Senate committee-reported bill contained a similar provision (sec. 2207) that would extend the fiscal year 2011 authorization for one project until October 1, 2014, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2015, whichever is later and another similar provision (sec. 2208) that would extend the fiscal year 2011 authorization for one project until October 1, 2015, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2016, whichever is later.

The agreement includes the House provision.

LEGISLATIVE PROVISION NOT ADOPTED

Limitation on project authorization to carry out certain fiscal year 2014 project

The House bill contained a provision (sec. 2205) that would prohibit the Secretary of the Navy from obligating or expending any funds authorized for land acquisition related to the Townsend Bombing Range near Savannah, Georgia, until the Secretary certifies in writing to the congressional defense committees that the Secretary has entered into mutually-acceptable agreements with the governments of Long and McIntosh Counties, Georgia.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

The agreement includes an authorization of \$61.7 million to acquire real estate interests as the first phase of an expansion of the Townsend Bombing Range in Georgia in order to support the training of Navy and Marine Corps aviators in air-to-ground employment of precision guided munitions. Considering the fact that the first phase of the expansion will require the purchase of approximately 20,000 acres from private entities, we expect that the Department of the Navy will continue efforts to engage community representatives from Long County, Georgia and McIntosh County, Georgia with the goal of achieving a mutually acceptable agreement regarding terms for the real property to be acquired for the expansion of the Townsend Bombing Range that protects and supports the mission of the range.

TITLE XXIII—AIR FORCE MILITARY
CONSTRUCTION

Summary

The Department of Defense requested authorization of appropriations of \$1.1 billion for military construction and \$464.9 million for family housing for the Air Force in fiscal year 2014. The agreement includes authorization of appropriations of \$1.1 billion for military construction and \$464.9 million for family housing for fiscal year 2014.

The budget request included \$192.7 million for KC-46A Main Operating Base (MOB) #1 facilities and \$63.0 million for KC-46A Formal Training Unit (FTU) facilities at unspecified locations. On May 22, 2013, the Air Force announced McConnell Air Force Base, Kansas, as its preferred alternative for the KC-46A MOB #1 and Altus Air Force Base, Oklahoma, as its preferred alternative for the KC-46A FTU. Concurrent with this announcement, the Air Force also requested an amendment to its budget request specifying location-specific requirements for KC-46A bed down, including \$219.1 million for eight military construction projects at McConnell Air Force Base and \$30.9 million for five military construction projects at Altus Air Force Base. The agreement reflects these amounts.

The budget request included \$12.0 million for a Main Gate Complex at Royal Air Force Station Croughton, United Kingdom. The House bill included no funding for this project and the report accompanying the House bill (H.Rept. 113-102) directed the Secretary of Defense to submit a report to the congressional defense committees by September 30, 2013, regarding the costs and benefits of locating various intelligence functions at the installation. The required report has not been provided to the congressional defense committees and, therefore, the agreement includes no funding for this project.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Air Force construction and land acquisition projects (sec. 2301)

The House bill contained a provision (sec. 2301) that would authorize military construction projects for the active component of the Air Force for fiscal year 2014.

The Senate committee-reported bill contained a similar provision (sec. 2301).

The agreement includes the House provision with a clarifying amendment.

We note the authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4601 of this Act provides the binding list of specific construction projects authorized at each location.

Family housing (sec. 2302)

The House bill contained a provision (sec. 2302) that would authorize new construction and planning and design of family housing units for the Air Force for fiscal year 2014. It would also authorize funds for facilities that support family housing, including housing management offices and housing maintenance and storage facilities.

The Senate committee-reported bill contained a similar provision (sec. 2302).

The agreement includes the House provision.

Improvements to military family housing units (sec. 2303)

The House bill contained a provision (sec. 2303) that would authorize funding for fiscal year 2014 to improve existing Air Force family housing.

The Senate committee-reported bill contained a similar provision (sec. 2303).

The agreement includes the House provision.

Authorization of appropriations, Air Force (sec. 2304)

The House bill contained a provision (sec. 2304) that would authorize appropriations for the active component military construction and family housing projects of the Air Force for fiscal year 2014. This provision would also provide an overall limitation on the cost of the fiscal year 2014 military construction and family housing projects authorized for the active duty component of the Air Force.

The Senate committee-reported bill contained a similar provision (sec. 2304).

The agreement includes the House provision with a clarifying amendment.

Limitation on project authorization to carry out certain fiscal year 2014 project (sec. 2305)

The House bill contained a provision (sec. 2306) that would limit the Secretary of the Air Force from expending any funds authorized by this title that are associated with the construction of a maintenance facility, a hazardous cargo pad, or an airport storage facility at Saipan, Commonwealth of the Northern Mariana Islands, until the Secretary certifies that the Department of the Air Force will purchase the requisite real estate necessary to support these projects.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would limit funds for the construction of projects in fiscal year 2014 to support divert field operations in the Commonwealth of the Northern Mariana Islands until the Secretary of the Air Force provides a summary of alternatives considered, a description of the overall construction requirements, and a comparison of the costs and benefits of leasing compared to purchasing real estate to support the divert field requirements.

In addition, we note that the Governor of the Commonwealth of the Northern Mariana Islands has expressed concerns regarding the proposed location of the divert field and whether it should be sited on Saipan or Tinian. As such, we expect the Secretary of the Air Force to consult with the Governor of the Commonwealth of the Northern Mariana Islands regarding the location of projects to support divert field operations with the goal of achieving a mutually agreeable solution.

Modification of authority to carry out certain fiscal year 2013 project (sec. 2306)

The House bill contained a provision (sec. 2305) that would increase the construction scope associated with a Fuel Systems Maintenance Hangar authorization at Andersen Air Force Base, Guam, provided in the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239), to \$128.0 million.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision.

Extension of authorization of certain fiscal year 2011 project (sec. 2307)

The House bill contained a provision (sec. 2307) that would extend the authorization listed until October 1, 2014, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2015, whichever is later.

The Senate committee-reported bill contained a similar provision (sec. 2305).

The agreement includes the House provision.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION BUDGET ITEMS

Summary

The Department of Defense (DOD) requested authorization of appropriations of \$4.0 billion for military construction for the defense agencies, \$150.0 million for energy conservation projects, \$122.5 million for chemical demilitarization construction, and \$57.6 million for family housing for the defense agencies for fiscal year 2014. The agreement includes authorization of appropriations of \$3.4 billion for military construction, \$150.0 million for energy conservation projects, \$122.5 million for chemical demilitarization construction, and \$57.6 million for family housing for the defense agencies for fiscal year 2014.

The budget request included \$431.0 million for the third increment of the High Performance Computing Center at Fort Meade, Maryland. We understand DOD would be unable to expend the full amount of the budget request in fiscal year 2014 and, therefore, the agreement reflects a \$35.0 million reduction.

The budget request included \$265.0 million for an Ambulatory Health Center at Fort Knox, Kentucky. We understand DOD would be unable to expend the full amount of the

budget request in fiscal year 2014 and, therefore, the agreement reflects a \$120.0 million reduction.

The budget request included \$210.0 million for replacement of the Public Health Command Laboratory at Aberdeen Proving Ground, Maryland. We understand DOD would be unable to expend the full amount of the budget request in fiscal year 2014 and, therefore, the agreement reflects a \$135.0 million reduction.

The budget request included \$76.2 million for the second increment of the Ambulatory Care Center at Joint Base Andrews, Maryland. We understand DOD would be unable to expend the full amount of the budget request in fiscal year 2014 and, therefore, the agreement reflects a \$38.1 million reduction.

The budget request included \$251.2 million for the fifth increment of the Hospital Replacement at Fort Bliss, Texas. We understand DOD would be unable to expend the full amount of the budget request in fiscal year 2014 and, therefore, the agreement reflects a \$152.1 million reduction.

The budget request included \$151.5 million for the third increment of the Medical Center Replacement at Rhine Ordnance Barracks, Germany. We understand DOD would be unable to expend the full amount of the budget request in fiscal year 2014 and, therefore, the agreement reflects a \$75.0 million reduction.

The budget request included \$1.8 million for a Tour Bus Drop Off at the Pentagon Reservation, Virginia. We believe this project is unjustified given the current fiscal pressures facing DOD and does little to improve the safety of visitors to the Pentagon and, therefore, the agreement includes no funding for this project.

The budget request included \$85.0 million for the second increment of the Aegis Ashore Missile Defense Systems Complex in Deveselu, Romania. We understand that this project was awarded significantly below the authorized level and, therefore, the agreement reflects a \$5.0 million reduction.

The budget request included \$10.0 million for Contingency Construction. In light of unobligated balances in the Contingency Construction account from previous years, the agreement reflects a \$10.0 million reduction.

U.S. Special Operations Command Military Construction Requirements

The budget request included a total of \$32.9 million for three military construction projects that support Special Operations Forces (SOF) Resiliency and Human Performance Centers.

The House bill did not authorize the three military construction projects because of concerns about duplication of existing physical fitness facilities provided by the military services and potential conflicts with medical care provided by the TRICARE Management Activity.

The Senate committee-reported bill included the requested funds.

The agreement includes the requested funds.

We fully support the intent of the U.S. Special Operations Command (USSOCOM) Preservation of the Force and Families (POTFF) initiative. However, we are concerned about the affordability of USSOCOM's current plan for the POTFF and, specifically, its projected cost of almost \$500.0 million, including \$200.0 million for military construction, across the future year's defense plan (FYDP) in light of current budgetary pressures. We are also concerned about the adverse impact of prioritizing military construction investments to support the POTFF at the expense

of other longstanding USSOCOM military construction requirements to recapitalize old and failing facilities. Lastly, we believe that USSOCOM Major Force Program 11 (MFP-11) military construction funds should only be used to fulfill "special operations-peculiar" facility requirements and should not be used to duplicate facilities provided by the military services.

In order to better assess USSOCOM's future military construction requirements, we direct the Secretary of Defense, concurrent with the budget request for fiscal year 2015, to provide the congressional defense committees with an assessment of military construction requirements for USSOCOM and those necessary to support the USSOCOM POTFF across the FYDP. This assessment shall include, at a minimum, the following:

(1) The definition of "SOF-peculiar" as it applies to the use of USSOCOM MFP-11 funding to meet military construction requirements;

(2) A description of the decision making process for determining whether a military construction project should be funded through MFP-11 or by the military services;

(3) An assessment of the feasibility of military construction investments to support the POTFF initiative, as outlined in the FYDP, in light of current budgetary pressures;

(4) The rationale for funding military construction projects in support of the POTFF initiative, as outlined in the FYDP, through MFP-11 as opposed to the budgets of the military services, including a description of any POTFF military construction requirements that can be satisfied by the military services;

(5) A prioritized list, by component, of military construction projects included in the FYDP that support the POTFF initiative, including cost and location; and

(6) A detailed listing of all military construction facilities within USSOCOM that are failing or have exceeded their lifetime of use by component, by function, and by military base, and a detailed listing of all unfunded USSOCOM military construction requirements by component, function and military base.

SUBTITLE A—DEFENSE AGENCY AUTHORIZATIONS

Authorized Defense Agencies construction and land acquisition projects (sec. 2401)

The House bill contained a provision (sec. 2401) that would authorize military construction projects for the defense agencies for fiscal year 2014.

The Senate committee-reported bill contained a similar provision (sec. 2401).

The agreement includes the House provision with a clarifying amendment.

We note the authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4601 of this Act provides the binding list of specific construction projects authorized at each location.

Authorized energy conservation projects (sec. 2402)

The House bill contained a provision (sec. 2402) that would authorize energy conservation projects for fiscal year 2014.

The Senate committee-reported bill contained a similar provision (sec. 2402).

The agreement includes the House provision with a clarifying amendment.

Authorization of appropriations, Defense Agencies (sec. 2403)

The House bill contained a provision (sec. 2403) that would authorize appropriations for

the construction and family housing projects of the defense agencies for fiscal year 2014. This provision would also provide an overall limitation on the cost of the fiscal year 2014 military construction and family housing projects authorized for the defense agencies.

The Senate committee-reported bill contained a similar provision (sec. 2403).

The agreement includes the House provision with a clarifying amendment.

SUBTITLE B—CHEMICAL DEMILITARIZATION AUTHORIZATIONS

Authorization of appropriations, chemical demilitarization construction, defense-wide (sec. 2411)

The House bill contained a provision (sec. 2411) that would authorize appropriations for military construction projects for the chemical demilitarization program for fiscal year 2014.

The Senate committee-reported bill contained a similar provision (sec. 2411).

The agreement includes the House provision with a technical amendment.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM Summary

The Department of Defense requested authorization of appropriations of \$239.7 million for military construction in fiscal year 2014 for the North Atlantic Treaty Organization Security Investment Program. The agreement includes authorization of appropriations of \$200.0 million for military construction in fiscal year 2014 for the North Atlantic Treaty Organization Security Investment Program.

We understand that the North Atlantic Treaty Organization Security Investment Program has expended prior year funds more slowly than anticipated and does not require the full requested amount for fiscal year 2014. Therefore, the agreement reflects a \$40.0 million reduction.

LEGISLATIVE PROVISIONS ADOPTED

Authorized NATO construction and land acquisition projects (sec. 2501)

The House bill contained a provision (sec. 2501) that would authorize the Secretary of Defense to make contributions to the North Atlantic Treaty Organization Security Investment Program in an amount equal to the sum of the amount specifically authorized in section 2502 of this title and the amount of recoupment due to the United States for construction previously financed by the United States.

The Senate committee-reported bill contained an identical provision (sec. 2501).

The agreement includes this provision.

Authorization of appropriations, NATO (sec. 2502)

The House bill contained a provision (sec. 2502) that would authorize the U.S. contribution to the North Atlantic Treaty Organization Security Investment Program.

The Senate committee-reported bill contained a similar provision (sec. 2502).

The agreement includes the House provision.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Summary

The Department of Defense requested authorization of appropriations of \$693.3 million for military construction in fiscal year 2014 for facilities for the guard and reserve components. The agreement includes authorization of appropriations of \$688.3 million for military construction in fiscal year 2014 for facilities for the guard and reserve components.

The budget request included \$29.0 million for Planning and Design for Army National Guard facilities. In light of unobligated balances in the Planning and Design accounts from previous years, the agreement reflects a \$5.0 million reduction.

SUBTITLE A—PROJECT AUTHORIZATIONS AND AUTHORIZATION OF APPROPRIATIONS

Authorized Army National Guard construction and land acquisition projects (sec. 2601)

The House bill contained a provision (sec. 2601) that would authorize military construction projects for the Army National Guard for fiscal year 2014.

The Senate committee-reported bill contained a similar provision (sec. 2601).

The agreement includes the House provision.

We note the authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4601 of this Act provides the binding list of specific construction projects authorized at each location.

Authorized Army Reserve construction and land acquisition projects (sec. 2602)

The House bill contained a provision (sec. 2602) that would authorize military construction projects for the Army Reserve for fiscal year 2014.

The Senate committee-reported bill contained a similar provision (sec. 2602).

The agreement includes the House provision.

We note the authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4601 of this Act provides the binding list of specific construction projects authorized at each location.

Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects (sec. 2603)

The House bill contained a provision (sec. 2603) that would authorize military construction projects for the Navy Reserve and the Marine Corps Reserve for fiscal year 2014.

The Senate committee-reported bill contained a similar provision (sec. 2603).

The agreement includes the House provision.

We note the authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4601 of this Act provides the binding list of specific construction projects authorized at each location.

Authorized Air National Guard construction and land acquisition projects (sec. 2604)

The House bill contained a provision (sec. 2604) that would authorize military construction projects for the Air National Guard for fiscal year 2014.

The Senate committee-reported bill contained a similar provision (sec. 2604).

The agreement includes the Senate provision.

We note the authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4601 of this Act provides the binding list of specific construction projects authorized at each location.

Authorized Air Force Reserve construction and land acquisition projects (sec. 2605)

The House bill contained a provision (sec. 2605) that would authorize military construction projects for the Air Force Reserve for fiscal year 2014.

The Senate committee-reported bill contained a similar provision (sec. 2605).

The agreement includes the House provision.

We note the authorized amounts are listed in this provision on an installation-by-installation basis. A State list of projects contained in the table in section 4601 of this Act provides the binding list of specific construction projects authorized at each location.

Authorization of appropriations, National Guard and Reserve (sec. 2606)

The House bill contained a provision (sec. 2606) that would authorize appropriations for the reserve component military construction projects for fiscal year 2014. This provision would also provide an overall limitation on the cost of the fiscal year 2014 military construction projects authorized for the reserve components.

The Senate committee-reported bill contained a similar provision (sec. 2606).

The agreement includes the Senate provision with an amendment that would prohibit obligation or expenditure of authorized funds for military construction projects associated with the 175th Network Warfare Squadron Facility at Fort Meade, Maryland, or the Cyber/ISR Facility at Martin State Airport, Maryland, until the Secretary of Defense makes several certifications to the congressional defense committees.

SUBTITLE B—OTHER MATTERS

Modification of authority to carry out certain fiscal year 2013 project (sec. 2611)

The House bill contained a provision (sec. 2611) that would modify the authority provided by section 2603 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239) and authorize the Secretary of the Navy to make certain modifications to the scope of a previously authorized construction project.

The Senate committee-reported bill contained a similar provision (sec. 2611).

The agreement includes the House provision.

Extension of authorizations of certain fiscal year 2011 projects (sec. 2612)

The House bill contained a provision (sec. 2612) that would extend the authorizations for three fiscal year 2011 projects until October 1, 2014, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2015, whichever is later.

The Senate committee-reported bill contained two similar provisions (sec. 2612 and sec. 2613) that would extend the fiscal year 2011 authorization for two projects until October 1, 2014, or the date of the enactment of an act authorizing funds for military construction for fiscal year 2015, whichever is later.

The agreement includes the House provision.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

Summary

The Department of Defense requested \$451.4 million for the ongoing cost of environmental remediation and other activities necessary to continue implementation of the 1988, 1991, 1993, 1995, and 2005 Base Realignment and Closure rounds. The agreement includes the requested amount.

SUBTITLE A—AUTHORIZATION OF APPROPRIATIONS

Authorization of appropriations for Base Realignment and Closure activities funded through Department of Defense Base Closure Account (sec. 2701)

The House bill contained a provision (sec. 2701) that would authorize appropriations for ongoing activities that are required to implement the decision of base realignment and closure activities.

The Senate committee-reported bill contained a similar provision (sec. 2701).

The agreement includes the House provision.

SUBTITLE B—OTHER MATTERS

Prohibition on conducting additional Base Realignment and Closure (BRAC) round (sec. 2711)

The House bill contained a provision (sec. 2711) that would prohibit funds, appropriated pursuant to an authorization of appropriations contained in this Act, to be used to propose, plan for, or execute an additional Base Realignment and Closure (BRAC) round.

The Senate committee-reported bill contained a provision (sec. 2702) that would establish, as a precondition for the authorization of a future BRAC round, a requirement for the Department of Defense to submit to Congress a formal review of overseas military facility structure.

The agreement includes a provision that would make clear that nothing in this Act shall be construed to authorize a future BRAC round.

We note that the agreement also reduces the budget request by \$8.0 million in Operation and Maintenance, defense-wide requested by the Department to “develop recommendations and manage a new BRAC round.”

Elimination of quarterly certification requirement regarding availability of military health care in National Capital Region (sec. 2712)

The House bill contained a provision (sec. 2712) that would repeal a quarterly reporting requirement regarding the capacity of the military health care system in the National Capital Region.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision.

Report on 2005 base closure and realignment joint basing initiative (sec. 2713)

The Senate committee-reported bill contained a provision (sec. 2703) that would require the Deputy Under Secretary of Defense for Installations and Environment to submit a report to the congressional defense committees on the 2005 BRAC joint basing initiative.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment.

LEGISLATIVE PROVISION NOT ADOPTED

Consideration of the value of services provided by a local community to the Armed Forces as part of the economic analysis in making base realignment or closure decisions

The House bill contained a provision (sec. 2713) that would require the Secretary of Defense to include an accounting of the value of services that are provided by the local community to the military as part of the economic analysis conducted in making any base realignment or closure decision.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We believe that to the extent services provided by a local community directly reduce the cost of Department of Defense operations at a particular installation, such savings should be included in the evaluation of the fiscal consequences of proposed base closures and realignments under sections 993 and 2687 of title 10, United States Code. We note that

sections 993 and 2687 of title 10, United States Code, apply to the Department's authorities to carry out base closures and realignments below certain thresholds, not a formal base realignment and closure process which would have to be specifically authorized by Congress.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

SUBTITLE A—MILITARY CONSTRUCTION PROGRAM AND MILITARY FAMILY HOUSING CHANGES

Modification and extension of authority to utilize unspecified minor military construction authority for laboratory revitalization projects (sec. 2801)

The House bill contained a provision (sec. 2801) that would modify section 2805 of title 10, United States Code, and allow the threshold of the unspecified minor construction (UMMC) project to be adjusted based on area cost factors and modify several unspecified minor military construction thresholds.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would modify the UMMC threshold for the use of Operation and Maintenance funds for laboratory revitalization projects from \$2.0 million to \$4.0 million and extend the underlying authority from 2016 to 2018. The agreement does not include any other changes to UMMC thresholds or area cost factor adjustments.

We note that, historically, the Department of Defense laboratory enterprise has not received adequate attention with regard to the revitalization of its infrastructure. Given that the laboratory enterprise is crucial to the development of future technologies that provide our warfighters a decisive technological edge on the battlefield, we strongly encourage the Department to place a higher priority on the revitalization and modernization of infrastructure across the laboratory enterprise.

Repeal of separate authority to enter into limited partnerships with private developers of housing (sec. 2802)

The House bill contained a provision (sec. 2803) that would repeal the limited authority of the Department of Defense to enter into partnerships with private developers for the purpose of providing family housing construction.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision.

Military construction standards to improve force protection (sec. 2803)

The House bill contained a provision (sec. 2804) that would provide additional latitude to the Department of Defense (DOD) to apply local threat criteria in the design and construction of DOD facilities.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary of Defense to submit a report to the congressional defense committees on current expeditionary physical barrier systems and new technologies that can be used for force protection and to provide blast protection.

Application of cash payments received for utilities and services (sec. 2804)

The House bill contained a provision (sec. 2805) that would authorize the secretaries of the military departments, beginning fiscal year 2014, to credit cash payments received

as compensation for utilities or services provided to eligible entities that operate family or military unaccompanied housing projects to the appropriation or working capital account currently available for the purpose of furnishing such utilities or services.

The Senate committee-reported bill contained a similar provision (sec. 2812).

The agreement includes the Senate provision with a clarifying amendment.

Repeal of advance notification requirement for use of military housing investment authority (sec. 2805)

The House bill contained a provision (sec. 2806) that would repeal a notification required by section 2875 of title 10, United States Code.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision.

Additional element for annual report on military housing privatization projects (sec. 2806)

The House bill contained a provision (sec. 2807) that would provide additional oversight and accountability in the pursuit of military family housing privatization projects to include an assessment of litigation costs that are being pursued by the privatization partners.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Policies and requirements regarding overseas military construction and closure and realignment of United States military installations in foreign countries (sec. 2807)

The Senate committee-reported bill contained a provision (sec. 2801) that would require all future military construction projects funded using in-kind payments pursuant to bilateral agreements with partner nations be submitted for congressional authorization in the Military Construction Authorization Act. The provision would also require that DOD include operational expenses funded through residual value payments in-kind in the budget justification documents submitted to Congress in connection with the annual budget request.

The House bill contained a similar provision (sec. 2811) that would repeal section 2921 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510) and consolidate the requirements of overseas basing notification process in section 2687a of title 10, United States Code. This section would also remove a redundant reporting requirement associated with the proposed residual value of foreign military closure determinations.

The agreement includes a provision that would combine the two provisions and make other clarifying and technical modifications to sections 2802 and 2867a of title 10, United States Code, relating to overseas basing.

Extension and modification of temporary, limited authority to use operation and maintenance funds for construction projects in certain areas outside the United States (sec. 2808)

The House bill contained a provision (sec. 2808) that would amend section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108-136) and extend the Department of Defense's ability to use operation and maintenance appropriations for military construction purposes in the United States Central Command (CENTCOM) area of responsibility

(AOR) and certain countries in the United States United States Africa Command (AFRICOM) AOR until September 30, 2014.

The Senate committee-reported bill contained a similar provision (sec. 2802) that would extend the authority and revise the list of countries in the AFRICOM AOR in which the authority may be used.

The agreement includes the Senate provision with a clarifying amendment.

Additionally, we note that the process by which the Department of Defense receives an authorization from Congress for military construction projects required to support overseas contingency operations can be cumbersome and extend over a long period of time. We also note that the fast pace of contingency operations, changes in the number of military forces in theater, and the contributions of partner countries may result in a change to or elimination of a military construction requirement in the time between the request to Congress for an authorization and the actual award of a construction contract. In order to ensure that funds are not expended on projects that no longer satisfy a valid military requirement, we believe the Secretary of Defense should review the process by which contracts for military construction projects overseas in connection with a contingency operation, as defined in section 101(a)(13) of title 10, United States Code, are awarded and how such projects are carried out. This review should be conducted with the objective of developing a methodology to ensure that any changes in military requirements are taken into account when making decisions to construct, or continue constructing, a project.

Limitation on construction projects in European Command area of responsibility (sec. 2809)

The Senate committee-reported bill decreased authorization of appropriations from the budget request for military construction by \$463.3 million for certain new military construction and family housing projects in the U.S. European Command (EUCOM) area of responsibility.

The House bill contained no similar funding cuts.

The agreement contains authorization of appropriations of \$463.3 million for the projects in EUCOM and includes a new provision that would prohibit the Secretary of Defense or a Secretary of a military department from awarding a contract for any new military construction and family housing project, with certain exceptions, in the EUCOM area of responsibility until the Secretary of Defense certifies to the congressional defense committees that the installations and specific military construction requirements authorized in this Act have been examined as part of the ongoing European Infrastructure Consolidation Assessment, have been determined to be of an enduring nature, and most effectively meet military requirements at the authorized location.

SUBTITLE B—REAL PROPERTY AND FACILITIES ADMINISTRATION

Development of master plans for major military installations (sec. 2811)

The House bill contained a provision (sec. 2809) that would require the consideration of additional elements as part of master plans for major military installations.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Authority for acceptance of funds to cover administrative expenses associated with real property leases and easements (sec. 2812)

The Senate committee-reported bill contained a provision (sec. 2811) that would

amend section 2667 of title 10, United States Code, to allow for the use of proceeds from leases and easements to be used to offset administrative costs incurred by the military departments in entering into and managing such leases and easements.

The House bill contained no similar provision.

The agreement includes the Senate provision with a clarifying amendment.

Modification of authority to enter into long-term contracts for receipt of utility services as consideration for utility systems conveyances (sec. 2813)

The Senate committee-reported bill contained a provision (sec. 2813) that would amend section 2688(d)(2) of title 10, United States Code, by requiring the Secretary of a military department, prior to conveying a utility system under this section, to obtain an independent estimate of the level of investment that should be required to maintain adequate operation of the utility system over the term of the conveyance.

The House bill contained no similar provision.

The agreement includes the Senate provision with a clarifying amendment.

Report on efficient utilization of Department of Defense real property (sec. 2814)

The House bill contained a provision (sec. 2809) that would require a report on the utilization of real property across the Department of Defense.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Conditions on Department of Defense expansion of Pion Canyon Maneuver Site, Fort Carson, Colorado (sec. 2815)

The House bill contained a provision (sec. 2813) that would place conditions on the expansion of the Piñon Canyon Maneuver Site in Fort Carson, Colorado.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

SUBTITLE C—PROVISIONS RELATED TO ASIA-PACIFIC MILITARY REALIGNMENT

Change from previous calendar year to previous fiscal year for period covered by annual report of Interagency Coordination Group of Inspectors General for Guam Realignment (sec. 2821)

The House bill contained a provision (sec. 2831) that would modify the reporting period for the annual Guam realignment report from calendar year to fiscal year.

The Senate committee-reported bill contained a similar provision (sec. 2822).

The agreement includes the House provision.

Realignment of Marine Corps forces in Asia-Pacific Region (sec. 2822)

The House bill contained a provision (sec. 2832) that would repeal section 2832 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239).

The Senate committee-reported bill contained a provision (sec. 2821) that would extend the prohibition on funds for construction activities to implement the realignment of Marine Corps forces from Okinawa, Japan, with certain exceptions.

The agreement includes the Senate provision with an amendment that would modify the conditions that must be met before funds may be obligated to implement the realignment of Marine Corps forces, provide specific

exceptions for the use of U.S. and Japanese funds, and direct the Secretary of Defense, as chairperson of the Economic Adjustment Committee (EAC), to convene the EAC to consider assistance necessary to support the preferred alternative for the relocation of Marine Corps forces to Guam.

We note that the agreement includes \$85.7 million for an Aircraft Maintenance Hangar for the Marine Corps at Andersen Air Force Base and provides a specific exception for the use of Japanese funds to carry out the construction of a utility and site improvement project based on assurances from the Navy that both projects have military value independent of the movement of Marines from Okinawa to Guam. Specifically, the construction description of the Aircraft Maintenance Hangar indicates the project “supports an enduring support requirement for 1st MAW [Marine Aircraft Wing] squadrons that frequently deploy to Guam for training as part of the bilateral “Aviation Training Relocation” (ATR) agreement.” With regard to the Japanese-funded utility and site improvement project on the North ramp of Andersen Air Force Base, the Principal Deputy Assistant Secretary of the Navy for Energy, Installations, and Environment indicated in an October 28, 2013, letter that the “project supports current and future training requirements that will increase the operational readiness of units in the Pacific Command Area of Responsibility consistent with the Combatant Commander’s theater objectives and requirements while depressurizing training airspace in Japan.”

We note that the draft Supplemental Environmental Impact Statement for the siting of a cantonment area and training range to support the 4,700 Marines to be stationed or deployed to Guam on a rotational basis should be released in early 2014. As such, we strongly encourage the Department to complete, as quickly as possible, the master plan for Guam, including detailed descriptions of scope, cost estimates, and timing for each military construction project needed to support the relocation of Marines to Guam so that Congress will be able to assess the affordability, feasibility, and strategic value of the plan. Until then, we believe it is important to ensure that any funds provided by the Governments of Japan or the United States are spent on new facilities that will satisfy valid military requirements. We believe this approach mitigates the risk of approving the construction of facilities that have not yet been justified within the context of a master plan or for which an Environmental Impact Statement and Record of Decision have not been rendered.

SUBTITLE D—LAND CONVEYANCES

Real property acquisition, Naval Base Ventura County, California (sec. 2831)

The House bill contained a provision (sec. 2841) that would authorize the Secretary of the Navy to acquire 300 units of military family housing constructed under section 801 of the Military Construction Act of 1984 (Public Law 98-115) at Naval Base Ventura County, California.

The Senate committee-reported bill contained a similar provision (sec. 2814).

The agreement includes the House provision.

Land conveyance, former Oxnard Air Force Base, Ventura County, California (sec. 2832)

The House bill contained a provision (sec. 2842) that would authorize the Secretary of the Navy to convey, without consideration, the Oxnard Air Force Base at Ventura, California, the Ventura County for public purposes.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would ensure that any revenue resulting from the conveyance be used only for public airport purposes and provide for the reversion of such property to the Navy if it is determined it is not being used in accordance with the conveyance.

Land conveyance, Joint Base Pearl Harbor-Hickam, Hawaii (sec. 2833)

The Senate committee-reported bill contained a provision (sec. 2831) that would authorize the Secretary of the Navy to convey approximately 11 acres of Joint Base Pearl Harbor-Hickam, Hawaii, to the Hale Keiki School in return for a cash payment, in-kind consideration, or a combination thereof, in an amount that is not less than the fair market value of the conveyed property.

The House bill contained no similar provision.

The agreement includes the Senate provision.

Land conveyance, Philadelphia Naval Shipyard, Philadelphia, Pennsylvania (sec. 2834)

The House bill contained a provision (sec. 2843) that would authorize the Secretary of the Navy to convey certain properties and improvements at the Philadelphia Naval Shipyard, Pennsylvania, to the Philadelphia Regional Port Authority for fair market value.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Land conveyance, Camp Williams, Utah (sec. 2835)

The House bill contained a provision (sec. 2844) that would require the Secretary of the Interior to transfer 420 acres to the State of Utah for the purpose of permitting the Utah National Guard to use the conveyed land for military use.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would make the conveyance permissive and make other clarifying changes.

Conveyance, Air National Guard radar site, Francis Peak, Wasatch Mountains, Utah (sec. 2836)

The House bill contained a provision (sec. 2845) that would authorize the Secretary of the Air Force to convey, without consideration, certain Air National Guard facilities at Francis Peak, Utah, for purposes of permitting the State of Utah to use the structures to support emergency public safety communications.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Land conveyances, former United States Army Reserve Centers, Connecticut, New Hampshire, and Pennsylvania (sec. 2837)

The House bill contained a provision (sec. 2847) that would authorize the Secretary of the Army to convey, without consideration, to Derry Township, Pennsylvania, certain properties for the purpose of permitting the Township to use these properties for public purposes.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would authorize the Secretary of the Army to convey

other properties supporting former Army Reserve Centers.

SUBTITLE E—OTHER MATTERS

Repeal of annual Economic Adjustment Committee reporting requirement (sec. 2841)

The House bill contained a provision (sec. 2861) that would repeal an annual Economic Adjustment Committee report required by section 4004 of the Defense Economic Adjustment, Diversification, and Stabilization Act of 1990 (division D of Public Law 101-510).

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision.

Establishment of military divers memorial (sec. 2842)

The House bill contained a provision (sec. 2866) that would authorize the Secretary of the Navy to permit a third party to establish and maintain at the former Navy Dive School at the Washington Navy Yard a memorial to honor divers in the United States Armed Forces. Federal funds may not be used to design, procure, prepare, install, or maintain the memorial.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

Repeal of requirements for local comparability of room patterns and floor areas for military family housing and submission of net floor area information

The House bill contained a provision (sec. 2802) that would repeal section 2826 of title 10, United States Code, that required the Secretary concerned to acquire military family housing that is comparable in structure to family housing available in the local community.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Department of Defense report on Military Housing Privatization Initiative

The House bill contained a provision (sec. 2807A) that would require the Secretary of Defense to issue a report to Congress on the Military Housing Privatization Initiative, including the details of any project where the project owner has outstanding local, county, city, town, or state tax obligations dating back over 12 months.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Continuation of limitation on use of funds for Leadership in Energy and Environmental Design (LEED) gold or platinum certification

The House bill contained a provision (sec. 2821) that would continue the prohibition on the use of funds for Leadership in Energy and Environmental Design gold or platinum certifications for fiscal year 2014.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We commend the Department for formalizing its new sustainable design criteria and policy governing investments in energy and water efficiency initiatives. As a result of the new policy, we expect all such investments going forward will be underpinned by a cost-benefit analysis and reflective of local conditions. We believe that such an approach

is critical to ensuring the cost-effective use of taxpayer dollars, especially in light of current budgetary pressures.

Land conveyance, former Fort Monroe, Hampton, Virginia

The House bill contained a provision (sec. 2846) that would require the Secretary of the Army to convey certain properties at Fort Monroe, Virginia, to the Commonwealth of Virginia.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that the Fort Monroe Authority has completed a reuse plan and is preparing an Economic Development Conveyance for consideration by the Secretary of the Army. We expect that continued active dialogue between both parties will result in a compromise for the timely conveyance of the remaining parcels at Fort Monroe to the Fort Monroe Authority.

Naming Provisions

The House bill contained a provision (sec. 2862) that would name the Asia-Pacific Center for Security Studies at Honolulu, Hawaii, as the "Daniel K. Inouye Asia-Pacific Center for Security Studies" and make other conforming changes. The House bill also contained a provision (sec. 2863) that would rename the Graduate School of Nursing at the Uniformed Services University of the Health Sciences, as the "Daniel K. Inouye Graduate School of Nursing" and make other conforming changes.

The Senate committee-reported bill contained a similar provision that would name the Asia-Pacific Center for Security Studies at Honolulu, Hawaii, as the "Daniel K. Inouye Asia-Pacific Center for Security Studies" and make other conforming changes (sec. 2841).

The agreement does not include these provisions.

We believe the naming of facilities, infrastructure, and/or programs is appropriately accomplished under existing Department of Defense (DOD) policies and procedures, including the request for legislative action, when necessary. We believe the naming of appropriate facilities, infrastructure, and/or programs would be a fitting tribute to the late Senator Daniel K. Inouye and would look favorably upon a request from DOD for legislative action to that effect, if required.

Renaming site of the Dayton Aviation Heritage National Historical Park, Ohio

The House bill contained a provision (sec. 2864) that would modify the name of the John W. Berry, Sr. Wright Brothers Aviation Center to the John W. Berry, Sr. Wright Brothers National Museum, Dayton, Ohio.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Designation of Distinguished Flying Cross National Memorial in Riverside, California

The House bill contained a provision (sec. 2865) that would authorize a memorial to members of the Armed Forces who have been awarded the Distinguished Flying Cross. The memorial is located at March Field Air Museum in Riverside, California, and would hereby be designated as the Distinguished Flying Cross National Memorial.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Inclusion of emblems of belief as part of military memorials

The House bill contained a provision (sec. 2867) that would amend chapter 21 of title 36,

United States Code, allowing emblems of belief to be included in military memorials. Emblems of belief include all emblems authorized by the National Cemetery Administration.

The Senate committee-reported bill contained a provision (sec. 2832) that would authorize the Secretary of Defense to sell or exchange the Mt. Soledad Veterans Memorial in San Diego, California, to an eligible entity on the condition that it continues to be maintained as a veterans' memorial.

The agreement does not include these provisions.

TITLE XXIX—WITHDRAWAL, RESERVATION, AND TRANSFER OF PUBLIC LANDS TO SUPPORT MILITARY READINESS AND SECURITY

Short title (sec. 2901)

The agreement includes a provision that would designate title XXIX of this Act as the "Military Land Withdrawals Act of 2013."

Definitions (sec. 2902)

The agreement includes a provision that would provide definitions for title XXIX of this Act.

SUBTITLE A—GENERAL PROVISIONS

General applicability; definitions (sec. 2911)

The agreement includes a provision that would provide for the applicability and rules of construction of title XXIX of this Act.

Maps and legal descriptions (sec. 2912)

The agreement includes a provision that would provide for the preparation of maps, legal descriptions, and other processes related to lands covered by this title.

Access restrictions (sec. 2913)

The agreement includes a provision that would provide authority for the Secretary concerned to impose certain restrictions on access to lands withdrawn and reserved by this title if required for military operations, public safety, or national security.

Changes in use (sec. 2914)

The agreement includes a provision that would provide authority for the Secretary concerned to authorize additional defense-related purposes for land withdrawn and reserved by this title.

Brush and range fire prevention and suppression (sec. 2915)

The House bill contained a provision (sec. 3009) that would require the Secretary of the Army to take necessary precautions to prevent, and actions to suppress, brush and range fires occurring as a result of military activities on the lands withdrawn by section 3001.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would require the Secretary concerned to take necessary precautions to prevent, and actions to suppress, brush and range fires occurring as a result of military activities on land withdrawn and reserved by this title.

Ongoing decontamination (sec. 2916)

The House bill contained a provision (sec. 3010) that would require the Secretary of the Army to maintain a program of decontamination on the withdrawn land provided by section 3001.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would require the Secretary concerned to maintain, to the extent funds are available for such purposes, a program of decontamination of contamination caused by defense-related uses of land withdrawn and reserved by this title.

Water rights (sec. 2917)

The House bill contained a provision (sec. 3008) that would retain water rights in existence prior to the withdrawal authorized in section 3001.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would make clear nothing in this title establishes a new reservation of the United States with respect to any water or water right on land withdrawn and reserved by this title or affects any water rights acquired or reserved by the United States before the date of enactment of this Act.

Hunting, fishing, and trapping (sec. 2918)

The House bill contained a provision (sec. 3007) that would require hunting, fishing and trapping on the lands withdrawn in section 3001 to be conducted in accordance with section 2671 of title 10, United States Code.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would apply section 2671 of title 10, United States Code, to land withdrawn and reserved by this title.

Limitation on extensions and renewals (sec. 2919)

The agreement includes a provision that would require withdrawals and reservations established under this title to be extended or renewed only through a law enacted after the date of enactment of this Act.

Application for renewal of a withdrawal and reservation (sec. 2920)

The House bill contained a provision (sec. 3011) that would require the Secretary of the Army, not later than 5 years before the termination of the withdrawal and reservation, to notify the Secretary of the Interior of a continuing defense-related need after the termination date for any land withdrawn and reserved by section 3011.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would require the Secretary concerned, not later than 5 years before the termination of the withdrawal and reservation, to notify the Secretary of the Interior of a continuing defense-related need after the termination date for any land withdrawn and reserved by this title.

Limitation on subsequent availability of land for appropriation (sec. 2921)

The House bill contained a provision (sec. 3012) that would withdraw the lands transferred in section 3001 from all forms of appropriation under public land laws.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that prohibits previously withdrawn and reserved land from being open to any form of appropriation under the public land laws unless the Secretary of the Interior publishes an appropriate order in the Federal Register.

Relinquishment (sec. 2922)

The House bill contained a provision (sec. 3013) that would provide authority and procedures for the Secretary of the Army to relinquish any or all of the lands withdrawn or reserved authorized in section 3001.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that provides a process for the Secretary concerned to relinquish land withdrawn and reserved by this title.

Immunity of the United States (sec. 2923)

The agreement includes a provision that would provide that the United States and its

officers or employees shall be held harmless and shall not be liable for any injuries or damages to persons or property as a result of nondefense-related activities conducted on land withdrawn and reserved by this title.

SUBTITLE B—LIMESTONE HILLS TRAINING AREA, MONTANA

Withdrawal and reservation of public land (sec. 2931)

The House bill contained a provision (sec. 3001) that would withdraw the lands described at Limestone Hills Training Area, Montana, for use by the Department of the Army.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would provide for the withdrawal and reservation of public lands for Limestone Hills Training Area, Montana.

Management of withdrawn and reserved land (sec. 2932)

The House bill contained a provision (sec. 3002) that would require the Secretary of the Army to manage the lands withdrawn in section 3001 in accordance with the limitations and restrictions of section 3003.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Special rules governing minerals management (sec. 2933)

The House bill contained a provision (sec. 3003) that would establish additional rules governing mineral management at Limestone Hills Training Area, Montana.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Grazing (sec. 2934)

The House bill contained a provision (sec. 3004) that would require the Secretary of the Interior to continue and manage grazing permits and leases. The Secretary of the Interior, with the agreement of the Secretary of the Army, may delegate such authority to the Secretary of the Army.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Payments in lieu of taxes (sec. 2935)

The House bill contained a provision (sec. 3006) that would authorize the lands withdrawn in section 3001 to remain entitlement land under section 6901 of title 31, United States Code.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would deem land withdrawn by section 2931 to be entitlement land for purposes of section 6901 of title 31, United States Code.

Duration of withdrawal and reservation (sec. 2936)

The House bill contained a provision (sec. 3005) that would terminate the land withdrawal authorized in this subtitle on March 31, 2039.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

SUBTITLE C—MARINE CORPS AIR GROUND COMBAT CENTER TWENTYNINE PALMS, CALIFORNIA
Withdrawal and reservation of public land (sec. 2941)

The House bill contained a provision (sec. 3052) that would authorize the Secretary of

the Interior to provide for the Secretary of the Navy's use of the Johnson Valley National Off-Highway Vehicle Recreation Area twice in each calendar year for up to a total of 60 days per year for certain purposes. Any agreement for the military use of the Johnson Valley National Off-Highway Vehicle Recreation Area shall terminate not later than March 31, 2039.

The Senate committee-reported bill contained no similar provision.

The agreement contains a provision that would provide for the withdrawal and reservation of public land for the Marine Corps Air Ground Combat Center, Twentynine Palms, California.

Management of withdrawn and reserved land (sec. 2942)

The agreement includes a provision that would require the Secretary of the Navy to manage the land withdrawn by section 2941.

Public access (sec. 2943)

The agreement includes a provision that would prohibit public access to the Exclusive Military Use Area unless otherwise authorized by the Secretary of the Navy.

Resource management group (sec. 2944)

The agreement includes a provision that would require the Secretaries of the Interior and the Navy to establish a Resource Management Group for the land withdrawn and reserved by section 2941.

Johnson Valley Off-Highway Vehicle Recreation Area (sec. 2945)

The House bill contained a provision (sec. 3051) that would designate certain lands administered by the Secretary of the Interior in San Bernardino County, California, as the "Johnson Valley National Off-Highway Vehicle Recreation Area." This section would further withdraw the lands designated in this section from all forms of appropriation under public land laws.

The Senate committee-reported bill contained no similar provision.

The agreement contains the House provision with a clarifying amendment.

Duration of withdrawal and reservation (sec. 2946)

The agreement includes a provision that would terminate the withdrawal and reservation of public land made by section 2941 on March 31, 2039.

SUBTITLE D—WHITE SANDS MISSILE RANGE, NEW MEXICO, AND FORT BLISS, TEXAS

Withdrawal and reservation of public land (sec. 2951)

The House bill contained a provision (sec. 3021) that would transfer the administrative jurisdiction of certain lands located in Dona Ana County, New Mexico, from the Secretary of the Interior to the Secretary of the Army.

The Senate committee-reported bill contained no similar provision.

The agreement includes a provision that would provide for the withdrawal of public land for White Sands Missile Range, New Mexico.

Grazing (sec. 2952)

The agreement includes a provision that would require the Secretary of the Interior to continue and manage grazing permits and leases. The Secretary of the Interior, with the agreement of the Secretary of the Army, may delegate such authority to the Secretary of the Army.

SUBTITLE E—CHOCOLATE MOUNTAIN AERIAL GUNNERY RANGE, CALIFORNIA

Transfer of administrative jurisdiction of public land (sec. 2961)

The House bill contained a provision (sec. 3041) that would transfer the administrative

jurisdiction of certain lands located in Imperial and Riverside Counties, California, from the Secretary of the Interior to the Secretary of the Navy.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Management and use of transferred land (sec. 2962)

The House bill contained a provision (sec. 3042) that would authorize the Secretary of the Navy to use the lands transferred in section 3041 for military purposes. This section would also limit any diminution of these lands as critical habitat for the desert tortoise. Finally, this section would withdraw the lands transferred in section 3041 from all forms of appropriation under public land laws so long as the lands remain under the administrative jurisdiction of the Secretary of the Navy.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Effect of termination of military use (sec. 2963)

The House bill contained a provision (sec. 3044) that would require that if the Secretary of the Navy determines that there is no longer a military need for the lands transferred by section 3041, the Secretary of the Navy shall assess the level of contamination and determine, in consultation with the Secretary of the Interior, whether decontamination is practical and economically feasible. If the Secretary of the Navy determines that decontamination is practical, the Secretary of the Navy shall provide funds for such decontamination.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Temporary extension of existing withdrawal period (sec. 2964)

The House bill contained a provision (sec. 3045) that would find that notwithstanding subsection (a) of section 806 of the California Military Lands Withdrawal and Overflight Act of 1994 (title VIII of Public Law 103-433), the withdrawal and reservation of land transferred under section 3041 shall not terminate until the date on which the land transfer required by section 3041 is executed.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Water rights (sec. 2965)

The House bill contained a provision (sec. 3046) that would retain water rights in existence prior to the transfer of administrative jurisdiction authorized in section 3041.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.

Realignment of range boundary and related transfer of title (sec. 2966)

The House bill contained a provision (sec. 3043) that would authorize the realignment of the range boundary to ensure that the northwestern boundary of the Chocolate Mountain Aerial Gunnery Range shall be realigned to the edge of the Bradshaw trail so that the trail remains entirely under the jurisdiction of the Department of the Interior. The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to any transfer provided by this section.

The Senate committee-reported bill contained no similar provision.

The agreement contains the House provision with a clarifying amendment. We note that the redrawn range boundary would include approximately 200 acres formerly acquired through the Land and Water Conservation Fund (LWCF) or donation. It is our intent that the Secretary of the Navy transfer to the Secretary of the Interior acreage at least equal to the lands formerly acquired through the LWCF or donation.

SUBTITLE F—NAVAL AIR WEAPONS STATION
CHINA LAKE, CALIFORNIA

Withdrawal and reservation of public land (sec. 2971)

The House bill contained a provision (sec. 3031) that would transfer the administrative jurisdiction of certain lands located in Inyo, Kern, and San Bernardino Counties, California, from the Secretary of the Interior to the Secretary of the Navy.

The Senate committee-reported bill contained no similar provision.

The agreement includes provisions that would provide for the withdrawal and reservation of public land for Naval Air Weapons Station China Lake, California.

Management of withdrawn and reserved land (sec. 2972)

The agreement includes a provision that would provide for the management of withdrawn and reserved land for Naval Air Weapons Station China Lake, California.

Assignment of management responsibility to Secretary of the Navy (sec. 2973)

The agreement includes a provision that would allow the Secretary of the Interior to assign management responsibility for withdrawn and reserved land for Naval Air Weapons Station China Lake, California, to the Secretary of the Navy.

Geothermal resources (sec. 2974)

The agreement includes a provision that would make clear that nothing in this subtitle affects geothermal leases issued by the Secretary of the Interior before the date of enactment of this Act or the responsibility of the Secretary of the Interior to manage and administer such leases. The provision would also clarify other authorities and responsibilities of the Secretary of the Navy with regard to geothermal exploration and development.

Wild horses and burros (sec. 2975)

The agreement includes a provision that would make the Secretary of the Navy responsible for the management of wild horses and burros on land withdrawn and reserved by section 2971.

Continuation of existing agreement (sec. 2976)

The agreement includes a provision that would require the agreement between the Secretaries of the Interior and the Navy under section 805 of the California Military Lands Withdrawal and Overflights Act of 1994 (Public Law 103-433) to continue until the earlier of a new agreement being reached or 1 year after the date of enactment of this Act.

Management plans (sec. 2977)

The agreement includes a provision that would require the Secretaries of the Interior and the Navy to update and maintain cooperative arrangements concerning land resources and land uses on the land withdrawn and reserved by section 2971.

Termination of prior withdrawals (sec. 2978)

The agreement includes a provision that would terminate the prior withdrawal and reservation of land under section 803(a) of the California Military Lands Withdrawal

and Overflights Act of 1994 (Public Law 103-433).

Duration of withdrawal and reservation (sec. 2979)

The agreement includes a provision that would terminate the withdrawal and reservation of public land made by section 2971 on March 31, 2039.

LEGISLATIVE PROVISIONS NOT ADOPTED

Water rights

The House bill contained a provision (sec. 3022) that would retain water rights in existence prior to the transfer of administrative jurisdiction authorized in section 3021.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Withdrawal

The House bill contained a provision (sec. 3023) that would withdraw the lands transferred in section 3021 from all forms of appropriation under public land laws so long as the lands remain under the administrative jurisdiction of the Secretary of the Army.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Water rights

The House bill contained a provision (sec. 3032) that would retain water rights in existence prior to the transfer of administrative jurisdiction authorized in section 3031.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Withdrawal

The House bill contained a provision (sec. 3033) that would withdraw the lands transferred in section 3031 from all forms of appropriation under public land laws so long as the lands remain under the administrative jurisdiction of the Secretary of the Navy.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Transfer of administrative jurisdiction, Southern Study Area, Marine Corps Air Ground Combat Center, Twentynine Palms, California

The House bill contained a provision (sec. 3053) that would transfer certain lands in San Bernardino County, California, as generally depicted as the "Southern Study Area," to be transferred from the Secretary of the Interior to the Secretary of the Navy for military purposes.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Water rights

The House bill contained a provision (sec. 3054) that would retain water rights in existence prior to the transfer of administrative jurisdiction authorized in section 3051.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

DIVISION C—DEPARTMENT OF ENERGY
NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY
NATIONAL SECURITY PROGRAMS

Overview

Title XXXI authorizes appropriations for atomic energy defense activities of the De-

partment of Energy for fiscal year 2014, including: the purchase, construction, and acquisition of plant and capital equipment; research and development; nuclear weapons activities; nuclear nonproliferation activities; naval nuclear propulsion; environmental cleanup; operating expenses; and other expenses necessary to carry out the purposes of the Department of Energy Organization Act (Public Law 95-91). This title authorizes appropriations in five categories: (1) National Nuclear Security Administration (NNSA); (2) Defense environmental cleanup; (3) Other defense activities; (4) Defense nuclear waste disposal; and (5) Energy security and assurance.

National Nuclear Security Administration (sec. 3101)

The House bill contained a provision (sec. 3101) that would authorize \$11.8 billion for the National Nuclear Security Administration (NNSA), an increase of \$212.0 million above the budget request. The Senate committee-reported bill contained a similar provision (sec. 3101) that would authorize \$11.5 billion for the NNSA, an increase of \$80.0 million above the budget request.

We agree to include a provision that would authorize \$11.7 billion, an increase of \$72.8 million above the budget request.

Within NNSA, the provision would authorize \$7.9 billion for weapons activities, an increase of \$40.8 million above the budget request; \$2.2 billion for defense nuclear nonproliferation, an increase of \$40.0 million above the budget request; \$1.2 billion for naval reactors, the amount of the budget request; and \$387.7 million for the Office of the Administrator, a decrease of \$8.0 million below the budget request.

Within weapons activities, for directed stockpile work the provision would authorize \$2.5 billion, an increase of \$39.2 million above the budget request. For campaigns, the provision would authorize \$1.7 billion, the amount of the budget request. For nuclear programs, the provision would authorize \$744.5 million, the amount of the budget request.

Within defense nuclear nonproliferation, for nonproliferation and verification research and development the provision would authorize \$388.8 million, the amount of the budget request. For nonproliferation and international security, the provision would authorize \$141.7 million, the amount of the budget request. For international nuclear materials protection and cooperation, the provision would authorize \$369.6 million, the amount of the budget request. For fissile materials disposition, the provision would authorize \$542.6 million, \$40.0 million above the amount of the budget request. For the Global Threat Reduction Initiative, the provision would authorize \$424.5 million, the amount of the budget request.

Defense environmental cleanup (sec. 3102)

The House bill contained a provision (sec. 3102) that would authorize appropriations for fiscal year 2014 defense environmental cleanup activities at \$4.9 billion.

The Senate committee-reported bill contained a similar provision (sec. 3102) that authorized appropriations at \$5.0 billion.

We agree to include a provision that would authorize appropriations at \$5.0 billion.

Other defense activities (sec. 3103)

The House bill contained a provision (sec. 3103) that would authorize appropriations for fiscal year 2014 other defense activities at \$749.1 million.

The Senate committee-reported bill contained a similar provision (sec. 3103) that authorized appropriations at \$749.1 million.

We agree to include a provision that would authorize appropriations at \$758.7 million, \$9.6 million above the budget request.

BUDGET ITEM

Project 99-D-143, mixed oxide fuel fabrication facility

The House bill proposed funding the mixed oxide (MOX) fuel fabrication facility at the fiscal year 2014 request of \$320 million.

The Senate committee-reported bill proposed funding the project at \$80.0 million above the fiscal year budget 2014 request as a way to stabilize the program at the fiscal year 2013 levels while a strategic review is being conducted.

We agree to fund the construction project at \$360.0 million, \$40.0 million above the fiscal year 2014 budget request. We note that this project has been fraught with cost overruns and program delays. In fiscal year 2012, a decision was made to cancel the feedstock facility, which was to reduce old pits from nuclear weapons into feedstock for the MOX fuel plant, at a cost of some \$730.0 million being spent in designing the facility. The MOX fuel plant and related support facilities has risen from an initial cost estimate of \$1.0 billion to \$7.7 billion, and it is projected to be at least 3 years late in its initial operation in 2020. The Government Accountability Office estimates, through fiscal year 2036, that the total life cycle cost will exceed \$24.2 billion, including actual costs of \$5.2 billion for prior years (fiscal year 1999 to fiscal year 2012). Despite years of outreach to the nuclear industry, there is currently no agreement with any utility to use the MOX fuel and it is not yet clear whether commercial nuclear power plants will even accept the MOX fuel at market rates or whether the Department of Energy will have to subsidize, at taxpayers' expense, the sale of the fuel to make it competitive with commercially produced low-enriched uranium.

We believe the rising costs associated with the program, canceled facilities, missed deadlines, and questionable ability to produce fuel at market prices are unacceptable. We caution that further cost increases would undermine the feasibility and affordability of the program. We understand the Department is now undertaking a strategic review of the program and other alternatives. We expect to be fully briefed on this strategic review, including the new cost estimates and projected construction timeline, and what actions the Department is taking or will take to reign in the program costs and, if necessary, consider less costly alternatives for disposing of the plutonium from retire nuclear weapons. If the Department of Energy considers any future increases to the MOX facility, we expect those proposed increases to come from outside of budget function 050, which funds the Nation's critical national security priorities. We believe the Department must make its national security activities its top priority in budgeting, and expect that critical National Nuclear Security Administration programs should not become the source of funds for future increases to the MOX program.

SUBTITLE A—NATIONAL SECURITY PROGRAMS AUTHORIZATIONS

National Nuclear Security Administration (sec. 3101)

The House bill contained a provision (sec. 3101) that would authorize appropriations for the National Nuclear Security Administration for fiscal year 2014, including funds for weapons activities, defense nuclear non-proliferation programs, naval reactor programs, and the Office of the Administrator,

at the levels identified in section 4701 of division D of this Act. This section would also authorize several new plant projects for the National Nuclear Security Administration.

The Senate committee-reported bill contained a similar provision.

The agreement includes the House provision.

Defense environmental cleanup (sec. 3102)

The House bill contained a provision (sec. 3102) authorizing appropriations for the Department of Energy for fiscal year 2014 for defense environmental cleanup activities as specified in the funding table in section 4701.

The Senate committee-reported bill contained an identical provision (sec. 3102).

The agreement includes this provision.

Other defense activities (sec. 3103)

The House bill contained a provision (sec. 3103) authorizing appropriations for the Department of Energy for fiscal year 2014 for other defense activities as specified in the funding table in section 4701.

The Senate committee-reported bill contained an identical provision (sec. 3103).

The agreement includes this provision.

SUBTITLE B—PROGRAM AUTHORIZATIONS, RESTRICTIONS, AND LIMITATIONS

Clarification of principles of National Nuclear Security Administration (sec. 3111)

The House bill contained a provision (sec. 3111) that would amend section 3211 of the National Nuclear Security Administration Act (50 U.S.C. 2401) to clarify the set of principles with which the National Nuclear Security Administration must carry out its operations and activities. Specifically, this section would add the requirement that all operations and activities of the Administration be conducted consistent with the principle of "ensuring the security of the nuclear weapons, nuclear material, and classified information in the custody of the Administration."

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Cost estimation and program evaluation by National Nuclear Security Administration (sec. 3112)

The House bill contained a provision (sec. 3113) that would amend section 4217 of the Atomic Energy Defense Act (50 U.S.C. 2537) to require that any independent cost estimate carried out pursuant to section 4217 be conducted by the Secretary of Defense, acting through the Director of Cost Assessment and Program Evaluation (CAPE). The Director would be authorized to delegate carrying out such cost estimates to other elements of the Department of Defense. This section would also provide the Secretary of Defense, in consultation with the Administrator for Nuclear Security and acting through the Director of CAPE, the authority to conduct an independent cost assessment of any initiative or program of the National Nuclear Security Administration (NNSA) that is estimated to cost more than \$500.0 million.

The Senate committee-reported bill contained a provision (sec. 3111) that would amend the National Nuclear Security Administration Act (50 U.S.C. 2401 et. Seq.) to establish an Office of Cost Estimating and Program Evaluation within NNSA whose director would be Senate-confirmed. The Senate committee-reported bill also contained a provision (sec. 3118) that would require any cost estimates submitted pursuant to section 4217 of the Atomic Energy Defense Act be submitted in unclassified form, with a classified annex if necessary.

The agreement includes the Senate provision with an amendment that changes the Director of the new office from a Senate-confirmed position to a Senior Executive Service position. The amendment eliminates the requirement for two deputy directors, and modifies several of the responsibilities and authorities of the Director, and would require a joint implementation plan for the new office to be submitted by the NNSA Administrator and the Director of DOD's CAPE.

Given the size of the NNSA's Office of the Administrator of approximately 1,800 personnel, we believe that requiring the Director to be a Senior Executive Service officer is adequate to ensure seniority and credibility within the NNSA. Further, we believe that the joint NNSA-DOD implementation plan will be important to standing up this new office. We expect the DOD CAPE to play an active role in not only training personnel of the new NNSA office, but helping shape and ensure quality cost estimates and program evaluations during the early years of the new NNSA office. We understand that the work for cost estimation at the NNSA will have periods between major projects where the personnel from this office can assist the DOD CAPE on subject matter unique to the NNSA that is not present in the DOD CAPE office. We encourage as a matter of good government such collaboration.

The credibility of the NNSA with Congress and other agencies of the Executive Branch has been hurt by high-profile failures in cost estimation and program evaluation. We expect the NNSA to embrace this new Cost Estimation and Program Evaluation office as a means to help regain its credibility.

Enhanced procurement authority to manage supply chain risk (sec. 3113)

The House bill contained a provision (sec. 3115) that would provide the Secretary of Energy, given the critical national security function of the National Nuclear Security Administration and the Department's Office of Intelligence functions, with the authority to take certain actions with regard to the protection of the supply chain of the Department of Energy (DOE). This authority would replicate the authority provided to the Department of Defense in section 806 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) and to the intelligence community in section 309 of the Intelligence Authorization Act for Fiscal Year 2012 (Public Law 112-87).

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment containing technical changes. The amendment includes a sunset of the authority 4 years after the date of enactment, a notice to the appropriate committees within 7 days after a supply chain source exclusion determination is made, and a review on an annual basis (for 4 years) by the Comptroller General on the implementation of this section by the Department of Energy, including on the adequacy of resources available to perform supply chain source exclusion determinations.

We note this authority is intended to be used when existing supply chain management authorities are not sufficient to protect the national security of the United States. Use of this authority by DOE is expected to be limited in frequency. We encourage DOE to partner with supply chain sources, to the extent practicable, to implement this authority.

Limitation on availability of funds for National Nuclear Security Administration (sec. 3114)

The House bill contained a provision (sec. 3116) that would limit the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the National Nuclear Security Administration (NNSA) such that \$139.5 million may not be obligated or expended until the Administrator for Nuclear Security submits to the congressional defense committees a detailed plan to achieve certain planned efficiencies and written certification that the planned efficiencies will be achieved. If the Administrator does not submit the plan or is unable to certify within 60 days of the date of the enactment of this Act that the efficiencies will be achieved, the Administrator would be required to submit a report to the congressional defense committees on the amount of planned efficiencies that will not be realized and any effects caused by planned but unrealized efficiencies in the Directed Stockpile Work and Nuclear Programs accounts. The limitation of funds for NNSA would not apply to funds authorized to be appropriated for Directed Stockpile Work, Nuclear Programs, or Naval Reactors, and should not result in reductions in Laboratory Directed Research and Development funding. Finally, the limitation on obligation of funds would not affect the authority of the Secretary of Energy to reprogram or transfer funding under sections 4702, 4705, and 4711 of the Atomic Energy Defense Act (50 U.S.C. 2742, 2745, and 2751).

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that provides a rule of construction that the funds limitation shall not be considered a specific denial of funds relative to the authorities associated with subsection (d)(2). The amendment also provides that the amount of funds limited by this section would be reduced by the amount the Administrator is able to certify has been saved through the planned efficiencies.

Limitation on availability of funds for Office of the Administrator for Nuclear Security (sec. 3115)

The House bill contained a provision (sec. 3117) that would limit the availability of funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the National Nuclear Security Administration's Office of the Administrator to not more than 75 percent until several statutorily required reports are submitted to Congress in 2013 and 2014.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment containing technical and clarifying changes.

Establishment of Center for Security Technology, Analysis, Response, and Testing (sec. 3116)

The House bill contained a provision (sec. 3119) that would require the Administrator for Nuclear Security to establish a Center for Security Technology, Analysis, Testing, and Response within the nuclear security enterprise. The Center would be responsible for a range of activities, but would primarily serve to provide the Administrator, the Chief of Defense Nuclear Security, and the management and operating contractors of the nuclear security enterprise, a wide range of objective expertise on security technologies, systems, analysis, testing, and response forces.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would modify the name of the organization to the Center for Security Technology, Analysis, Response, and Testing (CSTART) and authorize the Administrator to provide additional duties to the center.

Authorization of modular building strategy as an alternative to the replacement project for the Chemistry and Metallurgy Research Building, Los Alamos National Laboratory, New Mexico (sec. 3117)

The Senate committee-reported bill contained a provision (sec. 3116) that would extend section 3144(c) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to permit consideration of a modular building strategy for engineering and design if it meets long term stockpile requirements.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would change the notice and wait requirement from 30 to 60 days. The amendment would also add to the notification required by the Nuclear Weapons Council to the congressional defense committees such that it includes notification that the modular strategy: (1) meets requirements for implementation of a responsive infrastructure, including meeting plutonium pit production requirements; and (2) will achieve full operating capability for not less than two modular structures by not later than 2027.

We are aware that further detail on requirements and plans for the modular approach are being developed and refined. We expect the Nuclear Weapons Council to keep Congress informed as the modular approach is developed and implemented to meet requirements for pit production and a responsive infrastructure. Furthermore, we encourage the Administrator for Nuclear Security and the Nuclear Weapons Council to expeditiously carry out such efforts to both ensure construction of a responsive nuclear infrastructure and to enable a timely transition of nuclear operations out of decaying and increasingly unsafe facilities such as the Chemistry and Metallurgy Research Building. Finally, we note the reprogramming action concerning unobligated funds for the Chemistry and Metallurgy Research Replacement Nuclear Facility is still pending, and look forward to working with the Nuclear Weapons Council to resolve the deferred reprogramming proposal.

Comparative analysis of warhead life extension options (sec. 3118)

The House bill contained a provision (sec. 3121) that would require the Secretary of Defense and the Secretary of Energy, acting through the Nuclear Weapons Council, to include several warhead life extension options through all of Phase 6.2 and all of Phase 6.2A of the Joint W78/88-1 Warhead Life Extension Program. The options are the W78-1 life extension and the W88-1 life extension.

The Senate committee-reported bill contained a similar provision (sec. 1043) that would require the Director of Cost Analysis and Program Evaluation to conduct a similar analysis of alternatives for the Joint W78/88-1 Warhead Life Extension Program.

The agreement includes the House provision with an amendment that none of the funds may be obligated or expended for phase 6.3 of the combined W78/88-1 warhead until the 90 days after the Chairman of the Nuclear Weapons Council submits a comparative analysis of the alternative options of

life extending the W78-1 and the W88-1 systems individually, so as to compare to the cost to the combined W78/88-1 warhead system.

We encourage the Administrator to leverage, for the purposes of this section, the NNSA Director for Cost Estimating and Program Evaluation created elsewhere in this Act, and, during the transition period when the capabilities of such Director are being stood up, to work jointly with the Department of Defense Office of Cost Assessment and Program Evaluation.

Extension of authority of Secretary of Energy to enter into transactions to carry out certain research projects (sec. 3119)

The House bill contained a provision (sec. 3123) that would extend section 646(g)(10) of the Department of Energy Organization Act (P.L. 95-91, as amended, 42 U.S.C. 7256(g)(10)), from September 30, 2015 to September 30, 2020.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Increase in construction design threshold (sec. 3120)

The Senate committee-reported bill contained a provision (sec. 3117) that would increase the major capital construction design threshold for the National Nuclear Security Administration from \$600,000 to \$1.2 million to account for increased construction costs.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would increase the capital construction design threshold to \$1.0 million.

SUBTITLE C—PLANS AND REPORTS

Annual report and certification on status of security of atomic energy defense facilities (sec. 3121)

The House bill contained a provision (sec. 3131) that would amend section 4506 of the Atomic Energy Defense Act to require that, not later than September 30 of each year, the Administrator of the National Nuclear Security Administration (NNSA) submit to the Secretary of Energy and to the congressional defense committees, a report detailing and certifying the status of the security of the nuclear security enterprise, including the status of the security of special nuclear material, nuclear weapons, and classified information at each nuclear weapons production facility and national security laboratory.

The Senate committee-reported bill contained a similar provision (sec. 3113) that would require the Secretary of Energy to certify that the atomic energy defense facilities of the Department of Energy containing quantities of category I and II special nuclear material meet Department security requirements.

The agreement includes the House provision with an amendment that would require the Administrator to certify to the Secretary of Energy that the NNSA facilities containing quantities of Category I and II special nuclear material meet NNSA and Department of Energy security standards and requirements and for those that do not, actions and timelines to correct any deficiency. The Secretary would be required to transmit this certification to the congressional defense committees with any comments of the Secretary by December 1 of each year. The amendment also requires the Secretary to certify to the congressional defense committees by December 1 each year that atomic energy defense facilities other than those of the NNSA containing quantities of category I and II special nuclear materials shall meet Department security

standards and requirements and for those facilities that do not to develop a correction action plan with timelines to correct any deficiency.

Modifications to annual reports regarding the condition of the nuclear weapons stockpile (sec. 3122)

The House bill contained a provision (sec. 3132) that would amend section 4205 of the Atomic Energy Defense Act (50 U.S.C. 2525) to clarify requirements related to the statutorily required annual assessments regarding the condition of the nuclear weapons stockpile.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would modify the date that such assessments are due from the Secretary of Defense and the Secretary of Energy to the President to February 1 of each year. The amendment would also require that, if the report containing such assessments is not received by the Congress by March 15, the covered officials under section 4205(b) of the Atomic Energy Defense Act (50 U.S.C. 2525(b)) shall provide a briefing to the congressional defense committees to ensure information regarding the status of the stockpile is available to inform congressional oversight and provide timely input to the annual legislative cycle.

Inclusion of integrated plutonium strategy in nuclear weapons stockpile stewardship, management, and infrastructure plan (sec. 3123)

The Senate committee-reported bill contained a provision (sec. 3115) that would amend the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) to provide for a long-term plutonium strategy for the National Nuclear Security Administration (NNSA) as part of its Stockpile Stewardship and Management Plan. Plutonium sustainment is at the core of the NNSA stockpile mission. This integrated plan would ensure the NNSA remains focused on its plutonium mission.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would eliminate the external review and incorporate the requirement for an integrated plutonium strategy into section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523).

Modifications to cost-benefit analyses for competition of management and operating contracts (sec. 3124)

The House bill contained a provision (sec. 3120) that would amend section 3121 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to clarify that, if a management and operating contract awarded by the Administrator for Nuclear Security is protested, the report required by such section to be submitted to Congress shall be submitted not later than 30 days after such protest is resolved. This section would also require any report under section 3121 to include a description of the assumptions used and analysis conducted to determine cost savings expected from the competition of the contract and exempt contracts for managing and operating facilities of the Naval Reactors Program from the requirements of section 3121.

The Senate committee-reported bill contained a provision (sec. 3122) that would amend section 3121(e) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to reduce the number of reports by the Government Accountability Office (GAO).

The agreement includes the House provision with an amendment that combines the two provisions, changes the existing 90-day reporting requirement for the GAO to 180 days, and provides flexibility to ensure the reporting requirements for both the National Nuclear Security Administration and the GAO do not interfere with any award protests.

Modification of deadlines for certain reports relating to program on scientific engagement for nonproliferation (sec. 3125)

The Senate committee-reported bill contained a provision (sec. 3123) that would amend section 3122(e) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to require a 30-day notice for extending the program on scientific engagement for non-proliferation to a new country. The provision gives the Administrator of the National Nuclear Security Administration a national security waiver of the requirement as long as there is a report filed within 30 days.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would add the Comptroller General to the program commencement report with its analysis by the Comptroller General due no later than 18 months after receipt of the report.

Modification of certain reports on cost containment for uranium capabilities replacement project (sec. 3126)

The Senate committee-reported bill contained a provision (sec. 3124) that would amend section 3123(f) of the National Defense Authorization Act for Fiscal Year 2013 (P.L. 112-239) to change the Government Accountability Office reporting requirement from the end of project life to 1 year after the date of enactment in consultation with the congressional defense committees.

The House bill contained no similar provision.

The agreement includes this provision.

Plan for tank farm waste at Hanford Nuclear Reservation (sec. 3127)

The House bill contained a provision (sec. 3114) that would require the Secretary of Energy to submit a comprehensive plan through 2025 to the congressional defense committees by March 1, 2014, for the safe and effective retrieval, treatment, and disposition of nuclear waste contained in the tank farms of the Hanford Nuclear Reservation in Richland, Washington.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would require the Secretary of Energy to submit a plan for tank farm waste at Hanford, including the activities necessary to start operations at the Waste Treatment and Immobilization Plant (WTP) and activities necessary to design, construct, and operate the WTP and any related infrastructure facilities. The amendment would require the Secretary to identify any significant requirements needed to inform such activities and require the Secretary to determine whether such requirements are finalized. The Secretary would be authorized to change any such significant requirements that are determined to be finalized, but would require prompt congressional notification of such changes if they have significant material effect on the schedule or cost of the project. The plan would be required to be submitted to the congressional defense committees by June 1, 2014.

Plan for improvement and integration of financial management of nuclear security enterprise (sec. 3128)

The Senate committee-reported bill contained a provision (sec. 3112) that would require the Administrator of the National Nuclear Security Administration (NNSA) to develop a plan for a common cost structure between activities at different sites with the purpose of comparing how efficiently different sites within the NNSA complex are carrying out similar activities.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would require the Administrator to submit a plan for improving and integrating financial management of the nuclear security enterprise to the congressional defense committees not later than 1 year after the date of enactment of this Act.

We direct the Comptroller General of the United States to review the plan submitted by the Administrator and brief the congressional defense committees within 60 days of submission of such plan by the Administrator on the adequacy of this plan in meeting the objectives set forth in this section and offer recommendations for improvement.

Plan for developing exascale computing and incorporating such computing into the stockpile stewardship program (sec. 3129)

The Senate committee-reported bill contained a provision (sec. 3114) that would add a new section to the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) requiring the Administrator for Nuclear Security to develop and carry out a plan to incorporate exascale computing in the stockpile stewardship program. Such plan would be required to cover the 20-year period after the date of enactment of this Act, and would be submitted to the congressional defense committees annually.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment that would require the plan to include information on developing exascale computing, alter the timeframe for the plan to 10 years after enactment of this Act, and require inclusion of milestones to be achieved to mitigate disruptions resulting from the transition to exascale computing. The amendment would also require that the Future-Years Nuclear Security Program, report submitted pursuant to section 3253 of the National Nuclear Security Administration (NNSA) Act (50 U.S.C. 2453), include a description of the costs borne by the NNSA, the Department of Energy's Office of Science, other federal agencies, and industry to develop exascale computing. Finally, the amendment would eliminate the requirement for annual reporting on advances outside the United States in exascale computing and require that the plan required by this section be submitted with each summary of the Stockpile Stewardship and Management Plan submitted to the congressional defense committees in each even-numbered year pursuant to section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523).

We understand the value of maintaining U.S. leadership in high performance computing and believe achieving exascale computing within the next decade must be a national goal. However, we note that NNSA's top priority must remain sustainment and modernization of the nuclear weapons stockpile. High performance computing is an important capability that underpins these efforts via the stockpile stewardship program,

but the costs of achieving exascale computing must not be borne by NNSA alone. Due to the broad benefits exascale would bring to the Federal Government and the U.S. economy in general, we encourage the Administrator to partner with and leverage other stakeholders in government and industry.

Study and plan for extension of certain pilot program principles (sec. 3130)

The House bill contained a provision (sec. 3122) that would make a series of findings related to a pilot program conducted by the National Nuclear Security Administration (NNSA) at the Kansas City Plant (KCP) starting in April 2006, and would require the Administrator for Nuclear Security to extend the principles of such pilot program. The Administrator would be required to implement the principles of the pilot program permanently at the Kansas City Plant and extend the principles of the pilot program, with modifications as the Administrator determines appropriate, to not less than two additional facilities of the nuclear security enterprise within 1 year after the date of the enactment of this Act.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment requiring a study of the feasibility of extending the Kansas City Plant pilot program to other National Nuclear Security Administration (NNSA) sites with a report to Congress within 180 days after enactment on the results of the study and a determination of whether the principles will be extended. We do not mandate extending the principles. We also note the on-going work by Comptroller General of the United States to assess the risks, benefits and applicability of extending the pilot program to other facilities.

Given the success of the pilot program at the Kansas City Plant, we direct the Administrator for Nuclear Security and the Secretary of Energy to ensure, to the greatest extent possible, that these principles are permanently implemented at the Kansas City Plant.

Study of potential reuse of nuclear weapon secondaries (sec. 3131)

The House bill contained a provision (sec. 3142) that would require the Administrator for Nuclear Security, not later than 60 days after the date of the enactment of this Act, to conduct a study of the potential reuse of nuclear weapon secondaries.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Repeal of certain reporting requirements (sec. 3132)

The House bill contained a provision (sec. 3133) that would repeal two statutes requiring submission of annual, recurring reports: (1) a report on Counterintelligence and Security Practices at National Laboratories required by section 4507 of the Atomic Energy Defense Act (50 U.S.C. 2658); and (2) a report on Advanced Supercomputer Sales to Certain Foreign Nations contained in section 3157 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85).

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment containing technical corrections.

SUBTITLE D—OTHER MATTERS

Clarification of role of Secretary of Energy (sec. 3141)

The House bill contained a provision (sec. 3143) that would clarify that the amendment

made by section 3113 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to section 4102 of the Atomic Energy Defense Act (50 U.S.C. 2512) may not be construed to affect the authority of the Secretary of Energy, in carrying out national security programs, with respect to the management, planning, and oversight of the National Nuclear Security Administration, or as affecting the delegation by the Secretary of Energy of authority to carry out such activities, as set forth under subsection (a) of section 4102, as it existed before the amendment made by section 3113.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a technical amendment.

Modification of deadlines for Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise (sec. 3142)

The House bill contained a provision (sec. 3141) that would amend section 3166 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to modify statutory deadlines regarding the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise. The advisory panel's interim report would be due by October 1, 2013, instead of 180 days after enactment of Public Law 112-239. Also, the advisory panel's full report would be due March 1, 2014, instead of February 1, 2014. Finally, the advisory panel would terminate not later than September 30, 2014, instead of June 1, 2014. This section would also enable the advisory panel to submit a final report on its activities and recommendations prior to termination.

The Senate committee-reported bill contained a provision (sec. 3125) that would amend section 3166(d)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) to extend the date of the interim report from 180 days after the date of enactment to 180 days after the first meeting of the advisory panel.

The agreement includes the House provision with an amendment that would change the interim report due date to March 1, 2014 with the full report due by July 1, 2014.

Department of Energy land conveyance (sec. 3143)

The House bill contained a provision (sec. 3146) that would convey in fee simple, excess land from the Hanford Reservation to the Hanford Community Re-Use Organization.

The Senate committee-passed bill had no similar provision.

The agreement includes a provision authorizing the transfer of the Bannister Federal Complex, Kansas City Missouri, from the General Services Administration to the National Nuclear Security Administration (NNSA), which may convey for consideration the real property using existing Department of Energy regulations.

We request monthly reports on the status of the conveyance of Hanford land to the Hanford Community Re-Use Organization.

In addition, we request a monthly report on the status of conveying the land at the Hanford reservation to the Hanford Community Re-Use Organization.

Technical amendment to Atomic Energy Act of 1954 (sec. 3144)

The House bill contained a provision (sec. 3144) that would make a technical amendment to chapter 10 of the Atomic Energy Act of 1954 (42 U.S.C. 2131 et seq.).

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Technical corrections to the National Nuclear Security Administration Act (sec. 3145)

The Senate committee-reported bill contained a provision (sec. 3131) that would amend the National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) with technical and clarifying corrections.

The House bill contained no similar provision.

The agreement includes this provision.

Technical corrections to the Atomic Energy Defense Act (sec. 3146)

The Senate committee-reported bill contained a provision (sec. 3132) that would amend the Atomic Energy Defense Act (42 U.S.C. 2501 et seq.) with technical and clarifying corrections.

The House bill contained no similar provision.

The agreement includes the Senate provision with an amendment containing technical and conforming changes.

Sense of Congress on B61-12 life extension program (sec. 3147)

The House bill contained a provision (sec. 3118) that would express the sense of Congress that, particularly in a constrained budget environment, the National Nuclear Security Administration (NNSA) should prioritize its primary mission of sustaining and modernizing the nuclear weapons stockpile and, if required, shift funding from secondary missions to ensure critical nuclear weapons modernization programs stay on schedule and deliver nuclear warheads needed to support military requirements. This section would also require that, of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Global Threat Reduction Initiative of the NNSA, not more than 80 percent may be obligated or expended unless, by not later than 60 days after the date of enactment, the NNSA Administrator certifies to the congressional defense committees that the B61 Life Extension Program will deliver a first production unit in fiscal year 2019.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would express a sense of Congress that the B61-12 Life Extension Program is a high priority of the NNSA; that, if necessary to avoid delays, funds should be shifted from other programs to ensure the B61-12 Life Extension Program stays on schedule; and that further delays to the program would undermine the credibility and reliability of the nation's nuclear deterrent and the extended deterrent provided by the United States to allies.

Sense of Congress on establishment of an advisory board on toxic substances and worker health (sec. 3148)

The House bill contained a provision (sec. 1027) that would express the sense of Congress that the President should establish an Advisory Board on Toxic Substances and Worker Health as part of the Energy Employees Occupational Illness Program.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

LEGISLATIVE PROVISIONS NOT ADOPTED
Energy security and assurance

The House bill contained a provision (sec. 3104) that would authorize appropriations for energy security and assurance programs for fiscal year 2014, at the levels identified in section 4701 of division D of this Act.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision as both budget tables in section 4701 authorized no funding for the program.

Termination of Department of Energy Employees to Protect National Security

The House bill contained a provision (sec. 3112) that would authorize the Secretary of Energy to terminate an employee of the National Nuclear Security Administration (NNSA) or any element of the Department of Energy (DOE) that involves nuclear security if the Secretary determines the employee acted in a manner that endangers the security of special nuclear material or classified information. To exercise such authority, the Secretary would have to consider the termination to be in the interests of the United States and determine that the termination procedures prescribed by other provisions of law cannot be invoked in a manner that the Secretary considers consistent with national security.

The Senate committee-reported bill contained no similar provision.

The agreement does not include the provision.

We understand that, following the July 2012 security breach at the Y-12 National Security Complex by several anti-nuclear activists, including an octogenarian nun, several federal employees were reassigned or allowed to retire. However, no federal employees have been terminated from federal service. We find this lack of robust accountability to be unacceptable and dangerous. Multiple reviews since the incident have found failures at every level contributed to this incident, and that there has been a distinct failure to take corrective actions identified by previous security incidents.

For example, senior leaders in the Department of Energy's Office of Health, Safety, and Security have held top security policy and oversight positions for well over a decade despite repeated security failures during this tenure. These same senior leaders are now inexplicably being counted on to implement reforms. This is despite the fact that this same office conducted a review of Y-12's physical security systems just 2 months prior to the July 2012 break-in and gave Y-12's security a clean bill of health. This lack of accountability, whether at senior levels or throughout the DOE, is outrageous and must not be tolerated.

It is also contrary to the strong leadership and accountability example set by Secretary of Defense Robert Gates in 2008 when he fired several top Air Force officials for significant and repeated nuclear weapon security failures. Unlike DOE, Secretary Gates sent a strong message to the Air Force that continuation of the failures would not be tolerated and officials at all levels were accountable for failure. Senior officials from the Department of Energy have indicated that federal employment laws and regulations prevented or severely impeded termination of any federal employees in response to the Y-12 incident. If true, we believe the inability of the Secretary of Energy to fire federal employees for major security failures would represent a critical problem and national security risk. Therefore, we direct the Secretary of Energy to submit a report to the congressional defense committees by March 15, 2014, on the authorities available to the Secretary to terminate federal employees. Such report should include a description of the authorities available and describe in detail why such authorities were insufficient to terminate employees in the aftermath of the Y-12 incident. The report should also include a list of the officials in the DOE and

NNSA structure that had responsibility for security at Y-12 in July 2012, a description of any disciplinary actions taken with respect to such officials, and such officials' current positions. Finally, the report should also provide a description of the Secretary's views on accountability for security failures, whether actions taken in response to the Y-12 incident conform to these views, and how these views will be applied in the future.

Assessment of nuclear nonproliferation programs of the National Nuclear Security Administration

The Senate committee-reported bill contained a provision (sec. 3121) that would require the National Nuclear Security Administration to undergo a review of their nuclear nonproliferation programs by the National Academies of Science.

The House bill contained no similar provision.

The agreement does not include this provision.

The Comptroller General of the United States is directed to provide a report to the congressional defense committees assessing the existing and future nuclear nonproliferation programs of the National Nuclear Security Administration. The report shall include the following elements:

(1) An assessment of the threat of nuclear proliferation, including fissile materials, technology and expertise related to nuclear weapons, plutonium reprocessing and uranium enrichment.

(2) The status of nuclear nonproliferation programs of the National Nuclear Security Administration as of the date of the enactment of this Act.

(3) An assessment of whether those programs are meeting the goals of those programs and reducing the assessed threat of nuclear proliferation including: Preventing nuclear terrorism by securing and removing highly-enriched uranium and plutonium worldwide; converting research reactors from highly-enriched uranium to low-enriched uranium in Russia and other countries; providing radiation detection capability at ports and borders; securing and removing radiological materials worldwide; developing and improving technology to detect nuclear proliferation and nuclear weapons detonation, to verify foreign commitments to treaties and agreements with respect to nuclear weapons, and detect the diversion of materials, including safeguards technology; and preventing and countering the proliferation and use of nuclear weapons (including materials, technology and expertise).

(4) The extent of the work remaining for those programs to meet those goals, including an estimated timeline and costs and what gaps remain in those goals.

(5) The nuclear nonproliferation programs of the National Nuclear Security Administration and nuclear cooperation agreements with countries that have obtained nuclear weapons and are not parties to the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (21 UST 483) (commonly known as the "Nuclear Non-Proliferation Treaty").

(6) The nuclear nonproliferation programs of the National Nuclear Security Administration and nuclear cooperation agreements with countries that are non-nuclear weapon state parties to the Nuclear Non-Proliferation Treaty and are acquiring nuclear materials in violation of commitments under the Treaty.

(7) The status, level of, and gaps related to, coordination of the programs of the NNSA

and the Department of Energy with other agencies and departments of the Federal Government that have nuclear nonproliferation responsibilities.

(8) In addition, the report shall include an assessment of the budget requirements of the NNSA, including the costs associated with the implementation of nuclear nonproliferation programs, to reduce the threat of nuclear proliferation.

We are cognizant that this report may require a significant effort by the Government Accountability Office. The Comptroller General of the United States shall provide quarterly updates on the status of the report with a final report due no later than August 31, 2015.

Government Waste Isolation Pilot Plant Extension

The House bill contained a provision (sec. 3145) that would permit government owned non-defense transuranic waste to be disposed of in the Waste Isolation Pilot Plant subject to meeting the waste acceptance criteria outlined in "Transuranic Waste Acceptance Criteria for the Waste Isolation Pilot Plant," dated April 21, 2011, published by the Department of Energy.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

Manhattan Project National Historic Park

The House bill contained a provision (sec. 3147) that would establish as a unit of the National Park System a series of historical sites associated with the Manhattan Project at facilities administered by the Department of Energy.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Authorization (sec. 3201)

The House bill contained a provision (sec. 3201) that would authorize the Defense Nuclear Facilities Safety Board at \$29.915 million.

The Senate committee-reported bill contained an identical provision.

The agreement includes this provision.

LEGISLATIVE PROVISION NOT ADOPTED

Improvements to the Defense Nuclear Facilities Safety Board

The House bill contained a provision (sec. 3202) that would amend section 315 of the Atomic Energy Act of 1954 (42 U.S.C. 2286d) to enable the Secretary of Energy to request an analysis regarding the costs and benefits of any draft or final recommendation of the Defense Nuclear Facilities Safety Board (DNFSB). If the Secretary requests such an analysis, the Board would be required to transmit such an analysis to the Department of Energy (DOE) within 30 days and make such analysis public when the associated recommendation is made available to the public. Additionally, if the Secretary requests such an analysis from the Board, the Secretary would be required to conduct a similar analysis of the costs and benefits of the recommendation and make such analysis available to the public. The provision would also amend section 312 of the Atomic Energy Act of 1954 (U.S.C. 2286a) to clarify that, in making recommendations to the Secretary of Energy, the Board must use rigorous, quantitative analysis and specifically assess the use of various administrative, passive, and engineered controls for implementing the recommended measures.

The Senate committee-reported bill contained no similar provision.

The agreement does not include this provision.

We note that a variety of independent assessments in recent years have indicated that DNFSB oversight, coupled with DOE's history of not challenging DNFSB recommendations, have contributed to increasing costs within the nuclear security enterprise that may achieve comparatively small safety benefits. For instance, a 2011 study of two major DOE defense nuclear facility construction projects by the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD AT&L) found that "the current process involving oversight by the DNFSB is not working well. Differing interpretations of DOE regulations between the DNFSB, and the DOE and its contractors have diverted attention and resources for arguably increased safety." The study found that, "in certain cases, the DOE has failed to 'push back' on DNFSB recommendations that don't cost-effectively buy down risk, creating conditions in which the DNFSB becomes a de facto program manager." The USD AT&L report and the 2009 report of the bipartisan Commission on the Strategic Posture of the United States ultimately recommended eliminating DNFSB oversight in favor of regulation of DOE facilities by the Nuclear Regulatory Commission.

In 2005, a report by the Secretary of Energy's Advisory Board (SEAB) concluded that, although the DNFSB only issues recommendations and not requirements, "their recommendations have the implicit status of requirements because of the current lack of a specific mechanism for implementation assessment." The SEAB emphasized that an analysis of the costs of implementation, safety benefits, and risks of an idea should drive every decision and recommendation made to and within the enterprise, and suggested the DNFSB use this mechanism every time they make recommendations. In its Phase I report on Managing for High Quality Science and Engineering at the National Nuclear Security Administration (NNSA) laboratories, the National Academies of Science (NAS) concluded that "the role that non-regulatory agencies (particularly the DNFSB) have had on the laboratories is excessive. Although the Board lacks independent regulatory enforcement authority, it has issued more than 30 formal recommendations to the Secretary of Energy since 1990." In its Phase II report in 2013, the NAS pointed out that "the DNFSB is an advisory body that does not directly impose regulations, although DOE and NNSA usually accept DNFSB recommendations." The 2013 report also stated that safety assessments by overlapping over-

sight bodies, including the DNFSB, "adds to the cost of conducting experiments and can slow or deter experimental work . . . Moreover, these assessments generally focus on the safety risks associated with particular experiments rather than weighing those risks against the benefits to be derived from the experiments and the risks to the nuclear weapons program from not conducting the experiments." Most recently, in September 2013 an assessment of the safety culture at NNSA found a perception among NNSA employees that "NNSA leadership is very reactive to the DNFSB and will make sudden changes rather than question or say no to the Board." While we do not comment on individual cases or circumstances, we believe it is imperative that the Secretary of Energy assess the costs and benefits of any recommendation made by the DNFSB. We believe it is incumbent upon the Secretary to reject or request modifications to DNFSB recommendations if the costs of implementing the recommendations are not commensurate with the safety benefits gained. We note that existing statute provides the Secretary with this authority, and encourage the Secretary to use it, when appropriate. Risk acceptance, if considered carefully and transparently, is an important risk management practice.

TITLE XXXIV—NAVAL PETROLEUM RESERVES
Authorization of appropriations (sec. 3401)

The House bill contained a provision (sec. 3401) that would authorize \$20.0 million for fiscal year 2014 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the Naval Petroleum and Oil Reserves.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision.

TITLE XXXV—MARITIME ADMINISTRATION
Authorization of appropriations for national security aspects of the Merchant Marine for fiscal year 2014 (sec. 3501)

The House bill contained a provision (sec. 3501) that would authorize appropriations for the Maritime Administration of the Department of Transportation for those activities of the Maritime Administration associated with maintaining national defense sealift.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.
5-year reauthorization of vessel war risk insurance program (sec. 3502)

The House bill contained a provision (sec. 3502) that would extend the sunset date on the authorization to issue war risk insurance from December 31, 2015, to December 31, 2020.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Sense of Congress (sec. 3503)

The House bill contained a provision (sec. 3503) that would express the sense of Congress on the importance of the United States shipbuilding industry and specifically the Ready Reserve Force of the Maritime Administration to the national security needs of the United States.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Treatment of funds for intermodal transportation maritime facility, Port of Anchorage, Alaska (sec. 3504)

The House bill contained a provision (sec. 3504) that would modify the current language requiring that any funds provided for the federal share, and any funds provided for the non-federal share, for an intermodal transportation maritime facility at the Port of Anchorage, Alaska, must be transferred to the Administrator of the Maritime Administration. The provision would change current laws to a permission to transfer the funds, rather than a requirement to transfer the funds.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Strategic seaports (sec. 3505)

The House bill contained a provision (sec. 3505) that would allow the Maritime Administrator, in consultation with the Secretary of Defense, to give priority to providing funding to strategic seaports in support of national security requirements.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

LEGISLATIVE PROVISION NOT ADOPTED

Maritime Administration

The Senate committee-reported bill contained a provision (sec. 3501) that would reauthorize certain aspects of the Maritime Administration.

The House bill contained no similar provision.

The agreement does not include this provision.

DIVISION D—FUNDING TABLES

Authorization of appropriations (sec. 4001)

The House bill contained a provision (sec. 4001) that would provide for the authorization of projects, programs, and activities in accordance with the tables in division D.

The Senate committee-reported bill contained an identical provision (sec. 4001).

The agreement includes this provision.

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2014

(In Thousands of Dollars)

	FY 2014 Request	Agreement Change	Agreement Authorized
DISCRETIONARY AUTHORIZATIONS WITHIN THE JURISDICTION OF THE ARMED SERVICES COMMITTEE			
Function 051, Department of Defense-Military			
Division A: Department of Defense Authorizations			
Title I—Procurement			
Aircraft Procurement, Army	5,024,387	3,939	5,028,326
Missile Procurement, Army	1,334,083		1,334,083
Weapons & Tracked Combat Vehicles, Army	1,597,267	5,561	1,602,828

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2014—Continued

(In Thousands of Dollars)

	FY 2014 Request	Agreement Change	Agreement Authorized
Procurement of Ammunition, Army	1,540,437	— 84,800	1,455,637
Other Procurement, Army	6,465,218	— 54,300	6,410,918
Aircraft Procurement, Navy	17,927,651	— 52,248	17,875,403
Weapons Procurement, Navy	3,122,193	— 12,050	3,110,143
Procurement of Ammunition, Navy & Marine Corps	589,267		589,267
Shipbuilding & Conversion, Navy	14,077,804	656,229	14,734,033
Other Procurement, Navy	6,310,257	— 43,005	6,267,252
Procurement, Marine Corps	1,343,511	— 18,008	1,325,503
Aircraft Procurement, Air Force	11,398,901	— 74,920	11,323,981
Missile Procurement, Air Force	5,343,286		5,343,286
Procurement of Ammunition, Air Force	759,442		759,442
Other Procurement, Air Force	16,760,581	— 13,738	16,746,843
Procurement, Defense-Wide	4,534,083	1,221	4,535,304
Joint Urgent Operational Needs Fund	98,800	— 98,800	0
Subtotal, Title I—Procurement	98,227,168	215,081	98,442,249
Title II—Research, Development, Test and Evaluation			
Research, Development, Test & Evaluation, Army	7,989,102	— 34,970	7,954,132
Research, Development, Test & Evaluation, Navy	15,974,780	— 312,959	15,661,821
Research, Development, Test & Evaluation, Air Force	25,702,946	16,000	25,718,946
Research, Development, Test & Evaluation, Defense-Wide	17,667,108	551,156	18,218,264
Operational Test & Evaluation, Defense	186,300		186,300
Subtotal, Title II—Research, Development, Test and Evaluation	67,520,236	219,227	67,739,463
Title III—Operation and Maintenance			
Operation & Maintenance, Army	35,073,077	624,700	35,697,777
Operation & Maintenance, Army Reserve	3,095,036	112,200	3,207,236
Operation & Maintenance, Army National Guard	7,054,196	45,903	7,100,099
Operation & Maintenance, Navy	39,945,237	457,368	40,402,605
Operation & Maintenance, Marine Corps	6,254,650	131,000	6,385,650
Operation & Maintenance, Navy Reserve	1,197,752	15,800	1,213,552
Operation & Maintenance, Marine Corps Reserve	263,317	300	263,617
Operation & Maintenance, Air Force	37,270,842	269,425	37,540,267
Operation & Maintenance, Air Force Reserve	3,164,607	4,570	3,169,177
Operation & Maintenance, Air National Guard	6,566,004	28,200	6,594,204
Operation & Maintenance, Defense-Wide	32,997,693	— 237,281	32,760,412
US Court of Appeals for the Armed Forces, Defense	13,606		13,606
Overseas Humanitarian, Disaster and Civic Aid	109,500		109,500
Cooperative Threat Reduction	528,455		528,455
Defense Acquisition Development Workforce Fund	256,031	— 124,700	131,331
Environmental Restoration, Army	298,815		298,815
Environmental Restoration, Navy	316,103		316,103
Environmental Restoration, Air Force	439,820		439,820
Environmental Restoration, Defense	10,757		10,757
Environmental Restoration, Formerly Used Sites	237,443		237,443
Overseas Contingency Operations Transfer Fund	5,000	— 5,000	0
Subtotal, Title III—Operation and Maintenance	175,097,941	1,322,485	176,420,426
Title IV—Military Personnel			
Military Personnel Appropriations	130,399,881	— 682,900	129,716,981
Medicare-Eligible Retiree Health Fund Contributions	6,676,750		6,676,750
Subtotal, Title IV—Military Personnel	137,076,631	— 682,900	136,393,731
Title XIV—Other Authorizations			
Working Capital Fund, Army	25,158		25,158
Working Capital Fund, Air Force	61,731		61,731
Working Capital Fund, Defense-Wide	46,428		46,428
Working Capital Fund, DECA	1,412,510		1,412,510
National Defense Sealift Fund	730,700	— 112,200	618,500
Defense Health Program	33,054,528	— 124,000	32,930,528
Chemical Agents & Munitions Destruction	1,057,123		1,057,123
Drug Interdiction and Counter Drug Activities	938,545		938,545

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2014—Continued

(In Thousands of Dollars)

	FY 2014 Request	Agreement Change	Agreement Authorized
Office of the Inspector General	312,131	34,869	347,000
Subtotal, Title XIV—Other Authorizations	37,638,854	— 201,331	37,437,523
Total, Division A: Department of Defense Authorizations	515,560,830	872,562	516,433,392
Division B: Military Construction Authorizations			
Military Construction			
Army	1,119,875	— 10,000	1,109,875
Navy	1,700,269		1,700,269
Air Force	1,156,573	— 17,730	1,138,843
Defense-Wide	3,985,300	— 572,050	3,413,250
Chemical Demilitarization Construction, Defense	122,536		122,536
NATO Security Investment Program	239,700	— 40,000	199,700
Army National Guard	320,815	— 5,000	315,815
Army Reserve	174,060		174,060
Navy and Marine Corps Reserve	32,976		32,976
Air National Guard	119,800		119,800
Air Force Reserve	45,659		45,659
Subtotal, Military Construction	9,017,563	— 644,780	8,372,783
Family Housing			
Construction, Army	44,008		44,008
Operation & Maintenance, Army	512,871		512,871
Construction, Navy and Marine Corps	73,407		73,407
Operation & Maintenance, Navy and Marine Corps	389,844		389,844
Construction, Air Force	76,360		76,360
Operation & Maintenance, Air Force	388,598		388,598
Operation & Maintenance, Defense-Wide	55,845		55,845
Family Housing Improvement Fund	1,780		1,780
Subtotal, Family Housing	1,542,713		1,542,713
Base Realignment and Closure			
Base Realignment and Closure—Army	180,401		180,401
Base Realignment and Closure—Navy	144,580		144,580
Base Realignment and Closure—Air Force	126,376		126,376
Subtotal, Base Realignment and Closure	451,357		451,357
Total, Division B: Military Construction Authorizations	11,011,633	— 644,780	10,366,853
Total, 051, Department of Defense-Military	526,572,463	227,782	526,800,245
Function 053, Atomic Energy Defense Activities			
Division C: Department of Energy National Security Authorization and Other Authorizations			
Department of Energy Authorizations			
Energy Programs			
Electricity delivery and energy reliability	16,000	— 16,000	0
Nuclear Energy	94,000		94,000
Subtotal, Energy Programs	110,000	— 16,000	94,000
National Nuclear Security Administration			
Weapons Activities	7,868,409	40,843	7,909,252
Defense Nuclear Nonproliferation	2,140,142	40,000	2,180,142
Naval Reactors	1,246,134		1,246,134
Office of the Administrator	397,784	— 8,000	389,784
Subtotal, National Nuclear Security Administration	11,652,469	72,843	11,725,312
Environmental and Other Defense Activities:			
Defense Environmental Cleanup	5,316,909	— 301,500	5,015,409
Other Defense Activities	749,080	9,578	758,658

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2014—Continued

(In Thousands of Dollars)

	FY 2014 Request	Agreement Change	Agreement Authorized
Subtotal, Environmental and Other Defense Activities	6,065,989	— 291,922	5,774,067
Subtotal, Department of Energy Authorizations	17,828,458	— 235,079	17,593,379
Independent Federal Agency Authorization			
Defense Nuclear Facilities Safety Board	29,915		29,915
Subtotal, Independent Federal Agency Authorization	29,915		29,915
Subtotal, Division C: Department of Energy National Security Authorization and Other Authorizations	17,858,373	— 235,079	17,623,294
Subtotal, 053, Atomic Energy Defense Activities	17,858,373	— 235,079	17,623,294
Total, National Defense Funding, Base Budget Request	544,430,836	— 7,297	544,423,539
National Defense Funding, OCO Budget Request			
Function 051, Department of Defense-Military			
Procurement			
Aircraft Procurement, Army	771,788		771,788
Missile Procurement, Army	128,645		128,645
Procurement of Ammunition, Army	180,900		180,900
Other Procurement, Army	603,123		603,123
Joint Improvised Explosive Device Defeat Fund	1,000,000	— 45,000	955,000
Aircraft Procurement, Navy	240,696		240,696
Weapons Procurement, Navy	86,500		86,500
Procurement of Ammunition, Navy & Marine Corps	206,821		206,821
Other Procurement, Navy	17,968		17,968
Procurement, Marine Corps	129,584	— 2,898	126,686
Aircraft Procurement, Air Force	115,668		115,668
Missile Procurement, Air Force	24,200		24,200
Procurement of Ammunition, Air Force	159,965		159,965
Other Procurement, Air Force	2,574,846		2,574,846
Procurement, Defense-Wide	111,275		111,275
Joint Urgent Operational Needs Fund	15,000	— 15,000	0
National Guard & Reserve Equipment	0	400,000	400,000
Subtotal, Procurement	6,366,979	337,102	6,704,081
Research, Development, Test and Evaluation			
Research, Development, Test & Evaluation, Army	7,000		7,000
Research, Development, Test & Evaluation, Navy	34,426		34,426
Research, Development, Test & Evaluation, Air Force	9,000		9,000
Research, Development, Test & Evaluation, Defense-Wide	66,208		66,208
Subtotal, Research, Development, Test and Evaluation	116,634		116,634
Operation and Maintenance			
Operation & Maintenance, Army	29,279,633	1,100,000	30,379,633
Operation & Maintenance, Army Reserve	42,935		42,935
Operation & Maintenance, Army National Guard	199,371		199,371
Afghanistan Security Forces Fund	7,726,720	— 1,500,000	6,226,720
Afghanistan Infrastructure Fund	279,000	— 29,000	250,000
Operation & Maintenance, Navy	6,067,993		6,067,993
Operation & Maintenance, Marine Corps	2,669,815		2,669,815
Operation & Maintenance, Navy Reserve	55,700		55,700
Operation & Maintenance, Marine Corps Reserve	12,534		12,534
Operation & Maintenance, Air Force	10,005,224	130,000	10,135,224
Operation & Maintenance, Air Force Reserve	32,849		32,849
Operation & Maintenance, Air National Guard	22,200		22,200
Operation & Maintenance, Defense-Wide	6,435,078		6,435,078
Subtotal, Operation and Maintenance	62,829,052	— 299,000	62,530,052
Military Personnel			
Military Personnel Appropriations	9,689,307	— 40,500	9,648,807

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FISCAL YEAR 2014—Continued

(In Thousands of Dollars)

	FY 2014 Request	Agreement Change	Agreement Authorized
Medicare-Eligible Retiree Health Fund Contributions	164,033		164,033
Subtotal, Military Personnel	9,853,340	— 40,500	9,812,840
Other Authorizations			
Working Capital Fund, Army	44,732		44,732
Working Capital Fund, Air Force	88,500		88,500
Working Capital Fund, Defense-Wide	131,678		131,678
Defense Health Program	904,201		904,201
Drug Interdiction and Counter Drug Activities	376,305		376,305
Office of the Inspector General	10,766		10,766
Subtotal, Other Authorizations	1,556,182		1,556,182
Total, National Defense Funding, OCO Budget Request	80,722,187	— 2,398	80,719,789
Total, National Defense	625,153,023	— 9,695	625,143,328
MEMORANDUM: NON-DEFENSE AUTHORIZATIONS			
Title XIV—Armed Forces Retirement Home (Function 600)	67,800		67,800
Title XIV—Cemeterial Expenses, Army (Function 700)	45,800	25,000	70,800
Title XXXIV—Naval Petroleum and Oil Shale Reserves (Function 270)	20,000		20,000
Title XXXV—Maritime Administration (Function 400)	152,168	45,000	197,168
MEMORANDUM: TRANSFER AUTHORITIES (NON-ADD)			
Title X—General Transfer Authority	[4,000,000]	[1,000,000]	[5,000,000]
Title XV—Special Transfer Authority	[4,000,000]		[4,000,000]
MEMORANDUM: DEFENSE AUTHORIZATIONS NOT UNDER THE JURISDICTION OF THE ARMED SERVICES COMMITTEE (NON-ADD)			
Defense Production Act	[25,135]		[25,135]

NATIONAL DEFENSE BUDGET AUTHORITY IMPLICATION

(In Thousands of Dollars)

	FY 2014 Request	Agreement Change	Agreement Authorized
Summary, Discretionary Authorizations Within the Jurisdiction of the Armed Services Committee			
SUBTOTAL, DEPARTMENT OF DEFENSE (051)	526,572,463	227,782	526,800,245
SUBTOTAL, ATOMIC ENERGY DEFENSE PROGRAMS (053)	17,858,373	— 235,079	17,623,294
TOTAL, NATIONAL DEFENSE (050)—BASE BILL	544,430,836	— 7,297	544,423,539
TOTAL, OVERSEAS CONTINGENCY OPERATIONS	80,722,187	— 2,398	80,719,789
GRAND TOTAL, NATIONAL DEFENSE	625,153,023	— 9,695	625,143,328
Base National Defense Discretionary Programs that are Not In the Jurisdiction of the Armed Services Committee or Do Not Require Additional Authorization			
Defense Production Act Purchases	25,135		25,135
Indefinite Account: Disposal Of DOD Real Property	10,000		10,000
Indefinite Account: Lease Of DOD Real Property	30,000		30,000
Subtotal, Budget Sub-Function 051	65,135		65,135
Formerly Utilized Sites Remedial Action Program	104,000		104,000
Subtotal, Budget Sub-Function 053	104,000		104,000
Other Discretionary Programs	7,407,000		7,407,000
Subtotal, Budget Sub-Function 054	7,407,000		7,407,000
Total Defense Discretionary Adjustments (050)	7,576,135		7,576,135
Budget Authority Implication, National Defense Discretionary			
Department of Defense—Military (051)	607,359,785	225,384	607,585,169
Atomic Energy Defense Activities (053)	17,962,373	— 235,079	17,727,294
Defense-Related Activities (054)	7,407,000		7,407,000
Total BA Implication, National Defense Discretionary	632,729,158	— 9,695	632,719,463

NATIONAL DEFENSE BUDGET AUTHORITY IMPLICATION—Continued

(In Thousands of Dollars)

	FY 2014 Request	Agreement Change	Agreement Authorized
National Defense Mandatory Programs, Current Law			
Concurrent receipt accrual payments to the Military Retirement Fund (OMB Estimate)	6,970,000		6,970,000
Revolving, trust and other DOD Mandatory	1,156,000		1,156,000
Offsetting receipts	–1,752,000		–1,752,000
Subtotal, Budget Sub-Function 051	6,374,000		6,374,000
Energy employees occupational illness compensation programs and other	1,281,000		1,281,000
Subtotal, Budget Sub-Function 053	1,281,000		1,281,000
Radiation exposure compensation trust fund	76,000		76,000
Payment to CIA retirement fund and other	514,000		514,000
Subtotal, Budget Sub-Function 054	590,000		590,000
Total National Defense Mandatory (050)	8,245,000		8,245,000
Budget Authority Implication, National Defense Discretionary and Mandatory			
Department of Defense—Military (051)	613,733,785	225,384	613,959,169
Atomic Energy Defense Activities (053)	19,243,373	–235,079	19,008,294
Defense-Related Activities (054)	7,997,000		7,997,000
Total BA Implication, National Defense Discretionary and Mandatory	640,974,158	–9,695	640,964,463

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	AIRCRAFT PROCUREMENT, ARMY										
	FIXED WING										
001	UTILITY F/W AIRCRAFT	1	19,730	1	19,730	1	19,730			1	19,730
003	AERIAL COMMON SENSOR (ACS) (MIP)	4	142,050	4	142,050	4	142,050		— 57,000	4	85,050
	Modification of 12 transferred Liberty A/C						[114,700]				
	Reduction of EMARSS LRIP aircraft						[— 114,700]		[— 57,000]		
004	MQ–1 UAV	15	518,460	19	518,460	15	518,460			15	518,460
005	RQ–11 (RAVEN)		10,772		10,772		10,772				10,772
	ROTARY										
006	HELICOPTER, LIGHT UTILITY (LUH)	10	96,227	31	231,327	10	96,227	10	75,000	20	171,227
	Program increase for additional aircraft			[21]	[115,100]			[10]	[75,000]		
	Program increase for fielding				[20,000]						
007	AH–64 APACHE BLOCK IIIA REMAN	42	608,469	42	608,469	42	608,469			42	608,469
008	ADVANCE PROCUREMENT (CY)		150,931		150,931		150,931				150,931
012	UH–60 BLACKHAWK M MODEL (MYP)	65	1,046,976	65	1,046,976	65	1,026,992		— 14,061	65	1,032,915
	Transfer to PE 0203774A at Army request						[— 19,984]		[— 14,061]		
013	ADVANCE PROCUREMENT (CY)		116,001		116,001		116,001				116,001
014	CH–47 HELICOPTER	28	801,650	28	801,650	28	801,650			28	801,650
015	ADVANCE PROCUREMENT (CY)		98,376		98,376		98,376				98,376
	MODIFICATION OF AIRCRAFT										
016	MQ–1 PAYLOAD—UAS		97,781		97,781		97,781				97,781
017	GUARDRAIL MODS (MIP)		10,262		10,262		10,262				10,262
018	MULTI SENSOR ABN RECON (MIP)		12,467		12,467		12,467				12,467
019	AH–64 MODS		53,559		53,559		53,559				53,559
020	CH–47 CARGO HELICOPTER MODS (MYP)		149,764		149,764		149,764				149,764
021	UTILITY/CARGO AIRPLANE MODS		17,500		17,500		17,500				17,500
022	UTILITY HELICOPTER MODS	167	74,095	167	74,095	167	74,095			167	74,095
023	KIOWA MODS WARRIOR	3	184,044	3	184,044	3	184,044			3	184,044
024	NETWORK AND MISSION PLAN		152,569		152,569		152,569				152,569
025	COMMS, NAV SURVEILLANCE		92,779		92,779		92,779				92,779
026	GATM ROLLUP		65,613		65,613		65,613				65,613
027	RQ–7 UAV MODS		121,902		121,902		121,902				121,902
	GROUND SUPPORT AVIONICS										
028	AIRCRAFT SURVIVABILITY EQUIPMENT		47,610		47,610		47,610				47,610
029	SURVIVABILITY CM		5,700		5,700		5,700				5,700
030	CMWS		126,869		126,869		126,869				126,869
	OTHER SUPPORT										
031	AVIONICS SUPPORT EQUIPMENT	705	6,809	705	6,809	705	6,809			705	6,809
032	COMMON GROUND EQUIPMENT		65,397		65,397		65,397				65,397
033	AIRCREW INTEGRATED SYSTEMS		45,841		45,841		45,841				45,841
034	AIR TRAFFIC CONTROL		79,692		79,692		79,692				79,692
035	INDUSTRIAL FACILITIES		1,615		1,615		1,615				1,615
036	LAUNCHER, 2.75 ROCKET		2,877		2,877		2,877				2,877
	TOTAL AIRCRAFT PROCUREMENT, ARMY	1,040	5,024,387	1,065	5,159,487	1,040	5,004,403	10	3,939	1,050	5,028,326

Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	MISSILE PROCUREMENT, ARMY										
	SURFACE-TO-AIR MISSILE SYSTEM										
002	MSE MISSILE	56	540,401	56	540,401	56	540,401			56	540,401
	AIR-TO-SURFACE MISSILE SYSTEM										
003	HELLFIRE SYS SUMMARY		4,464		4,464		4,464				4,464
	ANTI-TANK/ASSAULT MISSILE SYS										
004	JAVELIN (AAWS-M) SYSTEM SUMMARY	449	110,510	449	110,510	449	110,510			449	110,510
005	TOW 2 SYSTEM SUMMARY	988	49,354	988	49,354	988	49,354			988	49,354
006	ADVANCE PROCUREMENT (CY)		19,965		19,965		19,965				19,965
007	GUIDED MLRS ROCKET (GMLRS)	1,788	237,216	1,788	237,216	1,788	237,216			1,788	237,216
008	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	2,412	19,022	2,412	19,022	2,412	19,022			2,412	19,022
	MODIFICATIONS										
011	PATRIOT MODS		256,438		256,438		256,438				256,438
012	STINGER MODS		37,252		37,252		37,252				37,252
013	ITAS/TOW MODS		20,000		20,000		20,000				20,000
014	MLRS MODS		11,571		11,571		11,571				11,571
015	HIMARS MODIFICATIONS		6,105		6,105		6,105				6,105
	SPARES AND REPAIR PARTS										
016	SPARES AND REPAIR PARTS		11,222		11,222		11,222				11,222
	SUPPORT EQUIPMENT & FACILITIES										
017	AIR DEFENSE TARGETS		3,530		3,530		3,530				3,530
018	ITEMS LESS THAN \$5.0M (MISSILES)		1,748		1,748		1,748				1,748
019	PRODUCTION BASE SUPPORT		5,285		5,285		5,285				5,285
	TOTAL MISSILE PROCUREMENT, ARMY	5,693	1,334,083	5,693	1,334,083	5,693	1,334,083			5,693	1,334,083
	PROCUREMENT OF W&TCV, ARMY										
	TRACKED COMBAT VEHICLES										
001	STRYKER VEHICLE		374,100		374,100		374,100				374,100
	MODIFICATION OF TRACKED COMBAT VEHICLES										
002	STRYKER (MOD)		20,522		20,522		20,522				20,522
003	FIST VEHICLE (MOD)		29,965		29,965		29,965				29,965
004	BRADLEY PROGRAM (MOD)		158,000		158,000		158,000				158,000
005	HOWITZER, MED SP FT 155MM M109A6 (MOD)		4,769		4,769		4,769				4,769
006	PALADIN INTEGRATED MANAGEMENT (PIM)	18	260,177	18	260,177	18	219,477	— 40,700		18	219,477
	Transfer to PE 0604854A at Army Request						[— 40,700]	[— 40,700]			
007	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)		111,031		186,031		111,031	75,000			186,031
	Program increase				[75,000]			[75,000]			
008	ASSAULT BRIDGE (MOD)		2,500		2,500		2,500				2,500
009	ASSAULT BREACHER VEHICLE	14</									

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
002	CTG, 5.56MM, ALL TYPES		112,167		87,167		87,167		– 25,000		87,167
	Unit cost efficiencies—Army requested reduction				[– 25,000]		[– 25,000]		[– 25,000]		
003	CTG, 7.62MM, ALL TYPES		58,571		53,571		53,571		– 5,000		53,571
	Unit cost efficiencies—Army requested reduction				[– 5,000]		[– 5,000]		[– 5,000]		
004	CTG, HANDGUN, ALL TYPES		9,858		9,858		9,858				9,858
005	CTG, .50 CAL, ALL TYPES		80,037		55,037		55,037		– 25,000		55,037
	Unit cost efficiencies—Army requested reduction				[– 25,000]		[– 25,000]		[– 25,000]		
007	CTG, 25MM, ALL TYPES		16,496		16,496		6,196		– 10,300		6,196
	Program decrease						[– 10,300]		[– 10,300]		
008	CTG, 30MM, ALL TYPES		69,533		50,033		50,033		– 19,500		50,033
	Unit cost efficiencies—Army requested reduction				[– 19,500]		[– 19,500]		[– 19,500]		
009	CTG, 40MM, ALL TYPES		55,781		55,781		55,781				55,781
	MORTAR AMMUNITION										
010	60MM MORTAR, ALL TYPES		38,029		38,029		38,029				38,029
011	81MM MORTAR, ALL TYPES		24,656		24,656		24,656				24,656
012	120MM MORTAR, ALL TYPES		60,781		60,781		60,781				60,781
	TANK AMMUNITION										
013	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES		121,551		121,551		121,551				121,551
	ARTILLERY AMMUNITION										
014	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES		39,825		39,825		39,825				39,825
015	ARTILLERY PROJECTILE, 155MM, ALL TYPES		37,902		37,902		37,902				37,902
016	PROJ 155MM EXTENDED RANGE M982	802	67,896	802	67,896	802	67,896			802	67,896
017	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL		71,205		71,205		71,205				71,205
	ROCKETS										
020	SHOULDER LAUNCHED MUNITIONS, ALL TYPES		1,012		1,012		1,012				1,012
021	ROCKET, HYDRA 70, ALL TYPES		108,476		108,476		108,476				108,476
	OTHER AMMUNITION										
022	DEMOLITION MUNITIONS, ALL TYPES		24,074		24,074		24,074				24,074
023	GRENADES, ALL TYPES		33,242		33,242		33,242				33,242
024	SIGNALS, ALL TYPES		7,609		7,609		7,609				7,609
025	SIMULATORS, ALL TYPES		5,228		5,228		5,228				5,228
	MISCELLANEOUS										
026	AMMO COMPONENTS, ALL TYPES		16,700		16,700		16,700				16,700
027	NON-LETHAL AMMUNITION, ALL TYPES		7,366		7,366		7,366				7,366
028	CAD/PAD ALL TYPES		3,614		3,614		3,614				3,614
029	ITEMS LESS THAN \$5 MILLION (AMMO)		12,423		12,423		12,423				12,423
030	AMMUNITION PECULIAR EQUIPMENT		16,604		16,604		16,604				16,604
031	FIRST DESTINATION TRANSPORTATION (AMMO)		14,328		14,328		14,328				14,328
032	CLOSEOUT LIABILITIES		108		108		108				108
	PRODUCTION BASE SUPPORT										
033	PROVISION OF INDUSTRIAL FACILITIES		242,324		242,324		242,324				242,324
034	CONVENTIONAL MUNITIONS DEMILITARIZATION		179,605		179,605		179,605				179,605
035	ARMS INITIATIVE		3,436		3,436		3,436				3,436
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	802	1,540,437	802	1,465,937	802	1,455,637		– 84,800	802	1,455,637
	OTHER PROCUREMENT, ARMY										
	TACTICAL VEHICLES										
001	TACTICAL TRAILERS/DOLLY SETS	25	4,000	25	4,000	25	4,000			25	4,000
002	SEMITRAILERS, FLATBED:	40	6,841	40	6,841	40	6,841			40	6,841
003	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	837	223,910	837	223,910	837	223,910			837	223,910
004	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP		11,880		11,880		11,880				11,880
005	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	220	14,731	220	14,731	220	14,731			220	14,731
006	PLS ESP	74	44,252	74	44,252	74	44,252			74	44,252
009	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	77	39,525	77	39,525	77	39,525			77	39,525
011	TACTICAL WHEELED VEHICLE PROTECTION KITS	746	51,258	746	25,958	746	51,258		– 25,300	746	25,958
	Funding ahead of need				[– 25,300]				[– 25,300]		
012	MODIFICATION OF IN SVC EQUIP	34	49,904	34	49,904	34	49,904			34	49,904
013	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS		2,200		2,200		2,200				2,200
	NON-TACTICAL VEHICLES										
014	HEAVY ARMORED SEDAN		400		400		400				400
015	PASSENGER CARRYING VEHICLES		716		716		716				716
016	NONTACTICAL VEHICLES, OTHER		5,619		5,619		5,619				5,619
	COMM—JOINT COMMUNICATIONS										
018	WIN-T—GROUND FORCES TACTICAL NETWORK	2,139	973,477	2,139	973,477	2,139	973,477			2,139	973,477
019	SIGNAL MODERNIZATION PROGRAM		14,120		14,120		14,120				14,120
020	JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY		7,869		7,869		7,869				7,869
021	JCSE EQUIPMENT (USREDCOM)		5,296		5,296		5,296				5,296
	COMM—SATELLITE COMMUNICATIONS										
022	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	31	147,212	31	147,212	31	147,212			31	147,212
023	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS		7,998		7,998		7,998				7,998
024	SHF TERM		7,232		7,232		7,232				7,232
025	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)		3,308		3,308		3,308				3,308
026	SMART-T (SPACE)		13,992		13,992		13,992				13,992
028	GLOBAL BRDCST SVC—GBS	94	28,206	94	28,206	94	28,206			94	28,206
029	MOD OF IN-SVC EQUIP (TAC SAT)	15	2,778	15	2,778	15	2,778			15	2,778
	COMM—C3 SYSTEM										
031	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)		17,590		17,590		17,590				17,590

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	COMM—COMBAT COMMUNICATIONS										
032	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)		786		786		786				786
033	JOINT TACTICAL RADIO SYSTEM	10,523	382,930	10,523	382,930	10,523	382,930			10,523	382,930
034	MID-TIER NETWORKING VEHICULAR RADIO (MNVN)	130	19,200	130	19,200	130	19,200			130	19,200
035	RADIO TERMINAL SET, MIDS LVT(2)		1,438		1,438		1,438				1,438
036	SINGGARS FAMILY		9,856		9,856		9,856				9,856
037	AMC CRITICAL ITEMS—OPA2	2,066	14,184	2,066	14,184	2,066	14,184			2,066	14,184
038	TRACTOR DESK		6,271		6,271		6,271				6,271
040	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS		1,030		1,030		1,030				1,030
041	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	15,967	31,868	15,967	31,868	15,967	31,868			15,967	31,868
042	UNIFIED COMMAND SUITE		18,000		18,000		18,000				18,000
044	RADIO, IMPROVED HF (COTS) FAMILY		1,166		1,166		1,166				1,166
045	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE		22,867		22,867		22,867				22,867
	COMM—INTELLIGENCE COMM										
048	CI AUTOMATION ARCHITECTURE		1,512		1,512		1,512				1,512
049	ARMY CA/MISO GPF EQUIPMENT	323	61,096	323	61,096	323	61,096			323	61,096
	INFORMATION SECURITY										
050	TSEC—ARMY KEY MGT SYS (AKMS)		13,890		13,890		13,890				13,890
051	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	1,133	23,245	1,133	23,245	1,133	23,245			1,133	23,245
052	BIOMETRICS ENTERPRISE		3,800		3,800		3,800				3,800
053	COMMUNICATIONS SECURITY (COMSEC)	877	24,711	877	24,711	877	24,711			877	24,711
	COMM—LONG HAUL COMMUNICATIONS										
055	BASE SUPPORT COMMUNICATIONS		43,395		43,395		43,395				43,395
	COMM—BASE COMMUNICATIONS										
057	INFORMATION SYSTEMS		104,577		104,577		104,577				104,577
058	DEFENSE MESSAGE SYSTEM (DMS)		612		612		612				612
059	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM		39,000		39,000		39,000				39,000
060	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM		248,477		248,477		248,477				248,477
	ELECT EQUIP—TACT INT REL ACT (TIARA)										
064	JTT/CIBS-M		824		824		824				824
065	PROPHET GROUND	10	59,198	10	59,198	10	59,198			10	59,198
067	DCGS-A (MIP)	2,717	267,214	2,717	267,214	2,717	267,214			2,717	267,214
068	JOINT TACTICAL GROUND STATION (JTGS)	5	9,899	5	9,899	5	9,899			5	9,899
069	TROJAN (MIP)		24,598		24,598		24,598				24,598
070	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)		1,927		1,927		1,927				1,927
071	CI HUMINT AUTO REPRTING AND COLL(CHARCS)		6,169		6,169		6,169				6,169
072	MACHINE FOREIGN LANGUAGE TRANSLATION SYSTEM-M		2,924		2,924		2,924				2,924
	ELECT EQUIP—ELECTRONIC WARFARE (EW)										
074	LIGHTWEIGHT COUNTER MORTAR RADAR	18	40,735	18	40,735	18	40,735			18	40,735
075	EW PLANNING & MANAGEMENT TOOLS (EWPMT)		13		13		13				13
076	ENEMY UAS		2,800		2,800		2,800				2,800
079	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES		1,237		1,237		1,237				1,237
080	CI MODERNIZATION		1,399		1,399		1,399				1,399
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)										
082	SENTINEL MODS	86	47,983	86	47,983	86	47,983			86	47,983
083	SENSE THROUGH THE WALL (STTW)		142		142		142				142
084	NIGHT VISION DEVICES	6,879	202,428	6,879	202,428	6,879	202,428			6,879	202,428
085	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM		5,183		5,183		5,183				5,183
086	NIGHT VISION, THERMAL WPN SIGHT		14,074		14,074		14,074				14,074
087	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	1,491	22,300	1,491	22,300	1,491	22,300			1,491	22,300
089	GREEN LASER INTERDICTION SYSTEM (GLIS)		1,016		1,016		1,016				1,016
090	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	5	55,354	5	55,354	5	55,354			5	55,354
091	ARTILLERY ACCURACY EQUIP		800		800		800				800
092	PROFILER		3,027		3,027		3,027				3,027
093	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)		1,185		1,185		1,185				1,185
094	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	3,866	103,214	3,866	103,214	3,866	103,214			3,866	103,214
096	MOD OF IN-SVC EQUIP (LLDR)	167	26,037	167	26,037	167	26,037			167	26,037
097	MORTAR FIRE CONTROL SYSTEM	120	23,100	120	23,100	120	23,100			120	23,100
098	COUNTERFIRE RADARS	19	312,727	19	312,727	19	312,727			19	312,727
	ELECT EQUIP—TACTICAL C2 SYSTEMS										
101	FIRE SUPPORT C2 FAMILY	574	43,228	574	43,228	574	43,228			574	43,228
102	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM	167	14,446	167	14,446	167	14,446			167	14,446
103	FAAD C2		4,607		4,607		4,607				4,607
104	AIR & MSL DEFENSE PLANNING & CONTROL SYS	8	33,090	8	33,090	8	33,090			8	33,090
105	IAMD BATTLE COMMAND SYSTEM		21,200		21,200		21,200				21,200
107	LIFE CYCLE SOFTWARE SUPPORT (LCSS)		1,795		1,795		1,795				1,795
109	NETWORK MANAGEMENT INITIALIZATION AND SERVICE		54,327		54,327		54,327				54,327
110	MANEUVER CONTROL SYSTEM (MCS)	2,959	59,171	2,959	59,171	2,959	59,171			2,959	59,171
111	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)		83,936		83,936		83,936				83,936
113	LOGISTICS AUTOMATION		25,476		25,476		25,476				25,476
114	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	212	19,341	212	19,341	212	19,341			212	19,341
	ELECT EQUIP—AUTOMATION										
115	ARMY TRAINING MODERNIZATION		11,865		11,865		11,865				11,865
116	AUTOMATED DATA PROCESSING EQUIP		219,431		219,431		219,431				219,431
117	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM		6,414		6,414		6,414				6,414
118	HIGH PERF COMPUTING MOD PGM (HPCMP)		62,683		62,683		62,683				62,683
120	RESERVE COMPONENT AUTOMATION SYS (RCAS)		34,951		34,951		34,951				34,951

SEC. 4101. PROCUREMENT (In Thousands of Dollars)											
Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)										
121	ITEMS LESS THAN \$5.0M (A/V)		7,440		7,440		7,440				7,440
122	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT)	16	1,615	16	1,615	16	1,615			16	1,615
	ELECT EQUIP—SUPPORT										
123	PRODUCTION BASE SUPPORT (C-E)		554		554		554				554
124	BCT EMERGING TECHNOLOGIES		20,000		20,000		20,000				20,000
	CLASSIFIED PROGRAMS										
124A	CLASSIFIED PROGRAMS		3,558		3,558		3,558				3,558
	CHEMICAL DEFENSIVE EQUIPMENT										
126	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)		762		762		762				762
127	BASE DEFENSE SYSTEMS (BDS)	3,759	20,630	3,759	20,630	3,759	20,630			3,759	20,630
128	CBRN DEFENSE	24,530	22,151	24,530	22,151	24,530	22,151			24,530	22,151
	BRIDGING EQUIPMENT										
130	TACTICAL BRIDGING	2	14,188	2	14,188	2	14,188			2	14,188
131	TACTICAL BRIDGE, FLOAT-RIBBON	34	23,101	34	23,101	34	23,101			34	23,101
132	COMMON BRIDGE TRANSPORTER (CBT) RECAP		15,416		15,416		15,416				15,416
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT										
134	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	311	50,465	311	50,465	311	50,465			311	50,465
135	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)		6,490		6,490		6,490				6,490
136	EOD ROBOTICS SYSTEMS RECAPITALIZATION		1,563		1,563		1,563				1,563
137	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	6,774	20,921	6,774	20,921	6,774	20,921			6,774	20,921
138	REMOTE DEMOLITION SYSTEMS		100		100		100				100
139	< \$5M, COUNTERMINE EQUIPMENT	70	2,271	70	2,271	70	2,271			70	2,271
	COMBAT SERVICE SUPPORT EQUIPMENT										
140	HEATERS AND ECU'S	464	7,269	464	7,269	464	7,269			464	7,269
141	LAUNDRIES, SHOWERS AND LATRINES		200		200		200				200
142	SOLDIER ENHANCEMENT		1,468		1,468		1,468				1,468
143	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	31,530	26,526	31,530	26,526	31,530	26,526			31,530	26,526
144	GROUND SOLDIER SYSTEM	5,547	81,680	5,547	71,680	5,547	81,680	— 10,000		5,547	71,680
	Unjustified unit cost growth				[— 10,000]			[— 10,000]			
147	FIELD FEEDING EQUIPMENT	217	28,096	217	28,096	217	28,096			217	28,096
148	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	6,904	56,150	6,904	56,150	6,904	56,150			6,904	56,150
149	MORTUARY AFFAIRS SYSTEMS	248	3,242	248	3,242	248	3,242			248	3,242
150	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	289	38,141	289	38,141	289	38,141			289	38,141
151	ITEMS LESS THAN \$5M (ENG SPT)	210	5,859	210	5,859	210	5,859			210	5,859
	PETROLEUM EQUIPMENT										
152	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	508	60,612	508	60,612	508	60,612			508	60,612
	MEDICAL EQUIPMENT										
153	COMBAT SUPPORT MEDICAL	3,258	22,042	3,258	22,042	3,258	22,042			3,258	22,042
154	MEDEVAC MISSION EQUIPMENT PACKAGE (MEP)	88	35,318	88	35,318	88	35,318			88	35,318
	MAINTENANCE EQUIPMENT										
155	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	25	19,427	25	19,427	25	19,427			25	19,427
156	ITEMS LESS THAN \$5.0M (MAINT EQ)	347	3,860	347	3,860	347	3,860			347	3,860
	CONSTRUCTION EQUIPMENT										
157	GRADER, ROAD MTZD, HVY, 6X4 (CCE)		2,000		2,000		2,000				2,000
159	SCRAPERS, EARTHMOVING	52	36,078	52	36,078	52	36,078			52	36,078
160	MISSION MODULES—ENGINEERING	13	9,721	13	9,721	13	9,721			13	9,721
162	HYDRAULIC EXCAVATOR	109	50,122	109	50,122	109	50,122			109	50,122
163	TRACTOR, FULL TRACKED	84	28,828	84	28,828	84	28,828			84	28,828
164	ALL TERRAIN CRANES	19	19,863	19	19,863	19	19,863			19	19,863
166	HIGH MOBILITY ENGINEER EXCAVATOR (HME)	34	23,465	34	23,465	34	23,465			34	23,465
168	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP	109	13,590	109	13,590	109	13,590			109	13,590
169	CONST EQUIP ESP	80	16,088	80	16,088	80	16,088			80	16,088
170	ITEMS LESS THAN \$5.0M (CONST EQUIP)	66	6,850	66	6,850	66	6,850			66	6,850
	RAIL FLOAT CONTAINERIZATION EQUIPMENT										
171	ARMY WATERCRAFT ESP		38,007		19,007		38,007	— 19,000			19,007
	Funding ahead of need				[— 19,000]			[— 19,000]			
172	ITEMS LESS THAN \$5.0M (FLOAT/RAIL)		10,605		10,605		10,605				10,605
	GENERATORS										
173	GENERATORS AND ASSOCIATED EQUIP	5,239	129,437	5,239	129,437	5,239	129,437			5,239	129,437
	MATERIAL HANDLING EQUIPMENT										
174	ROUGH TERRAIN CONTAINER HANDLER (RTCH)		1,250		1,250		1,250				1,250
175	FAMILY OF FORKLIFTS	60	8,260	60	8,260	60	8,260			60	8,260
	TRAINING EQUIPMENT										
176	COMBAT TRAINING CENTERS SUPPORT	309	121,710	309	121,710	309	121,710			309	121,710
177	TRAINING DEVICES, NONSYSTEM	8,181	225,200	8,181	225,200	8,181	225,200			8,181	225,200
178	CLOSE COMBAT TACTICAL TRAINER	15	30,063	15	30,063	15	30,063			15	30,063
179	AVIATION COMBINED ARMS TACTICAL TRAINER	2	34,913	2	34,913	2	34,913			2	34,913
180	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING		9,955		9,955		9,955				9,955
	TEST MEASURE AND DIG EQUIPMENT (TMD)										
181	CALIBRATION SETS EQUIPMENT	3	8,241	3	8,241	3	8,241			3	8,241
182	INTEGRATED FAMILY OF TEST EQUIPMENT (ITE)	1,810	67,506	1,810	67,506	1,810	67,506			1,810	67,506
183	TEST EQUIPMENT MODERNIZATION (TEMOD)	2,105	18,755	2,105	18,755	2,105	18,755			2,105	18,755
	OTHER SUPPORT EQUIPMENT										
184	M25 STABILIZED BINOCULAR	647	5,110	647	5,110	647	5,110			647	5,110
185	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT		5,110		5,110		5,110				5,110
186	PHYSICAL SECURITY SYSTEMS (OPA3)		62,904		62,904		62,904				62,904

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
187	BASE LEVEL COMMON EQUIPMENT		1,427		1,427		1,427				1,427
188	MODIFICATION OF IN-SVC EQUIPMENT (OPA – 3)	1,936	96,661	1,936	96,661	1,936	96,661			1,936	96,661
189	PRODUCTION BASE SUPPORT (OTH)		2,450		2,450		2,450				2,450
190	SPECIAL EQUIPMENT FOR USER TESTING	69	11,593	69	11,593	69	11,593			69	11,593
191	AMC CRITICAL ITEMS OPA3	1,597	8,948	1,597	8,948	1,597	8,948			1,597	8,948
192	TRACTOR YARD		8,000		8,000		8,000				8,000
	OPA2										
195	INITIAL SPARES—C&E	15	59,700	15	59,700	15	59,700			15	59,700
	TOTAL OTHER PROCUREMENT, ARMY	162,339	6,465,218	162,339	6,410,918	162,339	6,465,218	– 54,300		162,339	6,410,918
	AIRCRAFT PROCUREMENT, NAVY										
	COMBAT AIRCRAFT										
001	EA – 18G	21	2,001,787	21	1,956,787	21	2,001,787		– 60,913	21	1,940,874
	Excess engineering change order funding								[– 8,790]		
	GFE electronics cost growth								[– 5,943]		
	Other GFE cost growth								[– 1,180]		
	Program adjustment				[– 45,000]				[– 45,000]		
003	F/A–18E/F (FIGHTER) HORNET		206,551		206,551		206,551				206,551
004	ADVANCE PROCUREMENT (CY)				75,000				75,000		75,000
	Program increase				[75,000]				[75,000]		
005	JOINT STRIKE FIGHTER CV	4	1,135,444	4	1,135,444	4	1,135,444			4	1,135,444
006	ADVANCE PROCUREMENT (CY)		94,766		94,766		94,766				94,766
007	JSF STOVL	6	1,267,260	6	1,267,260	6	1,267,260			6	1,267,260
008	ADVANCE PROCUREMENT (CY)		103,195		103,195		103,195				103,195
009	V–22 (MEDIUM LIFT)	18	1,432,573	18	1,432,573	18	1,432,573			18	1,432,573
010	ADVANCE PROCUREMENT (CY)		55,196		55,196		55,196				55,196
011	H–1 UPGRADES (UH–1Y/AH–1Z)	25	749,962	25	749,962	25	749,962			25	749,962
012	ADVANCE PROCUREMENT (CY)		71,000		71,000		71,000				71,000
013	MH–60S (MYP)	18	383,831	18	383,831	18	383,831			18	383,831
014	ADVANCE PROCUREMENT (CY)		37,278		37,278		37,278				37,278
015	MH–60R (MYP)	19	599,237	20	599,237	19	599,237			19	599,237
016	ADVANCE PROCUREMENT (CY)		231,834		231,834		231,834				231,834
017	P–8A POSEIDON	16	3,189,989	16	3,189,989	16	3,189,989			16	3,189,989
018	ADVANCE PROCUREMENT (CY)		313,160		313,160		313,160				313,160
019	E–2D ADV HAWKEYE	5	997,107	5	962,107	5	997,107			5	997,107
	Unjustified CRI Funding				[– 35,000]						
020	ADVANCE PROCUREMENT (CY)		266,542		266,542		266,542				266,542
	TRAINER AIRCRAFT										
021	JPATS	29	249,080	29	249,080	29	249,080			29	249,080
	OTHER AIRCRAFT										
022	KC–130J	2	134,358	2	134,358	2	134,358			2	134,358
023	ADVANCE PROCUREMENT (CY)		32,288		32,288		32,288				32,288
025	ADVANCE PROCUREMENT (CY)		52,002		52,002		52,002		– 47,200		4,802
	Advance procurement appropriated in fiscal year 2013								[– 47,200]		
026	MQ–8 UAV	1	60,980	1	60,980	1	60,980			1	60,980
028	OTHER SUPPORT AIRCRAFT	1	14,958	1	14,958	1	14,958			1	14,958
	MODIFICATION OF AIRCRAFT										
029	EA–6 SERIES		18,577		18,577		18,577				18,577
030	AEA SYSTEMS		48,502		48,502		48,502				48,502
031	AV–8 SERIES		41,575		41,575		41,575				41,575
032	ADVERSARY		2,992		2,992		2,992				2,992
033	F–18 SERIES		875,371		875,371		875,371				833,530
	ECP 6038 radome kits cost growth (OSIP 002–07)								– 41,841		
	Integrated logistics support growth (OSIP 14–03)								[– 2,952]		
	Other support and ILS ahead of need (OSIP 04–14)								[– 8,000]		
	Retrofit radars (APG–79B) cost growth (OSIP 002–07)								[– 20,989]		
									[– 9,900]		
034	H–46 SERIES		2,127		2,127		2,127				2,127
036	H–53 SERIES		67,675		67,675		67,675				67,675
037	SH–60 SERIES		135,054		135,054		135,054				135,054
038	H–1 SERIES		41,706		41,706		41,706				41,706
039	EP–3 SERIES		55,903	12	77,903		77,903				77,903
	12th aircraft to Spiral 3				[8,000]		[8,000]		[8,000]		
	Sensor obsolescence			[12]	[14,000]		[14,000]		[14,000]		
040	P–3 SERIES		37,436		37,436		37,436				37,436
041	E–2 SERIES		31,044		31,044		31,044				31,044
042	TRAINER A/C SERIES		43,720		43,720		43,720		– 3,200		40,520
	Avionics Obsolescence installation cost growth								[– 3,200]		
043	C–2A		902		902		902				902
044	C–130 SERIES		47,587		47,587		47,587				47,587
045	FEWSG		665		665		665				665
046	CARGO/TRANSPORT A/C SERIES		14,587		14,587		14,587				14,587
047	E–6 SERIES		189,312		189,312		189,312		– 6,094		183,218
	FAB-T funding previously appropriated (OSIP 014–14)								[– 6,094]		
048	EXECUTIVE HELICOPTERS SERIES		85,537		85,537		85,537				85,537
049	SPECIAL PROJECT AIRCRAFT		3,684	4	16,684		13,684		10,000		13,684
	Program office sustainment				[8,000]		[5,000]		[5,000]		
	Sensor obsolescence			[4]	[5,000]		[5,000]		[5,000]		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
050	T-45 SERIES		98,128		98,128		98,128				98,128
051	POWER PLANT CHANGES		22,999		22,999		22,999				22,999
052	JPATS SERIES		1,576		1,576		1,576				1,576
053	AVIATION LIFE SUPPORT MODS		6,267		6,267		6,267				6,267
054	COMMON ECM EQUIPMENT		141,685		141,685		141,685				141,685
055	COMMON AVIONICS CHANGES		120,660		120,660		120,660				120,660
056	COMMON DEFENSIVE WEAPON SYSTEM		3,554		3,554		3,554				3,554
057	ID SYSTEMS		41,800		41,800		41,800				41,800
058	P-8 SERIES		9,485		9,485		9,485				9,485
059	MAGTF EW FOR AVIATION		14,431		14,431		14,431				14,431
060	MQ-8 SERIES		1,001		1,001		1,001				1,001
061	RQ-7 SERIES		26,433		26,433		26,433				26,433
062	V-22 (TILT/ROTOR ACFT) OSPREY		160,834		160,834		160,834				160,834
063	F-35 STOVL SERIES		147,130		147,130		147,130				147,130
064	F-35 CV SERIES		31,100		31,100		31,100				31,100
	AIRCRAFT SPARES AND REPAIR PARTS										
065	SPARES AND REPAIR PARTS		1,142,461		1,142,461		1,142,461				1,142,461
	AIRCRAFT SUPPORT EQUIP & FACILITIES										
066	COMMON GROUND EQUIPMENT		410,044		410,044		410,044				410,044
067	AIRCRAFT INDUSTRIAL FACILITIES		27,450		27,450		27,450				27,450
068	WAR CONSUMABLES		28,930		28,930		28,930				28,930
069	OTHER PRODUCTION CHARGES		5,268		5,268		5,268				5,268
070	SPECIAL SUPPORT EQUIPMENT		60,306		60,306		60,306				60,306
071	FIRST DESTINATION TRANSPORTATION		1,775		1,775		1,775				1,775
	TOTAL AIRCRAFT PROCUREMENT, NAVY	165	17,927,651	182	17,957,651	165	17,959,651		- 52,248	165	17,875,403
	WEAPONS PROCUREMENT, NAVY										
	MODIFICATION OF MISSILES										
001	TRIDENT II MODS		1,140,865		1,126,765		1,140,865				1,140,865
	Equipment related to New START treaty implementa- tion.				[- 14,100]						
	SUPPORT EQUIPMENT & FACILITIES										
002	MISSILE INDUSTRIAL FACILITIES		7,617		7,617		7,617				7,617
	STRATEGIC MISSILES										
003	TOMAHAWK	196	312,456	196	312,456	196	312,456			196	312,456
	TACTICAL MISSILES										
004	AMRAAM	54	95,413	54	95,413	54	95,413			54	95,413
005	SIDEWINDER	225	117,208	225	117,208	225	117,208			225	117,208
006	JSOW	328	136,794	328	136,794	328	136,794			328	136,794
007	STANDARD MISSILE	81	367,985	81	367,985	81	367,985			81	367,985
008	RAM	66	67,596	66	67,596	66	67,596		- 1,612	66	65,984
	Guidance and control assembly contract savings								[- 1,612]		
009	HELLFIRE	363	33,916	363	33,916	363	33,916			363	33,916
011	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	50	6,278	50	6,278	50	6,278			50	6,278
012	AERIAL TARGETS		41,799		41,799		41,799				41,799
013	OTHER MISSILE SUPPORT		3,538		3,538		3,538				3,538
	MODIFICATION OF MISSILES										
014	ESSM	53	76,749	53	76,749	53	76,749			53	76,749
015	HARM MODS	143	111,902	143	111,902	143	111,902			143	111,902
	SUPPORT EQUIPMENT & FACILITIES										
016	WEAPONS INDUSTRIAL FACILITIES		1,138		1,138		1,138				1,138
017	FLEET SATELLITE COMM FOLLOW-ON		23,014		23,014		23,014				23,014
	ORDNANCE SUPPORT EQUIPMENT										
018	ORDNANCE SUPPORT EQUIPMENT		84,318		84,318		84,318				84,318
	TORPEDOES AND RELATED EQUIP										
019	SSTD		3,978		3,978		3,978				3,978
020	ASW TARGETS		8,031		8,031		8,031				8,031
	MOD OF TORPEDOES AND RELATED EQUIP										
021	MK-54 TORPEDO MODS	150	125,898	150	125,898	150	125,898			150	125,898
022	MK-48 TORPEDO ADCAP MODS	108	53,203	108	53,203	108	53,203			108	53,203
023	QUICKSTRIKE MINE		7,800		7,800		7,800				7,800
	SUPPORT EQUIPMENT										
024	TORPEDO SUPPORT EQUIPMENT		59,730		59,730		59,730				59,730
025	ASW RANGE SUPPORT		4,222		4,222		4,222				4,222
	DESTINATION TRANSPORTATION										
026	FIRST DESTINATION TRANSPORTATION		3,963		3,963		3,963				3,963
	GUNS AND GUN MOUNTS										
027	SMALL ARMS AND WEAPONS		12,513		12,513		12,513				12,513
	MODIFICATION OF GUNS AND GUN MOUNTS										
028	CIWS MODS		56,308		56,308		62,708		6,400		62,708
	Additional RMA kits						[6,400]		[6,400]		
029	COAST GUARD WEAPONS		10,727		10,727		10,727		- 3,458		7,269
	Machine gun equipment cost growth								[- 3,458]		
030	GUN MOUNT MODS		72,901		72,901		72,901		- 13,380		59,521
	MK38 gun kits cost growth								[- 13,380]		
031	CRUISER MODERNIZATION WEAPONS		1,943	1	1,943		1,943				1,943
032	AIRBORNE MINE NEUTRALIZATION SYSTEMS		19,758		19,758		19,758				19,758

SEC. 4101. PROCUREMENT (In Thousands of Dollars)											
Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
034	SPARES AND REPAIR PARTS										
	SPARES AND REPAIR PARTS		52,632		52,632		52,632				52,632
	TOTAL WEAPONS PROCUREMENT, NAVY	1,817	3,122,193	1,818	3,108,093	1,817	3,128,593		— 12,050	1,817	3,110,143
	PROCUREMENT OF AMMO, NAVY & MC										
	NAVY AMMUNITION										
001	GENERAL PURPOSE BOMBS		37,703		37,703		37,703				37,703
002	AIRBORNE ROCKETS, ALL TYPES		65,411		65,411		65,411				65,411
003	MACHINE GUN AMMUNITION		20,284		20,284		20,284				20,284
004	PRACTICE BOMBS		37,870		37,870		37,870				37,870
005	CARTRIDGES & CART ACTUATED DEVICES		53,764		53,764		53,764				53,764
006	AIR EXPENDABLE COUNTERMEASURES		67,194		67,194		67,194				67,194
007	JATOS		2,749		2,749		2,749				2,749
008	LRLAP 6" LONG RANGE ATTACK PROJECTILE		3,906		3,906		3,906				3,906
009	5 INCH/54 GUN AMMUNITION		24,151		24,151		24,151				24,151
010	INTERMEDIATE CALIBER GUN AMMUNITION		33,080		33,080		33,080				33,080
011	OTHER SHIP GUN AMMUNITION		40,398		40,398		40,398				40,398
012	SMALL ARMS & LANDING PARTY AMMO		61,219		61,219		61,219				61,219
013	PYROTECHNIC AND DEMOLITION		10,637		10,637		10,637				10,637
014	AMMUNITION LESS THAN \$5 MILLION		4,578		4,578		4,578				4,578
	MARINE CORPS AMMUNITION										
015	SMALL ARMS AMMUNITION		26,297		26,297		26,297				26,297
016	LINEAR CHARGES, ALL TYPES		6,088		6,088		6,088				6,088
017	40 MM, ALL TYPES		7,644		7,644		7,644				7,644
018	60MM, ALL TYPES		3,349		3,349		3,349				3,349
020	120MM, ALL TYPES		13,361		13,361		13,361				13,361
022	GRENADES, ALL TYPES		2,149		2,149		2,149				2,149
023	ROCKETS, ALL TYPES		27,465		27,465		27,465				27,465
026	FUZE, ALL TYPES		26,366		26,366		26,366				26,366
028	AMMO MODERNIZATION		8,403		8,403		8,403				8,403
029	ITEMS LESS THAN \$5 MILLION		5,201		5,201		5,201				5,201
	TOTAL PROCUREMENT OF AMMO, NAVY & MC		589,267		589,267		589,267				589,267
	SHIPBUILDING & CONVERSION, NAVY										
	OTHER WARSHIPS										
001	CARRIER REPLACEMENT PROGRAM		944,866		944,866		944,866				944,866
003	VIRGINIA CLASS SUBMARINE	2	2,930,704	2	3,422,704	2	2,930,704		492,000	2	3,422,704
	Increase to Virginia class				[492,000]				[492,000]		
004	ADVANCE PROCUREMENT (CY)		2,354,612		2,354,612		2,354,612				2,354,612
005	CVN REFUELING OVERHAULS		1,705,424		1,705,424		1,705,424		— 22,071		1,683,353
	CVN 72 requirement previously funded in Fiscal Year 2012 reprogramming.								[— 22,071]		
006	ADVANCE PROCUREMENT (CY)		245,793		245,793		245,793				245,793
007	DDG 1000		231,694		310,994		231,694				231,694
	Increase to DDG 1000				[79,300]						
008	DDG-51	1	1,615,564	1	1,615,564	1	1,615,564			1	1,615,564
009	ADVANCE PROCUREMENT (CY)		388,551		388,551		388,551				388,551
010	LITTORAL COMBAT SHIP	4	1,793,014	4	1,793,014	4	1,793,014			4	1,793,014
	AMPHIBIOUS SHIPS										
012	AFLOAT FORWARD STAGING BASE	1	524,000	1	524,000	1	579,300		55,300	1	579,300
	Navy requested adjustment						[55,300]		[55,300]		
014	JOINT HIGH SPEED VESSEL		2,732		2,732		2,732				2,732
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST										
016	ADVANCE PROCUREMENT (CY)		183,900		183,900		183,900		23,400		207,300
	Program shortfall								[23,400]		
017	OUTFITTING		450,163		450,163		450,163				450,163
019	LCAC SLEP	4	80,987	4	80,987	4	80,987			4	80,987
020	COMPLETION OF PY SHIPBUILDING PROGRAMS		625,800		988,800		725,800		107,600		733,400
	DDG-51				[332,000]				[100,000]		
	Help buy 3rd DDG-51 in FY 13						[100,000]				
	Joint High Speed Vessel				[7,600]				[7,600]		
	MTS				[23,400]						
	TOTAL SHIPBUILDING & CONVERSION, NAVY	12	14,077,804	12	15,012,104	12	14,233,104		656,229	12	14,734,033
	OTHER PROCUREMENT, NAVY										
	SHIP PROPULSION EQUIPMENT										
001	LM-2500 GAS TURBINE		10,180		10,180		10,180				10,180
002	ALLISON 501K GAS TURBINE		5,536		5,536		5,536				5,536
003	HYBRID ELECTRIC DRIVE (HED)		16,956		16,956		16,956		— 13,000		3,956
	Contract delay								[— 13,000]		
	GENERATORS										
004	SURFACE COMBATANT HM&E		19,782		19,782		19,782				19,782
	NAVIGATION EQUIPMENT										
005	OTHER NAVIGATION EQUIPMENT		39,509		39,509		39,509				39,509
	PERISCOPES										
006	SUB PERISCOPES & IMAGING EQUIP		52,515		52,515		52,515				52,515
	OTHER SHIPBOARD EQUIPMENT										

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
007	DDG MOD		285,994		285,994		285,994				285,994
008	FIREFIGHTING EQUIPMENT		14,389		14,389		14,389				14,389
009	COMMAND AND CONTROL SWITCHBOARD		2,436		2,436		2,436				2,436
010	LHA/LHD MIDLIFE		12,700		12,700		12,700				12,700
011	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM		40,329		40,329		40,329				40,329
012	POLLUTION CONTROL EQUIPMENT		19,603		19,603		19,603				19,603
013	SUBMARINE SUPPORT EQUIPMENT		8,678		8,678		8,678				8,678
014	VIRGINIA CLASS SUPPORT EQUIPMENT		74,209		74,209		74,209				74,209
015	LCS CLASS SUPPORT EQUIPMENT		47,078		47,078		47,078				47,078
016	SUBMARINE BATTERIES		37,000		37,000		37,000				37,000
017	LPD CLASS SUPPORT EQUIPMENT		25,053		25,053		25,053				25,053
018	STRATEGIC PLATFORM SUPPORT EQUIP		12,986		12,986		12,986				12,986
019	DSSP EQUIPMENT		2,455		2,455		2,455				2,455
020	CG MODERNIZATION		10,539	1	10,539		10,539				10,539
021	LCAC		14,431		14,431		14,431				14,431
022	UNDERWATER EOD PROGRAMS		36,700		36,700		36,700				36,700
023	ITEMS LESS THAN \$5 MILLION		119,902		119,902		119,902				119,902
024	CHEMICAL WARFARE DETECTORS		3,678		3,678		3,678				3,678
025	SUBMARINE LIFE SUPPORT SYSTEM		8,292		8,292		8,292				8,292
	REACTOR PLANT EQUIPMENT										
027	REACTOR COMPONENTS		286,744		286,744		286,744				286,744
	OCEAN ENGINEERING										
028	DIVING AND SALVAGE EQUIPMENT		8,780		8,780		8,780				8,780
	SMALL BOATS										
029	STANDARD BOATS		36,452		36,452		36,452		— 3,396		33,056
	CNIC force protection medium contract delay								[— 3,396]		
	TRAINING EQUIPMENT										
030	OTHER SHIPS TRAINING EQUIPMENT		36,145		36,145		36,145				36,145
	PRODUCTION FACILITIES EQUIPMENT										
031	OPERATING FORCES IPE		69,368		69,368		69,368		— 19,500		49,868
	Emergent repair facility outfitting ahead of need								[— 19,500]		
	OTHER SHIP SUPPORT										
032	NUCLEAR ALTERATIONS		106,328		106,328		106,328				106,328
033	LCS COMMON MISSION MODULES EQUIPMENT		45,966		45,966		45,966				45,966
034	LCS MCM MISSION MODULES		59,885		59,885		59,885				59,885
035	LCS SUW MISSION MODULES		37,168		37,168		37,168				37,168
	LOGISTIC SUPPORT										
036	LSD MIDLIFE		77,974	1	77,974		77,974				77,974
	SHIP SONARS										
038	SPQ-9B RADAR		27,934		27,934		27,934				27,934
039	AN/SQ-89 SURF ASW COMBAT SYSTEM		83,231		83,231		83,231				83,231
040	SSN ACOUSTICS		199,438		199,438		199,438				199,438
041	UNDERSEA WARFARE SUPPORT EQUIPMENT		9,394		9,394		9,394				9,394
042	SONAR SWITCHES AND TRANSDUCERS		12,953		12,953		12,953				12,953
043	ELECTRONIC WARFARE MILDEC		8,958		8,958		8,958				8,958
	ASW ELECTRONIC EQUIPMENT										
044	SUBMARINE ACOUSTIC WARFARE SYSTEM		24,077		24,077		24,077				24,077
045	SSTD		11,925		11,925		11,925		— 3,425		8,500
	AN/SLQ-25X cancellation								[— 3,425]		
046	FIXED SURVEILLANCE SYSTEM		94,338		94,338		94,338				94,338
047	SURTASS		9,680		9,680		9,680				9,680
048	MARITIME PATROL AND RECONNAISSANCE FORCE		18,130		18,130		18,130				18,130
	ELECTRONIC WARFARE EQUIPMENT										
049	AN/SLQ-32		203,375	1	203,375		203,375		— 3,684		199,691
	Excess block 2 support funding								[— 3,684]		
	RECONNAISSANCE EQUIPMENT										
050	SHIPBOARD IW EXPLOIT		123,656	1	123,656		123,656				123,656
051	AUTOMATED IDENTIFICATION SYSTEM (AIS)		896		896		896				896
	SUBMARINE SURVEILLANCE EQUIPMENT										
052	SUBMARINE SUPPORT EQUIPMENT PROG		49,475		49,475		49,475				49,475
	OTHER SHIP ELECTRONIC EQUIPMENT										
053	COOPERATIVE ENGAGEMENT CAPABILITY		34,692		34,692		34,692				34,692
054	TRUSTED INFORMATION SYSTEM (TIS)		396		396		396				396
055	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)		15,703		15,703		15,703				15,703
056	ATDLS		3,836		3,836		3,836				3,836
057	NAVY COMMAND AND CONTROL SYSTEM (NCCS)		7,201		7,201		7,201				7,201
058	MINESWEEPING SYSTEM REPLACEMENT		54,400		54,400		54,400				54,400
059	SHALLOW WATER MCM		8,548		8,548		8,548				8,548
060	NAVSTAR GPS RECEIVERS (SPACE)		11,765		11,765		11,765				11,765
061	AMERICAN FORCES RADIO AND TV SERVICE		6,483		6,483		6,483				6,483
062	STRATEGIC PLATFORM SUPPORT EQUIP		7,631		7,631		7,631				7,631
	TRAINING EQUIPMENT										
063	OTHER TRAINING EQUIPMENT		53,644		53,644		53,644				53,644
	AVIATION ELECTRONIC EQUIPMENT										
064	MATCALs		7,461		7,461		7,461				7,461
065	SHIPBOARD AIR TRAFFIC CONTROL		9,140		9,140		9,140				9,140
066	AUTOMATIC CARRIER LANDING SYSTEM		20,798		20,798		20,798				20,798

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
067	NATIONAL AIR SPACE SYSTEM		19,754		19,754		19,754				19,754
068	FLEET AIR TRAFFIC CONTROL SYSTEMS		8,909		8,909		8,909				8,909
069	LANDING SYSTEMS		13,554		13,554		13,554				13,554
070	ID SYSTEMS		38,934		38,934		38,934				38,934
071	NAVAL MISSION PLANNING SYSTEMS		14,131		14,131		14,131				14,131
	OTHER SHORE ELECTRONIC EQUIPMENT										
072	DEPLOYABLE JOINT COMMAND & CONTROL		3,249		3,249		3,249				3,249
073	MARITIME INTEGRATED BROADCAST SYSTEM		11,646		11,646		11,646				11,646
074	TACTICAL/MOBILE C4I SYSTEMS		18,189		18,189		18,189				18,189
075	DCGS-N		17,350		17,350		17,350				17,350
076	CANES		340,567	1	340,567		340,567				340,567
077	RADIAC		9,835		9,835		9,835				9,835
078	CANES-INTELL		59,652		59,652		59,652				59,652
079	GPETE		6,253		6,253		6,253				6,253
080	INTEG COMBAT SYSTEM TEST FACILITY		4,963		4,963		4,963				4,963
081	EMI CONTROL INSTRUMENTATION		4,664		4,664		4,664				4,664
082	ITEMS LESS THAN \$5 MILLION		66,889		66,889		66,889				66,889
	SHIPBOARD COMMUNICATIONS										
084	SHIP COMMUNICATIONS AUTOMATION		23,877	1	23,877		23,877				23,877
086	COMMUNICATIONS ITEMS UNDER \$5M		28,001		28,001		28,001				28,001
	SUBMARINE COMMUNICATIONS										
087	SUBMARINE BROADCAST SUPPORT		7,856		7,856		7,856				7,856
088	SUBMARINE COMMUNICATION EQUIPMENT		74,376		74,376		74,376				74,376
	SATELLITE COMMUNICATIONS										
089	SATELLITE COMMUNICATIONS SYSTEMS		27,381		27,381		27,381				27,381
090	NAVY MULTIBAND TERMINAL (NMT)		215,952	1	215,952		215,952				215,952
	SHORE COMMUNICATIONS										
091	JCS COMMUNICATIONS EQUIPMENT		4,463		4,463		4,463				4,463
092	ELECTRICAL POWER SYSTEMS		778		778		778				778
	CRYPTOGRAPHIC EQUIPMENT										
094	INFO SYSTEMS SECURITY PROGRAM (ISSP)		133,530		133,530		133,530				133,530
095	MIO INTEL EXPLOITATION TEAM		1,000		1,000		1,000				1,000
	CRYPTOLOGIC EQUIPMENT										
096	CRYPTOLOGIC COMMUNICATIONS EQUIP		12,251		12,251		12,251				12,251
	OTHER ELECTRONIC SUPPORT										
097	COAST GUARD EQUIPMENT		2,893		2,893		2,893				2,893
	SONOBUOYS										
099	SONOBUOYS—ALL TYPES		179,927		179,927		179,927				179,927
	AIRCRAFT SUPPORT EQUIPMENT										
100	WEAPONS RANGE SUPPORT EQUIPMENT		55,279		55,279		55,279				55,279
101	EXPEDITIONARY AIRFIELDS		8,792		8,792		8,792				8,792
102	AIRCRAFT REARMING EQUIPMENT		11,364		11,364		11,364				11,364
103	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT		59,502		59,502		59,502				59,502
104	METEOROLOGICAL EQUIPMENT		19,118		19,118		19,118				19,118
105	DCRS/DPL		1,425		1,425		1,425				1,425
106	AVIATION LIFE SUPPORT		29,670		29,670		29,670				29,670
107	AIRBORNE MINE COUNTERMEASURES		101,554		101,554		101,554				101,554
108	LAMPS MK III SHIPBOARD EQUIPMENT		18,293		18,293		18,293				18,293
109	PORTABLE ELECTRONIC MAINTENANCE AIDS		7,969		7,969		7,969				7,969
110	OTHER AVIATION SUPPORT EQUIPMENT		5,215		5,215		5,215				5,215
111	AUTONOMIC LOGISTICS INFORMATION SYSTEM (ALIS)		4,827		4,827		4,827				4,827
	SHIP GUN SYSTEM EQUIPMENT										
112	NAVAL FIRES CONTROL SYSTEM		1,188		1,188		1,188				1,188
113	GUN FIRE CONTROL EQUIPMENT		4,447		4,447		4,447				4,447
	SHIP MISSILE SYSTEMS EQUIPMENT										
114	NATO SEASPARROW		58,368		58,368		58,368				58,368
115	RAM GMLS		491		491		491				491
116	SHIP SELF DEFENSE SYSTEM		51,858		51,858		51,858				51,858
117	AEGIS SUPPORT EQUIPMENT		59,757		59,757		59,757				59,757
118	TOMAHAWK SUPPORT EQUIPMENT		71,559		71,559		71,559				71,559
119	VERTICAL LAUNCH SYSTEMS		626		626		626				626
120	MARITIME INTEGRATED PLANNING SYSTEM-MIPS		2,779		2,779		2,779				2,779
	FBM SUPPORT EQUIPMENT										
121	STRATEGIC MISSILE SYSTEMS EQUIP		224,484		198,565		224,484				224,484
	New START treaty implementation				[− 25,919]						
	ASW SUPPORT EQUIPMENT										
122	SSN COMBAT CONTROL SYSTEMS		85,678		85,678		85,678				85,678
123	SUBMARINE ASW SUPPORT EQUIPMENT		3,913		3,913		3,913				3,913
124	SURFACE ASW SUPPORT EQUIPMENT		3,909		3,909		3,909				3,909
125	ASW RANGE SUPPORT EQUIPMENT		28,694		28,694		28,694				28,694
	OTHER ORDNANCE SUPPORT EQUIPMENT										
126	EXPLOSIVE ORDNANCE DISPOSAL EQUIP		46,586		46,586		46,586				46,586
127	ITEMS LESS THAN \$5 MILLION		11,933		11,933		11,933				11,933
	OTHER EXPENDABLE ORDNANCE										
128	ANTI-SHIP MISSILE DECOY SYSTEM		62,361	1	62,361		62,361				62,361
129	SURFACE TRAINING DEVICE MODS		41,813		41,813		41,813				41,813
130	SUBMARINE TRAINING DEVICE MODS		26,672		26,672		26,672				26,672

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	CIVIL ENGINEERING SUPPORT EQUIPMENT										
131	PASSENGER CARRYING VEHICLES		5,600		5,600		5,600				5,600
132	GENERAL PURPOSE TRUCKS		3,717		3,717		3,717				3,717
133	CONSTRUCTION & MAINTENANCE EQUIP		10,881		10,881		10,881				10,881
134	FIRE FIGHTING EQUIPMENT		14,748		14,748		14,748				14,748
135	TACTICAL VEHICLES		5,540		5,540		5,540				5,540
136	AMPHIBIOUS EQUIPMENT		5,741		5,741		5,741				5,741
137	POLLUTION CONTROL EQUIPMENT		3,852		3,852		3,852				3,852
138	ITEMS UNDER \$5 MILLION		25,757		25,757		25,757				25,757
139	PHYSICAL SECURITY VEHICLES		1,182		1,182		1,182				1,182
	SUPPLY SUPPORT EQUIPMENT										
140	MATERIALS HANDLING EQUIPMENT		14,250		14,250		14,250				14,250
141	OTHER SUPPLY SUPPORT EQUIPMENT		6,401		6,401		6,401				6,401
142	FIRST DESTINATION TRANSPORTATION		5,718		5,718		5,718				5,718
143	SPECIAL PURPOSE SUPPLY SYSTEMS		22,597		22,597		22,597				22,597
	TRAINING DEVICES										
144	TRAINING SUPPORT EQUIPMENT		22,527		22,527		22,527				22,527
	COMMAND SUPPORT EQUIPMENT										
145	COMMAND SUPPORT EQUIPMENT		50,428		50,428		50,428				50,428
146	EDUCATION SUPPORT EQUIPMENT		2,292		2,292		2,292				2,292
147	MEDICAL SUPPORT EQUIPMENT		4,925		4,925		4,925				4,925
149	NAVAL MIP SUPPORT EQUIPMENT		3,202		3,202		3,202				3,202
151	OPERATING FORCES SUPPORT EQUIPMENT		24,294		24,294		24,294				24,294
152	C4ISR EQUIPMENT		4,287		4,287		4,287				4,287
153	ENVIRONMENTAL SUPPORT EQUIPMENT		18,276		18,276		18,276				18,276
154	PHYSICAL SECURITY EQUIPMENT		134,495		134,495		134,495				134,495
155	ENTERPRISE INFORMATION TECHNOLOGY		324,327		324,327		324,327				324,327
	CLASSIFIED PROGRAMS										
156A	CLASSIFIED PROGRAMS		12,140		12,140		12,140				12,140
	SPARES AND REPAIR PARTS										
157	SPARES AND REPAIR PARTS		317,234		316,959		317,234				317,234
	New START treaty implementation				[- 275]						
	TOTAL OTHER PROCUREMENT, NAVY		6,310,257	8	6,284,063		6,310,257		- 43,005		6,267,252
	PROCUREMENT, MARINE CORPS										
	TRACKED COMBAT VEHICLES										
001	AAV7A1 PIP		32,360		32,360		32,360				32,360
002	LAV PIP		6,003		6,003		6,003				6,003
	ARTILLERY AND OTHER WEAPONS										
003	EXPEDITIONARY FIRE SUPPORT SYSTEM		589		589		589				589
004	155MM LIGHTWEIGHT TOWED HOWITZER		3,655		3,655		3,655				3,655
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM		5,467		5,467		5,467				5,467
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION		20,354		20,354		20,354				20,354
	OTHER SUPPORT										
007	MODIFICATION KITS		38,446		38,446		38,446				38,446
008	WEAPONS ENHANCEMENT PROGRAM		4,734		4,734		4,734				4,734
	GUIDED MISSILES										
009	GROUND BASED AIR DEFENSE		15,713		15,713		15,713				15,713
010	JAVELIN	219	36,175	219	36,175	219	36,175			219	36,175
012	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)		1,136		1,136		1,136				1,136
	OTHER SUPPORT										
013	MODIFICATION KITS		33,976		33,976		33,976		- 3,898		30,078
	TOW Unit Cost Growth								[- 3,898]		
	COMMAND AND CONTROL SYSTEMS										
014	UNIT OPERATIONS CENTER		16,273		16,273		16,273				16,273
	REPAIR AND TEST EQUIPMENT										
015	REPAIR AND TEST EQUIPMENT		41,063		41,063		41,063				41,063
	OTHER SUPPORT (TEL)										
016	COMBAT SUPPORT SYSTEM		2,930		2,930		2,930				2,930
	COMMAND AND CONTROL SYSTEM (NON-TEL)										
018	ITEMS UNDER \$5 MILLION (COMM & ELEC)		1,637		1,637		1,637				1,637
019	AIR OPERATIONS C2 SYSTEMS		18,394		18,394		18,394				18,394
	RADAR + EQUIPMENT (NON-TEL)										
020	RADAR SYSTEMS		114,051		114,051		114,051		- 12,110		101,941
	Previously funded EDM refurbishment								[- 12,110]		
021	RQ-21 UAS	25	66,612	25	66,612	25	66,612			25	66,612
	INTELL/COMM EQUIPMENT (NON-TEL)										
022	FIRE SUPPORT SYSTEM		3,749		3,749		3,749				3,749
023	INTELLIGENCE SUPPORT EQUIPMENT		75,979		75,979		75,979				75,979
026	RQ-11 UAV		1,653		1,653		1,653				1,653
027	DCGS-MC		9,494		9,494		9,494				9,494
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)										
028	NIGHT VISION EQUIPMENT		6,171		6,171		6,171				6,171
	OTHER SUPPORT (NON-TEL)										
029	COMMON COMPUTER RESOURCES		121,955		121,955		121,955		- 2,000		119,955
	Unit cost growth								[- 2,000]		
030	COMMAND POST SYSTEMS		83,294		83,294		83,294				83,294

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Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
031	RADIO SYSTEMS		74,718		74,718		74,718				74,718
032	COMM SWITCHING & CONTROL SYSTEMS		47,613		47,613		47,613				47,613
033	COMM & ELEC INFRASTRUCTURE SUPPORT		19,573		19,573		19,573				19,573
	CLASSIFIED PROGRAMS										
033A	CLASSIFIED PROGRAMS		5,659		5,659		5,659				5,659
	ADMINISTRATIVE VEHICLES										
034	COMMERCIAL PASSENGER VEHICLES		1,039		1,039		1,039				1,039
035	COMMERCIAL CARGO VEHICLES		31,050		31,050		31,050				31,050
	TACTICAL VEHICLES										
036	5/4T TRUCK HMMV (MYP)		36,333		36,333		36,333				36,333
037	MOTOR TRANSPORT MODIFICATIONS		3,137		3,137		3,137				3,137
040	FAMILY OF TACTICAL TRAILERS		27,385		27,385		27,385				27,385
	OTHER SUPPORT										
041	ITEMS LESS THAN \$5 MILLION		7,016		7,016		7,016				7,016
	ENGINEER AND OTHER EQUIPMENT										
042	ENVIRONMENTAL CONTROL EQUIP ASSORT		14,377		14,377		14,377				14,377
043	BULK LIQUID EQUIPMENT		24,864		24,864		24,864				24,864
044	TACTICAL FUEL SYSTEMS		21,592		21,592		21,592				21,592
045	POWER EQUIPMENT ASSORTED		61,353		61,353		61,353				61,353
046	AMPHIBIOUS SUPPORT EQUIPMENT		4,827		4,827		4,827				4,827
047	EOD SYSTEMS		40,011		40,011		40,011				40,011
	MATERIALS HANDLING EQUIPMENT										
048	PHYSICAL SECURITY EQUIPMENT		16,809		16,809		16,809				16,809
049	GARRISON MOBILE ENGINEER EQUIPMENT (GMEE)		3,408		3,408		3,408				3,408
050	MATERIAL HANDLING EQUIP		48,549		48,549		48,549				48,549
051	FIRST DESTINATION TRANSPORTATION		190		190		190				190
	GENERAL PROPERTY										
052	FIELD MEDICAL EQUIPMENT		23,129		23,129		23,129				23,129
053	TRAINING DEVICES		8,346		8,346		8,346				8,346
054	CONTAINER FAMILY		1,857		1,857		1,857				1,857
055	FAMILY OF CONSTRUCTION EQUIPMENT		36,198		36,198		36,198				36,198
056	RAPID DEPLOYABLE KITCHEN		2,390		2,390		2,390				2,390
	OTHER SUPPORT										
057	ITEMS LESS THAN \$5 MILLION		6,525		6,525		6,525				6,525
	SPARES AND REPAIR PARTS										
058	SPARES AND REPAIR PARTS		13,700		13,700		13,700				13,700
	TOTAL PROCUREMENT, MARINE CORPS	244	1,343,511	244	1,343,511	244	1,343,511	- 18,008		244	1,325,503
	AIRCRAFT PROCUREMENT, AIR FORCE										
	TACTICAL FORCES										
001	F-35	19	3,060,770	19	3,060,770	19	3,060,770		- 71,500 [- 71,500]	19	2,989,270
	Decrease non-recurring engineering initiatives										
002	ADVANCE PROCUREMENT (CY)		363,783		363,783		363,783				363,783
	OTHER AIRLIFT										
005	C-130J	6	537,517	6	537,517	6	537,517			6	537,517
006	ADVANCE PROCUREMENT (CY)		162,000		162,000		162,000				162,000
007	HC-130J	1	132,121	1	132,121	1	132,121			1	132,121
008	ADVANCE PROCUREMENT (CY)		88,000		88,000		88,000				88,000
009	MC-130J	4	389,434	4	389,434	4	389,434			4	389,434
010	ADVANCE PROCUREMENT (CY)		104,000		104,000		104,000				104,000
	HELICOPTERS										
015	CV-22 (MYP)	3	230,798	3	230,798	3	230,798			3	230,798
	MISSION SUPPORT AIRCRAFT										
017	CIVIL AIR PATROL A/C	6	2,541	6	2,541	6	2,541			6	2,541
	OTHER AIRCRAFT										
020	TARGET DRONES	41	138,669	41	138,669	41	138,669			41	138,669
022	AC-130J	5	470,019	5	470,019	5	470,019			5	470,019
024	RQ-4		27,000		27,000		27,000		- 16,000 [- 16,000]		11,000
	Production closeout										
027	MQ-9	12	272,217	18	352,217	12	242,217	6	80,000	18	352,217
	Prior year savings						[- 30,000]				
	Program increase			[6]	[80,000]			[6]	[80,000]		
028	RQ-4 BLOCK 40 PROC		1,747		1,747		1,747				1,747
	STRATEGIC AIRCRAFT										
029	B-2A		20,019		20,019		20,019				20,019
030	B-1B		132,222		132,222		132,222				132,222
031	B-52		111,002		110,502		111,002		- 5,120		105,882
	B-52 conversions related to New START treaty implementation.				[- 500]						
	Internal Weapons Bay Upgrade defer low rate initial production.								[- 5,120]		
032	LARGE AIRCRAFT INFRARED COUNTERMEASURES		27,197		27,197		27,197				27,197
	TACTICAL AIRCRAFT										
033	A-10		47,598		47,598		47,598				47,598
034	F-15		354,624		354,624		354,624				354,624
035	F-16		11,794		11,794		11,794				11,794
036	F-22A		285,830		285,830		285,830				285,830

SEC. 4101. PROCUREMENT
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Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
037	F-35 MODIFICATIONS		157,777		157,777		157,777				157,777
	AIRLIFT AIRCRAFT										
038	C-5		2,456		2,456		2,456				2,456
039	C-5M		1,021,967		1,021,967		1,021,967		— 38,000		983,967
	Program excess								[— 38,000]		
042	C-17A		143,197		143,197		143,197				143,197
043	C-21		103		103		103				103
044	C-32A		9,780		9,780		9,780				9,780
045	C-37A		452		452		452				452
046	C-130 AMP			8	47,300						0
	LRIP Kit Procurement			[8]	[47,300]				[47,300]		
	Transfer to Title II, RDAF, line 230								[— 47,300]		
	TRAINER AIRCRAFT										
047	GLIDER MODS		128		128		128				128
048	T-6		6,427		6,427		6,427				6,427
049	T-1		277		277		277				277
050	T-38		28,686		28,686		28,686				28,686
	OTHER AIRCRAFT										
052	U-2 MODS		45,591		45,591		45,591				45,591
053	KC-10A (ATCA)		70,918		70,918		70,918				70,918
054	C-12		1,876		1,876		1,876				1,876
055	MC-12W		5,000		5,000		5,000				5,000
056	C-20 MODS		192		192		192				192
057	VC-25A MOD		263		263		263				263
058	C-40		6,119		6,119		6,119				6,119
059	C-130		58,577		74,277		105,877		15,700		74,277
	C-130 avionics upgrades						[47,300]				
	C-130H Propulsion System Engine Upgrades				[15,700]				[15,700]		
061	C-130J MODS		10,475		10,475		10,475				10,475
062	C-135		46,556		46,556		46,556				46,556
063	COMPASS CALL MODS		34,494		34,494		34,494				34,494
064	RC-135		171,813		171,813		171,813				171,813
065	E-3		197,087		197,087		197,087				197,087
066	E-4		14,304		14,304		14,304				14,304
067	E-8		57,472		57,472		57,472				57,472
068	H-1		6,627		6,627		6,627				6,627
069	H-60		27,654		27,654		27,654				27,654
070	RQ-4 MODS		9,313		9,313		9,313				9,313
071	HC/MC-130 MODIFICATIONS		16,300		16,300		16,300				16,300
072	OTHER AIRCRAFT		6,948		6,948		6,948				6,948
073	MQ-1 MODS		9,734		9,734		9,734				9,734
074	MQ-9 MODS		102,970		102,970		68,470		— 40,000		62,970
	Anti-ice production ahead of need								[— 5,520]		
	Lynx radar reduction						[— 34,500]		[— 34,480]		
076	RQ-4 GSRA/CSRA MODS		30,000		30,000		30,000				30,000
077	CV-22 MODS		23,310		23,310		23,310				23,310
	AIRCRAFT SPARES AND REPAIR PARTS										
078	INITIAL SPARES/REPAIR PARTS		463,285	25	639,285		463,285				463,285
	F100-229 spare engine shortfall			[25]	[165,000]						
	MQ-9 spares				[11,000]						
	COMMON SUPPORT EQUIPMENT										
079	AIRCRAFT REPLACEMENT SUPPORT EQUIP		49,140		49,140		49,140				49,140
	POST PRODUCTION SUPPORT										
081	B-1		3,683		3,683		3,683				3,683
083	B-2A		43,786		43,786		43,786				43,786
084	B-52		7,000		7,000		7,000				7,000
087	C-17A		81,952		81,952		81,952				81,952
089	C-135		8,597		8,597		8,597				8,597
090	F-15		2,403		2,403		2,403				2,403
091	F-16		3,455		3,455		3,455				3,455
092	F-22A		5,911		5,911		5,911				5,911
	INDUSTRIAL PREPAREDNESS										
094	INDUSTRIAL RESPONSIVENESS		21,148		21,148		21,148				21,148
	WAR CONSUMABLES										
095	WAR CONSUMABLES		94,947		94,947		94,947				94,947
	OTHER PRODUCTION CHARGES										
096	OTHER PRODUCTION CHARGES		1,242,004		1,242,004		1,242,004				1,242,004
	CLASSIFIED PROGRAMS										
101A	CLASSIFIED PROGRAMS		75,845		67,545		75,845				75,845
	Program Decrease				[— 8,300]						
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	97	11,398,901	136	11,709,101	97	11,381,701	6	— 74,920	103	11,323,981
	MISSILE PROCUREMENT, AIR FORCE										
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC										
001	MISSILE REPLACEMENT EQ-BALLISTIC		39,104		39,104		39,104				39,104
	TACTICAL										
002	JASSM	183	291,151	183	291,151	183	291,151			183	291,151

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Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
003	SIDEWINDER (AIM-9X)	225	119,904	225	119,904	225	119,904			225	119,904
004	AMRAAM	199	340,015	199	340,015	199	340,015			199	340,015
005	PREDATOR HELLFIRE MISSILE	413	48,548	413	48,548	413	48,548			413	48,548
006	SMALL DIAMETER BOMB	144	42,347	144	42,347	144	42,347			144	42,347
	INDUSTRIAL FACILITIES										
007	INDUSTR'L PREPAREDNS/POL PREVENTION		752		752		752				752
	CLASS IV										
009	MM III MODIFICATIONS		21,635		21,635		21,635				21,635
010	AGM-65D MAVERICK		276		276		276				276
011	AGM-88A HARM		580		580		580				580
012	AIR LAUNCH CRUISE MISSILE (ALCM)		6,888		6,888		6,888				6,888
013	SMALL DIAMETER BOMB		5,000		5,000		5,000				5,000
	MISSILE SPARES AND REPAIR PARTS										
014	INITIAL SPARES/REPAIR PARTS		72,080		71,377		72,080				72,080
	Spares and repair parts related to New START treaty implementation.				[— 703]						
	SPACE PROGRAMS										
015	ADVANCED EHF		379,586		379,586		379,586				379,586
016	WIDEBAND GAFILLER SATELLITES(SPACE)		38,398		38,398		38,398				38,398
017	GPS III SPACE SEGMENT	2	403,431	2	403,431	2	403,431			2	403,431
018	ADVANCE PROCUREMENT (CY)		74,167		74,167		74,167				74,167
019	SPACEBORNE EQUIP (COMSEC)		5,244		5,244		5,244				5,244
020	GLOBAL POSITIONING (SPACE)		55,997		55,997		55,997				55,997
021	DEF METEOROLOGICAL SAT PROG(SPACE)		95,673		95,673		95,673				95,673
022	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	5	1,852,900	5	1,852,900	5	1,852,900			5	1,852,900
023	SBIR HIGH (SPACE)		583,192		583,192		583,192				583,192
	SPECIAL PROGRAMS										
029	SPECIAL UPDATE PROGRAMS		36,716		36,716		36,716				36,716
	CLASSIFIED PROGRAMS										
029A	CLASSIFIED PROGRAMS		829,702		829,702		829,702				829,702
	TOTAL MISSILE PROCUREMENT, AIR FORCE	1,171	5,343,286	1,171	5,342,583	1,171	5,343,286			1,171	5,343,286
	PROCUREMENT OF AMMUNITION, AIR FORCE										
	ROCKETS										
001	ROCKETS		15,735		15,735		15,735				15,735
	CARTRIDGES										
002	CARTRIDGES		129,921		129,921		129,921				129,921
	BOMBS										
003	PRACTICE BOMBS		30,840		30,840		30,840				30,840
004	GENERAL PURPOSE BOMBS		187,397		187,397		187,397				187,397
005	JOINT DIRECT ATTACK MUNITION	6,965	188,510	6,965	188,510	6,965	188,510			6,965	188,510
	OTHER ITEMS										
006	CAD/PAD		35,837		35,837		35,837				35,837
007	EXPLOSIVE ORDNANCE DISPOSAL (EOD)		7,531		7,531		7,531				7,531
008	SPARES AND REPAIR PARTS		499		499		499				499
009	MODIFICATIONS		480		480		480				480
010	ITEMS LESS THAN \$5 MILLION		9,765		9,765		9,765				9,765
	FLARES										
011	FLARES		55,864		55,864		55,864				55,864
	FUZES										
013	FUZES		76,037		76,037		76,037				76,037
	SMALL ARMS										
014	SMALL ARMS		21,026		21,026		21,026				21,026
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	6,965	759,442	6,965	759,442	6,965	759,442			6,965	759,442
	OTHER PROCUREMENT, AIR FORCE										
	PASSENGER CARRYING VEHICLES										
001	PASSENGER CARRYING VEHICLES		2,048		2,048		2,048				2,048
	CARGO AND UTILITY VEHICLES										
002	MEDIUM TACTICAL VEHICLE		8,019		8,019		8,019				8,019
003	CAP VEHICLES		946		946		946				946
004	ITEMS LESS THAN \$5 MILLION		7,138		7,138		7,138				7,138
	SPECIAL PURPOSE VEHICLES										
005	SECURITY AND TACTICAL VEHICLES		13,093		13,093		13,093				13,093
006	ITEMS LESS THAN \$5 MILLION		13,983		13,983		13,983				13,983
	FIRE FIGHTING EQUIPMENT										
007	FIRE FIGHTING/CRASH RESCUE VEHICLES		23,794		23,794		23,794				23,794
	MATERIALS HANDLING EQUIPMENT										
008	ITEMS LESS THAN \$5 MILLION		8,669		8,669		8,669				8,669
	BASE MAINTENANCE SUPPORT										
009	RUNWAY SNOW REMOV & CLEANING EQUIP		6,144		6,144		6,144				6,144
010	ITEMS LESS THAN \$5 MILLION		1,580		1,580		1,580				1,580
	COMM SECURITY EQUIPMENT(COMSEC)										
012	COMSEC EQUIPMENT		149,661		149,661		149,661				149,661
013	MODIFICATIONS (COMSEC)		726		726		726				726
	INTELLIGENCE PROGRAMS										
014	INTELLIGENCE TRAINING EQUIPMENT		2,789		2,789		2,789				2,789

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
015	INTELLIGENCE COMM EQUIPMENT		31,875		31,875		31,875				31,875
016	ADVANCE TECH SENSORS		452		452		452				452
017	MISSION PLANNING SYSTEMS		14,203		14,203		14,203				14,203
	ELECTRONICS PROGRAMS										
018	AIR TRAFFIC CONTROL & LANDING SYS		46,232		46,232		46,232				46,232
019	NATIONAL AIRSPACE SYSTEM		11,685		11,685		11,685				11,685
020	BATTLE CONTROL SYSTEM—FIXED		19,248		19,248		19,248				19,248
021	THEATER AIR CONTROL SYS IMPROVEMENTS		19,292		19,292		19,292				19,292
022	WEATHER OBSERVATION FORECAST		17,166		17,166		17,166				17,166
023	STRATEGIC COMMAND AND CONTROL		22,723		22,723		22,723				22,723
024	CHEYENNE MOUNTAIN COMPLEX		27,930		27,930		27,930				27,930
025	TAC SIGNIT SPT		217		217		217				217
	SPCL COMM-ELECTRONICS PROJECTS										
027	GENERAL INFORMATION TECHNOLOGY		49,627		49,627		49,627				49,627
028	AF GLOBAL COMMAND & CONTROL SYS		13,559		13,559		13,559				13,559
029	MOBILITY COMMAND AND CONTROL		11,186		11,186		11,186				11,186
030	AIR FORCE PHYSICAL SECURITY SYSTEM		43,238		43,238		43,238				43,238
031	COMBAT TRAINING RANGES		10,431		10,431		10,431				10,431
032	C3 COUNTERMEASURES		13,769		13,769		13,769				13,769
033	GCSS-AF FOS		19,138		19,138		19,138				19,138
034	THEATER BATTLE MGT C2 SYSTEM		8,809		8,809		8,809				8,809
035	AIR & SPACE OPERATIONS CTR-WPN SYS		26,935		26,935		26,935				26,935
	AIR FORCE COMMUNICATIONS										
036	INFORMATION TRANSPORT SYSTEMS		80,558		80,558		80,558				80,558
038	AFNET		97,588		97,588		97,588				97,588
039	VOICE SYSTEMS		8,419		8,419		8,419				8,419
040	USCENTCOM		34,276		34,276		34,276				34,276
	SPACE PROGRAMS										
041	SPACE BASED IR SENSOR PGM SPACE		28,235		28,235		28,235				28,235
042	NAVSTAR GPS SPACE		2,061		2,061		2,061				2,061
043	NUDET DETECTION SYS SPACE		4,415		4,415		4,415				4,415
044	AF SATELLITE CONTROL NETWORK SPACE		30,237		30,237		30,237				30,237
045	SPACELIFT RANGE SYSTEM SPACE		98,062		98,062		98,062				98,062
046	MILSATCOM SPACE		105,935		105,935		105,935				105,935
047	SPACE MODS SPACE		37,861		37,861		37,861				37,861
048	COUNTERSPACE SYSTEM		7,171		7,171		7,171				7,171
	ORGANIZATION AND BASE										
049	TACTICAL C-E EQUIPMENT		83,537		83,537		83,537				83,537
050	COMBAT SURVIVOR EVADER LOCATER		11,884		11,884		11,884		– 3,250		8,634
	Unjustified unit cost growth for batteries								[– 3,250]		
051	RADIO EQUIPMENT		14,711		14,711		14,711				14,711
052	CCTV/AUDIOVISUAL EQUIPMENT		10,275		10,275		10,275				10,275
053	BASE COMM INFRASTRUCTURE		50,907		50,907		50,907				50,907
	MODIFICATIONS										
054	COMM ELECT MODS		55,701		55,701		55,701				55,701
	PERSONAL SAFETY & RESCUE EQUIP										
055	NIGHT VISION GOGGLES		14,524		14,524		14,524		– 10,488		4,036
	Night Vision Cueing and Display termination								[– 10,488]		
056	ITEMS LESS THAN \$5 MILLION		28,655		28,655		28,655				28,655
	DEPOT PLANT+MTRLS HANDLING EQ										
057	MECHANIZED MATERIAL HANDLING EQUIP		9,332		9,332		9,332				9,332
	BASE SUPPORT EQUIPMENT										
058	BASE PROCURED EQUIPMENT		16,762		16,762		16,762				16,762
059	CONTINGENCY OPERATIONS		33,768		33,768		33,768				33,768
060	PRODUCTIVITY CAPITAL INVESTMENT		2,495		2,495		2,495				2,495
061	MOBILITY EQUIPMENT		12,859		12,859		12,859				12,859
062	ITEMS LESS THAN \$5 MILLION		1,954		1,954		1,954				1,954
	SPECIAL SUPPORT PROJECTS										
064	DARP RC135		24,528		24,528		24,528				24,528
065	DCGS-AF		137,819		137,819		137,819				137,819
067	SPECIAL UPDATE PROGRAM		479,586		479,586		479,586				479,586
068	DEFENSE SPACE RECONNAISSANCE PROG.		45,159		45,159		45,159				45,159
	CLASSIFIED PROGRAMS										
068A	CLASSIFIED PROGRAMS		14,519,256		14,519,256		14,519,256				14,519,256
	SPARES AND REPAIR PARTS										
069	SPARES AND REPAIR PARTS		25,746		25,746		25,746				25,746
	TOTAL OTHER PROCUREMENT, AIR FORCE		16,760,581		16,760,581		16,760,581		– 13,738		16,746,843
	PROCUREMENT, DEFENSE-WIDE										
	MAJOR EQUIPMENT, DCAA										
001	ITEMS LESS THAN \$5 MILLION		1,291		1,291		1,291				1,291
	MAJOR EQUIPMENT, DCMA										
002	MAJOR EQUIPMENT		5,711		5,711		5,711				5,711
	MAJOR EQUIPMENT, DHRA										
003	PERSONNEL ADMINISTRATION		47,201		47,201		47,201				47,201
	MAJOR EQUIPMENT, DISA										
009	INFORMATION SYSTEMS SECURITY		16,189		16,189		16,189				16,189

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
012	TELEPORT PROGRAM		66,075		66,075		66,075				66,075
013	ITEMS LESS THAN \$5 MILLION		83,881		83,881		83,881				83,881
014	NET CENTRIC ENTERPRISE SERVICES (NCES)		2,572		2,572		2,572				2,572
015	DEFENSE INFORMATION SYSTEM NETWORK		125,557		125,557		125,557				125,557
017	CYBER SECURITY INITIATIVE		16,941		16,941		16,941				16,941
	MAJOR EQUIPMENT, DLA										
018	MAJOR EQUIPMENT		13,137		13,137		13,137				13,137
	MAJOR EQUIPMENT, DMACT										
019	MAJOR EQUIPMENT	5	15,414	5	15,414	5	15,414			5	15,414
	MAJOR EQUIPMENT, DODEA										
020	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS		1,454		1,454		1,454				1,454
	MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY										
021	EQUIPMENT		978		978		978				978
	MAJOR EQUIPMENT, DSS										
022	MAJOR EQUIPMENT		5,020		5,020		5,020				5,020
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY										
023	VEHICLES	2	100	2	100	2	100			2	100
024	OTHER MAJOR EQUIPMENT	3	13,395	3	13,395	3	13,395			3	13,395
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY										
026	THAAD	36	581,005	36	581,005	36	581,005			36	581,005
027	AEGIS BMD	52	580,814	52	580,814	52	580,814			52	580,814
028	BMDS AN/TPY-2 RADARS		62,000		62,000		62,000				62,000
029	AEGIS ASHORE PHASE III	1	131,400	1	131,400	1	131,400			1	131,400
031	IRON DOME	1	220,309	1	220,309	1	220,309			1	220,309
033	ADVANCE PROCUREMENT (CY)				107,000						0
	Advance Procurement of 14 GBIs, beginning with booster motor sets.				[107,000]						
	MAJOR EQUIPMENT, NSA										
039	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)		14,363		14,363		14,363				14,363
	MAJOR EQUIPMENT, OSD										
040	MAJOR EQUIPMENT, OSD		37,345		37,345		37,345				37,345
041	MAJOR EQUIPMENT, INTELLIGENCE		16,678		16,678		16,678				16,678
	MAJOR EQUIPMENT, TJS										
042	MAJOR EQUIPMENT, TJS		14,792		14,792		14,792				14,792
	MAJOR EQUIPMENT, WHS										
043	MAJOR EQUIPMENT, WHS		35,259		35,259		35,259				35,259
	CLASSIFIED PROGRAMS										
043A	CLASSIFIED PROGRAMS		544,272		544,272		544,272				544,272
	AVIATION PROGRAMS										
045	ROTARY WING UPGRADES AND SUSTAINMENT		112,456		112,456		112,456				112,456
046	MH-60 MODERNIZATION PROGRAM		81,457		81,457		81,457				81,457
047	NON-STANDARD AVIATION		2,650		2,650		2,650				2,650
048	U-28		56,208		56,208		56,208				56,208
049	MH-47 CHINOOK		19,766		19,766		19,766				19,766
050	RQ-11 UNMANNED AERIAL VEHICLE		850		850		850				850
051	CV-22 MODIFICATION	3	98,927	3	98,927	3	98,927			3	98,927
052	MQ-1 UNMANNED AERIAL VEHICLE		20,576		20,576		20,576				20,576
053	MQ-9 UNMANNED AERIAL VEHICLE		1,893		1,893		14,893		13,000		14,893
	Capability Improvements						[13,000]		[13,000]		
055	STUASLO		13,166		13,166		13,166				13,166
056	PRECISION STRIKE PACKAGE		107,687		107,687		107,687				107,687
057	AC/MC-130J		51,870		51,870		51,870				51,870
059	C-130 MODIFICATIONS		71,940		71,940		71,940		- 10,623		61,317
	C-130 TF/TA—early to need								[- 10,623]		
	SHIPBUILDING										
061	UNDERWATER SYSTEMS		37,439		37,439		37,439				37,439
	AMMUNITION PROGRAMS										
063	ORDNANCE ITEMS <\$5M		159,029		159,029		159,029				159,029
	OTHER PROCUREMENT PROGRAMS										
066	INTELLIGENCE SYSTEMS		79,819		79,819		79,819				79,819
068	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS		14,906		14,906		14,906				14,906
070	OTHER ITEMS <\$5M		81,711		81,711		81,711				81,711
071	COMBATANT CRAFT SYSTEMS		35,053		35,053		33,897		- 1,156		33,897
	CCFLIR—Transfer at USSOCOM Request						[- 1,156]		[- 1,156]		
074	SPECIAL PROGRAMS		41,526		41,526		41,526				41,526
075	TACTICAL VEHICLES		43,353		43,353		43,353				43,353
076	WARRIOR SYSTEMS <\$5M		210,540		210,540		210,540				210,540
078	COMBAT MISSION REQUIREMENTS		20,000		20,000		20,000				20,000
082	GLOBAL VIDEO SURVEILLANCE ACTIVITIES		6,645		6,645		6,645				6,645
083	OPERATIONAL ENHANCEMENTS INTELLIGENCE		25,581		25,581		25,581				25,581
089	OPERATIONAL ENHANCEMENTS		191,061		191,061		191,061				191,061
	CBDP										
091	INSTALLATION FORCE PROTECTION		14,271		14,271		14,271				14,271
092	INDIVIDUAL PROTECTION		101,667		101,667		101,667				101,667
094	JOINT BIO DEFENSE PROGRAM (MEDICAL)		13,447		13,447		13,447				13,447
095	COLLECTIVE PROTECTION		20,896		20,896		20,896				20,896

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
096	CONTAMINATION AVOIDANCE		144,540		144,540		144,540				144,540
	TOTAL PROCUREMENT, DEFENSE-WIDE	103	4,534,083	103	4,641,083	103	4,545,927		1,221	103	4,535,304
	JOINT URGENT OPERATIONAL NEEDS FUND										
	JOINT URGENT OPERATIONAL NEEDS FUND										
001	JOINT URGENT OPERATIONAL NEEDS FUND		98,800				98,800		— 98,800		0
	Program reduction				[— 98,800]				[— 98,800]		
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND ...		98,800				98,800		— 98,800		0
	TOTAL PROCUREMENT	229,104	98,227,168	227,777	99,666,171	197,783	98,151,289	— 31,305	215,081	197,799	98,442,249

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	AIRCRAFT PROCUREMENT, ARMY										
	FIXED WING										
002	SATURN ARCH (MIP)	4	48,000	4	48,000	4	48,000			4	48,000
004	MQ-1 UAV	4	31,988	4	31,988	4	31,988			4	31,988
	ROTARY										
009	AH-64 APACHE BLOCK IIIB NEW BUILD	4	142,000	4	142,000	4	142,000			4	142,000
011	KIOWA WARRIOR WRA	14	163,800	14	163,800	14	163,800			14	163,800
014	CH-47 HELICOPTER	10	386,000	10	386,000	10	386,000			10	386,000
	TOTAL AIRCRAFT PROCUREMENT, ARMY	36	771,788	36	771,788	36	771,788			36	771,788
	MISSILE PROCUREMENT, ARMY										
	AIR-TO-SURFACE MISSILE SYSTEM										
003	HELLFIRE SYS SUMMARY	550	54,000	550	79,887	550	54,000			550	54,000
	Restoral of funds based on offsets used for April 2013 reprogramming.				[25,887]						
	ANTI-TANK/ASSAULT MISSILE SYS										
007	GUIDED MLRS ROCKET (GMLRS)	383	39,045	383	39,045	383	39,045			383	39,045
010	ARMY TACTICAL MSL SYS (ATACMS)—SYS SUM	38	35,600	38	35,600	38	35,600			38	35,600
	TOTAL MISSILE PROCUREMENT, ARMY	971	128,645	971	154,532	971	128,645			971	128,645
	PROCUREMENT OF W&TCV, ARMY										
	MOD OF WEAPONS AND OTHER COMBAT VEH										
033	M16 RIFLE MODS				15,422						0
	Restoral of funds based on offsets used for April 2013 reprogramming.				[15,422]						
	TOTAL PROCUREMENT OF W&TCV, ARMY				15,422						0
	PROCUREMENT OF AMMUNITION, ARMY										
	SMALL/MEDIUM CAL AMMUNITION										
002	CTG, 5.56MM, ALL TYPES		4,400		4,400		4,400				4,400
004	CTG, HANDGUN, ALL TYPES		1,500		1,500		1,500				1,500
005	CTG, .50 CAL, ALL TYPES		5,000		10,000		5,000				5,000
	Restoral of funds based on offsets used for April 2013 reprogramming.				[5,000]						
008	CTG, 30MM, ALL TYPES		60,000		60,000		60,000				60,000
	MORTAR AMMUNITION										
010	60MM MORTAR, ALL TYPES		5,000		5,000		5,000				5,000
	ARTILLERY AMMUNITION										
014	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES		10,000		30,000		10,000				10,000
	Restoral of funds based on offsets used for April 2013 reprogramming.				[20,000]						
015	ARTILLERY PROJECTILE, 155MM, ALL TYPES		10,000		10,000		10,000				10,000
016	PROJ 155MM EXTENDED RANGE M982	120	11,000	120	11,000	120	11,000			120	11,000
	MINES										
018	MINES & CLEARING CHARGES, ALL TYPES				9,482						0
	Restoral of funds based on offsets used for April 2013 reprogramming.				[9,482]						
	ROCKETS										
021	ROCKET, HYDRA 70, ALL TYPES		57,000		57,000		57,000				57,000
	OTHER AMMUNITION										
022	DEMOLITION MUNITIONS, ALL TYPES		4,000		4,000		4,000				4,000
023	GRENADES, ALL TYPES		3,000		3,000		3,000				3,000
024	SIGNALS, ALL TYPES		8,000		8,000		8,000				8,000
	MISCELLANEOUS										
028	CAD/PAD ALL TYPES		2,000		2,000		2,000				2,000

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	120	180,900	120	215,382	120	180,900			120	180,900
	OTHER PROCUREMENT, ARMY										
	TACTICAL VEHICLES										
003	FAMILY OF MEDIUM TACTICAL VEH (FMTV)				2,500						0
	Restoral of funds based on offsets used for April 2013 reprogramming.				[2,500]						
005	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)				2,050						0
	Restoral of funds based on offsets used for April 2013 reprogramming.				[2,050]						
013	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS		321,040		562,596		321,040				321,040
	Restoral of funds based on offsets used for April 2013 reprogramming.				[241,556]						
	COMM—BASE COMMUNICATIONS										
060	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM		25,000		25,000		25,000				25,000
	ELECT EQUIP—TACT INT REL ACT (TIARA)										
067	DCGS-A (MIP)		7,200		7,200		7,200				7,200
071	CI HUMINT AUTO REPRTRNG AND COLL(CHARCS)		5,980		5,980		5,980				5,980
	ELECT EQUIP—ELECTRONIC WARFARE (EW)										
074	LIGHTWEIGHT COUNTER MORTAR RADAR	67	57,800	67	83,255	67	57,800			67	57,800
	Restoral of funds based on offsets used for April 2013 reprogramming.				[25,455]						
078	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE		15,300		15,300		15,300				15,300
079	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES		4,221		4,221		4,221				4,221
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)										
091	ARTILLERY ACCURACY EQUIP	34	1,834	34	1,834	34	1,834			34	1,834
093	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)				8,400						0
	Restoral of funds based on offsets used for April 2013 reprogramming.				[8,400]						
096	MOD OF IN-SVC EQUIP (LLDR)	137	21,000	137	21,000	137	21,000			137	21,000
098	COUNTERFIRE RADARS	4	85,830	4	85,830	4	85,830			4	85,830
	ELECT EQUIP—TACTICAL C2 SYSTEMS										
110	MANEUVER CONTROL SYSTEM (MCS)				3,200						0
	Restoral of funds based on offsets used for April 2013 reprogramming.				[3,200]						
112	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)				5,160						0
	Restoral of funds based on offsets used for April 2013 reprogramming.				[5,160]						
	CHEMICAL DEFENSIVE EQUIPMENT										
126	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)				15,000						0
	Restoral of funds based on offsets used for April 2013 reprogramming.				[15,000]						
127	BASE DEFENSE SYSTEMS (BDS)				24,932						0
	Restoral of funds based on offsets used for April 2013 reprogramming.				[24,932]						
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT										
137	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)				3,565						0
	Restoral of funds based on offsets used for April 2013 reprogramming.				[3,565]						
	COMBAT SERVICE SUPPORT EQUIPMENT										
146	FORCE PROVIDER	3	51,654	3	51,654	3	51,654			3	51,654
147	FIELD FEEDING EQUIPMENT	18	6,264	18	6,264	18	6,264			18	6,264
	PETROLEUM EQUIPMENT										
152	DISTRIBUTION SYSTEMS, PETROLEUM & WATER				2,119						0
	Restoral of funds based on offsets used for April 2013 reprogramming.				[2,119]						
	TRAINING EQUIPMENT										
176	COMBAT TRAINING CENTERS SUPPORT				7,000						0
	Restoral of funds based on offsets used for April 2013 reprogramming.				[7,000]						
	TOTAL OTHER PROCUREMENT, ARMY	263	603,123	263	944,060	263	603,123			263	603,123
	JOINT IMPR EXPLOSIVE DEV DEFEAT FUND										
	NETWORK ATTACK										
001	ATTACK THE NETWORK		417,700		417,700		417,700				417,700
	JIEDDO DEVICE DEFEAT										
002	DEFEAT THE DEVICE		248,886		248,886		248,886				248,886
	FORCE TRAINING										
003	TRAIN THE FORCE		106,000		106,000						106,000
	Program decrease						[– 106,000]				
	STAFF AND INFRASTRUCTURE										
004	OPERATIONS		227,414		227,414		182,414		– 45,000		182,414
	Program decrease						[– 45,000]		[– 45,000]		
	TOTAL JOINT IMPR EXPLOSIVE DEV DEFEAT FUND ..		1,000,000		1,000,000		849,000		– 45,000		955,000
	AIRCRAFT PROCUREMENT, NAVY										
	COMBAT AIRCRAFT										

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
011	H-1 UPGRADES (UH-1Y/AH-1Z)	1	29,520	1	29,520	1	29,520			1	29,520
	OTHER AIRCRAFT										
026	MQ-8 UAV	1	13,100	1	13,100	1	13,100			1	13,100
	MODIFICATION OF AIRCRAFT										
031	AV-8 SERIES		57,652		57,652		57,652				57,652
033	F-18 SERIES		35,500		35,500		35,500				35,500
039	EP-3 SERIES		2,700		2,700		2,700				2,700
049	SPECIAL PROJECT AIRCRAFT		3,375		3,375		3,375				3,375
054	COMMON ECM EQUIPMENT		49,183		49,183		49,183				49,183
055	COMMON AVIONICS CHANGES		4,190		4,190		4,190				4,190
059	MAGTF EW FOR AVIATION		20,700		20,700		20,700				20,700
	AIRCRAFT SPARES AND REPAIR PARTS										
065	SPARES AND REPAIR PARTS		24,776		24,776		24,776				24,776
	TOTAL AIRCRAFT PROCUREMENT, NAVY	2	240,696	2	240,696	2	240,696			2	240,696
	WEAPONS PROCUREMENT, NAVY										
	TACTICAL MISSILES										
009	HELLFIRE	270	27,000	270	27,000	270	27,000			270	27,000
010	LASER MAVERICK	500	58,000	500	58,000	500	58,000			500	58,000
011	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	9	1,500	9	1,500	9	1,500			9	1,500
	TOTAL WEAPONS PROCUREMENT, NAVY	779	86,500	779	86,500	779	86,500			779	86,500
	PROCUREMENT OF AMMO, NAVY & MC										
	NAVY AMMUNITION										
001	GENERAL PURPOSE BOMBS		11,424		11,424		11,424				11,424
002	AIRBORNE ROCKETS, ALL TYPES		30,332		30,332		30,332				30,332
003	MACHINE GUN AMMUNITION		8,282		8,282		8,282				8,282
006	AIR EXPENDABLE COUNTERMEASURES		31,884		31,884		31,884				31,884
011	OTHER SHIP GUN AMMUNITION		409		409		409				409
012	SMALL ARMS & LANDING PARTY AMMO		11,976		11,976		11,976				11,976
013	PYROTECHNIC AND DEMOLITION		2,447		2,447		2,447				2,447
014	AMMUNITION LESS THAN \$5 MILLION		7,692		7,692		7,692				7,692
	MARINE CORPS AMMUNITION										
015	SMALL ARMS AMMUNITION		13,461		13,461		13,461				13,461
016	LINEAR CHARGES, ALL TYPES		3,310		3,310		3,310				3,310
017	40 MM, ALL TYPES		6,244		6,244		6,244				6,244
018	60MM, ALL TYPES		3,368		3,368		3,368				3,368
019	81MM, ALL TYPES		9,162		9,162		9,162				9,162
020	120MM, ALL TYPES		10,266		10,266		10,266				10,266
021	CTG 25MM, ALL TYPES		1,887		1,887		1,887				1,887
022	GRENADES, ALL TYPES		1,611		1,611		1,611				1,611
023	ROCKETS, ALL TYPES		37,459		37,459		37,459				37,459
024	ARTILLERY, ALL TYPES		970		970		970				970
025	DEMOLITION MUNITIONS, ALL TYPES		418		418		418				418
026	FUZE, ALL TYPES		14,219		14,219		14,219				14,219
	TOTAL PROCUREMENT OF AMMO, NAVY & MC		206,821		206,821		206,821				206,821
	OTHER PROCUREMENT, NAVY										
	CIVIL ENGINEERING SUPPORT EQUIPMENT										
135	TACTICAL VEHICLES		17,968		17,968		17,968				17,968
	TOTAL OTHER PROCUREMENT, NAVY		17,968		17,968		17,968				17,968
	PROCUREMENT, MARINE CORPS										
	GUIDED MISSILES										
010	JAVELIN	180	29,334	180	29,334	180	29,334			180	29,334
011	FOLLOW ON TO SMAW		105		105		105				105
	OTHER SUPPORT										
013	MODIFICATION KITS		16,081		16,081		16,081		-2,898		13,183
	TOW Unit Cost Growth								[-2,898]		
	REPAIR AND TEST EQUIPMENT										
015	REPAIR AND TEST EQUIPMENT		16,081		16,081		16,081				16,081
	OTHER SUPPORT (TEL)										
017	MODIFICATION KITS		2,831		2,831		2,831				2,831
	COMMAND AND CONTROL SYSTEM (NON-TEL)										
018	ITEMS UNDER \$5 MILLION (COMM & ELEC)		8,170		8,170		8,170				8,170
	INTELL/COMM EQUIPMENT (NON-TEL)										
023	INTELLIGENCE SUPPORT EQUIPMENT		2,700		2,700		2,700				2,700
026	RQ-11 UAV		2,830		2,830		2,830				2,830
	OTHER SUPPORT (NON-TEL)										
029	COMMON COMPUTER RESOURCES		4,866		4,866		4,866				4,866
030	COMMAND POST SYSTEMS		265		265		265				265
	ENGINEER AND OTHER EQUIPMENT										
042	ENVIRONMENTAL CONTROL EQUIP ASSORT		114		114		114				114
043	BULK LIQUID EQUIPMENT		523		523		523				523
044	TACTICAL FUEL SYSTEMS		365		365		365				365
045	POWER EQUIPMENT ASSORTED		2,004		2,004		2,004				2,004
047	EOD SYSTEMS		42,930		42,930		42,930				42,930

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request		House Authorized		Senate Authorized		Agreement Change		Agreement Authorized	
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost
	GENERAL PROPERTY										
055	FAMILY OF CONSTRUCTION EQUIPMENT		385		385		385				385
	TOTAL PROCUREMENT, MARINE CORPS	180	129,584	180	129,584	180	129,584	— 2,898		180	126,686
	AIRCRAFT PROCUREMENT, AIR FORCE										
	STRATEGIC AIRCRAFT										
032	LARGE AIRCRAFT INFRARED COUNTERMEASURES		94,050		94,050		94,050				94,050
	OTHER AIRCRAFT										
052	U-2 MODS		11,300		11,300		11,300				11,300
059	C-130		1,618		1,618		1,618				1,618
064	RC-135		2,700		2,700		2,700				2,700
	COMMON SUPPORT EQUIPMENT										
079	AIRCRAFT REPLACEMENT SUPPORT EQUIP		6,000		6,000		6,000				6,000
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE		115,668		115,668		115,668				115,668
	MISSILE PROCUREMENT, AIR FORCE										
	TACTICAL										
005	PREDATOR HELLFIRE MISSILE	211	24,200	211	24,200	211	24,200			211	24,200
	TOTAL MISSILE PROCUREMENT, AIR FORCE	211	24,200	211	24,200	211	24,200			211	24,200
	PROCUREMENT OF AMMUNITION, AIR FORCE										
	ROCKETS										
001	ROCKETS		326		326		326				326
	CARTRIDGES										
002	CARTRIDGES		17,634		17,634		17,634				17,634
	BOMBS										
004	GENERAL PURPOSE BOMBS		37,514		37,514		37,514				37,514
005	JOINT DIRECT ATTACK MUNITION	2,879	84,459	2,879	84,459	2,879	84,459			2,879	84,459
	FLARES										
011	FLARES		14,973		14,973		14,973				14,973
012	FUZES		3,859		3,859		3,859				3,859
	SMALL ARMS										
014	SMALL ARMS		1,200		1,200		1,200				1,200
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	2,879	159,965	2,879	159,965	2,879	159,965			2,879	159,965
	OTHER PROCUREMENT, AIR FORCE										
	ELECTRONICS PROGRAMS										
022	WEATHER OBSERVATION FORECAST		1,800		1,800		1,800				1,800
	SPACE PROGRAMS										
046	MILSATCOM SPACE		5,695		5,695		5,695				5,695
	BASE SUPPORT EQUIPMENT										
059	CONTINGENCY OPERATIONS		60,600		60,600		60,600				60,600
061	MOBILITY EQUIPMENT		68,000		68,000		68,000				68,000
	SPECIAL SUPPORT PROJECTS										
068	DEFENSE SPACE RECONNAISSANCE PROG.		58,250		58,250		58,250				58,250
	CLASSIFIED PROGRAMS										
068A	CLASSIFIED PROGRAMS		2,380,501		2,380,501		2,380,501				2,380,501
	TOTAL OTHER PROCUREMENT, AIR FORCE		2,574,846		2,574,846		2,574,846				2,574,846
	PROCUREMENT, DEFENSE-WIDE										
	MAJOR EQUIPMENT, DISA										
012	TELEPORT PROGRAM		4,760		4,760		4,760				4,760
	CLASSIFIED PROGRAMS										
043A	CLASSIFIED PROGRAMS		78,986		78,986		78,986				78,986
	AMMUNITION PROGRAMS										
062	ORDNANCE REPLENISHMENT	25	2,841	25	2,841	25	2,841			25	2,841
	OTHER PROCUREMENT PROGRAMS										
066	INTELLIGENCE SYSTEMS	1	13,300	1	13,300	1	13,300			1	13,300
084	SOLDIER PROTECTION AND SURVIVAL SYSTEMS	53	8,034	53	8,034	53	8,034			53	8,034
089	OPERATIONAL ENHANCEMENTS	126	3,354	126	3,354	126	3,354			126	3,354
	TOTAL PROCUREMENT, DEFENSE-WIDE	205	111,275	205	111,275	205	111,275			205	111,275
	JOINT URGENT OPERATIONAL NEEDS FUND										
	JOINT URGENT OPERATIONAL NEEDS FUND										
001	JOINT URGENT OPERATIONAL NEEDS FUND		15,000				15,000		— 15,000		0
	Program reduction				[— 15,000]				[— 15,000]		
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND ...		15,000				15,000		— 15,000		0
	NATIONAL GUARD & RESERVE EQUIPMENT										
	UNDISTRIBUTED										
999	MISCELLANEOUS EQUIPMENT				400,000				400,000		400,000
	Program increase				[400,000]				[400,000]		
	TOTAL NATIONAL GUARD & RESERVE EQUIPMENT ...				400,000				400,000		400,000
	TOTAL PROCUREMENT	5,646	6,366,979	5,646	7,168,707	5,646	6,215,979		337,102	5,646	6,704,081

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)								
Line	Program Element	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized	
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY								
BASIC RESEARCH								
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	21,803	21,803	21,803			21,803
002	0601102A	DEFENSE RESEARCH SCIENCES	221,901	221,901	221,901			221,901
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	79,359	79,359	79,359			79,359
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	113,662	113,662	113,662			113,662
		SUBTOTAL BASIC RESEARCH	436,725	436,725	436,725			436,725
APPLIED RESEARCH								
005	0602105A	MATERIALS TECHNOLOGY	26,585	26,585	26,585			26,585
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	43,170	43,170	43,170			43,170
007	0602122A	TRACTOR HIP	36,293	36,293	36,293			36,293
008	0602211A	AVIATION TECHNOLOGY	55,615	55,615	55,615			55,615
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY	17,585	17,585	17,585			17,585
010	0602303A	MISSILE TECHNOLOGY	51,528	51,528	51,528			51,528
011	0602307A	ADVANCED WEAPONS TECHNOLOGY	26,162	26,162	26,162			26,162
012	0602308A	ADVANCED CONCEPTS AND SIMULATION	24,063	24,063	24,063			24,063
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	64,589	64,589	64,589			64,589
014	0602618A	BALLISTICS TECHNOLOGY	68,300	68,300	78,300	8,000		76,300
		WIAMan schedule adjustment			[10,000]	[8,000]		
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	4,490	4,490	4,490			4,490
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	7,818	7,818	7,818			7,818
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	37,798	37,798	37,798			37,798
018	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	59,021	59,021	59,021			59,021
019	0602709A	NIGHT VISION TECHNOLOGY	43,426	43,426	43,426			43,426
020	0602712A	COUNTERMINE SYSTEMS	20,574	20,574	20,574			20,574
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	21,339	21,339	21,339			21,339
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	20,316	20,316	20,316			20,316
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	34,209	34,209	34,209			34,209
024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	10,439	10,439	10,439			10,439
025	0602784A	MILITARY ENGINEERING TECHNOLOGY	70,064	70,064	70,064			70,064
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	17,654	17,654	17,654			17,654
027	0602786A	WARFIGHTER TECHNOLOGY	31,546	31,546	31,546			31,546
028	0602787A	MEDICAL TECHNOLOGY	93,340	93,340	93,340			93,340
		SUBTOTAL APPLIED RESEARCH	885,924	885,924	895,924	8,000		893,924
ADVANCED TECHNOLOGY DEVELOPMENT								
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	56,056	56,056	56,056			56,056
030	0603002A	MEDICAL ADVANCED TECHNOLOGY	62,032	62,032	62,032			62,032
031	0603003A	AVIATION ADVANCED TECHNOLOGY	81,080	81,080	81,080			81,080
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	63,919	63,919	63,919			63,919
033	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	97,043	97,043	97,043			97,043
034	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY	5,866	5,866	5,866			5,866
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	7,800	7,800	7,800			7,800
036	0603008A	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	40,416	40,416	40,416			40,416
037	0603009A	TRACTOR HIKE	9,166	9,166	9,166			9,166
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	13,627	13,627	13,627			13,627
039	0603020A	TRACTOR ROSE	10,667	10,667	10,667			10,667
041	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT	15,054	15,054	15,054			15,054
042	0603130A	TRACTOR NAIL	3,194	3,194	3,194			3,194
043	0603131A	TRACTOR EGGS	2,367	2,367	2,367			2,367
044	0603270A	ELECTRONIC WARFARE TECHNOLOGY	25,348	25,348	25,348			25,348
045	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	64,009	64,009	64,009			64,009
046	0603322A	TRACTOR CAGE	11,083	11,083	11,083			11,083
047	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	180,662	180,662	180,662			180,662
048	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	22,806	22,806	22,806			22,806
049	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	5,030	5,030	5,030			5,030
050	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	36,407	36,407	36,407			36,407
051	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	11,745	11,745	11,745			11,745

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
052	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	23,717	23,717	23,717		23,717
053	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	33,012	33,012	33,012		33,012
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	882,106	882,106	882,106		882,106
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES					
054	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	15,301	15,301	15,301		15,301
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION	13,592	13,592	13,592		13,592
056	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	10,625	10,625	10,625	— 10,625	0
		Program deferred to fiscal year 2019				[— 10,625]	
058	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	30,612	30,612	30,612		30,612
059	0603653A	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	49,989	49,989	49,989		49,989
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	6,703	6,703	6,703		6,703
061	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	6,894	6,894	6,894		6,894
062	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	9,066	9,066	9,066		9,066
063	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	2,633	2,633	2,633		2,633
064	0603782A	WARFIGHTER INFORMATION NETWORK-TACTICAL—DEM/VAL	272,384	272,384	272,384	— 37,000	235,384
		Excess program growth				[— 37,000]	
065	0603790A	NATO RESEARCH AND DEVELOPMENT	3,874	3,874	3,874		3,874
066	0603801A	AVIATION—ADV DEV	5,018	5,018	5,018		5,018
067	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	11,556	11,556	11,556		11,556
069	0603807A	MEDICAL SYSTEMS—ADV DEV	15,603	15,603	15,603		15,603
070	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	14,159	14,159	14,159		14,159
071	0603850A	INTEGRATED BROADCAST SERVICE	79	79	79		79
072	0604115A	TECHNOLOGY MATURATION INITIATIVES	55,605	55,605	55,605		55,605
074	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2—INTERCEPT (IFPC2)	79,232	79,232	79,232		79,232
075	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	4,476	4,476	4,476		4,476
076	0305205A	ENDURANCE UAVS	28,991	991		— 28,991	0
		LEMV termination		[— 28,000]	[— 28,991]	[— 28,991]	
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	636,392	608,392	607,401	— 76,616	559,776
		SYSTEM DEVELOPMENT & DEMONSTRATION					
077	0604201A	AIRCRAFT AVIONICS	76,588	76,588	76,588		76,588
078	0604220A	ARMED, DEPLOYABLE HELOS	73,309	73,309	73,309		73,309
079	0604270A	ELECTRONIC WARFARE DEVELOPMENT	154,621	154,621	154,621		154,621
080	0604280A	JOINT TACTICAL RADIO	31,826	31,826	31,826		31,826
081	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	23,341	23,341	23,341		23,341
082	0604321A	ALL SOURCE ANALYSIS SYSTEM	4,839	4,839	4,839		4,839
083	0604328A	TRACTOR CAGE	23,841	23,841	23,841		23,841
084	0604601A	INFANTRY SUPPORT WEAPONS	79,855	90,855	79,855	11,000	90,855
		Transfer from WTCV line 15—XM25 development		[11,000]		[11,000]	
085	0604604A	MEDIUM TACTICAL VEHICLES	2,140	2,140	2,140		2,140
086	0604611A	JAVELIN	5,002	5,002	5,002		5,002
087	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	21,321	21,321	21,321		21,321
088	0604633A	AIR TRAFFIC CONTROL	514	514	514		514
093	0604710A	NIGHT VISION SYSTEMS—ENG DEV	43,405	43,405	43,405		43,405
094	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	1,939	1,939	1,939		1,939
095	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	18,980	18,980	18,980		18,980
097	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	18,294	18,294	18,294		18,294
098	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	17,013	17,013	17,013		17,013
099	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	6,701	6,701	6,701		6,701
100	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	14,575	14,575	14,575		14,575
101	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	27,634	27,634	27,634		27,634
102	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	193,748	193,748	193,748		193,748
103	0604802A	WEAPONS AND MUNITIONS—ENG DEV	15,721	15,721	15,721		15,721
104	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	41,703	41,703	41,703		41,703
105	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	7,379	7,379	7,379		7,379
106	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	39,468	39,468	39,468		39,468
107	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	92,285	92,285	92,285		92,285
108	0604814A	ARTILLERY MUNITIONS—EMD	8,209	8,209	8,209		8,209
109	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	22,958	22,958	22,958		22,958
110	0604820A	RADAR DEVELOPMENT	1,549	1,549	1,549		1,549

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111	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	17,342	17,342	227	— 17,115	227
		Excess to requirement			[— 17,115]	[— 17,115]	
112	0604823A	FIREFINDER	47,221	47,221	47,221		47,221
113	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	48,477	48,477	48,477		48,477
114	0604854A	ARTILLERY SYSTEMS—EMD	80,613	80,613	121,313	40,700	121,313
		Transfer from WTCV 6 at Army Request			[40,700]	[40,700]	
117	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	68,814	68,814	68,814		68,814
118	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	137,290	137,290	137,290		137,290
119	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	116,298	116,298	116,298		116,298
120	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	68,148	68,148	68,148		68,148
121	0605380A	AMF JOINT TACTICAL RADIO SYSTEM (JTRS)	33,219	33,219	33,219		33,219
122	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	15,127	15,127	15,127		15,127
124	0605456A	PAC-3/MSE MISSILE	68,843	68,843	68,843		68,843
125	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	364,649	364,649	364,649		364,649
126	0605625A	MANNED GROUND VEHICLE	592,201	592,201	592,201		592,201
127	0605626A	AERIAL COMMON SENSOR	10,382	10,382	10,382		10,382
128	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	21,143	21,143	21,143		21,143
129	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFAC- TURING DEVELOPMENT PH.	84,230	84,230	84,230		84,230
130	0303032A	TROJAN—RH12	3,465	3,465	3,465		3,465
131	0304270A	ELECTRONIC WARFARE DEVELOPMENT	10,806	10,806	10,806		10,806
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	2,857,026	2,868,026	2,880,611	34,585	2,891,611
RDT&E MANAGEMENT SUPPORT							
132	0604256A	THREAT SIMULATOR DEVELOPMENT	16,934	16,934	16,934		16,934
133	0604258A	TARGET SYSTEMS DEVELOPMENT	13,488	13,488	13,488		13,488
134	0604759A	MAJOR T&E INVESTMENT	46,672	46,672	46,672		46,672
135	0605103A	RAND ARROYO CENTER	11,919	11,919	11,919		11,919
136	0605301A	ARMY KWAJALEIN ATOLL	193,658	193,658	193,658		193,658
137	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	37,158	37,158	37,158		37,158
139	0605601A	ARMY TEST RANGES AND FACILITIES	340,659	340,659	340,659		340,659
140	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	66,061	66,061	66,061		66,061
141	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	43,280	43,280	43,280		43,280
143	0605606A	AIRCRAFT CERTIFICATION	6,025	6,025	6,025		6,025
144	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	7,349	7,349	7,349		7,349
145	0605706A	MATERIEL SYSTEMS ANALYSIS	19,809	19,809	19,809		19,809
146	0605709A	EXPLOITATION OF FOREIGN ITEMS	5,941	5,941	5,941		5,941
147	0605712A	SUPPORT OF OPERATIONAL TESTING	55,504	55,504	55,504		55,504
148	0605716A	ARMY EVALUATION CENTER	65,274	65,274	65,274		65,274
149	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	1,283	1,283	1,283		1,283
150	0605801A	PROGRAMWIDE ACTIVITIES	82,035	82,035	82,035		82,035
151	0605803A	TECHNICAL INFORMATION ACTIVITIES	33,853	33,853	38,853		33,853
		Internet mapping			[5,000]		
152	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	53,340	53,340	53,340		53,340
153	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	5,193	5,193	5,193		5,193
154	0605898A	MANAGEMENT HQ—R&D	54,175	54,175	54,175		54,175
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	1,159,610	1,159,610	1,164,610		1,159,610
OPERATIONAL SYSTEMS DEVELOPMENT							
156	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	110,576	110,576	110,576		110,576
157	0607141A	LOGISTICS AUTOMATION	3,717	3,717	3,717		3,717
159	0607865A	PATRIOT PRODUCT IMPROVEMENT	70,053	70,053	70,053		70,053
160	0102419A	AEROSTAT JOINT PROJECT OFFICE	98,450	68,450	98,450	— 15,000	83,450
		JLENS program reduction		[— 30,000]		[— 15,000]	
161	0203726A	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	30,940	30,940	30,940		30,940
162	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	177,532	177,532	177,532		177,532
163	0203740A	MANEUVER CONTROL SYSTEM	36,495	36,495	36,495		36,495
164	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	257,187	257,187	277,171	14,061	271,248
		Transfer from APA 11 at Army request			[19,984]	[14,061]	
165	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	315	315	315		315
166	0203758A	DIGITIZATION	6,186	6,186	6,186		6,186
167	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	1,578	1,578	1,578		1,578
168	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	62,100	62,100	62,100		62,100

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169	0203808A	TRACTOR CARD	18,778	18,778	18,778		18,778
170	0208053A	JOINT TACTICAL GROUND SYSTEM	7,108	7,108	7,108		7,108
173	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	7,600	7,600	7,600		7,600
174	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	9,357	9,357	9,357		9,357
175	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	41,225	41,225	41,225		41,225
176	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	18,197	18,197	18,197		18,197
177	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	14,215	14,215	14,215		14,215
179	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	33,533	33,533	33,533		33,533
180	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	27,622	27,622	27,622		27,622
181	0305219A	MQ-1C GRAY EAGLE UAS	10,901	10,901	10,901		10,901
182	0305232A	RQ-11 UAV	2,321	2,321	2,321		2,321
183	0305233A	RQ-7 UAV	12,031	12,031	12,031		12,031
185	0307665A	BIOMETRICS ENABLED INTELLIGENCE	12,449	12,449	12,449		12,449
186	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	56,136	56,136	56,136		56,136
186A	999999999	CLASSIFIED PROGRAMS	4,717	4,717	4,717		4,717
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	1,131,319	1,101,319	1,151,303	— 939	1,130,380
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	7,989,102	7,942,102	8,018,680	— 34,970	7,954,132
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY					
		BASIC RESEARCH					
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	112,617	122,617	112,617		112,617
		Program increase		[10,000]			
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	18,230	18,230	18,230		18,230
003	0601153N	DEFENSE RESEARCH SCIENCES	484,459	484,459	484,459		484,459
		SUBTOTAL BASIC RESEARCH	615,306	625,306	615,306		615,306
		APPLIED RESEARCH					
004	0602114N	POWER PROJECTION APPLIED RESEARCH	104,513	104,513	104,513		104,513
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	145,307	145,307	145,307		145,307
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	47,334	47,334	47,334		47,334
007	0602235N	COMMON PICTURE APPLIED RESEARCH	34,163	34,163	34,163		34,163
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	49,689	49,689	49,689		49,689
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	97,701	97,701	97,701		97,701
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	45,685	63,685	45,685	15,000	60,685
		AGOR mid life refit		[18,000]		[15,000]	
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,060	6,060	6,060		6,060
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	103,050	103,050	103,050		103,050
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	169,710	169,710	169,710		169,710
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	31,326	31,326	31,326		31,326
		SUBTOTAL APPLIED RESEARCH	834,538	852,538	834,538	15,000	849,538
		ADVANCED TECHNOLOGY DEVELOPMENT					
015	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY	48,201	48,201	48,201		48,201
016	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	28,328	28,328	28,328		28,328
019	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	56,179	56,179	56,179		56,179
020	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	132,400	132,400	132,400		132,400
021	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	11,854	11,854	11,854		11,854
022	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	247,931	247,931	247,931		247,931
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,760	4,760	4,760		4,760
025	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	51,463	51,463	51,463		51,463
026	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	2,000	2,000	2,000		2,000
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	583,116	583,116	583,116		583,116
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES					
027	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	42,246	42,246	42,246		42,246
028	0603216N	AVIATION SURVIVABILITY	5,591	5,591	5,591		5,591
029	0603237N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,262	3,262	3,262		3,262
030	0603251N	AIRCRAFT SYSTEMS	74	74	74		74
031	0603254N	ASW SYSTEMS DEVELOPMENT	7,964	7,964	7,964		7,964
032	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	5,257	5,257	5,257		5,257
033	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,570	1,570	1,570		1,570
034	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	168,040	168,040	168,040		168,040

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035	0603506N	SURFACE SHIP TORPEDO DEFENSE	88,649	88,649	88,649		88,649
036	0603512N	CARRIER SYSTEMS DEVELOPMENT	83,902	83,902	83,902		83,902
037	0603525N	PILOT FISH	108,713	108,713	108,713		108,713
038	0603527N	RETRACT LARCH	9,316	9,316	9,316		9,316
039	0603536N	RETRACT JUNIPER	77,108	77,108	77,108		77,108
040	0603542N	RADIOLOGICAL CONTROL	762	762	762		762
041	0603553N	SURFACE ASW	2,349	2,349	2,349		2,349
042	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	852,977	874,977	852,977		852,977
		Unmanned Underwater Vehicle Development		[22,000]			
043	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	8,764	8,764	8,764		8,764
044	0603563N	SHIP CONCEPT ADVANCED DESIGN	20,501	20,501	20,501		20,501
045	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	27,052	27,052	27,052		27,052
046	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	428,933	428,933	428,933		428,933
047	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	27,154	27,154	27,154	— 4,252	22,902
		Program execution				[— 4,252]	
048	0603576N	CHALK EAGLE	519,140	519,140	519,140		519,140
049	0603581N	LITTORAL COMBAT SHIP (LCS)	406,389	406,389	406,389		406,389
050	0603582N	COMBAT SYSTEM INTEGRATION	36,570	36,570	36,570	— 18,040	18,530
		Late contract awards				[— 18,040]	
051	0603609N	CONVENTIONAL MUNITIONS	8,404	8,404	8,404		8,404
052	0603611M	MARINE CORPS ASSAULT VEHICLES	136,967	136,967	136,967	— 14,000	122,967
		Program delay				[— 14,000]	
053	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	1,489	1,489	1,489		1,489
054	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	38,422	38,422	38,422		38,422
055	0603658N	COOPERATIVE ENGAGEMENT	69,312	69,312	69,312	— 5,300	64,012
		Common array block antenna contract delay				[— 5,300]	
056	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	9,196	9,196	9,196		9,196
057	0603721N	ENVIRONMENTAL PROTECTION	18,850	18,850	18,850		18,850
058	0603724N	NAVY ENERGY PROGRAM	45,618	45,618	45,618		45,618
059	0603725N	FACILITIES IMPROVEMENT	3,019	3,019	3,019		3,019
060	0603734N	CHALK CORAL	144,951	144,951	144,951		144,951
061	0603739N	NAVY LOGISTIC PRODUCTIVITY	5,797	5,797	5,797		5,797
062	0603746N	RETRACT MAPLE	308,131	308,131	308,131		308,131
063	0603748N	LINK PLUMERIA	195,189	195,189	195,189		195,189
064	0603751N	RETRACT ELM	56,358	56,358	56,358		56,358
065	0603764N	LINK EVERGREEN	55,378	55,378	55,378		55,378
066	0603787N	SPECIAL PROCESSES	48,842	48,842	48,842		48,842
067	0603790N	NATO RESEARCH AND DEVELOPMENT	7,509	7,509	7,509		7,509
068	0603795N	LAND ATTACK TECHNOLOGY	5,075	5,075	5,075	— 5,075	0
		Early to need				[— 5,075]	
069	0603851M	JOINT NON-LETHAL WEAPONS TESTING	51,178	51,178	51,178		51,178
070	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	205,615	205,615	205,615	— 10,896	194,719
		JPALS 1B follow-on platform integration delay				[— 7,437]	
		JPALS 1B test early to need				[— 3,459]	
072	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM).	37,227	37,227	37,227		37,227
073	0604279N	ASE SELF-PROTECTION OPTIMIZATION	169	169	169		169
074	0604653N	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (JCREW).	20,874	10,874	20,874	— 3,000	17,874
		Schedule delay		[— 10,000]		[— 3,000]	
075	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	2,257	2,257	2,257		2,257
076	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT.	38,327	38,327	38,327		38,327
077	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	135,985	135,985	35,985	— 30,000	105,985
		Adjust program to more realistic schedule			[— 100,000]	[— 30,000]	
078	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	50,362	50,362	50,362		50,362
079	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	8,448	8,448	8,448	— 3,540	4,908
		Program delay				[— 3,540]	
080	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	153	153	153		153
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	4,641,385	4,653,385	4,541,385	— 94,103	4,547,282

SYSTEM DEVELOPMENT & DEMONSTRATION

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081	0604212N	OTHER HELO DEVELOPMENT	40,558	40,558	40,558		40,558
082	0604214N	AV-8B AIRCRAFT—ENG DEV	35,825	35,825	35,825	— 2,500	33,325
		Excess program management				[— 2,500]	
083	0604215N	STANDARDS DEVELOPMENT	99,891	99,891	99,891		99,891
084	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	17,565	17,565	17,565		17,565
085	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	4,026	4,026	4,026		4,026
086	0604221N	P-3 MODERNIZATION PROGRAM	1,791	1,791	1,791		1,791
087	0604230N	WARFARE SUPPORT SYSTEM	11,725	11,725	11,725		11,725
088	0604231N	TACTICAL COMMAND SYSTEM	68,463	68,463	68,463		68,463
089	0604234N	ADVANCED HAWKEYE	152,041	152,041	152,041		152,041
090	0604245N	H-1 UPGRADES	47,123	47,123	47,123		47,123
091	0604261N	ACOUSTIC SEARCH SENSORS	30,208	30,208	30,208		30,208
092	0604262N	V-22A	43,084	43,084	43,084		43,084
093	0604264N	AIR CREW SYSTEMS DEVELOPMENT	11,401	11,401	11,401		11,401
094	0604269N	EA-18	11,138	11,138	11,138		11,138
095	0604270N	ELECTRONIC WARFARE DEVELOPMENT	34,964	34,964	34,964		34,964
096	0604273N	VH-71A EXECUTIVE HELO DEVELOPMENT	94,238	94,238	94,238		94,238
097	0604274N	NEXT GENERATION JAMMER (NGJ)	257,796	257,796	257,796		257,796
098	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	3,302	3,302	3,302		3,302
099	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	240,298	240,298	240,298		240,298
100	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	1,214	1,214	1,214		1,214
101	0604329N	SMALL DIAMETER BOMB (SDB)	46,007	46,007	46,007		46,007
102	0604366N	STANDARD MISSILE IMPROVEMENTS	75,592	75,592	75,592		75,592
103	0604373N	AIRBORNE MCM	117,854	117,854	117,854		117,854
104	0604376M	MARINE AIR GROUND TASK FORCE (MAGTF) ELECTRONIC WARFARE (EW) FOR AVIATION.	10,080	10,080	10,080		10,080
105	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING.	21,413	21,413	21,413		21,413
106	0604404N	UNMANNED CARRIER LAUNCHED AIRBORNE SURVEILLANCE AND STRIKE (UCLASS) SYSTEM.	146,683	146,683	146,683	— 13,000	133,683
		Schedule delay				[— 13,000]	
107	0604501N	ADVANCED ABOVE WATER SENSORS	275,871	275,871	275,871	— 79,800	196,071
		Air and missile defense radar contract delay				[— 79,800]	
108	0604503N	SSN-688 AND TRIDENT MODERNIZATION	89,672	89,672	89,672		89,672
109	0604504N	AIR CONTROL	13,754	13,754	13,754		13,754
110	0604512N	SHIPBOARD AVIATION SYSTEMS	69,615	69,615	69,615		69,615
112	0604558N	NEW DESIGN SSN	121,566	121,566	121,566		121,566
113	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	49,143	49,143	49,143		49,143
114	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	155,254	155,254	175,254	20,000	175,254
		Increased LHA-8 design efforts			[20,000]	[20,000]	
115	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,689	3,689	3,689		3,689
116	0604601N	MINE DEVELOPMENT	5,041	5,041	5,041		5,041
117	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	26,444	26,444	26,444		26,444
118	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,897	8,897	8,897		8,897
119	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	6,233	6,233	6,233		6,233
120	0604727N	JOINT STANDOFF WEAPON SYSTEMS	442	442	442		442
121	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	130,360	130,360	130,360		130,360
122	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	50,209	50,209	50,209		50,209
123	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	164,799	164,799	164,799	— 50,000	114,799
		SEWIP block 3 program delay				[— 50,000]	
124	0604761N	INTELLIGENCE ENGINEERING	1,984	1,984	1,984		1,984
125	0604771N	MEDICAL DEVELOPMENT	9,458	9,458	9,458		9,458
126	0604777N	NAVIGATION/ID SYSTEM	51,430	51,430	51,430		51,430
127	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	512,631	512,631	512,631	— 10,000	502,631
		F-35B follow-on development ahead of need				[— 10,000]	
128	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	534,187	534,187	534,187	— 10,000	524,187
		F-35B follow-on development ahead of need				[— 10,000]	
129	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	5,564	5,564	5,564		5,564
130	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	69,659	69,659	69,659	— 6,836	62,823
		Unjustified request				[— 6,836]	
132	0605212N	CH-53K RDTE	503,180	503,180	503,180		503,180
133	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	5,500	5,500	5,500	— 5,500	0
		Program uncertainty				[— 5,500]	

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(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
134	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	317,358	317,358	317,358	— 30,000	287,358
		P-8A spiral 2 development milestone B slip				[— 30,000]	
135	0204202N	DDG-1000	187,910	187,910	187,910		187,910
136	0304231N	TACTICAL COMMAND SYSTEM—MIP	2,140	2,140	2,140		2,140
137	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	9,406	9,406	9,406		9,406
138	0305124N	SPECIAL APPLICATIONS PROGRAM	22,800	22,800	22,800		22,800
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	5,028,476	5,028,476	5,048,476	— 187,636	4,840,840
		MANAGEMENT SUPPORT					
139	0604256N	THREAT SIMULATOR DEVELOPMENT	43,261	43,261	43,261		43,261
140	0604258N	TARGET SYSTEMS DEVELOPMENT	71,872	71,872	71,872		71,872
141	0604759N	MAJOR T&E INVESTMENT	38,033	38,033	38,033		38,033
142	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	1,352	1,352	1,352		1,352
143	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	5,566	5,566	5,566		5,566
144	0605154N	CENTER FOR NAVAL ANALYSES	48,345	48,345	48,345		48,345
146	0605804N	TECHNICAL INFORMATION SERVICES	637	637	637		637
147	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	76,585	76,585	76,585		76,585
148	0605856N	STRATEGIC TECHNICAL SUPPORT	3,221	3,221	3,221		3,221
149	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	72,725	72,725	72,725		72,725
150	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	141,778	141,778	141,778		141,778
151	0605864N	TEST AND EVALUATION SUPPORT	331,219	331,219	331,219		331,219
152	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	16,565	16,565	16,565		16,565
153	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	3,265	3,265	3,265		3,265
154	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	7,134	7,134	7,134		7,134
155	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	24,082	24,082	24,082		24,082
156	0305885N	TACTICAL CRYPTOLOGIC ACTIVITIES	497	497	497		497
		SUBTOTAL MANAGEMENT SUPPORT	886,137	886,137	886,137		886,137
		OPERATIONAL SYSTEMS DEVELOPMENT					
159	0604227N	HARPOON MODIFICATIONS	699	699	699		699
160	0604402N	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT AND PROTOTYPE DEVELOPMENT. X-47B Aerial Refueling Test & Evaluation	20,961	40,961	20,961		20,961
				[20,000]			
162	0604766M	MARINE CORPS DATA SYSTEMS	35	35	35		35
163	0605525N	CARRIER ONBOARD DELIVERY (COD) FOLLOW ON	2,460	2,460	2,460		2,460
164	0605555N	STRIKE WEAPONS DEVELOPMENT	9,757	9,757	9,757		9,757
165	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	98,057	121,957	98,057		98,057
		Reentry System Applications and Strategic Guidance Applica- tions.		[23,900]			
166	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	31,768	31,768	31,768		31,768
167	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	1,464	1,464	1,464		1,464
168	0101402N	NAVY STRATEGIC COMMUNICATIONS	21,729	21,729	21,729		21,729
169	0203761N	RAPID TECHNOLOGY TRANSITION (RTT)	13,561	13,561	13,561		13,561
170	0204136N	F/A-18 SQUADRONS	131,118	131,118	131,118		131,118
171	0204152N	E-2 SQUADRONS	1,971	1,971	1,971		1,971
172	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	46,155	46,155	46,155	— 11,732	34,423
		Joint Aerial Layer Network program delay				[— 11,732]	
173	0204228N	SURFACE SUPPORT	2,374	2,374	2,374		2,374
174	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	12,407	12,407	12,407		12,407
175	0204311N	INTEGRATED SURVEILLANCE SYSTEM	41,609	41,609	41,609		41,609
176	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	7,240	7,240	7,240		7,240
177	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	78,208	78,208	78,208		78,208
178	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	45,124	45,124	45,124		45,124
179	0204574N	CRYPTOLOGIC DIRECT SUPPORT	2,703	2,703	2,703		2,703
180	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	19,563	19,563	19,563		19,563
181	0205601N	HARM IMPROVEMENT	13,586	13,586	13,586		13,586
182	0205604N	TACTICAL DATA LINKS	197,538	197,538	197,538		197,538
183	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	31,863	31,863	31,863		31,863
184	0205632N	MK-48 ADCAP	12,806	12,806	12,806		12,806
185	0205633N	AVIATION IMPROVEMENTS	88,607	88,607	88,607		88,607
187	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	116,928	116,928	116,928		116,928
188	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	178,753	178,753	178,753		178,753
189	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	139,594	113,794	118,719	— 20,875	118,719

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Line	Program Element	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
		Marine Personnel Carrier program deferred		[− 20,800]	[− 20,875]	[− 20,875]	
		Precision extended range munition program reduction		[− 5,000]			
190	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	42,647	42,647	42,647	− 5,613	37,034
		Prior year carry over				[− 5,613]	
191	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	34,394	34,394	34,394		34,394
192	0207161N	TACTICAL AIM MISSILES	39,159	39,159	39,159	− 8,000	31,159
		Program delay				[− 8,000]	
193	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	2,613	2,613	2,613		2,613
194	0208058N	JOINT HIGH SPEED VESSEL (JHSV)	986	986	986		986
199	0303109N	SATELLITE COMMUNICATIONS (SPACE)	66,231	66,231	66,231		66,231
200	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	24,476	24,476	24,476		24,476
201	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	23,531	23,531	23,531		23,531
206	0305160N	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	742	742	742		742
207	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	4,804	4,804	4,804		4,804
208	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	8,381	8,381	8,381		8,381
211	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,535	5,535	5,535		5,535
212	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	19,718	19,718	19,718		19,718
213	0305220N	RQ-4 UAV	375,235	375,235	375,235		375,235
214	0305231N	MQ-8 UAV	48,713	48,713	48,713		48,713
215	0305232M	RQ-11 UAV	102	102	102		102
216	0305233N	RQ-7 UAV	710	710	710		710
217	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASLO)	5,013	5,013	5,013		5,013
219	0305239M	RQ-21A	11,122	11,122	11,122		11,122
220	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	28,851	28,851	28,851		28,851
221	0308601N	MODELING AND SIMULATION SUPPORT	5,116	5,116	5,116		5,116
222	0702207N	DEPOT MAINTENANCE (NON-IF)	28,042	28,042	28,042		28,042
223	0708011N	INDUSTRIAL PREPAREDNESS	50,933	50,933	50,933		50,933
224	0708730N	MARITIME TECHNOLOGY (MARITECH)	4,998	4,998	4,998		4,998
224A	999999999	CLASSIFIED PROGRAMS	1,185,132	1,185,132	1,185,132		1,185,132
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	3,385,822	3,403,922	3,364,947	− 46,220	3,339,602
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	15,974,780	16,032,880	15,873,905	− 312,959	15,661,821
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF					
		BASIC RESEARCH					
001	0601102F	DEFENSE RESEARCH SCIENCES	373,151	373,151	373,151		373,151
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	138,333	138,333	138,333		138,333
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	13,286	13,286	13,286		13,286
		SUBTOTAL BASIC RESEARCH	524,770	524,770	524,770		524,770
		APPLIED RESEARCH					
004	0602102F	MATERIALS	116,846	116,846	116,846		116,846
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	119,672	119,672	119,672		119,672
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	89,483	89,483	89,483		89,483
007	0602203F	AEROSPACE PROPULSION	197,546	197,546	197,546		197,546
008	0602204F	AEROSPACE SENSORS	127,539	127,539	127,539		127,539
009	0602601F	SPACE TECHNOLOGY	104,063	104,063	104,063		104,063
010	0602602F	CONVENTIONAL MUNITIONS	81,521	81,521	81,521		81,521
011	0602605F	DIRECTED ENERGY TECHNOLOGY	112,845	112,845	112,845		112,845
012	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	138,161	138,161	138,161		138,161
013	0602890F	HIGH ENERGY LASER RESEARCH	40,217	40,217	40,217		40,217
		SUBTOTAL APPLIED RESEARCH	1,127,893	1,127,893	1,127,893		1,127,893
		ADVANCED TECHNOLOGY DEVELOPMENT					
014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	39,572	49,572	39,572	10,000	49,572
		Program increase		[10,000]		[10,000]	
015	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	12,800		12,800		12,800
016	0603203F	ADVANCED AEROSPACE SENSORS	30,579	30,579	30,579		30,579
017	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	77,347	77,347	77,347		77,347
018	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	149,321	149,321	149,321		149,321
019	0603270F	ELECTRONIC COMBAT TECHNOLOGY	49,128	49,128	49,128		49,128
020	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	68,071	68,071	68,071		68,071
021	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	26,299	26,299	26,299		26,299

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Line	Program Element	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
022	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	20,967	20,967	20,967		20,967
023	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	33,996	33,996	33,996		33,996
024	0603605F	ADVANCED WEAPONS TECHNOLOGY	19,000	19,000	19,000		19,000
025	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	41,353	41,353	41,353		41,353
026	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	49,093	49,093	49,093		49,093
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	617,526	627,526	617,526	10,000	627,526
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES					
028	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	3,983	3,983	3,983		3,983
029	0603287F	PHYSICAL SECURITY EQUIPMENT	3,874	3,874	3,874		3,874
032	0603438F	SPACE CONTROL TECHNOLOGY	27,024	27,024	27,024		27,024
033	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	15,899	15,899	15,899		15,899
034	0603790F	NATO RESEARCH AND DEVELOPMENT	4,568	4,568	4,568		4,568
035	0603791F	INTERNATIONAL SPACE COOPERATIVE R&D	379	379	379		379
036	0603830F	SPACE PROTECTION PROGRAM (SPP)	28,764	28,764	28,764		28,764
038	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	86,737	86,737	86,737		86,737
040	0603859F	POLLUTION PREVENTION—DEM/VAL	953	953	953		953
042	0604015F	LONG RANGE STRIKE	379,437	379,437	379,437		379,437
044	0604317F	TECHNOLOGY TRANSFER	2,606	2,606	2,606		2,606
045	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM.	103	103	103		103
047	0604337F	REQUIREMENTS ANALYSIS AND MATURATION	16,018	16,018	16,018		16,018
049	0604458F	AIR & SPACE OPS CENTER	58,861	58,861	58,861		58,861
050	0604618F	JOINT DIRECT ATTACK MUNITION	2,500	2,500	2,500		2,500
051	0604635F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	21,175	21,175	21,175		21,175
052	0604857F	OPERATIONALLY RESPONSIVE SPACE			10,000	10,000	10,000
		Program increase			[10,000]	[10,000]	
053	0604858F	TECH TRANSITION PROGRAM	13,636	13,636	13,636		13,636
054	0105921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	2,799	2,799	2,799		2,799
055	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	70,160	70,160	70,160		70,160
056	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	137,233	137,233	137,233		137,233
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	876,709	876,709	886,709	10,000	886,709
		SYSTEM DEVELOPMENT & DEMONSTRATION					
058	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	977	977	977		977
061	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	3,601	3,601	3,601		3,601
062	0604270F	ELECTRONIC WARFARE DEVELOPMENT	1,971	1,971	1,971		1,971
064	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	51,456	51,456	36,256		51,456
		Unjustified request			[— 15,200]		
065	0604287F	PHYSICAL SECURITY EQUIPMENT	50	50	50		50
066	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	115,000	115,000	115,000		115,000
067	0604421F	COUNTERSPACE SYSTEMS	23,930	23,930	23,930		23,930
068	0604425F	SPACE SITUATION AWARENESS SYSTEMS	400,258	400,258	400,258		400,258
069	0604429F	AIRBORNE ELECTRONIC ATTACK	4,575	4,575	4,575		4,575
070	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	352,532	372,532	352,532	— 29,700	322,832
		Modernization projects execution delays excluding exploitation efforts.				[— 29,700]	
		Space Based Infrared Systems (SBIRS) Data Exploitation		[20,000]			
071	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	16,284	16,284	16,284		16,284
072	0604604F	SUBMUNITIONS	2,564	2,564	2,564		2,564
073	0604617F	AGILE COMBAT SUPPORT	17,036	17,036	17,036		17,036
074	0604706F	LIFE SUPPORT SYSTEMS	7,273	7,273	7,273		7,273
075	0604735F	COMBAT TRAINING RANGES	33,200	33,200	33,200		33,200
078	0604800F	F-35—EMD	816,335	816,335	816,335		816,335
079	0604851F	INTERCONTINENTAL BALLISTIC MISSILE—EMD	145,442	145,442	145,442		145,442
080	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD ...	27,963	27,963	27,963		27,963
081	0604932F	LONG RANGE STANDOFF WEAPON	5,000	5,000	5,000		5,000
082	0604933F	ICBM FUZE MODERNIZATION	129,411	129,411	129,411		129,411
083	0605213F	F-22 MODERNIZATION INCREMENT 3.2B	131,100	131,100	131,100		131,100
084	0605221F	KC-46	1,558,590	1,558,590	1,558,590		1,558,590
085	0605229F	CSAR HH-60 RECAPITALIZATION	393,558	393,558	393,558	— 60,000	333,558
		Program delays / projected savings pending updated program estimate.				[— 60,000]	

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086	0605278F	HC/MC-130 RECAP RDT&E	6,242	6,242	6,242		6,242
087	0605431F	ADVANCED EHF MILSATCOM (SPACE)	272,872	272,872	272,872		272,872
088	0605432F	POLAR MILSATCOM (SPACE)	124,805	124,805	124,805		124,805
089	0605433F	WIDEBAND GLOBAL SATCOM (SPACE)	13,948	13,948	13,948		13,948
090	0605931F	B-2 DEFENSIVE MANAGEMENT SYSTEM	303,500	303,500	303,500		303,500
091	0101125F	NUCLEAR WEAPONS MODERNIZATION	67,874	67,874	67,874		67,874
094	0207701F	FULL COMBAT MISSION TRAINING	4,663	4,663	4,663		4,663
097	0401318F	CV-22	46,705	46,705	46,705		46,705
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	5,078,715	5,098,715	5,063,515	- 89,700	4,989,015
		MANAGEMENT SUPPORT					
099	0604256F	THREAT SIMULATOR DEVELOPMENT	17,690	17,690	17,690		17,690
100	0604759F	MAJOR T&E INVESTMENT	34,841	34,841	34,841		34,841
101	0605101F	RAND PROJECT AIR FORCE	32,956	32,956	32,956		32,956
103	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	13,610	13,610	13,610		13,610
104	0605807F	TEST AND EVALUATION SUPPORT	742,658	742,658	742,658		742,658
105	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	14,203	14,203	14,203		14,203
106	0605864F	SPACE TEST PROGRAM (STP)	13,000	13,000	13,000		13,000
107	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	44,160	44,160	44,160		44,160
108	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	27,643	27,643	27,643		27,643
109	0606323F	MULTI-SERVICE SYSTEMS ENGINEERING INITIATIVE	13,935	13,935	13,935		13,935
110	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE	192,348	192,348	192,348		192,348
111	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	28,647	28,647	28,647		28,647
112	0804731F	GENERAL SKILL TRAINING	315	315	315		315
114	1001004F	INTERNATIONAL ACTIVITIES	3,785	3,785	3,785		3,785
		SUBTOTAL MANAGEMENT SUPPORT	1,179,791	1,179,791	1,179,791		1,179,791
		OPERATIONAL SYSTEMS DEVELOPMENT					
115	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	383,500	383,500	383,500		383,500
117	0604445F	WIDE AREA SURVEILLANCE	5,000	5,000	5,000		5,000
118	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	90,097	90,097	90,097		90,097
119	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	32,086	32,086	32,086		32,086
121	0101113F	B-52 SQUADRONS	24,007	24,007	24,007		24,007
122	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	450	450	450		450
123	0101126F	B-1B SQUADRONS	19,589	19,589	19,589		19,589
124	0101127F	B-2 SQUADRONS	100,194	100,194	100,194		100,194
125	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM	37,448	37,448	37,448		37,448
128	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM.	1,700	1,700	1,700		1,700
130	0203761F	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND.	3,844	3,844	3,844		3,844
131	0205219F	MQ-9 UAV	128,328	128,328	128,328		128,328
133	0207131F	A-10 SQUADRONS	9,614	9,614	9,614		9,614
134	0207133F	F-16 SQUADRONS	177,298	177,298	177,298		177,298
135	0207134F	F-15E SQUADRONS	244,289	244,289	244,289		244,289
136	0207136F	MANNED DESTRUCTIVE SUPPRESSION	13,138	13,138	13,138		13,138
137	0207138F	F-22A SQUADRONS	328,542	328,542	328,542		328,542
138	0207142F	F-35 SQUADRONS	33,000	33,000	33,000		33,000
139	0207161F	TACTICAL AIM MISSILES	15,460	15,460	15,460		15,460
140	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	84,172	84,172	84,172		84,172
142	0207224F	COMBAT RESCUE AND RECOVERY	2,582	2,582	2,582		2,582
143	0207227F	COMBAT RESCUE—PARARESCUE	542	542	542		542
144	0207247F	AF TENCAP	89,816	89,816	13,016		89,816
		Reduction fighter communications POD			[- 76,800]		
145	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	1,075	1,075	1,075		1,075
146	0207253F	COMPASS CALL	10,782	10,782	10,782		10,782
147	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	139,369	139,369	139,369		139,369
149	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	6,373	6,373	6,373		6,373
150	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	22,820	22,820	22,820		22,820
151	0207412F	CONTROL AND REPORTING CENTER (CRC)	7,029	7,029	7,029		7,029
152	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	186,256	186,256	186,256		186,256
153	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	743	743	743		743

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156	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	4,471	4,471	4,471		4,471
158	0207444F	TACTICAL AIR CONTROL PARTY-MOD	10,250	10,250	10,250		10,250
159	0207448F	C2ISR TACTICAL DATA LINK	1,431	1,431	1,431		1,431
160	0207449F	COMMAND AND CONTROL (C2) CONSTELLATION	7,329	7,329	7,329		7,329
161	0207452F	DCAPES	15,081	15,081	15,081		15,081
162	0207581F	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTARS)	13,248	13,248	23,148	9,900	23,148
		Continue T-3 testing operations			[9,900]	[9,900]	
163	0207590F	SEEK EAGLE	24,342	24,342	24,342		24,342
164	0207601F	USAF MODELING AND SIMULATION	10,448	10,448	10,448		10,448
165	0207605F	WARGAMING AND SIMULATION CENTERS	5,512	5,512	5,512		5,512
166	0207697F	DISTRIBUTED TRAINING AND EXERCISES	3,301	3,301	3,301		3,301
167	0208006F	MISSION PLANNING SYSTEMS	62,605	62,605	62,605		62,605
169	0208059F	CYBER COMMAND ACTIVITIES	68,099	68,099	68,099		68,099
170	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS	14,047	14,047	14,047		14,047
171	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	5,853	5,853	5,853		5,853
179	0301400F	SPACE SUPERIORITY INTELLIGENCE	12,197	12,197	12,197		12,197
180	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	18,267	18,267	18,267		18,267
181	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	36,288	36,288	36,288		36,288
182	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	90,231	90,231	100,231	10,000	100,231
		ASACoE program			[10,000]	[10,000]	
183	0303141F	GLOBAL COMBAT SUPPORT SYSTEM	725	725	725		725
185	0303601F	MILSATCOM TERMINALS	140,170	140,170	140,170		140,170
187	0304260F	AIRBORNE SIGINT ENTERPRISE	117,110	117,110	117,110		117,110
190	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,430	4,430	4,430		4,430
191	0305103F	CYBER SECURITY INITIATIVE	2,048	2,048	2,048		2,048
192	0305105F	DOD CYBER CRIME CENTER	288	288	288		288
193	0305110F	SATELLITE CONTROL NETWORK (SPACE)	35,698	35,698	35,698		35,698
194	0305111F	WEATHER SERVICE	24,667	24,667	24,667		24,667
195	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS) ..	35,674	35,674	35,674		35,674
196	0305116F	AERIAL TARGETS	21,186	21,186	21,186		21,186
199	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	195	195	195		195
200	0305145F	ARMS CONTROL IMPLEMENTATION	1,430	1,430	1,430		1,430
201	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	330	330	330		330
206	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	3,696	3,696	3,696		3,696
207	0305174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT ..	2,469	2,469	2,469		2,469
208	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	8,289	8,289	8,289		8,289
209	0305182F	SPACELIFT RANGE SYSTEM (SPACE)	13,345	13,345	13,345		13,345
211	0305202F	DRAGON U-2	18,700	18,700	18,700		18,700
212	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES	3,000	3,000	3,000		3,000
213	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	37,828	37,828	50,328	12,500	50,328
		Blue Devil Replacement WAMI/NVDF			[15,000]	[12,500]	
		Unjustified amount			[- 2,500]		
214	0305207F	MANNED RECONNAISSANCE SYSTEMS	13,491	13,491	13,491		13,491
215	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	7,498	7,498	7,498		7,498
216	0305219F	MQ-1 PREDATOR A UAV	3,326	3,326	3,326		3,326
217	0305220F	RQ-4 UAV	134,406	134,406	134,406	- 20,000	114,406
		Multiple execution delays				[- 20,000]	
218	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	7,413	7,413	7,413		7,413
219	0305236F	COMMON DATA LINK (CDL)	40,503	40,503	40,503		40,503
220	0305238F	NATO AGS	264,134	264,134	264,134		264,134
221	0305240F	SUPPORT TO DCGS ENTERPRISE	23,016	23,016	23,016		23,016
222	0305265F	GPS III SPACE SEGMENT	221,276	221,276	221,276		221,276
223	0305614F	JSPOC MISSION SYSTEM	58,523	58,523	58,523		58,523
224	0305881F	RAPID CYBER ACQUISITION	2,218	2,218	2,218		2,218
226	0305913F	NUDET DETECTION SYSTEM (SPACE)	50,547	50,547	50,547		50,547
227	0305940F	SPACE SITUATION AWARENESS OPERATIONS	18,807	18,807	18,807		18,807
229	0308699F	SHARED EARLY WARNING (SEW)	1,079	1,079	1,079		1,079
230	0401115F	C-130 AIRLIFT SQUADRON	400	26,400	400	73,300	73,700
		C-130 AMP				[47,300]	
		C-130H Propulsion System Propeller Upgrades		[26,000]		[26,000]	
231	0401119F	C-5 AIRLIFT SQUADRONS (IF)	61,492	61,492	61,492		61,492

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232	0401130F	C-17 AIRCRAFT (IF)	109,134	109,134	109,134		109,134
233	0401132F	C-130J PROGRAM	22,443	22,443	22,443		22,443
234	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	4,116	4,116	4,116		4,116
238	0401314F	OPERATIONAL SUPPORT AIRLIFT	44,553	44,553	44,553		44,553
239	0408011F	SPECIAL TACTICS / COMBAT CONTROL	6,213	6,213	6,213		6,213
240	0702207F	DEPOT MAINTENANCE (NON-IF)	1,605	1,605	1,605		1,605
242	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	95,238	95,238	95,238		95,238
243	0708611F	SUPPORT SYSTEMS DEVELOPMENT	10,925	10,925	10,925		10,925
244	0804743F	OTHER FLIGHT TRAINING	1,347	1,347	1,347		1,347
245	0808716F	OTHER PERSONNEL ACTIVITIES	65	65	65		65
246	0901202F	JOINT PERSONNEL RECOVERY AGENCY	1,083	1,083	1,083		1,083
247	0901218F	CIVILIAN COMPENSATION PROGRAM	1,577	1,577	1,577		1,577
248	0901220F	PERSONNEL ADMINISTRATION	5,990	5,990	5,990		5,990
249	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	786	786	786		786
250	0901279F	FACILITIES OPERATION—ADMINISTRATIVE	654	654	654		654
251	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	135,735	135,735	135,735		135,735
252A	9999999999	CLASSIFIED PROGRAMS	11,874,528	11,894,528	11,874,528		11,874,528
		Increase to classified program			[70,000]		
		Program Increase		[20,000]			
		Reduction to classified program			[— 70,000]		
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	16,297,542	16,343,542	16,253,142	85,700	16,383,242
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	25,702,946	25,778,946	25,653,346	16,000	25,718,946
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW					
		BASIC RESEARCH					
001	0601000BR	DTRA BASIC RESEARCH INITIATIVE	45,837	45,837	45,837		45,837
002	0601101E	DEFENSE RESEARCH SCIENCES	315,033	315,033	315,033		315,033
003	0601110D8Z	BASIC RESEARCH INITIATIVES	11,171	11,171	11,171		11,171
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	49,500	49,500	49,500		49,500
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	84,271	89,271	84,271		84,271
		Restore PK-12 funding		[5,000]			
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.	30,895	35,895	30,895	5,000	35,895
		Program increase		[5,000]		[5,000]	
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	51,426	51,426	51,426		51,426
		SUBTOTAL BASIC RESEARCH	588,133	598,133	588,133	5,000	593,133
		APPLIED RESEARCH					
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	20,065	13,565	20,065		20,065
		Decrease to insensitive munitions program		[— 6,500]			
009	0602115E	BIOMEDICAL TECHNOLOGY	114,790	114,790	114,790		114,790
011	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	46,875	46,875	41,875	— 5,000	41,875
		MIT LL reduction			[— 5,000]	[— 5,000]	
013	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES	45,000	45,000	30,000	— 5,000	40,000
		PSC S&T reduction			[— 15,000]	[— 5,000]	
014	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	413,260	413,260	418,260	2,500	415,760
		Plan X increase			[5,000]	[2,500]	
015	0602304E	COGNITIVE COMPUTING SYSTEMS	16,330	16,330	16,330		16,330
017	0602383E	BIOLOGICAL WARFARE DEFENSE	24,537	24,537	24,537		24,537
018	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	227,065	217,065	227,065	— 10,000	217,065
		Program decrease		[— 10,000]		[— 10,000]	
020	0602668D8Z	CYBER SECURITY RESEARCH	18,908	18,908	18,908		18,908
		Assuring effective missions			[— 2,000]		
		Automated software analysis tools			[2,000]		
021	0602670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APPLIED RESEARCH.			5,000	2,500	2,500
		HSCB Apl Res extension			[5,000]	[2,500]	
022	0602702E	TACTICAL TECHNOLOGY	225,977	225,977	225,977		225,977
023	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	166,654	166,654	166,654		166,654
024	0602716E	ELECTRONICS TECHNOLOGY	243,469	243,469	243,469		243,469
025	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES	175,282	175,282	175,282		175,282
026	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH	11,107	11,107	11,107		11,107

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027	1160401BB	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	29,246	29,246	29,246		29,246
		SUBTOTAL APPLIED RESEARCH	1,778,565	1,762,065	1,768,565	— 15,000	1,763,565
		ADVANCED TECHNOLOGY DEVELOPMENT					
028	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	26,646	26,646	26,646	— 5,000	21,646
		Program decrease				[— 5,000]	
029	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	19,420	19,920	19,420		19,420
		Program increase for future information operations strategy		[500]			
030	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	77,792	77,792	60,792		77,792
		Reduction due to redundancy			[— 17,000]		
031	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT.	274,033	274,033	274,033		274,033
032	0603175C	BALLISTIC MISSILE DEFENSE TECHNOLOGY	309,203	239,203	279,203	— 95,000	214,203
		Advanced Technology—unsustainable growth			[— 25,000]	[— 20,000]	
		Common Kill VehicleTechnology—transfer to line 032X		[— 70,000]		[— 70,000]	
		Directed energy—DPALS			[— 5,000]	[— 5,000]	
032X	0603XXXC	COMMON KILL VEHICLE TECHNOLOGY		70,000		100,000	100,000
		Common Kill Vehicle Technology—transfer from line 032		[70,000]		[70,000]	
		Increase for CKVT design and development				[30,000]	
034	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	19,305	19,305	19,305		19,305
035	0603264S	AGILE TRANSPORTATION FOR THE 21ST CENTURY (AT21)—THEATER CAPABILITY.	7,565	7,565	7,565		7,565
036	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY	40,426	40,426	40,426		40,426
037	0603286E	ADVANCED AEROSPACE SYSTEMS	149,804	149,804	149,804		149,804
038	0603287E	SPACE PROGRAMS AND TECHNOLOGY	172,546	172,546	172,546		172,546
039	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	170,847	170,847	170,847		170,847
040	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	9,009	9,009	9,009		9,009
041	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	174,428	167,428	164,428	— 7,000	167,428
		Decrease to Strategic Capabilities Office efforts		[— 7,000]	[— 10,000]	[— 7,000]	
042	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	20,000	20,000	5,000	— 15,000	5,000
		Net Comm reduction			[— 15,000]	[— 15,000]	
045	0603668D8Z	CYBER SECURITY ADVANCED RESEARCH	19,668	19,668	19,668		19,668
		Assuring effective missions			[— 3,000]		
		Automated software analysis tools			[3,000]		
046	0603670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADVANCED DEVELOPMENT.			5,000	2,500	2,500
		HSCB Adv Dev extension			[5,000]	[2,500]	
047	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	34,041	34,041	59,041	25,000	59,041
		IBIF			[25,000]	[25,000]	
048	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	61,971	53,971	61,971	— 8,000	53,971
		Decrease to Strategic Capabilities Office efforts		[— 8,000]		[— 8,000]	
050	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	20,000	20,000	20,000		20,000
051	0603713S	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	30,256	30,256	30,256		30,256
052	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	72,324	72,324	72,324		72,324
053	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	82,700	82,700	82,700		82,700
054	0603727D8Z	JOINT WARFIGHTING PROGRAM	8,431	8,431	8,431		8,431
055	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	117,080	117,080	117,080		117,080
057	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	239,078	239,078	239,078		239,078
059	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	259,006	259,006	259,006		259,006
060	0603767E	SENSOR TECHNOLOGY	286,364	286,364	286,364		286,364
061	0603769SE	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	12,116	12,116	12,116		12,116
062	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	19,008	19,008	19,008		19,008
063	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	78,532	78,532	58,532	— 10,000	68,532
		Quick & Rapid Reaction Fund reduction			[— 20,000]	[— 10,000]	
065	0603828J	JOINT EXPERIMENTATION	12,667	12,667	12,667		12,667
066	0603832D8Z	DOD MODELING AND SIMULATION MANAGEMENT OFFICE	41,370	41,370	41,370		41,370
069	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	92,508	92,508	92,508		92,508
070	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	52,001	60,001	52,001		52,001
		Operational Energy Capability Improvement Fund		[8,000]			
071	0303310D8Z	CWMD SYSTEMS	52,053	52,053	55,053	3,000	55,053
		Program increase			[3,000]	[3,000]	

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
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Line	Program Element	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
072	1160402BB	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	46,809	46,809	46,809		46,809
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	3,109,007	3,102,507	3,050,007	— 9,500	3,099,507
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES					
075	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	63,641	63,641	63,641		63,641
076	0603527D8Z	RETRACT LARCH	19,152	19,152	19,152		19,152
077	0603600D8Z	WALKOFF	70,763	70,763	70,763		70,763
079	0603714D8Z	ADVANCED SENSORS APPLICATION PROGRAM	17,230	17,230	19,230	2,000	19,230
		Sustain testing effort			[2,000]	[2,000]	
080	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	71,453	71,453	71,453		71,453
081	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	268,990	268,990	268,990		268,990
082	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	1,033,903	1,174,303	1,033,903	100,000	1,133,903
		Continue activities relative to site evaluation, EIS, and planning.		[20,400]		[20,000]	
		FTG-07 failure review board and return to flight				[80,000]	
		Planning and Design (35% to 100% design)		[50,000]			
		RDT&E Ground Systems Development		[70,000]			
083	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	196,237	196,237	196,237		196,237
084	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	315,183	315,183	345,183	80,000	395,183
		Additional homeland missile defense radar			[30,000]	[30,000]	
		Enhanced discrimination capability				[50,000]	
086	0603890C	BMD ENABLING PROGRAMS	377,605	377,605	377,605		377,605
087	0603891C	SPECIAL PROGRAMS—MDA	286,613	286,613	286,613		286,613
088	0603892C	AEGIS BMD	937,056	937,056	937,056		937,056
089	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM	44,947	44,947	44,947		44,947
090	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	6,515	6,515	6,515		6,515
091	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	418,355	418,355	418,355		418,355
092	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	47,419	47,419	47,419		47,419
093	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	52,131	52,131	52,131		52,131
094	0603906C	REGARDING TRENCH	13,864	13,864	13,864		13,864
095	0603907C	SEA BASED X-BAND RADAR (SBX)	44,478	44,478	44,478		44,478
096	0603913C	ISRAELI COOPERATIVE PROGRAMS	95,782	283,782	245,782	188,000	283,782
		Arrow Weapon System Improvements			[30,000]	[33,700]	
		Arrow-3 Interceptor			[20,000]	[22,100]	
		David's Sling short-range BMD			[100,000]	[117,200]	
		Increase Israeli Cooperative Programs		[173,000]			
		US co-production capability for Iron Dome parts and components.		[15,000]		[15,000]	
097	0603914C	BALLISTIC MISSILE DEFENSE TEST	375,866	375,866	375,866		375,866
098	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	495,257	495,257	495,257		495,257
099	0603920D8Z	HUMANITARIAN DEMINING	11,704	11,704	11,704		11,704
100	0603923D8Z	COALITION WARFARE	9,842	9,842	9,842		9,842
101	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,312	13,312	3,312	10,000	13,312
		Corrosion Prevention, Control, and Mitigation		[10,000]		[10,000]	
102	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	130,000	25,000	100,000	— 30,000	100,000
		Decrease to SCO efforts		[— 105,000]	[— 30,000]	[— 30,000]	
103	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT.	8,300	8,300	8,300		8,300
104	0604445J	WIDE AREA SURVEILLANCE	30,000	30,000	30,000		30,000
105	0604670D8Z	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RESEARCH AND ENGINEERING.			5,000	2,500	2,500
		HSCB Modeling R&E extension			[5,000]	[2,500]	
106	0604775D8Z	DEFENSE RAPID INNOVATION PROGRAM		250,000	150,000	200,000	200,000
		Rapid Innovation Program		[250,000]	[150,000]	[200,000]	
108	0604787J	JOINT SYSTEMS INTEGRATION	7,402	7,402	7,402		7,402
110	0604828J	JOINT FIRES INTEGRATION AND INTEROPERABILITY TEAM	7,506	7,506	7,506		7,506
111	0604880C	LAND-BASED SM-3 (LBSM3)	129,374	129,374	129,374		129,374
112	0604881C	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT	308,522	308,522	308,522		308,522
115	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,169	3,169	3,169		3,169
116	0305103C	CYBER SECURITY INITIATIVE	946	946	946		946

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
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Line	Program Element	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES.	5,902,517	6,385,917	6,209,517	552,500	6,455,017
		SYSTEM DEVELOPMENT AND DEMONSTRATION					
118	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	8,155	8,155	8,155		8,155
119	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	65,440	65,440	65,440		65,440
120	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	451,306	451,306	451,306		451,306
122	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	29,138	29,138	29,138		29,138
123	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	19,475	19,475	19,475		19,475
124	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	12,901	12,901	12,901		12,901
125	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	13,812	13,812	13,812		13,812
126	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	386	386	386		386
127	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	3,763	3,763	3,763		3,763
128	0605027D8Z	ODUSD(C) IT DEVELOPMENT INITIATIVES	6,788	6,788	6,788		6,788
129	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	27,917	27,917	27,917		27,917
130	0605075D8Z	DCMO POLICY AND INTEGRATION	22,297	22,297	22,297		22,297
131	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	51,689	51,689	51,689		51,689
132	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	6,184	6,184	6,184		6,184
133	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	12,083	12,083	12,083		12,083
134	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)	3,302	3,302	3,302		3,302
		SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION	734,636	734,636	734,636		734,636
		MANAGEMENT SUPPORT					
135	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	6,393	6,393	6,393		6,393
136	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	2,479	2,479	2,479		2,479
137	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	240,213	240,213	240,213		240,213
138	0604942D8Z	ASSESSMENTS AND EVALUATIONS	2,127	2,127	2,127		2,127
139	0604943D8Z	THERMAL VICAR	8,287	8,287	8,287		8,287
140	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETS)	31,000	31,000	31,000		31,000
141	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	24,379	24,379	24,379		24,379
143	0605117D8Z	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	54,311	54,311	54,311		54,311
144	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	47,462	47,462	47,462		47,462
146	0605130D8Z	FOREIGN COMPARATIVE TESTING	12,134	12,134	12,134		12,134
147	0605142D8Z	SYSTEMS ENGINEERING	44,237	44,237	39,237		44,237
		SE transfer to DT&E			[— 5,000]		
148	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	5,871	5,871	5,871		5,871
149	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	5,028	5,028	5,028		5,028
150	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	6,301	6,301	6,301		6,301
151	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	6,504	6,504	6,504		6,504
152	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	92,046	92,046	92,046		92,046
158	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER (S).	1,868	1,868	1,868		1,868
159	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	8,362	8,362	8,362		8,362
160	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	56,024	56,024	46,024		56,024
		DTIC reduction			[— 10,000]		
161	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	6,908	6,908	6,908		6,908
162	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	15,451	19,451	20,451	4,000	19,451
		DT&E transfer from SE			[5,000]		
		Program increase		[4,000]		[4,000]	
164	0605898E	MANAGEMENT HQ—R&D	71,659	71,659	71,659		71,659
165	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	4,083	4,083	4,083		4,083
167	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	5,306	5,306	5,306		5,306
168	0204571J	JOINT STAFF ANALYTICAL SUPPORT	2,097	2,097	2,097		2,097
172	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	8,394	8,394	8,394		8,394
175	0305193D8Z	CYBER INTELLIGENCE	7,624	7,624	7,624		7,624
178	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2).	43,247	43,247	43,247		43,247
179	0901598C	MANAGEMENT HQ—MDA	37,712	37,712	37,712		37,712
180	0901598D8W	MANAGEMENT HEADQUARTERS WHS	607	607	607		607
181A	9999999999	CLASSIFIED PROGRAMS	54,914	54,914	54,914		54,914
		SUBTOTAL MANAGEMENT SUPPORT	913,028	917,028	903,028	4,000	917,028

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
OPERATIONAL SYSTEM DEVELOPMENT							
182	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	7,552	7,552	7,552		7,552
183	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA.	3,270	3,270	3,270		3,270
184	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS).	287	287	287		287
185	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	14,000	14,000	14,000		14,000
186	0607310D8Z	OPERATIONAL SYSTEMS DEVELOPMENT	1,955	1,955	1,955		1,955
187	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	13,250	13,250	13,250		13,250
188	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT).	13,026	13,026	13,026		13,026
190	0607828J	JOINT INTEGRATION AND INTEROPERABILITY	12,652	12,652	12,652		12,652
191	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,061	3,061	3,061		3,061
192	0208045K	C4I INTEROPERABILITY	72,726	72,726	72,726		72,726
194	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	6,524	6,524	6,524		6,524
201	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	512	512	512		512
202	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	12,867	12,867	12,867		12,867
203	0303126K	LONG-HAUL COMMUNICATIONS—DCS	36,565	36,565	36,565		36,565
204	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	13,144	13,144	13,144		13,144
205	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	1,060	1,060	1,060		1,060
206	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	33,279	33,279	33,279		33,279
207	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	10,673	10,673	10,673		10,673
208	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	181,567	179,291	181,567		181,567
		Excess to need		[– 2,276]			
210	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	34,288	34,288	34,288		34,288
211	0303153K	DEFENSE SPECTRUM ORGANIZATION	7,741	7,741	7,741		7,741
212	0303170K	NET-CENTRIC ENTERPRISE SERVICES (NCES)	3,325	3,325	3,325		3,325
213	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	1,246	1,246	1,246		1,246
214	0303610K	TELEPORT PROGRAM	5,147	5,147	5,147		5,147
216	0304210BB	SPECIAL APPLICATIONS FOR CONTINGENCIES	17,352	17,352	17,352		17,352
220	0305103K	CYBER SECURITY INITIATIVE	3,658	3,658	3,658		3,658
221	0305125D8Z	CRITICAL INFRASTRUCTURE PROTECTION (CIP)	9,752	9,752	9,752		9,752
225	0305186D8Z	POLICY R&D PROGRAMS	3,210	3,210	4,210	1,000	4,210
		CRRC extension			[1,000]	[1,000]	
227	0305199D8Z	NET CENTRICITY	21,602	21,602	21,602		21,602
230	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,195	5,195	5,195		5,195
233	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,348	3,348	3,348		3,348
235	0305219BB	MQ–1 PREDATOR A UAV	641	641	641		641
238	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,338	2,338	2,338		2,338
239	0305600D8Z	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES	4,372	4,372	4,372		4,372
247	0708011S	INDUSTRIAL PREPAREDNESS	24,691	24,691	24,691		24,691
248	0708012S	LOGISTICS SUPPORT ACTIVITIES	4,659	4,659	4,659		4,659
249	0902298J	MANAGEMENT HQ—OJCS	3,533	3,533	3,533		3,533
250	1105219BB	MQ–9 UAV	1,314	1,314	13,314	12,000	13,314
		Capability Improvements			[12,000]	[12,000]	
254	1160403BB	AVIATION SYSTEMS	156,561	156,561	156,561		156,561
256	1160405BB	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	7,705	7,705	7,705		7,705
257	1160408BB	SOF OPERATIONAL ENHANCEMENTS	42,620	42,620	42,620		42,620
261	1160431BB	WARRIOR SYSTEMS	17,970	17,970	17,970		17,970
262	1160432BB	SPECIAL PROGRAMS	7,424	7,424	7,424		7,424
268	1160480BB	SOF TACTICAL VEHICLES	2,206	2,206	2,206		2,206
271	1160483BB	MARITIME SYSTEMS	18,325	18,325	19,481	1,156	19,481
		CCFLIR—Transfer at USSOCOM Request			[1,156]	[1,156]	
274	1160489BB	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,304	3,304	3,304		3,304
275	1160490BB	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	16,021	16,021	16,021		16,021
275A	9999999999	CLASSIFIED PROGRAMS	3,773,704	3,773,704	3,773,704		3,773,704
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	4,641,222	4,638,946	4,655,378	14,156	4,655,378
UNDISTRIBUTED							
276	9999999999	UNDISTRIBUTED			– 100,000		0

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
		DARPA undistributed reduction			[— 100,000]		
		SUBTOTAL UNDISTRIBUTED			— 100,000		0
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	17,667,108	18,139,232	17,809,264	551,156	18,218,264
		OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT					
001	06051180TE	OPERATIONAL TEST AND EVALUATION	75,720	75,720	75,720		75,720
002	06051310TE	LIVE FIRE TEST AND EVALUATION	48,423	48,423	48,423		48,423
003	06058140TE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	62,157	62,157	62,157		62,157
		SUBTOTAL MANAGEMENT SUPPORT	186,300	186,300	186,300		186,300
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	186,300	186,300	186,300		186,300
		TOTAL RDT&E	67,520,236	68,079,460	67,541,495	219,227	67,739,463

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
		SYSTEM DEVELOPMENT & DEMONSTRATION					
087	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	7,000	7,000	7,000		7,000
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	7,000	7,000	7,000		7,000
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	7,000	7,000	7,000		7,000
		OPERATIONAL SYSTEMS DEVELOPMENT					
224A	9999999999	CLASSIFIED PROGRAMS	34,426	34,426	34,426		34,426
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	34,426	34,426	34,426		34,426
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	34,426	34,426	34,426		34,426
		OPERATIONAL SYSTEMS DEVELOPMENT					
252A	9999999999	CLASSIFIED PROGRAMS	9,000	9,000	9,000		9,000
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	9,000	9,000	9,000		9,000
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	9,000	9,000	9,000		9,000
		OPERATIONAL SYSTEM DEVELOPMENT					
275A	9999999999	CLASSIFIED PROGRAMS	66,208	66,208	66,208		66,208
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	66,208	66,208	66,208		66,208
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	66,208	66,208	66,208		66,208
		TOTAL RDT&E	116,634	116,634	116,634		116,634

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	OPERATION & MAINTENANCE, ARMY OPERATING FORCES					
010	MANEUVER UNITS	888,114	1,072,714	1,084,014	171,000	1,059,114
	Missile Defense Deployment to Guam		[13,100]			
	Program decrease		[— 24,000]			

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	Readiness funding increase		[195,500]	[195,900]	[171,000]	
020	MODULAR SUPPORT BRIGADES	72,624	72,624	72,624		72,624
030	ECHELONS ABOVE BRIGADE	617,402	617,402	617,402		617,402
040	THEATER LEVEL ASSETS	602,262	602,262	602,262		602,262
050	LAND FORCES OPERATIONS SUPPORT	1,032,484	1,032,484	1,032,484		1,032,484
060	AVIATION ASSETS	1,287,462	1,303,262	1,303,262	15,800	1,303,262
	Readiness funding increase		[15,800]	[15,800]	[15,800]	
070	FORCE READINESS OPERATIONS SUPPORT	3,559,656	3,559,656	3,769,556	209,000	3,768,656
	Readiness funding increase			[209,900]	[209,000]	
080	LAND FORCES SYSTEMS READINESS	454,477	454,477	454,477		454,477
090	LAND FORCES DEPOT MAINTENANCE	1,481,156	1,481,156	1,681,156	225,000	1,706,156
	Readiness funding increase			[200,000]	[225,000]	
100	BASE OPERATIONS SUPPORT	7,278,154	7,278,154	7,278,154		7,278,154
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,754,712	3,011,712	2,754,712	257,000	3,011,712
	Realignment of Arlington National Cemetery operations		[- 25,000]		[- 25,000]	
	Sustainment to 90%		[282,000]		[282,000]	
120	MANAGEMENT AND OPERATIONAL HQ'S	425,271	425,271	425,271		425,271
130	COMBATANT COMMANDERS CORE OPERATIONS	185,064	185,064	180,064		185,064
	Unjustified growth			[- 5,000]		
170	COMBATANT COMMANDERS ANCILLARY MISSIONS	463,270	456,594	463,270		463,270
	Realignment of SOUTHCOM Information Operations		[3,100]			
	Unjustified EUCOM Growth		[- 9,776]			
	SUBTOTAL OPERATING FORCES	21,102,108	21,552,832	21,718,708	877,800	21,979,908
MOBILIZATION						
180	STRATEGIC MOBILITY	360,240	360,240	360,240		360,240
190	ARMY PREPOSITIONING STOCKS	192,105	192,105	192,105		192,105
200	INDUSTRIAL PREPAREDNESS	7,101	7,101	7,101		7,101
	SUBTOTAL MOBILIZATION	559,446	559,446	559,446		559,446
TRAINING AND RECRUITING						
210	OFFICER ACQUISITION	115,992	115,992	115,992		115,992
220	RECRUIT TRAINING	52,323	52,323	52,323		52,323
230	ONE STATION UNIT TRAINING	43,589	43,589	43,589		43,589
240	SENIOR RESERVE OFFICERS TRAINING CORPS	453,745	453,745	453,745		453,745
250	SPECIALIZED SKILL TRAINING	1,034,495	1,034,495	1,034,495		1,034,495
260	FLIGHT TRAINING	1,016,876	1,016,876	1,016,876		1,016,876
270	PROFESSIONAL DEVELOPMENT EDUCATION	186,565	186,565	186,565		186,565
280	TRAINING SUPPORT	652,514	652,514	652,514		652,514
290	RECRUITING AND ADVERTISING	485,500	485,500	485,500		485,500
300	EXAMINING	170,912	170,912	170,912		170,912
310	OFF-DUTY AND VOLUNTARY EDUCATION	251,523	251,523	251,523		251,523
320	CIVILIAN EDUCATION AND TRAINING	184,422	184,422	184,422		184,422
330	JUNIOR ROTC	181,105	181,105	181,105		181,105
	SUBTOTAL TRAINING AND RECRUITING	4,829,561	4,829,561	4,829,561		4,829,561
ADMIN & SRVWIDE ACTIVITIES						
350	SERVICEWIDE TRANSPORTATION	690,089	690,089	690,089		690,089
360	CENTRAL SUPPLY ACTIVITIES	774,120	779,120	774,120		774,120
	Corrosion Prevention, Control, and Mitigation		[5,000]			
370	LOGISTIC SUPPORT ACTIVITIES	651,765	651,765	651,765		651,765
380	AMMUNITION MANAGEMENT	453,051	453,051	453,051		453,051
390	ADMINISTRATION	487,737	487,737	487,737		487,737
400	SERVICEWIDE COMMUNICATIONS	1,563,115	1,563,115	1,563,115		1,563,115
410	MANPOWER MANAGEMENT	326,853	326,853	326,853		326,853
420	OTHER PERSONNEL SUPPORT	234,364	234,364	234,364		234,364
430	OTHER SERVICE SUPPORT	1,212,091	1,212,091	1,212,091		1,212,091
440	ARMY CLAIMS ACTIVITIES	243,540	243,540	243,540		243,540
450	REAL ESTATE MANAGEMENT	241,101	241,101	241,101		241,101
460	BASE OPERATIONS SUPPORT	226,291	226,291	226,291		226,291
470	SUPPORT OF NATO OPERATIONS	426,651	457,851	426,651	31,200	457,851
	Realignment of NATO Special Operations Headquarters from O&M Defense-wide		[31,200]		[31,200]	

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
480	MISC. SUPPORT OF OTHER NATIONS	27,248	24,148	27,248		27,248
	Realignment of SOUTHCOM Information Operations		[− 3,100]			
525	CLASSIFIED PROGRAMS	1,023,946	1,023,946	1,023,946		1,023,946
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	8,581,962	8,615,062	8,581,962	31,200	8,613,162
	UNDISTRIBUTED					
530	UNDISTRIBUTED		− 740,300		− 284,300	− 284,300
	Average civilian end strength above projection		[− 284,300]		[− 284,300]	
	Unobligated balances		[− 456,000]			
	SUBTOTAL UNDISTRIBUTED		− 740,300		− 284,300	− 284,300
	TOTAL OPERATION & MAINTENANCE, ARMY	35,073,077	34,816,601	35,689,677	624,700	35,697,777
	OPERATION & MAINTENANCE, ARMY RES					
	OPERATING FORCES					
010	MANEUVER UNITS	1,621	1,621	1,621		1,621
020	MODULAR SUPPORT BRIGADES	24,429	24,429	24,429		24,429
030	ECHELONS ABOVE BRIGADE	657,099	657,099	657,099		657,099
040	THEATER LEVEL ASSETS	122,485	122,485	122,485		122,485
050	LAND FORCES OPERATIONS SUPPORT	584,058	584,058	584,058		584,058
060	AVIATION ASSETS	79,380	79,380	79,380		79,380
070	FORCE READINESS OPERATIONS SUPPORT	471,616	471,616	471,616		471,616
080	LAND FORCES SYSTEMS READINESS	74,243	74,243	74,243		74,243
090	LAND FORCES DEPOT MAINTENANCE	70,894	70,894	70,894	75,800	146,694
	Army Reserve identified shortfall—restore unjustified efficiency reduction				[75,800]	
100	BASE OPERATIONS SUPPORT	569,801	569,801	569,801		569,801
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	294,145	323,245	330,545	36,400	330,545
	Readiness funding increase		[29,100]	[36,400]	[36,400]	
120	MANAGEMENT AND OPERATIONAL HQ'S	51,853	51,853	51,853		51,853
	SUBTOTAL OPERATING FORCES	3,001,624	3,030,724	3,038,024	112,200	3,113,824
	ADMIN & SRVWD ACTIVITIES					
130	SERVICEWIDE TRANSPORTATION	10,735	10,735	10,735		10,735
140	ADMINISTRATION	24,197	24,197	24,197		24,197
150	SERVICEWIDE COMMUNICATIONS	10,304	10,304	10,304		10,304
160	MANPOWER MANAGEMENT	10,319	10,319	10,319		10,319
170	RECRUITING AND ADVERTISING	37,857	37,857	37,857		37,857
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	93,412	93,412	93,412		93,412
	TOTAL OPERATION & MAINTENANCE, ARMY RES	3,095,036	3,124,136	3,131,436	112,200	3,207,236
	OPERATION & MAINTENANCE, ARNG					
	OPERATING FORCES					
010	MANEUVER UNITS	800,880	800,880	800,880		800,880
020	MODULAR SUPPORT BRIGADES	178,650	178,650	178,650		178,650
030	ECHELONS ABOVE BRIGADE	771,503	771,503	771,503		771,503
040	THEATER LEVEL ASSETS	98,699	98,699	98,699		98,699
050	LAND FORCES OPERATIONS SUPPORT	38,779	38,779	38,779		38,779
060	AVIATION ASSETS	922,503	922,503	922,503		922,503
070	FORCE READINESS OPERATIONS SUPPORT	761,056	761,056	761,056		761,056
080	LAND FORCES SYSTEMS READINESS	62,971	62,971	62,971		62,971
090	LAND FORCES DEPOT MAINTENANCE	233,105	233,105	233,105		233,105
100	BASE OPERATIONS SUPPORT	1,019,059	1,019,059	1,019,059		1,019,059
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	712,139	786,339	786,339	74,200	786,339
	Readiness funding increase		[74,200]	[74,200]	[74,200]	
120	MANAGEMENT AND OPERATIONAL HQ'S	1,013,715	1,013,715	1,013,715	− 13,297	1,000,418
	Army National Guard identified severance pay excess to requirement				[− 13,297]	
	SUBTOTAL OPERATING FORCES	6,613,059	6,687,259	6,687,259	60,903	6,673,962
	ADMIN & SRVWD ACTIVITIES					
130	SERVICEWIDE TRANSPORTATION	10,812	10,812	10,812		10,812
140	REAL ESTATE MANAGEMENT	1,551	1,551	1,551		1,551
150	ADMINISTRATION	78,284	78,284	78,284		78,284

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
160	SERVICEWIDE COMMUNICATIONS	46,995	46,995	46,995		46,995
170	MANPOWER MANAGEMENT	6,390	6,390	6,390		6,390
180	RECRUITING AND ADVERTISING	297,105	297,105	297,105		297,105
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	441,137	441,137	441,137		441,137
	UNDISTRIBUTED					
190	UNDISTRIBUTED				— 15,000	— 15,000
	Unjustified Growth For Civilian Personnel Compensation				[— 15,000]	
	SUBTOTAL UNDISTRIBUTED				— 15,000	— 15,000
	TOTAL OPERATION & MAINTENANCE, ARNG	7,054,196	7,128,396	7,128,396	45,903	7,100,099
	OPERATION & MAINTENANCE, NAVY					
	OPERATING FORCES					
010	MISSION AND OTHER FLIGHT OPERATIONS	4,952,522	4,952,522	4,985,022	32,500	4,985,022
	Readiness funding increase			[32,500]	[32,500]	
020	FLEET AIR TRAINING	1,826,404	1,826,404	1,837,604		1,826,404
	Readiness funding increase			[11,200]		
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	38,639	38,639	38,639		38,639
040	AIR OPERATIONS AND SAFETY SUPPORT	90,030	90,030	90,030		90,030
050	AIR SYSTEMS SUPPORT	362,700	362,700	362,700		362,700
060	AIRCRAFT DEPOT MAINTENANCE	915,881	915,881	915,881	40,000	955,881
	Navy Unfunded Requirement for Air Depot Maintenance				[40,000]	
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	35,838	35,838	36,446		35,838
	Readiness funding increase			[608]		
080	AVIATION LOGISTICS	379,914	448,414	379,914		379,914
	CLS for AVN Logistics		[68,500]			
090	MISSION AND OTHER SHIP OPERATIONS	3,884,836	3,884,836	3,984,336	110,900	3,995,736
	Readiness funding increase			[99,500]	[99,500]	
	Spares				[11,400]	
100	SHIP OPERATIONS SUPPORT & TRAINING	734,852	734,852	796,252		734,852
	Readiness funding increase			[61,400]		
110	SHIP DEPOT MAINTENANCE	5,191,511	5,191,511	5,197,211		5,191,511
	Readiness funding increase			[5,700]		
120	SHIP DEPOT OPERATIONS SUPPORT	1,351,274	1,351,274	1,477,474	30,000	1,381,274
	Readiness funding increase			[126,200]	[30,000]	
130	COMBAT COMMUNICATIONS	701,316	691,722	701,316		701,316
	New START treaty implementation, excluding verification and inspection activities		[— 9,594]			
140	ELECTRONIC WARFARE	97,710	97,710	97,710		97,710
150	SPACE SYSTEMS AND SURVEILLANCE	172,330	172,330	172,330		172,330
160	WARFARE TACTICS	454,682	454,682	454,682		454,682
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	328,406	328,406	328,406		328,406
180	COMBAT SUPPORT FORCES	946,429	946,429	946,429	136,868	1,083,297
	Navy Unfunded Requirement for Navy Expeditionary Combat Enterprise Reset/Depot				[148,000]	
	Unjustified growth for human resources functions				[— 11,132]	
190	EQUIPMENT MAINTENANCE	142,249	148,249	142,249		142,249
	Corrosion Prevention, Control, and Mitigation		[6,000]			
200	DEPOT OPERATIONS SUPPORT	2,603	2,603	3,263		2,603
	Readiness funding increase			[660]		
210	COMBATANT COMMANDERS CORE OPERATIONS	102,970	102,970	102,970		102,970
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	199,128	199,128	196,128		199,128
	Classified program decrease			[— 3,000]		
230	CRUISE MISSILE	92,671	92,671	92,671		92,671
240	FLEET BALLISTIC MISSILE	1,193,188	1,193,188	1,193,188		1,193,188
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	105,985	105,985	105,985		105,985
260	WEAPONS MAINTENANCE	532,627	532,627	532,627		532,627
270	OTHER WEAPON SYSTEMS SUPPORT	304,160	304,160	304,160		304,160
280	ENTERPRISE INFORMATION	1,011,528	1,011,528	1,011,528		1,011,528
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	1,996,821	2,182,021	2,096,821	136,000	2,132,821
	Readiness funding increase		[185,200]	[100,000]	[136,000]	
300	BASE OPERATING SUPPORT	4,460,918	4,460,918	4,460,918		4,460,918

SEC. 4301. OPERATION AND MAINTENANCE
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Line	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	SUBTOTAL OPERATING FORCES	32,610,122	32,860,228	33,044,890	486,268	33,096,390
	MOBILIZATION					
310	SHIP PREPOSITIONING AND SURGE	331,576	331,576	331,576		331,576
320	AIRCRAFT ACTIVATIONS/INACTIVATIONS	6,638	6,638	6,638		6,638
330	SHIP ACTIVATIONS/INACTIVATIONS	222,752	222,752	222,752		222,752
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	73,310	73,310	73,310		73,310
350	INDUSTRIAL READINESS	2,675	2,675	2,675		2,675
360	COAST GUARD SUPPORT	23,794	23,794	23,794		23,794
	SUBTOTAL MOBILIZATION	660,745	660,745	660,745		660,745
	TRAINING AND RECRUITING					
370	OFFICER ACQUISITION	148,516	148,516	148,516		148,516
380	RECRUIT TRAINING	9,384	9,384	9,384		9,384
390	RESERVE OFFICERS TRAINING CORPS	139,876	139,876	139,876		139,876
400	SPECIALIZED SKILL TRAINING	630,069	630,069	630,069		630,069
410	FLIGHT TRAINING	9,294	9,294	9,294		9,294
420	PROFESSIONAL DEVELOPMENT EDUCATION	169,082	169,082	169,082		169,082
430	TRAINING SUPPORT	164,368	164,368	164,368		164,368
440	RECRUITING AND ADVERTISING	241,733	242,833	241,733	1,100	242,833
	Naval Sea Cadets		[1,100]		[1,100]	
450	OFF-DUTY AND VOLUNTARY EDUCATION	139,815	139,815	139,815		139,815
460	CIVILIAN EDUCATION AND TRAINING	94,632	94,632	94,632		94,632
470	JUNIOR ROTC	51,373	51,373	51,373		51,373
	SUBTOTAL TRAINING AND RECRUITING	1,798,142	1,799,242	1,798,142	1,100	1,799,242
	ADMIN & SRVWD ACTIVITIES					
480	ADMINISTRATION	886,088	886,088	886,088		886,088
490	EXTERNAL RELATIONS	13,131	13,131	13,131		13,131
500	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	115,742	115,742	115,742		115,742
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	382,150	382,150	382,150		382,150
520	OTHER PERSONNEL SUPPORT	268,403	268,403	268,403		268,403
530	SERVICEWIDE COMMUNICATIONS	317,293	317,293	317,293		317,293
550	SERVICEWIDE TRANSPORTATION	207,128	207,128	207,128		207,128
570	PLANNING, ENGINEERING AND DESIGN	295,855	295,855	295,855		295,855
580	ACQUISITION AND PROGRAM MANAGEMENT	1,140,484	1,140,484	1,140,484		1,140,484
590	HULL, MECHANICAL AND ELECTRICAL SUPPORT	52,873	52,873	52,873		52,873
600	COMBAT/WEAPONS SYSTEMS	27,587	27,587	27,587		27,587
610	SPACE AND ELECTRONIC WARFARE SYSTEMS	75,728	75,728	75,728		75,728
620	NAVAL INVESTIGATIVE SERVICE	543,026	543,026	543,026		543,026
680	INTERNATIONAL HEADQUARTERS AND AGENCIES	4,965	4,965	4,965		4,965
705	CLASSIFIED PROGRAMS	545,775	545,775	545,775		545,775
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	4,876,228	4,876,228	4,876,228		4,876,228
	UNDISTRIBUTED					
710	UNDISTRIBUTED		— 278,200		— 30,000	— 30,000
	Average civilian end strength above projection		[— 38,500]		[— 30,000]	
	Unobligated balances		[— 239,700]			
	SUBTOTAL UNDISTRIBUTED		— 278,200		— 30,000	— 30,000
	TOTAL OPERATION & MAINTENANCE, NAVY	39,945,237	39,918,243	40,380,005	457,368	40,402,605
	OPERATION & MAINTENANCE, MARINE CORPS					
	OPERATING FORCES					
010	OPERATIONAL FORCES	837,012	926,012	837,012	75,000	912,012
	Crisis Response Force		[40,600]		[40,000]	
	Marine Security Guard		[48,400]		[35,000]	
020	FIELD LOGISTICS	894,555	898,555	894,555		894,555
	Corrosion Prevention, Control, and Mitigation		[4,000]			
030	DEPOT MAINTENANCE	223,337	221,337	279,337	56,000	279,337
	Readiness funding increase			[56,000]	[56,000]	
	Unjustified Growth HUMVEE Modifications		[— 2,000]			
040	MARITIME PREPOSITIONING	97,878	97,878	97,878		97,878

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
050	SUSTAINMENT, RESTORATION & MODERNIZATION	774,619	781,719	774,619		774,619
	Sustainment to 90%		[7,100]			
060	BASE OPERATING SUPPORT	2,166,661	2,166,661	2,166,661		2,166,661
	SUBTOTAL OPERATING FORCES	4,994,062	5,092,162	5,050,062	131,000	5,125,062
	TRAINING AND RECRUITING					
070	RECRUIT TRAINING	17,693	17,693	17,693		17,693
080	OFFICER ACQUISITION	896	896	896		896
090	SPECIALIZED SKILL TRAINING	100,806	100,806	100,806		100,806
100	PROFESSIONAL DEVELOPMENT EDUCATION	46,928	46,928	46,928		46,928
110	TRAINING SUPPORT	356,426	356,426	356,426		356,426
120	RECRUITING AND ADVERTISING	179,747	179,747	179,747		179,747
130	OFF-DUTY AND VOLUNTARY EDUCATION	52,255	52,255	52,255		52,255
140	JUNIOR ROTC	23,138	23,138	23,138		23,138
	SUBTOTAL TRAINING AND RECRUITING	777,889	777,889	777,889		777,889
	ADMIN & SRVWD ACTIVITIES					
150	SERVICEWIDE TRANSPORTATION	43,816	43,816	43,816		43,816
160	ADMINISTRATION	305,107	305,107	305,107		305,107
180	ACQUISITION AND PROGRAM MANAGEMENT	87,500	87,500	87,500		87,500
185	CLASSIFIED PROGRAMS	46,276	46,276	46,276		46,276
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	482,699	482,699	482,699		482,699
	UNDISTRIBUTED					
190	UNDISTRIBUTED		— 50,000			0
	Unobligated balances		[— 50,000]			
	SUBTOTAL UNDISTRIBUTED		— 50,000			0
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	6,254,650	6,302,750	6,310,650	131,000	6,385,650
	OPERATION & MAINTENANCE, NAVY RES					
	OPERATING FORCES					
010	MISSION AND OTHER FLIGHT OPERATIONS	586,620	586,620	588,520	1,900	588,520
	Readiness funding increase			[1,900]	[1,900]	
020	INTERMEDIATE MAINTENANCE	7,008	7,008	7,008		7,008
040	AIRCRAFT DEPOT MAINTENANCE	100,657	100,657	109,557	8,900	109,557
	Readiness funding increase			[8,900]	[8,900]	
050	AIRCRAFT DEPOT OPERATIONS SUPPORT	305	305	305		305
060	AVIATION LOGISTICS	3,927	3,927	3,927		3,927
070	MISSION AND OTHER SHIP OPERATIONS	75,933	75,933	75,933		75,933
080	SHIP OPERATIONS SUPPORT & TRAINING	601	601	601		601
090	SHIP DEPOT MAINTENANCE	44,364	44,364	44,364		44,364
100	COMBAT COMMUNICATIONS	15,477	15,477	15,477		15,477
110	COMBAT SUPPORT FORCES	115,608	115,608	115,608		115,608
120	WEAPONS MAINTENANCE	1,967	1,967	1,967		1,967
130	ENTERPRISE INFORMATION	43,726	43,726	43,726		43,726
140	SUSTAINMENT, RESTORATION AND MODERNIZATION	69,011	74,011	69,011	5,000	74,011
	Sustainment to 90%		[5,000]		[5,000]	
150	BASE OPERATING SUPPORT	109,604	109,604	109,604		109,604
	SUBTOTAL OPERATING FORCES	1,174,808	1,179,808	1,185,608	15,800	1,190,608
	ADMIN & SRVWD ACTIVITIES					
160	ADMINISTRATION	2,905	2,905	2,905		2,905
170	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	14,425	14,425	14,425		14,425
180	SERVICEWIDE COMMUNICATIONS	2,485	2,485	2,485		2,485
190	ACQUISITION AND PROGRAM MANAGEMENT	3,129	3,129	3,129		3,129
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	22,944	22,944	22,944		22,944
	TOTAL OPERATION & MAINTENANCE, NAVY RES	1,197,752	1,202,752	1,208,552	15,800	1,213,552
	OPERATION & MAINTENANCE, MC RESERVE					
	OPERATING FORCES					
010	OPERATING FORCES	96,244	96,244	96,244		96,244

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
020	DEPOT MAINTENANCE	17,581	19,081	17,581		17,581
	Restore Critical Depot Maintenance		[1,500]			
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	32,438	32,738	32,438	300	32,738
	Sustainment to 90%		[300]		[300]	
040	BASE OPERATING SUPPORT	95,259	95,259	95,259		95,259
	SUBTOTAL OPERATING FORCES	241,522	243,322	241,522	300	241,822
ADMIN & SRVWD ACTIVITIES						
050	SERVICEWIDE TRANSPORTATION	894	894	894		894
060	ADMINISTRATION	11,743	11,743	11,743		11,743
070	RECRUITING AND ADVERTISING	9,158	9,158	9,158		9,158
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	21,795	21,795	21,795		21,795
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	263,317	265,117	263,317	300	263,617
OPERATION & MAINTENANCE, AIR FORCE						
OPERATING FORCES						
010	PRIMARY COMBAT FORCES	3,295,814	3,295,814	3,515,814	146,800	3,442,614
	Readiness funding increase			[220,000]	[146,800]	
020	COMBAT ENHANCEMENT FORCES	1,875,095	1,875,095	1,875,095		1,875,095
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,559,109	1,559,109	1,589,109	20,000	1,579,109
	Increase for ranges			[30,000]	[20,000]	
040	DEPOT MAINTENANCE	5,956,304	5,961,304	6,146,304	190,000	6,146,304
	Corrosion Prevention, Control, and Mitigation		[5,000]			
	Readiness funding increase			[190,000]	[190,000]	
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,834,424	2,224,454	1,909,424	100,314	1,934,738
	Readiness funding increase		[219,500]	[75,000]	[100,314]	
	Restoration, Modernization, and Demolition project shortfalls		[170,530]			
060	BASE SUPPORT	2,779,811	2,779,811	2,779,811		2,779,811
070	GLOBAL C3I AND EARLY WARNING	913,841	913,841	913,841	– 2,512	911,329
	Remove program growth for foreign currency fluctuation				[– 2,512]	
080	OTHER COMBAT OPS SPT PROGRAMS	916,837	916,837	916,837		916,837
100	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	720,349	720,349	720,349		720,349
110	LAUNCH FACILITIES	305,275	305,275	305,275		305,275
120	SPACE CONTROL SYSTEMS	433,658	433,658	433,658		433,658
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	1,146,016	1,147,116	1,123,616		1,146,016
	Classified program decrease			[– 22,400]		
	NORTHCOM VOICE program		[1,100]			
140	COMBATANT COMMANDERS CORE OPERATIONS	231,830	231,830	231,830		231,830
	SUBTOTAL OPERATING FORCES	21,968,363	22,364,493	22,460,963	454,602	22,422,965
MOBILIZATION						
150	AIRLIFT OPERATIONS	2,015,902	2,015,902	2,015,902		2,015,902
160	MOBILIZATION PREPAREDNESS	147,216	147,216	147,216		147,216
170	DEPOT MAINTENANCE	1,556,232	1,556,232	1,556,232		1,556,232
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	167,402	167,402	167,402		167,402
190	BASE SUPPORT	707,040	707,040	707,040		707,040
	SUBTOTAL MOBILIZATION	4,593,792	4,593,792	4,593,792		4,593,792
TRAINING AND RECRUITING						
200	OFFICER ACQUISITION	102,334	102,334	102,334		102,334
210	RECRUIT TRAINING	17,733	17,733	17,733		17,733
220	RESERVE OFFICERS TRAINING CORPS (ROTC)	94,600	94,600	94,600		94,600
230	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	217,011	217,011	217,011		217,011
240	BASE SUPPORT	800,327	800,327	800,327		800,327
250	SPECIALIZED SKILL TRAINING	399,364	399,364	399,364		399,364
260	FLIGHT TRAINING	792,275	792,275	792,275		792,275
270	PROFESSIONAL DEVELOPMENT EDUCATION	248,958	248,958	248,958		248,958
280	TRAINING SUPPORT	106,741	106,741	106,741		106,741
290	DEPOT MAINTENANCE	319,331	319,331	339,331	20,000	339,331
	Readiness funding increase			[20,000]	[20,000]	
300	RECRUITING AND ADVERTISING	122,736	122,736	122,736		122,736
310	EXAMINING	3,679	3,679	3,679		3,679

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
320	OFF-DUTY AND VOLUNTARY EDUCATION	137,255	137,255	137,255		137,255
330	CIVILIAN EDUCATION AND TRAINING	176,153	176,153	176,153		176,153
340	JUNIOR ROTC	67,018	67,018	67,018		67,018
	SUBTOTAL TRAINING AND RECRUITING	3,605,515	3,605,515	3,625,515	20,000	3,625,515
	ADMIN & SRVWD ACTIVITIES					
350	LOGISTICS OPERATIONS	1,103,684	1,103,684	1,103,684		1,103,684
360	TECHNICAL SUPPORT ACTIVITIES	919,923	919,923	919,923		919,923
370	DEPOT MAINTENANCE	56,601	52,601	56,601		56,601
	Heavy bomber eliminations related to New START treaty implementation ..		[- 400]			
	ICBM reductions related to New START implementation		[- 3,600]			
380	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	281,061	281,061	281,061		281,061
390	BASE SUPPORT	1,203,305	1,203,305	1,203,305	- 5,177	1,198,128
	Unjustified increase for public-private competitions				[- 5,177]	
400	ADMINISTRATION	593,865	593,865	593,865		593,865
410	SERVICEWIDE COMMUNICATIONS	574,609	574,609	574,609		574,609
420	OTHER SERVICEWIDE ACTIVITIES	1,028,600	1,013,200	1,028,600		1,028,600
	De-MIRVing ICBMs related to New START treaty implementation		[- 700]			
	ICBM eliminations and Environmental Impact Study related to New START treaty implementation		[- 14,700]			
430	CIVIL AIR PATROL	24,720	24,720	24,720		24,720
460	INTERNATIONAL SUPPORT	89,008	89,008	89,008		89,008
465	CLASSIFIED PROGRAMS	1,227,796	1,222,996	1,227,796		1,227,796
	Classified Adjustment		[- 4,800]			
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	7,103,172	7,078,972	7,103,172	- 5,177	7,097,995
	UNDISTRIBUTED					
470	UNDISTRIBUTED		- 205,100		- 200,000	- 200,000
	Average civilian end strength above projection		[- 18,700]		[- 200,000]	
	Unobligated balances		[- 186,400]			
	SUBTOTAL UNDISTRIBUTED		- 205,100		- 200,000	- 200,000
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	37,270,842	37,437,672	37,783,442	269,425	37,540,267
	OPERATION & MAINTENANCE, AF RESERVE					
	OPERATING FORCES					
010	PRIMARY COMBAT FORCES	1,857,951	1,857,951	1,857,951		1,857,951
020	MISSION SUPPORT OPERATIONS	224,462	224,462	224,462	- 4,400	220,062
	Unjustified growth in civilian personnel compensation				[- 4,400]	
030	DEPOT MAINTENANCE	521,182	521,182	521,182		521,182
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	89,704	98,804	98,404	8,970	98,674
	Readiness funding increase		[9,100]	[8,700]	[8,970]	
050	BASE SUPPORT	360,836	360,836	360,836		360,836
	SUBTOTAL OPERATING FORCES	3,054,135	3,063,235	3,062,835	4,570	3,058,705
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES					
060	ADMINISTRATION	64,362	64,362	64,362		64,362
070	RECRUITING AND ADVERTISING	15,056	15,056	15,056		15,056
080	MILITARY MANPOWER AND PERS MGMT (ARPC)	23,617	23,617	23,617		23,617
090	OTHER PERS SUPPORT (DISABILITY COMP)	6,618	6,618	6,618		6,618
100	AUDIOVISUAL	819	819	819		819
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	110,472	110,472	110,472		110,472
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	3,164,607	3,173,707	3,173,307	4,570	3,169,177
	OPERATION & MAINTENANCE, ANG					
	OPERATING FORCES					
010	AIRCRAFT OPERATIONS	3,371,871	3,371,871	3,371,871		3,371,871
020	MISSION SUPPORT OPERATIONS	720,305	720,305	720,305		720,305
030	DEPOT MAINTENANCE	1,514,870	1,514,870	1,514,870		1,514,870
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	296,953	323,853	325,153	28,200	325,153
	Readiness funding increase		[26,900]	[28,200]	[28,200]	
050	BASE SUPPORT	597,303	597,303	597,303		597,303

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	SUBTOTAL OPERATING FORCES	6,501,302	6,528,202	6,529,502	28,200	6,529,502
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES					
060	ADMINISTRATION	32,117	32,117	32,117		32,117
070	RECRUITING AND ADVERTISING	32,585	32,585	32,585		32,585
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	64,702	64,702	64,702		64,702
	TOTAL OPERATION & MAINTENANCE, ANG	6,566,004	6,592,904	6,594,204	28,200	6,594,204
	OPERATION & MAINTENANCE, DEFENSE-WIDE					
	OPERATING FORCES					
010	JOINT CHIEFS OF STAFF	472,239	472,239	472,239		472,239
020	SPECIAL OPERATIONS COMMAND	5,261,463	5,230,711	5,239,663	− 27,852	5,233,611
	AFSOC Flying Hour Program		[70,100]		[70,100]	
	International SOF Information Sharing System		[− 7,017]		[− 7,017]	
	Ongoing baseline contingency operations		[− 35,519]		[− 35,519]	
	Other Operations—military construction collateral equipment non-recuring costs				[− 5,000]	
	Pilot program for SOF family members		[5,000]		[5,000]	
	Preserve the force and families—human performance program		[− 16,605]		[− 11,605]	
	Preserve the force and families—resiliency		[− 8,786]		[− 8,786]	
	Realignment of NATO Special Operations Headquarters to O&M, Army		[− 31,200]		[− 31,200]	
	Regional SOF Coordination Centers		[− 14,725]		[− 14,725]	
	USASOC Flying Hour Program		[18,000]		[18,000]	
	USSOCOM NCR Contractor Support		[− 10,000]	[− 7,100]	[− 7,100]	
	USSOCOM RSCC			[− 14,700]		
	SUBTOTAL OPERATING FORCES	5,733,702	5,702,950	5,711,902	− 27,852	5,705,850
	TRAINING AND RECRUITING					
040	DEFENSE ACQUISITION UNIVERSITY	157,397	157,397	157,397		157,397
050	NATIONAL DEFENSE UNIVERSITY	84,899	84,899	84,899		84,899
	SUBTOTAL TRAINING AND RECRUITING	242,296	242,296	242,296		242,296
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES					
060	CIVIL MILITARY PROGRAMS	144,443	165,443	166,142	21,699	166,142
	STARBASE		[21,000]	[21,699]	[21,699]	
080	DEFENSE CONTRACT AUDIT AGENCY	612,207	612,207	612,207	− 29,000	583,207
	Overestimation of Civilian Full Time Equivalent Targets				[− 29,000]	
090	DEFENSE CONTRACT MANAGEMENT AGENCY	1,378,606	1,378,606	1,378,606	− 59,000	1,319,606
	Overestimation of Civilian Full Time Equivalent Targets				[− 59,000]	
110	DEFENSE HUMAN RESOURCES ACTIVITY	763,091	763,091	763,091		763,091
120	DEFENSE INFORMATION SYSTEMS AGENCY	1,326,243	1,326,243	1,326,243		1,326,243
140	DEFENSE LEGAL SERVICES AGENCY	29,933	29,933	29,933		29,933
150	DEFENSE LOGISTICS AGENCY	462,545	462,545	462,545	− 11,028	451,517
	Cost of DISA computing service rates				[− 11,028]	
160	DEFENSE MEDIA ACTIVITY	222,979	222,979	222,979		222,979
170	DEFENSE POW/MIA OFFICE	21,594	21,594	21,594		21,594
180	DEFENSE SECURITY COOPERATION AGENCY	788,389	788,389	769,389	− 26,800	761,589
	Combating terrorism fellowship program			[− 7,000]	[− 7,000]	
	Global Train and Equip				[− 7,800]	
	Regional centers for security centers—undistributed decrease			[− 12,000]	[− 12,000]	
190	DEFENSE SECURITY SERVICE	546,603	546,603	546,603		546,603
210	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	35,151	35,151	35,151		35,151
220	DEFENSE THREAT REDUCTION AGENCY	438,033	438,033	438,033		438,033
240	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,713,756	2,713,756	2,743,756		2,713,756
	Disability Impact Aid			[5,000]		
	Supplemental Impact Aid			[25,000]		
250	MISSILE DEFENSE AGENCY	256,201	256,201	256,201	− 1,400	254,801
	THAAD excess to requirement				[− 1,400]	
270	OFFICE OF ECONOMIC ADJUSTMENT	371,615	217,715	98,315	− 153,900	217,715
	Program decrease			[− 273,300]	[− 273,300]	
	Program reduction		[− 153,900]			

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	Rephasing of Guam civilian water and waste water infrastructure projects				[119,400]	
280	OFFICE OF THE SECRETARY OF DEFENSE	2,010,176	1,922,676	2,003,176	— 15,000	1,995,176
	BRAC 2015 Initiative		[— 8,000]		[— 8,000]	
	Combatant Commanders Exercise Engagement Training Transformation ...		[90,500]			
	OUSD(P) program decrease		[— 10,000]	[— 7,000]	[— 7,000]	
	Procurement Technical Assistance Program—Enhanced Business Support Program decrease		[10,000]			
	Realignment to Building Partnership Capacity authorities		[— 60,000]			
	Reduction to Building Partnership Capacity authorities		[— 35,000]			
	Reduction to Building Partnership Capacity authorities		[— 75,000]			
290	WASHINGTON HEADQUARTERS SERVICES	616,572	616,572	616,572	— 5,000	611,572
	Price Growth Requested as Program Growth				[— 5,000]	
295	CLASSIFIED PROGRAMS	14,283,558	14,287,648	14,308,558	40,000	14,323,558
	Classified adjustment		[4,090]		[10,000]	
	Increase to Operation Observant Compass			[40,000]	[30,000]	
	Reduction to Operation Observant Compass			[— 15,000]		
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	27,021,695	26,805,385	26,799,094	— 239,429	26,782,266
	UNDISTRIBUTED					
305	UNDISTRIBUTED		— 320,000		30,000	30,000
	Impact Aid		[25,000]		[25,000]	
	Impact Aid for Children with Severe Disabilities		[5,000]		[5,000]	
	Section 514. Study of Reserve Component General and Flag Officers		[3,000]			
	Section 621. Expand the victims transitional compensation benefit		[10,000]			
	Unobligated balances		[— 363,000]			
	SUBTOTAL UNDISTRIBUTED		— 320,000		30,000	30,000
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	32,997,693	32,430,631	32,753,292	— 237,281	32,760,412
	MISCELLANEOUS APPROPRIATIONS					
040	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	13,606	12,626	13,606		13,606
	Unjustified Growth		[— 980]			
050	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	109,500	109,500	109,500		109,500
060	COOPERATIVE THREAT REDUCTION	528,455	528,455	528,455		528,455
080	ACQ WORKFORCE DEV FD	256,031	256,031	256,031	— 124,700	131,331
	Program decrease				[— 124,700]	
090	ENVIRONMENTAL RESTORATION, ARMY	298,815	298,815	298,815		298,815
100	ENVIRONMENTAL RESTORATION, NAVY	316,103	316,103	316,103		316,103
110	ENVIRONMENTAL RESTORATION, AIR FORCE	439,820	439,820	439,820		439,820
120	ENVIRONMENTAL RESTORATION, DEFENSE	10,757	10,757	10,757		10,757
130	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	237,443	237,443	237,443		237,443
160	OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND	5,000		5,000	— 5,000	0
	Program reduction		[— 5,000]		[— 5,000]	
	TOTAL MISCELLANEOUS APPROPRIATIONS	2,215,530	2,209,550	2,215,530	— 129,700	2,085,830
	TOTAL OPERATION & MAINTENANCE	175,097,941	174,602,459	176,631,808	1,322,485	176,420,426

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
	OPERATION & MAINTENANCE, ARMY					
	OPERATING FORCES					
010	MANEUVER UNITS	217,571	247,571	217,571		217,571
	Missile Defense Deployment—Other		[15,000]			
	Missile Defense Deployment to Turkey		[15,000]			
020	MODULAR SUPPORT BRIGADES	8,266	8,266	8,266		8,266
030	ECHELONS ABOVE BRIGADE	56,626	56,626	56,626		56,626
040	THEATER LEVEL ASSETS	4,209,942	4,209,942	4,209,942		4,209,942

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
050	LAND FORCES OPERATIONS SUPPORT	950,567	950,567	943,567		950,567
	NSHQ—Transfer at DoD Request			[– 7,000]		
060	AVIATION ASSETS	474,288	474,288	474,288		474,288
070	FORCE READINESS OPERATIONS SUPPORT	1,349,152	1,349,152	1,485,452		1,349,152
	BuckEye terrain data increase			[56,300]		
	Transfer from JIEDDO—Train the Force			[80,000]		
080	LAND FORCES SYSTEMS READINESS	655,000	655,000	655,000		655,000
090	LAND FORCES DEPOT MAINTENANCE	301,563	796,563	301,563		301,563
	Restore High Priority Depot Maintenance		[495,000]			
100	BASE OPERATIONS SUPPORT	706,214	706,214	706,214		706,214
140	ADDITIONAL ACTIVITIES	11,519,498	11,519,498	11,519,498		11,519,498
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	60,000	60,000	60,000		60,000
160	RESET	2,240,358	3,740,358	2,240,358	1,100,000	3,340,358
	Restore Critical Army Reset		[1,500,000]		[1,100,000]	
	SUBTOTAL OPERATING FORCES	22,749,045	24,774,045	22,878,345	1,100,000	23,849,045
	ADMIN & SRVWIDE ACTIVITIES					
350	SERVICEWIDE TRANSPORTATION	4,601,356	4,601,356	4,601,356		4,601,356
380	AMMUNITION MANAGEMENT	17,418	17,418	17,418		17,418
400	SERVICEWIDE COMMUNICATIONS	110,000	110,000	110,000		110,000
420	OTHER PERSONNEL SUPPORT	94,820	94,820	94,820		94,820
430	OTHER SERVICE SUPPORT	54,000	54,000	54,000		54,000
450	REAL ESTATE MANAGEMENT	250,000	250,000	250,000		250,000
525	CLASSIFIED PROGRAMS	1,402,994	1,402,994	1,402,994		1,402,994
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	6,530,588	6,530,588	6,530,588		6,530,588
	UNDISTRIBUTED					
530	UNDISTRIBUTED		91,100			
	Increase to support higher fuel rates		[91,100]			
	SUBTOTAL UNDISTRIBUTED		91,100			
	TOTAL OPERATION & MAINTENANCE, ARMY	29,279,633	31,395,733	29,408,933	1,100,000	30,379,633
	OPERATION & MAINTENANCE, ARMY RES					
	OPERATING FORCES					
030	ECHELONS ABOVE BRIGADE	6,995	6,995	6,995		6,995
050	LAND FORCES OPERATIONS SUPPORT	2,332	2,332	2,332		2,332
070	FORCE READINESS OPERATIONS SUPPORT	608	608	608		608
090	LAND FORCES DEPOT MAINTENANCE		75,800			
	Restore High Priority Depot Maintenance		[75,800]			
100	BASE OPERATIONS SUPPORT	33,000	33,000	33,000		33,000
	SUBTOTAL OPERATING FORCES	42,935	118,735	42,935		42,935
	TOTAL OPERATION & MAINTENANCE, ARMY RES	42,935	118,735	42,935		42,935
	OPERATION & MAINTENANCE, ARNG					
	OPERATING FORCES					
010	MANEUVER UNITS	29,314	29,314	29,314		29,314
020	MODULAR SUPPORT BRIGADES	1,494	1,494	1,494		1,494
030	ECHELONS ABOVE BRIGADE	15,343	15,343	15,343		15,343
040	THEATER LEVEL ASSETS	1,549	1,549	1,549		1,549
060	AVIATION ASSETS	64,504	64,504	64,504		64,504
070	FORCE READINESS OPERATIONS SUPPORT	31,512	31,512	31,512		31,512
100	BASE OPERATIONS SUPPORT	42,179	42,179	42,179		42,179
120	MANAGEMENT AND OPERATIONAL HQ'S	11,996	11,996	11,996		11,996
	SUBTOTAL OPERATING FORCES	197,891	197,891	197,891		197,891
	ADMIN & SRVWD ACTIVITIES					
160	SERVICEWIDE COMMUNICATIONS	1,480	1,480	1,480		1,480
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	1,480	1,480	1,480		1,480
	TOTAL OPERATION & MAINTENANCE, ARNG	199,371	199,371	199,371		199,371

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
AFGHANISTAN SECURITY FORCES FUND						
MINISTRY OF DEFENSE						
010	SUSTAINMENT	2,735,603	2,735,603	2,735,603		2,735,603
020	INFRASTRUCTURE	278,650	278,650	278,650		278,650
030	EQUIPMENT AND TRANSPORTATION	2,180,382	2,180,382	2,180,382		2,180,382
040	TRAINING AND OPERATIONS	626,550	626,550	626,550		626,550
	SUBTOTAL MINISTRY OF DEFENSE	5,821,185	5,821,185	5,821,185		5,821,185
MINISTRY OF INTERIOR						
060	SUSTAINMENT	1,214,995	1,214,995	1,214,995		1,214,995
080	EQUIPMENT AND TRANSPORTATION	54,696	54,696	54,696		54,696
090	TRAINING AND OPERATIONS	626,119	626,119	626,119		626,119
	SUBTOTAL MINISTRY OF INTERIOR	1,895,810	1,895,810	1,895,810		1,895,810
DETAINEE OPS						
110	SUSTAINMENT	7,225	7,225	7,225		7,225
140	TRAINING AND OPERATIONS	2,500	2,500	2,500		2,500
	SUBTOTAL DETAINEE OPS	9,725	9,725	9,725		9,725
UNDISTRIBUTED						
160	UNDISTRIBUTED				— 1,500,000	— 1,500,000
	Program decrease				[— 1,500,000]	
	SUBTOTAL UNDISTRIBUTED				— 1,500,000	— 1,500,000
	TOTAL AFGHANISTAN SECURITY FORCES FUND	7,726,720	7,726,720	7,726,720	— 1,500,000	6,226,720
AFGHANISTAN INFRASTRUCTURE FUND						
AFGHANISTAN INFRASTRUCTURE FUND						
010	POWER	279,000	279,000	250,000	— 29,000	250,000
	Unjustified expenditure			[— 29,000]	[— 29,000]	
	SUBTOTAL AFGHANISTAN INFRASTRUCTURE FUND	279,000	279,000	250,000	— 29,000	250,000
	TOTAL AFGHANISTAN INFRASTRUCTURE FUND	279,000	279,000	250,000	— 29,000	250,000
OPERATION & MAINTENANCE, NAVY						
OPERATING FORCES						
010	MISSION AND OTHER FLIGHT OPERATIONS	845,169	845,169	845,169		845,169
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	600	600	600		600
040	AIR OPERATIONS AND SAFETY SUPPORT	17,489	17,489	17,489		17,489
050	AIR SYSTEMS SUPPORT	78,491	78,491	78,491		78,491
060	AIRCRAFT DEPOT MAINTENANCE	162,420	202,420	162,420		162,420
	Restore critical depot maintenance		[40,000]			
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	2,700	2,700	2,700		2,700
080	AVIATION LOGISTICS	50,130	50,130	50,130		50,130
090	MISSION AND OTHER SHIP OPERATIONS	949,539	960,939	949,539		949,539
	Spares		[11,400]			
100	SHIP OPERATIONS SUPPORT & TRAINING	20,226	20,226	20,226		20,226
110	SHIP DEPOT MAINTENANCE	1,679,660	1,843,660	1,679,660		1,679,660
	Program increase		[164,000]			
120	SHIP DEPOT OPERATIONS SUPPORT		126,000			
	Program increase		[126,000]			
130	COMBAT COMMUNICATIONS	37,760	37,760	37,760		37,760
160	WARFARE TACTICS	25,351	25,351	25,351		25,351
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	20,045	20,045	20,045		20,045
180	COMBAT SUPPORT FORCES	1,212,296	1,665,296	1,212,296		1,212,296
	Combat forces equipment		[148,000]			
	Combat forces shortfall		[305,000]			
190	EQUIPMENT MAINTENANCE	10,203	10,203	10,203		10,203
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT	127,972	127,972	127,972		127,972
260	WEAPONS MAINTENANCE	221,427	221,427	221,427		221,427
290	SUSTAINMENT, RESTORATION AND MODERNIZATION	13,386	13,386	13,386		13,386
300	BASE OPERATING SUPPORT	110,940	110,940	110,940		110,940
	SUBTOTAL OPERATING FORCES	5,585,804	6,380,204	5,585,804		5,585,804

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
MOBILIZATION						
340	EXPEDITIONARY HEALTH SERVICES SYSTEMS	18,460	18,460	18,460		18,460
360	COAST GUARD SUPPORT	227,033	227,033	227,033		227,033
	SUBTOTAL MOBILIZATION	245,493	245,493	245,493		245,493
TRAINING AND RECRUITING						
400	SPECIALIZED SKILL TRAINING	50,269	50,269	50,269		50,269
430	TRAINING SUPPORT	5,400	5,400	5,400		5,400
	SUBTOTAL TRAINING AND RECRUITING	55,669	55,669	55,669		55,669
ADMIN & SRVWD ACTIVITIES						
480	ADMINISTRATION	2,418	2,418	2,418		2,418
490	EXTERNAL RELATIONS	516	516	516		516
510	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	5,107	5,107	5,107		5,107
520	OTHER PERSONNEL SUPPORT	1,411	1,411	1,411		1,411
530	SERVICEMAN COMMUNICATIONS	2,545	2,545	2,545		2,545
550	SERVICEMAN TRANSPORTATION	153,427	153,427	153,427		153,427
580	ACQUISITION AND PROGRAM MANAGEMENT	8,570	8,570	8,570		8,570
620	NAVAL INVESTIGATIVE SERVICE	1,425	1,425	1,425		1,425
705	CLASSIFIED PROGRAMS	5,608	5,608	5,608		5,608
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	181,027	181,027	181,027		181,027
UNDISTRIBUTED						
710	UNDISTRIBUTED		155,400			
	Increase to support higher fuel rates		[155,400]			
	SUBTOTAL UNDISTRIBUTED		155,400			
	TOTAL OPERATION & MAINTENANCE, NAVY	6,067,993	7,017,793	6,067,993		6,067,993
OPERATION & MAINTENANCE, MARINE CORPS						
OPERATING FORCES						
010	OPERATIONAL FORCES	992,190	992,190	992,190		992,190
020	FIELD LOGISTICS	559,574	559,574	559,574		559,574
030	DEPOT MAINTENANCE	570,000	626,000	570,000		570,000
	Restore High Priority Depot Maintenance		[56,000]			
060	BASE OPERATING SUPPORT	69,726	69,726	69,726		69,726
	SUBTOTAL OPERATING FORCES	2,191,490	2,247,490	2,191,490		2,191,490
TRAINING AND RECRUITING						
110	TRAINING SUPPORT	108,270	108,270	134,270		108,270
	Transfer from JIEDDO—Train the Force			[26,000]		
	SUBTOTAL TRAINING AND RECRUITING	108,270	108,270	134,270		108,270
ADMIN & SRVWD ACTIVITIES						
150	SERVICEMAN TRANSPORTATION	365,555	365,555	365,555		365,555
160	ADMINISTRATION	3,675	3,675	3,675		3,675
185	CLASSIFIED PROGRAMS	825	825	825		825
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	370,055	370,055	370,055		370,055
UNDISTRIBUTED						
190	UNDISTRIBUTED		5,400			
	Increase to support higher fuel rates		[5,400]			
	SUBTOTAL UNDISTRIBUTED		5,400			
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	2,669,815	2,731,215	2,695,815		2,669,815
OPERATION & MAINTENANCE, NAVY RES						
OPERATING FORCES						
010	MISSION AND OTHER FLIGHT OPERATIONS	17,196	17,196	17,196		17,196
020	INTERMEDIATE MAINTENANCE	200	200	200		200
040	AIRCRAFT DEPOT MAINTENANCE	6,000	6,000	6,000		6,000
070	MISSION AND OTHER SHIP OPERATIONS	12,304	12,304	12,304		12,304

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
090	SHIP DEPOT MAINTENANCE	6,790	6,790	6,790		6,790
110	COMBAT SUPPORT FORCES	13,210	13,210	13,210		13,210
	SUBTOTAL OPERATING FORCES	55,700	55,700	55,700		55,700
	TOTAL OPERATION & MAINTENANCE, NAVY RES	55,700	55,700	55,700		55,700
	OPERATION & MAINTENANCE, MC RESERVE					
	OPERATING FORCES					
010	OPERATING FORCES	11,124	11,124	11,124		11,124
040	BASE OPERATING SUPPORT	1,410	1,410	1,410		1,410
	SUBTOTAL OPERATING FORCES	12,534	12,534	12,534		12,534
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	12,534	12,534	12,534		12,534
	OPERATION & MAINTENANCE, AIR FORCE					
	OPERATING FORCES					
010	PRIMARY COMBAT FORCES	1,712,393	1,782,393	1,712,393		1,712,393
	Restore Critical Depot Maintenance		[70,000]			
020	COMBAT ENHANCEMENT FORCES	836,104	836,104	836,104		836,104
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	14,118	14,118	14,118		14,118
040	DEPOT MAINTENANCE	1,373,480	1,473,480	1,373,480		1,373,480
	Program increase		[100,000]			
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	122,712	122,712	122,712		122,712
060	BASE SUPPORT	1,520,333	1,520,333	1,520,333		1,520,333
070	GLOBAL C3I AND EARLY WARNING	31,582	31,582	31,582		31,582
080	OTHER COMBAT OPS SPT PROGRAMS	147,524	147,524	147,524		147,524
110	LAUNCH FACILITIES	857	857	857		857
120	SPACE CONTROL SYSTEMS	8,353	8,353	8,353		8,353
130	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	50,495	50,495	50,495		50,495
	SUBTOTAL OPERATING FORCES	5,817,951	5,987,951	5,817,951		5,817,951
	MOBILIZATION					
150	AIRLIFT OPERATIONS	3,091,133	3,141,133	3,091,133		3,091,133
	Restore Critical Depot Maintenance		[50,000]			
160	MOBILIZATION PREPAREDNESS	47,897	47,897	47,897		47,897
170	DEPOT MAINTENANCE	387,179	887,179	387,179	130,000	517,179
	Program increase		[500,000]		[130,000]	
180	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	7,043	7,043	7,043		7,043
190	BASE SUPPORT	68,382	68,382	68,382		68,382
	SUBTOTAL MOBILIZATION	3,601,634	4,151,634	3,601,634	130,000	3,731,634
	TRAINING AND RECRUITING					
200	OFFICER ACQUISITION	100	100	100		100
210	RECRUIT TRAINING	478	478	478		478
240	BASE SUPPORT	19,256	19,256	19,256		19,256
250	SPECIALIZED SKILL TRAINING	12,845	12,845	12,845		12,845
260	FLIGHT TRAINING	731	731	731		731
270	PROFESSIONAL DEVELOPMENT EDUCATION	607	607	607		607
280	TRAINING SUPPORT	720	720	720		720
320	OFF-DUTY AND VOLUNTARY EDUCATION	152	152	152		152
	SUBTOTAL TRAINING AND RECRUITING	34,889	34,889	34,889		34,889
	ADMIN & SRVWD ACTIVITIES					
350	LOGISTICS OPERATIONS	86,273	86,273	86,273		86,273
360	TECHNICAL SUPPORT ACTIVITIES	2,511	2,511	2,511		2,511
390	BASE SUPPORT	19,887	19,887	19,887		19,887
400	ADMINISTRATION	3,493	3,493	3,493		3,493
410	SERVICEWIDE COMMUNICATIONS	152,086	152,086	152,086		152,086
420	OTHER SERVICEWIDE ACTIVITIES	269,825	269,825	269,825		269,825
460	INTERNATIONAL SUPPORT	117	117	117		117
465	CLASSIFIED PROGRAMS	16,558	16,558	16,558		16,558
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	550,750	550,750	550,750		550,750

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
UNDISTRIBUTED						
470	UNDISTRIBUTED		284,000			
	Increase to support higher fuel rates		[284,000]			
	SUBTOTAL UNDISTRIBUTED		284,000			
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	10,005,224	11,009,224	10,005,224	130,000	10,135,224
OPERATION & MAINTENANCE, AF RESERVE						
OPERATING FORCES						
030	DEPOT MAINTENANCE	26,599	26,599	26,599		26,599
050	BASE SUPPORT	6,250	6,250	6,250		6,250
	SUBTOTAL OPERATING FORCES	32,849	32,849	32,849		32,849
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	32,849	32,849	32,849		32,849
OPERATION & MAINTENANCE, ANG						
OPERATING FORCES						
020	MISSION SUPPORT OPERATIONS	22,200	22,200	22,200		22,200
	SUBTOTAL OPERATING FORCES	22,200	22,200	22,200		22,200
	TOTAL OPERATION & MAINTENANCE, ANG	22,200	22,200	22,200		22,200
OPERATION & MAINTENANCE, DEFENSE-WIDE						
OPERATING FORCES						
020	SPECIAL OPERATIONS COMMAND	2,222,868	2,222,868	2,229,868		2,222,868
	NSHQ—Transfer at DoD Request			[7,000]		
	SUBTOTAL OPERATING FORCES	2,222,868	2,222,868	2,229,868		2,222,868
ADMINISTRATION AND SERVICEWIDE ACTIVITIES						
080	DEFENSE CONTRACT AUDIT AGENCY	27,781	27,781	27,781		27,781
090	DEFENSE CONTRACT MANAGEMENT AGENCY	45,746	45,746	45,746		45,746
120	DEFENSE INFORMATION SYSTEMS AGENCY	76,348	76,348	76,348		76,348
140	DEFENSE LEGAL SERVICES AGENCY	99,538	99,538	99,538		99,538
160	DEFENSE MEDIA ACTIVITY	9,620	9,620	9,620		9,620
180	DEFENSE SECURITY COOPERATION AGENCY	1,950,000	1,950,000	1,950,000		1,950,000
240	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	100,100	100,100	100,100		100,100
280	OFFICE OF THE SECRETARY OF DEFENSE	38,227	73,227	38,227		38,227
	Realignment to Building Partnership Capacity authorities		[35,000]			
290	WASHINGTON HEADQUARTERS SERVICES	2,784	2,784	2,784		2,784
295	CLASSIFIED PROGRAMS	1,862,066	1,862,066	1,862,066		1,862,066
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	4,212,210	4,247,210	4,212,210		4,212,210
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	6,435,078	6,470,078	6,442,078		6,435,078
	TOTAL OPERATION & MAINTENANCE	62,829,052	67,071,152	62,962,352	— 299,000	62,530,052

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Military Personnel Appropriations	130,399,881	130,219,281	130,129,881	— 682,900	129,716,981
Enlistment bonuses excess to requirement				[— 38,000]	
Excess to requirement				[— 64,300]	
Flight Paramedic Training Pay and Allowances—Army Guard		[4,500]			
Flight Paramedic Training Pay and Allowances—Army Reserve		[900]			
Full Time Pay and Allowances projected underexecution				[— 10,000]	
Full Time Support projected underexecution				[— 1,000]	
Military Personnel unobligated		[— 186,000]		[— 186,000]	

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Permanent Change of Station Travel—Army			[− 150,000]	[− 150,000]	
Recruiting and Retention programs excess to requirement				[− 1,800]	
Reenlistment bonuses excess to requirement				[− 68,300]	
Reserve Incentive Programs excess to requirement				[− 7,750]	
Travel, Active Duty for Training, projected underexecution				[− 18,000]	
Undistributed reduction consistent with pace of drawdown			[− 120,000]	[− 137,750]	
Medicare-Eligible Retiree Health Fund Contributions	6,676,750	6,676,750	6,676,750		6,676,750
Total, Military Personnel	137,076,631	136,896,031	136,806,631	− 682,900	136,393,731

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Military Personnel Appropriations	9,689,307	9,689,307	9,689,307	− 40,500	9,648,807
Projected underexecution				[− 40,500]	
Medicare-Eligible Retiree Health Fund Contributions	164,033	164,033	164,033		164,033
Total, Military Personnel	9,853,340	9,853,340	9,853,340	− 40,500	9,812,840

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
WORKING CAPITAL FUND, ARMY					
PREPOSITIONED WAR RESERVE STOCKS	25,158	25,158	25,158		25,158
TOTAL WORKING CAPITAL FUND, ARMY	25,158	25,158	25,158		25,158
WORKING CAPITAL FUND, AIR FORCE					
FUEL COSTS					
SUPPLIES AND MATERIALS (MEDICAL/DENTAL)	61,731	61,731	61,731		61,731
TOTAL WORKING CAPITAL FUND, AIR FORCE	61,731	61,731	61,731		61,731
WORKING CAPITAL FUND, DEFENSE-WIDE					
DEFENSE LOGISTICS AGENCY (DLA)	46,428	46,428	46,428		46,428
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	46,428	46,428	46,428		46,428
WORKING CAPITAL FUND, DECA					
WORKING CAPITAL FUND, DECA	1,412,510	1,412,510	1,412,510		1,412,510
TOTAL WORKING CAPITAL FUND, DECA	1,412,510	1,412,510	1,412,510		1,412,510
NATIONAL DEFENSE SEALIFT FUND					
LMSR					
MPF MLP	134,917	134,917	22,717	− 112,200	22,717
Navy requested adjustment			[− 112,200]	[− 112,200]	
POST DELIVERY AND OUTFITTING	43,404	43,404	43,404		43,404
NATIONAL DEF SEALIFT VESSEL					
LG MED SPD RO/RO MAINTENANCE	116,784	116,784	116,784		116,784
DOD MOBILIZATION ALTERATIONS	60,703	60,703	60,703		60,703
TAH MAINTENANCE	19,809	19,809	19,809		19,809
RESEARCH AND DEVELOPMENT	56,058	56,058	56,058		56,058
READY RESERVE FORCE	299,025	299,025	299,025		299,025
TOTAL NATIONAL DEFENSE SEALIFT FUND	730,700	730,700	618,500	− 112,200	618,500

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Program Title	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
CHEM AGENTS & MUNITIONS DESTRUCTION					
OPERATION & MAINTENANCE	451,572	451,572	451,572		451,572
RD&E	604,183	604,183	604,183		604,183
PROCUREMENT	1,368	1,368	1,368		1,368
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	1,057,123	1,057,123	1,057,123		1,057,123
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF					
OPERATING FORCES	815,965	815,965	810,125		815,965
Joint Interagency Task Force—West (PC3309)			[− 3,000]		
U.S. European Comman Counternarcotics Hedquarters Support (PC2346)			[− 1,640]		
U.S. Special Operations Forces Support to U.S. European Command (PC6505)			[− 1,200]		
DRUG DEMAND REDUCTION PROGRAM	122,580	122,580	122,580		122,580
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	938,545	938,545	932,705		938,545
OFFICE OF THE INSPECTOR GENERAL					
OPERATION AND MAINTENANCE	311,131	311,131	347,031	34,869	346,000
Program increase			[35,900]	[34,869]	
RD&E					
PROCUREMENT	1,000	1,000	1,000		1,000
TOTAL OFFICE OF THE INSPECTOR GENERAL	312,131	312,131	348,031	34,869	347,000
DEFENSE HEALTH PROGRAM					
IN-HOUSE CARE	8,880,738	8,880,738	8,880,738		8,880,738
PRIVATE SECTOR CARE	15,842,732	15,912,732	15,842,732	− 67,000	15,775,732
Behavioral health treatment of developmental disabilities		[60,000]			
Pharmaceutical drugs excess growth				[− 67,000]	
Pilot program for investigational treatment of members of the Armed Forces for TBI and PTSD		[10,000]			
CONSOLIDATED HEALTH SUPPORT	2,505,640	2,505,640	2,505,640		2,505,640
INFORMATION MANAGEMENT	1,450,619	1,450,619	1,450,619		1,450,619
MANAGEMENT ACTIVITIES	368,248	368,248	368,248		368,248
EDUCATION AND TRAINING	733,097	733,097	733,097		733,097
BASE OPERATIONS/COMMUNICATIONS	1,872,660	1,872,660	1,872,660		1,872,660
R&D RESEARCH	9,162	9,162	9,162		9,162
R&D EXPLORATRY DEVELOPMENT	47,977	47,977	47,977		47,977
R&D ADVANCED DEVELOPMENT	291,156	291,156	291,156		291,156
R&D DEMONSTRATION/VALIDATION	132,430	132,430	132,430		132,430
R&D ENGINEERING DEVELOPMENT	161,674	161,674	161,674		161,674
R&D MANAGEMENT AND SUPPORT	72,568	72,568	72,568		72,568
R&D CAPABILITIES ENHANCEMENT	14,646	14,646	14,646		14,646
RD&E UNDISTRIBUTED					
DEFENSE HEALTH PROGRAM					
PROC INITIAL OUTFITTING	89,404	89,404	89,404		89,404
PROC REPLACEMENT & MODERNIZATION	377,577	377,577	377,577		377,577
PROC IEHR	204,200	204,200	204,200		204,200
UNDISTRIBUTED		− 276,800	218,000	− 57,000	− 57,000
DHP Unobligated		[− 440,800]		[− 275,000]	
Restore Tricare savings		[164,000]	[218,000]	[218,000]	
TOTAL DEFENSE HEALTH PROGRAM	33,054,528	32,847,728	33,272,528	− 124,000	32,930,528
TOTAL OTHER AUTHORIZATIONS	37,638,854	37,432,054	37,774,714	− 201,331	37,437,523

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Program Title	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
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WORKING CAPITAL FUND, ARMY

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Program Title	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
PREPOSITIONED WAR RESERVE STOCKS	44,732	44,732	44,732		44,732
TOTAL WORKING CAPITAL FUND, ARMY	44,732	44,732	44,732		44,732
WORKING CAPITAL FUND, AIR FORCE					
C—17 CLS ENGINE REPAIR	78,500	78,500	78,500		78,500
TRANSPORTATION FALLEN HEROES	10,000	10,000	10,000		10,000
TOTAL WORKING CAPITAL FUND, AIR FORCE	88,500	88,500	88,500		88,500
WORKING CAPITAL FUND, DEFENSE-WIDE					
DEFENSE LOGISTICS AGENCY (DLA)	131,678	131,678	131,678		131,678
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	131,678	131,678	131,678		131,678
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF					
OPERATING FORCES	376,305	376,305	376,305		376,305
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	376,305	376,305	376,305		376,305
OFFICE OF THE INSPECTOR GENERAL					
OPERATION AND MAINTENANCE	10,766	10,766	10,766		10,766
TOTAL OFFICE OF THE INSPECTOR GENERAL	10,766	10,766	10,766		10,766
DEFENSE HEALTH PROGRAM					
IN-HOUSE CARE	375,958	375,958	375,958		375,958
PRIVATE SECTOR CARE	382,560	382,560	382,560		382,560
CONSOLIDATED HEALTH SUPPORT	132,749	132,749	132,749		132,749
INFORMATION MANAGEMENT	2,238	2,238	2,238		2,238
MANAGEMENT ACTIVITIES	460	460	460		460
EDUCATION AND TRAINING	10,236	10,236	10,236		10,236
TOTAL DEFENSE HEALTH PROGRAM	904,201	904,201	904,201		904,201
TOTAL OTHER AUTHORIZATIONS	1,556,182	1,556,182	1,556,182		1,556,182

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country	Installation	Project Title	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Army	ALASKA	Fort Wainwright	AVIATION BATTALION COMPLEX	45,000	45,000	45,000		45,000
Army	ALASKA	Fort Wainwright	AVIATION STORAGE HANGAR	58,000	58,000	58,000		58,000
Army	COLORADO	Fort Carson	AIRCRAFT MAINTENANCE HANGAR	66,000	66,000	66,000		66,000
Army	COLORADO	Fort Carson	AIRCRAFT MAINTENANCE HANGAR	73,000	73,000	73,000		73,000
Army	COLORADO	Fort Carson	CENTRAL ENERGY PLANT	34,000	34,000	34,000		34,000
Army	COLORADO	Fort Carson	FIRE STATION	12,000	12,000	12,000		12,000
Army	COLORADO	Fort Carson	HEADQUARTERS BUILDING	33,000	33,000	33,000		33,000
Army	COLORADO	Fort Carson	RUNWAY	12,000	12,000	12,000		12,000
Army	COLORADO	Fort Carson	SIMULATOR BUILDING	12,200	12,200	12,200		12,200
Army	FLORIDA	Eglin AFB	AUTOMATED SNIPER FIELD FIRE RANGE	4,700	4,700	4,700		4,700
Army	GEORGIA	Fort Gordon	ADV INDIVIDUAL TRAINING BARRACKS CPLX, PH2	61,000	61,000	61,000		61,000
Army	HAWAII	Fort Shafter	COMMAND AND CONTROL FACILITY—ADMIN	75,000	65,000	75,000	— 5,000	70,000
Army	KANSAS	Fort Leavenworth	SIMULATIONS CENTER	17,000	17,000	17,000		17,000
Army	KENTUCKY	Fort Campbell	BATTLEFIELD WEATHER SUPPORT FACILITY	4,800	4,800	4,800		4,800
Army	MARYLAND	Aberdeen Proving Ground	OPERATIONS AND MAINTENANCE FACILITIES	21,000	21,000	21,000		21,000
Army	MARYLAND	Fort Detrick	ENTRY CONTROL POINT	2,500	2,500	2,500		2,500
Army	MARYLAND	Fort Detrick	HAZARDOUS MATERIAL STORAGE BUILDING	4,600	4,600	4,600		4,600
Army	MISSOURI	Fort Leonard Wood	ADV INDIVIDUAL TRAINING BARRACKS CPLX, PH1	86,000	86,000	86,000		86,000
Army	MISSOURI	Fort Leonard Wood	SIMULATOR BUILDING	4,700	4,700	4,700		4,700
Army	NEW YORK	U.S. Military Academy	CADET BARRACKS, INCR 2	42,000	42,000	42,000		42,000
Army	NORTH CAROLINA	Fort Bragg	COMMAND AND CONTROL FACILITY	5,900	5,900	5,900		5,900
Army	TEXAS	Fort Bliss	CONTROL TOWER	10,800	10,800	10,800		10,800

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Army	TEXAS	Fort Bliss	UNMANNED AERIAL VEHICLE COMPLEX	36,000	36,000	36,000		36,000
Army	VIRGINIA	Joint Base Langley-Eustis	ADV INDIVIDUAL TRAINING BARRACKS CPLX, PH3	50,000	50,000	50,000		50,000
Army	WASHINGTON	Joint Base Lewis-McChord	AIRCRAFT MAINTENANCE HANGAR	79,000	79,000	79,000		79,000
Army	WASHINGTON	Joint Base Lewis-McChord	AIRFIELD OPERATIONS COMPLEX	37,000	37,000	37,000		37,000
Army	WASHINGTON	Joint Base Lewis-McChord	AVIATION BATTALION COMPLEX	28,000	28,000	28,000		28,000
Army	WASHINGTON	Yakima	AUTOMATED MULTIPURPOSE MACHINE GUN RANGE	9,100	9,100	9,100		9,100
Army	WORLDWIDE CLASSIFIED	Classified Location	COMPANY OPERATIONS COMPLEX	33,000	33,000	33,000	— 33,000	0
Army	JAPAN	Kyoga Misaki	COMPANY OPERATIONS COMPLEX	0	0	0	33,000	33,000
Army	KWAJALEIN	Kwajalein Atoll	PIER	63,000	63,000	63,000		63,000
Army	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	HOST NATION SUPPORT FY14	33,000	23,000	33,000	— 5,000	28,000
Army	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	MINOR CONSTRUCTION FY14	25,000	25,000	25,000		25,000
Army	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	PLANNING AND DESIGN FY14	41,575	41,575	41,575		41,575
Total Military Construction, Army				1,119,875	1,099,875	1,119,875	— 10,000	1,109,875
Navy	CALIFORNIA	Barstow	ENGINE DYNAMOMETER FACILITY	14,998	14,998	14,998		14,998
Navy	CALIFORNIA	Camp Pendleton	AMMUNITION SUPPLY POINT UPGRADE	13,124	13,124	13,124		13,124
Navy	CALIFORNIA	Coronado	H-60 TRAINER FACILITY	8,910	8,910	8,910		8,910
Navy	CALIFORNIA	Point Mugu	AIRCRAFT ENGINE TEST PADS	7,198	7,198	7,198		7,198
Navy	CALIFORNIA	Point Mugu	BAMS CONSOLIDATED MAINTENANCE HANGAR	17,469	17,469	17,469		17,469
Navy	CALIFORNIA	Port Hueneme	UNACCOMPANIED HOUSING CONVERSION	33,600	33,600	33,600		33,600
Navy	CALIFORNIA	San Diego	STEAM PLANT DECENTRALIZATION	34,331	34,331	34,331		34,331
Navy	CALIFORNIA	Twentynine Palms	CAMP WILSON INFRASTRUCTURE UPGRADES	33,437	33,437	33,437		33,437
Navy	FLORIDA	Jacksonville	P-8A TRAINING & PARKING APRON EXPANSION	20,752	20,752	20,752		20,752
Navy	FLORIDA	Key West	AIRCRAFT CRASH/RESCUE & FIRE HEAD-QUARTERS	14,001	14,001	14,001		14,001
Navy	FLORIDA	Mayport	LCS LOGISTICS SUPPORT FACILITY	16,093	16,093	16,093		16,093
Navy	GEORGIA	Albany	CERS DISPATCH FACILITY	1,010	1,010	1,010		1,010
Navy	GEORGIA	Albany	WEAPONS STORAGE AND INSPECTION FACILITY	15,600	15,600	15,600		15,600
Navy	GEORGIA	Savannah	TOWNSEND BOMBING RANGE LAND ACQ—PHASE 1	61,717	61,717	61,717		61,717
Navy	GUAM	Joint Region Marianas	AIRCRAFT MAINTENANCE HANGAR—NORTH RAMP	85,673	85,673	0		85,673
Navy	GUAM	Joint Region Marianas	BAMS FORWARD OPERATIONAL & MAINTENANCE HANGAR	61,702	61,702	61,702		61,702
Navy	GUAM	Joint Region Marianas	DEHUMIDIFIED SUPPLY STORAGE FACILITY	17,170	17,170	17,170		17,170
Navy	GUAM	Joint Region Marianas	EMERGENT REPAIR FACILITY EXPANSION	35,860	35,860	35,860		35,860
Navy	GUAM	Joint Region Marianas	MODULAR STORAGE MAGAZINES	63,382	63,382	63,382		63,382
Navy	GUAM	Joint Region Marianas	SIERRA WHARF IMPROVEMENTS	1,170	1,170	1,170		1,170
Navy	GUAM	Joint Region Marianas	X-RAY WHARF IMPROVEMENTS	53,420	53,420	53,420		53,420
Navy	HAWAII	Kaneohe Bay	3RD RADIO BN MAINTENANCE/OPERATIONS COMPLEX	25,336	25,336	25,336		25,336
Navy	HAWAII	Kaneohe Bay	AIRCRAFT MAINTENANCE EXPANSION	16,968	16,968	16,968		16,968
Navy	HAWAII	Kaneohe Bay	AIRCRAFT MAINTENANCE HANGAR UPGRADES	31,820	31,820	31,820		31,820
Navy	HAWAII	Kaneohe Bay	ARMORY ADDITION AND RENOVATION	12,952	12,952	12,952		12,952
Navy	HAWAII	Kaneohe Bay	AVIATION SIMULATOR MODERNIZATION/ADDITION	17,724	17,724	17,724		17,724
Navy	HAWAII	Kaneohe Bay	MV-22 HANGAR	57,517	57,517	57,517		57,517
Navy	HAWAII	Kaneohe Bay	MV-22 PARKING APRON AND INFRASTRUCTURE	74,665	74,665	74,665		74,665
Navy	HAWAII	Pearl City	WATER TRANSMISSION LINE	30,100	30,100	30,100		30,100
Navy	HAWAII	Pearl Harbor	DRYDOCK WATERFRONT FACILITY	22,721	22,721	22,721		22,721
Navy	HAWAII	Pearl Harbor	SUBMARINE PRODUCTION SUPPORT FACILITY	35,277	35,277	35,277		35,277
Navy	ILLINOIS	Great Lakes	UNACCOMPANIED HOUSING	35,851	35,851	35,851		35,851
Navy	MAINE	Bangor	NCTAMS VLF COMMERCIAL POWER CONNECTION	13,800	13,800	13,800		13,800
Navy	MAINE	Kittery	STRUCTURAL SHOPS CONSOLIDATION	11,522	11,522	11,522		11,522
Navy	MARYLAND	Fort Meade	MARFORCYBERCOM HQ-OPS BUILDING	83,988	83,988	83,988		83,988
Navy	NEVADA	Fallon	WASTEWATER TREATMENT PLANT	11,334	11,334	11,334		11,334
Navy	NORTH CAROLINA	Camp Lejeune	LANDFILL—PHASE 4	20,795	20,795	20,795		20,795
Navy	NORTH CAROLINA	Camp Lejeune	OPERATIONS TRAINING COMPLEX	22,515	22,515	22,515		22,515
Navy	NORTH CAROLINA	Camp Lejeune	STEAM DECENTRALIZATION—BEQ NODES	18,679	18,679	18,679		18,679
Navy	NORTH CAROLINA	Camp Lejeune	STEAM DECENTRALIZATION—CAMP JOHNSON	2,620	2,620	2,620		2,620

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Navy	NORTH CAROLINA	Camp Lejeune	STEAM DECENTRALIZATION—HADNOT POINT	13,390	13,390	13,390		13,390
Navy	NORTH CAROLINA	New River	CH-53K MAINTENANCE TRAINING FACILITY	13,218	13,218	13,218		13,218
Navy	NORTH CAROLINA	New River	CORROSION CONTROL HANGAR	12,547	12,547	12,547		12,547
Navy	NORTH CAROLINA	New River	REGIONAL COMMUNICATION STATION	20,098	20,098	20,098		20,098
Navy	OKLAHOMA	Tinker AFB	TACAMO E-6B HANGAR	14,144	14,144	14,144		14,144
Navy	RHODE ISLAND	Newport	HEWITT HALL RESEARCH CENTER	12,422	12,422	12,422		12,422
Navy	SOUTH CAROLINA	Charleston	NUCLEAR POWER OPERATIONAL TRAINING FACILITY	73,932	73,932	73,932		73,932
Navy	VIRGINIA	Dam Neck	AERIAL TARGET OPERATION CONSOLIDATION	10,587	10,587	10,587		10,587
Navy	VIRGINIA	Norfolk	PIER 11 POWER UPGRADES FOR CVN-78	3,380	3,380	3,380		3,380
Navy	VIRGINIA	Quantico	ACADEMIC INSTRUCTION FACILITY TECOM SCHOOLS	25,731	25,731	25,731		25,731
Navy	VIRGINIA	Quantico	ATC TRANSMITTER/RECEIVER RELOCATION	3,630	3,630	3,630		3,630
Navy	VIRGINIA	Quantico	FULLER ROAD IMPROVEMENTS	9,013	9,013	9,013		9,013
Navy	VIRGINIA	Yorktown	SMALL ARMS RANGES	18,700	18,700	18,700		18,700
Navy	WASHINGTON	Bremerton	INTEGRATED WATER TREATMENT SYS DRY DOCKS 3&4	18,189	18,189	18,189		18,189
Navy	WASHINGTON	Kitsap	EXPLOSIVES HANDLING WHARF #2 (INC)	24,880	24,880	24,880		24,880
Navy	WASHINGTON	Whidbey Island	EA-18G FACILITY IMPROVEMENTS	32,482	32,482	32,482		32,482
Navy	WASHINGTON	Whidbey Island	P-8A HANGAR AND TRAINING FACILITIES	85,167	85,167	85,167		85,167
Navy	DJIBOUTI	Camp Lemonier	ARMORY	6,420	6,420	6,420		6,420
Navy	DJIBOUTI	Camp Lemonier	UNACCOMPANIED HOUSING	22,580	22,580	22,580		22,580
Navy	JAPAN	Camp Butler	AIRFIELD SECURITY UPGRADES	5,820	5,820	5,820		5,820
Navy	JAPAN	Yokosuka	COMMUNICATION SYSTEM UPGRADE	7,568	7,568	7,568		7,568
Navy	WORLDWIDE UN-SPECIFIED Locations	Unspecified Worldwide Locations	MCON DESIGN FUNDS	89,830	89,830	89,830		89,830
Navy	WORLDWIDE UN-SPECIFIED Locations	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	19,740	19,740	19,740		19,740
Navy	WORLDWIDE UN-SPECIFIED Locations	Unspecified Worldwide Locations	UNSPECIFIED WORLDWIDE CONSTRUCTION	0	0	0		0
Total Military Construction, Navy				1,700,269	1,700,269	1,614,596	0	1,700,269
AF	ARIZONA	Luke AFB	F-35 FIELD TRAINING DETACHMENT	5,500	5,500	5,500		5,500
AF	ARIZONA	Luke AFB	F-35 SQ OPS/AIRCRAFT MAINTENANCE UNIT #3	21,400	21,400	21,400		21,400
AF	CALIFORNIA	Beale AFB	DISTRIBUTED COMMON GROUND STATION OPS BLDG	62,000	62,000	62,000		62,000
AF	FLORIDA	Tyndall AFB	F-22 MUNITIONS STORAGE COMPLEX	9,100	9,100	9,100		9,100
AF	GUAM	Joint Region Marianas	PAR—FUEL SYS HARDENED BLDGS	20,000	20,000	0		20,000
AF	GUAM	Joint Region Marianas	PAR—STRIKE TACTICAL MISSILE MXS FACILITY	10,530	10,530	10,530		10,530
AF	GUAM	Joint Region Marianas	PAR—TANKER GP MX HANGAR/AMU/SQD OPS	132,600	132,600	0		132,600
AF	GUAM	Joint Region Marianas	PRTC RED HORSE AIRFIELD OPERATIONS FACILITY	8,500	8,500	8,500		8,500
AF	GUAM	Joint Region Marianas	PRTC SF FIRE RESCUE & EMERGENCY MGT	4,600	4,600	4,600		4,600
AF	HAWAII	Joint Base Pearl Harbor-Hickam	C-17 MODERNIZE HGR 35, DOCKS 1&2	4,800	4,800	4,800		4,800
AF	KANSAS	McConnell AFB	KC-46A 2-Bay Corrosion Control/Fuel Cell Hangar	0	82,000	82,000	82,000	82,000
AF	KANSAS	McConnell AFB	KC-46A 3-Bay General Purpose Maintenance Hangar	0	80,000	80,000	80,000	80,000
AF	KANSAS	McConnell AFB	KC-46A Aircraft Parking Apron Alteration	0	2,200	2,200	2,200	2,200
AF	KANSAS	McConnell AFB	KC-46A Aprons Fuels Distribution System	0	12,800	12,800	12,800	12,800
AF	KANSAS	McConnell AFB	KC-46A Flight Simulator Facility Phase 1	0	2,150	2,150	2,150	2,150
AF	KANSAS	McConnell AFB	KC-46A General Maintenance Hangar	0	32,000	32,000	32,000	32,000
AF	KANSAS	McConnell AFB	KC-46A Miscellaneous Facilities Alteration	0	970	970	970	970
AF	KANSAS	McConnell AFB	KC-46A Pipeline Student Dormitory	0	7,000	7,000	7,000	7,000
AF	KENTUCKY	Fort Campbell	19TH AIR SUPPORT OPERATIONS SQDRN EXPANSION	8,000	8,000	8,000		8,000
AF	MARYLAND	Fort Meade	CYBERCOM JOINT OPERATIONS CENTER, INCREMENT 1	85,000	85,000	85,000		85,000
AF	MARYLAND	Joint Base Andrews	HELICOPTER OPERATIONS FACILITY	30,000	30,000	30,000		30,000
AF	MISSOURI	Whiteman AFB	WSA MOP IGLOOS AND ASSEMBLY FACILITY	5,900	5,900	5,900		5,900
AF	NEBRASKA	Offutt AFB	USSTRATCOM REPLACEMENT FACILITY, INCR 3	136,000	136,000	136,000		136,000
AF	NEVADA	Nellis AFB	ADD RPA WEAPONS SCHOOL FACILITY	20,000	20,000	20,000		20,000
AF	NEVADA	Nellis AFB	DORMITORY (240 RM)	35,000	35,000	35,000		35,000
AF	NEVADA	Nellis AFB	F-35 ALT MISSION EQUIP (AME) STORAGE	5,000	5,000	5,000		5,000
AF	NEVADA	Nellis AFB	F-35 FUEL CELL HANGAR	9,400	9,400	9,400		9,400
AF	NEVADA	Nellis AFB	F-35 PARTS STORE	9,100	9,100	9,100		9,100
AF	NEW MEXICO	Cannon AFB	AIRMEN AND FAMILY READINESS CENTER	5,500	5,500	5,500		5,500
AF	NEW MEXICO	Cannon AFB	DORMITORY (144 RM)	22,000	22,000	22,000		22,000
AF	NEW MEXICO	Cannon AFB	SATELLITE DINING FACILITY	6,600	6,600	6,600		6,600

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
AF	NEW MEXICO	Holloman AFB	F-16 AIRCRAFT COVERED WASHRACK AND PAD	2,250	2,250	2,250		2,250
AF	NEW MEXICO	Kirtland AFB	NUCLEAR SYSTEMS WING & SUSTAINMENT CENTER (PH	30,500	30,500	30,500		30,500
AF	NORTH DAKOTA	Minot AFB	B-52 ADAL AIRCRAFT MAINTENANCE UNIT	15,530	15,530	15,530		15,530
AF	NORTH DAKOTA	Minot AFB	B-52 MUNITIONS STORAGE IGLOOS	8,300	8,300	8,300		8,300
AF	OKLAHOMA	Altus AFB	KC-46A FTU ADAL Fuel Systems Maintenance Dock	0	3,350	3,350	3,350	3,350
AF	OKLAHOMA	Altus AFB	KC-46A FTU ADAL Squad Ops/AMU	0	7,400	7,400	7,400	7,400
AF	OKLAHOMA	Altus AFB	KC-46A FTU Flight Training Center Simulators Facility Phase 1	0	12,600	12,600	12,600	12,600
AF	OKLAHOMA	Altus AFB	KC-46A FTU Fuselage Trainer Phase 1	0	6,300	6,300	6,300	6,300
AF	OKLAHOMA	Altus AFB	KC-46A FTU Renovate Facility	0	1,200	1,200	1,200	1,200
AF	OKLAHOMA	Tinker AFB	KC-46A LAND ACQUISITION	8,600	8,600	8,600		8,600
AF	TEXAS	Fort Bliss	F-16 BAK 12/14 AIRCRAFT ARRESTING SYSTEM	3,350	3,350	3,350		3,350
AF	UTAH	Hill AFB	F-35 AIRCRAFT MX UNIT HANGAR 45E OPS #1	13,500	13,500	13,500		13,500
AF	UTAH	Hill AFB	FIRE CRASH RESCUE STATION	18,500	18,500	18,500		18,500
AF	VIRGINIA	Joint Base Langley- Eustis	4-BAY CONVENTIONAL MUNITIONS INSPECTION BLDG	4,800	4,800	4,800		4,800
AF	GREENLAND	Thule AB	THULE CONSOLIDATION, PHASE 2	43,904	43,904	43,904		43,904
AF	MARIANA ISLANDS	Saipan	PAR—AIRPORT POL/BULK STORAGE AST	18,500	18,500	18,500		18,500
AF	MARIANA ISLANDS	Saipan	PAR—HAZARDOUS CARGO PAD	8,000	8,000	8,000		8,000
AF	MARIANA ISLANDS	Saipan	PAR—MAINTENANCE FACILITY	2,800	2,800	2,800		2,800
AF	UNITED KINGDOM	Croughton RAF	MAIN GATE COMPLEX	12,000	0	0	— 12,000	0
AF	UNITED KINGDOM	VARLOCS	GUARDIAN ANGEL OPERATIONS FACILITY	22,047	22,047	0		22,047
AF	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	KC-46A FTU FACILITY PROJECTS	63,000	0	0	— 63,000	0
AF	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	KC-46A MOB #1 FACILITY PROJECTS	192,700	0	0	— 192,700	0
AF	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	PLANNING & DESIGN	11,314	11,314	11,314		11,314
AF	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	20,448	20,448	20,448		20,448
Total Military Construction, Air Force				1,156,573	1,138,843	964,196	— 17,730	1,138,843
Def-Wide	ALASKA	Clear AFS	BMDS UPGRADE EARLY WARNING RADAR	17,204	17,204	17,204		17,204
Def-Wide	ALASKA	Fort Greely	MECHANICAL-ELECTRICAL BLDG MISSILE FIELD #1	82,000	82,000	82,000		82,000
Def-Wide	CALIFORNIA	Brawley	SOF DESERT WARFARE TRAINING CENTER	23,095	23,095	23,095		23,095
Def-Wide	CALIFORNIA	Defense Distribution Depot-Tracy	GENERAL PURPOSE WAREHOUSE	37,554	37,554	37,554		37,554
Def-Wide	CALIFORNIA	Miramar	REPLACE FUEL PIPELINE	6,000	6,000	6,000		6,000
Def-Wide	COLORADO	Fort Carson	SOF GROUP SUPPORT BATTALION	22,282	22,282	22,282		22,282
Def-Wide	FLORIDA	Hurlburt Field	SOF ADD/ALTER OPERATIONS FACILITY	7,900	7,900	7,900		7,900
Def-Wide	FLORIDA	Jacksonville	REPLACE FUEL PIPELINE	7,500	7,500	7,500		7,500
Def-Wide	FLORIDA	Key West	SOF BOAT DOCKS	3,600	0	3,600		3,600
Def-Wide	FLORIDA	Panama City	REPLACE GROUND VEHICLE FUELING FACILITY	2,600	2,600	2,600		2,600
Def-Wide	FLORIDA	Tyndall AFB	REPLACE FUEL PIPELINE	9,500	9,500	9,500		9,500
Def-Wide	GEORGIA	Fort Benning	FAITH MIDDLE SCHOOL ADDITION	6,031	6,031	6,031		6,031
Def-Wide	GEORGIA	Fort Benning	WHITE ELEMENTARY SCHOOL REPLACEMENT	37,304	37,304	37,304		37,304
Def-Wide	GEORGIA	Fort Stewart	DIAMOND ELEMENTARY SCHOOL REPLACEMENT	44,504	44,504	44,504		44,504
Def-Wide	GEORGIA	Hunter Army Airfield	REPLACE FUEL ISLAND	13,500	13,500	13,500		13,500
Def-Wide	GEORGIA	Moody AFB	REPLACE GROUND VEHICLE FUELING FACILITY	3,800	3,800	3,800		3,800
Def-Wide	HAWAII	Ford Island	DISA PACIFIC FACILITY UPGRADES	2,615	2,615	2,615		2,615
Def-Wide	HAWAII	Joint Base Pearl Har- bor-Hickam	ALTER WAREHOUSE SPACE	2,800	2,800	2,800		2,800
Def-Wide	KENTUCKY	Fort Campbell	FORT CAMPBELL HIGH SCHOOL REPLACEMENT	59,278	59,278	59,278		59,278
Def-Wide	KENTUCKY	Fort Campbell	MARSHALL ELEMENTARY SCHOOL REPLACE- MENT	38,591	38,591	38,591		38,591
Def-Wide	KENTUCKY	Fort Campbell	SOF GROUP SPECIAL TROOPS BATTALION	26,342	26,342	26,342		26,342
Def-Wide	KENTUCKY	Fort Knox	AMBULATORY HEALTH CENTER	265,000	265,000	75,000	— 120,000	145,000
Def-Wide	KENTUCKY	Fort Knox	CONSOLIDATE/REPLACE VAN VOORHIS-MUDGE ES	38,023	38,023	38,023		38,023
Def-Wide	MARYLAND	Aberdeen Proving Ground	PUBLIC HEALTH COMMAND LAB REPLACEMENT	210,000	110,000	75,000	— 135,000	75,000
Def-Wide	MARYLAND	Bethesda Naval Hos- pital	MECH & ELECTRICAL IMPROVEMENTS	46,800	46,800	46,800		46,800
Def-Wide	MARYLAND	Bethesda Naval Hos- pital	PARKING GARAGE	20,000	20,000	20,000		20,000
Def-Wide	MARYLAND	Fort Detrick	USAMRIID REPLACEMENT STAGE 1, INCR 8	13,000	0	13,000		13,000

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Def-Wide	MARYLAND	Fort Meade	HIGH PERFORMANCE COMPUTING CAPACITY INC 3	431,000	431,000	381,000	— 35,000	396,000
Def-Wide	MARYLAND	Fort Meade	NSAW RECAPITALIZE BUILDING #1/SITE M INC 2	58,000	58,000	58,000		58,000
Def-Wide	MARYLAND	Joint Base Andrews	AMBULATORY CARE CENTER INC 2	76,200	63,800	38,100	— 38,100	38,100
Def-Wide	MASSACHUSETTS	Hanscom AFB	HANSCOM PRIMARY SCHOOL REPLACEMENT	36,213	36,213	36,213		36,213
Def-Wide	NEW JERSEY	Joint Base McGuire- Dix-Lakehurst	REPLACE FUEL DISTRIBUTION COMPONENTS	10,000	10,000	10,000		10,000
Def-Wide	NEW MEXICO	Holloman AFB	MEDICAL CLINIC REPLACEMENT	60,000	60,000	60,000		60,000
Def-Wide	NEW MEXICO	Holloman AFB	REPLACE HYDRANT FUEL SYSTEM	21,400	21,400	21,400		21,400
Def-Wide	NORTH CAROLINA	Camp Lejeune	SOF PERFORMANCE RESILIENCY CENTER	14,400	0	14,400		14,400
Def-Wide	NORTH CAROLINA	Camp Lejeune	SOF SUSTAINMENT TRAINING COMPLEX	28,977	28,977	28,977		28,977
Def-Wide	NORTH CAROLINA	Fort Bragg	CONSOLIDATE/REPLACE POPE HOLBROOK ELE- MENTARY	37,032	37,032	37,032		37,032
Def-Wide	NORTH CAROLINA	Fort Bragg	SOF CIVIL AFFAIRS BATTALION ANNEX	37,689	37,689	37,689		37,689
Def-Wide	NORTH CAROLINA	Fort Bragg	SOF COMBAT MEDIC SKILLS SUSTAIN. COURSE BLDG	7,600	7,600	7,600		7,600
Def-Wide	NORTH CAROLINA	Fort Bragg	SOF ENGINEER TRAINING FACILITY	10,419	10,419	10,419		10,419
Def-Wide	NORTH CAROLINA	Fort Bragg	SOF LANGUAGE AND CULTURAL CENTER	64,606	64,606	64,606		64,606
Def-Wide	NORTH CAROLINA	Fort Bragg	SOF UPGRADE TRAINING FACILITY	14,719	14,719	14,719		14,719
Def-Wide	NORTH DAKOTA	Minot AFB	REPLACE FUEL PIPELINE	6,400	6,400	6,400		6,400
Def-Wide	OKLAHOMA	Altus AFB	REPLACE REFUELER PARKING	2,100	2,100	2,100		2,100
Def-Wide	OKLAHOMA	Tinker AFB	REPLACE FUEL DISTRIBUTION FACILITIES	36,000	36,000	36,000		36,000
Def-Wide	PENNSYLVANIA	Def Distribution Depot New Cumberland	UPGRADE HAZARDOUS MATERIAL WAREHOUSE	3,100	3,100	3,100		3,100
Def-Wide	PENNSYLVANIA	Def Distribution Depot New Cumberland	UPGRADE PUBLIC SAFETY FACILITY	5,900	5,900	5,900		5,900
Def-Wide	SOUTH CAROLINA	Beaufort	BOLDEN ELEMENTARY/MIDDLE SCHOOL RE- PLACEMENT	41,324	41,324	41,324		41,324
Def-Wide	TENNESSEE	Arnold Air Force Base	REPLACE GROUND VEHICLE FUELING FACILITY	2,200	2,200	2,200		2,200
Def-Wide	TEXAS	Fort Bliss	HOSPITAL REPLACEMENT INCR 5	252,100	152,100	100,000	— 152,100	100,000
Def-Wide	TEXAS	Joint Base San Antonio	SAMMC HYPERBARIC FACILITY ADDITION	12,600	12,600	12,600		12,600
Def-Wide	VIRGINIA	Dam Neck	SOF HUMAN PERFORMANCE CENTER	11,147	0	11,147		11,147
Def-Wide	VIRGINIA	Def Distribution Depot Richmond	OPERATIONS CENTER PHASE 1	87,000	87,000	87,000		87,000
Def-Wide	VIRGINIA	Joint Expeditionary Base Little Creek— Story	SOF LOGSU TWO OPERATIONS FACILITY	30,404	30,404	30,404		30,404
Def-Wide	VIRGINIA	Pentagon	BOUNDARY CHANNEL ACCESS CONTROL POINT	6,700	6,700	6,700		6,700
Def-Wide	VIRGINIA	Pentagon	ARMY NAVY DRIVE TOUR BUS DROP OFF	1,850	1,850	0	— 1,850	0
Def-Wide	VIRGINIA	Pentagon	PFPA SUPPORT OPERATIONS CENTER	14,800	14,800	14,800		14,800
Def-Wide	VIRGINIA	Pentagon	RAVEN ROCK ADMINISTRATIVE FACILITY UP- GRADE	32,000	32,000	32,000		32,000
Def-Wide	VIRGINIA	Pentagon	RAVEN ROCK EXTERIOR COOLING TOWER	4,100	4,100	4,100		4,100
Def-Wide	VIRGINIA	Quantico	QUANTICO MIDDLE/HIGH SCHOOL REPLACE- MENT	40,586	40,586	40,586		40,586
Def-Wide	WASHINGTON	Whidbey Island	REPLACE FUEL PIER BREAKWATER	10,000	10,000	10,000		10,000
Def-Wide	WORLDWIDE	Classified Location	AN/TPY-2 RADAR SITE	15,000	15,000	15,000	— 15,000	0
Def-Wide	BAHRAIN ISLAND	SW Asia	MEDICAL/DENTAL CLINIC REPLACEMENT	45,400	45,400	45,400		45,400
Def-Wide	BELGIUM	Brussels	NATO HEADQUARTERS FACILITY	38,513	38,513	38,513		38,513
Def-Wide	BELGIUM	Brussels	NATO HEADQUARTERS FIT-OUT	29,100	29,100	29,100		29,100
Def-Wide	GERMANY	Kaiserlautern AB	KAISERSLAUTERN ELEMENTARY SCHOOL RE- PLACEMENT	49,907	49,907	0		49,907
Def-Wide	GERMANY	Ramstein AB	RAMSTEIN HIGH SCHOOL REPLACEMENT	98,762	98,762	0		98,762
Def-Wide	GERMANY	Rhine Ordnance Bar- racks	MEDICAL CENTER REPLACEMENT, INCR 3	151,545	151,545	76,545	— 75,000	76,545
Def-Wide	GERMANY	Weisbaden	HAINERBERG ELEMENTARY SCHOOL REPLACE- MENT	58,899	58,899	0		58,899
Def-Wide	GERMANY	Weisbaden	WIESBADEN MIDDLE SCHOOL REPLACEMENT	50,756	50,756	0		50,756
Def-Wide	JAPAN	Atsugi	REPLACE GROUND VEHICLE FUELING FACILITY	4,100	4,100	4,100		4,100
Def-Wide	JAPAN	Iwakuni	CONSTRUCT HYDRANT FUEL SYSTEM	34,000	34,000	34,000		34,000
Def-Wide	JAPAN	Kadena AB	KADENA MIDDLE SCHOOL ADDITION/RENOVA- TION	38,792	38,792	38,792		38,792
Def-Wide	JAPAN	Kyoga Misaki	AN/TPY-2 RADAR SITE	0	0	0	15,000	15,000
Def-Wide	JAPAN	Torri Commo Station	SOF FACILITY AUGMENTATION	71,451	64,071	71,451		71,451
Def-Wide	JAPAN	Yokosuka	UPGRADE FUEL PUMPS	10,600	10,600	10,600		10,600
Def-Wide	KOREA	Camp Walker	DAEGU MIDDLE/HIGH SCHOOL REPLACEMENT	52,164	52,164	52,164		52,164
Def-Wide	ROMANIA	Deveselu	AEGIS SHORE MISSILE DEF SYS CMPLX, INCR. 2	85,000	80,000	85,000	— 5,000	80,000

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Def-Wide	UNITED KINGDOM	Raf Mildenhall	REPLACE FUEL STORAGE	17,732	17,732	0		17,732
Def-Wide	UNITED KINGDOM	Raf Mildenhall	SOF AIRFIELD PAVEMENTS AND HANGAR/AMU	0	48,448	0	48,448	48,448
Def-Wide	UNITED KINGDOM	Raf Mildenhall	SOF AIRFIELD PAVEMENTS	24,077	0	0	— 24,077	0
Def-Wide	UNITED KINGDOM	Raf Mildenhall	SOF HANGAR/AMU	24,371	0	0	— 24,371	0
Def-Wide	UNITED KINGDOM	Raf Mildenhall	SOF MRSP AND PARTS STORAGE	6,797	6,797	0		6,797
Def-Wide	UNITED KINGDOM	Raf Mildenhall	SOF SQUADRON OPERATIONS FACILITY	11,652	11,652	0		11,652
Def-Wide	UNITED KINGDOM	Royal Air Force Lakenheath	LAKENHEATH HIGH SCHOOL REPLACEMENT	69,638	69,638	0		69,638
Def-Wide	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	CONTINGENCY CONSTRUCTION	10,000	0	10,000	— 10,000	0
Def-Wide	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	ENERGY CONSERVATION INVESTMENT PRO- GRAM	150,000	150,000	150,000		150,000
Def-Wide	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	EXERCISE RELATED MINOR CONSTRUCTION	9,730	9,730	9,730		9,730
Def-Wide	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	PLANNING & DESIGN	10,891	10,891	10,891		10,891
Def-Wide	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	PLANNING AND DESIGN	50,192	50,192	50,192		50,192
Def-Wide	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	PLANNING AND DESIGN	75,905	75,905	75,905		75,905
Def-Wide	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	PLANNING AND DESIGN	57,053	57,053	57,053		57,053
Def-Wide	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	PLANNING AND DESIGN	36,866	36,866	36,866		36,866
Def-Wide	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	PLANNING AND DESIGN	6,931	6,931	6,931		6,931
Def-Wide	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	3,000	3,000	3,000		3,000
Def-Wide	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	7,430	7,430	7,430		7,430
Def-Wide	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	5,409	5,409	5,409		5,409
Def-Wide	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	5,170	5,170	5,170		5,170
Def-Wide	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	9,578	9,578	9,578		9,578
Def-Wide	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	2,000	2,000	2,000		2,000
Def-Wide	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	1,500	1,500	1,500		1,500
Total Military Construction, Defense-Wide				3,985,300	3,708,373	2,930,659	— 572,050	3,413,250
Chem Demil	KENTUCKY	Blue Grass Army Depot	AMMUNITION DEMILITARIZATION FACILITY, PH XIV	122,536	122,536	122,536		122,536
Total Chemical Demilitarization Construction, Defense				122,536	122,536	122,536	0	122,536
NATO	WORLDWIDE UN- SPECIFIED	Nato Security Invest- ment Program	NATO SECURITY INVESTMENT PROGRAM	239,700	199,700	239,700	— 40,000	199,700
Total NATO Security Investment Program				239,700	199,700	239,700	— 40,000	199,700
Army NG	ALABAMA	Decatur	NATIONAL GUARD READINESS CENTER ADD/ALT	4,000	4,000	4,000		4,000
Army NG	ARKANSAS	Fort Chaffee	SCOUT/RECCE GUNNERY COMPLEX	21,000	21,000	21,000		21,000
Army NG	FLORIDA	Pinellas Park	READY BUILDING	5,700	5,700	5,700		5,700
Army NG	ILLINOIS	Kankakee	AIRCRAFT MAINTENANCE HANGAR	28,000	28,000	28,000		28,000
Army NG	ILLINOIS	Kankakee	READINESS CENTER	14,000	14,000	14,000		14,000
Army NG	MASSACHUSETTS	Camp Edwards	ENLISTED BARRACKS, TRANSIENT TRAINING ADD	19,000	19,000	19,000		19,000
Army NG	MICHIGAN	Camp Grayling	ENLISTED BARRACKS, TRANSIENT TRAINING	17,000	17,000	17,000		17,000
Army NG	MINNESOTA	Stillwater	READINESS CENTER	17,000	17,000	17,000		17,000
Army NG	MISSISSIPPI	Camp Shelby	WATER SUPPLY/TREATMENT BUILDING, POTA- BLE	3,000	3,000	3,000		3,000
Army NG	MISSISSIPPI	Pascagoula	READINESS CENTER	4,500	4,500	4,500		4,500
Army NG	MISSOURI	Macon	VEHICLE MAINTENANCE SHOP	9,100	9,100	9,100		9,100
Army NG	MISSOURI	Whiteman AFB	AIRCRAFT MAINTENANCE HANGAR	5,000	5,000	5,000		5,000
Army NG	NEW YORK	New York	READINESS CENTER ADD/ALT	31,000	31,000	31,000		31,000
Army NG	OHIO	Ravenna Army Ammu- nition Plant	SANITARY SEWER	5,200	5,200	5,200		5,200
Army NG	PENNSYLVANIA	Fort Indiantown Gap	AIRCRAFT MAINTENANCE INSTRUCTIONAL BUILDING	40,000	40,000	40,000		40,000

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Army NG	PUERTO RICO	Camp Santiago	MANEUVER AREA TRAINING & EQUIPMENT SITE ADDIT	5,600	5,600	5,600		5,600
Army NG	SOUTH CAROLINA	Greenville	READINESS CENTER	13,000	13,000	13,000		13,000
Army NG	SOUTH CAROLINA	Greenville	VEHICLE MAINTENANCE SHOP	13,000	13,000	13,000		13,000
Army NG	TEXAS	Fort Worth	ARMED FORCES RESERVE CENTER ADD	14,270	14,270	14,270		14,270
Army NG	WYOMING	Afton	NATIONAL GUARD READINESS CENTER	10,200	10,200	10,200		10,200
Army NG	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	PLANNING AND DESIGN	29,005	24,005	29,005	— 5,000	24,005
Army NG	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	12,240	12,240	12,240		12,240
Total Military Construction, Army National Guard				320,815	315,815	320,815	— 5,000	315,815
Army Res	CALIFORNIA	Camp Parks	ARMY RESERVE CENTER	17,500	17,500	17,500		17,500
Army Res	CALIFORNIA	Fort Hunter Liggett	TASS TRAINING CENTER (TTC)	16,500	16,500	16,500		16,500
Army Res	MARYLAND	Bowie	ARMY RESERVE CENTER	25,500	25,500	25,500		25,500
Army Res	NEW JERSEY	Joint Base McGuire- Dix-Lakehurst	AUTOMATED MULTIPURPOSE MACHINE GUN (MPMG)	9,500	9,500	9,500		9,500
Army Res	NEW JERSEY	Joint Base McGuire- Dix-Lakehurst	CENTRAL ISSUE FACILITY	7,900	7,900	7,900		7,900
Army Res	NEW JERSEY	Joint Base McGuire- Dix-Lakehurst	CONSOLIDATED DINING FACILITY	13,400	13,400	13,400		13,400
Army Res	NEW JERSEY	Joint Base McGuire- Dix-Lakehurst	MODIFIED RECORD FIRE RANGE	5,400	5,400	5,400		5,400
Army Res	NEW YORK	Bullville	ARMY RESERVE CENTER	14,500	14,500	14,500		14,500
Army Res	NORTH CAROLINA	Fort Bragg	ARMY RESERVE CENTER	24,500	24,500	24,500		24,500
Army Res	WISCONSIN	Fort McCoy	ACCESS CONTROL POINT/MAIL/FREIGHT CEN- TER	17,500	17,500	17,500		17,500
Army Res	WISCONSIN	Fort McCoy	NCO ACADEMY DINING FACILITY	5,900	5,900	5,900		5,900
Army Res	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	PLANNING AND DESIGN	14,212	14,212	14,212		14,212
Army Res	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	1,748	1,748	1,748		1,748
Total Military Construction, Army Reserve				174,060	174,060	174,060	0	174,060
N/MC Res	CALIFORNIA	March AFB	NOSC MORENO VALLEY RESERVE TRAINING CENTER	11,086	11,086	11,086		11,086
N/MC Res	MISSOURI	Kansas City	RESERVE TRAINING CENTER—BELTON, MIS- SOURI	15,020	15,020	15,020		15,020
N/MC Res	TENNESSEE	Memphis	RESERVE BOAT MAINTENANCE AND STORAGE FACILITY	4,330	4,330	4,330		4,330
N/MC Res	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	MCNR PLANNING & DESIGN	1,500	1,500	1,500		1,500
N/MC Res	WORLDWIDE UN- SPECIFIED	Unspecified Worldwide Locations	USMCR PLANNING AND DESIGN	1,040	1,040	1,040		1,040
Total Military Construction, Navy and Marine Corps Reserve				32,976	32,976	32,976	0	32,976
Air NG	ALABAMA	Birmingham IAP	ADD TO AND ALTER DISTRIBUTED GROUND STATION F	8,500	8,500	8,500		8,500
Air NG	INDIANA	Hulman Regional Air- port	ADD/ALTER BLDG 37 FOR DIST COMMON GROUND STA	7,300	7,300	7,300		7,300
Air NG	MARYLAND	Fort Meade	175TH NETWORK WARFARE SQUADRON FACIL- ITY	4,000	0	4,000		4,000
Air NG	MARYLAND	Martin State Airport	CYBER/ISR FACILITY	8,000	0	8,000		8,000
Air NG	MONTANA	Great Falls IAP	INTRA-THEATER AIRLIFT CONVERSION	22,000	22,000	22,000		22,000
Air NG	NEW YORK	Fort Drum	MQ-9 FLIGHT TRAINING UNIT HANGAR	4,700	4,700	4,700		4,700
Air NG	OHIO	Springfield Beckley- Map	ALTER INTELLIGENCE OPERATIONS FACILITY	7,200	7,200	7,200		7,200
Air NG	PENNSYLVANIA	Fort Indiantown Gap	COMMUNICATIONS OPERATIONS AND TRAINING FACILI	7,700	7,700	7,700		7,700
Air NG	RHODE ISLAND	Quonset State Airport	C-130J FLIGHT SIMULATOR TRAINING FACILITY	6,000	6,000	6,000		6,000
Air NG	TENNESSEE	McGhee-Tyson Airport	TEC EXPANSION- DORMITORY & CLASSROOM FACILITY	18,000	18,000	18,000		18,000
Air NG	WORLDWIDE UN- SPECIFIED	Various Worldwide Lo- cations	PLANNING AND DESIGN	13,400	13,400	13,400		13,400
Air NG	WORLDWIDE UN- SPECIFIED	Various Worldwide Lo- cations	UNSPECIFIED MINOR CONSTRUCTION	13,000	13,000	13,000		13,000
Total Military Construction, Air National Guard				119,800	107,800	119,800	0	119,800
AF Res	CALIFORNIA	March AFB	JOINT REGIONAL DEPLOYMENT PROCESSING CENTER,	19,900	19,900	19,900		19,900

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AF Res	FLORIDA	Homestead AFS	ENTRY CONTROL COMPLEX	9,800	9,800	9,800		9,800
AF Res	OKLAHOMA	Tinker AFB	AIR CONTROL GROUP SQUADRON OPERATIONS	12,200	12,200	12,200		12,200
AF Res	WORLDWIDE UN-SPECIFIED	Various Worldwide Locations	PLANNING AND DESIGN	2,229	2,229	2,229		2,229
AF Res	WORLDWIDE UN-SPECIFIED	Various Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	1,530	1,530	1,530		1,530
Total Military Construction, Air Force Reserve				45,659	45,659	45,659	0	45,659
FH Con Army	WISCONSIN	Fort McCoy	FAMILY HOUSING NEW CONSTRUCTION (56 UNITS)	23,000	23,000	23,000		23,000
FH Con Army	GERMANY	South Camp Vilseck	FAMILY HOUSING NEW CONSTRUCTION (29 UNITS)	16,600	16,600	0		16,600
FH Con Army	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	FAMILY HOUSING P & D	4,408	4,408	4,408		4,408
Total Family Housing Construction, Army				44,008	44,008	27,408	0	44,008
FH Ops Army	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	FURNISHINGS	33,125	33,125	33,125		33,125
FH Ops Army	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	LEASED HOUSING	180,924	180,924	180,924		180,924
FH Ops Army	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	MAINTENANCE OF REAL PROPERTY FACILITIES	107,639	107,639	107,639		107,639
FH Ops Army	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	MANAGEMENT ACCOUNT	54,433	54,433	54,433		54,433
FH Ops Army	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	MILITARY HOUSING PRIVITIZATION INITIATIVE	25,661	25,661	25,661		25,661
FH Ops Army	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	MISCELLANEOUS	646	646	646		646
FH Ops Army	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	SERVICES	13,536	13,536	13,536		13,536
FH Ops Army	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	UTILITIES	96,907	96,907	96,907		96,907
Total Family Housing Operation & Maintenance, Army				512,871	512,871	512,871	0	512,871
FH Con AF	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	IMPROVEMENTS	72,093	72,093	72,093		72,093
FH Con AF	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	PLANNING AND DESIGN	4,267	4,267	4,267		4,267
Total Family Housing Construction, Air Force				76,360	76,360	76,360	0	76,360
FH Ops AF	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	FURNISHINGS ACCOUNT	39,470	39,470	39,470		39,470
FH Ops AF	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	HOUSING PRIVATIZATION	41,436	41,436	41,436		41,436
FH Ops AF	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	LEASING	54,514	54,514	54,514		54,514
FH Ops AF	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	MAINTENANCE (RPMA RPMC)	110,786	110,786	110,786		110,786
FH Ops AF	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	MANAGEMENT ACCOUNT	53,044	53,044	53,044		53,044
FH Ops AF	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	MISCELLANEOUS ACCOUNT	1,954	1,954	1,954		1,954
FH Ops AF	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	SERVICES ACCOUNT	16,862	16,862	16,862		16,862
FH Ops AF	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	UTILITIES ACCOUNT	70,532	70,532	70,532		70,532
Total Family Housing Operation & Maintenance, Air Force				388,598	388,598	388,598	0	388,598
FH Con Navy	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	DESIGN	4,438	4,438	4,438		4,438
FH Con Navy	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	IMPROVEMENTS	68,969	68,969	68,969		68,969
Total Family Housing Construction, Navy and Marine Corps				73,407	73,407	73,407	0	73,407
FH Ops Navy	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	FURNISHINGS ACCOUNT	21,073	21,073	21,073		21,073
FH Ops Navy	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	LEASING	74,962	74,962	74,962		74,962
FH Ops Navy	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	MAINTENANCE OF REAL PROPERTY	90,122	90,122	90,122		90,122

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
FH Ops Navy	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	MANAGEMENT ACCOUNT	60,782	60,782	60,782		60,782
FH Ops Navy	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	MISCELLANEOUS ACCOUNT	362	362	362		362
FH Ops Navy	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	PRIVATIZATION SUPPORT COSTS	27,634	27,634	27,634		27,634
FH Ops Navy	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	SERVICES ACCOUNT	20,596	20,596	20,596		20,596
FH Ops Navy	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	UTILITIES ACCOUNT	94,313	94,313	94,313		94,313
Total Family Housing Operation & Maintenance, Navy and Marine Corps				389,844	389,844	389,844	0	389,844
FH Ops DW	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	FURNISHINGS ACCOUNT	67	67	67		67
FH Ops DW	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	FURNISHINGS ACCOUNT	3,196	3,196	3,196		3,196
FH Ops DW	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	FURNISHINGS ACCOUNT	20	20	20		20
FH Ops DW	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	LEASING	10,994	10,994	10,994		10,994
FH Ops DW	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	LEASING	40,433	40,433	40,433		40,433
FH Ops DW	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	MAINTENANCE OF REAL PROPERTY	311	311	311		311
FH Ops DW	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	MAINTENANCE OF REAL PROPERTY	74	74	74		74
FH Ops DW	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	MANAGEMENT ACCOUNT	418	418	418		418
FH Ops DW	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	SERVICES ACCOUNT	32	32	32		32
FH Ops DW	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	UTILITIES ACCOUNT	12	12	12		12
FH Ops DW	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	UTILITIES ACCOUNT	288	288	288		288
Total Family Housing Operation & Maintenance, Defense-Wide				55,845	55,845	55,845	0	55,845
FHIF	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	FAMILY HOUSING IMPROVEMENT FUND	1,780	1,780	1,780		1,780
Total DOD Family Housing Improvement Fund				1,780	1,780	1,780	0	1,780
BRAC	WORLDWIDE UN-SPECIFIED	Base Realignment & Closure, Army	BASE REALIGNMENT AND CLOSURE	180,401	180,401	180,401		180,401
BRAC	WORLDWIDE UN-SPECIFIED	Base Realignment & Closure, Navy	BASE REALIGNMENT & CLOSURE	108,300	108,300	108,300		108,300
BRAC	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	DOD BRAC ACTIVITIES—AIR FORCE	126,376	126,376	126,376		126,376
BRAC	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	DON—100: PLANING, DESIGN AND MANAGEMENT	7,277	7,277	7,277		7,277
BRAC	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	DON—101: VARIOUS LOCATIONS	20,988	20,988	20,988		20,988
BRAC	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	DON—138: NAS BRUNSWICK, ME	993	993	993		993
BRAC	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	DON—157: MCSA KANSAS CITY, MO	40	40	40		40
BRAC	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	DON—172: NWS SEAL BEACH, CONCORD, CA	5,766	5,766	5,766		5,766
BRAC	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	DON—84: JRB WILLOW GROVE & CAMBRIA REG AP	1,216	1,216	1,216		1,216
Total Base Realignment and Closure Account				451,357	451,357	451,357	0	451,357
PYS	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	PRIOR YEAR SAVINGS—ANG UNSPECIFIED MINOR CONSTRUCTION	0	— 45,623	0		0
PYS	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	PRIOR YEAR SAVINGS—ARMY BID SAVINGS	0	— 14,000	0		0
PYS	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	PRIOR YEAR SAVINGS—ARMY PLANNING AND DESIGN FY12	0	— 50,000	0		0
PYS	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	PRIOR YEAR SAVINGS—DEFENSE WIDE BID SAVINGS	0	— 358,400	0		0
PYS	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	PRIOR YEAR SAVINGS—DEFENSE WIDE UNSPECIFIED MINOR CONSTRUCTION	0	— 16,470	0		0

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/ Country	Installation	Project Title	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
PYS	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	PRIOR YEAR SAVINGS—NAVY BID SAVINGS	0	— 49,920	0		0
PYS	WORLDWIDE UN-SPECIFIED	Unspecified Worldwide Locations	PRIOR YEAR SAVINGS—SECTION 1013 OF THE DEMONSTRATION CITIES AND METROPOLITAN DEVELOPMENT ACT OF 1966, AS AMENDED	0	— 50,000	0		0
Total Prior Year Savings				0	— 584,413	0	0	0
Total Military Construction				11,011,633	10,055,563	9,662,342	— 644,780	10,366,853

**TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL
SECURITY PROGRAMS**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Discretionary Summary By Appropriation					
Energy And Water Development, And Related Agencies					
Appropriation Summary:					
Energy Programs					
Electricity delivery and energy reliability	16,000	— 16,000	— 16,000	— 16,000	0
Nuclear Energy	94,000	0	0	0	94,000
Atomic Energy Defense Activities					
National nuclear security administration:					
Weapons activities	7,868,409	220,000	0	40,843	7,909,252
Defense nuclear nonproliferation	2,140,142	0	80,000	40,000	2,180,142
Naval reactors	1,246,134	0	0	0	1,246,134
Office of the administrator	397,784	— 8,000	0	— 8,000	389,784
Total, National nuclear security administration	11,652,469	212,000	80,000	72,843	11,725,312
Environmental and other defense activities:					
Defense environmental cleanup	5,316,909	— 358,000	— 80,000	— 301,500	5,015,409
Other defense activities	749,080	0	0	9,578	758,658
Total, Environmental & other defense activities	6,065,989	— 358,000	— 80,000	— 291,922	5,774,067
Total, Atomic Energy Defense Activities	17,718,458	— 146,000	0	— 219,079	17,499,379
Total, Discretionary Funding	17,828,458	— 162,000	— 16,000	— 235,079	17,593,379
Electricity Delivery & Energy Reliability					
Electricity Delivery & Energy Reliability					
Infrastructure security & energy restoration (HS)	16,000	— 16,000	— 16,000	— 16,000	0
Nuclear Energy					
Idaho sitewide safeguards and security	94,000				94,000
Weapons Activities					
Life extension programs and major alterations					
B61 Life extension program	537,044	44,000			537,044
W76 Life extension program	235,382	9,700		9,700	245,082
W78/88—1 Life extension program	72,691	5,600			72,691
W88 ALT 370	169,487				169,487
Total, Stockpile assessment and design	1,014,604	59,300	0	9,700	1,024,304
Stockpile systems					
B61 Stockpile systems	83,536				83,536
W76 Stockpile systems	47,187				47,187
W78 Stockpile systems	54,381				54,381
W80 Stockpile systems	50,330				50,330
B83 Stockpile systems	54,948	6,000			54,948
W87 Stockpile systems	101,506				101,506
W88 Stockpile systems	62,600				62,600

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Stockpile systems					
Total, Stockpile systems	454,488	6,000	0	0	454,488
Surveillance					
Weapons dismantlement and disposition					
Operations and maintenance	49,264			6,000	55,264
Stockpile services					
Production support	321,416	29,600		23,584	345,000
Research and development support	26,349	3,200			26,349
R&D certification and safety	191,259	18,300			191,259
Management, technology, and production	214,187				214,187
Plutonium sustainment	156,949	9,500			156,949
Total, Stockpile services	910,160	60,600	0	23,584	933,744
Total, Directed stockpile work	2,428,516	125,900	0	39,284	2,467,800
Campaigns:					
Science campaign					
Advanced certification	54,730				54,730
Primary assessment technologies	109,231				109,231
Dynamic materials properties	116,965				116,965
Advanced radiography	30,509				30,509
Secondary assessment technologies	86,467				86,467
Total, Science campaign	397,902	0	0	0	397,902
Engineering campaign					
Enhanced surety	51,771	2,500			51,771
Weapon systems engineering assessment technology	23,727				23,727
Nuclear survivability	19,504				19,504
Enhanced surveillance	54,909	4,000			54,909
Total, Engineering campaign	149,911	6,500	0	0	149,911
Inertial confinement fusion ignition and high yield campaign					
Ignition	80,245				80,245
Support of other stockpile programs	15,001				15,001
Diagnostics, cryogenics and experimental support	59,897				59,897
Pulsed power inertial confinement fusion	5,024				5,024
Joint program in high energy density laboratory plasmas	8,198				8,198
Facility operations and target production	232,678				232,678
Total, Inertial confinement fusion and high yield campaign	401,043	0	0	0	401,043
Advanced simulation and computing campaign	564,329				564,329
Technology Maturation Campaign					
Readiness Campaign					
Component manufacturing development	106,085				106,085
Tritium readiness	91,695				91,695
Total, Readiness campaign	197,780	0	0	0	197,780
Total, Campaigns	1,710,965	6,500	0	0	1,710,965
Nuclear programs					
Nuclear operations capability	265,937				265,937
Capabilities based investments	39,558				39,558
Construction:					
12-D-301 TRU waste facilities, LANL	26,722				26,722
11-D-801 TA-55 Reinvestment project Phase 2, LANL	30,679				30,679
07-D-220 Radioactive liquid waste treatment facility upgrade project, LANL	55,719				55,719
06-D-141 PED/Construction, Uranium Capabilities Replacement Project Y-12	325,835				325,835
Total, Construction	438,955	0	0	0	438,955
Total, Nuclear programs	744,450	0	0	0	744,450

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Secure transportation asset					
Operations and equipment	122,072				122,072
Program direction	97,118				97,118
Total, Secure transportation asset	219,190	0	0	0	219,190
Site stewardship					
Nuclear materials integration	17,679				17,679
Corporate project management	13,017				13,017
Minority serving institution partnerships program	14,531				14,531
Enterprise infrastructure					
Site Operations	1,112,455				1,112,455
Site Support	109,561				109,561
Sustainment	433,764	65,100			433,764
Facilities disposition	5,000				5,000
Subtotal, Enterprise infrastructure	1,660,780	65,100	0	0	1,660,780
Total, Site stewardship	1,706,007	65,100	0	0	1,706,007
Defense nuclear security					
Operations and maintenance	664,981				664,981
Construction:					
14-D-710 DAF Argus, NNSS	14,000				
Total, Defense nuclear security	678,981	0	0	0	678,981
NNSA CIO activities	148,441	22,500		1,559	150,000
Legacy contractor pensions	279,597				279,597
Subtotal, Weapons activities	7,916,147	220,000	0	40,843	7,956,990
Adjustments					
Use of prior year balances	— 47,738				— 47,738
Total, Adjustments	— 47,738	0	0	0	— 47,738
Total, Weapons Activities	7,868,409	220,000	0	40,843	7,909,252
Defense Nuclear Nonproliferation					
Defense Nuclear Nonproliferation Programs					
Global threat reduction initiative	424,487	23,000			424,487
Defense Nuclear Nonproliferation R&D					
Operations and maintenance	388,838				388,838
Nonproliferation and international security	141,675				141,675
International material protection and cooperation	369,625	— 23,000			369,625
Fissile materials disposition					
U.S. surplus fissile materials disposition					
Operations and maintenance					
U.S. plutonium disposition	157,557				157,557
U.S. uranium disposition	25,000				25,000
Total, Operations and maintenance	182,557	0	0	0	182,557
Construction:					
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC	320,000		80,000	40,000	360,000
Total, Construction	320,000	0	80,000	40,000	360,000
Total, U.S. surplus fissile materials disposition	502,557	0	80,000	40,000	542,557
Total, Fissile materials disposition	502,557	0	80,000	40,000	542,557
Legacy contractor pensions	93,703				93,703
Total, Defense Nuclear Nonproliferation Programs	1,920,885	0	80,000	41,559	1,962,444

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Nuclear counterterrorism incident response program	181,293				181,293
Counterterrorism and counterproliferation programs	74,666				74,666
Subtotal, Defense Nuclear Nonproliferation	2,176,844	0	80,000	40,000	2,216,844
Adjustments					
Use of prior year balances	— 36,702				— 36,702
Total, Adjustments	— 36,702	0	0	0	— 36,702
Total, Defense Nuclear Nonproliferation	2,140,142	0	80,000	40,000	2,180,142
Naval Reactors					
Naval reactors operations and infrastructure	455,740	— 2,000	— 2,000	— 2,000	453,740
Naval reactors development	419,400				419,400
Ohio replacement reactor systems development	126,400				126,400
S8G Prototype refueling	144,400				144,400
Program direction	44,404				44,404
Construction:					
14—D—902 KL Materials characterization laboratory expansion, KAPL	1,000				1,000
14—D—901 Spent fuel handling recapitalization project, NRF	45,400				45,400
13—D—905 Remote-handled low-level waste facility, INL	21,073				21,073
13—D—904 KS Radiological work and storage building, KSO	600	2,000	2,000	2,000	2,600
Naval Reactor Facility, ID	1,700				1,700
Total, Construction	69,773	2,000	2,000	2,000	71,773
Subtotal, Naval Reactors	1,260,117	0	0	0	1,260,117
Adjustments:					
Use of prior year balances (Naval reactors)	— 13,983				— 13,983
Total, Naval Reactors	1,246,134	0	0	0	1,246,134
Office Of The Administrator					
Office of the administrator	397,784	— 8,000		— 8,000	389,784
Total, Office Of The Administrator	397,784	— 8,000	0	— 8,000	389,784
Defense Environmental Cleanup					
Closure sites:					
Closure sites administration	4,702				4,702
Hanford site:					
River corridor and other cleanup operations	393,634		20,000	15,000	408,634
Central plateau remediation	513,450				513,450
Richland community and regulatory support	14,701				14,701
Total, Hanford site	921,785	0	20,000	15,000	936,785
Idaho National Laboratory:					
Idaho cleanup and waste disposition	362,100		30,000	10,500	372,600
Idaho community and regulatory support	2,910				2,910
Total, Idaho National Laboratory	365,010	0	30,000	10,500	375,510
NNSA sites					
Lawrence Livermore National Laboratory	1,476				1,476
Nuclear facility D & D Separations Process Research Unit	23,700				23,700
Nevada	61,897				61,897
Sandia National Laboratories	2,814				2,814
Los Alamos National Laboratory	219,789		40,000	15,000	234,789
Total, NNSA sites and Nevada off-sites	309,676	0	40,000	15,000	324,676
Oak Ridge Reservation:					
OR Nuclear facility D & D	73,716				73,716
OR cleanup and disposition	115,855		10,000		115,855
OR reservation community and regulatory support	4,365				4,365

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Total, Oak Ridge Reservation	193,936	0	10,000	0	193,936
Office of River Protection:					
Waste treatment and immobilization plant					
01–D–416 A–E/ORP–0060 / Major construction	690,000				690,000
Tank farm activities					
Rad liquid tank waste stabilization and disposition	520,216		50,000		520,216
Total, Office of River protection	1,210,216	0	50,000	0	1,210,216
Savannah River sites:					
Savannah River risk management operations	432,491				432,491
SR community and regulatory support	11,210				11,210
Radioactive liquid tank waste:					
Radioactive liquid tank waste stabilization and disposition	552,560	95,000	150,000	105,000	657,560
Construction:					
05–D–405 Salt waste processing facility, Savannah River	92,000				92,000
Total, Construction	92,000	0	0	0	92,000
Total, Radioactive liquid tank waste	644,560	95,000	150,000	105,000	749,560
Total, Savannah River site	1,088,261	95,000	150,000	105,000	1,193,261
Waste Isolation Pilot Plant					
Waste isolation pilot plant	203,390		33,000	16,000	219,390
Total, Waste Isolation Pilot Plant	203,390	0	33,000	16,000	219,390
Program direction	280,784		20,000		280,784
Program support	17,979				17,979
Safeguards and Security:					
Oak Ridge Reservation	18,800				18,800
Paducah	9,435				9,435
Portsmouth	8,578				8,578
Richland/Hanford Site	69,078		10,000		69,078
Savannah River Site	121,196		10,000		121,196
Waste Isolation Pilot Project	4,977				4,977
West Valley	2,015				2,015
Technology development	24,091	10,000	10,000		24,091
Subtotal, Defense environmental cleanup	4,853,909	105,000	383,000	161,500	5,015,409
Uranium enrichment D&D fund contribution	463,000	– 463,000	– 463,000	– 463,000	0
Total, Defense Environmental Cleanup	5,316,909	– 358,000	– 80,000	– 301,500	5,015,409
Other Defense Activities					
Health, safety and security					
Health, safety and security	143,616				143,616
Program direction	108,301				108,301
Total, Health, safety and security	251,917	0	0	0	251,917
Specialized security activities	196,322			9,578	205,900
Office of Legacy Management					
Legacy management	163,271				163,271
Program direction	13,712				13,712
Total, Office of Legacy Management	176,983	0	0	0	176,983
Defense-related activities					
Defense related administrative support					
Chief financial officer	38,979				38,979
Chief information officer	79,857				79,857
Total, Defense related administrative support	118,836	0	0	0	118,836

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2014 Request	House Authorized	Senate Authorized	Agreement Change	Agreement Authorized
Office of hearings and appeals	5,022				5,022
Subtotal, Other defense activities	749,080	0	0	9,578	758,658
Total, Other Defense Activities	749,080	0	0	9,578	758,658

Mr. SMITH of Washington. Mr. Speaker, I yield myself 4 minutes.

I want to thank the chairman and echo his words about how important it is that we pass this piece of legislation. It is critical to our national security and critical to supporting our troops, to make sure they get the pay and the support that they need to do the job that we all have asked them to do.

This is never an easy process. We worked between the two of us and between our committees, and we worked with the Senate, House Republicans, bipartisan and bicameral. I am sure if any one of us were so designated as god of this piece of legislation, there are things we would change about it, but that is the nature of the legislative process. You come together, you compromise, and you put together the best product that all of you can agree on, and that is what we have done.

□ 1500

To not pass this at this point is to jeopardize our national security and to not support our troops.

I think this is an excellent compromise and something that needs to be passed. I think that we would all agree that we wish we could have done this through the normal conference committee process, but the Senate has their rules, and they had difficulty getting to that point.

I want to assure everybody that this was a fully negotiated piece of legislation. We engaged the Senate, both Republican and Democrat. Chairman McKEON and I worked very closely together. Our staffs worked very closely together. This is an excellent, important bill that needs to be passed for all of the reasons that Chairman McKEON mentioned: the steps forward it makes on sexual assault, the support it gives to our troops as they are in battle in Afghanistan in trying to protect our national security elsewhere. I really want to urge everyone to make sure that they vote for this and support this.

I want to use my remaining time to talk a little bit about the budget resolution, or the budget conference committee, that we are going to talk about later. I completely agree with Chairman McKEON. In the spirit of what I said about the NDAA about the necessity of getting our job done, we need to pass a budget. I know it impacts all manner of different other pieces of government, but I am most familiar with

what it does to the Department of Defense to not have a budget, to not have appropriations bills, to have to go from CR to CR to government shutdown threat to actual government shutdown to another government shutdown threat.

You simply cannot function as well as you should, or as well as you would, if you had a dependable budget that said here is what you have. It will never be what all of us want, but it is better to have the predictability of having an appropriations process.

So it is critical that we pass the National Defense Authorization Act; it is critical that we pass the budget. We have to function as a government. We all know how low our approval ratings are. I think it is great: Democrats take great comfort in the fact that Republicans aren't popular and the Republicans take great comfort in the fact that Democrats aren't popular. But all it means to me is none of us are popular.

We need to get our job done. We have two great opportunities today to do that, to show the American public that this body functions, it works, and it will, in fact, live up to its responsibilities, and in the case of the National Defense Authorization Act, one of the most important responsibilities, and that is to provide for the common defense.

I urge everyone to vote for this important piece of legislation and to support the budget resolution coming later today.

With that, I reserve the balance of my time.

Mr. McKEON. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. THORNBERRY), my friend and colleague, the vice chairman of the Armed Services Committee and chairman of the Intelligence, Emerging Threats, and Capabilities Subcommittee.

Mr. THORNBERRY. Thank you, Mr. Chairman.

First, let me commend the chairman and ranking member of the committee and the staff for getting us to this point.

In all the 52 years of the National Defense Authorization Act, I think this has been one of the most challenging years to get a bill actually passed. Not only have they done that, or are about to do that, get us to this point, but it is a good bill with many significant provisions that enhance our national security.

Among those provisions are those under the purview of the Intelligence, Emerging Threats, and Capabilities Subcommittee that authorizes more than \$85 billion worth of critical national security activities and programs to include cybersecurity and operations, combating weapons of mass destruction, combating terrorism, defense intelligence, and Special Operations Forces, science and technology, and research, and a host of areas.

I want to express my appreciation especially to the subcommittee staff for the work they have done on it.

But as we look ahead to the threats and also the capabilities that are coming before us in the future, we also have to update our oversight mechanisms here in Congress.

In this bill, there are provisions known as the Oversight of Sensitive Military Operations Act, which is a big advance to make sure that we can conduct the proper oversight, even as activities are conducted by various weapon systems, even as they happen all around the world.

Finally, Mr. Speaker, let me reiterate what the chairman and ranking member have said: this bill, combined with the budget agreement, doesn't solve all our problems in defense, but they provide absolutely needed stability so that we can return to a way where military leaders and private sector leaders can plan for a change. We have not been in that situation in recent years.

So passing this bill and passing the budget bill are significant advances for our country's national security. I hope all my colleagues will agree.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentlelady from California (Ms. SANCHEZ), the ranking member of the Tactical Air and Land Forces Subcommittee.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I thank both ADAM SMITH and my fellow Californian, Chairman BUCK McKEON, for getting us to this point. It was very, very difficult. I know that on the Tactical Air and Land Forces Subcommittee, Chairman MIKE TURNER, his leadership really led us to be able to get our work done.

Our subcommittee looks at equipping our troops in particular, everything from body armor to what types of planes they fly in, how we transport them, et cetera. This NDAA, I believe, reflects the needs of the troops in the

field and our high-priority acquisition programs, as reflected in the President's budget.

It authorizes an additional \$400 million for the National Guard and Reserve account and another \$90 million for M1 Abrams tank upgrades for the Army National Guard.

The bill includes \$1.3 billion for the U.S. Marine Corps ground equipment, and we continue to support Global Hawk through 2014.

One of the most important things that we do in our subcommittee is oversight of these very large acquisition programs. In particular, this year, we took a look at the F-35 Joint Strike Fighter and the body armor programs for our troops. How do we have the right body armor for men and women? How do we make sure we are upgrading and keeping it moving forward in a time when we are bringing back troops and we are getting out of two ground wars? And, of course, the F-35, our only protection plane for the next 20 years, which we share with some of our allies. So it is important to make sure that we get that cost down. These are the types of oversight that we have done.

The bill also includes \$746 million in targeted reductions to eliminate wasteful spending at the DOD.

I wish to thank all of the staff who helped us on this bill: in particular, Doug Bush, John Wason, Jesse Tolleson, John Sullivan, and Tim McClees.

I urge a "yes" vote on this.

Mr. McKEON. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. FORBES), my friend and colleague, the chairman of the Seapower and Projection Forces Subcommittee.

Mr. FORBES. Mr. Speaker, I rise in support of the National Defense Authorization Act of fiscal year 2014.

With the chairman and ranking member's leadership, I believe that this bipartisan bill supports our men and women in uniform and provides them the necessary authorities and funding levels to defend our national security interests.

As to the Seapower and Projection Forces Subcommittee effort, I continue to be concerned about both the size and composition of our Navy's fleet. I am especially troubled by our physical trend lines that serve to diminish our military capabilities and embolden potential aggressors.

In testimony before our subcommittee, Navy admirals indicated that sequestration may serve to reduce our Navy's force structure to 257 ships by the year 2020. The commandant of the Marine Corps indicated that he sees "the beginning of a hollow force we have fought hard to avoid." This path is simply unacceptable.

I think this bill does a good job of reversing some of these negative trends and moves us in the right direction by authorizing eight combat ships and en-

sures that we retain and modernize our current fleet proposed for retirement until the end of its designed service life. It also provides surety to the continued construction of our aircraft carrier and attack submarine force structure, while continuing necessary oversight and cost-control efforts to preserve affordability.

The negative fiscal trend lines are not only resident within the naval forces, but are also significantly impairing the ability of our Air Force to project power. The chief of staff of the Air Force indicated that he anticipates an almost 10 percent reduction in the Air Force's force structure. Once again, this is not sustainable and erodes our combat capability.

While I am pleased with the efforts of my subcommittee regarding the projection of global force capabilities, we still have a long way to go. This bill provides strategic Air Force investments in terms of both the KC-46A tanker program and the Long Range Strike Bomber. These are capabilities that need to be nurtured carefully.

This bill also includes important cost-saving initiatives that provide the Navy and Air Force with the ability to procure the E-2D Hawkeye and C-130H Super Hercules aircraft using multi-year procurement authority.

Mr. Speaker, for all of this, I hope that we will support this bill and give the added resources that we need for our men and women in uniform.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentlelady from California (Mrs. DAVIS), the ranking member on our Military Personnel Subcommittee.

Mrs. DAVIS of California. Mr. Speaker, I rise in support of H.R. 3304, the National Defense Authorization Act of Fiscal Year 2014.

As ranking member of the Military Personnel Subcommittee, I am pleased this bill includes a number of provisions that continue our commitment to our Armed Forces.

I want to thank Chairman JOE WILSON for working with me in a bipartisan manner to support our servicemembers and their families.

Mr. Speaker, I also want to recognize the chairman of the House Armed Services Committee, BUCK McKEON, and ADAM SMITH, the ranking member, for their really excellent, wonderful leadership.

I want to thank the hardworking staff as well on the Military Personnel Subcommittee: Debra, Craig, Dave, Jeanette, Jon, and Colin.

Sexual assault has been a focus of this committee for the last several years, and this bill continues to make significant progress toward increasing victim empowerment and holding commanders accountable at all levels. The portions of this bill addressing sexual assault send a clear message: if you can't contribute to a safe and respectful environment, then get out.

Beyond sexual assault, the bill provides additional separation authorities as the services reduce their end strength. These authorities will be crucial to the Department's ability to execute the drawdown in a responsible manner, while ensuring that all serving members and their families who also serve are compensated appropriately.

Additionally, this bill continues our oversight responsibility and commitment to prisoners of war and those missing in action. The bill requires the Deputy Assistant Secretary of Defense for POW and Missing Personnel Affairs to disseminate appropriate information on the status of missing persons to family members. It also requires a report detailing statistical data on the recovery of remains of missing servicemembers from various conflicts. The bill before us continues to recognize the sacrifices of those who serve our Nation in uniform.

During a time when thousands of Americans still remain in combat, we in Congress have an obligation to ensure that these men and women, and their families, are supported, and provide them the resources they need to carry out the mission.

I urge all my colleagues to support this bill.

Mr. McKEON. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. WILSON), my friend and colleague, chairman of the Military Personnel Subcommittee.

Mr. WILSON of South Carolina. Thank you, Chairman McKEON and Ranking Member SMITH, for your leadership.

Mr. Speaker, the National Defense Authorization Act provides our warfighters, veterans, and military families the support they need, deserve, and have earned. Specifically, this year's legislation includes over 30 reforms related to combating criminal sexual assault in the military.

Reforms initiated by Congressman MIKE TURNER and Congresswoman NIKI TSONGAS include stripping commanders of their authority to dismiss a guilty finding; significantly limiting commanders' ability to modify court-martial sentences; establishing minimum sentences for sexual assault-related offenses; reforming the article 32 process to protect the victim.

Other provisions would reaffirm our commitment to the Reserves by requiring minimum notification before deployment; require the Secretary to improve the Integrated Disability Evaluation System; and reauthorize many special pays and bonuses for our servicemembers.

This bill does not include the administration's request for military retirees to pay more in fees.

From the beginning, the military personnel provisions have been a bipartisan process. I want to commend the ranking member, Congresswoman SUSAN DAVIS of California.

Additionally, I want to express an appreciation for the dedication of our subcommittee staff: John Chapla, who is truly a Virginia gentleman of the VMI tradition, along with Deborah Wada, Jeanette James, Craig Greene, Dave Giachetti, and Colin Bosse, along with Military Legislative Assistant Chad Sydnor and Military Fellow, Marine Master Sergeant Lee Duncan.

I urge my colleagues to support the National Defense Authorization Act for Fiscal Year 2014.

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Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentlewoman from Guam (Ms. BORDALLO), the ranking member on the Readiness Subcommittee.

Ms. BORDALLO. Mr. Speaker, I rise in strong support of the defense authorization bill for fiscal year 2014. In a time of tight budgets, it is important that we provide the resources to make sure that our forces are properly trained, equipped, and appropriately manned. That is the essence of military readiness. Our military must maintain a high level of readiness to address a wide range of threats across this globe. This bill helps to achieve that goal. This is all about keeping our Nation secure and safe.

In particular, this bill makes significant progress in advancing our posture in the Asia-Pacific region. The bill upholds the U.S. commitment to modernizing our force posture which is a critical component of the strategic rebalance to the Asia-Pacific region. In particular, Mr. Speaker, freeing up Japanese funds for the realignment of marines from Okinawa is financially prudent and confirms our support of the Guam International Agreement.

I thank Chairman McKEON; Ranking Member SMITH; my chairman, Mr. WITTMAN; our partners in the Senate; the staff on the committee and in my personal office for their support in developing this important bill.

I urge my colleagues to support this measure and pass it so the Senate can act on this critical measure which is so important to our men and women serving this Nation in defense.

Mr. McKEON. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. TURNER), the chairman of the Tactical Air and Land Forces Subcommittee.

Mr. TURNER. Mr. Speaker, I support the National Defense Authorization Act for fiscal year 2014, the 52nd consecutive National Defense Authorization Act.

I have had the privilege of serving as the chairman of the Tactical Air and Land Forces Subcommittee of our Armed Services Committee. Under the full leadership of Chairman McKEON and Ranking Member SMITH, the support of LORETTA SANCHEZ, our subcommittee's ranking member, and a

superb staff, ours is truly a bipartisan effort.

This year's bill reflects Congress' substantial bipartisan and bicameral efforts to construct meaningful reforms aimed at combating the pervasive issue of sexual assault within our military.

I want to thank Chairman McKEON and Ranking Member SMITH for their dedication so that this body's solution on these issues has been absolutely bipartisan. These legislative initiatives are unprecedented and the most powerful steps made to date toward the eradication of sexual assault in the military.

Specifically, the bill includes all provisions of the BE SAFE Act and Coast Guard Strong, which were introduced in both the House and Senate by Congresswoman TSONGAS and myself and Senators McCASKILL and COLLINS, respectively. It includes bipartisan measures introduced by Representatives HECK, WALORSKI, NOEM, CASTRO, DAVIS, SANCHEZ, and DUCKWORTH. Additionally, it includes the significant efforts made by Senator BOXER and Representatives SPEIER, TSONGAS, and myself in the past month to reform the article 32 process and ensure victims are not subjected to unnecessary intimidation tactics.

Instead of searching for ways to remove a commander's authority, this bill establishes systemic process and reforms which will provide military leaders with the tools they need to ensure that victims are cared for, that perpetrators are brought to justice, and that commanders are held accountable for what goes on within their units.

This bill enhances the rights of victims, strengthens military whistleblower protection laws, increases training requirements, and improves the ways the services respond to sexual assault reporting. It ensures that perpetrators are appropriately held accountable for these serious and violent crimes.

In addition to the sexual assault provisions, the bill includes an additional \$90 million for Abrams tank upgrades and \$75 million for heavy improved recovery vehicles that would ensure that our armored vehicle industrial base remains active.

Lastly, the bill strongly supports the Joint Strike Fighter program. I urge Members to support the bill.

Mr. SMITH of Washington. I yield 1 minute to the gentlewoman from Massachusetts (Ms. TSONGAS), ranking member of the Oversight and Investigations Subcommittee.

Ms. TSONGAS. Mr. Speaker, Congress has come together every year for half a century to pass the NDAA and support our servicemembers. This NDAA includes the BE SAFE Act, which it was my honor to work on with Representative MIKE TURNER. It takes

significant steps towards combating military sexual assault, an egregious crime that exists across the services. The bill makes historic changes to commander authority, removing the ability to overturn a jury verdict. It mandates a dishonorable discharge for those convicted of sexual assault and makes sure that every victim of military sexual assault gets an attorney.

This NDAA is necessary to require the Pentagon to continue important sexual assault prevention measures, such as the successful Special Victims Counsel program that could fall by the wayside if not mandated by law. It also includes many other reforms advanced on a bipartisan basis by many other members of the committee.

While we have more work to do, I want to thank Chairman McKEON and Ranking Member SMITH for their dedication in getting an NDAA done, and Representatives TURNER, DAVIS, WILSON, and the many others who worked on a bipartisan basis to address the great challenge of sexual assault in the military. I urge the House and Senate to pass this important bill.

Mr. McKEON. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. ROGERS), the chairman of the Strategic Forces Subcommittee.

Mr. ROGERS of Alabama. Mr. Speaker, I rise today in strong support of the FY14 National Defense Authorization Act, and H.R. 3304, the underlying bill that would waive the time limit for the President to consider awarding the Medal of Honor to a handful of American heroes, including Mr. Bennie Adkins of Opelika, Alabama, along with several other deserving veterans. While this honor has long been delayed, we thank them by this action today.

I would also like to thank the hardworking men and women at the Anniston Army Depot and all they do for our men and women in uniform. This bill will help provide them and all of the installations in the Third District with the certainty they need in the coming years.

As chairman of the Strategic Forces Subcommittee, I will highlight some of the important oversight the FY14 NDAA includes.

First, this bill fully funds the B-61 Life Extension program. The bipartisan and bicameral Armed Services Committees agree this program is vital to our national security, our strategic deterrent, and the extended deterrence we provide to our allies in Europe and Asia.

I would also note the agreement makes clear that the Congress will not provide one penny to implement the New START Treaty reductions unless the administration first comes up here and tells us what it plans to do and gives us a chance to say whether or not we agree.

Secondly, this bill provides a \$358 million increase above the President's

budget for our missile defenses, including our cooperation with Israel.

This bill also includes important national security space provisions. It ensures the U.S. is not relying on space capabilities of the People's Republic of China, and it promotes more cost-effective procurement of commercial satellite services.

Mr. Speaker, we would not be here today without the leadership of Chairman BUCK MCKEON. I want to thank him for his leadership and all that he does for our men and women in service. I also want to thank my friend and ranking member, JIM COOPER of Tennessee, for his dedication and professionalism this year. With another year, we may even see eye to eye on SEC football; but I doubt it. I ask my colleagues to vote "yes."

Mr. Speaker, I rise today to speak in support of the FY14 National Defense Authorization Act, and H.R. 3304, the underlying bill that would waive the time limit for the president to consider awarding the Medal of Honor to a handful of American heroes including Mr. Bennie Adkins of Opelika, AL along with several other deserving veterans. While this honor has been delayed we thank them for their service today.

I would also like to thank the hard working men and women at the Anniston Army Depot and all that they do for our men and women in uniform. This bill will help provide them the certainty needed in the coming years.

As my colleagues before me have made clear, this bill is a vital piece of legislation for the men and women of our military.

General Dempsey warned the Congressional Leadership this past Monday of the consequences for national security if the Senate were to choose not to take up this legislation.

As the Chairman of the Strategic Forces Subcommittee, I would like to highlight the important things this bill does in the areas of missile defense, nuclear weapons, and national security space.

First, this bill fully funds the B61 Life Extension Program (LEP) at NNSA and the associated tail-kit funding at the Air Force.

The bipartisan and bicameral armed services committees agree with the Administration: the B61 LEP is absolutely vital to our national security, our strategic deterrent, and the extended deterrence we provide to allies in Europe and in Asia.

There is simply no good reason to change course in mid-stream on this LEP, and we would incur great risk if a decision was made to do so.

I would also note the agreement makes clear that the Congress will not provide one penny to implement the New START Treaty reductions unless the Administration comes up here first and tells us how it plans to do that and we get a chance to state whether we agree. That is how this process is supposed to work: the President proposes and the Congress disposes.

The NDAA includes several provisions to control costs, improve efficiency, and prioritize nuclear modernization programs at the National Nuclear Security Administration (NNSA).

The Armed Services Committee has been pursuing much-needed reform at the NNSA for several years, and this bill will continue to advance toward the end goal of an effective and efficient nuclear enterprise.

In response to major and repeated security failures at NNSA nuclear facilities, including the shocking incursion by an octogenarian nun at one of the supposedly most secure nuclear sites in the world, the bill contains several measures to improve security at NNSA.

These measures include a requirement for the NNSA Administrator to annually certify the security of nuclear weapons, materials, and classified information and the creation of a new Center for Security Technology, Analysis, Response, and Testing.

We will continue to watch the security issue very carefully, and ensure that those responsible for past failures are held accountable.

This bill takes several important steps to ensure U.S. strategic forces remain a top priority.

It ensures the Air Force will maintain the capability to deploy multiple nuclear warheads on intercontinental ballistic missiles (ICBM), should technical problems or deteriorating international relations require doing so, and restricts efforts to unnecessarily or arbitrarily reduce U.S. ICBM forces.

The bill also requires that the long-range standoff cruise missile currently under development has both nuclear and conventional variants; the bill provides the Air Force the flexibility to develop these variants in a cost-effective manner.

I also highlight Section 266 of the bill, which expresses a strong Sense of Congress that the OHIO-class replacement ballistic missile submarine program, in particular the common missile compartment of this program, must remain on track so that it delivers on-schedule to support our British allies.

Britain and the United States have been partners in sea-based strategic deterrence for decades, and we must fulfill our commitment to this essential ally.

Mr. Speaker, I would also like to ensure there is no confusion with respect to Section 3112 of this bill.

This provision would create a Cost Estimating and Program Evaluation office within the National Nuclear Security Administration (NNSA).

This office is intended to bring some rigor to an agency that has regularly seen major nuclear facility construction projects hit with major cost increases.

My hope is that the office will lead to more accurate and timely cost estimates, and thereby help restore credibility to the NNSA.

Importantly, the purview of this office is not intended to cover the Naval Reactors program within NNSA.

Naval Reactors has a long history of program management excellence, and this new office is not meant to interfere with this success.

I have spoken to Chairman MARK UDALL of the Senate Armed Services Subcommittee on Strategic Forces and he and I agree that this provision should have no impact at all on the function of the Naval Reactors office.

I will be working with Senator UDALL and the NNSA to ensure there is no uncertainty about section 3112.

We both agree that if there is any such uncertainty, it will be clarified in the FY15 National Defense Authorization Act.

I also note Section 3117 of the bill would authorize the NNSA to carry out a "modular" approach to replacing critical plutonium capabilities at the Los Alamos National Laboratory.

The replacement of these capabilities is at the core of President Obama's commitment to build a responsive nuclear infrastructure.

Further delay is unacceptable.

The Department of Defense has reviewed the modular approach, and the Nuclear Weapons Council has endorsed it.

The NNSA must begin executing this strategy immediately, and the Nuclear Weapons Council must ensure NNSA puts behind the effort the resources needed.

I understand a reprogramming proposal related to the plutonium strategy is still pending, and I will work with Chairman MCKEON to continue to leverage this reprogramming to ensure NNSA begins executing this program immediately.

Second, this bill provides a \$358 million increase above the President's budget for our missile defenses.

These funds are essential to reverse the damage done to our missile defenses under this Administration.

We have included authorization for a new homeland missile defense sensor and a new kill vehicle, as well as \$20 million to continue the planning we started last year for the East Coast missile defense site.

Additionally, this bill includes funding for missile defense cooperation with our allies, including \$188 million on top of the President's budget request for Iron Dome, David's Sling, and Arrow missile defenses.

These increases are a reflection of the commitment of this nation to the security of our ally Israel.

And, it draws a line in the sand when it comes to allies entering into missile defense deals with China or in terms of the Obama Administration's efforts to induce Russia to join a missile defense deal.

The bill also includes important national security space provisions, such as a provision I authored to ensure the United States is not relying on space capabilities of the People's Republic of China; a provision to ensure the State Department is unable to proceed with an agreement to locate Russian satellite ground stations in the United States; and it promotes more cost-effective procurement of commercial satellite services.

This bill provides the continued support and advancement of critical national security space programs.

Our military forces have come to depend on space capabilities, such as missile warning, communications, and GPS.

Potential adversaries have taken note of strategic reliance on these systems, and they are developing a range of weapons to destroy and disable our satellites.

In response to these threats, the bill requires that an independent panel be established to review the U.S. space security and defense efforts, and provide recommended paths forward.

The bill also requires improved information sharing within the United States government

concerning any intentional adversary counter-space actions against U.S. national security space systems.

Additionally, Section 220 and Section 915 provide support for the Operationally Responsive Space program, including responsive launch activities, to ensure that the Department is developing capabilities and means to respond to urgent warfighter space needs.

The Department's acquisition of commercial satellite services is in need of reform.

Over one billion dollars a year are spent on these services, and the Department currently procures them in the most inefficient manner possible, through one-year leases.

This year's NDAA directs the DoD to develop a strategy to enable multi-year procurement approaches and encourages the pursuit of a variety of methods to reduce cost and meet military requirements.

And our space capabilities would not be possible without an effective space launch program.

As the Air Force's Evolved Expendable Launch Vehicle program moves into the next phase, which is planned to be competitive, we will maintain close oversight to ensure the taxpayer's and warfighter's interests are protected. We can accept nothing less than the highest mission reliability when it comes to critical, multi-billion dollar national security space payloads.

Mr. Speaker, we would not be here today without the leadership of Chairman BUCK McKEON.

I would like to thank him for his leadership and all that he does for the men and women of this country's armed services.

I would also like to thank my Ranking Member, JIM COOPER of Tennessee, for his dedication and professionalism this year.

While we may not see eye-to-eye on SEC football, he has been a pleasure to work with and I look forward to working with him to build on our successes this year in next year's bill.

Mr. SMITH of Washington. I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, I would like to thank Chairman McKEON and Ranking Member SMITH for all their hard work on this bill.

In the spring of 2011, a very brave band of Americans executed a mission that brought the country to its feet in ending the reign of terror of Osama bin Laden. Their heroism on that night is something that makes us proud even today. That success, though, was rooted in many things that happened many years before that. There were scientists and researchers that made those night vision goggles that made the raid possible. There were engineers and technicians that made the Stealth helicopters so successful; and, most importantly, I think, there were men and women in our intelligence community who helped sift through all the haystacks to find the needles necessary to make the operation happen.

The quiet, methodical work that protects our country is the essence of this bill. It is research and development. It is readiness. It is all the things that

are necessary to act, and act decisively in the decisive moments in history. It is important that all Members support this bill because those who raise their right hands and swear allegiance to the country are worthy of this support. I am pleased both Republicans and Democrats will support this bill today. I am happy to join that support.

Mr. McKEON. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN), my friend and colleague, and the chairman of the Readiness Subcommittee.

Mr. WITTMAN. Mr. Speaker, I rise today in strong support of the National Defense Authorization Act. I would like to thank Chairman McKEON and Ranking Member SMITH for their hard work on this, as well as the ranking member of the Readiness Subcommittee, MADELEINE BORDALLO. This bill addresses the impact of sequestration on our national security and, perhaps most importantly, the most damaging effects on our soldiers, sailors, airmen and marines, over 51,000 of whom are fighting for us today in Afghanistan.

Specifically, this bill allocates nearly \$3 billion readiness dollars across the components—Active, Guard and Reserve—providing needed funds for critical programs, including the flying hour program, facilities maintenance and sustainment, depot maintenance, and combat support.

The bill boosts DOD's ability to respond to crises like Benghazi by adding \$75 million for the expansion of the Marine Security Guard program at our diplomatic posts around the world.

It prohibits DOD from initiating another round of BRAC to ensure appropriate focus on the orderly and secure withdrawal from Afghanistan and a well-informed assessment of our Nation's defense strategy moving forward.

It also provides \$11 million for MILCON projects for urgently needed base infrastructure.

It reauthorizes 1.5 million acres of public land for training range access to ensure our forces have the ability to train the way we expect them to fight.

And it ensures adequate funding for reset and retrograde from our Nation's longest war in Afghanistan.

As we vote, we need to be mindful that our highest duty is to ensure the readiness of our force. This starts with our men and women who volunteer to wear the uniform with the right training and equipment to do their missions with the advantage of overwhelming military superiority. We must ensure they never enter a fair fight on our behalf, and that they can complete their missions and come home safe.

I would like to thank the HASC staff director, the entire HASC staff, especially the readiness staff—Michele Pearce, Ryan Crumpler, Jamie Lynch, Dave Sienicki and Nicholas Rodman—for their diligent and dedicated work to get this bill completed.

Mr. SMITH of Washington. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from Washington has 9½ minutes remaining. The gentleman from California has 5 minutes remaining.

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. COURTNEY), a member of the committee.

Mr. COURTNEY. Mr. Speaker, I rise in strong support of this bipartisan defense measure which makes an emphatic commitment to America's undersea Naval force. In the last 2 years, we have had the following: the National Security Review in 2011, the Quadrennial Defense Review, and the Nuclear Posture Review; and all of them have had the same consistent theme on this issue, which is that the U.S. Navy's preeminence in the undersea domain must not be neglected, and that sea-based deterrence is a critical insurance policy for our Nation from any emerging nuclear force.

With that in mind, this measure invests \$5.9 billion in the Virginia class submarine program. It will fund two submarines in 2014 and advance procurement in 2015. It has \$1 billion for the Ohio replacement design work, which is the best guarantee that we will have a cost-effective production of that critical vessel. And finally, the Virginia Payload Module which will increase the missile capacity of the Virginia class submarine and allow the Navy to replace the capability of the SSGM force which is going to be going offline over the next 10 years.

The Seapower Subcommittee, led by my friend, Mr. FORBES, has held a number of hearings which again have reemphasized the critical need for this both in our Navy and our national security. I urge a "yes" vote on this measure.

Mr. McKEON. Mr. Speaker, I yield 2 minutes to the gentlewoman from Alabama (Mrs. ROBY), our former chairman of the Oversight and Investigations Subcommittee, who was recently moved from our committee to the Appropriations Committee. She will be sorely missed.

Mrs. ROBY. Mr. Speaker, I rise to express my support for this National Defense Authorization Act. I want to express my gratitude to Chairman McKEON and the entire Armed Services staff for their hard work and commitment to our men and women in uniform.

While I will no longer be serving on the Armed Services Committee, I know that Chairman McKEON and his team will continue their good work.

Mr. Speaker, providing for the common defense is one of the fundamental duties of the Congress spelled out in our Constitution, and I am proud to represent two distinguished military installations in Maxwell-Gunter Air Force Base in Montgomery and Fort Rucker-Wiregrass. These installations

and others like them around the world will be better able to prepare our men and women thanks to this year's NDAA.

One important part of this bill I want to highlight is its focus on helping our military assets respond to global threats while remaining within our Nation's fiscal constraints. During my time as chairman of the Oversight and Investigations Subcommittee, we focused on the rights of Afghan women and ensuring that our military is better postured to respond to any future attack, like the one on the consulate in Benghazi, Libya, last September.

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I am pleased that the NDAA provides provisions offering the appropriate guidance on both of these issues.

The bill also addresses the important issue of sexual assault in the military in a responsible and reasonable way, and I know my friend Representative WALORSKI is going to address that in a moment, and I appreciate her and others' leadership on that issue.

I encourage my colleagues in the House to pass this critical measure to ensure that our military men and women receive the resources and policy that they need to do their job.

Thank you again, Mr. Chairman, for your work.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN), the ranking member of the Intelligence, Emerging Threats and Capabilities Subcommittee.

Mr. LANGEVIN. Mr. Speaker, I thank the gentleman for yielding, and I rise in strong support of the House amendment to H.R. 3304, the National Defense Authorization Act for Fiscal Year 2014.

This legislation represents the best path forward for the work that we must do in order to support our men and women in uniform and our national security, and I applaud Chairman MCKEON and Ranking Member SMITH for their efforts to ensure that it is enacted.

I am pleased that the bill continues the strong support of the *Virginia*-class submarine, *Ohio* Replacement Program, and the *Virginia* Payload Module, all of which are critical to our future capabilities. I am also pleased that this measure improves on several key aspects of the House-passed defense authorization, including a number of initiatives designed to confront sexual assault in our military, policies making progress towards the administration's goal of closing the detention facility at Guantanamo Bay, and improved provisions relating to the nuclear weapons enterprise and missile defense.

I have been proud to work closely in particular with Chairman MAC THORBERRY on the numerous provisions under the jurisdiction of the Sub-

committee on Intelligence Emerging Threats and Capabilities, where I am proud to serve as ranking member. We have prioritized resources for our Special Operations Forces and our cybersecurity efforts, as well as investments in advanced technology and research and development.

While more clearly must be done by both DOD and the whole of government to address the challenges our Nation faces in cyberspace, there are many positive steps as well in this legislation, including incentivizing new cybersecurity standards, ensuring U.S. Cyber Command has proper authorities and personnel, and coordinating cybersecurity efforts with related disciplines.

Mr. Speaker, I would like to thank Chairman MCKEON and Ranking Member SMITH and their tireless committee staff for their efforts, and I urge my colleagues to support swift passage of this crucial legislation.

Mr. MCKEON. Mr. Speaker, I yield 1 minute to the gentlewoman from Indiana (Mrs. WALORSKI), my friend and colleague, a member of the Armed Services Committee.

Mrs. WALORSKI. Mr. Speaker, I rise in support of this National Defense Authorization Act.

This year's act includes historic reforms to address the growing epidemic of military sexual assault that is shamefully tarnishing the reputation of our Armed Forces. I want to thank Representative LORETTA SANCHEZ for assisting me with a bipartisan provision that extended whistleblower protections to victims to ensure they cannot be retaliated against for reporting sexual assault. This commonsense measure will create an environment for safe reporting and encourage victims to come forward without fear of retribution within their own ranks.

Passing the NDAA with these critical reforms is a step in the right direction toward eradicating the horrific problem of military sexual assault in the military. I urge my colleagues to support this bill and quickly sign it into law so that our servicemembers have whistleblower protection. I urge my colleagues to vote for this NDAA.

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Hawaii (Ms. HANABUSA).

Ms. HANABUSA. Mr. Speaker, I rise in support of this bipartisan legislation.

The NDAA has been approved with bipartisan support for 51 consecutive years, so I am pleased our committee was able to reach an agreement.

The bill includes over \$400 million in important funding for military construction in the State of Hawaii that will solidify our position in support of the Asia-Pacific rebalance. As you know, Hawaii is America's gateway to the Asia-Pacific.

I would like to thank the chair and ranking member for working with me

to include critical provisions for Hawaii, and thank my bipartisan colleagues on the committee for helping me authorize new money for the Maritime Guaranteed Loan Program, which will be used to preserve national security and ensure the long-term viability of the American maritime industry.

I am pleased that the bill includes language that will help further critical research objectives in Hawaii for the Office of Naval Research for organizations like the Pacific International Center for High Technology Research. This will allow Hawaii to thrive into the future.

Thank you, everyone, for your hard work on this year's bill, and I call upon my colleagues to vote for this important legislation.

Mr. MCKEON. Mr. Speaker, may I inquire as to the remaining time?

The SPEAKER pro tempore. The gentleman from California has 2½ minutes remaining, and the gentleman from Washington has 5½ minutes remaining.

Mr. MCKEON. Mr. Speaker, I will be the concluding speaker here, so I will reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. BARBER), a member of the committee.

Mr. BARBER. Mr. Speaker, I rise today to urge my colleagues to support this bipartisan National Defense Authorization Act, and I call attention to a provision in the act that will preserve the A-10, a core component of our Nation's combat power and military readiness. This is a national security asset that I have been fighting for even before I became a Member of Congress when I was Congresswoman Giffords' district military affairs lead.

This National Defense Authorization Act states that the Air Force will not be allowed to retire, prepare to retire, or place in storage any additional A-10 aircraft during 2014. A-10 pilots are trained at Davis-Monthan Air Force Base in Tucson, Arizona, to fly a plane that is unsurpassed in its ability to provide support for our troops on the ground. In today's military environment, the A-10 is best suited to continue this very important mission for decades to come. We simply cannot adequately support the warfighter to continue on the ground if we get rid of this proven aircraft.

I am proud to support the NDAA.

Mr. MCKEON. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield myself the balance of my time.

I just want to take a quick minute again to thank all the people who worked to make this possible, our staffs on the Armed Services Committee in particular. The bipartisan majority and minority have all done an amazing job over a long period of time,

and I really want to thank the chairman, as well, for his determination to get this bill done.

It is never the same path twice, which always makes it interesting, but the one thing that we have very much in common is an absolute determination to get the bill done for the reasons that the chairman and I stated earlier, because of just how important it is that we do our work and make sure we provide for the troops that are serving us. But we could not do it without the incredible expertise and tireless work of our staffs.

I particularly want to thank my staff director, Paul Arcangeli, for pulling all of this together as we bounced back and forth between whether or not we were going to do a formal conference or do this. That work that they have been doing over the last several months was critical in making this possible.

Again, I will close just emphasizing two big points:

We need to do our work as Congress because people depend on it. They depend on the United States Government functioning. Passing the National Defense Authorization Act is a critical piece of that so that we can continue to provide for the common defense as we are constitutionally mandated to do, and I urge everybody to support it.

Every bit as important is the budget agreement that is coming up later on. We have all, to some degree on the Armed Services Committee and elsewhere, rallied against sequestration. The vote that is coming up this afternoon is not a choice between this budget agreement and what each one of us individually would like. It is a choice between the budget agreement and sequestration, a CR and further threats of government shutdown. And I will just emphasize that the impact that that would have on the Department of Defense and its ability to do the job that we are asking them to do would be devastating.

I know we have heard everybody claim that sequestration was going to be this big deal and it happened and the sun came up the next morning and everything was fine. Look, there are two things about that.

Number one, it had a profound impact on a lot of people. Not everybody to be sure, but it did have that profound impact.

The second big point is it gets worse. The first year was tough, but there were uncanceled balances. There were things you could do. They have kind of been running on fumes for a while, and if we continue with sequestration, those fumes run out and the cuts will be devastating and we will not be able to do what it is that I think we need to do to provide for our national security, which isn't to say the defense budget can't be cut. It is being cut, and it is going to be cut. There are cuts and then there are the nonsensical cuts of

sequestration. The only way out of that right now is the budget agreement.

Lastly, I will say that applies to a lot of other aspects of government: transportation, housing, Head Start. We have heard all the stories about the devastating impact of sequestration on all those programs. Later this afternoon, we will have our first real opportunity to reverse that. It is critically important that we do so.

I urge passage of the National Defense Authorization Act. I again thank the chairman. I very much value our partnership, given the desire for bipartisanship out there today. People always ask me if I have any Republicans that I work with. I do; the chairman of our committee, who has done a great job in that capacity. I very much value our friendship and our partnership. Hopefully, we will get the Senate to get this done and we will make it 52 years in a row.

I yield back the balance of my time.

Mr. McKEON. Mr. Speaker, I yield myself the balance of my time.

I want to thank the other committees who worked closely with us all year and members of the Armed Services Committee once again. Especially I want to thank our staff directors, Bob Simmons and Paul Arcangeli. They have worked tirelessly, as have all of these other people that have been putting in countless hours to get us to this point.

This legislation addresses a wide array of policy issues, including supporting operations in Afghanistan, strengthening our partnerships in the Middle East, reinforcing our capabilities in the Pacific, combating sexual assault in the military, enhancing missile defense, and maintaining this Nation's nuclear deterrent.

Though the significant cuts to the defense budget continue to have a profound effect on readiness, our modernization programs, and the defense industrial base, the bill adequately sustains training, critical assembly lines, shipyards, and manufacturing expertise to keep our wartime military properly prepared, equipped, and supplied. Each of these efforts is important for the security of our homeland and our allies.

We have worked on a bicameral, bipartisan basis to get this legislation done. It is my sincere hope that we can continue working together to limit the damage to our military and their readiness resulting from sequestration.

What we are considering here today is a step in the right direction. It is a solid product thoroughly debated and deliberately considered. I urge my colleagues to support and vote in favor of this legislation.

As ADAM said, we have a great partnership. I think the thing that makes our committee work so well together is it is not about jobs. Sometimes people say, well, we just have a defense so

that we can provide jobs. We have a defense because the Constitution says that we provide for the common defense. We have to be kind of the ones that keep the ceilings open, the skies free, this Nation free from terrorism.

I talked to General Odierno, the Chief of our Army last week, and he said in 2008, the budget for the U.S. Army was \$250 billion. This year, it is \$150 billion. For people who are saying we are really not cutting, we are just slowing the growth rate, we are cutting. The thing that has been most affected is our readiness, and that is what causes lives to be lost because our troops aren't getting sufficiently trained before they go to Afghanistan, before they go into harm's way. This budget will help. I talked to General Dempsey yesterday, and this will help them get back on their feet in readiness.

I want to thank ADAM for his true friendship and partnership, and I encourage all of our colleagues to vote for this bill, to sustain the efforts of those who are willing to put themselves in harm's way to protect us.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise to speak on House consideration of The National Defense Authorization Act for Fiscal Year 2014.

I thank Chairman McKEON. Ranking Member SMITH and the Rules Committee, and the Armed Services Committee's for their work on the National Defense Authorization Act for Fiscal Year 2014.

The National Defense Authorization Act's purpose is to address the threats our nation must deal with not just today, but into the future. This makes our work vital to our national interest and it should reflect our strong commitment to ensure that the men and women of our Armed Services receive the benefits and support that they deserve for their faithful service.

This is the 52nd consecutive National Defense Authorization Act, which speaks to the long term commitment of the Congress and successive Administrations to provide for National Defense. This bill encompasses a number of initiatives designed to confront sexual assault in the military, making more efficient the work of protecting America, addresses the mental health needs of men and women in the armed services, and extends economic opportunity to small minority and women owned businesses.

We do live in a dangerous world, where threats are not always easily identifiable, and our enemies are not bound by borders. The recent Boston Terrorist Attack reminds us of how fragile our nation's security could be without a well trained and equipped military.

The definition of war has changed and with it our understanding about what is needed to combat a unique type of enemy that fights under no flag or for any nation.

U.S. Special Operations Command, a vital part of our military, provides much of the special skills needed to defend our nation today. This legislation continues to build on previous efforts to support their important work.

I am still deeply concerned about the President's authority, as stipulated by the 2001 Authorization for the Use of Military Force (AUMF), to indefinitely detain individuals apprehended in the United States—including citizens of the United States—without due process and with little independent review or oversight. As a senior member of the House Judiciary Committee, I am committed to making sure that the Constitution and its protections are enforced. The purpose to defend this nation is not just on the grounds of this capitol, but also the foundation that supports the principles of liberty, freedom and democratic values.

The bill includes several provisions that recognize the strain of more than a decade of war has placed on our troops and the equipment, technology, and tools that they use.

It supports a 1.8 percent pay raise. I had wanted a 2 percent raise for our troops.

This Congress must communicate its wholehearted support for the security of the nation by addressing mindless cuts created by sequestration, the \$174.6 billion in operation and maintenance funding the bill provides will help mend some of the damage that has been done to overused equipment and neglected facilities. It also strengthens our ability to confront cyber threats, and provides important authorities to protect vital information. The bill also continues to lay the foundation for enabling competition in military space launch.

I am also pleased that so much has occurred to improve the bill during its consideration on the House Floor, including the adoption of seven amendments that I offered. Combined, these amendments will help our military families have access to mental health counseling when needed and that contracting opportunities with the Department of Defense are extended to women and minority owned businesses. In addition, the bill has been improved to include provisions that are critically important to women, including provisions to prevent and respond to sexual assault and research to combat Triple Negative Breast Cancer.

The bill amended on the House floor now also contains provisions that will help secure our borders and make the defense logistics management system more efficient.

Let me discuss briefly the amendments I offered that were either included in the final bill or strongly supported in the Conference Report.

The Conference Report strongly encourages the DOD and NIH to collaborate in an effort to combat Triple Negative Breast Cancer in identifying specific genetic and molecular targets and biomarkers for TNBC.

Triple Negative Breast Cancer is a term used to describe breast cancers whose cells do not have estrogen receptors and progesterone receptors, and do not have an excess of the "HER2" protein on their cell membrane of tumor cells. This makes commonly used test and methods to detect breast cancer not as effective.

This is a serious illness that affects between 10–17 percent of female breast cancer patients and this condition is more likely to cause death than the most common form of breast cancer. Seventy percent of women with metastatic triple negative breast cancer do not live more than five years after being diagnosed.

This Report Language will help to save lives. TNBC disproportionately impacts younger women, African American women, Hispanic/Latina women, and women with a "BRCA1" genetic mutation, which is prevalent in Jewish women. TNBC usually affects women under 50 years of age and makes up more than 30 percent of all breast cancer diagnoses in African American. Black women are far more susceptible to this dangerous subtype than white or Hispanic women.

There is also Report Language that will strongly encourage the Department of Defense to post information on sexual assault prevention and response resources online for ease of access by men and women in the armed services.

There is no greater crime than an individual can commit than the crime of sexual molestation and sexual assault.

The perpetrators of these crimes rob victims of their dignity and sense of well-being. Victimization is not easily relieved by treating the immediate physical injuries that may result, but can last for years. Moreover, victims of sexual assault are profoundly affected for the rest of their lives often with PTSD or other medical conditions. As elected officials, we have an obligation to condemn this violence, work for stronger enforcement of laws and provide adequate funding for programs to assist individuals who may have experienced such abuse.

In 2012, we know that victims of sexual violence or abuse among civilians are routinely under reported. The Defense Department report states that of the 26,000 estimated victims only 3,374 crimes were reported and just 302 of the 2,558 incidents pursued by victims were prosecuted.

This Report Language will make sure that information is available and easily accessible to military personnel for the purpose of raising awareness, promoting education and the long term goal of influencing organizational culture around the issue of sexual violence.

Many in the military are just learning that there is a huge difference between sex and sexual violence. This Report Language will help to educate both victims, potential victims, witnesses or victimizers that these are acts of violence and should be treated as such. It may also help influence thinking among military leaders on the nature of these crimes and promote changes in policy to aggressively provide support to victims and judicial remedies to prosecute and punish criminal behavior.

In addition to the amendments I offered that were included in the final bill, in which, I joined my Colleagues on the Committee on Homeland Security in supporting an amendment to promote collaboration and cooperation between the Department of Defense and Department of Homeland Security regarding the identification of equipment, either declared excess, or made available to DHS on a long-term loan basis that will help increase security along the border.

The bill also includes an amendment I cosponsored with Homeland Security Committee Chairman MCCAUL, Ranking Member THOMPSON, and Border Security and Maritime Subcommittee Chair MILLER which provides for the transfer of technology from DOD to state and local law enforcement. Before the creation of DHS a program was created to facilitate this

type of equipment transfer and this amendment adds the Secretary of Homeland Security in a consultative role in the equipment transfer process. This amendment also gives applicants seek DOD equipment for use in border security preference in this statute. This will facilitate expedited transfer of equipment that Federal, state and local first responders can use to strengthen our border security efforts.

I do have grave concerns about some features of the National Defense Authorization Act for Fiscal Year 2014. For example this bill assumes adoption of the House Budget Resolution framework, which would hurt our economy and require draconian cuts to middle-class priorities. This is a serious concern for me because of how it would impact my constituents in the 18th Congressional District.

The Administration has communicated that it would veto this bill in its current form and I hope that the conference process will resolve the issues that are the most troubling like the treatment of the Guantanamo detainees. This issue is a mark against everything the United States stands for and it is damaging our reputation and credibility around the world.

The detentions should end and people properly processed to other facilities or tried in courts of law to address charges or crimes against the United States. My hope is that this provision will be dropped from the bill as the legislative process goes forward.

We must continue to direct our efforts as a body to ensure that our troops remain the best equipped and prepared military force in the world. They are not just soldiers, they are sons and daughters, husbands and wives, brothers and sisters—they are some of the people we represent as members of Congress. Support of them is a sacred obligation of Congress both to those who are at risk on battle fields and serving as the guard against threats around the world, but they are also those who have returned home from war.

I thank Chairman MCKEON and Ranking Member SMITH for their work on this bill.

Ms. BORDALLO. Mr. Speaker, I rise in strong support of the National Defense Authorization Act for Fiscal Year 2014, H. Res. 441 which provides for concurrence in the House to amendments to H.R. 3304 with amendment, the text of the National Defense Authorization Act for Fiscal Year 2014. I appreciate the efforts of Chairman BUCK MCKEON, Ranking Member ADAM SMITH, Chairman CARL LEVIN and Ranking Member JIM INHOFE for their work to ensure we have a compromise package that keeps our 51-year streak of passing defense authorization bills alive. It is unfortunate that the Senate was unable to proceed under regular order in completing a defense bill which would have allowed for a true Conference Committee to negotiate outcomes. Nevertheless, this compromise package is not perfect but has many elements that are critical for supporting our service members and our nation's defense posture.

In particular, I appreciate the provisions in this bill that send a clear signal of the U.S. commitment to the rebalance to the Asia-Pacific region. The most tangible defense component of our rebalance effort is the realignment of Marines from Okinawa, Japan, to Guam. The bill authorizes nearly \$86 million in

construction of a U.S. Marine Corps aviation hangar that directly supports the realignment efforts. Most importantly, the bill provides greater exemptions for the use of Government of Japan direct contributions to the realignment. It allows Japanese funds to be used for a \$114 million site improvements project at the North Ramp on Andersen Air Force Base. It also allows does not constrain the use of Japanese or U.S. funds for planning and design for realignment projects. We continue to hold the Department of Defense (DoD) accountable for providing Congress with additional cost information about the realignment. The bill authorizes an additional \$233 million in other Navy military construction projects on Guam. One such project is the construction of a hangar for the Broad Area Maritime Surveillance (BAMS) MQ-4C platform on Guam. Guam's strategic location provides significant benefit to stationing unmanned aerial vehicle assets at military installations on-island.

Further, the bill fully authorizes \$176.2 million in authorization of appropriations for Air Force military construction projects at Andersen Air Force Base which support the Air Force's Pacific Airpower Resiliency (PAR) program. Additionally, the bill authorizes \$128 million for the hardening of a fuel cell hangar that was authorized as an unhardened hangar in last year's bill. The PAR program provides for selective hardening and dispersal of Air Force assets and facilities in the Western Pacific. This program is an important component of an overarching strategy to respond to anti-access area of denial capabilities in the region. Some have questioned the cost of this program, but as Air Force Chief of Staff General Mark Welsh stated to the Senate Armed Services Committee on November 7, 2013, "In this particular case, the hardened facilities on Guam are a response to a combatant commander request to provide more resilient capability on Guam because of an increased threat of surface-to-surface missile attack. He (Admiral Locklear) didn't request that everything be hardened, just those key facilities you couldn't improvise if there was damage—improvise for if there was damage on an air field. And that's what those facilities are based on. So we are trying to support U.S. Pacific Command in that effort to meet his war plan requirements." The PAR program provides long-term improvement in our posture and readiness in the Western Pacific for years to come. It is a wise investment for the security of our country and allies.

These actions taken together send a clear message that the United States is committed to our rebalance strategy. Moreover, the bill is a clear indication that the United States is willing to put significant resources to this important national strategic initiative. To be clear, the rebalance strategy is broader and farther ranging than just military construction, but these projects are real, tangible, and immediate evidence of our commitment.

Unfortunately, this bill does not provide authorization of operation and maintenance funds to support civilian infrastructure requirements on Guam. There is a historical context for the Department of Defense providing local governments with support for civilian infrastructure requirements such as at Kings Bay, Georgia, and Bangor, Washington, and I fundamentally disagree with the opposition to this

funding because it will support our military servicemembers. However, the bill does provide a compromise that requires the Secretary of Defense to convene a meeting of the Economic Adjustment Committee (EAC) within 90 days of this measure being signed into law. It also requires a report from DoD no later than the signing of a Record of Decision on the realignment of Marines from Okinawa. This provision provides the Government of Guam to reassess their civilian infrastructure requirements in light of recent changes to the size of the Marine realignment yet holds DoD accountable for considering this requirement. Civilian infrastructure improvements on Guam are needed to support and sustain the current military footprint as well as increased military presence on-island. I look forward to working with the Secretary of Defense, Governor of Guam, and other stakeholders as the EAC process moves forward.

I also strongly support the bill's continued prohibition on the retirement or mothballing of Global Hawk Block 30 unmanned systems through 2014. The Global Hawk is a critical intelligence, surveillance, and reconnaissance asset, and the Air Force's rationale for wanting to retire this aircraft and continue flying an aging aircraft for the foreseeable future remains lacking. In a time of constrained budgets we need to look carefully at what platforms will provide the military with the best capabilities. I strongly believe that the Global Hawk Block 30 program provides the U.S. Air Force with a better capability in the long term. Although not addressed in this bill, I support the Appropriations Committee's effort to provide additional funding to the Air Force to investigate the potential to modify the Global Hawk Block 30 aircraft to adapt to certain sensor programs. The long-term endurance surveillance missions are served well by UAVs, and I believe the Global Hawk supports that mission well.

I also greatly support the additional \$1.1 million in funding for the Sea Cadet Corps program. This funding is in addition to \$1.7 million that was programmed by the U.S. Navy in the Fiscal Year 2014 budget. The Sea Cadet program facilitates professional development for almost 9,000 Sea Cadets ages 11–17, in 387 units nationwide. The Naval Sea Cadet Corps instills in every Cadet a sense of patriotism, courage, and a foundation of personal honor and significantly assists in promoting the Navy and Coast Guard, particularly in those areas of the United States where these Services have little presence.

As Ranking Member of the Readiness Subcommittee, I support this bill which provides the resources to ensure our forces are properly trained, equipped, and manned, all of which are the essence of military readiness. In particular, the bill provides \$176.5 billion in operation and maintenance funding to help mend some of the damage that has been done to overused equipment and neglected facilities. The mindless and arbitrary cuts imposed by sequestration have challenged our operation and maintenance accounts, yet this funding helps mitigate that impact. The bill authorizes \$62.5 billion for operation and maintenance for Overseas Contingency Operations, with \$2.9 billion in additional funding for depot-level maintenance, fuel costs, and equipment

spares and reset. As we put these significant resources into accounts that support our readiness, the bill takes steps to strengthen and improve the reports that the House Armed Services Committee receives each quarter detailing readiness metrics. In particular, it enhances the Committee's visibility of geographic and functional combatant commanders' ability to execute the full range of operational and contingency plans to meet worldwide threats. The bill also extends the waiver of limitations on premium pay for federal civilian employees who work overseas in support of contingency operations and allows payment to DoD civilians serving in combat zones of allowances, benefits, and bonuses comparable to members of the foreign service.

Earlier I discussed investment in certain force posture efforts, but this bill takes other steps that address our ability to react to a wide range of threats worldwide. In particular, it increases funding for Marine security guards at embassies worldwide by \$13.4 million. It also increases, by \$40 million, the funding for special-purpose Marine Air Ground Task Force to respond to security challenges or humanitarian emergencies, such as the recent humanitarian emergency we responded to in the Philippines. It also establishes the requirement for a strategic policy for equipment and materiel prepositioned throughout the world to respond to emerging contingencies to be aligned with defense strategic guidance. This is of particular importance as we demonstrate our commitment to the Asia-Pacific rebalance strategy.

Finally, I do have some concerns about the provision that authorizes the National Guard State Partnership program. The compromise provision included in this bill is significantly different from legislation that I introduced and included in the House-passed measure in June. I appreciate that we finally authorize this program in law but the requirements for how NGB must execute the program deserve greater scrutiny.

The National Guard State Partnership Program supports the geographic Combatant Commanders and U.S. Ambassadors via capacity-building partnerships between NGB units across the United States and partner nations. This program provides a long-term capacity-building mechanism that leverages the unique capabilities of the National Guard. However, the provision, as currently written, does not recognize the unique capabilities of the National Guard and has an arbitrary sunset date. Further, the reporting provisions are onerous and will add unnecessary bureaucratic work instead of focusing on accomplishing broader goals. I look forward to working with my colleagues to improve this provision in next year's bill.

The defense bill is a year-long process and is put together with the help and assistance of our outstanding staff. In particular, I appreciate the hard work and coordination of the entire House and Senate Armed Services staffs, and in particular I want to thank Vickie Plunkett, Brian Garrett, Debra Wada, Leonor Tomero, and Doug Bush of the House minority staff for their work with this effort. I strongly support this bill and urge my colleagues to pass this measure.

Mr. HOLT. Mr. Speaker, I rise in opposition to this bill.

As is the case every year for the past decade, this bill contains many provisions I do support, including two I wrote.

The first is meant to increase suicide prevention and outreach services for key segments of our Guard and Reserve, specifically members of the Individual Ready Reserve and Individual Mobilization Augmentees. These are specific pools of reservists who, when not assigned to active duty units, live and work among us in our communities in their civilian occupations. Accordingly, they do not have ready access to the kinds of mental health resources available to their active duty counterparts. My amendment would allow the Adjutant General of any state to request from the Pentagon address data for IRR/IMA members in his or her state for the purpose of conducting suicide prevention and outreach activities. I am pleased the committee has included this provision, as it gives us one more tool to prevent suicides among our veterans.

The second amendment directs the Secretary of Defense to conduct a top-to-bottom review of programs in the Department designed to recruit and retain the scientists, technology experts, mathematicians, and engineers our national security community will need to meet current and future threats. This amendment is a direct outgrowth of my work on the National Commission on Research and Development in the U.S. Intelligence Community, which published its final report this summer. It is imperative that American find, train, and retain world-class talent in these fields. The security of our nation quite literally depends on it.

Unfortunately, this bill—as it has for years now—continues funding for the war in Afghanistan. It also freezes in place current force levels, continues the acquisition of the flawed and hugely overpriced F-35 fighter, and provides authorization for continued work for plutonium pit production for nuclear weapons. On balance, this bill continues a large number of unnecessary and wasteful Cold War era weapons programs, and maintains our discredited “war on terror” posture. Finally, the bill does nothing to address the surveillance excesses committed by the National Security Agency, which is a combat support agency of DoD. For all of these reasons, I cannot support this bill and call on my colleagues to join me in opposing it.

Ms. SPEIER. Mr. Speaker, I want to thank Chairman McKEON, Ranking Member SMITH, Chairman LEVIN, and Ranking Member INHOFE for including my amendment with Representative COFFMAN to expand whistleblower protections for survivors of military sexual assault in this year’s National Defense Authorization Act. As Congress looks to change the culture and to prevent sexual assaults and other waste, fraud, and abuse in the military, all service members need to know that they have protections for providing information to stem abuses. The right to a guaranteed due process day in administrative court is the foundation for meaningful reform.

Subsection f(3)(B) in these expanded protections provides that if the Secretary does not make a finding of illegal retaliation and order corrective action, the case shall be forwarded to the appropriate Board of Corrections for Military Records to receive a mandatory ad-

ministrative due process hearing, “when appropriate.” There should not be any confusion about this provision. It is always appropriate to forward the case for hearing if jurisdiction exists for whistleblower retaliation alleged in the service member’s complaint. It is only inappropriate if another provision of law provides the relevant rights, procedures and remedies to resolve the complaint, such as when the alleged misconduct is sexual harassment per se as opposed to whistleblower retaliation for disclosing sexual harassment.

Mr. VAN HOLLEN. Mr. Speaker, I rise today in support of final passage of the FY2014 National Defense Authorization Act. I commend Chairman McKEON, Chairman LEVIN, Ranking Member SMITH, and Ranking Member INHOFE for crafting a bipartisan bill that both strengthens the security of our nation and provides for vital programs that benefit our men and women in uniform and their civilian colleagues.

While not perfect, today’s compromise legislation makes many key improvements over the Defense Authorization bill that the House voted on earlier this year. I am particularly encouraged that the final agreement we voted on today includes \$80.7 billion in funding for overseas contingency operations (OCO), which is in line with the Pentagon’s request. This is an important change from the \$85.8 billion that was included in the House-passed authorization in June. Today’s bill provides sufficient funds to fully meet the President’s FY 2014 request for the war in Afghanistan while ensuring that the overseas contingency operations account will not become a slush fund for unrequested defense spending.

The final agreement also eases restrictions on the ability of DoD to transfer Guantanamo detainees and takes an important step in addressing our indefinite detention policy there. In particular, I am pleased that this bill drops a provision that would have barred the use of funds to transfer prisoners to Yemen and authorizes the Pentagon to transfer detainees to other foreign countries under certain conditions. More needs to be done when addressing our indefinite detention policy, but provisions such as these represent significant progress.

I am also encouraged by the changes this bill makes with regards to how the military responds to sexual assault cases. It adopts Senate language to bar individuals from joining the military if they have been convicted of a sex-related offense; it imposes a minimum sentence of dishonorable discharge or dismissal on those found guilty; and it prohibits commanders from dismissing a court martial finding or reducing the offense level of guilty findings.

Finally, the compromise bill does make some progress on allowing the Department of Defense to execute the New START Treaty. Specifically, it allows DoD to begin planning and preparation for implementing the force structure to meet the required limits of the New START Treaty. However, it still goes too far in limiting the President’s ability to fully implement the treaty and set the country’s nuclear policy.

I am also disappointed that this legislation authorizes the establishment of a missile defense site on the East Coast that the Pentagon continues to say is unnecessary. This

provision disregards the advice of the Joint Chiefs of Staff and seeks to tie the President’s hands in determining military requirements in other parts of the world. This bill also contains provisions which ignore DoD recommendations and continues to fund unrequested weapons systems and military aircraft, including the M1A2 Abrams tank, the C-130 AMP, and the UH-72A Light Utility Helicopter.

Despite these reservations, this compromise legislation is a marked improvement over the bill the House passed earlier this year. It contains many important provisions that will strengthen our national security while also providing for our troops and their families.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. McKEON) that the House suspend the rules and agree to the resolution, H. Res. 441.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. AMASH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1545

TEMPORARY EXTENSION OF AGRICULTURAL PROGRAMS

Mr. LUCAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3695) to provide a temporary extension of the Food, Conservation, and Energy Act of 2008 and amendments made by that Act, as previously extended and amended and with certain additional modifications and exceptions, to suspend permanent price support authorities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3695

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TEMPORARY EXTENSION OF AGRICULTURAL PROGRAMS.

(a) EXTENSION.—Except as otherwise provided in this section and notwithstanding any other provision of law, the authorities provided by each provision of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1651) and each amendment made by that Act (and for mandatory programs at such funding levels), as in effect on September 30, 2013, pursuant to the extension and amendments made by section 701 of the American Taxpayer Relief Act of 2012 (Public Law 112-240; 7 U.S.C. 8701 note), shall continue, and the Secretary of Agriculture shall carry out the authorities, until January 31, 2014, except as provided in subsection (b)(1) of such section 701.

(b) SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITIES.—The provisions of law specified in subsections (a) through (c) of section 1602 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8782) shall be suspended until January 31, 2014.

(c) **SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE.**—Section 531 of the Federal Crop Insurance Act (7 U.S.C. 1531), as amended by section 702 of the American Taxpayer Relief Act of 2012 (Public Law 112-240), relating to the provision of supplemental agricultural disaster assistance, shall apply through January 31, 2014.

(d) **EXCEPTIONS.**—

(1) **NUTRITION.**—Subsection (a) does not apply with respect to mandatory funding provided by the program authorized by the provision of law amended by subsection (d)(2) of section 701 of the American Taxpayer Relief Act of 2012 (Public Law 112-240; 7 U.S.C. 8701 note).

(2) **CONSERVATION.**—Subsection (a) does not apply with respect to the programs specified in paragraphs (3)(B), (4), (6), and (7) of section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)), relating to the conservation stewardship program, farmland protection program, environmental quality incentives program, and wildlife habitat incentives program, for which program authority was extended through fiscal year 2014 by section 716 of Public Law 112-55 (125 Stat. 582).

(3) **TRADE.**—Subsection (a) does not apply with respect to the following provisions of law:

(A) Section 3206 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1726c) relating to the use of Commodity Credit Corporation funds to support local and regional food aid procurement projects.

(B) Section 3107(l)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736e-1(l)(1)) relating to the use of Commodity Credit Corporation funds to carry out the McGovern-Dole International Food for Education and Child Nutrition Program.

(4) **SURVEY OF FOODS PURCHASED BY SCHOOL FOOD AUTHORITIES.**—Subsection (a) does not apply with respect to section 4307 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1893) relating to the use of Commodity Credit Corporation funds for a survey and report regarding foods purchased by school food authorities.

(5) **RURAL DEVELOPMENT.**—Subsection (a) does not apply with respect to the following provisions of law:

(A) Section 379E(d)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008s(d)(1)), relating to funding of the rural microentrepreneur assistance program.

(B) Section 6029 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1955) relating to funding of pending rural development loan and grant applications.

(C) Section 231(b)(7)(A) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a(b)(7)(A)), relating to funding of value-added agricultural market development program grants.

(D) Section 375(e)(6)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j(e)(6)(B)) relating to the use of Commodity Credit Corporation funds for the National Sheep Industry Improvement Center.

(6) **MARKET LOSS ASSISTANCE FOR ASPRAGUS PRODUCERS.**—Subsection (a) does not apply with respect to section 10404(d) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 2112).

(7) **SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE.**—Subsection (a) does not apply with respect to section 531 of the Federal Crop Insurance Act (7 U.S.C. 1531) and title IX of the Trade Act of 1974 (19 U.S.C. 2497 et seq.) relating to the provision of supplemental agricultural disaster assistance.

(8) **PIGFORD CLAIMS.**—Subsection (a) does not apply with respect to section 14012 of the

Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 2209) relating to determination on the merits of Pigford claims.

(9) **HEARTLAND, HABITAT, HARVEST, AND HORTICULTURE ACT OF 2008.**—Subsection (a) does not apply with respect to title XV of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 2246), and amendments made by that title, relating to the provision of supplemental agricultural disaster assistance under title IX of the Trade Act of 1974 (19 U.S.C. 2497 et seq.), certain revenue and tax provisions, and certain trade benefits and other matters.

(e) **EFFECTIVE DATE.**—This section takes effect as of September 30, 2013.

The **SPEAKER pro tempore**. Pursuant to the rule, the gentleman from Oklahoma (Mr. LUCAS) and the gentleman from California (Mr. COSTA) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. LUCAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 3695.

The **SPEAKER pro tempore**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. LUCAS. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise today in support of H.R. 3695, which provides a temporary extension of the 2008 farm bill.

I believe this short-term extension provides certainty to everyone going into the new year, that permanent law will not be triggered while the conference committee continues its work on a new bill. We are making significant progress in our negotiations with the Senate, and I am confident we will be able to finish the conference report in January.

In the meantime, the reality is that unless we act today, permanent law takes effect January 1. The press headlines already speak of doom, that we are on the brink of going off the dairy cliff.

Time magazine says: "People are freaking out about \$8-a-gallon milk." And there is widespread speculation about what will happen and when exactly.

It is not necessary to have that kind of panic throughout the country for producers and consumers, especially around the holidays. This bill makes clear what will happen on January 1, and passing it is the responsible action to take, given the legislative calendar.

Furthermore, we are not breaking any new ground. The 2002 farm bill was extended six times before the 2008 farm bill was enacted.

Mr. Speaker, I urge and encourage my colleagues to join me in supporting this short-term extension of the farm bill.

Mr. Speaker, I reserve the balance of my time.

Mr. COSTA. Mr. Speaker, I yield myself such time as I may consume, and I rise in opposition to this bill.

First of all, I want to thank Chairman LUCAS, the gentleman from Oklahoma, for all the work that he has done over the years, and my appreciation for his efforts in the past few years. It has taken a long time to get here, and certainly he has worked very hard to produce a 5-year farm bill.

That said, the bill is not needed, and let me tell you why. Chairman LUCAS and Ranking Member PETERSON have been working diligently, as I said, with their Senate counterparts, and the conference committee has reached an agreement on many of the issues, leaving a few remaining issues to be worked out, and we are doing that right now.

Secretary Vilsack, Secretary of Agriculture, has also indicated that should we complete the farm bill in January, as we are talking about, that there should not be any problems regarding the potential impacts of the dairy title being implemented and, therefore, those impacts of the cost of milk being felt by our consumers.

Extending the current programs through the end of January, which is what this bill does, when it looks like we will be able to vote on a 5-year farm bill early next year, therefore, is not necessary.

Farmers, ranchers, dairy producers need the certainty of a 5-year farm bill. I think we all agree on that. Families, those in need, who depend upon the nutrition programs as part of our Nation's safety net, need a 5-year farm bill.

American consumers, those who we produce the food for, and those around the world, know that they can depend upon our farmers, our ranchers, and our dairy producers to continue providing the safest and most affordable food in the world.

Mr. Speaker, therefore, this measure is not needed. I urge my colleagues to vote "no" on H.R. 3695 and support a 5-year farm bill which we will vote on early in January when we work out the remaining differences in the conference committee.

Mr. Speaker, I reserve the balance of my time.

Mr. LUCAS. Mr. Speaker, I would note to my colleague I have a couple of thoughts myself and I would conclude with that, so if he has anything else he would like to address.

Mr. COSTA. Mr. Speaker, I yield back the balance of my time.

Mr. LUCAS. Mr. Speaker, I yield myself the balance of my time just simply to note to all my colleagues that my friend from California is exactly right. The importance of completing this cannot be overstated.

The progress we have made certainly has been incredible, and we are on the verge. I would just simply note to all of

my colleagues, as I have advocated caution and responsibility throughout this entire process, this is an opportunity for Members to cast a vote to acknowledge to the folks back home that, no matter what happens in the negotiations process, we will not have a dairy cliff. We will not have uncertainty for producers and, ultimately, the American consumers.

Each Member of this body is challenged to do what they think is wise. I would simply say to my colleagues, pass the extension, take care of business, and we, on the Ag Committee, will take care of our business in January.

With that, Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. LUCAS) that the House suspend the rules and pass the bill, H.R. 3695, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DEATH IN CUSTODY REPORTING ACT OF 2013

Mr. COLLINS of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1447) to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1447

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Death in Custody Reporting Act of 2013".

SEC. 2. STATE INFORMATION REGARDING INDIVIDUALS WHO DIE IN THE CUSTODY OF LAW ENFORCEMENT.

(a) IN GENERAL.—For each fiscal year after the expiration of the period specified in subsection (c)(1) in which a State receives funds for a program referred to in subsection (c)(2), the State shall report to the Attorney General, on a quarterly basis and pursuant to guidelines established by the Attorney General, information regarding the death of any person who is detained, under arrest, or is in the process of being arrested, is en route to be incarcerated, or is incarcerated at a municipal or county jail, State prison, State-run boot camp prison, boot camp prison that is contracted out by the State, any State or local contract facility, or other local or State correctional facility (including any juvenile facility).

(b) INFORMATION REQUIRED.—The report required by this section shall contain information that, at a minimum, includes—

(1) the name, gender, race, ethnicity, and age of the deceased;

(2) the date, time, and location of death;

(3) the law enforcement agency that detained, arrested, or was in the process of arresting the deceased; and

(4) a brief description of the circumstances surrounding the death.

(c) COMPLIANCE AND INELIGIBILITY.—

(1) COMPLIANCE DATE.—Each State shall have not more than 120 days from the date of enactment of this Act to comply with subsection (a), except that—

(A) the Attorney General may grant an additional 120 days to a State that is making good faith efforts to comply with such subsection; and

(B) the Attorney General shall waive the requirements of subsection (a) if compliance with such subsection by a State would be unconstitutional under the constitution of such State.

(2) INELIGIBILITY FOR FUNDS.—For any fiscal year after the expiration of the period specified in paragraph (1), a State that fails to comply with subsection (a), shall, at the discretion of the Attorney General, be subject to not more than a 10-percent reduction of the funds that would otherwise be allocated for that fiscal year to the State under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.), whether characterized as the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, the Local Government Law Enforcement Block Grants Program, the Edward Byrne Memorial Justice Assistance Grant Program, or otherwise.

(d) REALLOCATION.—Amounts not allocated under a program referred to in subsection (c)(2) to a State for failure to fully comply with subsection (a) shall be reallocated under that program to States that have not failed to comply with such subsection.

(e) DEFINITIONS.—In this section the terms "boot camp prison" and "State" have the meaning given those terms, respectively, in section 901(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3791(a)).

(f) STUDY AND REPORT OF INFORMATION RELATING TO DEATHS IN CUSTODY.—

(1) STUDY REQUIRED.—The Attorney General shall carry out a study of the information reported under subsection (b) and section 3(a) to—

(A) determine means by which such information can be used to reduce the number of such deaths; and

(B) examine the relationship, if any, between the number of such deaths and the actions of management of such jails, prisons, and other specified facilities relating to such deaths.

(2) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Attorney General shall prepare and submit to Congress a report that contains the findings of the study required by paragraph (1).

SEC. 3. FEDERAL LAW ENFORCEMENT DEATH IN CUSTODY REPORTING REQUIREMENT.

(a) IN GENERAL.—For each fiscal year (beginning after the date that is 120 days after the date of the enactment of this Act), the head of each Federal law enforcement agency shall submit to the Attorney General a report (in such form and manner specified by the Attorney General) that contains information regarding the death of any person who is—

(1) detained, under arrest, or is in the process of being arrested by any officer of such Federal law enforcement agency (or by any State or local law enforcement officer while participating in and for purposes of a Federal

law enforcement operation, task force, or any other Federal law enforcement capacity carried out by such Federal law enforcement agency); or

(2) en route to be incarcerated or detained, or is incarcerated or detained at—

(A) any facility (including any immigration or juvenile facility) pursuant to a contract with such Federal law enforcement agency;

(B) any State or local government facility used by such Federal law enforcement agency; or

(C) any Federal correctional facility or Federal pre-trial detention facility located within the United States.

(b) INFORMATION REQUIRED.—Each report required by this section shall include, at a minimum, the information required by section 2(b).

(c) STUDY AND REPORT.—Information reported under subsection (a) shall be analyzed and included in the study and report required by section 2(f).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. COLLINS) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1447, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

The Death in Custody Reporting Act of 2000 directed the Bureau of Justice Statistics within the Department of Justice to collect data on the deaths that occur at two important stages in the criminal justice system: first, deaths that occur in the process of arrest or during the transfer after arrest; and, second, deaths that occur in jails and prisons. The provisions of that act expired in December 2006.

According to the Bureau of Justice Statistics, 885 inmates died in the custody of local jails in 2011. This is the lowest number of jail inmate deaths in the 12-year history of the Deaths in Custody Reporting program.

Nearly nine out of 10 State prisoner deaths were as a result of natural causes, the leading reason being cancer and heart disease. Although illness-related deaths have increased slightly in recent years, the homicide and suicide rates in State prisons have dramatically decreased over the last 25 years.

H.R. 1447 reauthorizes this data collection program and directs the Attorney General not only to collect the data, but also to study the data to determine how to reduce deaths in custody in the future. The legislation extends the reporting requirements to deaths that occur in Federal custody.

Although the Death in Custody Reporting Act expired in 2006, the Bureau of Justice Statistics has continued to collect this data. They provide a national resource for understanding mortality in the criminal justice system.

The collection of this data will help the Federal, State, and local governments examine the relationships between deaths in custody and the proper management of jail and prison facilities. It will also provide important information to Congress on any need to improve Federal custody procedures.

Because the Bureau of Justice Statistics has continued to collect the information even though the prior law has expired, this bill will not impose any new cost on the agency. Congress passed similar legislation in three Congresses with overwhelming bipartisan support.

I would like to thank Congressman SCOTT for introducing this legislation, and I would urge all my colleagues to support it.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to rise in support of H.R. 1447, the Death in Custody Reporting Act of 2013. This bill would require State and Federal law enforcement agencies to report to the Department of Justice information about the deaths of individuals in their custody.

We have learned from history how useful this information can be. In the 1980s, there was increased focus on conditions in State and local jails and prisons and the problem of prisoners dying in custody. The interest in oversight of this issue was generated partially because of the rise of wrongful death cases brought in relation to these deaths.

Press reports in the 1990s concerning prison abuses and deaths of those incarcerated being attributed to suicide led Congress to develop legislation in response to this problem.

The Death in Custody Reporting Act of 2000 was enacted to require States to report quarterly to the Attorney General information regarding the death of any person in the process of arrest or who was otherwise in custody, including jails, prisons and juvenile facilities. The reports are brief, essentially stating who died and a brief description of what happened.

The law expired in 2006, which led to an effort to reauthorize substantially the same requirements on States and extend those requirements to the Federal agencies as well. And that is what H.R. 1447 would do.

With this statistical data, policymakers at the State, local, and Federal levels can make informed judgments about the appropriate treatment of prisoners and to develop ways to lower

the prison death rate. This policy cannot be made if we don't have this information that the law requires.

In fact, since the focus on deaths in custody emerged in the 1980s and enactment of the law in 2000, reports showed significant declines in suicides and homicides for those in custody.

H.R. 1447 is a strong reaffirmation of the importance of requiring that States submit this information, and the bill expands the commitment to Federal law enforcement agencies as well.

The bill also requires the Attorney General to study the information the Justice Department receives and to issue a report to include a discussion of how the data may be used to reduce preventable deaths.

With the enactment of this legislation, we can make even more progress with respect to reducing preventable deaths of those in custody, which is surely an obligation of government when it incarcerates so many of its citizens.

This initiative has a history of strong bipartisan support, and I thank my colleagues from the other side of the aisle, especially the gentleman from Georgia, and my colleague from Virginia, the Judiciary Committee chairman, BOB GOODLATTE, for supporting the bill in committee and bringing it to the floor today.

I urge my colleagues to support the bill, and I reserve the balance of my time.

Mr. COLLINS of Georgia. Does the gentleman have any other speakers?

Mr. SCOTT of Virginia. Yes, I have one additional speaker.

Mr. COLLINS of Georgia. Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), a member of the Judiciary Committee.

□ 1600

Ms. JACKSON LEE. I thank the ranking member of the subcommittee, and I thank the manager and, as well, the full committee chairperson and the ranking member of the full committee.

I think it would not be inappropriate to acknowledge that many of us gathered in the Judiciary Committee to wish Congressman MEL WATT well, so I will do so now on the floor of the House.

I am supporting this bill and again offer my appreciation for the Crime Subcommittee's bipartisan efforts to look into our problem with criminalization at the start of the Congress. I am concerned that there are a number of issues that were not discussed, but this particular legislation is an important step, which I know that the gentleman from Virginia (Mr. SCOTT) has worked on quite extensively.

The bill before us today, in essence, requires States that receive certain

criminal justice assistance grants to report to the Attorney General on a quarterly basis certain information regarding the death of any person who is detained, arrested, en route to incarceration, or incarcerated in State or local facilities or at boot camp. H.R. 1447 also imposes penalties on States that fail to comply with such reporting requirements. The bill also requires the head of each Federal law enforcement agency to report to the Attorney General annually certain information regarding the death of any person.

My focus is to indicate that this is a practical initiative. I personally know that in jurisdictions in Texas, we have had incidents where people have gone into the county jail for minimal violations of the law and came out in a body bag. It happened to a mother of two sons who lost her life because an infected knee was not taken care of. Or individuals who were ill, individuals who succumbed to inappropriate behavior by those who have charge over them. It is happening in jails and prisons across America.

This is a lifesaving initiative because many people will acknowledge that if you are incarcerated, even if you are there in our county jails before you are convicted—certainly, we recognize the criminal justice system, but it does not mean that you should lose your life.

However, as we come to the end of this first year of the 113th Congress, I know my colleagues would recognize as well that we are coming upon the 1-year anniversary of the tragic incident that occurred at Sandy Hook. There will be those who will be mourning this afternoon, holding a memorial to acknowledge the tragedy of the lives lost.

In this Congress, to our dismay, we have not been able to pass universal background checks, which could readily be on the floor of the House and be of value to those mourning mothers and fathers who now mourn 1 year later and ask the question: Why?

In addition, we have seen over the last year in many of our jurisdictions the excessive violence that has taken our young people through gun violence, through gangs, and other actions that would welcome this Congress exercising its authority on issues dealing with antiviolenence, antibullying, of course, and, again, the ceasing of gun violence.

I look forward to establishing a commission in my community, responding to the incidents of 19 individuals being shot, two teenagers being killed, a young man from Jack Yates High School being killed, and another young man being shot in a park.

So as I rise to support this legislation, I would simply argue, as we move forward on this legislation, that there is work to be done, and I hope we can join together in a bipartisan manner to do so. I hope my colleagues also vote to support H.R. 1447.

Mr. Speaker, I as a long-time member of the Judiciary Committee's Subcommittee on Crime, I was pleased to see a bipartisan effort to look into our problem with overcriminalization at the start of the Congress but I am disappointed that much of the crime which has been addressed by the Task Force has dealt with so-called regulatory crimes—as opposed to the type of crime involving violence and weapons—which has led to prison overcrowding, trumped-up sentences for possession of marijuana, and served to further add to an underclass of Americans who are subject to the difficulty in filling out a job application because of onerous State and Federal laws which seek to punish harshly for missteps which, in the case of drug offenses, should have been managed with treatment and not incarceration.

I believe that most of the Members on the Committee and in the House of Representatives would agree that our prisons are overcrowded and that we must address this and other issues which plague our criminal justice system forthrightly and with urgency.

Having said that, the bill before us today does little to deal with that but it does fall under the ambit of crime and it does seek to address problems in criminal law and policy.

The legislation before us, H.R. 1447, The Death in Custody Reporting Act of 2013, sponsored by my Judiciary and CBC colleagues, BOBBY SCOTT and Ranking Member CONYERS, requires States that receive certain criminal justice assistance grants to report to the Attorney General on a quarterly basis certain information regarding the death of any person who is detained, arrested, en route to incarceration, or incarcerated in state or local facilities or a boot camp prison. H.R. 1447 also imposes penalties on States that fail to comply with such reporting requirements.

The bill also requires the head of each Federal law enforcement agency to report to the Attorney General annually certain information regarding the death of any person who:

(1) is detained or arrested by any officer of such agency (or by any State or local law enforcement officer for purposes of a Federal law enforcement operation); or

(2) is en route to be incarcerated or detained, or is incarcerated or detained, at any Federal correctional facility or Federal pretrial detention facility located within the United States or any other facility pursuant to a contract with or used by such agency.

Lastly, it requires the Attorney General to study such information and report on means by which it can be used to reduce the number of such deaths.

While I will support this measure—I will continue to urge my Judiciary Committee and House colleagues to think carefully about the problems with overcriminalization of some offenses and why we should be diligent in taking a thoughtful, measured look at the costly problem.

This body must consider taking a comprehensive look at criminal laws and policy which have a disproportionate impact on African Americans and other minorities in Houston, and around this great Nation.

Mr. COLLINS of Georgia. I reserve the balance of my time.

Mr. SCOTT of Virginia. I yield myself such time as I may consume just to

thank the gentlelady from Texas for her statement; the gentleman from Georgia; the chair of the committee, Mr. GOODLATTE; and the ranking member, the lead cosponsor of the legislation, Mr. CONYERS, for their work. This is an important bill. We could use this information. And I want to thank again all of those that made today possible.

I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I just want to close up here by thanking both the gentleman from Virginia, Congressman SCOTT, and Congresswoman JACKSON LEE from Texas for their passion and for working hard on this.

This is a good way for our Judiciary Committee to end the year, on something we can agree upon that is a good thing. And I do appreciate the opportunity to be here. I would encourage all of my colleagues to support this fine piece of legislation.

And with that, Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. THORNBERRY). The question is on the motion offered by the gentleman from Georgia (Mr. COLLINS) that the House suspend the rules and pass the bill, H.R. 1447.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ASSESSING PROGRESS IN HAITI ACT OF 2013

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3509) to direct the Secretary of State to submit to Congress a report on the status of post-earthquake recovery and development efforts in Haiti, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3509

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Assessing Progress in Haiti Act of 2013”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) On January 12, 2010, a massive earthquake struck near the Haitian capital city of Port-au-Prince, leaving an estimated 220,000 people dead, including 103 United States citizens, 101 United Nations personnel, and nearly 18 percent of the nation's civil service, as well as 300,000 injured, 115,000 homes destroyed, and 1,500,000 people displaced.

(2) According to the Post Disaster Needs Assessment conducted by the Government of Haiti, with technical assistance from the United Nations, the World Bank, the Inter-American Development Bank, the Economic Commission for Latin America and the Caribbean, and the European Commission, an estimated 15 percent of the population were di-

rectly affected by the disaster and related damages and economic losses totaled \$7,804,000,000.

(3) Even before the earthquake, Haiti had some of the lowest socioeconomic indicators and the second highest rate of income disparity in the world, conditions that have further complicated post-earthquake recovery efforts and, according to the World Bank, have significantly reduced the prospects of economic growth spurring broader poverty reduction.

(4) According to the World Food Program, more than 6,700,000 people in Haiti (out of a population of about 10,000,000) are considered food insecure nationally.

(5) In October 2010, an unprecedented outbreak of cholera in Haiti resulted in over half a million reported cases and over 8,000 deaths to date, further straining the capacity of Haiti's public health sector and increasing the urgency of resettlement and water, sanitation, and hygiene (WASH) efforts.

(6) The international community, led by the United States and the United Nations, mounted an unprecedented humanitarian response in Haiti, with donors pledging approximately \$10,400,000,000 for humanitarian relief and recovery efforts, including debt relief, supplemented by \$3,100,000,000 in private charitable contributions, of which approximately \$6,400,000,000 has been disbursed and an additional \$3,800,000,000 has been committed as of September 30, 2013.

(7) The emergency response of the men and women of the United States Government, led by the United States Agency for International Development (USAID) and the United States Southern Command, as well as of cities, towns, individuals, businesses, and philanthropic organizations across the United States, was particularly swift and resolute.

(8) Since 2010, a total of \$1,300,000,000 in United States assistance has been allocated for humanitarian relief and \$2,300,000,000 has been allocated for recovery, reconstruction, and development assistance in Haiti, including \$1,140,000,000 in emergency appropriations and \$95,000,000 that has been obligated specifically to respond to the cholera epidemic.

(9) Of the \$3,600,000,000 in United States assistance allocated for Haiti, \$651,000,000 was apportioned to the USAID to support an ambitious recovery plan, including the construction of a power plant to provide electricity for the new Caracol Industrial Park (CIP) in northern Haiti, a new port near the CIP, and permanent housing in new settlements in the Port-au-Prince, St-Marc, and Cap-Haitien areas.

(10) On October 9, 2013, the Committee on Foreign Affairs of the House of Representatives held an oversight hearing on the status and effectiveness of post-earthquake United States aid to Haiti, following a House of Representatives-mandated, year-long Government Accountability Office (GAO) report that was highly critical of some aspects of USAID's recovery effort.

(11) According to GAO, as of June 30, 2013, USAID had disbursed just 31 percent of its reconstruction funds in Haiti, the port project was 2 years behind schedule and over budget by an estimated \$189,000,000, the housing project has been reduced by 80 percent, and the sustainability of the power plant, the port, and the housing projects were all at risk.

(12) GAO further found that Congress has not been provided with sufficient information to ensure that it is able to conduct effective oversight at a time when most funding remains to be disbursed, and specifically recommends that a periodic reporting mechanism be instituted to fill this information gap.

(13) Donors have encountered significant challenges in implementing recovery programs and nearly 4 years after the earthquake an estimated 171,974 people remain displaced in camps, unemployment remains high, corruption is rampant, land rights remain elusive, allegations of wage violations are widespread, the business climate is unfavorable, and government capacity remains weak.

(14) For Haiti to achieve stability and long term economic growth, donor assistance will have to be carefully coordinated with a commitment by the Haitian Government to transparency, a market economy, rule of law, and democracy.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to support the sustainable rebuilding and development of Haiti in a manner that—

(1) promotes efforts that are led by and support the Haitian people and the Haitian Government at all levels so that Haitians lead the course of reconstruction and development of Haiti;

(2) builds the long term capacity of the Government of Haiti and Haitian civil society;

(3) reflects the priorities and particular needs of both women and men so they may participate equally and to their maximum capacity;

(4) respects and helps restore Haiti's natural resources, as well as builds community-level resilience to environmental and weather-related impacts;

(5) provides timely and comprehensive reporting on goals and progress, as well as transparent post program evaluations and contracting data;

(6) prioritizes the local procurement of goods and services in Haiti where appropriate; and

(7) promotes the holding of free, fair, and timely elections in accordance with democratic principles and the Haitian Constitution.

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that transparency, accountability, democracy, and good governance are integral factors in any congressional decision regarding United States assistance, including assistance to Haiti.

SEC. 5. REPORT.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act and every 180 days thereafter through September 30, 2016, the Secretary of State shall submit to Congress a report on the status of post-earthquake recovery and development efforts in Haiti.

(b) CONTENTS.—The report required by subsection (a) shall include—

(1) a summary of the Haiti Rebuilding and Development Strategy, including any significant changes to the strategy over the reporting period and an explanation thereof;

(2) a breakdown of the work that the United States Government agencies other than USAID and the Department of State are conducting in the Haiti recovery effort, and the cost of that assistance;

(3) an assessment of the progress of United States efforts to advance the objectives of the Haiti Rebuilding and Development Strat-

egy through the “Post-Earthquake USG Haiti Strategy: Toward Renewal and Economic Opportunity” produced by the Department of State, compared to what remains to be achieved to meet specific goals, including—

(A) a description of any significant changes to the Strategy over the reporting period and an explanation thereof;

(B) an assessment of progress, or lack thereof, over the reporting period toward meeting the goals and objectives, benchmarks, and timeframes specified in the Strategy, including—

(i) a description of progress toward designing and implementing a coordinated and sustainable housing reconstruction strategy that addresses land ownership, secure land tenure, water and sanitation, and the unique concerns of vulnerable populations such as women and children, as well as neighborhood and community revitalization, housing finance, and capacity building for the Government of Haiti to implement an effective housing policy;

(ii) a description of efforts to construct and sustain the proposed port, as well as an assessment of the current projected timeline and cost for completion; and

(iii) a description of efforts to attract and leverage the investments of private sector partners to the CIP, including by addressing any policy impediments;

(C) a description of the quantitative and qualitative indicators used to evaluate the progress toward meeting the goals and objectives, benchmarks, and timeframes specified in Strategy at the project level;

(D) the amounts committed, obligated, and expended on programs and activities to implement the Strategy, by sector and by implementing partner at the prime and subprime levels (in amounts of not less than \$25,000); and

(E) a description of the risk mitigation measures put in place to limit the exposure of United States assistance provided under the Strategy to waste, fraud, and abuse;

(4) a description of measures taken to strengthen, and an assessment of, Haitian governmental and non-governmental organizational capacity to undertake and sustain United States-supported recovery programs;

(5) a description of United States efforts to consult and engage with Haitian Government ministries and local authorities on the establishment of goals and timeframes, and on the design and implementation of new programs under the Post-Earthquake USG Haiti Strategy: Toward Renewal and Economic Opportunity;

(6) a description of efforts to consult and engage with Haitian civil society and grassroots organizations on the establishment of goals and timeframes, and on the design and implementation of new programs under the Post-Earthquake USG Haiti Strategy: Toward Renewal and Economic Opportunity, as well as efforts to coordinate with and engage the Haitian diaspora;

(7) consistent with the Government of Haiti's ratification of the United Nations Convention Against Corruption, a description of United States and Haitian Government efforts to strengthen Haitian Government institutions established to address corruption, as well as related efforts to promote public accountability, meet public outreach and disclosure obligations, and support civil society participation in anti-corruption efforts;

(8) a description of efforts to leverage public-private partnerships and increase the involvement of the Haitian private sector in recovery and development activities and co-

ordinate programs with the private sector and other donors;

(9) a description and assessment of efforts to address the particular needs of vulnerable populations, including internally displaced persons, women, children, orphans, and persons with disabilities, in the design and implementation of new programs and infrastructure;

(10) an description of the impact that agriculture and infrastructure programs are having on the food security, livelihoods, and land tenure security of smallholder farmers, particularly women;

(11) a description of mechanisms for communicating the progress of recovery and development efforts to the Haitian people, including a description of efforts to provide documentation, reporting and procurement information in Haitian Creole; and

(12) a description of the steps Haiti is taking to strengthen its capacity to receive individuals who are removed, excluded, or deported from the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous materials on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume just to share with the Members here that on January 12, 2010, there was a massive earthquake that struck near the Haitian capital of Port-au-Prince, leaving some 220,000 people dead and 1.5 million people displaced. Since 2010, the United States has made a big commitment in humanitarian relief and a big commitment to reconstruction and development assistance in Haiti. A good bit of this was allocated to the U.S. Agency for International Development to support an ambitious recovery plan that included housing and industrial development.

Last summer, the House Foreign Affairs Committee received a GAO report detailing a startling lack of progress on U.S.-funded reconstruction efforts in Haiti. The committee followed up by sending a bipartisan delegation of staff to investigate and then held an oversight hearing on Haiti reconstruction, where Members asked tough questions about USAID efforts.

One recommendation we heard over and over was that Congress needs improved and more frequent reporting to ensure that we are being kept up to date on reconstruction activities and so that Congress can provide tough oversight at a time when much of the funding for Haiti has yet to be spent. Wasted taxpayer funding is simply unacceptable here.

While we can help, Haitians must do better. As Haiti Special Coordinator Thomas Adams noted in his testimony before the committee:

The key to sustainable improvement in Haiti lies not in the generosity of donors but, rather, in the creation of economic opportunity.

I agree wholeheartedly with the special coordinator. But, unfortunately, Haiti currently lacks a clear and enforceable system of property rights, including effective property registry and titling, and struggles with high levels of corruption. These are serious problems which deter the kind of private sector investment that is the real future of Haiti's economy.

Without significant improvements to Haiti's business climate, no amount of donor assistance is going to help. We need to work with the Haitian Government to improve transparency, rule of law, and democracy so that we can, in turn, improve the lives and economic well-being of the country's citizens.

Mr. Speaker, I want to commend the gentlewoman from California, Representative BARBARA LEE, the author of this bill, who worked with Ranking Member ENGEL, Chairman ROS-LEHTINEN, and Chairman SALMON to craft this strong, bipartisan oversight legislation that will improve relief efforts. And I urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 3509, the Assessing Progress in Haiti Act of 2013.

I would like to begin by thanking my friend and colleague, the gentlewoman from California (Ms. LEE), for introducing this important legislation. The Haitian people are lucky to have a friend with her vision and tenacity.

It is difficult to overstate the devastation wrought by the 2010 earthquake in Haiti that gave rise to the multinational assistance effort: 316,000 people dead, which is just unbelievable, including 103 United States citizens, 101 United Nations personnel, and nearly 18 percent of the Nation's civil service; 300,000 injured; 115,000 homes destroyed; and 2 million people displaced. An estimated 15 percent of the population of Haiti was directly affected by the disaster and related damages.

I traveled to Port-au-Prince, Haiti, shortly after the quake, and I can attest to the fact that even those horrific statistics do not fully describe the waste and destruction I saw.

The United States quickly responded to the devastation in Haiti and responded robustly. In fact, the post-earthquake assistance program remains today among our most important foreign assistance commitments worldwide, which brings me to the bipartisan legislation before us.

H.R. 3509 should be understood as a culminating step in the ongoing over-

sight work of the Foreign Affairs Committee regarding that assistance plan. A multiyear and multibillion-dollar commitment, reflecting the compassion and generosity of the American people, it calls for ongoing vigilance, both in terms of accountability as well as policy direction.

Our committee commissioned a GAO report on that assistance which found, among other things, that the administration was not providing sufficient information to the Congress to fulfill its oversight role. We also sent a bipartisan staff delegation to look into specific problems the GAO found and held a full committee hearing on the matter.

H.R. 3509 is the logical next step. It seeks to fill the information gap by requiring the State Department to report on various aspects of our assistance program. It also includes a statement of policy that articulates the direction we think that assistance program should take. I believe that H.R. 3509 goes a significant way to achieving that goal.

As I seem to do frequently in our committee and on the floor these days, I would like to once again thank the gentleman from California, Chairman ROYCE, and his wonderful staff for working in a truly bipartisan manner on this bill. It is genuinely appreciated by me and all of my Democratic colleagues on our committee.

I urge my colleagues to support the bill, and I reserve the balance of my time.

Mr. ROYCE. I reserve the balance of my time.

Mr. ENGEL. I yield 5 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Mr. Speaker, first let me thank Chairman ROYCE for his tremendous leadership, for his continued support, and for his true efforts to create bipartisan initiatives in the legislation coming out of the committee. I have served with him on the committee for many, many years, and it has always been consistent in terms of trying to reach a bipartisan agreement on these bills. So, again, I thank him very much.

And, of course, to the gentleman from New York, Ranking Member ENGEL, thank you, again, for your leadership and for helping to craft a bill that we could get to the floor, which is a bill that I think will really put the United States on the right side of history as it relates to Haiti, and also for your focus on the Western Hemisphere.

Let me also just thank all of the original cosponsors of the Assessing Progress in Haiti Act of 2013, including Representatives YVETTE CLARKE, FREDERICA WILSON, MAXINE WATERS, JOHN CONYERS, CHARLIE RANGEL, GREGORY MEEKS, KAREN BASS, and, of course, ILEANA ROS-LEHTINEN. I want to thank my colleague SHEILA JACKSON LEE for

staying strong and steady and supporting this legislation. And I thank them also for their tireless work and longstanding commitment to the well-being of Haitians and the country of Haiti.

Nearly 4 years ago, I stood as chair of the Congressional Black Caucus and led a Special Order, recognizing the importance of our relationship with Haiti. A short time later, I led a delegation to Haiti where we witnessed the destruction and devastation firsthand.

The Congressional Black Caucus has a long history of working with the Haitian people and the Haitian American community on a variety of issues.

□ 1615

We share a close and longstanding relationship. This has continued under the magnificent leadership of our current chair, Chairwoman MARCIA FUDGE.

On January 12, 2010, a devastating 7.0 earthquake struck near Haiti's capital. This terrible earthquake killed hundreds of thousands and left 1 million more homeless.

Our government, the American people, and the international community responded with a tremendous outpouring of support for the Haitian people. However, what began as a swift and effective relief effort gave way to a sluggish reconstruction.

A report by the Government Accountability Office, also cited by Chairman ROYCE, found that USAID has missed a number of its own goals and deadlines. Most importantly the GAO found that as of June, 2013, USAID had committed only 52 percent, and disbursed 35 percent, of the \$651 million in funding for earthquake reconstruction.

That is why passing the Assessing Progress in Haiti Act of 2013 is so important. With so much money yet to be disbursed, we have an opportunity to ensure that our assistance is as effective as possible.

My bill helps us understand where our aid efforts stand, where they are going, and how USAID plans to get there. It would require the State Department to report on the progress of infrastructure projects, indicators used to measure project success, efforts to combat corruption, measures taken to strengthen Haitian capacity, and considerations of vulnerable populations.

My bill would give us the information we need to make those assessments and help get the reconstruction on track.

No one is saying that this will be easy. The road to recovery is a long one, and this legislation is but one small step.

We must also keep in mind that USAID cannot fix the problem on its own. I commend the agency for the work it does around the world and encourage it to continue to address the challenges it faces in Haiti.

Haitian citizens and their government, along with nongovernmental and intergovernmental organizations, must do their part. The Haitian Government will need to hold free, fair, and timely elections. I commend them for the steps they have already taken this week to hold long overdue elections next year.

The United Nations will also need to vigorously address the cholera epidemic. There is no question that in October 2010, after nearly a century of not having cases of cholera in the country, it was introduced by U.N. peacekeepers.

As I said before, I am very proud today that we are voting to increase the transparency and accountability of U.S. assistance to Haiti on a bipartisan basis. I strongly urge my colleagues to support this bipartisan legislation, and I look forward to continuing to work with them to ensure that Haiti is truly built back better and that the Haitian people once and for all have a future—and that future will be ensured by the support of the American people.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ENGEL. I yield the gentlewoman an additional 30 seconds.

Ms. LEE of California. Thank you.

I want to thank Chairman ROYCE's and Ranking Member ENGEL's staffs. I want to especially thank my staff, Pablo and Jirair, and all of our staffs here for their very diligent and steadfast work. This has taken us probably about 4 years to get this bill to the floor.

Thank you again, Chairman ROYCE, Ranking Member ENGEL, and all of the original cosponsors for their tremendous support.

Mr. ROYCE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ENGEL. It is my pleasure to yield 2 minutes to the gentlewoman from New York (Ms. CLARKE).

Ms. CLARKE of New York. Mr. Speaker, I thank the ranking member of the Foreign Affairs Committee and the gentlelady from California for yielding time for me to speak in support of H.R. 3509, the Assessing Progress in Haiti Act. As a representative of the second largest population of first- and second-generation Haitian Americans and Haitian immigrants, I appreciate the importance of the bill.

It is critical that we expand communication between the executive branch and Congress to keep track of all monetary aid sent to Haiti, ensuring increased accountability and transparency.

After the alarming findings of the GAO report and since the January 2010 earthquake, Haitians still live in IDP camps; they continue to fight the cholera epidemic; and with the Haitian Government's very evident challenges in maintaining a sustainable democracy, it is imperative that Congress has

all the information necessary to ensure that U.S. foreign aid is being administered effectively.

Mr. Speaker, as we look to the fourth anniversary of the horrific earthquake, I am hopeful of the day when we can witness the full recovery and rebirth of the beautiful Caribbean nation of Haiti. But until then, we have a lot of work to do, and that is why I encourage my colleagues to vote in favor of H.R. 3509, the Assessing Progress in Haiti Act.

Mr. ENGEL. I yield 2 minutes to the gentlewoman from Texas, Ms. SHEILA JACKSON LEE.

Ms. JACKSON LEE. Mr. Speaker, let me thank the ranking member and the chairman of the full committee for their leadership and also for the bipartisan leadership that is noted on the Foreign Affairs Committee on which I had privilege to serve some years ago when we worked on a number of issues.

Let me add my appreciation to the Congresswoman from California, BARBARA LEE, who led us during her tenure as the chairman of the Black Caucus during an enormous crisis in Haiti and, more importantly, as a supporter of this legislation and efforts to see Haiti move into a new era of democracy and reconstruction.

This legislation, H.R. 3509, is long overdue. I ask my colleagues to enthusiastically support it.

I traveled to Haiti on any number of occasions, visiting those who are incarcerated in jails, and even after the earthquake, to find individuals who were suffering and had been incarcerated and seeing people who had lost their place to live, children who were out of school, and resources that were looking to be directed but possibly, Mr. Speaker, not being directed as they should.

This legislation, of course, will do several things. It will require a thorough assessment of the progress in meeting the original goals expressed in January 2011, Post-Earthquake U.S. Haiti Strategy; provide a description of efforts to combat corruption and ensure public accountability; and assess whether or not vulnerable populations have been taken into account in the design and implementation of the new program.

It is very important to note that even though much has been done, between the efforts of the international community and including USAID, up to 3,000 people still live in tent camps, many of whom are facing forced evictions as time moves on.

Cholera has killed over 8,400 Haitians and sickened over 689,400 since the time of this earthquake. Hundreds of thousands of Haitians have little or no access to potable water or basic health services, and Haiti is facing an impending food crisis, according to local and international organizations.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ENGEL. I yield the gentlewoman an additional 1 minute.

Ms. JACKSON LEE. H.R. 3509, I believe, will be an important step to gather all those who are of good intention, particularly the aid offered by the USAID, to be able to assess where we are and to be able to not only help, but feel the pain of those who have not been helped. I believe that it will be enormously important to look, again, at infrastructure, as it has impacted Port-au-Prince and the outer areas, which I think this legislation will be very helpful to.

Again, it is bipartisan. We ask that this legislation be passed quickly in the Senate and, more importantly, that the President sign it to save lives.

Finally, we wish for a democratic transition and democratic elections. As Haiti goes forward in its election, let's hope whatever government is put in place will be able to give that lifeline that this legislation is talking about to move Haiti forward in the 21st century.

I ask my colleagues to support the legislation, and I thank Congresswoman BARBARA LEE for her leadership.

Mr. Speaker, as an original co-sponsor, I rise in strong support of H.R. 3509, the "Assessing Progress in Haiti Act of 2013," which requires the Secretary of State to submit to Congress regular, detailed reports on the status of post-earthquake recovery and development efforts.

I thank my Congressional Black Caucus colleague, Congresswoman BARBARA LEE of California, for her leadership on this legislation.

I also thank Foreign Affairs Committee Chairman ROYCE (R-CA), Ranking Member ELIOT ENGEL (D-NY), and Congresswoman ROS-LEHTINEN of Florida for their support and leadership in shepherding this important legislation to the floor.

Mr. Speaker, nearly four years after Haiti's devastating earthquake, there is still far too little transparency and accountability around U.S. relief and reconstruction aid efforts.

There are close to 300,000 people still living in tent camps, many of whom are facing forced evictions. Cholera has killed over 8,400 Haitians and sickened over 689,400 since it was first introduced to Haiti in October of 2010.

Hundreds of thousands of Haitians have little or no access to potable water or basic health services, and Haiti is facing an impending food crisis according to local and international organizations, and the government of Haiti.

H.R. 3509 will greatly assist Congress in overseeing U.S. assistance in Haiti by providing lawmakers, the U.S. public, and Haitians with key details on the manner in which U.S. taxpayer money is being spent.

According to the GAO, "Congress lacks information on the amounts of funds obligated and disbursed and program-by-program progress of U.S. reconstruction activities [in Haiti]."

Among other highlights, this legislation would: require a thorough assessment of the progress in meeting the original goals expressed in the January 2011 Post-Earthquake

U.S. Government Haiti Strategy; provide a description of efforts to combat corruption and ensure public accountability; and assess whether vulnerable populations have been taken into account in the design and implementation of new programs.

Mr. Speaker, the people of Haiti continue to face tremendous challenges and still our help.

That is why it is essential that we ensure that U.S. assistance to Haiti is delivered efficiently is more essential than ever.

H.R. 3509 will help achieve this goal. I urge all Members to join me in voting for this legislation.

Mr. ROYCE. I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, as we can all hear from the discussion here this afternoon, this is a very, very important bill and a very, very much needed bill. We have the most generous people in the world in the United States. We need to give help to this island which has been so devastated, which is really very near us geographically, and where we have many ties, particularly now, with the burgeoning Haitian American population as well.

This is humanitarian. This is really what is right. This personifies and I think typifies the good intentions of this Congress and of our Nation. I am proud to play a part in this.

I want to again thank BARBARA LEE for all her hard work and thank Chairman ROYCE for, as we always say, a bipartisan effort. This is truly bipartisan and truly something of which we can all be proud.

I urge a "yes" vote, and I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, just in closing, let me point out again the fact that we have a very strong bipartisan coalition of Members that have worked a long time on this issue of trying to forge a focus on repair in Haiti. We thank them for their efforts on the reconstruction.

It is important for the people of Haiti to know that our efforts are best being used to help get them on solid ground and to help them get the foundation they need to move forward. It is also important for those in the United States to feel that their money is being spent wisely and efficiently. I think that is the intent behind this legislation, H.R. 3509.

It extends and strengthens, I think, the critical oversight that we do in the committee over Haitian funding, and it promotes the holding of free, fair, and timely elections in Haiti.

I want to thank the gentlelady from California, Congresswoman LEE, for her perseverance in getting this bill to the floor today. I want to encourage my colleagues to support it. I want to thank the ranking member, Mr. ENGEL of New York, also for his efforts to bring this bill up today.

I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to support H.R. 3509—the Assessing Progress in Haiti Act.

I would like to commend my colleague, Congresswoman BARBARA LEE, for introducing this legislation and I am happy to be an original cosponsor of this important bill aimed to provide greater oversight of U.S. taxpayer funding for reconstruction efforts in Haiti.

This bill calls for a State Department review of the U.S. funded recovery and development efforts in Haiti, which began over three years ago in the wake of the deadly 2010 earthquake.

In June of 2012, then-Ranking Member BERMAN and I requested that the GAO investigate the progress of reconstruction efforts in Haiti.

This report was important to ensure that American dollars are going to the Haitian people who are truly in need and not resulting in fraud, waste and abuse.

This year, GAO issued the report and I was disappointed to learn that three years after the earthquake, emergency relief efforts were still woefully disorganized, with much of the funds: not reaching the Haitian people; USAID is suffering to get some programs off the ground; and the lack of coordination between U.S. federal agencies is inadequate.

As of March 2013, USAID had obligated only 45 percent and disbursed 31 percent of funding for Haiti from the Supplemental Appropriations Act from 2010.

Meanwhile, delays continue to mount and goals are being scaled back.

For example, USAID originally planned to build 15,000 new homes.

That number has been decreased to just 2,600 homes causing 62,000 fewer people who will be given shelter as they attempt to recover from this humanitarian disaster.

The American people deserve to know that their tax dollars are being spent wisely and at the same time we must ensure that we are helping the Haitian people recover from the earthquake and poverty.

This requires a clear and comprehensive strategy to improve the situation on the ground for the people of Haiti.

Lastly Mr. Speaker, this resolution makes it U.S. policy to promote the holding of free, fair, and timely elections in accordance with democratic principles and the Haitian Constitution.

It is encouraging to see that the Haitian Parliament has passed a new electoral law and it has recently been signed by their President.

This positive step forward can now set in motion the necessary requirements in order to hold senatorial and local elections next year—elections that have been long overdue since 2011.

The U.S. government will stand ready to help the Haitian government hold these elections and ensure that every Haitian has the right to vote for their elected representatives.

Once again, I am thankful that this important bill is on the floor today and I urge my colleagues to support this measure to ensure our oversight responsibility over U.S. taxpayer dollars in Haiti.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 3509, as amended.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1630

CONTINUING APPROPRIATIONS RESOLUTION, 2014

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to House Resolution 438, I call up the joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes, with the House amendment to the Senate amendment thereto, and I have a motion at the desk.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The Clerk will designate the Senate amendment.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the first word and insert the following:

the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2014, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2013 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this joint resolution, that were conducted in fiscal year 2013, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) *The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2013 (division A of Public Law 113-6), except section 735.*

(2) *The Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013 (division B of Public Law 113-6).*

(3) *The Department of Defense Appropriations Act, 2013 (division C of Public Law 113-6).*

(4) *The Department of Homeland Security Appropriations Act, 2013 (division D of Public Law 113-6).*

(5) *The Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013 (division E of Public Law 113-6).*

(6) *The Full-Year Continuing Appropriations Act, 2013 (division F of Public Law 113-6).*

(b) *The rate for operations provided by subsection (a) for each account shall be calculated to reflect the full amount of any reduction required in fiscal year 2013 pursuant to—*

(1) *any provision of division G of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113-6), including section 3004; and*

(2) *the Presidential sequestration order dated March 1, 2013, except as attributable to budget authority made available by—*

(A) *sections 140(b) or 141(b) of the Continuing Appropriations Resolution, 2013 (Public Law 112-175); or*

(B) *the Disaster Relief Appropriations Act, 2013 (Public Law 113-2).*

SEC. 102. (a) *No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be*

used for: (1) the new production of items not funded for production in fiscal year 2013 or prior years; (2) the increase in production rates above those sustained with fiscal year 2013 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P–I line item in a budget activity within an appropriation account and an R–I line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2013.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 104. Except as otherwise provided in section 102, no appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2013.

SEC. 105. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 106. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act for fiscal year 2014, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation for any project or activity provided for in this joint resolution; (2) the enactment into law of the applicable appropriations Act for fiscal year 2014 without any provision for such project or activity; or (3) November 15, 2013.

SEC. 107. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. Appropriations made and funds made available by or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this joint resolution may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this joint resolution, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2014 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this joint resolution that would impinge on final funding prerogatives.

SEC. 110. This joint resolution shall be implemented so that only the most limited funding action of that permitted in the joint resolution shall be taken in order to provide for continuation of projects and activities.

SEC. 111. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2013, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2013, to be continued through the date specified in section 106(3).

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2013 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

SEC. 112. Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2013, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 113. Funds appropriated by this joint resolution may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

SEC. 114. (a) Each amount incorporated by reference in this joint resolution that was previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of such Act or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act, respectively.

(b) Of the amounts made available by section 101 for “Social Security Administration, Limitation on Administrative Expenses” for the cost associated with continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, \$273,000,000 is provided to meet the terms of section 251(b)(2)(B)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and \$469,639,000 is additional new budget authority specified for purposes of section 251(b)(2)(B) of such Act.

(c) Section 5 of Public Law 113–6 shall apply to amounts designated in subsection (a) for Overseas Contingency Operations/Global War on Terrorism.

SEC. 115. Section 3003 of division G of Public Law 113–6 shall be applied to funds appropriated by this joint resolution by substituting “fiscal year 2014” for “fiscal year 2013” each place it appears.

SEC. 116. Section 408 of the Food for Peace Act (7 U.S.C. 1736b) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “December 31, 2012”.

SEC. 117. Amounts made available under section 101 for “Department of Commerce—National Oceanic and Atmospheric Administration—Procurement, Acquisition and Construction” may be apportioned up to the rate for operations necessary to maintain the planned

launch schedules for the Joint Polar Satellite System and the Geostationary Operational Environmental Satellite system.

SEC. 118. The authority provided by sections 1205 and 1206 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) shall continue in effect, notwithstanding subsection (h) of section 1206, through the earlier of the date specified in section 106(3) of this joint resolution or the date of the enactment of an Act authorizing appropriations for fiscal year 2014 for military activities of the Department of Defense.

SEC. 119. Section 14704 of title 40, United States Code, shall be applied to amounts made available by this joint resolution by substituting the date specified in section 106(3) of this joint resolution for “October 1, 2012”.

SEC. 120. Notwithstanding any other provision of this joint resolution, except section 106, the District of Columbia may expend local funds under the heading “District of Columbia Funds” for such programs and activities under title IV of H.R. 2786 (113th Congress), as reported by the Committee on Appropriations of the House of Representatives, at the rate set forth under “District of Columbia Funds—Summary of Expenses” as included in the Fiscal Year 2014 Budget Request Act of 2013 (D.C. Act 20–127), as modified as of the date of the enactment of this joint resolution.

SEC. 121. Notwithstanding section 101, amounts are provided for “The Judiciary—Courts of Appeals, District Courts, and Other Judicial Services—Defender Services” at a rate for operations of \$1,012,000,000.

SEC. 122. For the period covered by this joint resolution, section 550(b) of Public Law 109–295 (6 U.S.C. 121 note) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “October 4, 2013”.

SEC. 123. The authority provided by section 532 of Public Law 109–295 shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 124. The authority provided by section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 125. (a) Any amounts made available pursuant to section 101 for “Department of Homeland Security—U.S. Customs and Border Protection—Salaries and Expenses”, “Department of Homeland Security—U.S. Customs and Border Protection—Border Security Fencing, Infrastructure, and Technology”, and “Department of Homeland Security—U.S. Immigration and Customs Enforcement—Salaries and Expenses” shall be obligated at a rate for operations as necessary to respectively—

(1) sustain the staffing levels of U.S. Customs and Border Protection Officers, equivalent to the staffing levels achieved on September 30, 2013, and comply with the last proviso under the heading “Department of Homeland Security—U.S. Customs and Border Protection—Salaries and Expenses” in division D of Public Law 113–6;

(2) sustain border security operations, including sustaining the operation of Tethered Aerostat Radar Systems; and

(3) sustain the staffing levels of U.S. Immigration and Customs Enforcement agents, equivalent to the staffing levels achieved on September 30, 2013, and comply with the sixth proviso under the heading “Department of Homeland Security—U.S. Immigration and Customs Enforcement—Salaries and Expenses” in division D of Public Law 113–6.

(b) The Secretary of Homeland Security shall notify the Committees on Appropriations of the House of Representatives and the Senate on each use of the authority provided in this section.

SEC. 126. In addition to the amount otherwise provided by section 101 for “Department of the Interior—Department-wide Programs—Wildland Fire Management”, there is appropriated \$36,000,000 for an additional amount for fiscal year 2014, to remain available until expended, for urgent wildland fire suppression activities: Provided, That of the funds provided, \$15,000,000 is for burned area rehabilitation: Provided further, That such funds shall only become available if funds previously provided for wildland fire suppression will be exhausted imminently and the Secretary of the Interior notifies the Committees on Appropriations of the House of Representatives and the Senate in writing of the need for these additional funds: Provided further, That such funds are also available for transfer to other appropriations accounts to repay amounts previously transferred for wildfire suppression.

SEC. 127. In addition to the amount otherwise provided by section 101 for “Department of Agriculture—Forest Service—Wildland Fire Management”, there is appropriated \$600,000,000 for an additional amount for fiscal year 2014, to remain available until expended, for urgent wildland fire suppression activities: Provided, That such funds shall only become available if funds previously provided for wildland fire suppression will be exhausted imminently and the Secretary of Agriculture notifies the Committees on Appropriations of the House of Representatives and the Senate in writing of the need for these additional funds: Provided further, That such funds are also available for transfer to other appropriations accounts to repay amounts previously transferred for wildfire suppression.

SEC. 128. The authority provided by section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (as contained in section 101(e) of division A of Public Law 105-277; 16 U.S.C. 2104 note) shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 129. The authority provided by subsection (m)(3) of section 8162 of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106-79), as amended, shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 130. Activities authorized under part A of title IV and section 1108(b) of the Social Security Act (except for activities authorized in section 403(b)) shall continue through the date specified in section 106(3) of this joint resolution in the manner authorized for fiscal year 2013, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose.

SEC. 131. Notwithstanding section 101, the matter under the heading “Department of Labor—Mine Safety and Health Administration—Salaries and Expenses” in division F of Public Law 112-74 shall be applied to funds appropriated by this joint resolution by substituting “is authorized to collect and retain up to \$2,499,000” for “may retain up to \$1,499,000”.

SEC. 132. The first proviso under the heading “Department of Health and Human Services—Administration for Children and Families—Low Income Home Energy Assistance” in division F of Public Law 112-74 shall be applied to amounts made available by this joint resolution by substituting “2014” for “2012”.

SEC. 133. Amounts provided by section 101 for “Department of Health and Human Services—Administration for Children and Families—Refugee and Entrant Assistance” may be obligated up to a rate for operations necessary to maintain program operations at the level provided in fiscal year 2013, as necessary to accommodate increased demand.

SEC. 134. During the period covered by this joint resolution, amounts provided under section

101 for “Department of Health and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund” may be obligated at a rate necessary to assure timely execution of planned advanced research and development contracts pursuant to section 319L of the Public Health Service Act, to remain available until expended, for expenses necessary to support advanced research and development pursuant to section 319L of the Public Health Service Act (42 U.S.C. 247d-7e) and other administrative expenses of the Biomedical Advanced Research and Development Authority.

SEC. 135. Notwithstanding any other provision of this joint resolution, there is appropriated for payment to Bonnie Englehardt Lautenberg, widow of Frank R. Lautenberg, late a Senator from New Jersey, \$174,000.

SEC. 136. Notwithstanding section 101, amounts are provided for “Department of Veterans Affairs—Departmental Administration—General Operating Expenses, Veterans Benefits Administration” at a rate for operations of \$2,455,490,000.

SEC. 137. The authority provided by the penultimate proviso under the heading “Department of Housing and Urban Development—Rental Assistance Demonstration” in division C of Public Law 112-55 shall continue in effect through the date specified in section 106(3) of this joint resolution.

This joint resolution may be cited as the “Continuing Appropriations Resolution, 2014”.

MOTION TO RECEDE AND CONCUR

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Ryan of Wisconsin moves that the House recede from its amendment to the amendment of the Senate, and concur therein with the amendment printed in Part A of House Report 113-290, modified by the amendment printed in Part B of that report.

The text of the amendment is as follows:

In lieu of the matter proposed to be inserted by the Senate insert the following:

DIVISION A—BIPARTISAN BUDGET AGREEMENT

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Bipartisan Budget Act of 2013”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

DIVISION A—BUDGET ENFORCEMENT AND DEFICIT REDUCTION

Sec. 1. Short title and table of contents.

TITLE I—BUDGET ENFORCEMENT

Subtitle A—Amendments to the Balanced Budget and Emergency Deficit Control Act of 1985

Sec. 101. Amendments to the Balanced Budget and Emergency Deficit Control Act of 1985.

Subtitle B—Establishing a Congressional Budget

Sec. 111. Fiscal year 2014 budget resolution.
Sec. 112. Limitation on advance appropriations in the Senate.

Sec. 113. Rule of construction in the House of Representatives.

Sec. 114. Additional Senate budget enforcement.

Sec. 115. Authority for fiscal year 2015 budget resolution in the House of Representatives.

Sec. 116. Authority for fiscal year 2015 budget resolution in the Senate.

Sec. 117. Exclusion of savings from PAYGO scorecards.

Sec. 118. Exercise of rulemaking powers.

Subtitle C—Technical Corrections

Sec. 121. Technical corrections to the Balanced Budget and Emergency Deficit Control Act of 1985.

Sec. 122. Technical corrections to the Congressional Budget Act of 1974.

TITLE II—PREVENTION OF WASTE, FRAUD, AND ABUSE

Sec. 201. Improving the collection of unemployment insurance overpayments.

Sec. 202. Strengthening Medicaid Third-Party Liability.

Sec. 203. Restriction on access to the death master file.

Sec. 204. Identification of inmates requesting or receiving improper payments.

TITLE III—NATURAL RESOURCES

Sec. 301. Ultra-deepwater and unconventional natural gas and other petroleum resources.

Sec. 302. Amendment to the Mineral Leasing Act.

Sec. 303. Approval of agreement with Mexico.

Sec. 304. Amendment to the Outer Continental Shelf Lands Act.

Sec. 305. Federal oil and gas royalty prepayment cap.

Sec. 306. Strategic Petroleum Reserve.

TITLE IV—FEDERAL CIVILIAN AND MILITARY RETIREMENT

Sec. 401. Increase in contributions to Federal Employees' Retirement System for new employees.

Sec. 402. Foreign Service Pension System.

Sec. 403. Annual adjustment of retired pay and retainer pay amounts for retired members of the Armed Forces under age 62.

TITLE V—HIGHER EDUCATION

Sec. 501. Default reduction program.

Sec. 502. Elimination of nonprofit servicing contracts.

TITLE VI—TRANSPORTATION

Sec. 601. Aviation security service fees.

Sec. 602. Transportation cost reimbursement.

Sec. 603. Sterile areas at airports.

TITLE VII—MISCELLANEOUS PROVISIONS

Sec. 701. Extension of customs user fees.

Sec. 702. Limitation on allowable government contractor compensation costs.

Sec. 703. Pension Benefit Guaranty Corporation premium rate increases.

Sec. 704. Cancellation of Unobligated Balances.

Sec. 705. Conservation planning technical assistance user fees.

Sec. 706. Self plus one coverage.

(c) REFERENCES.—Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

TITLE I—BUDGET ENFORCEMENT

SUBTITLE A—AMENDMENTS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985

SEC. 101. AMENDMENTS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.

(a) REVISED DISCRETIONARY SPENDING LIMITS.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking paragraphs (1) through (10) and inserting the following new paragraphs:

“(1) for fiscal year 2014—
 “(A) for the revised security category, \$520,464,000,000 in new budget authority; and
 “(B) for the revised nonsecurity category, \$491,773,000,000 in new budget authority;

“(2) for fiscal year 2015—
 “(A) for the revised security category, \$521,272,000,000 in new budget authority; and
 “(B) for the revised nonsecurity category, \$492,356,000,000 in new budget authority;

“(3) for fiscal year 2016—
 “(A) for the revised security category, \$577,000,000,000 in new budget authority; and
 “(B) for the revised nonsecurity category, \$530,000,000,000 in new budget authority;

“(4) for fiscal year 2017—
 “(A) for the revised security category, \$590,000,000,000 in new budget authority; and
 “(B) for the revised nonsecurity category, \$541,000,000,000 in new budget authority;

“(5) for fiscal year 2018—
 “(A) for the revised security category, \$603,000,000,000 in new budget authority; and
 “(B) for the revised nonsecurity category, \$553,000,000,000 in new budget authority;

“(6) for fiscal year 2019—
 “(A) for the revised security category, \$616,000,000,000 in new budget authority; and
 “(B) for the revised nonsecurity category, \$566,000,000,000 in new budget authority;

“(7) for fiscal year 2020—
 “(A) for the revised security category, \$630,000,000,000 in new budget authority; and
 “(B) for the revised nonsecurity category, \$578,000,000,000 in new budget authority; and
 “(8) for fiscal year 2021—

“(A) for the revised security category, \$644,000,000,000 in new budget authority; and
 “(B) for the revised nonsecurity category, \$590,000,000,000 in new budget authority;”.

(b) DIRECT SPENDING ADJUSTMENTS FOR FISCAL YEARS 2014 AND 2015.—(1) Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, as redesignated by subsection (d), is amended by adding at the end the following new paragraph:

“(10) IMPLEMENTING DIRECT SPENDING REDUCTIONS FOR FISCAL YEARS 2014 AND 2015.—(A) OMB shall make the calculations necessary to implement the direct spending reductions calculated pursuant to paragraphs (3) and (4) without regard to the amendment made to section 251(c) revising the discretionary spending limits for fiscal years 2014 and 2015 by the Bipartisan Budget Act of 2013.

“(B) Paragraph (5)(B) shall not be implemented for fiscal years 2014 and 2015.”.

(2) Paragraph (5)(B) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, as redesignated by subsection (d)(2)(C) of this section, is amended by striking “On” and inserting “Except as provided by paragraph (10), on”.

(c) EXTENSION OF DIRECT SPENDING REDUCTIONS FOR FISCAL YEARS 2022 AND 2023.—Paragraph (6), as redesignated by subsection (d)(2)(C) of this section, of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting “(A)” before “On the date” and by adding at the end the following new subparagraph:

“(B) On the dates OMB issues its sequestration preview reports for fiscal year 2022 and for fiscal year 2023, pursuant to section 254(c), the President shall order a sequestration, effective upon issuance such that—

“(i) the percentage reduction for non-exempt direct spending for the defense function is the same percent as the percentage reduction for nonexempt direct spending for the defense function for fiscal year 2021 calculated under paragraph (3)(B); and

“(ii) the percentage reduction for non-exempt direct spending for nondefense func-

tions is the same percent as the percentage reduction for nonexempt direct spending for nondefense functions for fiscal year 2021 calculated under paragraph (4)(B).”.

(d) CONFORMING AMENDMENTS.—Part C of title II of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) is amended—

(1) in section 250(c)(4) (2 U.S.C. 900(c)(4)), by adding at the end the following:

“(D) The term ‘revised security category’ means discretionary appropriations in budget function 050.

“(E) The term ‘revised nonsecurity category’ means discretionary appropriations other than in budget function 050.

“(F) The term ‘category’ means the subsets of discretionary appropriations in section 251(c). Discretionary appropriations in each of the categories shall be those designated in the joint explanatory statement accompanying the conference report on the Balanced Budget Act of 1997. New accounts or activities shall be categorized only after consultation with the Committees on Appropriations and the Budget of the House of Representatives and the Senate and that consultation shall, to the extent practicable, include written communication to such committees that affords such committees the opportunity to comment before official action is taken with respect to new accounts or activities.”; and

(2) in section 251A (2 U.S.C. 901a)—

(A) by striking, in the matter preceding paragraph (1), “Unless” through “as follows;” and inserting the following: “Discretionary appropriations and direct spending accounts shall be reduced in accordance with this section as follows;”;

(B) by striking paragraphs (1) and (2);

(C) by redesignating paragraphs (3) through (11) as paragraphs (1) through (9), respectively;

(D) in paragraph (2), as redesignated, by striking “paragraph (3)” and inserting “paragraph (1)”;

(E) in paragraph (3), as redesignated, by striking “paragraph (4)” each place it appears and inserting “paragraph (2)”;

(F) in paragraph (4), as redesignated, by striking “paragraph (4)” each place it appears and inserting “paragraph (2)”;

(G) in paragraph (5), as redesignated—

(i) by striking “paragraph (5)” each place it appears and inserting “paragraph (3)”;

(ii) by striking “paragraph (6)” each place it appears and inserting “paragraph (4)”;

(H) in paragraph (6), as redesignated—

(i) by striking “paragraph (4)” and inserting “paragraph (2)”;

(ii) by striking “paragraphs (5) and (6)” and inserting “paragraphs (3) and (4)”;

(I) in paragraph (7), as redesignated—

(i) by striking “paragraph (8)” and inserting “paragraph (6)”;

(ii) by striking “paragraph (6)” each place it appears and inserting “paragraph (4)”;

(J) in paragraph (9), as redesignated, by striking “paragraph (4)” and inserting “paragraph (2)”.

SUBTITLE B—ESTABLISHING A CONGRESSIONAL BUDGET

SEC. 111. FISCAL YEAR 2014 BUDGET RESOLUTION.

(a) FISCAL YEAR 2014.—For the purpose of enforcing the Congressional Budget Act of 1974 for fiscal year 2014, and enforcing, in the Senate, budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the same manner as for a concurrent resolution on the budget for fiscal year 2014 with appropriate

budgetary levels for fiscal year 2014 and for fiscal years 2015 through 2023.

(b) COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.—The Chairmen of the Committee on the Budget of the House of Representatives and the Senate shall each submit a statement for publication in the Congressional Record as soon as practicable after the date of enactment of this Act that includes—

(1) for the Committee on Appropriations of that House, committee allocations for fiscal year 2014 consistent with the discretionary spending limits set forth in this Act for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees of that House other than the Committee on Appropriations, committee allocations for—

(A) fiscal year 2014;

(B) fiscal years 2014 through 2018 in the Senate only; and

(C) fiscal years 2014 through 2023;

consistent with the May 2013 baseline of the Congressional Budget Office adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the May 2013 baseline of the Congressional Budget Office, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(3) aggregate spending levels for fiscal year 2014 in accordance with the allocations established under paragraphs (1) and (2), for the purpose of enforcing section 311 of the Congressional Budget Act of 1974;

(4) aggregate revenue levels for—

(A) fiscal year 2014;

(B) fiscal years 2014 through 2018 in the Senate only; and

(C) fiscal years 2014 through 2023;

consistent with the May 2013 baseline of the Congressional Budget Office adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the May 2013 baseline of the Congressional Budget Office, for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(5) in the Senate only, levels of Social Security revenues and outlays for fiscal year 2014 and for the periods of fiscal years 2014 through 2018 and 2014 through 2023 consistent with the May 2013 baseline of the Congressional Budget Office adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the May 2013 baseline of the Congressional Budget Office, for the purpose of enforcing sections 302 and 311 of the Congressional Budget Act of 1974.

(c) FURTHER ADJUSTMENTS.—After the date of enactment of this Act, the Chairman of the Committee on the Budget of the House of Representatives may reduce the aggregates, allocations, and other budgetary levels included in the statement of the Chairman of the Committee on the Budget of the House of Representatives referred to in subsection (b) to reflect the budgetary effects of any legislation enacted during the 113th Congress that reduces the deficit.

SEC. 112. LIMITATION ON ADVANCE APPROPRIATIONS IN THE SENATE.

(a) POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS IN THE SENATE.—

(1) IN GENERAL.—

(A) POINT OF ORDER.—Except as provided in paragraph (2), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would provide an advance appropriation.

(B) DEFINITION.—In this subsection, the term “advance appropriation” means any

new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2014 that first becomes available for any fiscal year after 2014 or any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2015 that first becomes available for any fiscal year after 2015.

(2) **EXCEPTIONS.**—Advance appropriations may be provided—

(A) for fiscal years 2015 and 2016 for programs, projects, activities, or accounts identified in a statement submitted to the Congressional Record by the Chairman of the Committee on the Budget of the Senate under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$28,852,000,000 in new budget authority in each fiscal year;

(B) for the Corporation for Public Broadcasting; and

(C) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, and Medical Facilities accounts of the Veterans Health Administration.

(3) **SUPERMAJORITY WAIVER AND APPEAL.**—

(A) **WAIVER.**—In the Senate, paragraph (1) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) **APPEAL.**—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under paragraph (1).

(4) **FORM OF POINT OF ORDER.**—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) **CONFERENCE REPORTS.**—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this subsection, and such point of order being sustained, such material contained in such conference report or amendment between the Houses shall be stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this paragraph), no further amendment shall be in order.

(6) **INAPPLICABILITY.**—In the Senate, section 402 of S. Con. Res. 13 (111th Congress) shall no longer apply.

(b) **EXPIRATION.**—Subsection (a) shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

SEC. 113. RULE OF CONSTRUCTION IN THE HOUSE OF REPRESENTATIVES.

In the House of Representatives, for the remainder of the 113th Congress, the provisions of H. Con. Res. 25 (113th Congress), as deemed in force by H. Res. 243 (113th Congress), shall remain in force to the extent its budgetary levels are not superseded by this subtitle or by further action of the House of Representatives.

SEC. 114. ADDITIONAL SENATE BUDGET ENFORCEMENT.

(a) **SENATE PAY-AS-YOU-GO SCORECARD.**—

(1) **IN GENERAL.**—Effective on the date of enactment of this Act, for the purpose of enforcing section 201 of S. Con. Res. 21 (110th Congress), the Chairman of the Committee on the Budget of the Senate shall reduce any balances of direct spending and revenues for any fiscal year to zero.

(2) **FISCAL YEAR 2015.**—After April 15, 2014, but not later than May 15, 2014, for the purpose of enforcing section 201 of S. Con. Res. 21 (110th Congress), the Chairman of the Committee on the Budget of the Senate shall reduce any balances of direct spending and revenues for any fiscal year to zero.

(3) **PUBLICATION.**—Upon resetting the Senate paygo scorecard pursuant to paragraph (2), the Chairman of the Committee on the Budget of the Senate shall publish a notification of such action in the Congressional Record.

(b) **FURTHER ADJUSTMENTS.**—With respect to any allocations, aggregates, or levels set or adjustments made pursuant to this subtitle, sections 412 through 414 of S. Con. Res. 13 (111th Congress) shall remain in effect.

(c) **DEFICIT-NEUTRAL RESERVE FUND TO REPLACE SEQUESTRATION.**—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits set pursuant to this subtitle for one or more bills, joint resolutions, amendments, motions, or conference reports that amend section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) to repeal or revise the enforcement procedures established under that section, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2014 through 2023. For purposes of determining deficit-neutrality under this subsection, the Chairman may include the estimated effects of any amendment or amendments to the discretionary spending limits in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)).

(d) **ADDITIONAL DEFICIT-NEUTRAL RESERVE FUNDS.**—In the Senate only, sections 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 338, 339, 340, 341, 344, 348, 349, 350, 353, 354, 356, 361, 363, 364, 365, 366, 367, 368, 369, 371, 376, 378, 379, and 383 of S. Con. Res. 8 (113th Congress), as passed the Senate, shall have force and effect.

(e) **EXPIRATION.**—Subsections (a)(2), (c), and (d) shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

SEC. 115. AUTHORITY FOR FISCAL YEAR 2015 BUDGET RESOLUTION IN THE HOUSE OF REPRESENTATIVES.

(a) **FISCAL YEAR 2015.**—If a concurrent resolution on the budget for fiscal year 2015 has not been adopted by April 15, 2014, for the purpose of enforcing the Congressional Budget Act of 1974, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the House of Representatives after April 15, 2014, in the same manner as for a concurrent resolution on the budget for fiscal year 2015 with appropriate budgetary levels for fiscal year 2015 and for fiscal years 2016 through 2024.

(b) **COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.**—In the House of Representa-

tives, the Chairman of the Committee on the Budget shall submit a statement for publication in the Congressional Record after April 15, 2014, but not later than May 15, 2014, containing—

(1) for the Committee on Appropriations, committee allocations for fiscal year 2015 at the total level as set forth in section 251(c)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees other than the Committee on Appropriations, committee allocations for fiscal year 2015 and for the period of fiscal years 2015 through 2024 at the levels included in the most recent baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974; and

(3) aggregate spending levels for fiscal year 2015 and aggregate revenue levels for fiscal year 2015 and for the period of fiscal years 2015 through 2024, at the levels included in the most recent baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 311 of the Congressional Budget Act of 1974.

(c) **ADDITIONAL MATTER.**—The statement referred to in subsection (b) may also include for fiscal year 2015, the matter contained in title IV (reserve funds) and in sections 601, 603(a), 605(a), and 609 of H. Con. Res. 25 (113th Congress), as adopted by the House, updated by one fiscal year, including updated amounts for section 601.

(d) **FISCAL YEAR 2015 ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS.**—If the statement referred to in subsection (b) is not filed by May 15, 2014, then the matter referred to in subsection (b)(1) shall be submitted by the Chairman of the Committee on the Budget for publication in the Congressional Record on the next day that the House of Representatives is in session.

(e) **ADJUSTMENTS.**—The Chairman of the Committee on the Budget of the House of Representatives may adjust the levels included in the statement referred to in subsection (b) to reflect the budgetary effects of any legislation enacted during the 113th Congress that reduces the deficit or as otherwise necessary.

(f) **APPLICATION.**—Subsections (a), (b), (c), (d), and (e) shall no longer apply if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

SEC. 116. AUTHORITY FOR FISCAL YEAR 2015 BUDGET RESOLUTION IN THE SENATE.

(a) **FISCAL YEAR 2015.**—For the purpose of enforcing the Congressional Budget Act of 1974, after April 15, 2014, and enforcing budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2015 with appropriate budgetary levels for fiscal years 2014 and 2016 through 2024.

(b) **COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.**—After April 15, 2014, but not later than May 15, 2014, the Chairman of the

Committee on the Budget of the Senate shall file—

(1) for the Committee on Appropriations, committee allocations for fiscal years 2014 and 2015 consistent with the discretionary spending limits set forth in this Act for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees other than the Committee on Appropriations, committee allocations for fiscal years 2014, 2015, 2015 through 2019, and 2015 through 2024 consistent with the most recent baseline of the Congressional Budget Office for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(3) aggregate spending levels for fiscal years 2014 and 2015 in accordance with the allocations established under paragraphs (1) and (2), for the purpose of enforcing section 311 of the Congressional Budget Act of 1974;

(4) aggregate revenue levels for fiscal years 2014, 2015, 2015 through 2019, and 2015 through 2024 consistent with the most recent baseline of the Congressional Budget Office for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(5) levels of Social Security revenues and outlays for fiscal years 2014, 2015, 2015 through 2019, and 2015 through 2024 consistent with the most recent baseline of the Congressional Budget Office for the purpose of enforcing sections 302 and 311 of the Congressional Budget Act of 1974.

(c) **ADDITIONAL MATTER.**—The filing referred to in subsection (b) may also include, for fiscal year 2015, the reserve funds included in section 114(c) and (d) of this Act, updated by one fiscal year.

(d) **SUPERSEDING PREVIOUS STATEMENT.**—In the Senate, the filing referred to in subsection (b) shall supersede the statement referred to in section 111(b) of this Act.

(e) **EXPIRATION.**—This section shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

SEC. 117. EXCLUSION OF SAVINGS FROM PAYGO SCORECARDS.

(a) **STATUTORY PAY-AS-YOU-GO SCORECARDS.**—Notwithstanding section 1(c) of this division, the budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) **SENATE PAYGO SCORECARDS.**—Notwithstanding section 1(c) of this division, the budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

SEC. 118. EXERCISE OF RULEMAKING POWERS.

The provisions of this subtitle are enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

SUBTITLE C—TECHNICAL CORRECTIONS

SEC. 121. TECHNICAL CORRECTIONS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.

The Balanced Budget and Emergency Deficit Control Act of 1985 is amended as follows:

(1) In section 252(b)(2)(B), strike “applicable to budget year” and insert “applicable to the budget year”.

(2) In section 252(c)(1)(C)(i), strike “paragraph (1)” and insert “subsection (b)”.

(3) In section 254(c)(3)(A), strike “subsection 252(b)” and insert “section 252(b)”.

(4) In section 254(f)(4), strike “subsection 252(b)” and insert “section 252(b)”.

(5) In section 255(a), strike “section 231b(a), 231b(f)(2), 231c(a), and 231c(f) of title 45 United States Code” and insert “sections 3 and 4 of the Railroad Retirement Act of 1937 (45 U.S.C. 231 et seq.)”.

(6) In section 255(h), in the item relating to Federal Pell Grants, strike “section 401 Title IV” and insert “section 401 of title IV”.

(7) In the first subsection (j) of section 255 (relating to Split Treatment Programs), move the margins for the list items two ems to the right.

(8) Redesignate the second subsection (j) of section 255 (relating to Identification of Programs) as subsection (k).

(9) In section 257(b)(2)(A)(i), strike “differences” and insert “differences”.

(10) In section 258(a)(1), strike “section 254(j)” and insert “section 254(i)”.

SEC. 122. TECHNICAL CORRECTIONS TO THE CONGRESSIONAL BUDGET ACT OF 1974.

The Congressional Budget Act of 1974 is amended as follows:

(1) In sections 301(a)(6) and 301(a)(7), strike “For purposes” and insert “for purposes”.

(2) In section 301(a), in the matter following paragraph (7), strike “old age” and insert “old-age”.

(3) In section 302(g)(2)(A), strike “committee on the Budget” and insert “Committee on the Budget”.

(4) In section 305(a)(1), strike “clause 2(1)(6) of rule XI” and insert “clause 4 of rule XIII”.

(5) In section 305(a)(5), strike “provisions of rule XXIII” and insert “provisions of rule XVIII”.

(6) In section 305(b)(1), strike “section 304(a)” and insert “section 304”.

(7) In section 306 strike “No” and insert “(a) IN THE SENATE.—In the Senate, no”, strike “of either House” and “in that House”, strike “of that House”, and add at the end the following new subsection:

“(b) IN THE HOUSE OF REPRESENTATIVES.—In the House of Representatives, no bill or joint resolution, or amendment thereto, or conference report thereon, dealing with any matter which is within the jurisdiction of the Committee on the Budget shall be considered unless it is a bill or joint resolution which has been reported by the Committee on the Budget (or from the consideration of which such committee has been discharged) or unless it is an amendment to such a bill or joint resolution.”.

(8) In section 308(d), in the subsection heading, strike “Scorekeeping Guidelines.—” and insert “SCOREKEEPING GUIDELINES.—”.

(9) In section 310(c)(1)(A)(i) and (ii), strike “under that paragraph by more than” and insert “under that paragraph by more than—”.

(10) In section 314(d)(2), strike subparagraph (A), redesignate subparagraphs (B) and (C) as subparagraphs (A) and (B) respectively, in subparagraph (A), as redesignated, strike “under subparagraph (A)” and insert

“under paragraph (1)”, and in subparagraph (B), as redesignated, strike “under subparagraph (B)” and insert “under subparagraph (A)”.

(11) In section 315, add at the end the following new sentence: “In the case of a reported bill or joint resolution considered pursuant to a special order of business, a point of order under section 303 shall be determined on the basis of the text made in order as an original bill or joint resolution for the purpose of amendment or to the text on which the previous question is ordered directly to passage, as the case may be.”.

(12) In section 401(b)(2), strike “section 302(b)” and insert “section 302(a)”.

(13) In section 401(c), add at the end the following new paragraph:

“(3) In the House of Representatives, subsections (a) and (b) shall not apply to new authority described in those subsections to the extent that a provision in a bill or joint resolution, or an amendment thereto or a conference report thereon, establishes prospectively for a Federal office or position a specified or minimum level of compensation to be funded by annual discretionary appropriations.”.

(14) In section 421(5)(A)(i)(II), strike “subparagraph (B)” and insert “subparagraph (B)”.

(15) In section 505(c), strike “section 406(b)” both places it appears and insert “section 405(b)”.

(16) In section 904(c)(2), strike “258A(b)(3)(C)(I)” and “258(h)(3)” and insert “258A(b)(3)(C)(i)” and “258B(h)(3)”, respectively, and strike “and 314(e)” and insert “314(e), and 314(f)”.

(17) In section 904(d)(3), strike “258A(b)(3)(C)(I)” and “258(h)(3)” and insert “258A(b)(3)(C)(i)” and “258B(h)(3)”, respectively, and strike “and 312(c)” and insert “312(c), 314(e), and 314(f)”.

TITLE II—PREVENTION OF WASTE, FRAUD, AND ABUSE

SEC. 201. IMPROVING THE COLLECTION OF UNEMPLOYMENT INSURANCE OVERPAYMENTS.

(a) **IN GENERAL.**—Section 303 of the Social Security Act (42 U.S.C. 503) is amended by adding at the end the following:

“(m) In the case of a covered unemployment compensation debt (as defined under section 6402(f)(4) of the Internal Revenue Code of 1986) that remains uncollected as of the date that is 1 year after the debt was finally determined to be due and collected, the State to which such debt is owed shall take action to recover such debt under section 6402(f) of the Internal Revenue Code of 1986.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect upon the date of enactment of this Act.

SEC. 202. STRENGTHENING MEDICAID THIRD-PARTY LIABILITY.

(a) **PAYMENT FOR PRENATAL AND PREVENTIVE PEDIATRIC CARE AND IN CASES INVOLVING MEDICAL SUPPORT.**—Section 1902(a)(25) of the Social Security Act (42 U.S.C. 1396a(a)(25)) is amended—

(1) in subparagraph (E)(i), by inserting before the semicolon at the end the following: “, except that the State may, if the State determines doing so is cost-effective and will not adversely affect access to care, only make such payment if a third party so liable has not made payment within 90 days after the date the provider of such services has initially submitted a claim to such third party for payment for such services”; and

(2) in subparagraph (F)(i), by striking “30 days after such services are furnished” and inserting “90 days after the date the provider

of such services has initially submitted a claim to such third party for payment for such services, except that the State may make such payment within 30 days after such date if the State determines doing so is cost-effective and necessary to ensure access to care.”.

(b) **RECOVERY OF MEDICAID EXPENDITURES FROM BENEFICIARY LIABILITY SETTLEMENTS.**—

(1) **STATE PLAN REQUIREMENTS.**—Section 1902(a)(25) of the Social Security Act (42 U.S.C. 1396a(a)(25)) is amended—

(A) in subparagraph (B), by striking “to the extent of such legal liability”; and

(B) in subparagraph (H), by striking “payment by any other party for such health care items or services” and inserting “any payments by such third party”.

(2) **ASSIGNMENT OF RIGHTS OF PAYMENT.**—Section 1912(a)(1)(A) of such Act (42 U.S.C. 1396k(a)(1)(A)) is amended by striking “payment for medical care from any third party” and inserting “any payment from a third party that has a legal liability to pay for care and services available under the plan”.

(3) **LIENS.**—Section 1917(a)(1)(A) of such Act (42 U.S.C. 1396p(a)(1)(A)) is amended to read as follows:

“(A) pursuant to—

“(i) the judgment of a court on account of benefits incorrectly paid on behalf of such individual, or

“(ii) rights acquired by or assigned to the State in accordance with section 1902(a)(25)(H) or section 1912(a)(1)(A), or”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on October 1, 2014.

SEC. 203. RESTRICTION ON ACCESS TO THE DEATH MASTER FILE.

(a) **IN GENERAL.**—The Secretary of Commerce shall not disclose to any person information contained on the Death Master File with respect to any deceased individual at any time during the 3-calendar-year period beginning on the date of the individual's death, unless such person is certified under the program established under subsection (b).

(b) **CERTIFICATION PROGRAM.**—

(1) **IN GENERAL.**—The Secretary of Commerce shall establish a program—

(A) to certify persons who are eligible to access the information described in subsection (a) contained on the Death Master File, and

(B) to perform periodic and unscheduled audits of certified persons to determine the compliance by such certified persons with the requirements of the program.

(2) **CERTIFICATION.**—A person shall not be certified under the program established under paragraph (1) unless such person certifies that access to the information described in subsection (a) is appropriate because such person—

(A) has—

(i) a legitimate fraud prevention interest, or

(ii) a legitimate business purpose pursuant to a law, governmental rule, regulation, or fiduciary duty, and

(B) has systems, facilities, and procedures in place to safeguard such information, and experience in maintaining the confidentiality, security, and appropriate use of such information, pursuant to requirements similar to the requirements of section 6103(p)(4) of the Internal Revenue Code of 1986, and

(C) agrees to satisfy the requirements of such section 6103(p)(4) as if such section applied to such person.

(3) **FEES.**—

(A) **IN GENERAL.**—The Secretary of Commerce shall establish under section 9701 of title 31, United States Code, a program for the charge of fees sufficient to cover (but not to exceed) all costs associated with evaluating applications for certification and auditing, inspecting, and monitoring certified persons under the program. Any fees so collected shall be deposited and credited as offsetting collections to the accounts from which such costs are paid.

(B) **REPORT.**—The Secretary of Commerce shall report on an annual basis to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on the total fees collected during the preceding year and the cost of administering the certification program under this subsection for such year.

(c) **IMPOSITION OF PENALTY.**—

(1) **IN GENERAL.**—Any person who is certified under the program established under subsection (b), who receives information described in subsection (a), and who during the period of time described in subsection (a)—

(A) discloses such information to any person other than a person who meets the requirements of subparagraphs (A), (B), and (C) of subsection (b)(2),

(B) discloses such information to any person who uses the information for any purpose not listed under subsection (b)(2)(A) or who further discloses the information to a person who does not meet such requirements, or

(C) uses any such information for any purpose not listed under subsection (b)(2)(A), and any person to whom such information is disclosed who further discloses or uses such information as described in the preceding subparagraphs, shall pay a penalty of \$1,000 for each such disclosure or use.

(2) **LIMITATION ON PENALTY.**—

(A) **IN GENERAL.**—The total amount of the penalty imposed under this subsection on any person for any calendar year shall not exceed \$250,000.

(B) **EXCEPTION FOR WILLFUL VIOLATIONS.**—Subparagraph (A) shall not apply in the case of violations under paragraph (1) that the Secretary of Commerce determines to be willful or intentional violations.

(d) **DEATH MASTER FILE.**—For purposes of this section, the term “Death Master File” means information on the name, social security account number, date of birth, and date of death of deceased individuals maintained by the Commissioner of Social Security, other than information that was provided to such Commissioner under section 205(r) of the Social Security Act (42 U.S.C. 405(r)).

(e) **EXEMPTION FROM FREEDOM OF INFORMATION ACT REQUIREMENT WITH RESPECT TO CERTAIN RECORDS OF DECEASED INDIVIDUALS.**—

(1) **IN GENERAL.**—No Federal agency shall be compelled to disclose the information described in subsection (a) to any person who is not certified under the program established under subsection (b).

(2) **TREATMENT OF INFORMATION.**—For purposes of section 552 of title 5, United States Code, this section shall be considered a statute described in subsection (b)(3) of such section 552.

(f) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), this section shall take effect on the date that is 90 days after the date of the enactment of this Act.

(2) **FOIA EXEMPTION.**—Subsection (e) shall take effect on the date of the enactment of this Act.

SEC. 204. IDENTIFICATION OF INMATES REQUESTING OR RECEIVING IMPROPER PAYMENTS.

(a) **INFORMATION PROVIDED TO THE PRISONER UPDATE PROCESSING SYSTEM (PUPS).**—

(1) **SECTION 202(x)(3)(B)(i)(I).**—Section 202(x)(3)(B)(i)(I) of the Social Security Act (42 U.S.C. 402(x)(3)(B)(i)(I)) is amended by—

(A) inserting “first, middle, and last” before “names”; and

(B) striking the comma after the words “social security account numbers” and inserting “or taxpayer identification numbers, prison assigned inmate numbers, last known addresses,”;

(C) inserting “dates of release or anticipated dates of release, dates of work release,” before “and, to the extent available”; and

(D) by inserting “and clause (iv) of this subparagraph” after “paragraph (1)”.

(2) **SECTION 1611(e)(1)(I)(i)(I).**—Section 1611(e)(1)(I)(i)(I) of the Social Security Act (42 U.S.C. 1382(e)(1)(I)(i)(I)) is amended by—

(A) inserting “first, middle, and last” before “names”; and

(B) striking the comma after the words “social security account numbers” and inserting “or taxpayer identification numbers, prison assigned inmate numbers, last known addresses,”;

(C) inserting “dates of release or anticipated dates of release, dates of work release,” before “and, to the extent available”; and

(D) by inserting “and clause (iv) of this subparagraph” after “this paragraph”.

(b) **AUTHORITY OF SECRETARY OF THE TREASURY TO ACCESS PUPS.**—

(1) **SECTION 202(x)(3)(B).**—Section 202(x)(3)(B) of the Social Security Act (42 U.S.C. 402(x)(3)(B)) is amended—

(A) in clause (iv), by inserting before the period the following: “, for statistical and research activities conducted by Federal and State agencies, and to the Secretary of the Treasury for the purposes of tax administration, debt collection, and identifying, preventing, and recovering improper payments under federally funded programs”; and

(B) by adding at the end the following:

“(v)(I) The Commissioner may disclose information received pursuant to this paragraph to any officer, employee, agent, or contractor of the Department of the Treasury whose official duties require such information to assist in the identification, prevention, and recovery of improper payments or in the collection of delinquent debts owed to the United States, including payments certified by the head of an executive, judicial, or legislative paying agency, and payments made to individuals whose eligibility, or continuing eligibility, to participate in a Federal program (including those administered by a State or political subdivision thereof) is being reviewed.

“(II) Notwithstanding the provisions of section 552a of title 5, United States Code, or any other provision of Federal or State law, the Secretary of the Treasury may compare information disclosed under subclause (I) with any other personally identifiable information derived from a Federal system of records or similar records maintained by a Federal contractor, a Federal grantee, or an entity administering a Federal program or activity, and may redisclose such comparison of information to any paying or administering agency and to the head of the Federal Bureau of Prisons and the head of any State agency charged with the administration of prisons with respect to inmates whom the Secretary of the Treasury has determined may have been issued, or facilitated in the issuance of, an improper payment.

“(III) The comparison of information disclosed under subclause (I) shall not be considered a matching program for purposes of section 552a of title 5, United States Code.”.

(2) SECTION 1611(e)(1)(I).—Section 1611(e)(1)(I) of the Social Security Act (42 U.S.C. 1382(e)(1)(I)) is amended—

(A) in clause (iii), by inserting before the period the following: “, for statistical and research activities conducted by Federal and State agencies, and to the Secretary of the Treasury for the purposes of tax administration, debt collection, and identifying, preventing, and recovering improper payments under federally funded programs”; and

(B) by adding at the end the following:

“(v)(I) The Commissioner may disclose information received pursuant to this paragraph to any officer, employee, agent, or contractor of the Department of the Treasury whose official duties require such information to assist in the identification, prevention, and recovery of improper payments or in the collection of delinquent debts owed to the United States, including payments certified by the head of an executive, judicial, or legislative paying agency, and payments made to individuals whose eligibility, or continuing eligibility, to participate in a Federal program (including those administered by a State or political subdivision thereof) is being reviewed.

“(II) Notwithstanding the provisions of section 552a of title 5, United States Code, or any other provision of Federal or State law, the Secretary of the Treasury may compare information disclosed under subclause (I) with any other personally identifiable information derived from a Federal system of records or similar records maintained by a Federal contractor, a Federal grantee, or an entity administering a Federal program or activity and may redisclose such comparison of information to any paying or administering agency and to the head of the Federal Bureau of Prisons and the head of any State agency charged with the administration of prisons with respect to inmates whom the Secretary of the Treasury has determined may have been issued, or facilitated in the issuance of, an improper payment.

“(III) The comparison of information disclosed under subclause (I) shall not be considered a matching program for purposes of section 552a of title 5, United States Code.”.

(C) CONFORMING AMENDMENT TO THE DO NOT PAY INITIATIVE.—Section 5(a)(2) of the Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note) is amended by adding at the end the following:

“(F) Information regarding incarcerated individuals maintained by the Commissioner of Social Security under sections 202(x) and 1611(e) of the Social Security Act.”.

TITLE III—NATURAL RESOURCES

SEC. 301. ULTRA-DEEPWATER AND UNCONVENTIONAL NATURAL GAS AND OTHER PETROLEUM RESOURCES.

(a) REPEAL.—Subtitle J of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16371 et seq.) is repealed.

(b) RESCISSION.—Any unobligated funds appropriated for carrying out the subtitle repealed by subsection (a) are rescinded.

SEC. 302. AMENDMENT TO THE MINERAL LEASING ACT.

Section 35(b) of the Mineral Leasing Act (30 U.S.C. 191(b)) is amended to read as follows—

“(b) DEDUCTION FOR ADMINISTRATIVE COSTS.—In determining the amount of payments to the States under this section, beginning in fiscal year 2014 and for each year

thereafter, the amount of such payments shall be reduced by 2 percent for any administrative or other costs incurred by the United States in carrying out the program authorized by this Act, and the amount of such reduction shall be deposited to miscellaneous receipts of the Treasury.”.

SEC. 303. APPROVAL OF AGREEMENT WITH MEXICO.

The Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico, signed at Los Cabos, February 20, 2012, is hereby approved.

SEC. 304. AMENDMENT TO THE OUTER CONTINENTAL SHELF LANDS ACT.

The Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by adding at the end the following:

“SEC. 32. TRANSBOUNDARY HYDROCARBON AGREEMENTS.

“(a) AUTHORIZATION.—After the date of enactment of the Bipartisan Budget Act of 2013, the Secretary may implement the terms of any transboundary hydrocarbon agreement for the management of transboundary hydrocarbon reservoirs entered into by the President and approved by Congress. In implementing such an agreement, the Secretary shall protect the interests of the United States to promote domestic job creation and ensure the expeditious and orderly development and conservation of domestic mineral resources in accordance with all applicable United States laws governing the exploration, development, and production of hydrocarbon resources on the Outer Continental Shelf.

“(b) SUBMISSION TO CONGRESS.—

“(1) IN GENERAL.—No later than 180 days after all parties to a transboundary hydrocarbon agreement have agreed to its terms, a transboundary hydrocarbon agreement that does not constitute a treaty in the judgment of the President shall be submitted by the Secretary to—

“(A) the Speaker of the House of Representatives;

“(B) the Majority Leader of the Senate;

“(C) the Chair of the Committee on Natural Resources of the House of Representatives; and

“(D) the Chair of the Committee on Energy and Natural Resources of the Senate.

“(2) CONTENTS OF SUBMISSION.—The submission shall include—

“(A) any amendments to this Act or other Federal law necessary to implement the agreement;

“(B) an analysis of the economic impacts such agreement and any amendments necessitated by the agreement will have on domestic exploration, development, and production of hydrocarbon resources on the Outer Continental Shelf; and

“(C) a detailed description of any regulations expected to be issued by the Secretary to implement the agreement.

“(c) IMPLEMENTATION OF SPECIFIC TRANSBOUNDARY AGREEMENT WITH MEXICO.—The Secretary may take actions as necessary to implement the terms of the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico, signed at Los Cabos, February 20, 2012, including—

“(1) approving unitization agreements and related arrangements for the exploration, development, or production of oil and natural gas from transboundary reservoirs or geological structures;

“(2) making available, in the limited manner necessary under the agreement and sub-

ject to the protections of confidentiality provided by the agreement, information relating to the exploration, development, and production of oil and natural gas from a transboundary reservoir or geological structure that may be considered confidential, privileged, or proprietary information under law;

“(3) taking actions consistent with an expert determination under the agreement; and

“(4) ensuring only appropriate inspection staff at the Bureau of Safety and Environmental Enforcement or other Federal agency personnel designated by the Bureau, the operator, or the lessee have authority to stop work on any installation or other device or vessel permanently or temporarily attached to the seabed of the United States that may be erected thereon for the purpose of resource exploration, development or production activities as approved by the Secretary.

“(d) SAVINGS PROVISIONS.—Nothing in this section shall be construed—

“(1) to authorize the Secretary to participate in any negotiations, conferences, or consultations with Cuba regarding exploration, development, or production of hydrocarbon resources in the Gulf of Mexico along the United States maritime border with Cuba or the area known by the Department of the Interior as the ‘Eastern Gap’; or

“(2) as affecting the sovereign rights and the jurisdiction that the United States has under international law over the Outer Continental Shelf that appertains to it.”.

SEC. 305. FEDERAL OIL AND GAS ROYALTY PREPAYMENT CAP.

(a) IN GENERAL.—Section 111(i) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1721(i)) is amended by striking “(i) Upon” and all that follows through “For purposes” and inserting the following:

“(i) LIMITATION ON INTEREST.—

“(1) IN GENERAL.—Interest shall not be paid on any excessive overpayment.

“(2) EXCESSIVE OVERPAYMENT DEFINED.—For purposes”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on July 1, 2014.

SEC. 306. STRATEGIC PETROLEUM RESERVE.

(a) REPEAL OF AUTHORITY TO ACQUIRE INKIND ROYALTY CRUDE OIL.—Section 160(a) of the Energy Policy and Conservation Act (42 U.S.C. 6240(a)) is amended to read as follows:

“(a) The Secretary may acquire, place in storage, transport, or exchange petroleum products acquired by purchase or exchange.”.

(b) RESCISSION OF FUNDS.—Any unobligated balances available in the SPR Petroleum Account in the Treasury on the date of enactment of this section are permanently rescinded.

TITLE IV—FEDERAL CIVILIAN AND MILITARY RETIREMENT

SEC. 401. INCREASE IN CONTRIBUTIONS TO FEDERAL EMPLOYEES’ RETIREMENT SYSTEM FOR NEW EMPLOYEES.

(a) DEFINITION.—

(1) IN GENERAL.—Section 8401 of title 5, United States Code, is amended—

(A) in paragraph (36), by striking “and” at the end;

(B) in paragraph (37), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(38) the term ‘further revised annuity employee’ means any individual who—

“(A) on December 31, 2013—

“(i) is not an employee or Member covered under this chapter;

“(ii) is not performing civilian service which is creditable service under section 8411; and

“(iii) has less than 5 years of creditable civilian service under section 8411; and

“(B) after December 31, 2013, becomes employed as an employee or becomes a Member covered under this chapter performing service which is creditable service under section 8411.”.

(2) **TECHNICAL AMENDMENT.**—Section 8401(37)(B) of title 5, United States Code, is amended by inserting “and before January 1, 2014,” after “after December 31, 2012,”.

(b) **INCREASE IN INDIVIDUAL CONTRIBUTIONS.**—Section 8422(a)(3) of title 5, United States Code, is amended—

(1) in subparagraph (A), by inserting “or further revised annuity employees” after “revised annuity employees”; and

(2) by adding at the end the following:

“(C) The applicable percentage under this paragraph for civilian service by further revised annuity employees shall be as follows:

“Employee	10.6	After December 31, 2013.
Congressional employee	10.6	After December 31, 2013.
Member	10.6	After December 31, 2013.
Law enforcement officer, firefighter, member of the Capitol Police, member of the Supreme Court Police, or air traffic controller	11.1	After December 31, 2013.
Nuclear materials courier ..	11.1	After December 31, 2013.
Customs and border protection officer	11.1	After December 31, 2013.”

(c) **GOVERNMENT CONTRIBUTIONS.**—Section 8423(a)(2) of title 5, United States Code, is amended—

(1) by striking “(2)” and inserting “(2)(A)”; and

(2) by adding at the end the following:

“(B)(i) Subject to clauses (ii) and (iii), for purposes of any period in any year beginning after December 31, 2013, the normal-cost percentage under this subsection shall be determined and applied as if section 401(b) of the Bipartisan Budget Act of 2013 had not been enacted.

“(ii) Any contributions under this subsection in excess of the amounts which (but for clause (i)) would otherwise have been payable shall be applied toward reducing the unfunded liability of the Civil Service Retirement System.

“(iii) After the unfunded liability of the Civil Service Retirement System has been eliminated, as determined by the Office, Government contributions under this subsection shall be determined and made disregarding this subparagraph.

“(iv) The preceding provisions of this subparagraph shall be disregarded for purposes of determining the contributions payable by the United States Postal Service and the Postal Regulatory Commission.”.

(d) **ANNUITY CALCULATION.**—Section 8415(d) of title 5, United States Code, is amended by inserting “or a further revised annuity employee” after “a revised annuity employee”.

SEC. 402. FOREIGN SERVICE PENSION SYSTEM.

(a) **DEFINITION.**—

(1) **IN GENERAL.**—Section 852 of the Foreign Service Act of 1980 (22 U.S.C. 4071a) is amended—

(A) by redesignating paragraphs (8), (9), and (10) as paragraphs (9), (10), and (11), respectively; and

(B) by inserting after paragraph (7) the following:

“(8) the term ‘further revised annuity participant’ means any individual who—

“(A) on December 31, 2013—

“(i) is not a participant;

“(ii) is not performing service which is creditable service under section 854; and

“(iii) has less than 5 years creditable service under section 854; and

“(B) after December 31, 2013, becomes a participant performing service which is creditable service under section 854;”.

(2) **TECHNICAL AMENDMENT.**—Section 852(7)(B) of the Foreign Service Act of 1980 (22 U.S.C. 4071a(7)(B)) is amended by inserting “and before January 1, 2014,” after “after December 31, 2012,”.

(b) **DEDUCTIONS AND WITHHOLDINGS FROM PAY.**—Section 856(a)(2) of the Foreign Service Act of 1980 (22 U.S.C. 4071e(a)(2)) is amended—

(1) in subparagraph (A), by inserting “or a further revised annuity participant” after “revised annuity participant”; and

(2) by adding at the end the following:

“(C) The applicable percentage for a further revised annuity participant shall be as follows:

“11.15 After December 31, 2013.”.

(c) **GOVERNMENT CONTRIBUTIONS.**—Section 857 of the Foreign Service Act of 1980 (22 U.S.C. 4071f) is amended by adding at the end the following:

“(c)(1) Subject to paragraphs (2) and (3), for purposes of any period in any year beginning after December 31, 2013, the normal-cost percentage under this section shall be determined and applied as if section 402(b) of the Bipartisan Budget Act of 2013 had not been enacted.

“(2) Any contributions under this section in excess of the amounts which (but for paragraph (1)) would otherwise have been payable shall be applied toward reducing the unfunded liability of the Foreign Service Retirement and Disability System.

“(3) After the unfunded liability of the Foreign Service Retirement and Disability System has been eliminated, as determined by the Secretary of State, Government contributions under this section shall be determined and made disregarding this subsection.”.

SEC. 403. ANNUAL ADJUSTMENT OF RETIRED PAY AND RETAINER PAY AMOUNTS FOR RETIRED MEMBERS OF THE ARMED FORCES UNDER AGE 62.

(a) **CPI MINUS ONE PERCENT.**—Section 1401a(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “paragraphs (2) and (3)” and inserting “paragraph (2), (3), or (4)”; and

(2) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(3) by inserting after paragraph (3) the following new paragraph (4):

“(4) **REDUCED PERCENTAGE FOR RETIRED MEMBERS UNDER AGE 62.**—

“(A) **IN GENERAL.**—Effective on December 1 of each year, the retired pay of each member and former member under 62 years of age entitled to that pay shall be adjusted in accordance with this paragraph instead of paragraph (2) or (3).

“(B) **CPI MINUS ONE.**—If the percent determined under paragraph (2) is greater than 1 percent, the Secretary shall increase the retired pay of each member and former member by the difference between—

“(i) the percent determined under paragraph (2); and

“(ii) 1 percent.

“(C) **NO NEGATIVE ADJUSTMENT.**—If the percent determined under paragraph (2) is equal to or less than 1 percent, the Secretary shall not increase the retired pay of members and former members under this paragraph.

“(D) **REVISED ADJUSTMENT UPON REACHING AGE 62.**—When a member or former member whose retired pay has been subject to adjust-

ment under this paragraph becomes 62 years of age, the Secretary of Defense shall recompute the retired pay of the member or former member, to be effective on the date of the next adjustment of retired pay under this subsection, so as to be the amount equal to the amount of retired pay to which the member or former member would be entitled on that date if increases in the retired pay of the member or former member had been computed as provided in paragraph (2) or as specified in section 1410 of this title, as applicable, rather than this paragraph.

“(E) **INAPPLICABILITY OF CATCH-UP RULE.**—Paragraph (5) shall not apply in the case of adjustments made, or not made, as a result of application of this paragraph.”.

(b) **RESTORAL OF FULL RETIREMENT AMOUNT AT AGE 62.**—Section 1410(1) of title 10, United States Code, is amended by striking “paragraph (3)” and inserting “paragraph (3) or (4)”.

(c) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) shall take effect on December 1, 2015.

TITLE V—HIGHER EDUCATION

SEC. 501. DEFAULT REDUCTION PROGRAM.

Effective July 1, 2014, section 428F(a)(1) of the Higher Education Act of 1965 (20 U.S.C. 1078-6(a)(1)) is amended—

(1) in subparagraph (A), by striking clause (ii) and inserting the following:

“(ii) beginning July 1, 2014, assign the loan to the Secretary if the guaranty agency has been unable to sell the loan under clause (i).”; and

(2) in subparagraph (D), by striking clause (i) and inserting the following:

“(i) the guaranty agency—

“(I) shall, in the case of a sale made on or after July 1, 2014, repay the Secretary 100 percent of the amount of the principal balance outstanding at the time of such sale, multiplied by the reinsurance percentage in effect when payment under the guaranty agreement was made with respect to the loan; and

“(II) may, in the case of a sale made on or after July 1, 2014, in order to defray collection costs—

“(aa) charge to the borrower an amount not to exceed 16 percent of the outstanding principal and interest at the time of the loan sale; and

“(bb) retain such amount from the proceeds of the loan sale; and”.

SEC. 502. ELIMINATION OF NONPROFIT SERVICING CONTRACTS.

The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

(1) in section 456 (20 U.S.C. 1087f)—

(A) in subsection (a), by striking paragraph (4); and

(B) by striking subsection (c); and

(2) in section 458(a) (20 U.S.C. 1087h(a)), by striking paragraph (2).

TITLE VI—TRANSPORTATION

SEC. 601. AVIATION SECURITY SERVICE FEES.

(a) **AIR CARRIER FEES.**—

(1) **REPEAL.**—Section 44940(a)(2) of title 49, United States Code, is repealed.

(2) **CONFORMING AMENDMENT.**—Section 44940(d)(1) of such title is amended by striking “, and may impose a fee under subsection (a)(2).”.

(3) **EFFECTIVE DATE.**—The repeal made by paragraph (1) and the amendment made by paragraph (2) shall each take effect on October 1, 2014.

(b) **RESTRUCTURING OF PASSENGER FEE.**—Section 44940(c) of such title is amended to read as follows:

“(c) **LIMITATION ON FEE.**—Fees imposed under subsection (a)(1) shall be \$5.60 per one-

way trip in air transportation or intrastate air transportation that originates at an airport in the United States.”.

(c) DEPOSIT OF RECEIPTS IN GENERAL FUND.—Section 44940(i) of such title is amended to read as follows:

“(i) DEPOSIT OF RECEIPTS IN GENERAL FUND.—

“(1) IN GENERAL.—Beginning in fiscal year 2014, out of fees received in a fiscal year under subsection (a)(1), after amounts are made available in the fiscal year under section 44923(h), the next funds derived from such fees in the fiscal year, in the amount specified for the fiscal year in paragraph (4), shall be credited as offsetting receipts and deposited in the general fund of the Treasury.

“(2) FEE LEVELS.—The Secretary of Homeland Security shall impose the fee authorized by subsection (a)(1) so as to collect in a fiscal year at least the amount specified in paragraph (4) for the fiscal year for making deposits under paragraph (1).

“(3) RELATIONSHIP TO OTHER PROVISIONS.—Subsections (b) and (f) shall not apply to amounts to be used for making deposits under this subsection.

“(4) FISCAL YEAR AMOUNTS.—For purposes of paragraphs (1) and (2), the fiscal year amounts are as follows:

“(A) \$390,000,000 for fiscal year 2014.

“(B) \$1,190,000,000 for fiscal year 2015.

“(C) \$1,250,000,000 for fiscal year 2016.

“(D) \$1,280,000,000 for fiscal year 2017.

“(E) \$1,320,000,000 for fiscal year 2018.

“(F) \$1,360,000,000 for fiscal year 2019.

“(G) \$1,400,000,000 for fiscal year 2020.

“(H) \$1,440,000,000 for fiscal year 2021.

“(I) \$1,480,000,000 for fiscal year 2022.

“(J) \$1,520,000,000 for fiscal year 2023.”.

(d) IMPOSITION OF FEE INCREASE.—The Secretary of Homeland Security shall implement the fee increase authorized by the amendment made by subsection (b)—

(1) beginning on July 1, 2014; and

(2) through the publication of notice of such fee in the Federal Register, notwithstanding section 9701 of title 31, United States Code, and the procedural requirements of section 553 of title 5, United States Code.

(e) CONTINUED AVAILABILITY OF EXISTING BALANCES.—The amendments made by this section shall not affect the availability of funds made available under section 44940(i) of title 49, United States Code, before the date of enactment of this Act.

SEC. 602. TRANSPORTATION COST REIMBURSEMENT.

(a) REPEAL.—Sections 55316 and 55317 of chapter 553 of title 46, United States Code, are repealed.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 553 of title 46, United States Code, is amended by striking the items relating to section 55316 and 55317.

SEC. 603. STERILE AREAS AT AIRPORTS.

Section 44903 of title 49, United States Code, is amended by adding at the end the following:

“(n) PASSENGER EXIT POINTS FROM STERILE AREA.—

“(1) IN GENERAL.—The Secretary of Homeland Security shall ensure that the Transportation Security Administration is responsible for monitoring passenger exit points from the sterile area of airports at which the Transportation Security Administration provided such monitoring as of December 1, 2013.

“(2) STERILE AREA DEFINED.—In this section, the term ‘sterile area’ has the meaning given that term in section 1540.5 of title 49,

Code of Federal Regulations (or any corresponding similar regulation or ruling).”.

TITLE VII—MISCELLANEOUS PROVISIONS

SEC. 701. EXTENSION OF CUSTOMS USER FEES.

Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—

(1) in subparagraph (A), by striking “October 22, 2021” and inserting “September 30, 2023”; and

(2) in subparagraph (B)(i), by striking “October 29, 2021” and inserting “September 30, 2023”.

SEC. 702. LIMITATION ON ALLOWABLE GOVERNMENT CONTRACTOR COMPENSATION COSTS.

(a) LIMITATION.—

(1) CIVILIAN CONTRACTS.—Section 4304(a)(16) of title 41, United States Code, is amended to read as follows:

“(16) Costs of compensation of contractor and subcontractor employees for a fiscal year, regardless of the contract funding source, to the extent that such compensation exceeds \$487,000 per year, adjusted annually to reflect the change in the Employment Cost Index for all workers, as calculated by the Bureau of Labor Statistics, except that the head of an executive agency may establish one or more narrowly targeted exceptions for scientists, engineers, or other specialists upon a determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities.”.

(2) DEFENSE CONTRACTS.—Section 2324(e)(1)(P) of title 10, United States Code, is amended to read as follows:

“(P) Costs of compensation of contractor and subcontractor employees for a fiscal year, regardless of the contract funding source, to the extent that such compensation exceeds \$487,000 per year, adjusted annually to reflect the change in the Employment Cost Index for all workers, as calculated by the Bureau of Labor Statistics, except that the head of an executive agency may establish one or more narrowly targeted exceptions for scientists, engineers, or other specialists upon a determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities.”.

(b) CONFORMING AMENDMENTS.—

(1) REPEAL.—Section 1127 of title 41, United States Code, is hereby repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 11 of title 41, United States Code, is amended by striking the item relating to section 1127.

(c) APPLICABILITY.—This section and the amendments made by this section shall apply only with respect to costs of compensation incurred under contracts entered into on or after the date that is 180 days after the date of the enactment of this Act.

(d) REPORTS.—

(1) IN GENERAL.—Not later than 60 days after the end of each fiscal year, the Director of the Office of Management and Budget shall submit a report on contractor compensation to—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Armed Services of the House of Representatives;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on Oversight and Government Reform of the House of Representatives;

(E) the Committee on Appropriations of the Senate; and

(F) the Committee on Appropriations of the House of Representatives.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) the total number of contractor employees, by executive agency, in the narrowly targeted exception positions described under subsection (a) during the preceding fiscal year;

(B) the taxpayer-funded compensation amounts received by each contractor employee in a narrowly targeted exception position during such fiscal year; and

(C) the duties and services performed by contractor employees in the narrowly targeted exception positions during such fiscal year.

(e) REVIEW.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Director of the Office of Management and Budget shall report to Congress on alternative benchmarks and industry standards for compensation, including whether any such benchmarks or standards would provide a more appropriate measure of allowable compensation for the purposes of section 2324(e)(1)(P) of title 10, United States Code, and section 4304(a)(16) of title 41, United States Code, as amended by this Act.

SEC. 703. PENSION BENEFIT GUARANTY CORPORATION PREMIUM RATE INCREASES.

(a) FLAT-RATE PREMIUM INCREASES.—Section 4006(a)(3)(A)(i) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)(A)(i)) is amended—

(1) in subclause (II), by striking “and” at the end;

(2) in subclause (III), by inserting “and before January 1, 2015,” after “December 31, 2013”; and

(3) by inserting after subclause (III) the following:

“(IV) for plan years beginning after December 31, 2014, and before January 1, 2016, \$57; and

“(V) for plan years beginning after December 31, 2015, and before January 1, 2017, \$64.”.

(b) FLAT-RATE PREMIUM RATE INDEXED TO WAGES.—

(1) IN GENERAL.—Section 4006(a)(3) of such Act (29 U.S.C. 1306(a)(3)) is amended—

(A) by redesignating subparagraphs (G) through (J) as subparagraphs (H) through (K), respectively; and

(B) by inserting after subparagraph (F) the following:

“(G) For each plan year beginning in a calendar year after 2016, there shall be substituted for the premium rate specified in clause (i) of subparagraph (A) an amount equal to the greater of—

“(i) the product derived by multiplying the premium rate specified in clause (i) of subparagraph (A) by the ratio of—

“(I) the national average wage index (as defined in section 209(k)(1) of the Social Security Act) for the first of the 2 calendar years preceding the calendar year in which such plan year begins, to

“(II) the national average wage index (as so defined) for 2014; and

“(ii) the premium rate in effect under clause (i) of subparagraph (A) for plan years beginning in the preceding calendar year.

If the amount determined under this subparagraph is not a multiple of \$1, such product shall be rounded to the nearest multiple of \$1.”.

(2) CONFORMING AMENDMENTS.—Section 4006(a)(3)(F) of such Act (29 U.S.C. 1306(a)(3)(F)) is amended—

(A) in the matter before clause (i), by inserting “and before 2013” after “after 2006”; and

(B) in the flush text following clause (ii), by striking the second sentence.

(c) **VARIABLE RATE PREMIUM INCREASES.**—

(1) **IN GENERAL.**—Section 4006(a)(8)(C) of such Act (29 U.S.C. 1306(a)(8)(C)) is amended—

(A) in clause (i), by striking “and” at the end;

(B) in clause (ii), by striking “\$5.” and inserting “\$10; and”; and

(C) by adding at the end the following:

“(iii) in the case of plan years beginning in calendar year 2016, by \$5.”.

(2) **CONFORMING AMENDMENTS.**—Section 4006(a)(8) of such Act (29 U.S.C. 1306(a)(8)) is amended—

(A) in subparagraph (A)—

(i) in clause (ii), by striking “and” at the end;

(ii) in clause (iii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(iv) for plan years beginning after calendar year 2016, the amount in effect for plan years beginning in 2016 (determined after application of subparagraph (C)).”; and

(B) in subparagraph (D)—

(i) in clause (ii), by striking “and” at the end;

(ii) in clause (iii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(iv) 2014, in the case of plan years beginning after calendar year 2016.”.

(d) **INCREASE IN VARIABLE RATE PREMIUM CAP.**—

(1) **IN GENERAL.**—Section 4006(a)(3)(E)(i) of such Act (29 U.S.C. 1306(a)(3)(E)(i)) is amended—

(A) in subclause (I), by striking “and” at the end;

(B) in subclause (II)—

(i) by inserting “and before 2016” after “2012”; and

(ii) by striking the period at the end and inserting “and”; and

(C) by adding at the end the following:

“(III) in the case of plan years beginning in a calendar year after 2015, shall not exceed \$500.”.

(2) **INDEX TO WAGES.**—Section 4006(a)(3) of such Act (29 U.S.C. 1306(a)(3)) is amended—

(A) in subparagraph (K) (as redesignated by subsection (b)(1)(A)), by inserting “and before 2016” after “2013”; and

(B) by inserting at the end the following:

“(L) For each plan year beginning in a calendar year after 2016, there shall be substituted for the dollar amount specified in subclause (III) of subparagraph (E)(i) an amount equal to the greater of—

“(i) the product derived by multiplying such dollar amount by the ratio of—

“(I) the national average wage index (as defined in section 209(k)(1) of the Social Security Act) for the first of the 2 calendar years preceding the calendar year in which such plan year begins, to

“(II) the national average wage index (as so defined) for 2014; and

“(ii) such dollar amount for plan years beginning in the preceding calendar year.

If the amount determined under this subparagraph is not a multiple of \$1, such product shall be rounded to the nearest multiple of \$1.”.

(e) **EFFECTIVE DATE.**—The amendments made by this section shall apply to plan years beginning after December 31, 2013.

SEC. 704. CANCELLATION OF UNOBLIGATED BALANCES.

(a) **DEPARTMENT OF JUSTICE ASSETS FORFEITURE FUND.**—Effective on the date of enactment of this Act, of the unobligated balances available under the Department of Justice Assets Forfeiture Fund, \$693,000,000 are permanently cancelled.

(b) **TREASURY FORFEITURE FUND.**—Effective on the date of enactment of this Act, of the unobligated balances available under the Department of the Treasury Forfeiture Fund, \$867,000,000, are permanently cancelled.

SEC. 705. CONSERVATION PLANNING TECHNICAL ASSISTANCE USER FEES.

(a) **USER FEES AUTHORIZED.**—Section 3 of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590c) is amended—

(1) by striking “require—” and inserting “require the following;”;

(2) in paragraph (1), by striking the semicolon at the end and inserting a period;

(3) in paragraph (2), by striking “; and” at the end and inserting a period; and

(4) by adding at the end the following:

“(4)(A) The payment of user fees for conservation planning technical assistance if the Secretary determines that the fees, subject to subparagraph (B), are—

“(i) reasonable and appropriate;

“(ii) assessed for conservation planning technical assistance resulting in the development of a conservation plan; and

“(iii) assessed based on the size of the land or the complexity of the resource issues involved.

“(B) Fees under subparagraph (A) may not exceed \$150 per conservation plan for which technical assistance is provided.

“(C) The Secretary may waive fees otherwise required under subparagraph (A) in the case of conservation planning technical assistance provided—

“(i) to beginning farmers or ranchers (as defined in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a));

“(ii) to limited resource farmers or ranchers (as defined by the Secretary);

“(iii) to socially disadvantaged farmers or ranchers (as defined in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e));

“(iv) to qualify for an exemption from ineligibility under section 1212 of the Food Security Act of 1985 (16 U.S.C. 3812); or

“(v) to comply with Federal, State, or local regulatory requirements.”.

(b) **CONSERVATION TECHNICAL ASSISTANCE FUND.**—Section 6 of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590f) is amended—

(1) by striking “SEC. 6.” and all that follows through “There are hereby authorized” and inserting the following:

“SEC. 6. AUTHORIZATION OF APPROPRIATIONS AND CONSERVATION TECHNICAL ASSISTANCE FUNDS.

“(a) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized”; and

(2) by adding at the end the following:

“(b) **CONSERVATION TECHNICAL ASSISTANCE FUND.**—

“(1) **IN GENERAL.**—There is established in the Treasury of the United States a fund to be known as the ‘Conservation Technical Assistance Fund’ (referred to in this subsection as the ‘Fund’), to be administered by the Secretary of Agriculture.

“(2) **DEPOSITS.**—An amount equal to the amounts collected as fees under section 3(4) and late payments, interest, and such other amounts as are authorized to be collected pursuant to section 3717 of title 31, United States Code, shall be deposited in the Fund.

“(3) **AVAILABILITY.**—Amounts in the Fund shall—

“(A) only be available to the extent and in the amount provided in advance in appropriations Acts;

“(B) be used for the costs of carrying out this Act; and

“(C) remain available until expended.”.

SEC. 706. SELF PLUS ONE COVERAGE.

(a) **ELECTION OF COVERAGE.**—Section 8905 of title 5, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) An employee may enroll in an approved health benefits plan described in section 8903 or 8903a—

“(1) as an individual;

“(2) for self plus one; or

“(3) for self and family.”;

(2) in subsection (c)—

(A) in paragraph (1), in the matter following subparagraph (B), by inserting “for self plus one or” before “self and family as provided in paragraph (2) of this subsection”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting “for self plus one or” before “for self and family”; and

(ii) in subparagraph (B), by inserting “(or, in the case of self plus one coverage, not more than 1 such child)” after “adopted children”; and

(3) in subsection (e), by striking “or each spouse may enroll as an individual” and inserting “or for a self plus one enrollment that covers the spouse, or each spouse may enroll as an individual or for a self plus one enrollment that does not cover the other spouse or a child who is covered under the enrollment of the other spouse”; and

(4) in subsection (h)—

(A) by striking “self and family enrollment” each place it appears and inserting “self plus one or self and family enrollment, as necessary to provide health insurance coverage for each child who is covered under the order.”;

(B) by striking “a child” each place it appears and inserting “1 or more children”; and

(C) by striking “the child resides” each place it appears and inserting “the child or children reside”;

(D) in paragraph (1), by striking “self and family coverage” each place it appears and inserting “self plus one or self and family coverage, as necessary to provide health insurance coverage for each child who is covered under the order.”; and

(E) in paragraph (3), by striking “the child continues” and inserting “the child or children continue”.

(b) **CONTINUED COVERAGE.**—Section 8905a of title 5, United States Code, is amended—

(1) in subsection (d)(3)(A), by inserting “for self plus one or” before “for self and family”; and

(2) in subsection (f)(3)(A), by striking “for self and family based on such person’s separation from service” and inserting “based on such person’s separation from service under a self plus one enrollment that covered the individual or under a self and family enrollment”.

(c) **CONTRIBUTIONS.**—Section 8906(a)(1) of title 5, United States Code is amended—

(1) in subparagraph (A), by striking at the end “and”; and

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following:

“(B) enrollments under this chapter for self plus one; and”.

(d) **WEIGHTED AVERAGE FOR FIRST YEAR.**—For the first contract year for which an employee may enroll for self plus one coverage under chapter 89 of title 5, United States Code, the Office of Personnel Management shall determine the weighted average of the subscription charges that will be in effect for the contract year for enrollments for self plus one under such chapter based on an actuarial analysis.

DIVISION B—MEDICARE AND OTHER HEALTH PROVISIONS

SEC. 1001. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This division may be cited as the “Pathway for SGR Reform Act of 2013”.

(b) **TABLE OF CONTENTS.**—The table of contents of this division is as follows:

DIVISION B—MEDICARE AND OTHER HEALTH PROVISIONS

Sec. 1001. Short title; table of contents.

Sec. 1002. Findings; purpose statement.

TITLE I—MEDICARE EXTENDERS

Sec. 1101. Physician payment update.

Sec. 1102. Extension of work GPCI floor.

Sec. 1103. Extension of therapy cap exceptions process.

Sec. 1104. Extension of ambulance add-ons.

Sec. 1105. Medicare inpatient hospital payment adjustment for low-volume hospitals.

Sec. 1106. Medicare-dependent hospital (MDH) program.

Sec. 1107. 1-year extension of authorization for special needs plans.

Sec. 1108. 1-year extension of Medicare reasonable cost contracts.

Sec. 1109. Extension of existing funding for contract with consensus-based entity.

Sec. 1110. Extension of funding outreach and assistance for low-income programs.

TITLE II—OTHER HEALTH PROVISIONS

Sec. 1201. Extension of the qualifying individual (QI) program.

Sec. 1202. Temporary extension of transitional medical assistance (TMA).

Sec. 1203. Extension of funding for family-to-family health information centers.

Sec. 1204. Delay of reductions to Medicaid DSH allotments.

Sec. 1205. Realignment of the Medicare sequester for fiscal year 2023.

Sec. 1206. Payment for inpatient services in long-term care hospitals (LTCHs).

SEC. 1002. FINDINGS; PURPOSE STATEMENT.

In order to support the provision of quality care for our nations seniors, Congress finds it appropriate to reform physician reimbursements under the Medicare program. SGR reform legislation provides such an opportunity, but not until next year. In order to facilitate such reform, Congress finds that the Centers for Medicare & Medicaid Services should continue to focus its efforts on the following areas:

(1) **SIMPLIFY AND REDUCE ADMINISTRATIVE BURDEN ON PHYSICIANS.**—The application and assessment of measures and other activities under SGR reform should be facilitated by the Centers for Medicare and Medicaid Services (CMS) in a way that accounts for the administrative burden such measurement places on physicians. Therefore, the Congress encourages CMS to identify and implement, to the extent practicable, mechanisms to ensure that the application and assessment of measures be coordinated across programs.

(2) **TIMELY FEEDBACK FOR PHYSICIANS.**—In order for measure and assessment programs to encourage the highest quality care for Medicare seniors, the Congress finds it critical that CMS provide physicians with feedback on performance in as close to real time as possible. Such timely feedback will ensure that physicians can excel under a system of meaningful measurement.

(3) **ENCOURAGE DEVELOPMENT OF NEW MODELS.**—There is great need to test alternatives to Fee-For-Service reimbursement in the Medicare program. One option is the promotion and adoption of new models of care for physicians. To date, there has been significant development and testing of models for primary care. Congress supports these efforts and encourages them to continue in the future. Congress also encourages the development and testing of models of specialty care.

TITLE I—MEDICARE EXTENDERS

SEC. 1101. PHYSICIAN PAYMENT UPDATE.

Section 1848(d) of the Social Security Act (42 U.S.C. 101395w–4(d)) is amended by adding at the end the following new paragraph:

“(15) **UPDATE FOR JANUARY THROUGH MARCH OF 2014.**—

“(A) **IN GENERAL.**—Subject to paragraphs (7)(B), (8)(B), (9)(B), (10)(B), (11)(B), (12)(B), (13)(B), and (14)(B), in lieu of the update to the single conversion factor established in paragraph (1)(C) that would otherwise apply for 2014 for the period beginning on January 1, 2014, and ending on March 31, 2014, the update to the single conversion factor shall be 0.5 percent.

“(B) **NO EFFECT ON COMPUTATION OF CONVERSION FACTOR FOR REMAINING PORTION OF 2014 AND SUBSEQUENT YEARS.**—The conversion factor under this subsection shall be computed under paragraph (1)(A) for the period beginning on April 1, 2014, and ending on December 31, 2014, and for 2015 and subsequent years as if subparagraph (A) had never applied.”.

SEC. 1102. EXTENSION OF WORK GPCI FLOOR.

Section 1848(e)(1)(E) of the Social Security Act (42 U.S.C. 1395w–4(e)(1)(E)) is amended by striking “January 1, 2014” and inserting “April 1, 2014”.

SEC. 1103. EXTENSION OF THERAPY CAP EXCEPTIONS PROCESS.

Section 1833(g) of the Social Security Act (42 U.S.C. 1395l(g)) is amended—

(1) in paragraph (5)(A), in the first sentence, by striking “December 31, 2013” and inserting “March 31, 2014”; and

(2) in paragraph (6)(A)—

(A) by striking “December 31, 2013” and inserting “March 31, 2014”; and

(B) by striking “or 2013” and inserting “, 2013, or the first three months of 2014”.

SEC. 1104. EXTENSION OF AMBULANCE ADD-ONS.

(a) **GROUND AMBULANCE.**—Section 1834(l)(13)(A) of the Social Security Act (42 U.S.C. 1395m(l)(13)(A)) is amended—

(1) in the matter preceding clause (i), by striking “January 1, 2014” and inserting “April 1, 2014”; and

(2) in each of clauses (i) and (ii), by striking “January 1, 2014” and inserting “April 1, 2014” each place it appears.

(b) **SUPER RURAL GROUND AMBULANCE.**—Section 1834(l)(12)(A) of the Social Security Act (42 U.S.C. 1395m(l)(12)(A)) is amended by striking “January 1, 2014” and inserting “April 1, 2014”.

SEC. 1105. MEDICARE INPATIENT HOSPITAL PAYMENT ADJUSTMENT FOR LOW-VOLUME HOSPITALS.

Section 1886(d)(12) of the Social Security Act (42 U.S.C. 1395ww(d)(12)) is amended—

(1) in subparagraph (B), in the matter preceding clause (i), by striking “fiscal year 2014 and subsequent fiscal years” and inserting “the portion of fiscal year 2014 beginning on April 1, 2014, fiscal year 2015, and subsequent fiscal years”;

(2) in subparagraph (C)(i)—

(A) by inserting “and the portion of fiscal year 2014 before” after “and 2013,” each place it appears; and

(B) by inserting “or portion of fiscal year” after “during the fiscal year”; and

(3) in subparagraph (D)—

(A) by inserting “and the portion of fiscal year 2014 before April 1, 2014,” after “and 2013.”; and

(B) by inserting “or the portion of fiscal year” after “in the fiscal year”.

SEC. 1106. MEDICARE-DEPENDENT HOSPITAL (MDH) PROGRAM.

(a) **IN GENERAL.**—Section 1886(d)(5)(G) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(G)) is amended—

(1) in clause (i), by striking “October 1, 2013” and inserting “April 1, 2014”; and

(2) in clause (ii)(II), by striking “October 1, 2013” and inserting “April 1, 2014”.

(b) **CONFORMING AMENDMENTS.**—

(1) **EXTENSION OF TARGET AMOUNT.**—Section 1886(b)(3)(D) of the Social Security Act (42 U.S.C. 1395ww(b)(3)(D)) is amended—

(A) in the matter preceding clause (i), by striking “October 1, 2013” and inserting “April 1, 2014”; and

(B) in clause (iv), by inserting “and the portion of fiscal year 2014 before April 1, 2014” after “through fiscal year 2013”.

(2) **PERMITTING HOSPITALS TO DECLINE RECLASSIFICATION.**—Section 13501(e)(2) of the Omnibus Budget Reconciliation Act of 1993 (42 U.S.C. 1395ww note) is amended by striking “through fiscal year 2013” and inserting “through the first 2 quarters of fiscal year 2014”.

SEC. 1107. 1-YEAR EXTENSION OF AUTHORIZATION FOR SPECIAL NEEDS PLANS.

Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w–28(f)(1)) is amended by striking “2015” and inserting “2016”.

SEC. 1108. 1-YEAR EXTENSION OF MEDICARE REASONABLE COST CONTRACTS.

Section 1876(h)(5)(C)(ii) of the Social Security Act (42 U.S.C. 1395mm(h)(5)(C)(ii)) is amended, in the matter preceding subclause (I), by striking “January 1, 2014” and inserting “January 1, 2015”.

SEC. 1109. EXTENSION OF EXISTING FUNDING FOR CONTRACT WITH CONSENSUS-BASED ENTITY.

Section 1890(d) of the Social Security Act (42 U.S.C. 1395aaa(d)) is amended by adding at the end the following new sentence: “Amounts transferred under the preceding sentence shall remain available until expended.”.

SEC. 1110. EXTENSION OF FUNDING OUTREACH AND ASSISTANCE FOR LOW-INCOME PROGRAMS.

(a) **ADDITIONAL FUNDING FOR STATE HEALTH INSURANCE PROGRAMS.**—Subsection (a)(1)(B) of section 119 of the Medicare Improvements for Patients and Providers Act of 2008 (42 U.S.C. 1395b–3 note), as amended by section 3306 of the Patient Protection and Affordable Care Act Public Law 111–148) and section 610 of the American Taxpayer Relief Act of 2012 (Public Law 112–240), is amended—

(1) in clause (ii), by striking “and” at the end;

(2) in clause (iii), by striking the period at the end and inserting “; and”; and

(3) by inserting after clause (iii) the following new clause:

“(iv) for the portion of fiscal year 2014 before April 1, 2014, of \$3,750,000.”.

(b) ADDITIONAL FUNDING FOR AREA AGENCIES ON AGING.—Subsection (b)(1)(B) of such section 119, as so amended, is amended—

(1) in clause (ii), by striking “and” at the end;

(2) in clause (iii), by striking the period at the end and inserting “; and”; and

(3) by inserting after clause (iii) the following new clause:

“(iv) for the portion of fiscal year 2014 before April 1, 2014, of \$3,750,000.”

(c) ADDITIONAL FUNDING FOR AGING AND DISABILITY RESOURCE CENTERS.—Subsection (c)(1)(B) of such section 119, as so amended, is amended—

(1) in clause (ii), by striking “and” at the end;

(2) in clause (iii), by striking the period at the end and inserting “; and”; and

(3) by inserting after clause (iii) the following new clause:

“(iv) for the portion of fiscal year 2014 before April 1, 2014, of \$2,500,000.”

(d) ADDITIONAL FUNDING FOR CONTRACT WITH THE NATIONAL CENTER FOR BENEFITS AND OUTREACH ENROLLMENT.—Subsection (d)(2) of such section 119, as so amended, is amended—

(1) in clause (ii), by striking “and” at the end;

(2) in clause (iii), by striking the period at the end and inserting “; and”; and

(3) by inserting after clause (iii) the following new clause:

“(iv) for the portion of fiscal year 2014 before April 1, 2014, of \$2,500,000.”

TITLE II—OTHER HEALTH PROVISIONS

SEC. 1201. EXTENSION OF THE QUALIFYING INDIVIDUAL (QI) PROGRAM.

(a) EXTENSION.—Section 1902(a)(10)(E)(iv) of the Social Security Act (42 U.S.C. 1396a(a)(10)(E)(iv)) is amended by striking “December 2013” and inserting “March 2014”.

(b) EXTENDING TOTAL AMOUNT AVAILABLE FOR ALLOCATION.—Section 1933(g) of the Social Security Act (42 U.S.C. 1396u-3(g)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (S), by striking “and” after the semicolon;

(B) in subparagraph (T), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new subparagraph:

“(U) for the period that begins on January 1, 2014, and ends on March 31, 2014, the total allocation amount is \$200,000,000.”

SEC. 1202. TEMPORARY EXTENSION OF TRANSITIONAL MEDICAL ASSISTANCE (TMA).

Sections 1902(e)(1)(B) and 1925(f) of the Social Security Act (42 U.S.C. 1396a(e)(1)(B), 1396r-6(f)) are each amended by striking “December 31, 2013” and inserting “March 31, 2014”.

SEC. 1203. EXTENSION OF FUNDING FOR FAMILY-TO-FAMILY HEALTH INFORMATION CENTERS.

Section 501(c)(1)(A) of the Social Security Act (42 U.S.C. 701(c)(1)(A)) is amended—

(1) in clause (ii), by striking at the end “and”;

(2) in clause (iii), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new clause:

“(iv) \$2,500,000 for the portion of fiscal year 2014 before April 1, 2014.”

SEC. 1204. DELAY OF REDUCTIONS TO MEDICAID DSH ALLOTMENTS.

(a) IN GENERAL.—Section 1923(f) of the Social Security Act (42 U.S.C. 1396r-4(f)) is amended—

(1) in paragraph (7)(A)—

(A) in clause (i), by striking “2014” and inserting “2016”; and

(B) in clause (ii)—

(i) by striking subclauses (I) and (II);

(ii) by redesignating subclauses (III) through (VII) as subclauses (I) through (V), respectively; and

(iii) in subclause (I) (as redesignated by clause (ii)), by striking “\$600,000,000” and inserting “\$1,200,000,000”; and

(2) in paragraph (8)—

(A) by redesignating subparagraph (C) as subparagraph (D);

(B) by inserting after subparagraph (B) the following new subparagraph:

“(C) FISCAL YEAR 2023.—Only with respect to fiscal year 2023, the DSH allotment for a State, in lieu of the amount determined under paragraph (3) for the State for that year, shall be equal to the DSH allotment for the State for fiscal year 2022, as determined under subparagraph (B), increased, subject to subparagraphs (B) and (C) of paragraph (3), and paragraph (5), by the percentage change in the consumer price index for all urban consumers (all items; U.S. city average), for fiscal year 2022.”; and

(C) in subparagraph (D) (as redesignated by subparagraph (A)), by striking “fiscal year 2022” and inserting “fiscal year 2023”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective as of October 1, 2013.

SEC. 1205. REALIGNMENT OF THE MEDICARE SEQUESTER FOR FISCAL YEAR 2023.

Paragraph (6) (relating to implementing direct spending reductions, as redesignated by section 101(d)(2)(C), and as amended by section 101(c), of the Bipartisan Budget Act of 2013) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) is amended by adding at the end the following new subparagraph:

“(C) Notwithstanding the 2 percent limit specified in subparagraph (A) for payments for the Medicare programs specified in section 256(d), the sequestration order of the President under such subparagraph for fiscal year 2023 shall be applied to such payments so that—

“(i) with respect to the first 6 months in which such order is effective for such fiscal year, the payment reduction shall be 2.90 percent; and

“(ii) with respect to the second 6 months in which such order is so effective for such fiscal year, the payment reduction shall be 1.11 percent.”.

SEC. 1206. PAYMENT FOR INPATIENT SERVICES IN LONG-TERM CARE HOSPITALS (LTCHS).

(a) ESTABLISHMENT OF CRITERIA FOR APPLICATION OF SITE NEUTRAL PAYMENT.—

(1) IN GENERAL.—Section 1886(m) of the Social Security Act (42 U.S.C. 1395ww(m)) is amended by adding at the end the following:

“(6) APPLICATION OF SITE NEUTRAL IPSS PAYMENT RATE IN CERTAIN CASES.—

“(A) GENERAL APPLICATION OF SITE NEUTRAL IPSS PAYMENT AMOUNT FOR DISCHARGES FAILING TO MEET APPLICABLE CRITERIA.—

“(i) IN GENERAL.—For a discharge in cost reporting periods beginning on or after October 1, 2015, except as provided in clause (ii) and subparagraph (C), payment under this title to a long-term care hospital for inpatient hospital services shall be made at the applicable site neutral payment rate (as defined in subparagraph (B)).

“(ii) EXCEPTION FOR CERTAIN DISCHARGES MEETING CRITERIA.—Clause (i) shall not apply (and payment shall be made to a long-term care hospital without regard to this paragraph) for a discharge if—

“(I) the discharge meets the ICU criterion under clause (iii) or the ventilator criterion under clause (iv); and

“(II) the discharge does not have a principal diagnosis relating to a psychiatric diagnosis or to rehabilitation.

“(iii) INTENSIVE CARE UNIT (ICU) CRITERION.—

“(I) IN GENERAL.—The criterion specified in this clause (in this paragraph referred to as the ‘ICU criterion’), for a discharge from a long-term care hospital, is that the stay in the long-term care hospital ending with such discharge was immediately preceded by a discharge from a stay in a subsection (d) hospital that included at least 3 days in an intensive care unit (ICU), as determined by the Secretary.

“(II) DETERMINING ICU DAYS.—In determining intensive care unit days under subclause (I), the Secretary shall use data from revenue center codes 020x or 021x (or such successor codes as the Secretary may establish).

“(iv) VENTILATOR CRITERION.—The criterion specified in this clause (in this paragraph referred to as the ‘ventilator criterion’), for a discharge from a long-term care hospital, is that—

“(I) the stay in the long-term care hospital ending with such discharge was immediately preceded by a discharge from a stay in a subsection (d) hospital; and

“(II) the individual discharged was assigned to a Medicare-Severity-Long-Term-Care-Diagnosis-Related-Group (MS-LTC-DRG) based on the receipt of ventilator services of at least 96 hours.

“(B) APPLICABLE SITE NEUTRAL PAYMENT RATE DEFINED.—

“(i) IN GENERAL.—In this paragraph, the term ‘applicable site neutral payment rate’ means—

“(I) for discharges in cost reporting periods beginning during fiscal year 2016 or fiscal year 2017, the blended payment rate specified in clause (iii); and

“(II) for discharges in cost reporting periods beginning during fiscal year 2018 or a subsequent fiscal year, the site neutral payment rate (as defined in clause (ii)).

“(ii) SITE NEUTRAL PAYMENT RATE DEFINED.—In this paragraph, the term ‘site neutral payment rate’ means the lower of—

“(I) the IPPS comparable per diem amount determined under paragraph (d)(4) of section 412.529 of title 42, Code of Federal Regulations, including any applicable outlier payments under section 412.525 of such title; or

“(II) 100 percent of the estimated cost for the services involved.

“(iii) BLENDED PAYMENT RATE.—The blended payment rate specified in this clause, for a long-term care hospital for inpatient hospital services for a discharge, is comprised of—

“(I) half of the site neutral payment rate (as defined in clause (ii)) for the discharge; and

“(II) half of the payment rate that would otherwise be applicable to such discharge without regard to this paragraph, as determined by the Secretary.

“(C) LIMITING PAYMENT FOR ALL HOSPITAL DISCHARGES TO SITE NEUTRAL PAYMENT RATE FOR HOSPITALS FAILING TO MEET APPLICABLE LTCH DISCHARGE THRESHOLDS.—

“(i) NOTICE OF LTCH DISCHARGE PAYMENT PERCENTAGE.—For cost reporting periods beginning during or after fiscal year 2016, the Secretary shall inform each long-term care hospital of its LTCH discharge payment percentage (as defined in clause (iv)) for such period.

“(ii) LIMITATION.—For cost reporting periods beginning during or after fiscal year 2020, if the Secretary determines for a long-term care hospital that its LTCH discharge payment percentage for the period is not at least 50 percent—

“(I) the Secretary shall inform the hospital of such fact; and

“(II) subject to clause (iii), for all discharges in the hospital in each succeeding cost reporting period, the payment amount under this subsection shall be the payment amount that would apply under subsection (d) for the discharge if the hospital were a subsection (d) hospital.

“(iii) PROCESS FOR REINSTATEMENT.—The Secretary shall establish a process whereby a long-term care hospital may seek to and have the provisions of subclause (II) of clause (ii) discontinued with respect to that hospital.

“(iv) LTCH DISCHARGE PAYMENT PERCENTAGE.—In this subparagraph, the term ‘LTCH discharge payment percentage’ means, with respect to a long-term care hospital for a cost reporting period beginning during or after fiscal year 2020, the ratio (expressed as a percentage) of—

“(I) the number of discharges for such hospital and period for which payment is not made at the site neutral payment rate, to

“(II) the total number of discharges for such hospital and period.

“(D) INCLUSION OF SUBSECTION (D) PUERTO RICO HOSPITALS.—In this paragraph, any reference in this paragraph to a subsection (d) hospital shall be deemed to include a reference to a subsection (d) Puerto Rico hospital.”

(2) MEDPAC STUDY AND REPORT ON IMPACT OF CHANGES.—

(A) STUDY.—The Medicare Payment Assessment Commission shall examine the effect of applying section 1886(m)(6) of the Social Security Act, as added by the amendment made by paragraph (1), on—

(i) the quality of patient care in long-term care hospitals;

(ii) the use of hospice care and post-acute care settings;

(iii) different types of long-term care hospitals; and

(iv) the growth in Medicare spending for services in such hospitals.

(B) REPORT.—Not later than June 30, 2019, the Commission shall submit to Congress a report on such study. The Commission shall include in such report such recommendations for changes in the application of such section as the Commission deems appropriate as well as the impact of the application of such section on the need to continue applying the 25 percent rule described under sections 412.534 and 412.536 of title 42, Code of Federal Regulations.

(3) CALCULATION OF LENGTH OF STAY EXCLUDING CASES PAID ON A SITE NEUTRAL BASIS.—

(A) IN GENERAL.—For discharges occurring in cost reporting periods beginning on or after October 1, 2015, subject to subparagraph (B), in calculating the length of stay requirement applicable to a long-term care hospital or satellite facility under section 1886(d)(1)(B)(iv)(I) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B)(iv)(I)) and section 1861(ccc)(2) of such Act (42 U.S.C. 1395x(ccc)(2)), the Secretary of Health and Human Services shall exclude the following:

(i) SITE NEUTRAL PAYMENT.—Any patient for whom payment is made at the site neutral payment rate (as defined in section 1886(m)(6)(B)(ii) of such Act, as added by paragraph (1)).

(ii) MEDICARE ADVANTAGE.—Any patient for whom payment is made under a Medicare Advantage plan under part C of title XVIII of such Act.

(B) LIMITATION ON CONVERTING SUBSECTION (D) HOSPITALS.—Subparagraph (A) shall not apply to a hospital that is classified as of December 10, 2013, as a subsection (d) hospital (as defined in section 1886(d)(1)(B) of the Social Security Act, 42 U.S.C. 1395ww(d)(1)(B)) for purposes of determining whether the requirements of section 1886(d)(1)(B)(iv)(I) or 1861(ccc)(2) of such Act (42 U.S.C. 1395ww(d)(1)(B)(iv)(I), 1395x(ccc)(2)) are met.

(b) EXTENSION OF CERTAIN LTCH PAYMENT RULES AND MORATORIUM ON THE ESTABLISHMENT OF CERTAIN HOSPITALS AND FACILITIES.—

(1) EXTENSION OF CERTAIN PAYMENT RULES.—

(A) PAYMENT FOR HOSPITALS-WITHIN-HOSPITALS.—Paragraph (2)(C) of section 114(c) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395ww note), as amended by sections 3106(a) and 10312(a) of Public Law 111-148, is amended by striking “5-year period” and inserting “9-year period”.

(B) 25 PERCENT PATIENT THRESHOLD PAYMENT ADJUSTMENT; MAKING THE GRANDFATHERED EXEMPTION FOR LONG-TERM CARE HOSPITALS PERMANENT.—Section 114(c)(1) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395ww note), as amended by sections 3106(a) and 10312(a) of Public Law 111-148, is amended—

(i) in the matter preceding subparagraph (A), by striking “for a 5-year period”; and

(ii) in subparagraph (A), by inserting “for a 9-year period,” before “section 412.536”.

(C) REPORT ASSESSING CONTINUED SUSPENSION OF 25 PERCENT RULE.—Not later than 1 year before the end of the 9-year period referred to in section 114(c)(1) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395ww note), as amended by subparagraph (B), the Secretary of Health and Human Services shall submit to Congress a report on the need for any further extensions (or modifications of the extensions) of the 25 percent rule described in sections 412.534 and 412.536 of title 42, Code of Federal Regulations, particularly taking into account the application of section 1886(m)(6) of the Social Security Act, as added by subsection (a)(1).

(2) EXTENSION OF MORATORIUM ON ESTABLISHMENT OF AND INCREASE IN BEDS FOR LTCHS.—Section 114(d) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395ww note), as amended by sections 3106(b) and 10312(b) of Public Law 111-148, is amended—

(A) in paragraph (1), in the matter preceding subparagraph (A), by inserting after “5-year period” the following: “(and for the period beginning January 1, 2015, and ending September 30, 2017)”; and

(B) by adding at the end the following new paragraph:

“(6) LIMITATION ON APPLICATION OF EXCEPTIONS.—Paragraphs (2) and (3) shall not apply during the period beginning January 1, 2015, and ending September 30, 2017.”

(c) ADDITIONAL QUALITY MEASURE.—Section 1886(m)(5)(D) of the Social Security Act (42 U.S.C. 1395ww(m)(5)(D)) is amended by adding at the end the following new clause:

“(iv) ADDITIONAL QUALITY MEASURES.—Not later than October 1, 2015, the Secretary shall establish a functional status quality measure for change in mobility among inpatients requiring ventilator support.”

(d) REVIEW OF TREATMENT OF CERTAIN LTCHS.—

(1) EVALUATION.—As part of the annual rulemaking for fiscal year 2015 or fiscal year 2016 to carry out the payment rates under subsection (d) of section 1886 of the Social Security Act (42 U.S.C. 1395ww), the Secretary shall evaluate both the payment rates and regulations governing hospitals which are classified under subclause (II) of subsection (d)(1)(B)(iv) of such section.

(2) ADJUSTMENT AUTHORITY.—Based upon such evaluation, the Secretary may adjust payment rates under subsection (b)(3) of section 1886 of the Social Security Act (42 U.S.C. 1395ww) for a hospital so classified (such as payment based upon the TEFRA payment model) and may adjust the regulations governing such hospitals, including applying the regulations governing hospitals which are classified under clause (I) of subsection (d)(1)(B) of such section.

The SPEAKER pro tempore. Pursuant to House Resolution 438, the motion shall be debatable for 70 minutes, with 60 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Budget and 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce.

The gentleman from Wisconsin (Mr. RYAN) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 30 minutes. The gentleman from Michigan (Mr. UPTON) and the gentleman from California (Mr. WAXMAN) each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of House Joint Resolution 59.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 3 minutes.

I rise on behalf of the bipartisan budget agreement. This is the first time since 1986 that a divided Congress has done what we are about to do.

Here is what the bill does:

It reduces the deficit by \$23 billion; it does not raise taxes; and it cuts spending in a smarter way. We take temporary across-the-board cuts, and we replace them with targeted permanent reforms, and these reforms take place immediately.

First, we cut waste: for instance, we stop paying Medicaid bills that deadbeat dads ought to cover; we stop sending unemployment checks to criminals;

Second, we go after corporate welfare: we eliminate a government program for energy companies; we eliminate a special carveout in the student loan program;

Third, we start to address the real problem, and that is autopilot spending: we ask new Federal employees to

contribute a little more to their retirements; we ask private companies to cover a little bit more of their own pension guarantees.

These savings build up over time, and this bill saves more than if we did nothing.

This bill isn't as far as I would like. It is not near the breadth and the scope of the budget that we passed earlier, but that is how it works in divided government. That is the nature of compromise. In a divided government, you don't get everything you want, but I think this bill is a firm step in the right direction. It is not perfect. It is a start. That is how it works in divided government. I also think, Mr. Speaker, it gives us the added benefit of preventing Washington's lurch from crisis to crisis. We are bringing stability to the budget process, and that stability will help build confidence, and that confidence will help our economy.

I will be the first to admit that we have a lot more work to do. I have been bringing budgets to this floor for 5 years that balance the budget, that pay off the debt, that reform our entitlement programs. That is what we want to do. That is what we are going to keep working on doing, but in this divided government, we are going to take the steps we can take, and this step, we think, is one in the right direction. We need to help strengthen the economy. We need to help create jobs and take-home pay.

The bottom line is: this first step is designed to help improve people's lives. It is designed to make this government work at a basic functioning level, and by passing this, we will reduce the deficit.

We came here to get something done. We always lock horns. We always argue. We never agree. I think it is about time, for once in a long time, we find common ground and agree. That is what this bill does, and that is what I ask my colleagues to consider, and I ask them to support this agreement.

With that, I reserve the balance of my time.

Section 203 restricts access to the Death Master File, DMF, which is a list of deceased individuals maintained by the Social Security Administration.

This provision charges the Secretary of Commerce with establishing a program to restrict access to the information contained on the DMF for a three-year period beginning on the date of an individual's death, except to persons who are certified under the program. Under the program, persons certified by the Secretary of Commerce to have a fraud prevention interest or other legitimate need for the information and agree to maintain the information under significant safeguards may continue to access DMF information on a current basis. The provision also provides for penalties in cases of unauthorized disclosures or uses of DMF information by certified persons. Finally, the provision also brings the DMF within the scope of the exemptions available under the Freedom of Information Act to ensure that Federal agencies do not disclose the information about deceased individuals maintained by SSA or contained in the DMF, except to recipients who are certified persons.

In implementing this section, the Department of Commerce should promulgate regulations establishing and providing guidelines for the certification program and provide sufficient time for legitimate current users of DMF information to comment on the regulations, especially as it relates to the timing of the effectiveness of this Section and as it relates to the

authority to release the Death Master File to the public.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title and table of contents.

Subsection 1(a) provides that the short title of this Act is "Bipartisan Budget Act of 2013".

Subsection 1(b) sets forth the table of contents for the Act.

TITLE I—BUDGET ENFORCEMENT

Subtitle A—Amendments to the Balanced Budget and Emergency Deficit Control Act of 1985

Sec. 101. Amendments to the Balanced Budget and Emergency Deficit Control Act of 1985.

The limits on discretionary spending are established in section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA). The limits are subdivided in each fiscal year into two categories: revised security category and revised nonsecurity category. The revised security category is defined to be the National Defense budget function (Function 050) which includes funding for the Department of Defense, the nuclear weapons-related work of the Department of Energy, the intelligence community, and the national security elements of the Departments of Commerce, Justice, Homeland Security, and several independent agencies. The Department of Defense (including the intelligence community) usually receives approximately 95.5 percent of the budget authority in this function. The revised nonsecurity category is all discretionary spending not contained in the revised security category.

Subsection 101(a) amends section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 to increase the limits on discretionary spending for fiscal years 2014 and 2015. The revised levels for each category are shown in Table 1. The section also restates for clarity the current law caps for fiscal years 2016–2021.

TABLE 1. CAPS ON DISCRETIONARY BUDGET AUTHORITY

	Revised Security		Revised Nonsecurity	
	2014	2015	2014	2015
Current Law	\$498,082,000,000	\$512,046,000,000	\$469,391,000,000	\$483,130,000,000
Proposed Cap	\$520,464,000,000	\$521,272,000,000	\$491,773,000,000	\$492,356,000,000

In addition to the limits on discretionary spending, the BCA also includes a sequester of mandatory, or direct, spending, the size of which interacts with the discretionary spending levels. Subsection 101(b) provides for the implementation of this sequester of mandatory spending as if the amendments in subsection 101(a) had not been made. In other words, it is the intent of this Act that the President implement the sequester of mandatory spending that was ordered on April 10, 2013 (as corrected on May 20, 2013) and the one that will be ordered in the Sequestration Preview Report for Fiscal Year 2015 as if the amendments in subsection 101(a) had not been made.

Subsection 101(c) reduces spending by \$28 billion by requiring the President to sequester the same percentage of mandatory budgetary resources in 2022 and 2023 as will be sequestered in 2021.

Subsection 101(d) makes various conforming changes.

Subtitle B—Establishing a Congressional Budget

Sec. 111. Fiscal year 2014 budget resolution.

Subsection 111(a) establishes a congressional budget for fiscal year 2014.

Subsection 111(b) provides that the chairs of the House and Senate Committees on the Budget shall each submit for publication in the Congressional Record allocations of budgetary resources for each congressional committee and aggregate spending and revenue levels that will be enforceable as if included in a conference agreement on a budget resolution. Consistent with the disparate practices in the House and Senate, the Chairman of the Senate Committee on the Budget shall also publish levels of revenues and outlays for Social Security.

The submissions pursuant to this section are to be consistent with the discretionary spending limits established in the Act and the Congressional Budget Office's May 2013 baseline adjusted for legislation enacted subsequent to the publication of that baseline and adjusted for the budgetary effects of this

Act, as applicable to the various parts of the submissions.

In addition, subsection 111(c) provides that in the House, the Chairman of the Budget Committee may reduce the aggregates, allocations, and other budgetary levels included in the statement required to be submitted pursuant to this section for the subsequent enactment of any additional deficit-reducing legislation during the 113th Congress.

Sec. 112. Limitation on advance appropriations in the Senate.

Section 112 provides a supermajority point of order in the Senate against appropriations in 2014 bills that would first become effective in any year after 2014, and against appropriations in 2015 bills that would first become effective in any year after 2015. It does not apply against appropriations for veterans' medical services, medical support and compliance, or medical facilities, or the Corporation for Public Broadcasting. Additionally, there is an exemption for each of 2015 and 2016 of up to \$28.852 billion for programs identified in the Congressional Record. Those programs will be:

Labor, Health and Human Services, and Education Appropriations Act:

Employment and Training Administration
Job Corps
Education for the Disadvantaged
School Improvement
Special Education
Career, Technical, and Adult Education

Financial Services and General Government:
Payment to Postal Service

Transportation, Housing and Urban Development:

Tenant-based Rental Assistance
Project-based Rental Assistance

Subsection 112(b) provides that the provisions of subsection (a) shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and the House.

Sec. 113. Rule of construction in the House of Representatives.

Section 113 establishes that H. Con. Res. 25, as deemed in force by H. Res. 243, remains in force to the extent that its budgetary levels have not been superseded by this subtitle or further action of the House. Items that remain in force include, but are not limited to, the recommended levels contained in Title III, the reserve funds in Title IV, the estimates of direct spending in Title V, the budget enforcement matters in Title VI, and the policy statements in title VII of H. Con. Res. 25.

Sec. 114. Additional Senate budget enforcement.

Subsection 114(a) provides for the elimination of any balances on the Senate pay-as-you-go scorecard following enactment of this Act and again for purposes of budget year 2015.

Subsection 114(b) provides for the continuance in effect of certain provisions of the fiscal year 2010 budget resolution relating to the budgetary treatment of certain discretionary expenses of certain off-budget programs; the application and effect of changes in allocations and aggregates; and adjustments to reflect changes in concepts and definitions.

Subsection 114(c) establishes in the Senate only a deficit neutral reserve fund to replace sequestration.

Subsection 114(d) places into effect certain deficit-neutral reserve funds included in S. Con. Res. 8 (113th Congress). Those provisions are listed in table 2.

TABLE 2. DEFICIT-NEUTRAL RESERVE FUNDS IN THE SENATE

[Section numbers reference S. Con. Res. 8 (113th Congress).]

Sec. 302. Deficit-neutral reserve funds to promote employment and job growth.
Sec. 303. Deficit-neutral reserve funds to assist working families and children.
Sec. 304. Deficit-neutral reserve funds for early childhood education.
Sec. 305. Deficit-neutral reserve fund for tax relief.
Sec. 306. Reserve fund for tax reform.
Sec. 307. Deficit-neutral reserve fund to invest in clean energy and preserve the environment.
Sec. 308. Deficit-neutral reserve fund for investments in America's infrastructure.
Sec. 309. Deficit-neutral reserve fund for America's servicemembers and veterans.
Sec. 310. Deficit-neutral reserve fund for higher education.
Sec. 311. Deficit-neutral reserve funds for health care.
Sec. 312. Deficit-neutral reserve fund for investments in our Nation's counties and schools.
Sec. 313. Deficit-neutral reserve fund for a farm bill.
Sec. 314. Deficit-neutral reserve fund for investments in water infrastructure and resources.
Sec. 315. Deficit-neutral reserve fund for pension reform.
Sec. 316. Deficit-neutral reserve fund for housing finance reform.
Sec. 317. Deficit-neutral reserve fund for national security.
Sec. 318. Deficit-neutral reserve fund for overseas contingency operations.
Sec. 319. Deficit-neutral reserve fund for terrorism risk insurance.

TABLE 2. DEFICIT-NEUTRAL RESERVE FUNDS IN THE SENATE—Continued

[Section numbers reference S. Con. Res. 8 (113th Congress).]

Sec. 320. Deficit-neutral reserve fund for postal reform.
Sec. 322. Deficit-neutral reserve fund to improve Federal benefit processing.
Sec. 323. Deficit-neutral reserve fund for legislation to improve voter registration and the voting experience in Federal elections.
Sec. 324. Deficit-reduction reserve fund to promote corporate tax fairness.
Sec. 325. Deficit-neutral reserve fund for improving Federal forest management.
Sec. 326. Deficit-neutral reserve fund for financial transparency.
Sec. 327. Deficit-neutral reserve fund to promote manufacturing in the United States.
Sec. 328. Deficit-reduction reserve fund for report elimination or modification.
Sec. 329. Deficit-neutral reserve fund for the minimum wage.
Sec. 330. Deficit-neutral reserve fund to improve health outcomes and lower costs for children in Medicaid.
Sec. 331. Deficit-neutral reserve fund to improve Federal workforce development, job training, and reemployment programs.
Sec. 332. Deficit-neutral reserve fund for repeal of medical device tax.
Sec. 333. Deficit-neutral reserve fund prohibiting Medicare vouchers.
Sec. 334. Deficit-neutral reserve fund for equal pay for equal work.
Sec. 335. Deficit-neutral reserve fund relating to women's health care.
Sec. 338. Deficit-neutral reserve fund to allow States to enforce State and local use tax laws.
Sec. 339. Deficit-neutral reserve fund relating to the definition of full-time employee.
Sec. 340. Deficit-neutral reserve fund relating to the labeling of genetically engineered fish.
Sec. 341. Deficit-neutral reserve fund for the families of America's servicemembers and veterans.
Sec. 344. Deficit-neutral reserve fund for disabled veterans and their survivors.
Sec. 348. Deficit-neutral reserve fund relating to authorizing children eligible for health care under laws administered by Secretary of Veterans Affairs to retain such eligibility until age 26.
Sec. 349. Deficit-neutral reserve fund for State and local law enforcement.
Sec. 350. Deficit-neutral reserve fund to establish a national network for manufacturing innovation.
Sec. 353. Deficit-neutral reserve fund to ensure no financial institution is above the law regardless of size.
Sec. 354. Deficit-neutral reserve fund relating to helping homeowners and small businesses mitigate against flood loss.
Sec. 356. Deficit-neutral reserve fund for BARDA and the BioShield Special Reserve Fund.
Sec. 361. Deficit-neutral reserve fund for export promotion.
Sec. 363. Deficit-neutral reserve fund to increase the capacity of agencies to ensure effective contract management and contract oversight.
Sec. 364. Deficit-neutral reserve fund for investments in air traffic control services.
Sec. 365. Deficit-neutral reserve fund to address prescription drug abuse in the United States.
Sec. 366. Deficit-neutral reserve fund to support rural schools and districts.
Sec. 367. Deficit-neutral reserve fund to strengthen enforcement of free trade agreement provisions relating to textile and apparel articles.
Sec. 368. Deficit-neutral reserve fund to assist low-income seniors.
Sec. 369. Reserve fund to end offshore tax abuses by large corporations.
Sec. 371. Deficit-neutral reserve fund relating to increasing funding for the inland waterways system.
Sec. 376. Deficit-neutral reserve fund to authorize provision of per diem payments for provision of services to dependents of homeless veterans under laws administered by Secretary of Veterans Affairs.
Sec. 378. Deficit-neutral reserve fund to phase-in any changes to individual or corporate tax systems.
Sec. 379. Deficit-neutral reserve fund relating to increases in aid for tribal education programs under the Constitution of the United States.
Sec. 383. Deficit-neutral reserve fund to increase funding for Federal investments in biomedical research.

Subsection 114(e) provides that subsections (a)(2), (c), and (d) shall expire if a budget resolution conference report is adopted by the Senate and the House.

Sec. 115. Authority for fiscal year 2015 budget resolution in the House of Representatives.

Subsection 115(a) establishes in the House a congressional budget for fiscal year 2015 in the event that a budget resolution conference report is not adopted.

Subsection 115(b) provides that the chair of the House Committee on the Budget shall submit after April 15 and no later than May 15, 2014 for publication in the Congressional Record allocations of budgetary resources for each congressional committee and aggregate spending and revenue levels that will be enforceable as if included in a conference agreement on a budget resolution.

Subsection 115(c) provides that the submission pursuant to subsection (b) may also include for fiscal year 2015, provisions for the matters contained in title IV (reserve funds) and in sections 603(a), 605(a), and 609 of H. Con. Res. 25 (113th Congress), as adopted by the House, updated to cover the new budget window, including updated amounts for section 601.

Subsection 115(d) provides for an allocation of budgetary resources to the Appropriations Committee no later than May 15, 2014.

Subsection 115(e) provides that the Chairman of the House Budget Committee may reduce the aggregates, allocations, and other budgetary levels included in the statement required to be submitted pursuant to subsection (b) for the subsequent enactment of any additional, deficit-reducing legislation during the 113th Congress or as otherwise necessary.

Subsection 115(f) provides that the provisions of subsections (a), (b), (c), (d), and (e) shall no longer apply if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the House and the Senate.

Sec. 116. Authority for fiscal year 2015 budget resolution in the Senate.

Subsection 116(a) establishes in the Senate a congressional budget for fiscal year 2015.

Subsection 116(b) provides that the chair of the Senate Committee on the Budget shall submit after April 15 and no later than May 15, 2014 for publication in the Congressional Record allocations of budgetary resources for each congressional committee, aggregate spending and revenue levels, and levels of revenues and outlays for Social Security that will be enforceable as if included in a conference agreement on a budget resolution.

Subsection 116(c) provides that the submission pursuant to subsection (b) may also include reserve funds for fiscal year 2015 that are the same as those included in section 114(c) and (d) updated to cover the new budget window.

Subsection 116(d) provides that the filing referred to in subsection (b) for fiscal year 2014 shall supersede the statement referred to in section 111(b).

Subsection 116(e) provides that this section shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and the House.

Sec. 117. Exclusion of savings from PAYGO scorecards.

Subsection 117(a) provides that the budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139).

Subsection 117(b) provides that the budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for the purposes of section 201 of S. Con. Res. 21 (110th Congress).

Sec. 118. Exercise of rulemaking powers.

This section states that the provisions of this subtitle are enacted as an exercise of the rulemaking power of each house of Congress and that each house retains its constitutional right to change such rules as they relate to that house.

Subtitle C—Technical Corrections

Sec. 121. Technical corrections to the Balanced Budget and Emergency Deficit Control Act of 1985.

This section corrects technical and grammatical errors in the Balanced Budget and Emergency Deficit Control Act of 1985.

Sec. 122. Technical corrections to the Congressional Budget Act of 1974.

This section corrects technical and grammatical errors in the Congressional Budget Act of 1974.

TITLE II—PREVENTION OF WASTE, FRAUD, AND ABUSE

Sec. 201. Improving the collection of unemployment insurance overpayments.

Many states use the Treasury Offset Program (TOP) to recover Unemployment Insurance (UI) debts stemming from overpayments due to fraud or failure to report earnings. However, other states are not using this tool. Section 201 amends the Social Security Act to require states to use TOP to recover the specified UI debts. States are required to provide due process opportunities for individuals to challenge the validity of the debt, before seeking to recover the funds through TOP. This section would ensure that all States will participate in TOP and recover UI debts.

Sec. 202. Strengthening Medicaid Third-Party Liability.

By law, Medicaid is the payer of last resort for medical treatment. Section 202 would affirm Medicaid's position as the payer of last resort by strengthening third-party liability to improve states' and providers' abilities to receive payments for beneficiary services, as appropriate.

Subsection 202(a) allows states to delay payment of costs for prenatal and preventive pediatric claims when third parties are responsible and allows states to collect medical child support where health insurance is available from a non-custodial parent. This authorization is limited to the extent that beneficiary access to care is not negatively impacted.

Subsection 202(b) allows Medicaid to recover costs from beneficiary liability settlements.

Subsection 202(c) provides that these amendments shall take effect on October 1, 2014.

Sec. 203. Restriction on access to the death master file.

The Death Master File (DMF) is a list of deceased individuals maintained by the Social Security Administration (SSA). The DMF contains the full name, Social Security Number, date of birth, and date of death for listed decedents, and it is updated weekly. This information is distributed through the Department of Commerce and is widely available on many websites for free or for a nominal fee.

Section 203 would establish a program under which the Secretary of Commerce restricts access to the information contained on the DMF for a three-year period beginning on the date of the individual's death, except to persons who are certified under a program to be established by the Secretary of Commerce. Under the program, persons who have a fraud prevention interest or other legitimate need for the information and agree to maintain the information under safeguards similar to those required of Federal agencies that receive return information, as described in section 6103(p)(4) of title 26 of the United States Code, may apply for certification. The Secretary of Commerce reviews the eligibility of applicants, examines safeguards for protecting the information and conducts audits of certified entities to assure compliance with safeguards.

As part of implementation of the required program, the Secretary of Commerce is required to establish and collect user fees suf-

ficient to recover all costs associated with the certification program. The Secretary of Commerce is required to report both the total fees collected and the total costs of administering the certification program. The required report is to be submitted annually to both the Senate Committee on Finance and the House Committee on Ways and Means.

A penalty of \$1,000 for each disclosure or misuse of the information is imposed on any persons who improperly disclose the DMF information. A certified person in receipt of DMF information is responsible for any subsequent disclosure of such information. Even if the initial disclosure to a third party is appropriate, if that third party subsequently improperly discloses the information, the certified person is deemed to have also improperly disclosed the information. Thus, in a case in which the improper disclosure is made by a third party who received the information from a certified person, both the certified person and the person who improperly disclosed the information are subject to the penalty. The penalty may not exceed \$250,000 per person for any calendar year, except in the case of willful disclosure. In such cases, the penalty is not limited.

The provision also brings the DMF within the scope of the exemptions available under the Freedom of Information Act to ensure that Federal agencies do not disclose the information about deceased individuals maintained by SSA or contained in the DMF, except to recipients who are certified persons.

Section 203 would be effective 90 days after the date of enactment, except for the FOIA exemption, which would be effective upon date of enactment.

Sec. 204. Identification of inmates requesting or receiving improper payments.

The Social Security Administration's (SSA) Prisoner Update Processing System (PUPS) contains all identifying information requested by the SSA and supplied by a reporting source, including the individual's name, Social Security number, date of birth, sex, date of conviction, date of confinement, inmate status code, and such other information as may be supplied or acquired by SSA during the suspension or reinstatement of retirement, survivors, or disability insurance benefits. PUPS contains Federal, State, and local prisoner data.

Subsection 204(a) expands the information the prisons are required to report to SSA to include release dates, making the system more valuable to users.

Subsection 204(b) authorizes the Commissioner of Social Security to transfer PUPS data to the Department of the Treasury on a regular basis, where it will be maintained for use by other Federal agencies. The PUPS data will help prevent prisoners from illegally receiving payments, such as unemployment compensation from the Department of Labor, and identify individuals who are filing fraudulent tax returns. This subsection also authorizes the use of PUPS data for research conducted by Federal and state agencies.

Subsection 204(c) updates the authorizing legislation for the Do Not Pay Initiative to include a requirement for agencies to query PUPS prior to certifying a Federal payment or award.

TITLE III—NATURAL RESOURCES

Sec. 301. Ultra-deepwater and unconventional natural gas and other petroleum resources.

The ultra-deepwater and unconventional natural gas and other petroleum resources program, which was created by the Energy

Policy Act of 2005, is a public-private partnership that was designed to develop technologies to increase America's domestic oil and gas production and reduce U.S. dependency on foreign imports. The program utilizes a non-profit consortium to manage the research, established two federal advisory committees, and receives \$50 million per year of funding. Section 301 repeals the ultra-deepwater oil and gas research and development program and rescinds the program's remaining funds.

Sec. 302. Amendment to the Mineral Leasing Act.

Since 2010, states receiving significant payments from mineral development on Federal lands also share in the costs of administering the Federal mineral leases from which the revenue is generated. The states pay their share of the administrative costs in the form of a 2 percent deduction of monies paid to the states by the federal government. This deduction is scheduled to expire at the end fiscal year 2014. Section 302 makes this deduction permanent.

Sec. 303. Approval of agreement with Mexico.

Section 303 approves the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico signed in February 2012 on how to explore, develop, and share revenue from hydrocarbon reservoirs that cross the international maritime boundary between the United States and Mexico in the Gulf of Mexico. Each country's legislative body is required to approve the agreement and Mexico ratified the agreement in April 2012.

Sec. 304. Amendment to the Outer Continental Shelf Lands Act.

Section 304 provides permanent authority for the Secretary of the Interior to implement the terms of any transboundary hydrocarbon agreement for the management of transboundary hydrocarbon reservoirs entered into by the President and approved by Congress. It requires any such agreement to be submitted to Congress within 180 days of any such agreement being completed. This section also allows the Secretary of the Interior to implement the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico. The Obama Administration signed the Agreement with Mexico in 2012 to develop energy resources bridging our international maritime boundary and that Agreement makes provision for the sharing of royalties on transboundary reservoirs, and also has very specific requirements on maintaining data confidentiality.

Sec. 305. Federal oil and gas royalty prepayment cap.

Subsection 305(a) clarifies current law by providing that if a federal lease holder pays more in royalties than the amount due, then the Secretary of the Interior shall not pay interest on any amount in excess of 110 percent of the amount due. Overpayments below the threshold shall continue to receive interest payments as under current law and underpayments shall continue to be subject to penalties as under current law. Subsection 305(b) provides that this provision is effective on July 1, 2014.

Sec. 306. Strategic Petroleum Reserve.

Subsection 306(a) prohibits the Secretary of Energy from acquiring crude oil received by the United States as payment of royalties on production from federal lands due from private sector energy producers—a practice

commonly referred to as royalty-in-kind payments—for the purpose of filling the Strategic Petroleum Reserve. This section also makes a technical correction by prohibiting the Secretary of Energy from acquiring crude oil produced by the federal government on federal land for the purpose of filling the Strategic Petroleum Reserve, as this practice no longer occurs. The practical effect of this section is to require that any crude oil acquired by the Secretary of Energy for purposes of filling the Strategic Petroleum Reserve is acquired using funds from the “SPR Petroleum Account” or funds appropriated by Congress.

Subsection 306(b) permanently rescinds any unobligated funds remaining in the “SPR Petroleum Account” as of the date of enactment of this legislation. This section has no bearing on any future funds deposited into the account. All future funds deposited into the account will remain available to the Secretary of Energy, until expended, to fill the Strategic Petroleum Reserve. Funds currently in the account were deposited as a result of the 30.64 million barrels released from the Strategic Petroleum Reserve and sold in July and August of 2011.

TITLE IV—FEDERAL CIVILIAN AND MILITARY RETIREMENT

Sec. 401. Increase in contributions to Federal Employees' Retirement System for new employees.

Under current law, the typical revised annuity federal employee who participates in the Federal Employee Retirement System (FERS) is required to pay 3.1 percentage points of pay into the Civil Service Retirement and Disability Fund (CSRDF). Depending on the type of service, different employees are required to pay different amounts. Law enforcement officers, nuclear materials couriers and customs and border protection officers pay 3.4 percentage points.

Subsection 401(a) creates a new category of employees that would be considered further revised annuity employees.

Subsection 401(b) would require that newly hired employees who participate in the PERS contribute an additional 1.3 percentage points of pay beginning January 1, 2014, for a total of 4.4 percentage points into the CSRDF. Other categories of employees would pay 4.7 percentage points.

Subsection 401(c) would require that employing agencies continue their contributions at the current level in order to pay down the deficit in the CSRDF, which at the close of fiscal year 2011 was \$761 billion. Once the unfunded liability is eliminated, agency contributions would be determined on the basis of ensuring the full normal cost of the retirement benefit is paid into the CSRDF on an accrual basis.

Subsection 401(d) would ensure that certain (Members of Congress and Congressional employees) further revised annuity employees would continue to accrue benefits at the same rate as revised annuity employees.

Sec. 402. Foreign Service Pension System.

Under current law, the typical federal employee who participates in the Foreign Service Retirement and Disability System is required to pay 3.65 percentage points of pay into the Foreign Service Pension System.

Subsection 402(a) creates a new category of foreign service employees that would be considered further revised annuity employees.

Section 402(b) would require that newly hired employees who participate in the Foreign Service Retirement and Disability System and the Foreign Service Pension System contribute an additional 1.3 percentage points of pay.

Subsection 402(c) would require that employing agencies continue their contributions at the current level in order to pay down the deficit in the FSRDF. Once the unfunded liability is eliminated, agency contributions would be determined on the basis of ensuring the full normal cost of the retirement benefit is paid into the FSRDF on an accrual basis.

Sec. 403. Annual adjustment of retired pay and retiree pay amounts for retired members of the Armed Forces under age 62.

Generally, service members who have completed 20 years of service, regardless of age, are eligible for non-disability retirement with immediate commencement of retired pay. For most retirees, pay is a percentage of the highest 36 months of the service member's Basic Pay. A service member who retires after 20 years of service receives 50 percent of his or her High-36 month Basic Pay with the percentage increasing in 2.5 percent increments for each year above 20. Because service members can retire well before the normal retirement age in the private sector, most service members begin a second career after leaving the military. Section 403 would provide for an annual cost of living adjustment (COLA) of inflation (measured by the Consumer Price Index) less one percentage point for adjustments starting on December 1, 2015 until the retiree reaches age 62. There would be no alteration to the 2014 COLA. At age 62, the retired pay would be adjusted as if the COLA had been the full CPI adjustment in all previous years. Annual COLAs for service members after age 62 would be at the full CPI.

This provision does not change the cost of living adjustments for participants in the REDUX retirement system.

TITLE V—HIGHER EDUCATION

Sec. 501. Default reduction program.

When guaranty agencies rehabilitate defaulted loans from the Federal Family Education Loan (FFEL) program, they may charge borrowers 18.5 percent of the outstanding principal and interest owed on the loan at the time of sale and they may retain 18.5 percent of a federal default reinsurance payment. Section 501 would lower the maximum borrower collection fee to 16 percent and would require the agency to return 100 percent of the federal default reinsurance payment, beginning on July 1, 2014. Moreover, it would enable guaranty agencies to transfer rehabilitated loans to the Department of Education if they are unable to find a FFEL lender to purchase the loan. These steps would make the compensation earned by guaranty agencies comparable to the compensation earned by the Department of Education's private sector contractors that rehabilitate defaulted FFEL and Direct Loan program loans held by the Department. It would also lower costs to borrowers as collection fees are typically added to the loan balance when rehabilitated.

Sec. 502. Elimination of nonprofit servicing contracts.

In 2010, as part of the Health Care and Education Reconciliation Act (HCERA), Congress eliminated the guaranteed student loan program. Anticipating the need for increased student loan servicing capacity, in 2009, the Department of Education awarded performance-based contracts to four entities to service its portfolio of federal student loans, including those made under the Direct Loan program. During debate of HCERA, Congress established a special carve-out for non-profit firms to service student loans. The law required the Department to award at least

100,000 borrower loan accounts to each eligible non-profit servicer, and the law set aside mandatory funding for this purpose. In contrast, the for-profit servicers selected by the Department of Education on a performance basis were, and continue to be, paid with discretionary dollars. Section 502 eliminates the carve-out for non-profit servicers and requires them to be paid with discretionary dollars.

TITLE VI—TRANSPORTATION

Sec. 601. Aviation security service fees.

Prior to September 11, 2001, airlines paid for and carried out passenger and baggage security screening. With the formation of the Transportation Security Administration (TSA) came a mandate to substantially increase and coordinate aviation security procedures, and TSA screeners were deployed to airports across the country. To offset the cost of aviation security operations, the Aviation and Transportation Security Act instituted aviation passenger security fees, which were to cover the costs of security operations including technology, salaries and benefits of screeners, the air marshals program, Federal Security Managers, capital improvements, and other functions. TSA receives approximately \$2 billion a year in offsetting collections under current law through air carrier and aviation passenger security fees. These fees cover about 30 percent of the agency's aviation security costs.

The aviation passenger security fee was initially established and currently remains a per enplanement charge of \$2.50 per enplanement with a maximum one-way trip fee of \$5.00 (a passenger taking a non-stop flight pays a total of \$2.50, while a passenger with at least one connecting flight pays \$5.00).

Section 601 simplifies the fee structure to a flat, \$5.60 fee per one-way trip, regardless of the number of enplanements. It also eliminates the Aviation Infrastructure Security Fee (ASIF) charged to air carriers. This fee structure would allow TSA to offset approximately 43 percent of its aviation security costs.

Section 601(a) repeals the Aviation Security Infrastructure Fee that is currently imposed on air carriers, effective October 1, 2014.

Section 601(b) restructures the aviation passenger security fee to make it a \$5.60 per one-way trip charge, which is \$.60 above the current maximum fee.

Section 601(c) provides that receipts in excess of the \$250,000,000 deposited annually into the Aviation Security Capital Fund shall be deposited in the general fund of the Treasury to partially defray the cost to the taxpayer of providing these services.

Section 601(d) provides that the fee structure shall be changed effective July 1, 2014.

Section 601(e) provides that nothing in this section effects the availability of funds in the Checkpoint Screening Security Fund.

Sec. 602. Transportation cost reimbursement.

U.S. agencies are required to transport 50 percent of equipment, materials, and commodities shipped to foreign countries on vessels registered in the U.S., which is generally more expensive than foreign flag shipping. Food aid sent by the Department of Agriculture (USDA) and the U.S. Agency for International Development (USAID) to foreign countries is not exempt from this requirement, making this international assistance more costly than it would otherwise be. When shipping expenses for food aid exceed 20 percent of total program cost (the value of commodities plus shipping expenses) in a

given fiscal year, the Maritime Administration (MARAD) must reimburse USDA and USAID by the dollar amount above 20 percent. Section 602 would eliminate the reimbursements from MARAD.

Sec. 603. Sterile areas at airports.

The Transportation Security Administration (TSA) screens airline passengers when they enter the secured boarding area (officially, “sterile area”) of all airports and monitors passengers as they exit from the secured boarding area at some airports. Funding for this activity is provided in part by security fees charged to passengers and air carriers. Earlier this year, TSA announced that, beginning in January 2014, all airport operators will be responsible for monitoring all passengers as they leave sterile areas. This responsibility would impose new cost on some airports. Section 603 would require TSA to continue monitoring airport exit lanes at airports currently receiving this service.

TITLE VII—MISCELLANEOUS PROVISIONS

Sec. 701. Extension of customs user fees.

Section 701 would extend the user fees collected by the Department of Homeland Security’s Bureau of Customs and Border Protection (CBP) through 2023. There are nine different conveyance and passenger user fees and a merchandise processing fee collected by the CBP. The conveyance and passenger user fees were first established by the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985. Under current law, customs user fees will expire after 2021.

Sec. 702. Limitation on allowable government contractor compensation costs.

Since the 1990s, federal law has placed a limit on the amount of contractor employees’ compensation costs that is allowed to be charged on federal government contracts. Compensation costs can include many elements, such as salary, bonuses, stock options, and employer contributions to pension plans, although under federal law and the Federal Acquisition Regulation (FAR), contractors are only allowed to charge some elements of compensation to federal government contracts. This cap, currently set at \$952,308, has increased in real terms by 95 percent since this approach was first used in 1998. The current formula by the Office of Federal Procurement Policy is flawed, as it has resulted in an escalation of \$611,658, or nearly 180 percent (in nominal terms), in the 15 years since the compensation cap was established in law.

Subsection 702(a) would amend section 4304(a)(16) of title 41 United States Code, and section 2324(e)(1)(P) of title 10, United States Code, to replace the current statutory benchmark compensation formula used to determine the amount of contractor compensation that is considered an allowable cost for a federal contract, with a cap of \$487,000. It also would limit additional changes to this level to the U.S. Bureau of Labor Statistics Employment Cost Index for all workers. This subsection also provides for one or more narrowly targeted exceptions for scientists, engineers, or other specialists upon a determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities.

Subsection 702(b) repeals the existing authority for the Office of Management and Budget to annually determine the allowable compensation costs.

Subsection 702(c) provides that the limitation in subsection (a) shall apply only to contracts entered into on or after 180 days after the enactment of this Act.

Subsection 702(d) provides for the Director of the Office of Management and Budget to report annually to Congress on the use of the statutory exceptions to the limitation in subsection (a).

Subsection 702(e) provides for a report from the Secretary of Defense and the Director of the Office of Management and Budget on alternative benchmarks and industry standards for compensation.

Sec. 703. Pension Benefit Guaranty Corporation premium rate increases.

The Pension Benefit Guaranty Corporation (PBGC) consists of two insurance programs for multiemployers and single employers, which protect the defined-benefit pensions of nearly 44 million participants. Since fiscal year 2002, PBGC has ended each fiscal year with a deficit. PBGC currently faces a \$36 billion deficit, which may leave the corporation incapable of fulfilling its insurance obligations, resulting in cuts to benefits or a transfer from the General Fund of the Treasury.

Each sponsor of a pension plan that is insured by PBGC pays annual premiums. PBGC collects three types of premiums: (1) a flat-rate, per participant premium, (2) a variable-rate premium, based on the dollar amount of a plan’s underfunding, and (3) a per-participant premium, payable for three years after a DB pension plan terminates. Under current law, the flat-rate premium of \$42 per participant will increase to \$49 in 2014 and increase with the growth in wages thereafter. Plans that do not have enough assets set aside to pay 100 percent of the promised benefits are considered underfunded. The sponsors of underfunded defined-benefit plans pay the variable-rate annual premium of \$9 per \$1,000 of underfunding. Beginning in 2014, the variable-rate premium will be indexed to increases in the average wage index. Plans that terminate their defined-benefit pension plans under certain conditions are liable for a termination premium of \$1,250 per plan participant per year for three years.

Section 703 would increase both flat-rate premiums and variable-rate premiums to reduce the deficit of the PBGC.

Subsection 703(a) would increase the flat-rate premium to \$57 for plan year 2015 and to \$64 for plan year 2016. Subsection 703(b) provides that flat-rate premiums would then be indexed to the growth in wages thereafter.

Subsection 703(c) would increase the variable-rate premium by \$5 in plan year 2015 and an additional \$5 in plan year 2016. Subsection 703(d) provides for conforming changes to ensure that the variable-rate premiums would then be indexed to the growth in wages thereafter.

Subsection 703(d) would increase the variable-rate premium cap to \$500 beginning for plan years beginning after 2015.

Subsection 703(e) provides for these provisions to be effective for plan years beginning after December 31, 2013.

Sec. 704. Cancellation of unobligated balances.

The Department of Justice (DOJ) Asset Forfeiture Fund was established by the Comprehensive Crime Control Act of 1984 (Public Law 98-473) to seize and collect the proceeds of criminal activities. The fund uses the proceeds of forfeited assets through a permanent, indefinite appropriation—to cover the costs of carrying out forfeiture activities. Annual Fund receipts are usually in excess of program needs, resulting in a large unobligated balance from year to year. A renewed emphasis on fraud and financial crime cases resulted in average annual outlays of nearly \$1.5 billion since 2007, with collections during

that time ranging from \$1.7 billion in 2007 to \$4.2 billion in 2012. Unobligated balances in the fund are currently about \$868 million. Subsection 704(a) would permanently cancel \$693 million of this balance.

The Treasury Forfeiture Fund (TFF) supports participating Treasury Department and Homeland Security (DHS) agencies in the use of asset forfeiture to disrupt and dismantle criminal enterprises and deter criminal activity. The focus of the TFF program is customs enforcement, whereas the Department of Justice Asset Forfeiture Fund specifically combats money laundering and fraud. The TFF collects cash and the proceeds of property forfeited pursuant to customs laws. TFF funds are available to cover costs related to seizures and forfeitures and certain other law enforcement activities. Annual TFF receipts are usually in excess of program needs, resulting in a large unobligated balance from year to year. Program outlays have been about 70 percent of program receipts and collections over the past 5 years. Unobligated balances in the fund are currently about \$888 million. Subsection 704(b) would permanently cancel \$867 million of this balance.

Sec. 705. Conservation planning technical assistance user fees.

The Department of Agriculture’s Natural Resources Conservation Service (NRCS) provides technical assistance for the development of individualized, site-specific conservation plans and the establishment of measures to conserve soil and water, including farm irrigation, flood prevention, and agricultural pollution control. The technical assistance provided to agricultural landowners and operators varies depending upon the complexity of the soil or water conservation resource concern.

Subsection 705(a) would authorize NRCS to prescribe and collect fees of up to \$150 per conservation plan to cover some of the costs of providing technical assistance for completing a conservation plan for a producer or landowner. This section would authorize the Secretary of Agriculture to waive fees for assistance provided to members of historically underserved groups, such as beginning farmers or ranchers, limited resource farmers or ranchers, and socially disadvantaged farmers or ranchers. Fees also could be waived by the Secretary for assistance provided to USDA program participants seeking to maintain payment eligibility under Section 1212 of the Food Security Act of 1985, or to comply with local, state, or Federal regulatory requirements.

Subsection 705(b) provides for the establishment of a Conservation Technical Assistance Fund to receive the fees authorized in subsection (a). Monies deposited in the fund are available only pursuant to future appropriations.

Sec. 706. Self plus one coverage.

The law governing the Federal Employees Health Benefits Program (FEHBP), as originally enacted in 1959, only allows for employees to enroll as individuals (“self only”) or as a family (“self and family”). Section 706 would modernize the FEHBP to include a “self plus one” enrollment tier. This section would align the FEHB Program with the commercial market and serve to spread costs across different enrollment types.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Bipartisan Budget Act of 2013—As posted on the website of the House Committee on Rules on December 10, 2013

Summary: The legislation, offered as an amendment to H.J. Res. 59, the Continuing

Appropriations Resolution, 2014, would revise the limits on discretionary appropriations for fiscal years 2014 and 2015, allowing for higher levels of funding in those years than is allowed under the caps and budget enforcement procedures in current law. CBO estimates that, if appropriations for 2014 and 2015 equaled the revised limits, discretionary outlays would be roughly \$62 billion higher over the 2014–2023 period than if appropriations for those years equaled the limits in current law. (Nearly \$48 billion of the anticipated increase in discretionary outlays would occur in 2014 and 2015.)

The legislation also would make several changes in programs that are not funded through annual appropriations, as well as a few changes that would affect federal revenues. In addition, the bill would extend across-the-board cuts (known as sequestration) in certain direct spending programs for an additional two years—2022 and 2023—beyond the period during which sequestration will apply under current law; those additional cuts would be the same percentage of spending required under current law for 2021. CBO and the staff of the Joint Committee on Taxation (JCT) estimate that, in total, those

provisions would reduce direct spending by about \$78 billion and increase revenues by about \$7 billion over the 2014–2023 period. Thus, the legislation's changes in direct spending and revenues would reduce deficits by roughly \$85 billion over the next 10 years. Some of those changes also would affect discretionary spending, but such changes would be subject to appropriation and limited under the caps on annually appropriated funding.

Although enacting the legislation would affect direct spending and revenues, pay-as-you-go procedures do not apply because the legislation specifies that its budgetary effects shall not be entered onto the scorecards maintained under the Statutory Pay-As-You-Go Act of 2010.

The legislation contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). It would impose private-sector mandates as defined in UMRA on airline passengers, sponsors of defined-benefit pension plans, and users of customs services. CBO estimates that the cost of the mandates would total more than \$1 billion in fiscal year 2015 and more than \$2 billion annually beginning in fiscal year 2016.

Thus, the aggregate cost of mandates would significantly exceed the annual threshold established in UMRA for private-sector mandates (\$150 million in 2013, adjusted annually for inflation) during the first five years that the mandates are in effect.

Section 204 of the legislation would amend portions of the Social Security Act that relate to the Old-Age, Survivors, and Disability Insurance programs under title II of the Social Security Act. UMRA excludes from its application any legislation that applies to those provisions of the Social Security Act. Consequently, CBO has not reviewed section 204 for mandates.

Estimated impact on the Federal budget: The estimated budgetary impact of the Bipartisan Budget Act of 2013 is summarized in Table 1. (Details for the estimates of effects on direct spending and revenues are provided in Table 2, attached at the end of this cost estimate.) The effects of this legislation fall within several budget functions, including those covering defense, natural resources, transportation, education, health care, and income security.

TABLE 1. ESTIMATED BUDGETARY EFFECTS OF THE BIPARTISAN BUDGET ACT OF 2013

	By Fiscal Year, in Billions of Dollars—											
	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2014–2018	2014–2023
CHANGES IN DIRECT SPENDING^a												
Estimated Budget Authority	-7.2	-2.2	-2.5	-2.9	-3.2	-3.5	-3.2	-3.4	-18.1	-24.3	-18.1	-70.5
Estimated Outlays	-3.0	-3.2	-4.1	-4.6	-4.6	-4.7	-4.6	-4.6	-19.3	-25.5	-19.5	-78.4
CHANGES IN REVENUE^a												
Estimated Revenues ^b	*	0.2	0.3	0.5	0.6	0.7	0.9	1.0	1.1	1.3	1.7	6.6
NET INCREASE OR DECREASE (–) IN THE DEFICIT FROM CHANGES IN DIRECT SPENDING AND REVENUES												
Impact on the Deficit	-3.1	-3.4	-4.5	-5.1	-5.1	-5.4	-5.5	-5.6	-20.5	-26.8	-21.2	-85.0
On-budget effects	-3.1	-3.4	-4.5	-5.1	-5.1	-5.4	-5.5	-5.6	-20.5	-26.7	-21.2	-84.9
Off-budget effects	0	*	*	*	*	*	*	*	*	*	*	-0.1
Memorandum:												
(Changes to Caps on Spending Subject to Appropriation:												
Estimated Authorization Level	44.8	18.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	63.2	63.2
Estimated Outlays	26.3	21.6	8.6	3.3	2.0	0.6	0.0	0.0	0.0	0.0	61.9	62.4

Sources: CBO and the staff of the Joint Committee on Taxation.

Notes: Components may not sum to totals because of rounding; * = between –\$50 million and \$50 million.

^aIn addition to the effects on direct spending and revenues, some provisions of the legislation would affect spending subject to appropriation, which is controlled by annual caps on such discretionary funding. Those additional effects are not included in these rows.

^bPositive numbers denote an increase in revenues.

Basis of Estimate: The legislation would allow for greater spending subject to appropriation than is allowed under current law by increasing the caps on new discretionary funding in fiscal years 2014 and 2015 (see the Memorandum section of Table 1).

The legislation also would directly affect budget deficits by changing provisions related to direct spending programs and by amending the Internal Revenue Code. Some of those changes also would affect discretionary spending, but such changes would be subject to appropriation and limited under the caps on annually appropriated funding.

TITLE I—BUDGET ENFORCEMENT

The Bipartisan Budget Act of 2013 would increase the caps on discretionary budget authority—that is, the caps on new annual appropriations—for fiscal years 2014 and 2015. For 2014, the caps on defense and nondefense funding would each be about \$22 billion higher than the current caps (which include the effects of the automatic spending reductions described in the Budget Control Act of 2011).¹ For 2015, the defense and nondefense caps would each be raised by about \$9 billion. CBO estimates that, if appropriations for 2014 and 2015 equaled the revised limits, discretionary outlays would be roughly \$62 billion higher over the 2014–2023 period than if appropria-

tions for those years equaled the limits in current law.

¹[The Budget Control Act of 2011 (Public Law 112–25) established an initial set of caps on annual discretionary funding as well as a set of lower caps (for 2014 through 2021) that were triggered by the failure of the Joint Select Committee on Deficit Reduction to achieve a targeted amount of deficit reduction. The lower caps are currently in place through 2021; the legislation would increase those caps for 2014 and 2015, and leave the caps unchanged for other years through 2021.]

The legislation also would extend the automatic spending reductions applied to certain mandatory spending accounts through 2023 (those reductions are currently in effect through 2021). The legislation would require that the sequestration percentage applied to nonexempt mandatory accounts in 2021 be continued and applied in the same manner in 2022 and 2023. CBO estimates that extending those spending reductions for nonexempt mandatory programs for two additional years would decrease direct spending by \$28 billion over the 2022–2023 period.

In addition, the legislation would make some changes in the Congressional budget process related to adoption of the budget resolution and budget enforcement within the

House of Representatives and the Senate. Those changes would not, by themselves, have a direct budgetary impact, but they could affect Congressional decisions about budget-related legislation in 2014 and future years.

TITLE II—PREVENTION OF WASTE, FRAUD, AND ABUSE

The legislation would enhance the ability of states and the federal government to reduce certain payments (including some that stem from fraud) and increase recoveries of overpayments. In total, CBO estimates that enacting title II would reduce direct spending by about \$1.9 billion and increase revenues by \$0.6 billion over the 2014–2023 period. The proposed changes would:

Require states to use the Treasury Offset Program (TOP) to recover overpayments of unemployment compensation. Under current law, states may use TOP, but are not required to do so.

Enable states to avoid paying for prenatal and preventive pediatric claims when a third party is liable for such payments. The legislation also would give states additional time to collect payments in cases involving medical child support and allow states to recover payments from certain liability settlements, thereby reducing net direct spending for Medicaid.

Restrict access to the Death Master File maintained by the Social Security Administration, which includes information that might be used by individuals to file fraudulent tax returns or submit fraudulent claims to Medicare.

Expand the data on inmates that are available to the Department of Treasury, which would result in higher revenue collections and lower payments for refundable tax credits.

Three of those four provisions would affect both direct spending and revenues, producing budgetary savings in both of those categories. The provision for Medicaid third-party liability would affect only direct spending.

TITLE III—NATURAL RESOURCES

Title III would make various changes to federal oil and gas programs that would reduce spending by \$4.5 billion over the 2014–2023 period, CBO estimates. Title III would:

Repeal provisions in the Energy Policy Act of 2005 that authorized direct spending through fiscal year 2014 for research on the development of certain oil and gas resources.

Reduce the amount of payments made to states under the Mineral Leasing Act, which requires the federal government to make payments to states based on the proceeds from mineral leasing activities on federal lands.

Approve an agreement between the United States and Mexico regarding oil and gas resources near the international border in the Gulf of Mexico and establish procedures for implementing future agreements affecting such border areas.

Amend the procedures used to determine the amount of interest that may be paid on overpayments of oil and gas royalties from federal leases.

Permanently rescind the unobligated balances currently available for purchase of oil for the Strategic Petroleum Reserve (SPR) and repeal the authority of the SPR program to acquire oil using royalty-in-kind payments from companies that develop oil and gas resources under federal leases.

TITLE IV—FEDERAL CIVILIAN AND MILITARY RETIREMENT

The bill would make several changes to retirement benefits for employees of federal agencies. In total, CBO estimates that enacting title IV would reduce spending by \$6.2 billion and increase revenues by \$6.0 billion, respectively, over the 2014–2023 period.

Specifically, title IV would:

Increase the contribution rate that federal employees, including those covered under the Foreign Service Retirement System, pay toward their future retirement benefit (such contributions are considered revenues to the Treasury). The legislation would increase contributions by 1.3 percent of pay for federal employees that begin service on or after January 1, 2014.

Reduce the annual cost-of-living adjustment (COLA) for military retirees under the age of 62 by 1 percent. Monthly retired pay for those individuals would be readjusted upward at age 62 as if the COLA reduction had not taken place and retirees would receive full annual COLAs thereafter.

The COLA provision also would reduce discretionary accrual payments to the Military Retirement Fund over the 2015–2023 period. While such payments count against discretionary amounts allocated to the Department of Defense as part of the annual appropriations process, they are intragovernmental transactions, and do not result in outlays from the government. If, within

the discretionary caps, the reduction in accrual payments makes possible an offsetting increase in other appropriations, the net effect would be an increase in outlays—because an intragovernmental payment would be replaced by spending that goes outside the government.

TITLE V—HIGHER EDUCATION

CBO estimates that enacting title V would reduce direct spending by \$5.1 billion over the 2014–2023 period by amending the Higher Education Act of 1965. Those changes would:

Eliminate the share of outstanding guaranteed student loan amounts that guaranty agencies are permitted to retain when they rehabilitate defaulted loans, increasing the share that is returned to the federal government; and reduce the maximum fee that a guaranty agency can charge borrowers to cover the administrative costs of collections for loans being rehabilitated.

Eliminate mandatory payments, authorized through 2019, to nonprofit organizations that service student loans. Although this provision would reduce direct spending by an estimated \$3.1 billion over the 2014–2023 period, those loans would still need to be serviced. As a result, CBO estimates that implementing this provision would require additional discretionary appropriations of roughly the same magnitude as the mandatory funding that would be eliminated.

TITLE VI—TRANSPORTATION

Title VI would amend provisions of the Aviation and Transportation Security Act pertaining to security-related fees and would repeal a current requirement for compensation related to shipping of food aid. Together, those provisions would reduce direct spending by \$13.4 billion over the 2014–2023 period. This title would:

Increase security-related fees charged to air passengers and repeal other fees paid by air carriers, resulting in an overall net increase in fees. It would amend current law to direct the Transportation Security Administration (TSA) to collect a specified portion of such fees, without further appropriation, which would be recorded as offsetting receipts—a credit against direct spending. (The remaining portion of TSA fees would continue to be subject to appropriation action.)

Repeal the requirement that the Maritime Administration pay certain costs to compensate the Department of Agriculture to transport food aid on ships registered in the United States rather than ships registered in other countries.

TITLE VII—MISCELLANEOUS PROVISIONS

Title VII would make changes affecting customs fees, pensions, and health care for federal employees, among other things. CBO and JCT estimate that those provisions would reduce direct spending by \$19.3 billion over the 2014–2023 period.

Section 701 would extend the authority of Customs and Border Protection (within the Department of Homeland Security) to collect certain fees. That authority, which is set to expire in October of 2021, would be extended through fiscal year 2023.

Section 703 would raise rates for both variable and flat rate premiums paid by sponsors of defined benefit pension plans to the Pension Benefit Guaranty Corporation, and increase the cap on the variable rate premium.

Section 704 would permanently cancel authority to spend certain unobligated balances from the Treasury Forfeiture Fund and the Assets Forfeiture Fund.

Section 705 would establish a fee to offset the cost to the U.S. Department of Agriculture of providing conservation assistance to owners of private lands.

Section 706 would add a two-person “self plus one” coverage option for federal employees and retirees under the Federal Employees Health Benefits (FEHB) program. CBO estimates that option would be priced below the “self plus family” option currently available. However, the “self plus family” option would become more costly than under current law because the average number of people covered by policies of that type would rise. CBO expects that federal retirees would be more likely than active federal employees to switch to “self plus one” policies. As a result, the average cost of FEHB policies for federal retirees would be lower than under current law, and the average cost of FEHB policies for active federal employees would be higher than under current law.

The provision would reduce direct spending because the government contribution for health benefits for federal retirees is classified as direct spending. On the other hand, implementing the provision would increase spending subject to appropriation, assuming appropriation of the necessary funds, because the government contribution for health benefits for active federal employees is classified as discretionary spending.

Pay-as-you-go considerations: The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. Although enacting the legislation would affect both direct spending and revenues, pay-as-you-go procedures do not apply because the legislation specifies that its budgetary effects shall not be entered onto the scorecards maintained under the Statutory Pay-As-You-Go Act.

Intergovernmental and private-sector impact: The legislation contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act. It would, however, impose mandates on private entities by increasing or extending some government fees. The legislation would increase the fee paid by airline passengers for security services and increase insurance premiums paid by sponsors of defined-benefit pension plans to the Pension Benefit Guaranty Corporation. CBO estimates that the cost of those mandates would total more than \$1 billion in fiscal year 2015 and more than \$2 billion annually beginning in fiscal year 2016. The legislation also would extend through fiscal year 2023 the customs users fees that are set to expire in October of 2021 under current law. The cost of the mandate to users of customs services would exceed \$3 billion in each of fiscal years 2022 and 2023. Consequently, the aggregate cost of the mandates in the legislation would significantly exceed the annual threshold established in UMRA for private-sector mandates (\$150 million in 2013, adjusted annually for inflation).

Estimate prepared by: Federal spending—Christina Hawley Anthony, Kirstin Blom, Megan Carroll, Sheila Dacey, Mark Grabowicz, Kathleen Gramp, Justin Humphrey, Deborah Kalcevic, Jeff LaFave, Jim Langley, Avi Lerner, Amber Marcellino, Julia Mitchell, Matthew Pickford, Sarah Puro, Lara Robillard, Matt Schmit, Emily Stern, Santiago Vallinas, and Martin von Gnechten.

Federal Revenues—Kurt Seibert and staff of the Joint Committee on Taxation.

Impact on State, Local, and Tribal Governments—J’nell L. Blanco, Michael Kulas, Melissa Merrell, and Lisa Ramirez-Branum.

Impact on the private sector—Amy Petz, Paige Piper/Bach, Chung Kim, Alexia Diorio, and Marin Burnett.

Estimate approved by: Peter H. Fontaine, Assistant Director or Budget Analysis.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

I would like to start by commending my friend and colleague, Chairman RYAN, for working on this bipartisan agreement. I also want to congratulate our Senate colleague, Senator PATTY MURRAY, chairman of the Senate Budget Committee, for her efforts to get this done, along with many of our colleagues.

This agreement is far from perfect. It is not the budget agreement I or many of my colleagues would have written, but I do believe that, on balance, at the margin, it represents a small but positive step forward.

Mr. Speaker, I would not have been able to say that as recently as this past Monday and early Tuesday, but as a result of changes made, I think this is a positive step forward; and I want to commend my fellow conferees on the House side—Mr. CLYBURN and Mrs. LOWEY—as well as the efforts of Leader PELOSI, to make the changes necessary.

As a result of those changes, this is an agreement that many of our colleagues can now support, and that is for many reasons; but most of all, it results in a situation in which we will avoid the very deep and harmful cuts from the sequester, which, if this Congress does not act, will automatically take effect a few weeks from now. Those very deep and unproductive across-the-board cuts will create an unnecessary drag on the economy at a time when economic growth is building but still not nearly where it is. It will have a negative impact on job growth, and it will eat away at important national priorities and investments.

As a result of this agreement, in fiscal year 2014, we will be able to invest \$25 billion more in vital national areas than we were in fiscal year 2013. Of those \$25 billion investments, \$22.5 billion will be in important areas of domestic investment: in areas of education, in areas of important scientific research like medical research at the National Institutes of Health. It will also provide, as Chairman RYAN has said, some certainty, which is very important at this point in time; and without this agreement, you would be guaranteed additional furloughs of Federal employees in the coming year, so I think it is a positive step forward.

I do, Mr. Speaker, want to express my extreme disappointment in one area. In the agreement, itself, as Chairman RYAN has acknowledged and as Senator MURRAY has recognized, we decided not to include what we call the doc fix and decided we would not include the unemployment insurance compensation extension. Many of us argued that we should include both of those in this agreement. In fact, House Democrats proposed an agreement along those lines. We believe that, if we are going to do the doc fix, which we

think is important—making sure that doctors who provide services to Medicare patients are fully compensated—we should also make sure that individuals who are on long-term unemployment will not be left out in the cold 3 days after Christmas. It was decided that those elements would not be in the agreement, itself.

Yet, last night, at the 11th hour, the House Republican majority decided to insert the doc fix within this agreement. We support that doc fix, but we are very troubled that we have not even been allowed a vote to extend unemployment compensation.

The reality, Mr. Speaker, is, even without that, if we leave here without this agreement, we are not going to get the extension of unemployment insurance because the Speaker won't allow us to have a vote on that, so the only thing we would accomplish by defeating this budget agreement would be to go home with a lot of uncertainty and with the sequester guaranteed to hit in January. That is not a good result. This agreement is a better result. I will talk a little bit later about what we believe we should be doing in this Congress.

As the chairman said, this agreement doesn't match his vision nor does it match ours. We put forward a proposal that would focus a lot more on job creation, to try and invest more in our national infrastructure—in our roads and in our bridges and in our broadband—so that we can put people back to work right now and accomplish important national priorities. We believe we should be focusing on early education, investing more in our future so we have job growth not only now from additional investments but so we ensure greater job growth in the future. There are other things that we think were important and part of this agreement which are not in here but that we will continue to fight for in the days ahead.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, at this time, I yield 4 minutes to the gentleman from Kentucky (Mr. ROGERS), the distinguished chairman of the Appropriations Committee.

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today in strong support of H.J. Res. 59, the Ryan-Murray budget agreement.

First, I want to commend Chairman RYAN on achieving a resolution to our immediate budget challenges. It takes a good deal of courage; it takes persistence; it takes dedication to reach a bipartisan agreement such as this, and I want the chairman of the Budget Committee to know that we deeply appreciate his hard work on our behalf.

Great job.

While everyone might not like everything in this bill, it is the best product that is achievable right now, and I urge that it be passed.

As our Budget chairman has said, this agreement reflects a compromise in policies but not in our conservative principles. Not only does this deal hold the line on spending, it actually puts a dent in our annual deficit—a very significant accomplishment. Plus, it opens the door for future progress on the problem of runaway entitlements. It paves the way toward budget and economic stability for the next 2 years.

The legislation before us will also accomplish several other critically important goals:

First and foremost, it will turn off the potentially devastating \$20 billion sequestration cut to our national defense. Even if Congress provided what flexibility we could, which isn't much, a cut of this magnitude would cripple readiness programs and leave us all at risk;

Second, this bill will allow Congress to avoid another shutdown showdown and help us return to regular order. As I have said many, many times before: the best way to trim spending, ensure wise investments of taxpayer dollars, and provide stability for our government and our economy is to do appropriations bills on an annual basis, each one separately brought to the floor, as the Constitution intends.

This budget conference agreement will now permit bicameral negotiations on the fiscal year 2014 appropriations bills to begin, allowing my committee to get to work and make the hard, thoughtful, responsible, line-by-line funding decisions that are Congress' duty to make.

It is important to remember that this is just the first step in the current budget process. My committee will now begin to negotiate and craft an omnibus appropriations bill that will fund the government for the rest of the fiscal year, with the goal of completing it before the end of the CR, January 15. The omnibus will reflect the budget outline that is the Ryan-Murray bill before us now and will make the hard choices to implement this budget agreement into actual funding levels.

Mr. Speaker, this is a good bill. It makes a significant first step to putting us on a more stable and responsible fiscal path.

Again, I want to commend the chairman, the ranking member, and all of the members of the conference committee for the hard work and difficult decisions that they had to make to bring this bill to us now. I urge our colleagues to support it.

Mr. VAN HOLLEN. Mr. Speaker, I now yield 2 minutes to the gentlelady from Maryland (Ms. EDWARDS), my colleague and friend on the Transportation Committee.

Ms. EDWARDS. Thank you to the gentleman from Maryland, my friend and my colleague, for all of your work in getting us to this point. Thank you to my friend also, Chairman RYAN, for

getting us to this point, and to all of the conferees.

Mr. Speaker, I am in support of the bipartisan Budget Act. Though I support the agreement, it isn't the bill that I would have written. It is not the bill that I would have written to fully protect Federal employees, today's employees and future employees. It is not the bill that I would have written to protect 1.3 million Americans who are about to lose their emergency unemployment insurance—22,900 of them in Maryland—just at the holidays. It is not the bill that I would have written that would reduce cost-of-living adjustments for our Nation's military retirees. It is not the bill that I would have written to protect the commuter tax credit.

But do you know what? I didn't write this legislation, Mr. Speaker. It is a compromise. It is a negotiation. It is not perfect, but I support it.

The agreement does ensure that current Federal employees will get their cost-of-living increases this year. They won't face the uncertainties of furloughs, and they will face stability for the next couple of years.

□ 1645

This compromise rejects the draconian proposal in the chairman's budget that would have made Federal employees pay 5.5 percent more for retirement at a cost of \$20 billion, but that is not in this bill.

This agreement does roll back sequestration cuts using spending cuts and new revenue.

And the agreement increases non-defense discrimination spending by replacing almost two-thirds of this year's cuts, bringing the funding down to \$77 billion above the Republican's preferred budget levels.

The agreement doesn't cut Social Security, Medicare, or Medicaid benefits, not by a single penny.

What the agreement does is it allows Congress and this Nation to get out of the dysfunction and the obstruction and to get on to other business of protecting the American people, perhaps allowing us to focus on unemployment insurance extension, immigration, infrastructure investment, and all of the things that it takes to protect our economy.

I support this legislation. Let's get on with it.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, just so that my colleagues understand what exactly this bill does or does not do, I want to walk you through a chart.

In 2011, Congress passed the Budget Control Act. That set discretionary spending at this level up here, the blue line. It said that this thing we commonly call the supercommittee was supposed to go and cut \$1.2 trillion out of mandatory spending, autopilot

spending, the nondiscretionary part of the budget, the big, fast growing part that Congress rarely addresses.

If it didn't happen, then the sequester would kick in. That is this red line. That is where we are now because the sequester has kicked in.

What we face in January is another round of sequester cuts, \$20 billion, that hit solely on defense spending in the military. A lot of us are concerned about that. When 85 percent of our troops, our brigades, are not ready, that is a problem. When we have people in Afghanistan and we need to reset our equipment and we are not where we need to be, that is a problem; that is a concern of ours.

What we do not want to do is lose any of the fiscal progress that was made by this act. In fact, we want to go farther. So what this bill does is it says for the rest of this half fiscal year, fiscal year 2014, and the upcoming fiscal year, fiscal year 2015, it changes discretionary spending to go to \$1.12 trillion and then \$1.14 trillion back on to where we are with the sequester.

What does all that mean? It means that 92 percent of the sequester is still intact. For the next year and a half, this bill preserves 70 percent of the sequester; but we pay for that 30 percent that is given back.

Let me explain what that means just in a quick dollars and cents sense. This bill achieves \$85 billion in mandatory savings, the things we talked about a minute ago, all those various permanent spending cuts. It gives back or relieves from the sequester \$63 billion in spending: half to defense, half to domestic spending, like Mr. VAN HOLLEN was talking about. The result is a net deficit reduction of \$23 billion. So from the Budget Control Act of 2011, this advances fiscal responsibility to the tune of \$23 billion.

To put it another way, 2 years ago, when we passed the first House Republican budget when we came into the majority, the appropriation number we were looking for then was \$1.19 trillion. Then in 2012 in the next House Republican budget, the appropriation bill we were fighting for then was \$1.28 trillion.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself an additional minute.

The Budget Control Act would have had us at \$1.58 trillion. This agreement puts us at \$1.12 trillion. Under this agreement, we would not hit that discretionary spending number of \$1.19 trillion, the one we asked for 2 years ago, we wouldn't hit that number until the year 2017.

With respect to a fiscal track record, we are ahead of schedule, and we are replacing some of these across-the-board spending cuts that are indiscriminate that don't set priorities, that treat the efficient and inefficient

programs the same, with smarter, permanent spending cuts in the autopilot part of spending, that part that Congress all too often ignores.

Mr. Speaker, this is good government; it is also divided government. Under divided government, we need to take steps in the right direction. To make divided government work, you can't ask each other to compromise a core principle because we don't do that here. We ask each other to find some common ground to advance the common good. That is what this agreement does. That is why I ask my colleagues to support it.

With that, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself as much time as I may consume.

I think this agreement is an acknowledgement—at least a majority on both sides, certainly on the Democratic side, a strong majority—that the sequester is a dumb and unproductive way to cut spending or to reduce the deficit.

What this agreement does is prevent that full sequester from taking place over the next 2 years. We believe that we should address and substitute the remaining sequester through a balanced approach of additional targeted cuts. But, Mr. Speaker, we also think we should close some of these special interest tax loopholes that benefit nobody except certain narrow interests that sometimes have undue sway here in the Congress.

But as my colleague said, we have different approaches, and our Republican colleagues have refused to close a single one of those special tax breaks or preferences for the purpose either of reducing the sequester or reducing the deficit. So we have different approaches. We wouldn't have chosen the offsets that are in here to pay for the sequester replacement. They are the result of a negotiation. As I said earlier, I believe on balance this is an important step forward.

Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY), one of the people who was very important in this process, my good friend and colleague from New York, the ranking member of the Appropriations Committee and one of the conferees.

Mrs. LOWEY. Mr. Speaker, the budget deal is a breakthrough in a difficult budget year in a dysfunctional Congress. As with any compromise, there are elements I oppose; yet this agreement should help us do our jobs to the American people and end the shutdown standoffs.

It provides some relief from the devastating impact of the sequester cuts on our economy and American families. Keeping sequestration in place through fiscal year 2014 would cost up to an estimated 1.6 million jobs. Now,

the House and Senate must restore regular order to craft bills that instead create new jobs and protect important priorities like medical research, security and infrastructure upgrades, and early education.

This agreement restores over 60 percent of the sequester on nondefense discretionary spending in 2014, restores those bills to roughly the FY 2013 enacted pre-sequester levels. It would hold defense funding levels roughly consistent with the 2013 level after sequester.

The bill before us includes elements, frankly, I don't like and fails to address others it should. First, I am deeply upset that my colleagues on the other side of the aisle insisted on extending the 2 percent sequester on Medicare providers for an additional 2 years as part of the package's offsets. We should not extend their sequester burden.

It is also unconscionable that the deal does not extend long-term unemployment benefits. Even with the progress our economy has made since the depths of the recession, there are still 1.3 million fewer jobs today than 6 years ago.

Four million Americans have been looking for work for more than 6 months.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. VAN HOLLEN. I yield an additional 30 seconds to the gentlelady.

Mrs. LOWEY. More than 1.3 million of them will lose their benefits and, for some, the only income they have just 3 days after Christmas and 3 days before the new year.

Today's bill will provide some economic certainty about fiscal policy over the next 2 years, which should boost growth and job creation.

Because we cannot continue lurching from crisis to crisis, and despite my misgivings about the extension of Medicare provider cuts and failure to address long-term unemployment, I will vote "yes."

Mr. RYAN of Wisconsin. Mr. Speaker, at this time, I yield 2 minutes to the gentleman from Iowa (Mr. LATHAM) for the purposes of a colloquy.

Mr. LATHAM. Mr. Speaker, I yield to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, I rise to enter into a colloquy with the gentleman from Wisconsin regarding the not-for-profit student loan servicing provisions in the Bipartisan Budget Act of 2013.

Is it your understanding and intent that the not-for-profit servicing provision in this act does not require the termination of the existing Federal loan servicing contracts of any not-for-profit servicers who are currently servicing Federal loans?

And is it the further understanding and intent of the gentleman from Wis-

consin that the Education Department will continue to enter into contracts with not-for-profit servicers based on their performance?

Mr. RYAN of Wisconsin. Mr. Speaker, will the gentleman from Iowa yield?

Mr. LATHAM. I yield to the gentleman.

Mr. RYAN of Wisconsin. Mr. Speaker, yes, it is the legislative intent that existing contracts to use the services for not-for-profit servicers are not terminated by this bill and that they will be permitted to compete with the Department of Education's title IV servicers for additional accounts.

Mr. LATHAM. Mr. Speaker, I associate myself with the comments of the managers and am pleased to know it is their intent that the use of not-for-profit servicers continues and that not-for-profit servicers will be permitted to compete in the future for additional accounts.

Mr. KLINE. Mr. Speaker, will the gentleman yield?

Mr. LATHAM. I yield to the gentleman from Minnesota.

Mr. KLINE. Mr. Speaker, I also rise to associate myself with the comments of the managers and am pleased to know it is their intent that the use of not-for-profit servicers continues and that not-for-profit servicers will be permitted to compete in the future for additional accounts.

Mr. VAN HOLLEN. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. CLYBURN), a good friend and colleague, one of the conferees who worked with us to move this agreement to a place where it was supported by many of us on the Democratic side, the assistant Democratic leader.

Mr. CLYBURN. Mr. Speaker, let me thank my friend, Mr. VAN HOLLEN, for yielding me this time. I want to thank him and Mrs. NITA LOWEY for the tremendous work they did in keeping this effort moving forward in a very positive way.

I also want to thank Chairman RYAN for the great work he has done on this and the manner in which he got his work done.

We don't talk a lot on this side of the Capitol about the other side, but I also want to thank Senator PATTY MURRAY for all of her work. I had the great privilege of working with her on the supercommittee and we didn't get much done. I was on the so-called "Biden Group" along with Mr. VAN HOLLEN, and we didn't get anything done. But I am pleased at this time of year to say that the third time seems to be the charm.

This is not the product that I would have written if I were writing it, and I am sure that it is not the product that any of my Democratic colleagues would write. I am always concerned by the "meat ax" approach to dealing with the budget. This effort takes that

away and allows us to approach spending in a way that is much more conducive to running the government. We didn't get everything, and nobody gets everything they want in trying to reach common ground.

It is important for me to note at this time some things that were taken off the table. There are no cuts to Social Security, there are no benefit cuts to those receiving Medicare or Medicaid, there is no targeting of Federal employees for additional cuts, and the relief from the sequester in both defense and essential services is very real and significant.

□ 1700

It is also important to note what this bill does not do. I am very concerned about the fact that we were not able to make unemployment insurance a part of this effort.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield an additional 30 seconds to the gentleman.

Mr. CLYBURN. And I am hopeful when we get back here after the first of the year that we will move and do as we have done in the past, pass unemployment insurance, make it retroactive to January 1 so those people who find themselves unemployed through no fault of their own can find some relief going into the next holiday season. Hopefully, we will do something on the minimum wage. These are things that I think we need to do coming back after the first of the year.

I thank the gentleman for yielding me the time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 30 seconds to respond to my friend, the gentleman from South Carolina (Mr. CLYBURN). I want him to know that his time spent on these prior endeavors, the Biden Group, all those, that was not wasted. That was productive time because the findings of those groups were used in this agreement. The work that they did on all of those policies were work that we borrowed from to put this together. So I want him to know that was a productive use of his time which helped, in turn, produce this result.

Mr. CLYBURN. Thank you very much. You are very kind.

Mr. RYAN of Wisconsin. With that, Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. MCCARTHY), our distinguished majority whip.

Mr. MCCARTHY of California. Mr. Speaker, first I want to thank our chairman of the Budget Committee for showing the leadership, finding the common ground, but actually moving this entire House.

When I first came to Congress, debate was always about more spending, always about what would the future hold. Ever since the Republicans took the majority, within our first 4 months, we

produced a budget that put us on to a path of a much different approach. It was a path led by our chairman and a path that would actually grow jobs and move us in a new direction.

The challenge we had was in the Senate; there was no budget. The last time, since I have been here that the Senate produced a budget, the iPad wasn't introduced. But this House moved No Budget, No Pay, and the Senate began to move, but they came up with a different number than we had. We had a stalemate on the floor that the country was frustrated with, that we were frustrated with; and we knew that this was not the way Congress was designed.

So this agreement moves us in a much different place. Every year that Congress failed to pass a budget, it ceded its power, intended by our Founders to be held by Congress, to the executive branch.

As House Republicans continue to fight for more limited government that empowers the individual and makes smarter spending decisions, the standard set by this agreement will be critically important.

The budget agreement takes steps to reform mandatory spending that starts out slow but compounds over the years and results in real and growing spending reductions year over year. It also moves us closer to more responsible entitlement reforms that lead to a balanced budget, paying down our debt, and a sustainable economic future.

Today is a unique day. Today is a day that is a step in the right direction, and it shows the common ground that not only this body but the Senate can take as well. I thank all those involved, and I ask for a "yes" vote.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts (Mr. NEAL), a terrific member of the Ways and Means Committee.

Mr. NEAL. Mr. Speaker, I thank Mr. VAN HOLLEN.

I think the previous speaker forgot to mention the Bush tax cuts in 2001 and 2003, totaling \$2.3 trillion. The war in Iraq was conveniently left out. The process of sequestration was ill-considered and the result is all around us.

Mr. RYAN of Wisconsin. Will the gentleman yield?

Mr. NEAL. I yield to the gentleman.

Mr. RYAN of Wisconsin. We are having a good moment here. Don't spoil it, all right?

Mr. NEAL. Listen, I was happy to have it until I heard that the Republicans were responsible for all of the good things that are in this, and the Democrats were only responsible for the revenue side.

Revenue is at about percent of gross domestic product right now. Those are the Eisenhower years. We need to have this discussion.

Now, let me say this as well. Mr. RYAN deserves to be credited, as does

Mr. VAN HOLLEN, with the measure that is in front of us today. But if we can get past some of the acrimony and some of the ill-considered language here, maybe we could find a path forward.

The Medicare picture has brightened substantially. It is wild what has happened. The automobile sector is doing much better. The private sector in general is. Americans are shedding debt, but not to miss the point that there is a very elusive term that needs to be addressed in America today, and it is a term of confidence. The government shutdown shaved 1 to 2 points off of gross domestic product. That is reality; that is not fiction.

We need to get past, again, the harsh language that has now taken over this institution and provide investors and provide the American people with the idea of some confidence to unleash the forces of that \$2 trillion that is sitting here domestically and another trillion that is sitting offshore. This is the sort of conversation that we need to have. This is a confidence-building measure. It does lighten up some of the spending caps, again, that would have caused grave damage to the economy. We should have found the time to help out on the issue of unemployment benefits.

Mr. Speaker, we did the doc-fix this morning. I favor it; \$8 billion over 3 months. We could have found money in this budget to extend unemployment benefits to American families.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, there are a couple of other factors that I think Members should weigh as we look at this legislation.

Number one is if we do not pass this legislation, we face a fiscal impasse on January 15 and, therefore, a potential government shutdown at that time. And then we face a fiscal impasse at the end of September and a possible government shutdown at that time. I don't know of anyone in this body that thinks these government shutdowns are productive or useful for our economy. So by having this agreement in place, we prevent those two episodes from occurring and we prevent those two government shutdowns.

Point number two, for too long, for 3 years, this body, Congress, the legislative branch, the one that the Founders envisioned in the Constitution would be exercising the power of the purse, the branch of government that is the representative of the people that is supposed to decide how money is spent, well, we have been ceding that authority to the executive branch by passing what we call continuing resolutions. So the spending priorities that were set 3 years ago are still in place, and then we just keep writing these blank checks to the administration, and they set the priorities. That is not a partisan thing; this is an institutional

thing. This is a separation of powers thing.

Democrats and Republicans alike believe that we should do our jobs, that we should exercise the power of the purse, that the legislative branch should bring back its authority to do this. This does that. By restarting the appropriations process, by agreeing to these numbers, which are bipartisan numbers, mutually agreed to number, by not doing continuing resolutions, we are reclaiming the power of the purse.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield myself 1 minute.

There are those of us who are worried about regulations, who are worried about the exercise of power at the executive branch, who are worried about a sense of less accountability among the executive branch. We do lots of oversight hearings. We do dozens a week. But oversight pales in comparison when it doesn't have any fiscal force behind it. By reclaiming the power of the purse, by having Congress write the budgets and approve and decide the budgets of the executive agencies, that gives us a far stronger hand in effecting effective oversight and conducting oversight. By using the power of the purse, along with effective oversight, we can do our jobs as the legislative branch in conducting oversight of the executive branch and setting priorities.

My friends have their priorities, and we have our priorities, and sometimes we meet and sometimes we don't. At least Congress gets to set the priorities on how the money sent to us from hardworking taxpayers is spent. That is one of the things that is accomplished in this agreement. That, along with all these other reasons, is why I really encourage all of our Members to support this agreement.

With that, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1½ minutes to the gentleman from Minnesota (Mr. ELLISON), my friend.

Mr. ELLISON. Mr. Speaker, I want to thank my colleagues for arriving at a budget deal. When we asked our Democratic conferees to negotiate the best deal they could, we did it knowing that they were negotiating with colleagues whose priority is debt reduction, not jobs, even though the Federal Government deficit is the smallest since 2008. Given Republican priorities, they had a heavy task of partially lifting the sequester, protecting Social Security and Medicare and Medicaid, and averting a shutdown. And so I think that is good.

But there are parts of the deal that leave me very uncomfortable. I can't possibly imagine leaving this place, leaving all those Americans, over a million people, without any means of sustenance other than maybe their

local food shelf. I mean, it is not humane. It is not right, and it is bad for the economy because the people who got those unemployment insurance checks would be able to spend them with local vendors which would actually help our local economy. That is not going to happen unless something else happens. I have heard estimates as high as 310,000 jobs could be lost if something is not done.

Also, the \$6 billion cut for future Federal employees' retirement, I am very disturbed about that because we need good people working for the Federal Government. How can we attract the best people to work for this country if every time we have to solve a budget problem, we are going into their piggy bank. Jets and yachts, if we accelerated depreciation, we would be three-fourths of the way there on these future Federal employees' retirement benefits.

I am deeply disappointed we did not work to close any loopholes. That is a shame. So I remain disappointed.

Mr. RYAN of Wisconsin. I reserve the balance of my time. I am waiting for the leader, who is on his way.

Mr. VAN HOLLEN. Mr. Speaker, may I inquire how much time remains.

The SPEAKER pro tempore. The gentleman from Maryland has 12 minutes remaining. The gentleman from Wisconsin has 11½ minutes remaining.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Mrs. DAVIS), a great member of the Armed Services Committee.

Mrs. DAVIS of California. Mr. Speaker, we have taken a first step to come together. Well, it is a bigger step than we have seen in a while, but let's remember, it is only a first step. And I think people have said a small step, but it is a step and I am as excited as some of you are saying that we have been able to do that.

However, and more than that, unfortunately, we have not been able to come together to keep up the safety net for 1.3 million unemployed Americans by extending emergency unemployment insurance. In fact, the problem of long-term unemployment is not even addressed. It wasn't even discussed at length. If you want to pull away the safety net and leave people with nothing, well, at least have some creative solutions for getting them back to work.

Now, like many of you, I have to go back to my district, my constituents in San Diego, who have been struggling to find work for so long and tell them that we could not come together to preserve their only means of subsistence.

So let's remember, as we take this step forward, let us keep working together to extend unemployment benefits for those in desperate need and start—let us start coming up with

some bigger solutions to getting people back to work.

Mr. RYAN of Wisconsin. At this time, I would like to yield 2 minutes to the distinguished gentleman from Indiana (Mr. ROKITA), a member of the Budget Committee.

Mr. ROKITA. I thank the chairman. I thank him for his leadership, not only on this issue, but on so many of the bills and issues that come before this Congress; and I also thank the leadership on the other side of the Budget Committee and the other side of this Congress for their leadership in coming together as well.

Mr. Speaker, I rise today in support of this bipartisan budget legislation. As you know, Mr. Speaker, I am one of the folks around here who is considered by some maybe affectionately, by others not so affectionately, as a budget hawk. I came to reduce our spending and get as much value for every dollar we take from the taxpayer, and more increasingly from the children of tomorrow, from those who don't exist who we are taxing by running up our debt.

□ 1715

I watch these issues closely. I am actively, in my opinion, engaged in them. And I want to say on this House floor that this budget is a better deal than the current sequestration law because it makes spending reforms beyond sequestration that will continue on after sequestration expires. The reforms and, therefore, the budget savings start immediately and compound over time.

By the way, Mr. Speaker, I am not talking about trading real sequester savings for magic beans. These are reforms that will start once this bill passes and once the President signs it. Again, it will compound over time.

Finally, Mr. Speaker, we are starting to open the door and address what is actually causing our deficits and debt, and that is our entitlement programs. So I applaud again the chairman of the Budget Committee. I applaud the ranking member and others in the Senate who are supporting this measure because we are finally able to get to discuss and solve what is the major problem that this country is facing at this time.

Like the others who have spoken, I look forward to having more of these discussions and getting onto the business of solving what is creating so much problem in this country.

Mr. VAN HOLLEN. Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CANTOR), our distinguished majority leader.

Mr. CANTOR. Mr. Speaker, I thank the Speaker, and I thank the gentleman from Wisconsin.

I rise today in support of the Bipartisan Budget Act of 2013.

Mr. Speaker, in a divided government, the American people expect Members of both parties to come together and find common ground to move America forward. While this budget agreement is not perfect, it is a step forward towards bridging our differences and bringing fiscal responsibility to Washington.

The legislation before the House today will reduce our deficit, it will make long-term pension reforms, and it will do so without raising taxes on the hardworking middle class families of our country. This budget deal also protects our national security at home and around the world by preventing dramatic cuts to our national defense as a result of the sequester.

Mr. Speaker, I think we can all agree that arbitrary, indiscriminate across-the-board spending cuts are not the smartest way to cut spending. Last year, House Republicans passed two bills that would have replaced the sequester's indiscriminate across-the-board cuts. This bill before us is a reflection of our priority to replace the sequester with permanent savings that will responsibly reduce our deficit.

This legislation will allow Congress to concentrate on appropriating taxpayer funds to our country's highest priorities. Let's stand together and show the American people that we are focused on reining in Washington's out-of-control spending habits while growing our economy.

Mr. Speaker, I want to thank the gentleman from Wisconsin, the chairman of the Budget Committee, Mr. RYAN, for his perseverance and his quest to rein in the wasteful spending, to work towards balancing our budget. I want to thank him for his tenacity in negotiations that he had with Senator MURRAY in arriving at this deal. I want to thank him and his entire committee for their hard work.

This is a bipartisan budget agreement, one that has not been frequently seen in terms of bipartisan agreement on this floor. I urge my colleagues in the House to support this agreement.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

I want to emphasize a point that we both made, which is that if we had our druthers, we would have approached this issue differently.

I do want to say with respect to some of the offsets, there are many of us who would have preferred to see the closures of many special interest tax breaks as part of the offsets in this legislation. We hope that as we go forward, we would agree that that is also a kind of wasteful spending in the Tax Code. If you give a special interest in this country some tax preference not enjoyed by others, you are simply raising the burden on everybody else. It is simply a form of spending through the Tax Code.

Mr. Speaker, as we address these issues going forward, whether it is replacing the sequester or reducing the deficit, as part of a balanced approach, we think we should take those into account as well.

We also proposed, as part of this measure, applying some of the excessive subsidies that we give to agribusinesses as part of the offsets, and our colleagues rejected those.

As has been said, this is a product of compromise, but I do want to let people know that it has been our preference to close some of those special interest tax breaks and use some of those excessive agriculture subsidies as offsets here rather than some of the provisions that are before us.

Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. BOEHNER), the distinguished Speaker of the House.

Mr. BOEHNER. Mr. Speaker, let me thank Chairman RYAN and his Senate counterpart, Democrats and Republicans, frankly, on both sides of the Capitol who worked hard to bring this agreement together.

My colleagues, I think it is pretty simple. If you are for reducing the budget deficit, then you should be voting for this bill. If you are for cutting the size of government, you should be supporting this budget. If you are for preventing tax increases, you should be voting for this budget. If you are for entitlement reform, you ought to be voting for this budget. These are the things I came here to do, and this budget does them.

Is it perfect? Does it go far enough? No, not at all. I think it is going to take a lot more work to get our arms around our debt and our deficit. But this budget is a positive step in that direction. It is progress. It is doing what the American people expect us to do. It is coming together and finding common ground. Stick to our principles, but find common ground.

Again, I commend Chairman RYAN and Chairman MURRAY for their work, and I urge all of my colleagues to vote for this budget.

Mr. VAN HOLLEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. WOMACK).

Mr. WOMACK. Mr. Speaker, I thank Chairman RYAN for his great leadership in forging this particular agreement and putting us in a position to end on a positive note here as we approach the Christmas and holiday season.

Mr. Speaker, I am going to bring a couple of different perspectives to the floor as I analyze this budget deal. The first perspective I have is that of being a former mayor for 12 years in a great city in northwest Arkansas where

there was an enormous amount of economic development and we did a lot of great things. I sat at the table many times talking about issues and trying to balance the needs of our community against what the wants of our community were. I have to tell you that I never ended any of those negotiations getting everything that I wanted, but I always looked for an opportunity to find the common ground and to advance the economic development issues of our city where we could find that type of consensus.

Mr. Speaker, I also bring the perspective of an appropriator. As somebody who came to Congress in 2011, I was immediately assigned to the Appropriations Committee. And, quite frankly, I have been frustrated through this entire process, living from CR to CR and never having the opportunity to do what appropriators are purposed in doing.

This agreement, while not perfect, as has already been mentioned by most every speaker, gives us an opportunity to take government shutdowns off the table and to restore some much-needed funding to something very important to all of us, our national defense. As an appropriator, it gives us an opportunity to actually do our jobs and quit ceding the authority for the power of the purse to the administration down the street. From that perspective, Mr. Speaker, I think this is the right deal at the right time. It gives us an opportunity to give some certainty to the American public who is looking to this Congress to be able to work together to try to find the solutions that move America forward.

I urge support.

Mr. VAN HOLLEN. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. HOYER), our distinguished whip and somebody who has been working very hard on these budget issues and working with us also to make sure that this is done in as fair and equitable a manner as possible. He has worked with us very closely to make sure that Federal employees do not take a disproportionate share of the burden. And as a result of those efforts, current Federal employees will not be asked to bear additional burdens after having already borne so much of the burden.

Mr. HOYER. Mr. Speaker, I thank the gentleman.

First of all, let me say that America is advantaged by having two people who work on the Budget Committee who have great intellect, great integrity, and care about America: Mr. RYAN from Wisconsin and Mr. VAN HOLLEN from Maryland. The American public sometimes is not sure that it has that kind of quality. If only they were here sitting in the Budget Committee or on the floor and listening to these two gentlemen who have disagreements and represent their positions well.

Mr. Speaker, I voted for every budget compromise that has been passed over the past 3 years without fail. The result, however, invariably, has been an unremitting undermining of our efforts to reach a balanced fiscal policy and to invest in that which will secure our future: the economy, education, infrastructure, national security, and innovation.

While each of those bills was preferable to default on our debt or the shutting down of our government, they have been simply stopgap measures that have not prevented continuing lurches from congressionally created and all too frequent fiscal crises and shutdowns.

The headlines regarding this agreement put it in perspective. An op-ed in *The New York Times* says, "Congress Avoids Reality, Again." *The Wall Street Journal* says, "A Least Bad Budget Deal," while a *USA Today* headline says, "Minimalist Budget Deal Beats Another Shutdown." The editorial concludes with this, however:

Unless we come to grips with the fiscal issue, we will be inflicting a huge financial burden on our children.

I agree.

The deal before us today does not deal with the fundamental issue of long-term fiscal stability. My friend Mr. RYAN says he wants to do that. My friend Mr. VAN HOLLEN says he wants to do that. I think Senator MURRAY wants to do that. We have not done that. We have not dealt with the underlying issues that prevent us from being on a fiscally sustainable path.

It does not replace the full sequester, which Chairman HAL ROGERS, who I know has spoken in favor of this agreement, has correctly described as ill-advised and unrealistic. I said on this floor when we considered the gentleman's budget that, if there were no Democrats in the House of Representatives, they could not implement that budget. I believe that.

□ 1730

I believe that. I believe it because the figures were not related to priorities or vision or that which we needed to accomplish as a country, but on a number, 967. That is an opinion shared by all of the Republican appropriations subcommittee chairmen who wrote a letter to that effect.

Nor, critically, does this agreement deal with the issue of the debt limit, which will confront us shortly, and which has, historically, over the last 3 years, been an inflection point to further reduce not only discretionary spending on both sides, mainly on the nondefense side, but also to reach, once again, into the pockets of Federal employees.

Now, I am someone who represents 62,000 Federal employees, and I recommended zero COLAs the first 2 years we did zero COLAs. Why?

The economy was in trouble and it was necessary for Federal employees, like everybody else, to participate.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. VAN HOLLEN. Mr. Speaker, I yield the gentleman another minute.

Mr. HOYER. I'd better be quick.

If we fail to resolve this issue now, it will simply plunge us into another manufactured crisis which will quickly undermine the stability and confidence that some believe this agreement is bringing.

The fact that this agreement deals temporarily with preventing a cut in Medicare's physician reimbursement rate is welcome but, as with our fiscal sustainability, it needs to be dealt with on a permanent basis.

I am pleased that the House Ways and Means Committee and the Senate Finance Committee today marked up legislation to do so. However, it is unconscionable that the budget deal before us today does not extend unemployment insurance, which helps those who are most at risk in our society; and if we do not help them, the economy will suffer, and 200,000 jobs are predicted to be lost.

On December 28, 1.3 million Americans will lose their unemployment insurance if we do not act, and they will be joined by an additional 3.5 million Americans in 2014. The House should not leave town without ensuring that individuals looking for work have the safety net of unemployment insurance.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. VAN HOLLEN. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. HOYER. Finally, Mr. Speaker, this budget turns once again to middle class workers.

Let me close with this. This agreement is better than the alternative, but it misses a huge opportunity to do what the American people expect us to do, and that is put this country on a fiscally sustainable path.

I would urge my friend from Wisconsin, and I have urged my friend from Maryland, my colleague, summon up the courage, much of which you have already shown, to help us put this country on a fiscally sustainable path, and, yes, make tough decisions. And I will join with the gentleman from Wisconsin and the gentleman from Maryland in helping us to get the votes for those tough decisions that are necessary, but it needs to be a balanced deal.

I have voted for every budget compromise that has been passed over the past three years.

The results, invariably, have been an unremitting undermining of our efforts to reach a balanced fiscal policy and to invest in that which will secure our future: the economy, education, infrastructure, national security, and innovation.

And while each of those bills was preferable to default on our debt or the shutting down of our government, they have been simply stop-gap measures that have not prevented continuing lurches from congressionally-created and all-too-frequent fiscal crises and shut-downs.

The headlines regarding this deal put it in perspective:

An op-ed in the New York Times says, "Congress avoids reality again."

The Wall Street Journal calls it the "Least Bad Budget Deal."

And while a USA Today headline says, "Minimalist Budget Deal Beats Another Shut-down," the editorial concludes with this: "Unless we come to grips with the fiscal issue, we will be inflicting a huge financial burden on our children."

I could not agree more.

The deal before us today does not deal with the fundamental issue of long-term fiscal stability, nor does it replace the full sequester—which Chairman HAL ROGERS has correctly described as "ill-advised" and "unrealistic"—an opinion shared by all of the Republican Appropriations Subcommittee chairmen.

Nor, critically, does this agreement deal with the issue of the debt limit, which will confront us in a few short months.

If we fail to resolve that now, it will simply plunge us into another manufactured crisis, which will quickly undermine the stability and confidence some believe this agreement will bring.

The fact that this agreement deals temporarily with preventing a cut in Medicare's physician reimbursement rates, SGR, is welcome, but, as with our fiscal sustainability, it needs to be dealt with on a permanent basis.

I'm pleased that the House Ways and Means Committee and the Senate Finance Committee today marked up legislation to address this issue in a permanent way.

However, it is unconscionable that the budget deal before us today does not extend unemployment insurance, which helps those most at risk in our society.

On December 28, 1.3 million Americans will lose their unemployment insurance if we do not act, and they will be joined by an additional 3.5 million Americans in 2014.

The house should not leave town without ensuring that individuals looking for work have the safety net of unemployment insurance.

Finally, I am disappointed that this budget deal turns once again to middle class workers.

Our nation's Federal Employees have already contributed \$114 billion toward deficit reduction, and are being asked to contribute once again.

Their contribution is less than what was being discussed last week, which is positive, but to continue targeting them is unacceptable outside of a big deal where everyone else is asked to contribute as well.

This budget deal is a missed opportunity.

It is a missed opportunity to replace the sequester in its entirety.

It is a missed opportunity to, at long last, put our Nation on a fiscally sustainable path.

That is why I will oppose this deal on the floor today, and continue advocating for the big, balanced budget deal we need to truly restore the long-term fiscal stability of our Nation.

Mr. RYAN of Wisconsin. Mr. Speaker, I have no more speakers, and I reserve the balance of my time to close.

Mr. VAN HOLLEN. Mr. Speaker, at this time I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE), a great member of the Judiciary Committee.

Ms. JACKSON LEE. Mr. Speaker, I want to thank the gentleman very much for his kindness in yielding.

As I indicated earlier today, even Time magazine recognized that the better of all of us is when we extend ourselves to the most vulnerable, acknowledging Pope Francis.

So I want to ask the chairman of the Budget Committee, but he has heard so many of us indicate that there is value to this budget deal, Chairman RYAN, I would like to pose a question, if I could, to you, if you would.

You have heard us say that we too appreciate the bipartisanship, disagree with so much of it in terms of the sequester and what has been done as it relates to nutrition for the unemployed. But would you not hold us back, would you not join us in putting on the floor an amendment that would provide for the extension of unemployment that will not run out December 28 for the hardworking Americans, 68,000 in Texas, 1.3 million? Would you not do that?

Mr. RYAN of Wisconsin. I will defer to the Speaker's comments.

Ms. JACKSON LEE. Well, we get no answer. And all I can say is that this budget is a deal that I want to thank Mr. VAN HOLLEN for the work that has been done, along with the other conferees, Mrs. LOWEY, Mr. CLYBURN; but I believe we should not leave here today, leave here this week without having a freestanding—and I wish the gentleman would own up to honesty and answer the question—but to be able to put on the floor of the House the opportunity for those who have worked to be able to get unemployment insurance, not a handout, but unemployment insurance.

I know, Mr. RYAN, that we can carry our bipartisanship at least to that point and be able to work on behalf of the American people carrying forward the need to ensure that we have housing, education, child care, all of that.

A little bit is happening under this particular budget. That is why many of us are interested in moving forward, getting rid of the sequester, keeping the doors open. But I would think that there is enough bipartisanship on both sides of the aisle to be able to extend the unemployment insurance.

And we should not leave here. I ask the President to convene us, to call us, to call the Senate, to call the House and make sure that we vote on that.

I thank the gentleman for the hard work that you have engaged in and also how far you have brought us.

The SPEAKER pro tempore. The gentleman from Maryland has 1 minute remaining.

Mr. VAN HOLLEN. Is the gentleman prepared to close?

Mr. RYAN of Wisconsin. Yes.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, Mr. HOYER is right. This agreement does not address the comprehensive issues that we need to address. We need to address those in a balanced way, and that means working on both additional, smart, targeted spending cuts, but also closing special interest tax breaks.

But what this agreement does do is make sure that, in the next several weeks, we do not move to a full sequester, very deep across-the-board cuts, which will hurt the economy. Instead, it provides more room to invest in vital areas like education and research. That is a positive note. That is a positive bipartisan note.

I do want to say, Mr. Speaker, however, and this is not as a result of anything the chairman of the Budget Committee does, there is also a sour note in leaving here without having addressed the unemployment insurance.

This agreement didn't include the doc-fix, and it didn't include unemployment insurance. We should be dealing with both those issues together. We are only dealing with one of them now.

So I hope, as we go forward, we will address those issues; and we should not leave town until we address the unemployment issue.

But let's, at the same time, take this small positive step forward.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman from Wisconsin has 5½ minutes remaining.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there are many reasons why I encourage my colleagues to support this bipartisan budget agreement. Number one, by doing this, we reduce the deficit by \$23 billion. If we don't do this, we don't reduce the deficit by \$23 billion. That means we are reducing it versus doing nothing, a step in the right direction, a move toward fiscal responsibility, not near as far as we want to go, but at least going in the direction we want to go.

The budget we passed here in the House, just like the prior two budgets that we passed here in the House, represents the full extent of our ambition, our vision and our goals. It balances the budgets within 10 years.

It reforms the Tax Code without raising taxes. It reforms our entitlement programs that were vital and were made in the 20th century so that they work for the 21st century.

It pays off our debt so that we do not leave our children a Nation of debt. That is our goal. That is our vision. That is our destiny.

With the bipartisan budget agreement we couldn't accomplish that be-

cause we have different opinions, we have different objectives. That is why we worked for common ground.

That is why we took our budget, all the different budgets that were offered, we laid them on top of each other, and we looked for common ground. We went through the Federal budget program by program, line by line. We discussed and debated these things, and we asked where is it that we can agree needs reforming.

Where is it that we agree taxpayer money is being wasted?

Where is it we agree that cronyism and corporate welfare should go away?

Where is it we agree that some reform for auto pilot mandatory spending ought to occur?

And where we found that agreement, we put it in this agreement. That is the way it is supposed to work. So we see this as a step in the right direction on the way toward fulfilling our ultimate goal.

The second thing we accomplished that is very important to us, and Mr. VAN HOLLEN kind of mentioned it, this does not raise taxes. Hardworking taxpayers have worked hard and long enough that we need to work on spending instead of taking more from them.

The third thing, we are taking permanent spending cuts to pay for temporary sequester relief. We think that is a good idea.

The savings clearly take time to accrue in this agreement, and that is because we are changing permanent law, and those permanent law changes that are made by this act start accruing and compounding that savings so that the savings keep growing and compounding on and on and on.

The funny thing about auto pilot spending, about what we call mandatory spending, is it compounds away from you and spends so much more. But if you get reforms, if you get savings, those savings compound as well. This does that: permanent spending cuts to pay for some temporary sequester relief.

Now, what is the sequester?

It is across the board, it is crude, it doesn't prioritize, it doesn't give Congress any say-so on how money is being spent. That is a third thing that this does that I think is pretty good.

In addition to keeping 92 percent of the sequester intact, what this bill does is it says Congress ought to decide how money is being spent, not the administration.

So, instead of deferring and delegating our power to the executive branch with continuing resolution after continuing resolution, we, Republicans and Democrats, the legislative branch, are bringing that power back to Congress so that the people's House, so that the legislature, as the Founders and the Constitution intended, we decide how that money is being spent. We decide how to prioritize spending. That is our job.

I also like the precedent that this sets. We know we are always going to have fiscal pressure because the sequester, as they mentioned, has not been lifted. It is still here, so it is always going to produce pressure. And I like the precedent that we are starting here.

The precedent that we are starting here is we are not going back to the taxpayer. We are not going to ask more from hardworking taxpayers. We are going to ask the government to do with less.

And as we transfer permanent spending cuts for temporary relief, we are going to have more spending cuts than we give back in relief, so we reduce the deficit further; \$85 billion in mandatory savings to pay for \$63 billion in sequester relief. That is a pretty good precedent.

I would like to add one or two more zeroes at the end of these numbers, but I will take the direction we have right now.

The other point is this: we have been at each other's throats for a long time. Look, I was part of the last Presidential election. We tried defeating this President. I wish we would have.

Elections have consequences, Mr. Speaker. And I fundamentally believe—this is just my personal opinion; I know it's a slightly partisan thing to say—to really do what we think needs to be done, we are going to have to win some elections. And in the meantime, let's try and make this divided government work.

I think our constituents are expecting a little more from us. They are expecting us to not keep shutting the government down. They are expecting us to pay the bills. They are expecting us to be accountable. They are expecting us to watch how their dollars are being spent, and they are expecting us to find common ground; and that is what this does.

That is why I urge all of my colleagues to support this.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The time allotted to the Committee on the Budget has expired.

The gentleman from Pennsylvania (Mr. PITTS) and the gentleman from California (Mr. WAXMAN) each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

□ 1745

Mr. PITTS. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, every year for the last decade, doctors have faced an ever-increasing cut to their reimbursement under the sustainable growth rate, or SGR. And every year, Congress intervenes with a doc fix to stop the cut from going into effect—15 times since 2003.

The Pathway for SGR Reform Act will postpone the cut, providing a 0.5 percent update to physicians for the next 3 months. While this is a necessary and important bill, I am disappointed that legislation to permanently repeal the flawed SGR formula will not be considered before the end of the year. Doctors deserve to know that they will be fairly compensated, and this annual uncertainty about reimbursements could lead to access problems for Medicare beneficiaries.

The Energy and Commerce Health Subcommittee worked for 2 years and produced a bipartisan bill that successfully moved through the full committee with unanimous support. I regret that this bill is not on the floor today. However, I urge all of my colleagues to support H.J. Res. 59 to prevent this devastating cut from going into effect on January 1.

I reserve the balance of my time.

Mr. WAXMAN. Mr. Speaker, I yield myself such time as I may consume.

I want to express my disappointment that we are letting unemployment insurance be denied to so many long-term unemployed, especially a few days right after Christmas. We should not leave town until we have fixed this problem.

I am going to vote for this budget because it will ease the irrational sequestration cuts that have already done so much harm to our country and our economy, which is the main reason that I am going to be an "aye" vote on the bill.

But I am here to speak on behalf of the Energy and Commerce Committee Democrats to express my strong support for the temporary reprieve from the, what is called, SGR cuts, the cuts to physicians who see Medicare patients.

Congress is making enormous strides toward the repeal and replacement of the flawed Medicare physician payment system, but more time is going to be needed to finish the job. As of today, all three congressional committees of jurisdiction have marked up historic bipartisan legislation that moves the system to one that rewards value of care rather than volume of care.

This short-term extension that is part of this bill will allow 3 months for Congress to complete floor and conference action on this legislation. We need to keep this process moving full steam ahead to get a permanent solution on both the SGR as well as the other Medicare and Medicaid extenders as quickly as possible. This temporary patch will allow us the time to continue that work.

I do have serious concerns with both the Medicare and Medicaid policies in the Budget Act. The Medicaid provisions will result in delayed payments to providers for 3 months while States seek out payment from other potential sources. This is simply bad policy. Con-

gress would not dream of allowing Medicare to avoid paying for services for 3 months, yet this is the policy that we are going to adopt for Medicaid.

The other Medicaid provision overturns a Supreme Court case which would allow a State that would take a beneficiary's liability settlement that is intended to compensate for lost wages or future medical costs to pay for Medicaid services. Indeed, the language, as drafted, suggests that the State could collect amounts even in excess of the amount the party was liable for. This provision is unconscionable, and I hope that when we come back, we can fix it.

Further, the extension of the sequester on Medicare—we are relieving the sequester on the defense side and the domestic spending side under appropriations, but we are leaving in place a sequestration of Medicare, which means continuing cuts into the future without any policy rationale. We are talking about cuts to doctors and hospitals and other providers. There is no justification for it. And, in addition, there are cuts that are going to be applied by continuing this part of the sequestration to the Centers for Medicare and Medicaid Services of much-needed resources to carry out their many responsibilities. This is not a good way to make law, and it will result in some unfortunate consequences. We need to fix that again when we come back next year.

But I expressed my support for this short-term extension of not just the SGR but also the other expiring Medicare and Medicaid provisions, including the TMA and QI, which are critical for low-income populations. And I look forward to addressing the issues of SGR and the extenders with our colleagues over the next few months to develop a permanent solution.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. PITTS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Michigan (Mr. UPTON), the chairman of the Energy and Commerce Committee.

Mr. UPTON. I thank the chair of the Health Subcommittee for the time.

Mr. Speaker, it is important that seniors don't find a lump of coal in their stockings for Christmas, and this fully offset package represents access to health care for about 40 million seniors. It is going to give seniors the peace of mind, knowing that their trusted physicians will be there when they need them the most by securing stable payments for physicians.

Since its passage back in 1997 SGR has bred uncertainty and frustration. This uncertainty has left seniors in the lurch, wondering if their doctors would be able to remain in practice and available for checkups and consultation. This is no way to keep Americans healthy or run a health care system, so

Members on both sides of the aisle agree that the SGR is broken.

Earlier this year, our committee, the Energy and Commerce Committee, myself with Mr. WAXMAN, we voted 51-0 on H.R. 2810, which would permanently repeal SGR and replace it with a system that promotes the highest quality of care.

While I am disappointed that we didn't repeal SGR permanently this year, this agreement tonight is a step forward. We are going to continue to work at a more complete solution. This fix is fully offset, something that full reform will also need to accomplish. I look forward to working with my colleagues on all the committees to get it done in a bipartisan way.

Mr. WAXMAN. Mr. Speaker, as a supporter of the Affordable Care Act, I look forward to next year when we will see all Americans have a chance to buy health insurance.

For those who are on Medicare, that is their health insurance coverage, and we will only keep the promise for coverage to them if we pay the providers who give them care, especially the physicians. That is why I ask for an "aye" vote on this bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PITTS. Mr. Speaker, I yield 1 minute to the distinguished gentlemen from Texas, KEVIN BRADY, subcommittee chairman.

Mr. BRADY of Texas. Mr. Speaker, first let me thank Chairman PITTS for his leadership of the Health Subcommittee of Energy and Commerce and toward a solution for our local physicians.

I rise today in support of the Pathway for SGR Reform. This is an important bill because it makes sure that our local physicians who treat our seniors don't face a drastic cut in their reimbursements on New Year's Day.

We need a permanent solution. Just this morning the Ways and Means Committee unanimously voted to advance a bill that begins the process of a permanent, reliable solution so our seniors can continue to see a local doctor when they need them.

It is not easy to bridge the gap and pay for this legislation, but until we can complete the process of a permanent solution, we had to make some difficult choices. In particular, I want to thank the long-term care hospitals for their strong leadership. We were able to work with this industry to design new criteria that created efficiencies to generate savings in the important Medicare program.

Without the strong support of leaders in the LTCH industry, this would not have been possible. This has helped make a good bill even better.

Mr. PITTS. Mr. Speaker, I now yield 1 minute to the gentleman from Virginia (Mr. GRIFFITH), a member of the Health Subcommittee.

Mr. GRIFFITH of Virginia. Thank you, Mr. Chairman, for this time.

Mr. Speaker, I rise in support of this 3-month SGR patch as it is important to ensure that seniors will still be able to see a doctor after January 1 if they are sick. I am firmly committed to finally repealing and replacing the SGR, and I fully support the bipartisan bill we advanced unanimously out of the Energy and Commerce Committee for this purpose. Our next step is to find a common House position with our friends on Ways and Means to finally say good-bye to the SGR.

Most importantly, I am glad to see that this deal extends the Medicare-Dependent Hospital and Low-Volume programs, which are critical for our rural hospitals in southwest Virginia. If these programs are not extended, Virginia hospitals in total would lose more than \$10 million in Medicare reimbursements next year at a time when they are already being hit hard by new costs and deep cuts from ObamaCare.

At least eight hospitals in my district benefit from these two essential programs that keep the doors open in some economically distressed areas and provide health care access to rural constituents. For that reason, I am proud to support this legislation and stand up for rural health care and our seniors.

Mr. PITTS. Mr. Speaker, may I inquire of the time remaining on each side?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 1 minute remaining, and the gentleman from California's time has expired.

Mr. PITTS. Mr. Speaker, I am prepared to close and yield myself the balance of the time.

Mr. Speaker, this is very important bipartisan legislation. It includes the 3-month bridge for the SGR, where we can continue to work in a bipartisan manner to come up with the final version of repeal for the sustainable growth rate. I urge my colleagues to support this legislation.

I yield back the balance of my time.

Mr. WELCH. Mr. Speaker, I rise to clarify the intent of the Not-For-Profit Loan Servicing Provisions of the Bipartisan Budget Act of 2013 as it relates to students and access to higher education.

The purpose of the language does not seek to undo the ability of not-for profit loan servicers to continue to contract with the Department of Education. It is critical that this point be made clear, given the importance of Not-For-Profit servicers to families and students.

College education is a ticket to the middle class and the foundation of our economy. Barriers to college exist not only in cost, but in the reality that student financial aid is a complex and intimidating system. Many students aspiring to higher education will cut their dreams short simply because they do not receive the necessary support to navigate paying for college.

Not-For-Profit lenders have a strong record of providing this support for students and their families, which has meant that many hundreds of thousands more American students have gone to college.

More recently, Not-For-Profit loan servicers have received higher customer satisfaction scores during their first year of servicing in the Federal student aid program than any of the four national servicers during their first year.

In 2008, after Congress moved to direct lending, Not-For-Profit servicers were restricted in the number of accounts they were allowed to service. But in 2010, in recognition that these servicers provided very high quality customer service and provided programs to help many young people aspire to college, Congress required the Department of Education to contract with Not-For-Profit servicers.

Over the past two years, Not-For-Profit loan servicers have invested tens of millions of dollars to meet and exceed Federal requirements and to help the Federal Government reach important access goals.

The Vermont Student Assistance Corporation (VSAC) has only been servicing Federal loans for nine months. This past quarter they received the highest customer satisfaction score of all Not-For-Profit servicers and a score that was equal to or higher than three of the four national servicers. Similarly the independent assessment of the Department of Education's employee satisfaction with the quality of VSAC's work gave VSAC a higher rating than three of the four national servicers. More importantly, in less than a year, they have helped tens of thousands of the Department's borrowers who were behind in their payments get back on their feet.

Nothing in the Bipartisan Budget Act of 2013 authorizes the Secretary of Education to terminate their contracts or in any way prevent the Not-For-Profits from competing head to head against the national servicers. I hope that the Secretary of Education will use this opportunity to allow the Not-For-Profit servicers to continue their important work supporting students and families as they seek higher education. I also hope Not-For-Profit servicers will have access to newly originated accounts and the ability to compete with the national servicers on an equal footing.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of extending Federal unemployment insurance (UI) as part of a comprehensive and bipartisan budget agreement. Without Congressional action, 1.3 million Americans will lose access to vital UI benefits on December 28. Within the first half of next year, an additional 1.9 million Americans will lose access to Federal unemployment insurance.

As Congress heads home for the holidays, it is important that we do not leave millions of Americans without a social safety net to protect against long-term job loss. Long-term unemployment as a percentage of the unemployed still remains around 37 percent, meaning these individuals will be left without any support after their state unemployment insurance expires. Further, failure to extend the Federal Emergency Unemployment Compensation program could cost the U.S. economy an additional 240,000 jobs.

My home State of Texas is not immune from these expiring benefits. Once the UI ben-

efits expire, 68,900 unemployed workers in Texas will lose access to Federal unemployment insurance. Within the first six months of 2014, an additional 106,900 workers will also lose these benefits.

Mr. Speaker, as long as millions of unemployed workers struggle to find a job, Congress is doing a great disservice to this country by allowing Federal unemployment insurance to expire. Federal unemployment insurance serves as a vital lifeline for job seekers and their families. The very least we could do for these workers as we enter the holiday season is to provide them with the support they need to weather these challenging economic times.

Mr. BLUMENAUER, Mr. Speaker, I very reluctantly vote for H.J. Res 59, having been quoted accurately that it is a D+ piece of legislation.

It sadly represents what Congress has become. It is now a victory to avoid another government shutdown. It is a victory to temporarily prevent application of the Sustainable Growth Rate that would penalize medical providers and our senior citizens. It is the least we could do to find a tiny bit of budget breathing room so that it may be possible for the appropriations process to resume again.

It is frustrating that, at a time when there are still many unmet needs of our citizens and while our economy is sputtering, people are celebrating legislation that doesn't damage the economy more. It is sad that it has come to this.

I am hopeful, however, that this might serve as a point of departure over the next three months to be able to face the realities of what America needs.

I, for one, will continue working for the big picture, on the three bills that I have introduced to help rebuild and renew America and on arguing for a grander bargain, rather than the least that we can do. I will fight to build on the platform of healthcare reform so that we get medical providers off the SGR merry-go-round, instead moving towards the promise of healthcare reform. It is shameful that Congress is willing to cut food stamps yet give money to wealthy farmers, while ignoring the plight of the long term unemployed, illustrating the gap between what the American public expects and what we should do. I am hopeful that the new year will be more constructive.

In the meantime, we will celebrate avoiding another damaging government shutdown and we will celebrate not having a destructive resolution on the floor muddying diplomacy with Iran. I suppose in the holiday spirit we should be thankful for what we can get and then usher this least productive session in Congressional history out of town.

Mr. DINGELL. Mr. Speaker, I rise in support of H.J. Res. 59.

While this legislation is far from perfect, I will reluctantly support it. It is a small step forward towards funding our government and giving the American people a degree of certainty. In addition, I believe that the bipartisan and bicameral fashion in which it was crafted is a path that we absolutely must pursue in order to move this country forward. I remind my colleagues that compromise is not a dirty word; rather it is the cornerstone of our democracy.

Again, this measure is not perfect. I have genuine and very serious concerns regarding

certain aspects of the bill, namely a lack of extension of unemployment benefits, its changes to aspects of pension contributions of Federal employees, as well as its revision of cost-of-living calculations for military retirees.

But I cannot allow the perfect to be the enemy of the good, and I thus will support this compromise in order to move this measure forward and continue the much needed debate over what we must do to keep our government up and running and best serving the American people. The legislation also includes a three-month fix of the Sustainable Growth Rate, and it remains my hope that this will allow us enough time to work towards a permanent, bipartisan solution.

While House Republicans have already put the solvency of our Nation's finances in turmoil this year by putting politics ahead of people and shutting down our government for seventeen days in October, I believe we must not allow that to happen again, and Senator MURRAY and Representative RYAN have taken this small but productive step towards doing just that today. It is my hope that Majority Leader REID will have the Senate take up this legislation—including an extension of emergency unemployment benefits—before December 28 in order to prevent some 1.3 million Americans from losing their benefits just one week after Christmas.

At its core, this compromise is a step in the right direction to averting the harmful effects of the sequester, restoring a degree of economic certainty, and beginning to return this Congress to a time where crossing the aisle was rightly seen as an admirable and necessary act to bring about compromise, tackle the great issues of the day, and best serve the proud people of this Nation.

Mr. BACHUS. Mr. Speaker, I rise today in support of the Bipartisan Budget Control Act of 2013. Allow me to thank Chairman RYAN for his hard work in producing this important agreement. It is my belief that we must begin to address our debt and deficit problem on a bipartisan basis.

To that end, I would like to briefly discuss Section 203 of the Bipartisan Budget Act of 2013. This section establishes a program under which the Secretary of Commerce restricts access to the information contained in the Death Master File for a three-year period beginning on the date of the individual's death, except to persons who are certified under a program to be established by the Secretary of Commerce.

The purpose of this provision of the law is to prevent misuse of the Death Master File that leads to waste, fraud and abuse committed against the Internal Revenue Service and other government agencies. The law is designed to achieve this purpose by restricting access to information contained in the Death Master File for three years after the date of a person's death. In fact, my office has been contacted by a woman who has been struggling with basic functions of life such as opening a bank account or obtaining a driver's license because the Death Master File proclaims her dead when she is in fact alive. It is my firm belief that in addition to this step the Social Security Administration must improve its systems to ensure that death information is accurately updated on the Death Master File.

At the same time, the law also is designed to ensure that persons, companies, financial institutions, government agencies, and other types of entities continue to have access to the DMF in order to facilitate legitimate commerce and business purposes.

The law requires the Department of Commerce to set up a program to certify entities that are permitted access to the Death Master File. The intent is that the certification criteria contained in the law encompass the range of important functions that the DMF helps to facilitate.

The use of the Death Master File has important purposes such as preventing fraud, authenticating individuals, and preventing unauthorized transactions. Using the Death Master File for these important purposes helps to protect consumers from fraud and identity theft. Businesses and government agencies need access to the Death Master File to carry out these and other legitimate responsibilities.

Mr. CASTRO. Mr. Speaker, I'm encouraged to see the spirit of bipartisanship at work on this budget deal displayed. This bill mitigates the effects of sequestration and helps prevent another government shutdown. I support H.J. Res. 59 because it offers relief from the irresponsible sequestration cuts. Thousands of San Antonians were furloughed for more than a week because of sequestration and then found themselves out of a job again in October for almost two weeks as a result of the government shutdown. However, this bill is not without flaws. I am deeply concerned on how these changes will affect military pension benefits. I am hopeful that in the coming years Congress will continue to work together toward a sensible budget.

Mr. NEAL. Mr. Speaker, Section 203 in the Bipartisan Budget Act restricts access to the Social Security Administration's Death Master File (DMF).

This provision requires the Secretary of Commerce to create a program to restrict access to the information contained in the DMF for a three-year period after an individual's death. Under this program, only individuals that are certified by the Secretary to have a legitimate need for the information and agree to maintain the information under safeguards may access DMF information.

In implementing this section, the Department of Commerce in promulgating regulations for the certification program should provide sufficient time for legitimate current users of DMF information to comment on the regulations, especially as it relates to the timing of the effectiveness of this Section and as it relates to the authority to release the DMF to the public.

Mr. CONNOLLY. Mr. Speaker, the bipartisan budget agreement represents some modicum of compromise, something that has been sorely lacking in this Congress. It is by no means a perfect deal, but both sides have made concessions so that we may avert a repeat of the disastrous government shutdown and begin to restore some of the draconian cuts caused by sequestration.

For me, and many of my colleagues, this will be a "hold-your-nose and vote yes vote," given our disappointment and concern about yet another cut in benefits for new federal employees. No other group in America has been

asked to make the same sacrifices as the dedicated men and women of our federal workforce.

Federal employees already have contributed \$114 billion to deficit reduction as a result of a 3-year pay freeze, a reduction in retirement benefits for new hires, and lost pay as a result of furloughs. Thankfully, we were able to beat back the worst proposals to further encroach on their benefits, and I believe this bipartisan deal will minimize the prospect of additional furloughs by replacing some of the sequestration cuts.

Nonetheless, I will continue fighting for our federal employees until they receive the respect they deserve and have earned. I will continue to push back against those in Congress who unfairly impugn federal workers for partisan political gain. And I will continue to protect the rights and dignity of federal workers and the valuable public service they provide to the nation.

For Northern Virginia, which was disproportionately affected by sequestration, this agreement for the first time will replace a portion of those indiscriminate cuts with a more balanced approach. It will actually increase federal investments in research, innovation, and transportation. That in turn will help unleash business investments, which have lagged due to a sense of uncertainty fueled by the political brinksmanship in Congress.

No one got everything they wanted out of this deal. Indeed, I along with many of my colleagues would have preferred to see an extension of long-term unemployment benefits, which has a very direct and significant benefit on more than 1 million families and our national and local economies. Every dollar of assistance generates \$1.64 in economic activity in the community. Sadly, it was not addressed here, but we will continue to push the Speaker to bring it up separately to help those still struggling to find work.

Congress faces many more serious challenges in the coming weeks and months, including the need to raise the debt ceiling, renew long-term transportation funding, and reform our broken immigration system. Perhaps this bipartisan breakthrough will provide the model we need to avoid the "my-way-or-the-highway" shutdown brand of politics that has characterized the Republican philosophy of governance for the last three years.

Ms. JACKSON LEE. Mr. Speaker, I rise to speak on H.J. Res. 59, the "Bipartisan Budget Act of 2013 and Pathway for Sustainable Growth in Medicare Reform Act of 2013."

On the positive side: Republicans—and the bipartisan deal does not cut Medicare, Social Security, or Medicaid benefits by a penny even though our friends across the aisle went into the talks insisting on cuts to programs like Head Start, Housing, Social Security, Medicaid, and Supplemental Nutrition Assistance Programs that sustain children, families, and seniors.

The agreement increases discretionary spending caps under the 2011 Budget Control Act (BCA) for FY 2014 and FY 2015 to partially restore spending cuts that would otherwise be made those two years under the sequester required by the BCA.

Under the measure, the sequester for FY 2014 and FY 2015 would be reduced to restore \$63 billion in spending authority for

those two years—while \$85 billion in cuts to mandatory programs and revenue increases would be made to more than offset that increased spending and provide for a net \$23 billion in deficit reduction.

BUDGET CAPS & SEQUESTRATION

The budget proposal increases FY 2014 discretionary spending by \$45 billion and FY 2015 spending by \$18 billion compared with their scheduled sequestration levels, with the increases equally split each year between defense and non-defense spending (a \$22.4 billion increase for each category this year and a \$9 billion increase for each in FY 2015).

Those increases would set a \$1.012 trillion limit on discretionary spending for FY 2014 and a \$1.014 trillion limit for FY 2015. Under the current stopgap funding law, discretionary spending set at the woefully inadequate sequestration level of \$986 billion.

Under the new caps, defense spending for FY 2014 would be set at \$520.5 billion (about \$2 billion more than current funding), while nondefense spending would be increased to \$491.8 billion.

Because of the circumstances that led to the budget impasse during the first session of the 113th Congress, I introduced H. Res. 375, a bill expressing the sense of the House of Representatives that Congress should refrain from shutting down the Federal Government or conditioning the resolution of fiscal and budgetary disputes on the taking of action relating to non-germane legislative matters.

I invite members from both sides of the aisle to co-sponsor H. Res. 375.

The budget proposal before us is not perfect—far from it—but it is a modest and positive step toward preventing Republicans from shutting down the government again and manufacturing crises that only harm our economy, destroy jobs, and weaken our middle class.

A self-manufactured crisis by the Republican majority resulted in a government shutdown that lasted 16 days and cost taxpayers \$24 billion.

The cost to Federal employees and the people they serve cannot be calculated.

As with any compromise there are some things in the agreement that I support and some things that I strongly oppose.

The agreement allows Congress to move forward in meeting its obligations to the American people by alleviating some of the damage being caused by sequestration.

It is useful to chronicle the severity of the suffering and pain inflicted by sequestration on the most vulnerable residents of Texas and the Constituents that I serve.

SEQUESTRATION IMPACTS ON TEXAS

Head Start and Early Head Start services were eliminated or severely impacted with approximately 4,800 children being impacted throughout the state of Texas.

Families in my district who rely on Federal Government programs like Head Start are hurting. The pain did not start with the shutdown, but with sequestration which hit Head Start programs for 3 to 4 year olds in the Houston area hard: \$5,341 million cut; 109 Employees cut; 699 Slots for children cut.

Head Start and Early Head Start Programs were further stressed by the Federal Government shutdown.

On October 2, I joined hundreds of Head Start supporters from across the country and

many of my colleagues to protest the closing of Head Start programs due to the Federal Government shutdown.

I picked up one of the tiny blue chairs that represented the thousands of Head Start children from around the nation and said that an empty Head Start chair represents a future doctor, engineer, president, or teacher who is at risk because of the Federal Government shutdown.

My support of Head Start and Early Head Start is based on what I have seen and heard about programs like the AVANCE-Houston Early Head Start program serving parents and children in the 18th Congressional District.

The AVANCE-Houston Early Head Start is a program serving low income families in my Houston Texas District.

I visited with AVANCE-Houston administrators earlier this month because I wanted to get an update on how low-income families with infants and toddlers and pregnant women served by the program were doing.

The AVANCE-Houston Early Head Start's mission is simple: AVANCE-Houston works for healthy prenatal outcomes for pregnant women, enhance the development of very young children, and promote healthy family functioning.

AVANCE-Houston serves nearly 1,800 children city wide. Each of these families and their children are suffering the effect of the legislative malpractice of the House majority.

Sequestration has cost AVANCE-Houston \$842,518 Head Start and Early Head Start in lost funding for ending the harmful effects of Sequestration on programs like Head Start had to be a priority.

SEQUESTRATION AND HOUSE BUDGET BILL'S NEGATIVE IMPACT ON THE SUPPLEMENTAL NUTRITION ASSISTANT PROGRAM (SNAP)

The House Republicans' Farm Bill proposed cutting our nation's food assistance programs, known as SNAP, by \$20.5 billion to stay within the unrealistic funding limitations set by sequestration even though a cut of this magnitude would deprive millions of children, seniors, disabled persons, and families of the benefits they need to survive in an economy that has not yet fully recovered from the worst recession since the Great Depression.

SNAP FACTS

In the 18th Congressional District an estimated 151,741 families live in poverty.

According to the Census my city of Houston more than 442,881 persons live near the poverty level.

The percentage of Texas households experiencing food insecurity (18%) ranked second only to Mississippi.

WE KNOW THAT THERE IS HUNGER IN AMERICA

For more than 40 years, SNAP has offered nutrition assistance to millions of low income individuals and families. Today, the SNAP program serves over 46 million people each month. Households with children receive about 75 percent of all food stamp benefits. 23 percent of households include a disabled person and 18 percent of households include an elderly person. The FSP increases household food spending, and the increase is greater than what would occur with an equal benefit in cash. Every \$5 in new food stamp benefits generates almost twice as much (\$9.20) in total community spending.

According to the United States Department of Agriculture (USDA), 16.7 million children under 18 in the United States live in households where they are unable to consistently access enough nutritious food for a healthy life.

FOOD INSECURITY

16.7 million Children lived in food insecure households in 2011.

20 percent or more of the child population in 37 states and D.C. lived in food insecure households in 2011.

EMERGENCY FOOD ASSISTANCE

Nearly 14 million children are estimated to be served by Feeding America, over 3 million of which are ages 5 and under.

54 percent of client households with children under the age of 3 participated in the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).

POVERTY

In 2011, 16.1 million or approximately 22 percent of children in the U.S. lived in poverty: Participation in Federal Nutrition Programs.

In fiscal year 2011, 47 percent of all SNAP household contained children.

During the 2011 federal fiscal year, more than 31 million low-income children received free or reduced-price meals through the National School Lunch Program.

Unfortunately, just 2.3 million children participated in the Summer Food Service Program that same year.

This proposed budget protects SNAP programs from crippling cuts for 2014–2015.

In addition to providing relief from sequestration there are a number of other good provisions in the Budget Agreement. For example:

THE BUDGET AGREEMENT PROTECTS SOCIAL SECURITY AND MEDICARE

The budget agreement blocks a scheduled 23.7 percent reduction in the Medicare reimbursement rate for physician services set to occur January 1, in order to meet the sustainable growth rate. Instead, the measure's so-called "doc fix" provides a 0.5 percent increase for the first three months of 2014, and it also extends more than a dozen Medicare-related programs.

The budget deal makes sure that doctors who treat seniors have a guarantee of payment for the medical services they provide.

The budget agreement also addresses the issue of payments to hospitals that treat large numbers of uninsured patients.

The budget also makes changes to payment rates for inpatient services in long-term care hospitals.

Congressional Budget Office estimates that the three-month doc fix would cost \$7.3 billion and that the efforts to reduce the burden to taxpayers would reduce spending by \$9 billion.

The net direct spending for health care related programs, after factoring expansion of health care programs, would be an overall budget reduction of \$300 million over 10 years.

The agreement scales back the proposed cuts to federal employees sought by Republicans and exempts current federal employees.

Federal employees under the budget agreement would receive a pay increase—the first in three years.

Sequestration cuts would be diminished under this budget agreement, which opens the Federal Government up for new hires in the coming year.

Federal employees are making contributions toward budget reduction considering the three years of no cost of living increases and the increased contributions toward retirement plans for new government hires and military retirees.

ON THE NEGATIVE SIDE:

Mr. Speaker, it is outrageous—it is scandalous—that the budget agreement does not include an extension of unemployment insurance for the 1.3 million jobless workers will have their benefits cut off on December 28, and nearly another 1.9 million will lose their unemployment benefits over the first half of next year.

If Congress does not extend unemployment insurance, an additional 3.6 million workers will lose access to benefits in 2014.

In Texas, 68,900 jobless workers will lose their unemployment benefits on December 28th.

An additional 106,900 Texas workers will lose access to benefits in 2014.

UNEMPLOYMENT RATES

The national unemployment rate remains at 7 percent and the unemployment rate in Texas sits at 6.4 percent.

This is no time to reduce unemployment insurance.

Unemployment Insurance was not designed to be a lifelong program, but a means of addressing short-term unemployment that most Americans experience over the course of their work lives.

The unusual circumstances of a global recession that began in the United States with the access and abuse of our nation's financial and mortgage insurance systems that trapped homeowners with mortgages that were much higher than the value of their homes.

This fiscal situation strained our nation's economic system then to add the cost of two wars fought at the same time for nearly a decade the nation's economy could not take the strain and by the end of 2008 the Great Recession could not be ignored.

It took time to create the economic down turn and it will take time for communities, families and workers to recover. The unemployment insurance program should reflect that reality by providing support to workers until the economy is fully recovered.

If Congress does not act immediately to extend these benefits, a devastating blow will be dealt not only to the millions of Americans who are already struggling, but to our economy.

That is why yesterday I joined more than 170 of Democratic colleagues in calling upon Speaker BOEHNER not to adjourn this House for the year without extending the vital unemployment insurance desperately needed by millions of our fellow citizens.

To let their benefits expire in the middle of the holiday season is cruel and heartless and unworthy of a great and generous nation.

Cutting off unemployment benefits at the end of the year will only further hurt an economy already injured by sequestration and the Republican government shutdown.

The Congressional Budget Office estimated that 750,000 fewer jobs will be created or retained in calendar year 2013 because of the budget cuts under sequestration.

The government shutdown cost our economy an additional 120,000 jobs and \$24 billion in tax dollars in the first two weeks of October alone, according to the Council of Economic Advisors.

The Economic Policy Institute estimates that cutting off extended unemployment benefits would cost our economy 310,000 jobs next year because of reduced consumer demand.

Other experts, like Michael Feroli, the chief economist at JPMorgan Chase, indicate that allowing the federal unemployment insurance (UI) program to expire could shave as much as 0.4 percentage point off our economy's growth in the first quarter of 2014.

Letting unemployment benefits expire will deprive our economy of the positive impact unemployment insurance provides since financially stressed unemployed workers spend any benefits they receive quickly.

CBO also concluded in a 2012 report that assistance for the unemployed has one of the "largest effects on employment per dollar of budgetary cost."

This is why I will be introducing a bill to extend the emergency Unemployment compensation program by an additional 12 months.

A colleague recounted what happened when Wal-Mart sought to fill 600 positions—23,000 people came to apply for positions.

Although employment rates have improved the numbers of unemployed persons still has the nation at a 7 percent unemployment rate.

The length of time people are unemployed is a serious indication that this recovery is not vigorous enough or strong enough to take away money that is needed to keep people in housing and allow them more time to find employment.

It is estimated that there are approximately 4 million jobs available and 12 million persons unemployed.

There is speculation that businesses are reluctant to hire because of the uncertainty created by the dysfunction exhibited by Congress especially during 2013.

This is yet another reason why the budget agreement is important to pass, although it does not have everything I would want. It may signal to business that Congress is ready to get down to work on our nation's problems and not threaten economic calamity by not raising the debt ceiling and thereby threatening not to meet our fiscal obligations.

Congress cannot close its eyes and hope that businesses will start hiring—the purpose of unemployment insurance is the same purpose of any insurance—when it is needed for as long as it is needed it must be available.

I am not closing my eyes, Mr. Speaker; I will be introducing a bill to extend unemployment insurance for the 12 million Americans who are still in need of support until the economy is healthy again.

Mr. HOLT. Mr. Speaker, I rise in opposition to this new Ryan-Murray budget agreement because it is a strong continuation of an anti-government, pessimistic policy that has been plaguing Washington in recent years.

Make no mistake about it; this budget agreement is the direct result of the Budget Control Act, which I strongly opposed when it was being debated 2011, and this agreement takes us backwards. I knew then sequester

would wreak havoc on our economy, threaten our quality of life, and squeeze the most vulnerable among us.

Here we are, over two years later, and the worst of it is coming true. The sequester has cut research, education, infrastructure, Medicare, and a number of other critical investments that are vital to a growing economy. It is robbing America of the opportunity to rise from the Great Recession as a stronger, more vibrant nation. Instead, the sequester is continuing to weaken our country with a shrunken government that is hampered by deep cuts to the safety net and hobbled by a refusal to invest in our future. This budget agreement from Congressman RYAN and Senator MURRAY is a way to partially and minimally reverse cuts that should never have happened in the first place.

It is a compromise in a narrow, Washington kind of sense: It will gain some votes from Democrats and some votes from Republicans. But let's remember how the BCA came to be enacted: In 2011, Republicans held hostage America's credit rating by threatening to default on our debts if they didn't get what they wanted. No true compromise was possible then because the negotiations were conducted in the midst of a hostage crisis. No compromise is possible now because we are still operating within the framework created by that hostage crisis.

The question we should ask ourselves is, "Where are we trying to go as a country?" We should be striving toward an optimistic future—one where we invest in research, education, infrastructure, and more. By that measure, this is a bad deal.

The agreement—not really a compromise—slashes discretionary spending and tinkers with a few other things like raising fees on airline tickets, decreasing reimbursement to Medicare providers, and lowering military retirement pensions. How could we actually think this is the kind of path forward for our country?

There is no attempt to close tax loopholes on corporate jet or on expenses of oil and gas companies, and makes no effort in asking the wealthiest among us to pay their fair share to live in an orderly, humane, equitable society. Favored corporate interests, millionaires, and billionaires will continue to receive special tax breaks as far as the eye can see while unemployment insurance expires, leaving millions struggling to find work out in the cold just weeks after Christmas. That is not the sort of fair, balanced deal that Americans have asked for and expect from their leaders.

Mr. RYAN of Wisconsin. Mr. Speaker, Section 401 creates a new category of employee called a "Further Revised Annuity Employee" and would require Further Revised Annuity Employees to contribute additional amounts into the CRSDF. It is the intent of Congress for OPM to create a new normal cost for the Further Revised Annuity Employees, and to ensure that the retirement plan not be underfunded.

Additionally, it is the intent that for the new Further Revised Annuity Employee Plan that the only determinant of whether an individual is a FERS employee or Member, as opposed to a FERS Revised Annuity Employee or FERS Further Revised Annuity Employee, is

through application of the FERS Revised Annuity Employee test. And that the new Further Revised Annuity Employee test only differentiates between FERS Revised Annuity Employee coverage and new FERS Further Revised Annuity Employee coverage.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 438, the previous question is ordered.

The question is on the motion offered by the gentleman from Wisconsin (Mr. RYAN).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. PITTS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion offered by the gentleman from Wisconsin will be followed by a 5-minute vote on the motion to suspend the rules and adopt House Resolution 441.

The vote was taken by electronic device, and there were—ayes 332, noes 94, not voting 7, as follows:

[Roll No. 640]

AYES—332

Aderholt	Collins (NY)	Goodlatte
Amodei	Conaway	Granger
Andrews	Connolly	Graves (GA)
Bachus	Cook	Graves (MO)
Barber	Cooper	Grayson
Barletta	Costa	Green, Al
Barr	Courtney	Green, Gene
Barrow (GA)	Cramer	Griffin (AR)
Beatty	Crenshaw	Griffith (VA)
Becerra	Crowley	Grimm
Benishek	Cuellar	Guthrie
Bera (CA)	Culberson	Gutiérrez
Bilirakis	Cummings	Hahn
Bishop (NY)	Davis (CA)	Hanna
Bishop (UT)	Davis, Rodney	Harper
Black	DeGette	Hartzler
Blackburn	Delaney	Hastings (FL)
Blumenauer	DelBene	Hastings (WA)
Boehner	Denham	Heck (WA)
Bonamici	Dent	Hensarling
Boustany	Deutch	Herrera Beutler
Brady (PA)	Diaz-Balart	Higgins
Brady (TX)	Dingell	Himes
Braley (IA)	Doggett	Hinojosa
Brooks (IN)	Doyle	Honda
Brownley (CA)	Duckworth	Horsford
Buchanan	Duffy	Hudson
Buchshon	Edwards	Huffman
Bustos	Ellmers	Huizenga (MI)
Butterfield	Engel	Hultgren
Calvert	Enyart	Hunter
Camp	Eshoo	Hurt
Campbell	Esty	Israel
Cantor	Farenthold	Issa
Capito	Farr	Jackson Lee
Capps	Fattah	Jeffries
Capuano	Fincher	Jenkins
Cardenas	Fitzpatrick	Johnson (GA)
Carney	Fleischmann	Johnson (OH)
Carson (IN)	Fleming	Johnson, E. B.
Carter	Flores	Joyce
Cartwright	Forbes	Kaptur
Cassidy	Fortenberry	Keating
Castor (FL)	Foster	Kelly (IL)
Chaffetz	Foxo	Kelly (PA)
Clark (MA)	Frelinghuysen	Kennedy
Clay	Gabbard	Kildee
Cleaver	Gallego	Kilmer
Clyburn	Garamendi	Kind
Coble	Garcia	King (NY)
Cohen	Gerlach	Kinzing (IL)
Cole	Gibbs	Kirkpatrick
Collins (GA)	Gibson	Kline

Kuster	Nolan
LaMalfa	Nunes
Lamborn	Nunnelee
Lance	O'Rourke
Langevin	Owens
Lankford	Palazzo
Larsen (WA)	Pascrell
Larson (CT)	Pastor (AZ)
Latham	Paulsen
Latta	Payne
Lewis	Pelosi
Lipinski	Perlmutter
LoBiondo	Perry
Loeb sack	Peters (CA)
Lofgren	Peters (MI)
Lowenthal	Peterson
Lowey	Petri
Lucas	Pittenger
Luetkemeyer	Pitts
Lujan Grisham	Polis
(NM)	Price (GA)
Luján, Ben Ray	Price (NC)
(NM)	Quigley
Lynch	Rahall
Maffei	Rangel
Maloney,	Reed
Carolyn	Reichert
Maloney, Sean	Renacci
Marino	Ribble
Matheson	Rice (SC)
Matsui	Rigell
McAllister	Roby
McCarthy (CA)	Roe (TN)
McCaul	Rogers (AL)
McCollum	Rogers (KY)
McDermott	Rogers (MI)
McGovern	Rokita
McHenry	Rooney
McKeon	Ros-Lehtinen
McMorris	Roskam
Rodgers	Ross
McNerney	Rothfus
Meehan	Roybal-Allard
Meeks	Royce
Meng	Ruiz
Messer	Runyan
Mica	Ruppersberger
Michaud	Ryan (OH)
Miller (FL)	Ryan (WI)
Miller (MI)	Sarbanes
Miller, Gary	Schiff
Miller, George	Schneider
Moore	Schock
Moran	Schwartz
Murphy (FL)	Scott (VA)
Murphy (PA)	Scott, Austin
Nadler	Scott, David
Napolitano	Sensenbrenner
Neal	Serrano
Noem	Sessions

NOES—94

Amash	Gosar
Bachmann	Gowdy
Barton	Grijalva
Bass	Hall
Bentivolio	Hanabusa
Bridenstine	Harris
Brooks (AL)	Heck (NV)
Broun (GA)	Holding
Burgess	Holt
Chabot	Hoyer
Chu	Huelskamp
Cicilline	Johnson, Sam
Clarke (NY)	Jones
Coffman	Jordan
Conyers	King (IA)
Cotton	Kingston
Crawford	Labrador
Daines	Lee (CA)
DeFazio	Levin
DeLauro	Long
DeSantis	Lummis
DesJarlais	Marchant
Duncan (SC)	Massie
Duncan (TN)	McClintock
Ellison	McIntyre
Frankel (FL)	McKinley
Franks (AZ)	Meadows
Fudge	Mullin
Gardner	Mulvaney
Garrett	Negrete McLeod
Gingrey (GA)	Neugebauer
Gohmert	Nugent

Sewell (AL)	Shea-Porter
Sherman	Shimkus
Shuster	Simpson
Sinema	Sires
Smith (NJ)	Smith (TX)
Smith (WA)	Southerland
Speier	Stewart
Stivers	Stutzman
Swalwell (CA)	Takano
Terry	Thompson (CA)
Thompson (PA)	Thornberry
Tiberi	Tierney
Tipton	Titus
Tonko	Tsongas
Turner	Upton
Valadao	Van Hollen
Vargas	Veasey
Vela	Wagner
Walberg	Walder
Walorski	Walz
Wasserman	Schultz
Waxman	Welch
Westmoreland	Whitfield
Williams	Wilson (FL)
Wilson (SC)	Wittman
Wolf	Womack
Woodall	Yarmuth
Yoder	Yoho
Young (AK)	Young (IN)

NOT VOTING—7

Bishop (GA)	Davis, Danny	Rush
Brown (FL)	McCarthy (NY)	
Castro (TX)	Radel	

□ 1825

Messrs. HALL, LONG, Ms. HANABUSA, Mrs. BACHMANN, Ms. SLAUGHTER, Messrs. GARRETT and CONYERS changed their vote from "aye" to "no."

Messrs. O'ROURKE and FINCHER changed their vote from "no" to "aye." So the motion to recede and concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

A MOMENT OF SILENCE FOR NELSON MANDELA

(Ms. FUDGE asked and was given permission to address the House for 1 minute.)

Ms. FUDGE. Mr. Speaker, I ask my colleagues to join me as we pause to honor and remember the life of former South African President Nelson Mandela, who dedicated his life to making his vision of a free South Africa a reality.

Mr. Mandela stood for peace, for justice, and for a society that recognized the equality of every human being. After serving 27 years in prison for challenging the apartheid-sanctioned South African Government, Nelson Mandela emerged with a powerful message of forgiveness and reconciliation, a message that would transform his nation and unite the world.

In 1986, the members of the Congressional Black Caucus and the majority of the U.S. Congress stood with Mandela for peace and justice, and helped force an end to apartheid in South Africa. Today, I leave you with Nelson Mandela's words:

What counts in life is not the mere fact that we have lived. It is what difference we have made to the lives of others that will determine the significance of the life we lead.

South Africa and the world will forever be changed because Nelson Mandela lived.

I now ask that you pause for a moment of silence in honor of a great man, a man we respectfully and affectionately refer to as "Madiba."

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 441) providing for the concurrence by the House in the Senate amendments to H.R. 3304, with an amendment, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER. The question is on the motion offered by the gentleman from California (Mr. McKEON) that the House suspend the rules and agree to the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 350, nays 69, not voting 13, as follows:

[Roll No. 641]

YEAS—350

Aderholt	Dent	Jenkins
Amodei	DeSantis	Johnson (GA)
Andrews	DesJarlais	Johnson (OH)
Bachmann	Deutch	Johnson, E. B.
Bachus	Diaz-Balart	Johnson, Sam
Barber	Dingell	Jordan
Barletta	Doggett	Joyce
Barr	Duckworth	Kaptur
Barrow (GA)	Duffy	Keating
Barton	Ellmers	Kelly (IL)
Beatty	Engel	Kelly (PA)
Benishek	Enyart	Kennedy
Bentivolio	Eshoo	Kildee
Bera (CA)	Esty	Kilmer
Bishop (NY)	Farenthold	Kind
Bishop (UT)	Farr	King (IA)
Black	Fattah	King (NY)
Blackburn	Fincher	Kingston
Bonamici	Fitzpatrick	Kinzinger (IL)
Boustany	Fleischmann	Kirkpatrick
Brady (PA)	Fleming	Kline
Brady (TX)	Flores	Kuster
Braley (IA)	Forbes	LaMalfa
Bridenstine	Fortenberry	Lamborn
Brooks (AL)	Foster	Lance
Brooks (IN)	Fox	Langevin
Broun (GA)	Frankel (FL)	Lankford
Brown (FL)	Frelinghuysen	Larsen (WA)
Brownley (CA)	Gabbard	Latham
Buchanan	Galleo	Latta
Bucshon	Garamendi	Levin
Burgess	Garcia	Lipinski
Bustos	Gardner	LoBiondo
Butterfield	Garrett	Loebsack
Calvert	Gerlach	Long
Camp	Gibbs	Lowenthal
Cantor	Gibson	Lowe
Capito	Gingrey (GA)	Lucas
Capps	Goodlatte	Luetkemeyer
Cárdenas	Gosar	Lujan Grisham
Carney	Gowdy	(NM)
Carson (IN)	Granger	Lynch
Carter	Graves (GA)	Maffei
Cartwright	Graves (MO)	Maloney
Cassidy	Green, Al	Carolyn
Castor (FL)	Green, Gene	Maloney, Sean
Chabot	Griffin (AR)	Marchant
Chaffetz	Grijalva	Marino
Ciilline	Grimm	Matheson
Clay	Guthrie	McAllister
Cleaver	Gutiérrez	McCarthy (CA)
Clyburn	Hall	McCauley
Coble	Hanabusa	McCollum
Coffman	Hanna	McHenry
Cole	Harper	McIntyre
Collins (GA)	Harris	McKeon
Collins (NY)	Hartzler	McKinley
Conaway	Hastings (FL)	McMorris
Connolly	Hastings (WA)	Rodgers
Cook	Heck (NV)	McNerney
Cooper	Heck (WA)	Meadows
Costa	Hensarling	Meehan
Cotton	Herrera Beutler	Meeks
Courtney	Higgins	Meng
Cramer	Himes	Messer
Crawford	Hinojosa	Mica
Crenshaw	Holding	Michaud
Crowley	Horsford	Miller (FL)
Cuellar	Hoyer	Miller (MI)
Culberson	Hudson	Miller, Gary
Cummings	Huelskamp	Moran
Daines	Huizenga (MI)	Mullin
Davis (CA)	Hultgren	Mulvaney
Davis, Rodney	Hunter	Murphy (FL)
Delaney	Hurt	Murphy (PA)
DeLauro	Israel	Neal
DelBene	Issa	Negrete McLeod
Denham	Jackson Lee	Neugebauer

Noem	Roskam
Nolan	Ross
Nugent	Rothfus
Nunes	Royce
Nunnelee	Ruiz
O'Rourke	Runyan
Olson	Ruppersberger
Owens	Ryan (OH)
Palazzo	Ryan (WI)
Pascarell	Sanchez, Loretta
Pastor (AZ)	Sarbanes
Paulsen	Scalise
Pearce	Schiff
Pelosi	Schneider
Perlmutter	Schock
Perry	Schwartz
Peters (MI)	Schweikert
Peterson	Scott (VA)
Petri	Scott, Austin
Pittenger	Scott, David
Pitts	Sensenbrenner
Poe (TX)	Sessions
Pompeo	Sewell (AL)
Price (GA)	Shea-Porter
Price (NC)	Sherman
Rahall	Shimkus
Reed	Shuster
Reichert	Simpson
Reinacci	Sinema
Rice (SC)	Sires
Richmond	Slaughter
Rigell	Smith (MO)
Roby	Smith (NE)
Roe (TN)	Smith (NJ)
Rogers (AL)	Smith (TX)
Rogers (KY)	Smith (WA)
Rogers (MI)	Southerland
Rokita	Speier
Rooney	Stewart
Ros-Lehtinen	Stivers

NAYS—69

Amash	Honda
Bass	Huffman
Becerra	Jones
Blumenauer	Labrador
Campbell	Larson (CT)
Capuano	Lee (CA)
Chu	Lewis
Clark (MA)	Lofgren
Clarke (NY)	Lummis
Cohen	Massie
Conyers	Matsui
DeFazio	McClintock
DeGette	McDermott
Doyle	McGovern
Duncan (SC)	Miller, George
Duncan (TN)	Moore
Edwards	Nadler
Ellison	Napolitano
Fudge	Pallone
Gohmert	Payne
Grayson	Pingree (ME)
Griffith (VA)	Pocan
Hahn	Polis
Holt	Posey

NOT VOTING—13

Bilirakis	Jeffries	Radel
Bishop (GA)	Luján, Ben Ray	Rush
Castro (TX)	(NM)	Waters
Davis, Danny	McCarthy (NY)	Whitfield
Franks (AZ)	Peters (CA)	

□ 1836

Mr. WELCH changed his vote from "yea" to "nay."

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PETERS of California. Mr. Speaker, on rollcall No. 641 I was unavoidably detained. Had I been present I would have voted "yes."

PERSONAL EXPLANATION

Mr. CASTRO. Mr. Speaker, I was not recorded on today's vote because I was absent

due to awaiting the impending birth of my daughter. On rollcall No. 637 on motion on ordering the previous question on the Rule, had I been present, I would have voted "nay."

On rollcall No. 638 on H. Res. 438, Rule providing consideration of the House Amendment to the Senate Amendment to H.J. Res. 59 and H.R. 3693, had I been present, I would have voted "nay."

On rollcall No. 640 on H.J. Res. 59—Bipartisan Budget Act of 2013 and Pathway for Sustainable Growth in Medicare (SGR) Reform Act of 2013, had I been present, I would have voted "aye."

On rollcall No. 641 on H. Res. 441, providing for the concurrence by the House in the Senate amendments to H.R. 3304—National Defense Authorization Act, with an amendment, had I been present, I would have voted "aye."

Mrs. MCCARTHY of New York. Mr. Speaker, I was unavoidably absent during the week of December 9, 2013. If I were present, I would have voted on the following: rollcall Vote No. 630: H.R. 3521—Department of Veterans Affairs Major Medical Facility Lease Authorization Act of 2013, "yea"; rollcall Vote No. 631: H.R. 1402—VA Expiring Authorities Extension Act of 2013, "yea"; rollcall Vote No. 632: H.R. 2019—Gabriella Miller Kids First Research Act of 2013, "yea"; rollcall Vote No. 633: H.R. 2319—Native American Veterans' Memorial Amendments Act of 2013, "yea"; rollcall Vote No. 634: S. 1471—Alicia Dawn Koehl Respect for National Cemeteries Act, "yea"; rollcall Vote No. 635: H.R. 3212, "yea"; rollcall Vote No. 636: H.R. 1992—To amend the requirements relating to assessment of Israel's qualitative military edge over military threats, "yea"; rollcall Vote No. 637: H. Res. 438—On Ordering the Previous Question providing for consideration of the Senate amendment to H.J. Res. 59, "nay"; rollcall Vote No. 638: H. Res. 438—On Agreeing to the Resolution providing for consideration of the Senate amendment to H.J. Res. 59, "nay"; rollcall Vote No. 639: Journal Vote, "yea"; rollcall Vote No. 640: Motion to Concur in the Senate Amendment with Amendment to H.J. Res. 59, "yea"; rollcall Vote No. 641: H. Res. 441—National Defense Authorization Act, "yea."

PROVIDING FOR CORRECTIONS TO THE ENROLLMENT OF THE BILL H.R. 3304

Mr. McKEON. Mr. Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentleman from California?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 71

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill H.R. 3304, the Clerk of the House of Representatives shall make the following corrections:

- (1) Strike sections 1 and 2.
- (2) Redesignate sections 3, 4, 5, and 6 as sections 1, 2, 3, and 4, respectively.
- (3) Strike any matter following the end of the tables in title XLVII.
- (4) Amend the long title so as to read: "To authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes."

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

HONORING THE LIFE, ACCOMPLISHMENTS, AND LEGACY OF NELSON MANDELA AND EXPRESSING CONDOLENCES ON HIS PASSING

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs be discharged from further consideration of House Resolution 434, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the resolution is as follows:

H. RES. 434

Whereas Nelson Mandela's defiance of injustice and commitment to peace and reconciliation, were critical to achieving the abolition of apartheid, a system of racially based social, political, and economic discrimination, and to adopting in its place a system of multiparty democracy and universal suffrage for all South Africans;

Whereas on August 5, 1962, Nelson Mandela was arrested for his acts to end the discriminatory policies of apartheid and was found guilty of all charges against him and sentenced to life in prison;

Whereas during his imprisonment, Nelson Mandela was confined to a small cell and forced to perform hard labor while being gravely mistreated by prison officials;

Whereas during 18 of his 27 years of imprisonment on Robben Island, Nelson Mandela was permitted only one visitor a year, and for only 30 minutes;

Whereas Nelson Mandela remained resolute, refusing offers to renounce his struggle against oppression in exchange for his freedom, and became widely viewed and respected as a symbol of the anti-apartheid movement;

Whereas the United States Congress dramatically shifted its policy toward South Africa and supported the political ideals that Nelson Mandela struggled for, by enacting the Comprehensive Anti-Apartheid Act of 1986 (Public Law 99-440) on October 2, 1986, and has honored Nelson Mandela by passing the Mandela Freedom Resolution in the House of Representatives on September 18, 1984 (H. Res. 430), and in the Senate on October 10, 1984 (S. Res. 386), by adopting the resolution concerning United States support for the new South Africa on October 5, 1994 (H. Res. 560), and by awarding Nelson Mandela

the Congressional Gold Medal on July 29, 1998;

Whereas on February 11, 1990, under growing international and domestic pressure, Nelson Mandela was released from prison, marking the end of his 27 years, 6 months, and 1 week of continuous incarceration;

Whereas former United States President William J. Clinton honored Nelson Mandela with the Philadelphia Liberty Medal in 1993;

Whereas in 1994, following the first fully representative, multiracial national elections, Nelson Mandela was elected on May 9 as President of the Democratic Republic of South Africa under a Government of National Unity;

Whereas President Nelson Mandela led the peaceful transition from minority rule and apartheid to a multicultural, multiracial democracy, and played a critical role in initiating South Africa's ongoing efforts to foster national reconciliation;

Whereas President Nelson Mandela sought to promote equal opportunity for jobs and education, access to social services, and quality-of-life improvements for all South Africans;

Whereas during the presidency of Nelson Mandela, South Africa established the Truth and Reconciliation Commission to investigate gross human rights violations committed during the apartheid years;

Whereas former United States President George W. Bush honored Nelson Mandela with the Presidential Medal of Freedom in 2002; and

Whereas Nelson Mandela leaves a legacy that transcends his time and place in history and will guide and inspire generations to come: Now, therefore, be it

Resolved, That the House of Representatives—

(1) has learned with profound sorrow of the death of Nelson Mandela, former President of the Republic of South Africa;

(2) tenders its deep sympathies to the members of the family of the late President Nelson Mandela and his fellow citizens;

(3) honors the life, accomplishments, and legacy of former President Nelson Mandela and for his friendship to the United States;

(4) requests the Secretary of State to communicate these expressions of sentiment to the family of the deceased and to the Parliament of the Republic of South Africa; and

(5) requests that when the House adjourns today it do so as a mark of respect to the memory of the late President Nelson Mandela.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CORRECTIONS TO THE ENROLLMENT OF H.J. RES. 59

Mr. RYAN of Wisconsin. Mr. Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 72

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of

the resolution H. J. Res. 59, the Clerk of the House of Representatives shall make the following corrections:

(1) Strike "That" before "**DIVISION A—BIPARTISAN BUDGET AGREEMENT**".

(2) Amend the title so as to read: "Joint resolution reducing spending, and for other purposes."

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

FALLEN FIREFIGHTERS ASSISTANCE TAX CLARIFICATION ACT OF 2013

Mr. REED. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means be discharged from further consideration of the bill (H.R. 3458) to treat payments by charitable organizations with respect to certain firefighters as exempt payments, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The text of the bill is as follows:

H.R. 3458

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fallen Firefighters Assistance Tax Clarification Act of 2013".

SEC. 2. PAYMENTS BY CHARITABLE ORGANIZATIONS WITH RESPECT TO CERTAIN FIREFIGHTERS TREATED AS EXEMPT PAYMENTS.

(a) IN GENERAL.—For purposes of the Internal Revenue Code of 1986, payments made to—

(1) any firefighter who was injured as a result of the ambush of firefighters responding to an emergency on December 24, 2012, in Webster, New York,

(2) the spouse of any firefighter who died as a result of such ambush, or

(3) any dependent (as defined in section 152 of such Code) of any firefighter who died as a result of such ambush,

by an organization described in paragraph (1) or (2) of section 509(a) of such Code shall be treated as related to the purpose or function constituting the basis for such organization's exemption under section 501 of such Code if such payments are made in good faith using a reasonable and objective formula which is consistently applied.

(b) APPLICATION.—Subsection (a) shall apply only to payments made on or after December 24, 2012, and before the later of—

(1) January 1, 2014, or

(2) the date which is 30 days after the date of the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJOURNMENT FROM THURSDAY, DECEMBER 12, 2013, TO MONDAY, DECEMBER 16, 2013

Mr. REED. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m., Monday, December 16, 2013.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

PERSONAL EXPLANATION

Ms. BROWN of Florida. Mr. Speaker, I was absent for rollcall 640. If I had been present, I would have voted "yes."

I want to state for the RECORD that I am very disappointed that in the bill we did not include unemployment insurance. I think it is terrible that the people in the people's House will go home without voting for unemployment for the people.

PAYING TRIBUTE TO THE HON. MEL WATT FOR HIS SERVICE

(Mr. PRICE of North Carolina asked and was given permission to address the House for 1 minute.)

Mr. PRICE of North Carolina. Mr. Speaker, I am going to ask our North Carolina colleagues to join me here, along with the dean of our delegation, Mr. COBLE.

Mr. Speaker, our colleague of many years, MEL WATT, has just cast his last vote in this body. MEL WATT, the Representative of the Twelfth Congressional District, from Charlotte, North Carolina, has just been confirmed by the Senate to be the Director of the Federal Housing Finance Agency, so he is going to leave us after today to take over that position.

HOWARD COBLE and I are the deans of our respective parties in the House delegation from North Carolina, and we both wanted the House to pause to pay tribute to Mel for his service and his dedication to this institution.

I am happy at this point to yield to the gentleman from North Carolina (Mr. COBLE), my colleague.

Mr. COBLE. Mr. Speaker, I thank my distinguished friend from North Carolina (Mr. PRICE). I appreciate that.

You have already indicated where MEL is going to be going. I hope he won't ignore us when he meets us on the streets or in these Halls. I don't think he will.

MEL and I have shared several counties in North Carolina for nearly two decades. We both sat as members of the House Judiciary Committee for also two decades.

MEL, we wish you and your family best wishes.

Mr. PRICE of North Carolina. I thank the gentleman.

I want to make note of the fact that MEL's wife, Eulada, is in the gallery to-

night. On behalf of my wife, Lisa, and myself, we have considered the WATTS good friends, colleagues, shared many experiences together, and we are going to miss them both a great deal, although we take some solace in the thought that they are not going too far and that we will have chances to be together as MEL assumes this new role.

□ 1845

Mr. Speaker, MEL WATT is a legislator's legislator. We sometimes say that about colleagues. If there is any doubt about that, it would have been dispelled by what we just heard in the committee room this afternoon as colleague after colleague from the Judiciary and Financial Services Committees, from both sides of the aisle, paid tribute to this fine friend and colleague.

There were many stories of collaboration, of disputes and fights that were nonetheless civil and respectful, of mentorship of younger Members. There is just no question that MEL has made his imprint on this institution. As a man of great intelligence and expertise, he is admirably qualified for the job he is about to assume, but also a mainstay of legislative work in the committees that he served on during his entire time here, Financial Services and Judiciary.

We are going to miss him. I probably speak for others in the delegation; but, actually, I will just speak for myself. I know when the votes occur, the rollcall votes occur, that is a name I check, just like I used to check John Spratt's name. There are a few colleagues that one respects so much that you want to make sure you are not going too far astray when you cast those votes. I will miss MEL in that very practical way.

We will not take much time here this evening. It is mainly a matter here, as the votes come to a close and MEL casts his last vote before this body, testifying to how highly we regard this colleague and honoring him for his service.

ENCOURAGING UKRAINIANS TO STAND FIRM

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I have been watching the live feed online of the protest in Kiev, and I would like to encourage Ukrainians to stand firm and continue to voice their opinions. I also call upon the Ukrainian Government to respect the Ukrainians' right to free assembly and to refrain from using force against peaceful protesters.

I again urge Ukraine to look toward the West for their future success as the success of their nation depends upon democratic policies and freedom. The door is still open. Strengthening ties

with Russia will only bring more of the same desolation, disunity, frustration, distrust, and anger that has been so prevalent in the past.

Ukraine, the whole world is watching.

FAREWELL REMARKS BY THE HONORABLE MEL WATT

(Mr. WATT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WATT. Mr. Speaker, this is definitely the last time I will be addressing this House. As my colleague, DAVID PRICE, has indicated, I have been confirmed to a new position as regulator and director of the Federal Housing Finance Agency.

I just wanted to take a moment to express to my colleagues how much of an honor it has been to be a part of this body, and to grow and learn and share with my colleagues from all across the Nation. It has been a great honor, and I thank all of them for the expressions in the last few days, and I look forward to working with them in the new position that I will be assuming. I thank you.

And, of course, we have already acknowledged my wife in the gallery. I thank her. And with that, Mr. Speaker, I yield back the balance of my time once and for all.

MOURNING THE PASSING OF WILLIAM MALLORY, SR.

(Mr. CHABOT asked and was given permission to address the House for 1 minute.)

Mr. CHABOT. Mr. Speaker, I rise today to mourn the passing of a legendary Ohio political figure, a great father and a tremendous role model, William Mallory, Sr., whom I had the honor to know and call a friend.

Bill Mallory's life is a true American success story. He rose from working-class roots to become the first African American to serve as majority floor leader in the Ohio House of Representatives, a position he held longer than any lawmaker in Ohio history.

During his 28-year tenure in the Ohio House, Bill Mallory, a former teacher, championed education issues and helped create Ohio's first statewide drug prevention program.

But perhaps his most enduring legacy is his family's dedication to public service and community involvement. Of Bill Mallory's five sons, one is an elections administrator at the Hamilton County Board of Elections, two are Hamilton County municipal court judges, another is an Ohio State Representative, and the fifth is the outgoing two-term mayor of Cincinnati.

Mr. Speaker, William Mallory, Sr., will long be remembered for his devotion to his family, to his community, and to the State of Ohio.

HELPING WEST WEBSTER FIREFIGHTERS

(Ms. SLAUGHTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, during the early morning hours of December 24, 2012, the town of West Webster, New York, suffered a horrible tragedy as a troubled individual set his sister on fire, along with her house, and then lay in wait until the firefighters arrived. He shot and killed two firemen and wounded two more.

In the days and weeks that followed, the town of West Webster, the city of Rochester, and our entire region responded with an outpouring of support for the families whose lives had been irrevocably changed because of the attack.

Donations poured into the nonprofit, volunteer West Webster Fire Department in hopes that they would reach the families whose loved ones had been killed. Unfortunately, the fire department was in no position to deal with the complex legalities of delivering these donations to the intended families. As a result, the majority of that money has still not been able to reach the families.

For almost a year now, I have worked with the people of West Webster, particularly West Webster Fire Chief Ken Smith, to finally deliver the charitable donations. And thanks to the generous efforts of Chairman CAMP and our allies in the Senate, we will finally be able to help these families today.

The assistance of Chairman CAMP and his staff, in particular, has been vital to resolving this issue once and for all. His commitment over the recent months to helping West Webster firefighters and their loved ones is a testament to his dedication to public service.

Today's vote is terribly important to the recipients. There are no words that can heal the wounds that were suffered by Ted Scardino and Joe Hofstetter, and nothing we can do will ever bring back Mike "Chip" Chipparini and Tomasz Kaczowka. But passing today's legislation can help to lessen their burden, hopefully to ease their pain, and to prove that even in our darkest hours, our country will be there to support our public servants, their families, and communities in need.

HONORING STAFF SERGEANT ERIC SUMMERS

(Mr. SMITH of Missouri asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Missouri. Mr. Speaker, tonight southeast Missouri will welcome back Staff Sergeant Eric Summers for the last time. Sergeant Sum-

mers was tragically killed on November 13 while serving his country at Camp Pendleton in California.

Summers served 13 years with the United States Marines and is a war hero. He served five tours of duty in the Middle East and was highly decorated, earning the Navy Commendation Medal, the Navy and Marine Corps Achievement Medal, and the Good Conduct Medal.

Without men like Sergeant Summers willing to make the ultimate sacrifice for our freedoms, our country could not survive.

I would ask my colleagues and those watching to keep Sergeant Summers, his family, and all of our brave men and women in uniform in your thoughts and prayers.

TRIBUTE TO NICARSIA MAYES ON HER RETIREMENT

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, along with our good friend, Congressman MEL WATT, I am delighted to rise today to say farewell to a very able and important American, Nicarsia "Nikki" Mayes, who has served this House of Representatives for 36 years.

She began her career in the House of Representatives and for the people of the United States on September 7, 1977, when she was hired on the recommendation of Congressman Augustus Hawkins of California as an elevator operator and entrusted to operate the last "Members Only" manual elevator.

In 1980, Nicarsia Mayes, or Nikki as we affectionately know her to be, was hired as a staff member of then the Office of the Doorkeeper. She was the first African American woman ever hired by that office. Because of her dutifulness and her leadership, other doors were opened. In 1994, Nikki joined the staff of the Office of the Sergeant at Arms, serving as a member of the Chamber Security Division until her retirement this month, December 2013.

It is important to note that her excellent performance, distinguished service, and good cheer paved the way for more African Americans to secure appointments in the Office of the Sergeant at Arms and other important House institutions earning her the respect and friendship of her colleagues and, of course, Members of Congress.

She has a wonderful family, including her son John Mayes, III, who works for the Federal Bureau of Investigation; and David, who works for the Department of Homeland Security; and her daughter, Tira, who is a forensic specialist. You know she has done well at home and well here in the House of Representatives. Her children have learned from her. Her grandchildren

will benefit from her. I am delighted to indicate that we have introduced a resolution, H. Res. 444, into the House RECORD to honor Nikki Mayes.

I am delighted to say that we honor you and appreciate you for 36 years of service and being a pioneering woman of service and an African American woman who led for others. Thank you so very much.

Mr. Speaker, I rise to pay to tribute to the remarkable accomplishments of Nicarsia Mayes, a Capitol Hill trailblazer and the first African-American woman to serve as a Doorkeeper of the House of Representatives.

Nicarsia Mayes began her career of service to the House of Representatives and the people of the United States on September 7, 1977, when she was hired on the recommendation of Congressman Augustus Hawkins of California as an elevator operator and entrusted to operate the last "Members Only" manual elevator.

In 1980, Nicarsia Mayes, or "Nikki," as she was affectionately known, was hired as a staff member of the then Office of the Doorkeeper, the first African-American woman ever hired by that office.

In 1994, Nikki joined the staff of the Office of the Sergeant at Arms, serving as a member of the Chamber Security Division until her retirement in 2013.

Mr. Speaker, Nikki's excellent performance, distinguished service, professionalism, and good cheer paved the way for more African-Americans to secure appointments in the Office of the Sergeant at Arms and other important House institutions, earned her the respect and friendship of her colleagues, and endeared her to Members of Congress.

This month, December 2013, Nikki Mayes retires after 36 years of faithful, honorable, and distinguished service to the United States House of Representatives and the people of the United States.

I know my colleagues join me in extending our thanks and appreciation to Nikki for her service to our nation and our very best wishes for a happy and productive retirement.

I know how much she is looking forward to spending more time with her family, including her sons John Mayes III, who works for the Federal Bureau of Investigation; and David, who works for the Department of Homeland Security; and her daughter, Tira, who is a forensic specialist with the District of Columbia Metropolitan Police Department.

Inspired by her example, each of Nikki's children learned the value of helping others and chose a public service career. That is perhaps the greatest testament to the character of this great public servant.

Mr. Speaker, Nicarsia "Nikki" Mayes is a wonderful human being, a great friend, and one of the finest public servants I have the honor to know. She will be greatly missed but not ever forgotten.

PASS COMPREHENSIVE IMMIGRATION REFORM

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Mr. Speaker, earlier this evening, this Congress defied a rocky trajectory that has defined the past year of government shutdowns and starting with the fiscal cliff by passing a 2-year compromise budget deal. I worked with you, Mr. Speaker, and others in our bipartisan United Solutions Caucus to support this bipartisan compromise, knowing that it is not the deal that ideally I would want. It doesn't do enough to restore Head Start funding or NIH funding, but it is a compromise and it is a step forward.

Now I am asking my colleagues in this Chamber, let's build on this momentum. Today I am ending a 24-hour fast for comprehensive immigration reform. I will end it in about one hour. Let's come back in January and do the right thing for the people in our country who are living in the shadows, the undocumented immigrants; and let's finally pass comprehensive immigration reform and build on the momentum we showed we can do tonight.

TRIBUTE TO NICARSIA MAYES ON HER RETIREMENT

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, I also rise to pay tribute to a very special lady, Nicarsia "Nikki" Mayes, the first African American woman to serve as a doorkeeper of the House of Representatives. She started her service in September of 1977 and after today will retire after 36 years of service.

She has always served every day with a warm smile, pleasant greeting, encouraging and kind words, and the highest level of professionalism. So we want to just say tonight that we thank you for your 36 years of excellent service to the House of Representatives and to all of us, and wish you a wonderful retirement.

□ 1900

UNEMPLOYMENT BENEFITS

(Ms. SHEA-PORTER asked and was given permission to address the House for 1 minute.)

Ms. SHEA-PORTER. Mr. Speaker, I am going to read a letter that I received from a constituent who is about to have her unemployment benefits cut. I quote:

Now that I am laid off and older, I am having difficulty finding a job. I understand now I cannot get unemployment extension. I have never collected anything in my life. So now what? I am going to be homeless. I do not qualify for anything because I made too much money. I have spent my savings, applied for 500-plus jobs to an aimless black hole. What am I going to do? A homeless shelter? My credit is damaged and soon I will not pass a background check. I do not qual-

ify for retraining programs, et cetera, because I have excellent skill sets. All I hear is I am in a perfect storm, "Sorry, you are not alone."

I have been a productive member of society for many years and do not consider myself a "taker." How many unemployed will lose their homes, dignity, and hope? I wanted you to know.

So, to my constituent, I do know and Americans know. It was wrong to leave without fixing this problem.

TRIBUTE TO NICARISA MAYES

(Ms. LEE of California asked and was given permission to address the House for 1 minute.)

Ms. LEE of California. Mr. Speaker, in addition to saluting and congratulating our colleague and friend, Congressman MEL WATT, I want to rise and salute our friend Nikki Mayes tonight.

Nikki, I just have to say to you first of all, I was a staffer for Ron Dellums when I first met Nikki, and I know tonight Ron would want to salute you, congratulate you, and thank you so much for your 36 years of service. So on behalf of Ron Dellums and myself, let me just say what a great role model you have been for all of us.

I also want to thank you for helping us navigate this great institution. We will always remember you. We will cherish your friendship. And I want to say to you that, as you start this new chapter of your life, I hope you get some rest and I hope you have a lot of fun.

Thank you, again, Nikki.

HOLIDAY GREETING TO OUR TROOPS

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Mr. Speaker, I rise today to thank all of our brave heroes who are serving overseas and are not home with their families this holiday season. While most of us will be returning to our homes to celebrate with family and friends, let us not forget all of the men and women serving our country who will not be able to be with their loved ones.

My region of Illinois is home to thousands of veterans who have served honorably in wartime and peacetime. It is also home to many Active Duty servicemembers, National Guard members, and Ready Reservists.

I was heartened to learn recently that the Peoria-based Army National Guard unit is expected to come home before the holidays. This will surely be an early Christmas present for many families across the region of the country I am here to serve. I look forward to welcoming them home.

All of our servicemembers deserve our full support year-round, but let us please take this holiday season as an

opportunity to thank them for their sacrifices that they have given to their families and to our country. Let us be there for them now, because they are there for us.

AMERICA CAN DO BETTER

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, as we end this particular legislative session, I just wanted to rise and say that, on the one hand, the vast majority of Members voted to run the government of the United States prudently and within budget and to operate as adults over the next 2 years; on the other hand, the lack of a provision in that bill to accommodate those who are unemployed across this country is a sad commentary on the leadership of this House.

In the State of Ohio where Speaker BOEHNER hails from, over half of the counties in Ohio are above the national unemployment average of 7 percent, which is way too high for the country as a whole. For us as a Chamber not to be able to include, especially before Christmas and the holiday season, the extension of unemployment benefits even for a few months for people who will now face Christmas and the new year with even more worry and hardship is unconscionable for this Nation. I just know that we are capable of better.

I would suggest to the chairman of the Appropriations Committee that if you shaved 1 percent off of every account in the discretionary part of the budget, you would be able to find the money to extend the benefits for 3 more months, and then we can look toward a more permanent solution from the Ways and Means Committee.

I am thankful for the opportunity to make this important statement for the RECORD. America can do better for our unemployed.

NELSON MANDELA

The SPEAKER pro tempore (Mr. VALADAO). Under the Speaker's announced policy of January 3, 2013, the gentleman from Pennsylvania (Mr. FATTAH) is recognized for 60 minutes as the designee of the minority leader.

Mr. FATTAH. Mr. Speaker, I rise at this moment for the House to appropriately acknowledge the life and legacy, the truly extraordinary leadership, of President Nelson Mandela who has passed on to history now but who, during his 95 years, played an extraordinary role in the life of his country and his countrymen. And this Congress played a part in that process through the debates on this floor and through, finally, the passage of sanctions and then, even more so, by overriding the Presidential veto and putting into

place sanctions that President Mandela indicated and all recognized played an important role in ending apartheid in South Africa.

There are Members who are no longer Members of the House, some of whom have even passed on themselves. There was Congressman Bill Gray from Philadelphia, who authored the sanctions legislation; Congressman Dellums, who had previously authored and fought side by side; and many members of the Congressional Black Caucus and others, Democrats and Republicans, on the floor of this House who were involved in this activity.

I rise for this Special Order to appropriately pay tribute to the leadership that was exhibited by President Mandela and his African National Congress. I am going to yield to Members for an opportunity for them to reflect on the life of President Mandela. Obviously, we recognize that he was born and that he died, that he went to school and he played certain roles in his profession as a lawyer, but he has also been recognized around the world for the struggle that he led and that he dedicated his life to.

I yield to the gentlewoman from the great State of Ohio (Ms. FUDGE), who chairs the Congressional Black Caucus.

Ms. FUDGE. Thank you, Mr. FATTAH, for leading this Special Order.

Mr. Speaker, today we celebrate the life and legacy of former South African President Nelson Mandela, a relentless pioneer for justice, equality, and democracy.

I am proud to say that members of the Congressional Black Caucus stood with President Mandela before it was popular or politically advantageous. Working with grassroots advocates, members of the Congressional Black Caucus and many others from across the world, Mandela activated a movement that not only spoke of democracy and equality, but realized those principles through action, meaningful action that ultimately broke the chains of apartheid and will be forever remembered as the legacy of Madiba.

Today, the CBC salutes the life of a world leader who sacrificed a lifetime for the ideals of democracy. Today, we celebrate the life of a man from humble beginnings who overcame the obstacles of racial intolerance and rose to lead a country and a people to prosperity and freedom. Today, we cherish the life of a President who led with dignity and strength. Today, we treasure the life and legacy of Nelson Mandela.

Madiba, you will forever be remembered.

Mr. FATTAH. I thank the gentlewoman, and I thank her for her leadership on this House floor on behalf of not just the people she represents in Ohio, but throughout the country.

I now yield to someone who is no stranger to struggle. Nelson Mandela, when asked about his life being a

struggle, he said, No, you misinterpret; the struggle was my life. Well, the struggle is this gentleman's life. I yield to the gentleman from the great State of Georgia (Mr. LEWIS).

Mr. LEWIS. Mr. Speaker, I want to thank my friend and colleague for yielding.

I rise to join my colleagues to pay tribute to a man I deeply admire, President Nelson Mandela.

When I first met Mr. Mandela, I felt as if I was touching the spirit of greatness. He was tall and graceful with the common spirit of the Dalai Lama. President Mandela was one of those rare individuals, like Gandhi, Lincoln, or King, who come along only once in a generation and who are a lesson to all humanity. They teach us not just to liberate the body, but to free our minds and unleash the power of the human spirit.

This weekend, I had the honor of traveling with Members of the House and one Member of the Senate to attend an official memorial service in South Africa. I would like to thank the Speaker and his staff for working with Chairwoman FUDGE to ensure that Congress was represented at this global tribute.

Tonight, I express my deepest sympathy to the family and friends of President Mandela. To the people of South Africa and the global community, we have lost a giant of a man who embodied grace, dignity, and peace. He just walked out of prison after 27 years without any bitterness, hostility, or hatred. And through the power of love and complete forgiveness, President Mandela not only freed the oppressed, but he also freed the oppressor.

What we know of his long walk to freedom, what he endured and what he overcame, has made us all a little more human. What he taught us about reconciliation, love, and inner peace inspires each and every person who knows his story to be better, stronger, more loving, more peaceful citizens of the global community. He was the father of a new South Africa who helped build a new nation, more focused on unity today than ever before.

Mr. Speaker, during the height of the civil rights movement, the chant of the African people became our chant: "One man, one vote." He was a great leader, but I never thought that I would have the honor of meeting him and calling him my friend, my brother.

During this holiday season, I hope that my colleagues on both sides of the aisle in both Chambers will use this time to reflect on how we can be representatives of the people, can continue to work in unity, extend the legacy of love of service and respect for all humankind as Mr. Nelson Mandela did.

Mr. FATTAH. Mr. Speaker, I met President Mandela on a number of occasions, both in Philadelphia and here

in Washington, and when I traveled to Africa with then-President Bill Clinton when Mandela was leading some peace talks in a country that was involved in a great deal of conflict at that time.

Before I met Nelson Mandela, I knew a State legislator from the great State of California who had led the fight and the rallying cry in State houses, not just in California, but around the country, for divestiture from South Africa. I want to yield now to Congresswoman MAXINE WATERS, who really was an extraordinary figure in the fight in the United States to get pension funds and universities and others to divest.

I yield to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I want to thank my friend and colleague from Pennsylvania for that warm introduction, and I want to thank the members of the Congressional Black Caucus.

We just returned from South Africa where we participated with thousands of folks from across South Africa memorializing Nelson Mandela. It was a wonderful moment in our lives. But, of course, Nelson Mandela has helped us all to be better persons. He has inspired us all in so many different ways.

When I was a member of the California State Legislature, I authored the legislation that divested all of our pension funds from doing business in South Africa. That legislation caught fire across the country.

□ 1915

And so that legislation caught fire across the country, and we had other divestment movements going on, and others divesting their funds from businesses that were doing business in South Africa.

We went on to have rallies and marches. We came to Washington, D.C. We got arrested at the South African Embassy.

We sat in in the South African consulate in Los Angeles. We worked with students on the college campuses. They got involved in divestment. Some of them took the names of the streets in those campuses down and made them Nelson Mandela Way. And as we worked and worked, we were instrumental in helping to free Nelson Mandela, who had served 27 years in prison.

In addition to that, some of us had the opportunity to go to South Africa when they lifted the ban on the ANC, and we witnessed all of those heroes who came back from out of exile. We continued to work with them until Nelson Mandela walked out free from having served that 27 years.

And then we were able to welcome him to the United States. In Los Angeles we put together a huge celebration, and when he and Winnie Mandela walked on that stage, the crowd just exploded. But it exploded because here was a man who had the courage of his

convictions, a man that was so committed to freedom, justice, and equality that he was willing to put his life on the line.

He was a warrior, and he tried to negotiate. He tried to get the South African Government to realize that they should be recognizing that Black South Africans were human beings too. And when they didn't, he organized the struggle. He resisted and, of course, they placed him in prison.

And some people thought that we would never see Black South Africans free. But because of Nelson Mandela, and because the people loved him so, followed him as he led, today we have a free South Africa.

Mandela is gone. He is no longer with us, but he will be remembered forever because what he did was such a feat that we cannot identify anybody else, certainly in the 20th century, that led the way that he led.

So I am pleased to be here with my colleagues tonight paying tribute to him. I thank my colleagues for all the work that they too participated in to honor him.

Mr. FATTAH. I thank the gentlelady. And she reminds me of all the great people in Philadelphia who played a role, Godfrey Satoli, who represented the ANC. He was the ANC's representative there, and former State representatives David Richardson and Sonia Sanchez.

But the one clarion voice in the Congress when I was very, very young, who introduced the divestiture legislation, and was just at the very point of the spear, was Congressman Ron Dellums.

And BARBARA LEE, who now represents that district, but worked for the great Congressman when he was here, I want to recognize Congresswoman BARBARA LEE now, who has dedicated a significant part of her work to helping Africa in its development and continuing to deal with the challenges that remain after so many years of colonial rule in a number of these countries.

I yield to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Thank you very much. Let me thank you, Congressman FATTAH, first of all, for yielding and for your tremendous leadership on so many fronts. And thank you so much for this Special Order tonight and for reminding us in many ways of the history of this great movement that took place in this country.

Let me also just thank our chair of the Congressional Black Caucus, Congresswoman MARCIA FUDGE, for her tremendous leadership and her tireless work and for the real humbling honor to be part of her delegation to South Africa to honor President Mandela. Also to Leader PELOSI and to our assistant leader, Mr. CLYBURN.

Let me just take a moment to extend my thoughts and prayers on behalf of

my district to President Mandela's family, for South Africa. We all have lost a warrior. South Africa has lost a warrior. The world has lost a freedom fighter and a great statesman.

The Congressional Black Caucus stood alongside the ANC and Nelson Mandela in the fight for equality and justice. And I am so proud of this contribution.

Even throughout his 27 years of incarceration and brutal treatment, his spirit was never broken, and this stands, really, as a testament to the power of resistance and determination.

Not only is Nelson Mandela the father of the liberation movement in South Africa, but he also laid the framework for modern liberation movements throughout the world.

With a dignified defiance, Nelson Mandela never compromised his political principles or the mission of the anti-apartheid movement, and he took up the mantle of fighting HIV and AIDS.

Like many of my colleagues, I was first inspired by Mr. Mandela in the early seventies. I was arrested in Berkeley, California, during the time when our brave brothers and sisters in the labor movement refused to unload ships carrying cargo from South Africa that arrived in Oakland's port.

My predecessor, former Congressman Ron Dellums, led the effort with Congressman—our beloved Bill Gray—over and over and over again introducing legislation calling for divestment against this racist apartheid regime. But they finally put the United States on the right side of history when the Congress overrode President Reagan's veto.

And I vividly remember that the ANC was designated a terrorist organization by the United States Government, and it was illegal to meet with the freedom fighters, but many of us did anyway. I remember meeting with ANC members at the United Nations in Switzerland and Austria to help map out our solidarity work here in the United States.

So you can imagine how I personally felt when I joined some of you as an election observer, seeing lines and lines of people waiting to vote for the first time for Nelson Mandela as the first Black President of a free South Africa.

One of my proudest moments as a Member of Congress was when I led the effort to remove President Mandela, a Nobel Peace Prize, and the ANC from the U.S. Terrorist Watch List in time for his 90th birthday, just 5 years ago.

What now lives is Madiba's legacy of sacrifice, fighting for what is right and as an example of the power of healing and reconciliation.

And I just have to say that legacy was shown briefly in the handshake of President Obama when he extended it to President Raoul Castro of Cuba. I was proud of that handshake for what it means for diplomacy and the possi-

bility of opening lines of communication. That handshake stands with the legacy of Nelson Mandela, of working and negotiating with those with whom you may not agree.

As Madiba said, and I quote, "Reconciliation means working together to correct a legacy of past injustice." He was a peacemaker.

President Mandela taught us so many lessons, from reconciliation and personal perseverance to the true meaning of public service. What he taught us was never to give up the fight for justice.

I had the privilege to meet Mr. Mandela many times. His serenity and his strength really were larger than life.

His legacy will live on forever in how we live our lives in the fight for freedom and for justice in a multiracial society.

Finally, let me just say that I hope, in his honor, that we live his legacy and continue our fight to end racism and to defend voting rights right here in the United States.

May his soul rest in peace.

Mr. FATTAH. I thank the gentlelady from California.

I yield to my colleague from the United States Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Thank you. I want to begin by thanking you, Congressman FATTAH, for bringing us together to dedicate this hour to the life and legacy of an iconic leader, who has truly fought the good fight, has now finished the race, and always kept the faith, our beloved Madiba, President Mandela of South Africa.

And to say to Congresswoman FUDGE, as I was honored to join her and my other colleagues and our codel leader, Congressman AARON SCHOCK, at the funeral of President Mandela in Johannesburg on Tuesday, I am again, honored to join all of you to speak on behalf of my constituents, the people of the U.S. Virgin Islands, in tribute to this great man.

Behind me is a picture of the sign that marks the site of Mandela Circle in St. Thomas. It was given that name in jubilant celebration when he was released from prison after 27 years. And through it, the people of the Virgin Islands have paid tribute to Nelson Mandela every day.

I want to especially recognize and remember someone who I honored several years ago, a gentleman named Dale Rodgers, who, from the time the circle was so named until he died, took it upon himself to sweep and maintain the area so that it would always be a fitting tribute. The St. Thomas St. John Environmental Association will host a community gathering at that site on Saturday.

In the days since December 5, the people have gathered there with signs and flowers and have adorned the area

with black and purple ribbons. There have been vigils and other ceremonial tributes.

Our flags, like flags across the country, were flown at half staff. And our Governor, John P. DeJongh, Jr., in tribute said, and I quote:

The people of the Virgin Islands have a deep love and respect for Nelson Mandela and all that he came to represent. Nelson Mandela was an inspiration to Virgin Islanders and to aspiring democracies and free nations around the world.

Tomorrow, the Legislature of the Virgin Islands will host a public tribute. Our Senate President, Shawn Michael Malone, said in remembrance, and I quote him as well:

The world has lost a civil and human rights champion and oppressed people everywhere have lost a splendid example of sacrifice, discipline, commitment and resolve to end injustice around the world.

On Sunday, on St. Croix, one of our Senators, Senator Terrance Nelson, will lead a festive celebration of his life in Frederiksted's Buddho Park, which is the historic site where enslaved Africans seized freedom for my ancestors in the then-Danish West Indies in 1848.

But even when these celebrations are ended, it is my hope and prayer that the essence of why we celebrate Madiba remains firmly planted in our hearts and minds, for it would be the real tribute to a man who taught us how to be resolute in our fight for justice and equality to the end, and that love, peace and reconciliation is a better path for us and for the world than hatred, conflict and retribution, in fact, the only way to true freedom.

To his wife, his children, grandchildren, and great grandchildren, to his extended family and all the people of South Africa, we extend our deepest sympathy, but also our deep appreciation, for you have given us, the people of the Virgin Islands, our Nation, and the world, a beautiful gift that has enriched our lives and inspired us to be better human beings.

I consider myself blessed not only to have met him, but just to have lived in the time of Nelson Mandela and to be able to personally bear witness to his life and legacy.

Madiba loved the CBC. The CBC loved and will always love Madiba.

Mr. FATTAH. I thank the gentle lady, and I thank the people of the U.S. Virgin Islands for establishing this honor.

Obviously, there are many segments of Nelson Mandela's life and there was a period, a point, when he was a lawyer. There was a point in which he was leading and involved in negotiations. There was a point in which, upon the police assault on those who gathered in Sharpeville when 69 died, that he took up armed struggle.

And there was a point, after being released from prison, after 27 years, that he was elected President. I embrace the entire legacy. I think it is very much

in keeping with our own country's evolution over time, in which you had to deal with the times as they presented themselves.

Remembering her predecessor, Congressman Mickey Leland, who was so involved in these issues over time, I yield to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Let me thank the Congressional Black Caucus and Mr. FATTAH and our chairwoman, Congresswoman FUDGE, for bringing us all together on this very important evening.

It gives me great privilege to be able to speak about this patriot, this human rights leader, this father and husband, this man who experienced incarceration, yet came out with the limitations that would normally shackle anyone, completely released.

It is important to connect Nelson Mandela to Houston; and this signifies many of us who gathered in front of the Federal building just a week ago to be able to honor him and to acknowledge him. So many of us wanted to share and extend our love.

We also participated in honoring him in restaurants in southwest Houston. And throughout the week, as I go home this week, we will honor him at the George L. Brown Convention Center and the SHAPE Community Center.

Last Sunday I was able to call in to a very important honoring at the Rothco Chapel celebrating Dominique de Menil, who invited Nelson Mandela to Houston, Texas in 1991, 1 year after he was released from Robben Island.

□ 1930

And the surprise and the excitement was that he accepted her invitation—the de Menils being great humanitarians themselves—and brought together the connection between Houston, the Nation, South Africa, and the patriot that Nelson Mandela, Madiba, was and, of course, we will always be reminded of.

We listen to the stories of the time that he had to pull away from the ANC to form a fighting unit, if you will, a rebel unit. And I also explain to people that it was no less than the patriots who stood on the shores of this country to fight against oppression and to stand against the British and to dump tea into the Boston Harbor, to rebel against oppression. So I would never call Nelson Mandela a terrorist. I would call him a patriot, one who loved his beloved South Africa and wanted to make sure that those who understood that apartheid could not stand would recognize that he had no other choice. But yet, in time, he was able to make other choices.

And I am reminded of his words: "courage was not the absence of fear but the triumph over it." And he triumphed over fear. But he also triumphed over bitterness. And he opened

his arms, coming out of that incarceration in 1990 and walking in freedom, standing with his then-wife Winnie—and now the beloved wife who has been with him for the past 15 years. He expressed to the nation his humanity, his humility.

An elder statesman, a father figure, Nelson Mandela showed us that in the course of the debate here on the floor of the House that we should never forget the vulnerable.

I want to read these words that he gave in defense in the 1964 trial:

I have fought against white domination, and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die.

I have met Nelson Mandela many times, engaged in the efforts to ensure that the apartheid oppression would end, joined with Congresswoman BARBARA LEE in 2008 to rid his name off the terrorist list. All of us in our small way are diminished by the commitment, dedication, and sacrifice of this man.

And so finally I close by saying to all in a letter that he wrote from Robben Island in April of 1971, for many of us who had the experience of walking into that cell and looking through those prison bars, to be reminded of the peace that he brought to the Nation and to the world:

There are times when my heart almost stops beating, slowed down by heavy loads of longing. I would love to bathe once more in the waters of Umbashe, as I did at the beginning of 1935.

He comforted himself by the wishes of hope. He comforted himself by wishing to hear the voices of children. He comforted himself by wanting to be what the people of South Africa needed, an unembittered leader coming forward to lift the country up.

Madiba, may you rest in peace. Nelson Mandela, thank you for your years of service. Thank you for leading South Africa. And thank you for leading the world.

I acknowledge and thank the many persons who have spoken today about Nelson Mandela.

On this sad day, the thoughts, prayers, and wishes of all Americans, and peace loving people the world over, are with Nelson Mandela and his family.

Nelson Mandela once said that "courage was not the absence of fear but the triumph over it."

What is the message and meaning of Nelson Mandela to the world?

Courage in the cause of moral righteousness will triumph in the end;

Love, forgiveness, and reconciliation is far more powerful than hatred, resentment, and war;

That we should "never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has."

Nelson Mandela's commitment to humanity as a human rights lawyer, a prisoner of conscience, an international peacemaker, and as the first elected president of a free, democratic, and multiracial Republic of South Africa inspired the world.

Nelson Mandela dedicated his life to serving humanity and making the world better for our children.

Nelson Mandela once said that the one of things that bothered him most during his imprisonment was not being able to hear the laughter and experience the joy of children.

His life teaches us the importance of instilling in our children a zest for living and a love for serving others.

Today we honor the life and work of a man went from a militant freedom fighter, to political prisoner, to a unifying figure, to elder statesman of the world.

He was a father figure, elder statesman and global ambassador. He was the guarantee, almost like an insurance policy, that South Africa's young democracy and its leaders will pursue the nation's best interests. He led the campaign to defeat apartheid through non-violence, peace, and dialogue.

Nelson Mandela never allowed resentment to drive him away from the path of reconciliation. He emerged from prison to set free an entire nation; he shed the bonds of slave labor to reshape the fate of his people.

Nelson Mandela's life is the a story of courage and a triumph over fear, and unyielding faith in the power, promise, and possibility of the human spirit.

He inspired the world with his strength and perseverance, with his message of hope and his embrace of freedom. He shared that legacy of love and partnership with us 22 years ago this day when he came to Houston's Rothko Chapel on December 8, 1991 shortly after his release from prison.

May the life of Nelson Mandela long stand as the ultimate tribute to the triumph of hope in the quest for freedom.

As Nelson Mandela said: "To be free is not merely to cast off one's chains, but to live in a way that respects and enhances the freedom of others."

May it be a comfort to his family and to the people of South Africa that so many mourn the loss of this extraordinary man and world historic figure.

I will be remembering and thinking of these things as I travel to Johannesburg, South Africa to attend the memorial service of one of the greatest persons in the record history of mankind.

Mr. FATTAH. I thank the gentlelady from the great State of Texas.

In 1994, Nelson Mandela was elected President. It is not of the same historical importance, but I was elected to the Congress that same year. But I am reminded that every day we are made anew.

And we have a new Congresswoman from the great State of Ohio, Congresswoman BEATTY, who I want to recognize now for her comments on the life of Nelson Mandela.

Mrs. BEATTY. Thank you, Mr. FATTAH, for organizing this Special Order hour for us.

First, let me say, as I stand here today, I am honored to talk about a man who is hard to define because he is a man who gave so much of his life, a man who understood that his success would be the success of the people around him.

Yesterday, I returned from South Africa where I had the distinct honor and pleasure to pay tribute to a man who inspired billions, for his courage, for his commitment to people, for his fight for justice, for equality, and for freedom.

Hundreds of thousands of people from around the world came there, witnessed it through electronic media, and gave their final respects to a man we love so dearly and call Madiba, a most beloved leader who liberated South Africa from apartheid. They waited for hours. They lined up. They filled the streets. And there I was, this new freshman with my Congressional Black Caucus members and Members from this Congress.

So I say to our chairwoman and president of the Congressional Black Caucus, Congresswoman MARCIA FUDGE, a job well done for leading us, and to Congressman AARON SCHOCK, thank you for leading us on this delegation.

And as I sat there with my colleagues, we witnessed the spirit, the culture, and the evidence that a great man has gone on. We watched the spirit and the rhythm of the toyi-toyi and the dancers. And as the memorial service began, to have our President of these United States come and pay tribute to Nelson, within itself was a great honor.

Before his election in 1994, he gave up so much to rid his country of injustice. As we know, he spent 27 years, almost a third of his life, in prison, most of that time on Robben Island, which I had the opportunity to visit. Fourteen years living in a small cell without water or accommodations for his personal needs speaks volumes for him.

But to be able to see this firsthand, what Mandela endured in that tiny, isolated cell when I was there, to set his people free. Time and time again, Nelson Mandela had taught the world many powerful lessons about justice, tolerance, and reconciliation. He astonished us all with his ability to forgive, something that we should remember on this House floor, including his forgiveness for those who jailed him and persecuted his family.

Nelson Mandela, lastly, believed in people. He believed in communities. He believed in countries. And he believed in world change for the better, something that I think we are witnessing now with our first President of these United States, a man of color. So I say to us, let us remember his words. It seems impossible until it is done.

To you, Madiba, we say, a job well done. God bless you.

Mr. FATTAH. I thank the gentlelady from the great State of Ohio.

And, obviously, when Nelson Mandela looked at the United States, one of the things that he was most interested in was the civil rights struggle in this country, understanding that African Americans who were fighting for the right to vote and for equal justice under the law, we were in a significant minority position demographically; whereas in South Africa, Black South Africans were the overwhelming majority in that country. And he was quite taken that the United States could right itself in such a way, at least legally, against the law that oppressed minorities here in our country, African Americans, in particular. He always was interested in this.

One of the persons who was uniquely involved in that and who serves with us in this House today is the gentlewoman from the District of Columbia, Congresswoman ELEANOR HOLMES NORTON.

Ms. NORTON. I thank my good friend, the gentleman from Philadelphia, Pennsylvania, who is so honorably following the great example of his predecessor Bill Gray in leading us today in the House and for all of the work that he has done in the House.

I want to thank the Congressional Black Caucus and particularly our chairman, MARCIA FUDGE, who led us on an exhausting but exhilarating trip to South Africa just this week. I want to thank the CBC—before I ever thought about coming to Congress—for their decades of work which was instrumental in release and the work of Nelson Mandela.

I went to South Africa earlier this week to share with South Africans their farewell to the father of their country, Madiba, the man who meant so much to millions of us, for his leadership throughout the world. And I went because, for me, he was a freedom-defining leader.

I knew Nelson Mandela before I met him. I was a member of the Free South Africa Movement that was particularly active here in the District of Columbia, the movement led by TransAfrica which became synonymous with Free Mandela.

Mr. Speaker, it was almost 30 years ago that four of us went into the South African Embassy—Randall Robinson; the head of TransAfrica, Dr. Mary Berry; my own predecessor, former Congressman Walter Fauntroy and I—who secured an appointment with the ambassador of South Africa, I must say, under false pretenses because we didn't intend to come out.

However, in those first arrests, we could not have imagined the cascade of events that followed. We did not imagine that from all over the country people would come to be arrested to free Mandela.

Mr. Speaker, perhaps least of all did I imagine that on his 95th birthday we

would have a commemoration where the Democratic and the Republican leaders of this House would gather to celebrate Mandela's 95th birthday. If you can imagine the life of Nelson Mandela, there is so much about that life that was unimaginable.

And there are so many people to thank tonight because as I think about all of those who are connected with Mandela—because there are millions of them—I hope we do not forget those who led this movement, that we do not forget Bill Gray who was the sponsor of the sanctions bill and succeeded in overriding a veto to get it through the Congress of the United States. I hope we do not forget TransAfrica, which invented the struggle for freedom for Mandela, or Ron Dellums or former Senator Mike Lugar, who were sponsors of the bill. I hope we do not forget the hundreds of thousands who lobbied and picketed their State legislatures to divest pension funds from South Africa. It is very difficult to imagine that without collective action, Mandela would have been free to free his country.

Most of all, Mr. Speaker, tonight we thank Nelson Mandela himself. How do you thank a man for making the highest and best use of his best years, by spending them—almost 30 years—incarcerated and then coming out to peacefully and ever so gently lead his fellow South Africans to lay down their grievances—just as Martin Luther King said, “Lay down your arms”—laid down their grievances, rose above their painful scars, their own years of suffering, and to somehow march with him into a new multiracial South Africa. It is a South Africa which today, like Madiba, its great leader, is an example for the rest of the world.

Much of the rest of the world today I hope remembers Madiba not only for what his years of sacrifice meant but for how he used those years to bring peace in the last place where peace was expected.

I thank the gentleman for leading us tonight.

Mr. FATTAH. I thank the gentlewoman for her extraordinary contributions to this remarkable occurrence in our lifetime, to see Mandela and his transformation from prison to President. I will have something more to say about that as we close.

But I want to recognize the gentlewoman from the great State of New York, Congresswoman YVETTE CLARKE, our new ambassador to South Africa who is doing an extraordinary job. I want to mention that she also, by the way, has the best birthday in the world because she shares it with me.

□ 1945

Ms. CLARKE of New York. I thank Congressman FATTAH for leading us in this Special Order in commemoration of “Madiba.”

I stand today to honor the memory of President Nelson Mandela of South Africa, a world leader of the highest order: an icon. His commitment to justice, equality, and the right to human dignity that must be afforded each individual person accorded him a moral authority that just could not be denied.

Nelson Mandela, affectionately known as Madiba, understood that the policy of apartheid was pure evil—a violation of our shared commitment to human rights and to the dignity of each individual.

Trained as an attorney, he became an activist. And for his activism, he was imprisoned in the very year that I was born, confined to a cell on Robben Island.

Through activism, he affirmed the ability of women and men to achieve freedom from the harshest forms of racial oppression and created a movement that inspired people worldwide. I, myself, as a young person was inspired by his example on the campus of Oberlin College, where, like many campuses across this Nation, we led a divestment movement.

I was within the enormous crowd of people in Brooklyn who cheered President Mandela upon his release from Robben Island. I remember the electricity in the air. Who could forget the experience of cheering a man who had come to our shores, arrived in the very district that I represent today, and who transformed his Nation and the whole world, in saying the words: Free Nelson Mandela.

Mr. Speaker, I was honored and humbled to be a part of the congressional delegation that attended his memorial earlier this week and to pay my respects and that of my constituents in the Ninth Congressional District.

Nelson Mandela will remain forever an inspiration to those who believe in justice and equality and the promise of a better future for all of God's children.

Today, Madiba is truly free. We all mourn in tribute to a hero to men and women everywhere.

Mr. FATTAH. I thank the gentlewoman. I thank not just you, but all those who hail from your part of the country who helped in this struggle.

I will yield to the Congressman from the city of Newark, the State of New Jersey, Congressman DONALD PAYNE, Jr., who will speak on the life and legacy of President Nelson Mandela.

Mr. PAYNE. Mr. Speaker, Nelson Mandela, as we know, was a hero for social justice and a model of leadership for me and leaders around the globe. Born during the years of apartheid, he was a resilient democratic leader, a peacemaker, and inspiring fighter for racial equality.

As it has been stated and is a well-known fact, Mr. Mandela spent 27 years in prison. Let's look at that time in a little more detail.

He was jailed as a young man, with two young children, one of them being only 3 years old. He wasn't able to touch her again for 27 years. While in prison, his mother passes away and his first-born son dies in a tragic car accident, never being able to say good-bye. Also, during that time, his wife was subjected to both physical and mental abuse. She was locked up in prison for 16 months in solitary confinement.

So how does a person after all that strife and all that grief come out of prison and talk about reconciliation?

President Mandela never let his 27 years in prison deter him from doing what he knew was right by ending apartheid and bringing democracy to the country that he loved. Even in the face of extreme diversity, he has proven that, with a noble cause and internal will, one person can change the tide of oppression. One person can change an entire country and, in turn, the entire world.

Although I did not have the pleasure of meeting President Mandela, he has always been a role model to me. Likewise, he was an inspiration to my father, the late Congressman Donald Payne, who toiled on the continent of Africa for equal rights and humanity for all people, and especially in South Africa.

So I am thankful for his tireless years of service and for being an example to true leadership. My condolences and prayers go out to the Mandela family and to the country of South Africa as the entire world mourns such a great loss.

Although Madiba is gone, his work and the imprint he has made on this world will never be forgotten.

Mr. FATTAH. I thank the gentleman.

I now yield to the Democratic leader of the House of Representatives, Congresswoman NANCY PELOSI.

Ms. PELOSI. Thank you very much, Mr. FATTAH, for taking this Special Order as part of the Congressional Black Caucus period of mourning for President Mandela.

I was so proud that so many members from the CBC, Mr. McDERMOTT, and others went to South Africa to be present at the celebration of the life and the memorial services for President Mandela. I wish that I could have gone. In fact, I thought I was. So did Mr. VAN HOLLEN and Mr. CLYBURN. But the business of the budget kept us here. Our thoughts and prayers were with all of you as we were at the National Cathedral yesterday.

What I came to the floor to say is I wish to associate myself with all the beautiful sentiments expressed by my colleagues about an icon in the world—a person that is so unique in history, not just in our lifetime, but in the history of the world.

When I was asked today some thoughts about President Mandela, I said that what he did reminded me of

King Solomon. When King Solomon was to inherit the throne from his father, King David, he prayed to God with a great spirit of humility. In humility, he said: God, please give me the wisdom to be the king of your people and to follow in the footsteps of King David. Please give me wisdom and understanding so that I can do the job.

And God came back to him another night and said: Solomon, because you did not ask for longevity, vengeance upon your enemies, or great wealth, I will give you more wisdom and more understanding than any other person has ever had, and people will come from all around and your wisdom will be renowned in the world for ages to come.

It reminds me so much of Nelson Mandela because in his greatness was that spirit of humility—that humility that was open to wisdom, to understanding, to being in somebody else's place—that led him not to wish for a long life, though God gave him that; not to give him great wealth, which he did not possess; and certainly not to give him vengeance upon his enemies, because that was the opposite of what he was. In the spirit of forgiveness and reconciliation, as our colleagues have discussed, and the great wisdom God gave him, as well as the long life, he was able to use that wisdom springing from that humility to understand other people's situations and then do great things, things that would make him renowned for ages to come for his wisdom and for his spirit.

I had the privilege of seeing President Mandela when he came to address a joint session of Congress in 1994 as the President of South Africa. Afterward, Speaker Foley had a luncheon. He invited a large number of us to have lunch with President Mandela.

President Mandela spoke again at that luncheon, and what was sad about it was that he spoke about the price he paid to be the father of his country—at the expense of his being a father to his family. He talked about how it was to be separated from his family for over 26 years.

Imagine that, trying to meet the needs of his wife and children, and also has his need to be a father. He made quite a sacrifice. It was urgent that he do so.

But, again, in different periods of his life he demonstrated great courage, great determination, great strength, great persistence in prison, and great sadness about not seeing his family. And all of that strengthened him to say he really had to exploit the investments that had been made by the people of South Africa in the name Mandela. And he came out to be an example to the world of forgiveness, reconciliation, and of a strength unlike most of us have ever seen.

As a Californian, we take some ownership of the Mandela issue, whether it

was stopping investments in South Africa and the rest. Ron Dellums was the champion of this. So we are proud of the role that we played in from the State of California.

It really is, again, in that same humility that is a virtue that we should all possess that I come to this floor to even talk about such a great person who went from a village, to a leader of a movement, to prison, to the presidency of South Africa; from a name that we heard in America, to a person who would address a joint session of Congress. But on top of all of that, to go from his village, to be a world icon.

Thank you, my colleague, for giving me the time.

Mr. FATTAH. Thank you, Madam Leader, for coming and sharing with us profound reflections on the life of President Mandela.

I yield to the gentleman from Maryland, CHRIS VAN HOLLEN, who has done a lot of work in this House today.

Mr. VAN HOLLEN. I want to thank my friend, Mr. FATTAH; my friend, Ms. FUDGE; and the entire CBC for organizing this time to honor the life of Nelson Mandela.

Nelson Mandela was a man who stood up so bravely to injustice. The power of his beautiful example inspired people around the world, stirred our hearts and stirred our conscience.

It was Nelson Mandela and the injustice of apartheid that first moved me to political activism. At the time, I was a student at Swarthmore College in the State of Pennsylvania. I joined the Swarthmore Antiapartheid Committee to urge and petition Swarthmore College to divest from South Africa. Young people at colleges around the country were moved to action.

I watched there as members of the Congressional Black Caucus here in the United States Congress worked to make sure that the United States stood up to the meaning that is in our founding creed that all people will be created equal. They were people like Congressman Gray and others, and Members who are members today of the CBC that are standing up.

And then, in 1985, I had the privilege of going to work as one of the foreign policy advisers to a great Maryland Senator by the name of Mac Mathias, who served on the Senate Foreign Relations Committee and was one of the sponsors of the legislation to impose economic sanctions against South Africa because of the evil of apartheid.

It was Senator Mathias, Senator Kennedy, and Senator Lugar, the Republican chairman of the Senate Foreign Relations Committee, working in the Senate along with the CBC in the House of Representatives and others who said the United States cannot stand by while the evil of apartheid is in place. We must answer the call of Nelson Mandela.

□ 2000

Certainly, my proudest moment as a staff member to Senator Mathias on those days on the Senate Foreign Relations Committee was, first, when the United States Congress passed that legislation and then on a bipartisan basis overrode the veto of then-President Reagan, showing how the democratic process in this country would work to stand up for justice.

As we confront issues here at home and around the world, we would do well by remembering the example of Nelson Mandela as we confront other issues of justice and peaceful reconciliation.

Mr. FATTAH. I thank the gentleman.

Mr. Speaker, may I inquire as to how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Pennsylvania has 5 minutes remaining.

Mr. FATTAH. I yield to the gentleman from the great State of Georgia.

To this list of Republicans who supported this effort, let me add the name of former Speaker Newt Gingrich, who supported the divestiture effort here in the House, and we want to appropriately recognize his contribution since he is from the great State of Georgia.

I yield to Congressman JOHNSON.

Mr. JOHNSON of Georgia. I thank you, Mr. FATTAH.

Mr. Speaker, I rise today to join my distinguished colleagues in a tribute to the life of President Nelson Mandela. I do so with a heavy heart.

The people of South Africa and the world at large have lost a great human being and one of the finest leaders ever known. Although President Nelson Mandela has passed, his legacy and his vision remain vital, and they will remain with us. Madiba taught us how to live and also how to die. He inspired hope in the people of South Africa. He set an example of leadership we would all do well to follow. He showed the world that an impassioned pursuit of justice could win over complacency and corruption.

I will always remember Nelson Mandela as a man and a movement. In 1990, not long after Mr. Mandela's release from jail, I attended a speech he gave at the Bobby Dodd Stadium in Atlanta, Georgia. Seeing this icon in the flesh and hearing his calm voice taught me something about the nature of true revolutionaries—that they are very real people.

Nelson Mandela was a real person who personally faced oppression. Facing that reality made his legend all the more inspiring to me. True progress is not beyond our reach. It is not a product of wishful thinking or of serendipity. Radical change comes from determination and integrity. His peaceful presence underscored the intensity of his resolve. He bravely sought to

change the seemingly unshakable status quo. The consequences of his actions were severe, but they did not break him. He showed the world that no amount of brutality could overpower the will of a people determined to be free. Nelson Mandela worked tirelessly to channel the righteous anger of the oppressed into a positive and revolutionary change.

What impressed me the most about Nelson Mandela was his humble spirit of forgiveness and love towards those who persecuted him. Neither angry nor vindictive and with great courage and dignity, he endured 27 years in prison, sacrificing his liberty for the sake of all South Africans. Ultimately, he lived a life of triumph over evil and adversity, leaving the world a better place for his journey amongst us.

On behalf of the people of Georgia's Fourth Congressional District, my wife and myself, I celebrate his life, and will work in pursuit of his vision. The spirit of his life will remain in my heart for so long as I shall live.

GENERAL LEAVE

Mr. FATTAH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material relative to the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FATTAH. In closing, I would like the House to focus on the transformation of this man who moved from a prison cell to being the President of a nation.

Through his circumstance of 27 years, during which his picture or his name could not be spoken, he became a world figure. He could not have more than one visitor for 30 minutes in a 6-month period, but yet hundreds of thousands have gathered to memorialize him. Delegations from almost 100 countries will go to his funeral and have gone to his home-going celebration. This is a man who traveled a great distance over these 95 years. He had the willingness to fight against oppression, and he had a willingness to reconcile with his oppressors in a way in which all could live in harmony.

He sets a great example for the world, so I thank the House for taking this time to honor his life and legacy.

Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor a man who has inspired me and millions of people across the globe. He died last week at the age of 95, but lived a full life defined by a dedication to serve others and a simple, but all important, insistence that all citizens be treated with dignity and respect.

Serving as the first black president of South Africa, Nelson Mandela fought and sacrificed for civil rights in his home country. To Nelson Mandela, all were equal—peace and justice

were to be shared among all races, religions, and nationalities. Beyond words, Mandela lived a life of leadership by example. His long and courageous opposition to South Africa's long and violent apartheid and relentless pursuit of freedom and justice was a profound example of moral leadership that will long be remembered.

A man not deterred or discouraged from his goals, Nelson Mandela was determined and unwavering in his fight for liberty. Beyond death, his life continues to serve as a daily inspiration for my public service, and I believe all of us can learn from Mandela's examples in forgiveness, hope, and sacrifice. South Africa and the world are better for the example of his life—his work laid the foundations for a bright future in South Africa and his vision of peace has been since shared around the globe.

His faith in God and commitment to the principles of freedom and justice for all are reflected in his favorite scripture from the Apostle Paul found in the 8th Chapter of Romans; 'Neither death, nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come, nor height, nor depth, nor any other creature, will be able to separate us from the love of God which is in Christ Jesus our Lord.' He would not be separated from his principles of justice for all, no matter the cost.

Mr. Speaker, today I ask my colleagues to join me and the people of South Africa in paying tribute to Mr. Nelson Mandela and his exceptional legacy as a world leader. May his family and all of the lives he touched be consoled and comforted by their faith in the Lord, along with the assurance that the courage of Nelson Mandela will not soon be forgotten.

Mr. FARR. Mr. Speaker, I rise today to honor Nelson Mandela—a man who leaves South Africa and the world a better place for his presence.

From a childhood herding cattle to an adulthood fighting for his people's freedom, Mandela's 95 years are a testament to the power of a single life to change the course of history.

And the arc of Mandela's life bends towards peace.

There are many ways to change the world.
And too often, the world is changed:

By war
By violence
By conflict

But Mandela took the road less traveled and changed the world with his commitment:

To freedom for his oppressed people
To equality for all people—oppressed and oppressors alike

And ultimately to peace for a country deeply wounded by conflict.

From the prison walls of Robben Island to the halls of Pretoria and beyond, Mandela was only human but exemplified super-human courage.

But he was admittedly not a perfect man. And it is his imperfections that bring us closer to him.

And enable us to follow in his footsteps.

His legacy of reconciliation and forgiveness can live on in each one of us when we, too, take the road less traveled and act in the name of justice and in the name of peace.

Let us learn from Nelson Mandela and write the narrative of our lives with

Justice
Equality
And peace.

As Mandela said, "When a man has done what he considers to be his duty to his people and his country, he can rest in peace."

Now is your time to rest in peace, Madiba.

As we honor you by promoting peace in our words, actions and deeds.

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor a man who has inspired me and millions of people across the globe. He died last week at the age of 95, but lived a full life defined by a dedication to serve others and a simple, but all important, insistence that all citizens be treated with dignity and respect.

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MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with amendments a bill of the House of the following title:

H.R. 3547. An act to extend the application of certain space launch liability provisions through 2014.

A YEAR IN REVIEW

The SPEAKER pro tempore (Mrs. WAGNER). Under the Speaker's announced policy of January 3, 2013, the

gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Madam Speaker, tonight, one of the things we did was to take up the National Defense Authorization Act. It was to extend the power of the President.

There were some good things in it. I applaud the inclusion of the conscience exception that would allow members of the military to do as members of the military have done throughout our history—be able to have, for example, a Bible on a desk, which are things that now have begun to result in persecution—and, actually, knocks against the military—things that our greatest Commander in the history of our country, George Washington, felt were noble things. Under this administration's watch, these things have now begun to result in persecution.

When you go back to the bill, the Authorization for Use of Military Force, that was passed on September 18, 2001, when the United States did not even know who had attacked us, it is incredible. I don't fault the legislature at the time, the Congress—the House and the Senate. Americans were scared. Churches and synagogues were packed all over America. I have never seen anything like it in my lifetime the way people especially flocked to churches and were praying fervently. Then after there was not another attack within 90 days, it was as if Americans began to say, Never mind, God. We don't have to worry about that because we haven't been attacked again.

The NDAA is basically added to the Authorization for Use of Military Force against September 11 terrorists. That is the name of it.

It says in section 2(a):

The President is authorized to use all necessary and appropriate force against those nations, organizations or persons he determines planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.

Then it sets out War Powers Resolution requirements consistent with section 8(a):

(1) Of the War Powers Resolution, Congress declares this section as intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution, 50 U.S.C. 1544(b).

It goes on and it is more extensive, and as I say, the NDAA actually modifies and extends things.

When that was passed, we didn't even know who had attacked us. I, obviously, was not here in Congress at the time, but we were afraid and concerned. We didn't know what was going to hit next, but it, perhaps, in retrospect, was a granting of more powers than should have been granted by the Congress because it is subject to being abused.

Fortunately, I don't consider it to have been abused by President Bush. Some blame him for Iraq. I wasn't here at the time, but I can't help but wonder when people supported the numerous successful efforts by President Bush at the United Nations in building a big coalition of countries to support our efforts to curtail Iraq's military efforts of not allowing U.N. inspectors to check on them. I don't blame the Democrats who voted for the authorization to go into Iraq, and I don't blame the Republicans, because Saddam Hussein gave every indication to the people who were in Congress at the time and to the President that he was up to no good. That was a long time ago.

Now we find that the President is using authorities that were granted, and this administration is using authority that was granted to do things like help rebels who we knew at the time in Libya had al Qaeda infused within them. We just didn't know how extensive, and many of us pointed that out. Now, this fall, we see that this administration has sent hundreds of tons of weapons to the Syrian rebels, and we find out that the Syrian rebels who are fighting a cruel dictator named Assad are engaging in more brutality, particularly against Christians, in the original roots where Christianity was born.

These are areas in which Apostle Paul established churches. It is the only city in the world that still speaks the original Aramaic that Jesus was believed to have spoken. This is an amazing place. This isn't just some trivial area in which a few Christians happen to be. This is right to the very founding of the Christian church. So many people came to America to have the freedom to worship without persecution. They fled Europe and fled other places so they could worship without persecution in a Christian church, and now this administration is using incredible powers that were bestowed on the President by Congress to help the wrong people.

I go back to a visit to the Middle East earlier this fall when allies basically were saying, We do not understand what you are doing. The Muslim Brotherhood is that which supports radical Islam, and it was the radical Islamists—the Muslim Brotherhood—that supported the 9/11 attacks. It was the Muslim Brotherhood that basically supported the training and all of the efforts the Taliban was doing. It is the Muslim Brotherhood that was engaged in trying to take down Qadhafi, which, without American help, they may not have done. It was the Muslim Brotherhood that took control in Egypt and was persecuting Christians as the Coptic Christian Pope, the Egyptian Pope, verified himself in meetings with him this fall. Now, in Syria, you are backing the people who are at war with you? We don't understand.

So it appears that we have gone from being at war, as President Bush talked about, with anyone who has supported the terrorists—you are either with us or you are with them—to now, not only not being at war with those who are at war with us, but to helping them.

□ 2015

As a Christian, to know that votes we have taken in Congress have helped enable this administration to provide weapons, weapons of war, to people who are brutalizing, raping, killing, seeing reports of the beheadings of Christians in Syria.

Though I greatly appreciate some of the things that were included in the NDAA, and in the past I have even helped work on bipartisan agreements, bicameral, with the Senate and the House, worked on an effort to rein in the President's authority to just indefinitely detain American citizens—and I think we had a great solution we worked together to get inserted, so I don't believe the President can do that any longer with the language now being used—I still can't continue to support what we are doing. I hope that we will have a bipartisan effort in the new year to actually end the authorization for use of military force against September 11 terrorists now that we seem to be helping those who are associated with the radical Islamist terrorists instead of being at war with them.

HORIZON INDUSTRIES

Mr. GOHMERT. Mr. Speaker, it is an honor to stand here and congratulate the National Industries for the Blind, that is the NIB, on their 75th anniversary and the great work they do for Texas' First Congressional District.

NIB's mission is to "enhance opportunities for economic and personal independence of persons who are blind, primarily through creating, sustaining, and improving employment."

Unfortunately, 70 percent of working-age Americans who are blind are unemployed. However, the NIB is trying to reverse those upsetting trends by providing more employment opportunities for people who are blind through their more than 250 locations across the United States.

Horizon Industries, which is a division of the East Texas Lighthouse for the Blind, is located in Tyler, Texas, and currently employs 70 blind and visually impaired individuals. When I visit Horizon Industries, East Texas Lighthouse for the Blind, I am overwhelmed with amazement and appreciation for the dedication, the ability, the desire, and the outright help that these visually impaired American wonders are working with.

Horizon, one of their jobs, they convert paper products into industrial cleaning cloths for the General Services Administration and its customers. These incredible employees have also manufactured 35,661 miles of parachute

cord for the Department of Defense, much of which was shipped directly to our troops who are deployed in Iraq and Afghanistan. Horizon Industries has empowered blind Americans through employment since 1976.

These marvelous friends, whose visual impairment has heightened their other senses to an amazing extent, are dedicated, they love this country, they want to help this country, are a blessing and an asset to their community, to east Texas, to Texas, and this country. May God continue to bless these wonderful, lovable, dedicated Americans as they continue to bless America.

THE AFFORDABLE CARE ACT

Mr. GOHMERT. To address the Affordable Care Act, as it was improperly and inaccurately labeled, is an article from Ben Shapiro in Breitbart today that said:

On Friday, PolitiFact bowed to the inevitable and named President Obama's "If you like your health care plan, you can keep it" statement its Lie of the Year. That came after PolitiFact labeled that statement "half-true" in June of 2012 and then defended its "half-true" rating in October 2013.

PolitiFact said:

It was a catchy political pitch and a chance to calm nerves about his dramatic and complicated plan to bring historic change to America's health insurance system, but the promise was impossible to keep.

Of course, there's more to the story than that: the promise was a lie when it was made, given that Obama knew at the time that insurance plans would be canceled. But PolitiFact, even in naming the statement the Lie of the Year, soft-pedaled it:

Obama fought back against inaccurate attacks with his own oversimplifications, which he repeated even as it became clear his promise was too sweeping.

So even PolitiFact, doing all they could to defend something that ended up absolutely not being true, they finally had to come around and actually admit when the whole country basically—most of the country—could see the truth, even PolitiFact had to finally get around to being factual.

Here is another story from John Nolte, the Breitbart, 12 December, today. He said:

During Thursday's White House press briefing, the press corps erupted in protest over the Obama administration's lack of transparency and media access. The press corps seemed to be in complete agreement that the Obama White House has been less transparent than the Bush White House. Quite a condemnation for the self-described "most transparent administration in history."

I have also noted in the news today statements from some of our leaders in our Republican Party here in the House that immigration will be a top priority for 2014. I would not have a problem with immigration being a top priority in 2014 if the administration would first enforce the laws that enter in effect regarding this Nation's security and its immigration laws.

We had a hearing today in Judiciary and heard testimony about the admin-

istration from Immigration and Customs Enforcement, ICE, that actually they are not complying with the law. The law says if somebody claims asylum, then they are detained until such time that they have the matter ultimately adjudicated. We learned that actually about 75 percent of those claiming asylum, which has grown multiple times from where they were in 2008 when President Bush left, a dramatic, dramatic increase in numbers of people coming across our southern border and claiming asylum, and apparently this administration is releasing about 75 percent of them.

And I was quite sad to hear testimony that even though they are making policy, that these individuals, deputy directors, could not give us the exact numbers of how many people they were releasing, how many people reported back for their hearings; and so that was quite a bit discouraging.

So when you know that there have been so many misstatements by this administration that turned out to be far less than accurate or true, then I do not know why Republicans and Democrats would want to take up immigration. Just the discussion about legal status, amnesty, anything of the sort, creates a massive magnet drawing people across our borders illegally, as we have heard testimony repeatedly, statements repeatedly, from our ICE agents, our Immigration and Customs Enforcement people. They say it increases dramatically every time we start talking about legal status and amnesty. We see huge numbers of people, numbers that we get about the people dying coming across deserts, not having adequate water and food to get across. Why would we do something to create a magnet until we have a secure border?

There are a lot of things that need to be reformed. But for those who continue to say, oh, yeah, but we will have real security in the next bill, look, there is money that this administration has, there is manpower this administration has, there is the ability this administration has to secure our border. What it does not have is the will.

If it turned out the administration were really and truly serious about securing our border, they could be confirmed by the border States. Then you would see me, along with most of the people I know, willing to sit down and immediately work out an immigration reform package. But to debate it in committee and on the floor, to talk about it, to make speeches before the border is secure, I am afraid makes us complicit in drawing people across deserts that will not make it and will die in the desert because we started talking about promises, dangling shiny objects to draw people to us, when we had not put proper protection in place to make sure that innocent people did not die trying to get here.

For those who say we need to vastly broaden the number of visas, there are some areas that I am in favor of increasing visas. There are a lot of things we can talk about, but it does not serve those who we will draw across deserts who won't make it, it doesn't serve them any good purpose until the administration secures the border. So with all the wonderful talk about triggers and, oh, but we are going to finally secure the border, well, President Reagan got fooled on that and regretted it.

I just think it will be a terrible mistake to do anything other than take up a resolution. I filed one basically saying that until the administration secures our borders, as confirmed by the border States, not Homeland Security, which we have trouble getting straight answers out of, but as confirmed by the border States, who are important, critical stakeholders in the immigration and secure border issue, when they confirm the borders are secure, then we immediately move in to dealing with immigration reform. To do otherwise is a mistake that will do great damage to people that we draw in, unfortunately, to their great damage and possible demise; and it will do great damage to this country.

Let's get the immigration, set it on hold, not take anything up until the President is committed and does actually secure the border. Then we get something worked out, and it won't be a difficult issue at all. But for those that say, oh, I think we can trust Homeland Security or we can trust groups in Washington or we can trust Homeland Security, sure, we can trust this administration. They say that once we give them everything they want in an immigration bill, then they really and truly will start securing the border to the extent that the law requires.

□ 2030

I am sure I look stupid to some, but I say that is a massive mistake. Follow the law. If you won't enforce and follow and execute the law faithfully now in accordance with the oath that was taken at the beginning of office, then why should we think things will change after you have gotten everything you want and there is no more incentive to follow the law.

Well, we get back to the promises made about the so-called Affordable Care Act. Here is an article from The Wall Street Journal today that says ObamaCare raised the cost of your kids' braces. And again, those of us who have used the term "ObamaCare," we don't mean anything any more derogatory than the President when he called Massachusetts health care "RomneyCare." It was just a way to identify Massachusetts health care. The President didn't mean anything derogatory when he says

"RomneyCare." People who use "ObamaCare," including the President, don't mean anything derogatory, but it certainly identifies for people more than the Affordable Care Act does, as we have seen man-on-the-street interviews on television that people don't know the Affordable Care Act and ObamaCare are actually the same thing.

This article points out:

Here is something your orthodontist is not smiling about, a new tax rule raised the cost of braces this year thanks to a change from the Affordable Care Act that places an annual \$2,500 contribution cap on flexible spending accounts which let workers set aside pretax dollars to cover medical expenses. Some consumers may be spending more on braces, expensive eyewear, or other medical supplies they would typically buy with the accounts. Before the new rule, there was no official cap on how much taxpayers could stash into the account, although many companies typically set their own limits of \$5,000. For a person in the 25 percent tax bracket, it cuts the maximum tax break in half to \$625 from \$1,250.

And then it goes on to explain how these increase the cost of braces and orthodontic care.

Another issue here, this article from *The Wall Street Journal* as well, dated December 11, says, "Juking the ObamaCare Stats." It says:

Most of Washington seems to have bought the White House claim that the 36 Federal exchanges are finally working, and glory, glory, hallelujah. But if that is really true, then what explains the ongoing secrecy and evasion?

We have had so much trouble getting specific, direct answers about people who have actually purchased insurance through the exchange.

Now, Health and Human Services, HHS, if they don't have these numbers, if they can't even tell us the number of people that have actually purchased insurance, then how in heaven's name will they ever be able to tell people whether or not they are actually covered and how extensively they are covered and whether or not they are going to take care of expenses. I mean, the fact that they can't come in here and give us specific information on who signed up, how many have signed up for this, that or the other, is a terrible harbinger for just how bad and disastrous this health care bill is.

As we have continued to have a number of hearings where we get nothing but obfuscation when specific facts are requested from the administration, we know that somebody has this information in this administration and it brought to mind the legal doctrine called spoliation. Now in our American courts in every State, in Federal court, we have very strict laws about the admittance of hearsay into evidence before a jury because our rules are there to protect the finder of fact, the jury, from hearing evidence which does not have really enough credibility to it, and hearsay has to be a specific excep-

tion or it is not allowed. It must be direct evidence; otherwise, it is not allowed, with very tight exceptions.

One exception that most jurisdictions, as we have in Texas, it is called spoliation. The doctrine is this, in essence. If one party in court has control of evidence that would be admissible toward proving or disproving a fact and that party does not, will not, or say they cannot produce that evidence to prove or disprove a fact, in that case the judge, as I used to be, could turn to the jury and instruct the jury that even though this is not direct evidence because of our justice system and the effort to achieve justice in America better than any court system in history, we can direct the jury under the doctrine of spoliation that this party had evidence in their possession that they have either refused to produce, cannot produce, or will not produce. Since this party has possession or had possession of that evidence, then, ladies and gentlemen of the jury, you may consider the fact that they are not producing that evidence as evidence itself that if produced that evidence would disprove what they are claiming. That is called, in essence, the doctrine of spoliation.

So that is the evidentiary doctrine that came to my mind as we continue to have hearings and the Obama administration fails to produce specific information about sign-ups to ObamaCare. So if we were in a court of law, it certainly appears that that instruction might be appropriate. Ladies and gentlemen of America, the administration has evidence in its possession that it either cannot, will not, or refuses to produce. Therefore, Americans, ladies and gentlemen of America, you may consider as evidence the fact that they will not produce that information as evidence that it does not support what they claim.

Basically, that is what we have here. They are refusing to produce evidence, information about ObamaCare. So I think the American people would be justified. I think a jury in my court would be justified in presuming, a legal presumption, that their failure to produce this evidence is evidence that their claims are not supported by the evidence they refuse to produce.

Here is an article from *The Weekly Standard*, December 11, entitled, "Sexiest man alive brought in to boost ObamaCare enrollment." I don't really know who Adam Levine is; probably my daughters do. Apparently, he was designated as such by *People* magazine. Apparently he has been enlisted, according to Bloomberg, as having been hired by this administration to give credibility to ObamaCare.

To me, again, that seems like if you have to hire some sexy guy to come in and promote and tell people, promote ObamaCare as being so wonderful and great, it is a pretty clear indication

that as people look into ObamaCare personally that they don't like what they see, and that is what we are hearing from most constituents. Thankfully, there are a few people who have benefited from ObamaCare; but the people we are hearing from, the vast majority, have been hurt, not helped.

Here again, another article from the *Washington Examiner*, Brian Hughes from today, actually 5:08 p.m. today. It says, "HHS extends more ObamaCare deadlines." It goes on to talk about that the Obama administration announced today that they would take steps to push back an already delayed deadline, help those struggling to obtain health coverage on January 1, and extend a Federal insurance program for those with preexisting conditions.

They keep extending deadlines. If HARRY REID and Senate Democrats had not been so dead set on shutting down the government on October 1 as they did, if they had been at least willing to forgo their desire to shut down the government and hope Republicans got blamed, which they knew that the mainstream would do because the mainstream media would not actually look at the facts that the House was compromising repeatedly and the Senate was saying "our way or the highway," basically, by their actions, making clear they wanted a shutdown. Well, they got the shutdown, and now, in retrospect, there have got to be Democrats in the Senate saying, You know what? Since we have to keep extending these deadlines, the American people are going to figure out we could have avoided that whole shutdown if Democrats had been even remotely reasonable in the Senate and said, Okay, let's go ahead and postpone this for a year because it is not going well.

Well, they wanted a shutdown and they got a shutdown, as the Senate Democrats wanted, and now there has got to be some buyer's remorse. They created the shutdown when they should have taken one of our various compromise offers and at least extended, suspended the individual mandate the way the President illegally did for businesses.

I want to touch on another thing quickly here. Iran is, as Israel has said repeatedly, an existential threat to the very existence of Israel. If they get nuclear weapons, they want to attack Israel first as the little Satan and they want to attack America next. And we have had Wendy Sherman, who is the lead negotiator for the Obama administration, come up and brief Members of Congress. I wasn't there because I had read about her policy leadership in working out the deal with North Korea under the Clinton administration which provided them nuclear power plants, fuel, got them up and going, and also agreed not to inspect their nuclear facilities, which gave North Korea time to develop nuclear weapons.

In order to get us to give them nuclear power plants and all they needed to make nuclear weapons, basically most of what they needed, all they had to do was promise they wouldn't pursue nuclear weapons. They have got to be thinking these Americans are the most stupid people in the world.

Sure, you want us to tell you we won't pursue nuclear weapons, we won't pursue them. Now give us what we need to make nuclear weapons and we will make nuclear weapons.

Here we have some of the same people involved with the Obama administration who want to do the same type of thing with Iran. The trouble is this time it really is a threat to the United States. It is a threat to Israel, and we have betrayed our ally, unfortunately, in Israel.

But anyway, here are the people in whom the Clinton administration and numerous people now in the Obama administration have such faith in. This article today, 5:07 p.m., "North Korea State Media Says Uncle of Kim Jong Un Executed." Oh, these are great people. These are people that we shouldn't have trusted, but the Clinton administration did and Wendy Sherman did back in the 1990s. She continued to persist. Oh, we can trust these guys, even in her op-ed in 2001.

□ 2045

You couldn't trust them, and people who knew these people knew you couldn't trust the leadership. You can trust the North Koreans, but you can't trust their leadership. You can trust the Iranians, but you can't trust their leadership.

Here is another article in the National Review online entitled "Nuclear Gangbangers."

An observant Iran appreciates three laws of current nuclear gangbanging:

1. Nuclear weapons earn a reputation.
2. The more loco a nuclear nation sounds, the more likely it is that civilized states will fear that it is not subject to nuclear deterrence, and so the more likely that they will pay bribes for it to behave. Gangbangers always claim they have nothing to lose; their more responsible intended targets have everything to lose.

3. As of yet, there are no 100 percent effective nuclear-defense systems that can guarantee non-nuclear powers absolute safety from a sudden attack. The nuclear gangbanger, not the global police, currently has the upper hand.

And this administration is turning a blind eye to the deceit and the lies and the nuclear development in Iran to our detriment and the detriment of our dear friend.

Madam Speaker, in the remaining time, since this is the last Republican Special Order time before we recess in the House for the Christmas holidays, the new year, I want to say that although it apparently irritates some liberals to no end and they miss the point of why it is important to read these historic statements, some people say,

Gee, we are getting lots of calls from irate people saying that the things that are being read on the House floor by Congressman GOHMERT are an affront and should never be allowed to be a part of the United States Government. They miss the entire point that the reason that I am reading them is because these poor people have not had a proper education. They do not know what a historic basis it is in going back to George Washington who created an order that you couldn't take God's name in vain, creating in his resignation a prayer for the Nation, talking about the divine author of our blessed religion and that without a humble limitation in these things that we can never hope to be a happy Nation.

There were the proclamations thanking God, directing people to have days of prayer. There were all of these things throughout our history. So, Madam Speaker, I hope Americans appreciate the profound things that have been done by America's leaders in the past.

This is from Franklin D. Roosevelt, December 24, 1933, in a Christmas greeting to the Nation. Again, it was okay in the 1930s, just as it was throughout our history, to thank God. No one ever had a problem with Democrats or Republicans paying tribute to God in the House Chamber, in the Senate Chamber, in the White House, anywhere. These are Franklin Roosevelt's comments. He said:

This year marks a greater national understanding of the significance in our modern lives of the teaching of Him whose birth we celebrate. To more and more of us the words "thou shalt love thy neighbor as thyself" have taken on a meaning that is showing itself and proving itself in our purposes and daily lives. May the practice of that high ideal grow in us all in the year to come. I give you and send you one and all, old and young, a merry Christmas and a truly happy new year. So for now and for always, "God bless us every one."

The following year on Christmas Eve, Franklin D. Roosevelt gave us these words from the White House, a government property. It was entirely proper. He said:

Let us make the spirit of Christmas of 1934 that of courage and unity. That is, I believe, an important part of what the Maker of Christmas would have it mean. In this sense, the Scriptures admonish us to be strong and of good courage, to fear not, to dwell together in unity.

That was just some of his comments.

Franklin D. Roosevelt, January 25, 1941, in the prologue of the New Testament published by the Gideons and distributed to soldiers during World War II—and I have one that my aunt provided me that she said my uncle had received. It says:

To the Armed Forces: As Commander in Chief, I take pleasure in commending the reading of the Bible to all who serve in the Armed Forces of the United States. Throughout the centuries, men of many faiths and diverse origins have found in the Sacred Book

words of wisdom, counsel, and inspiration. It is a fountain of strength and now, as always, an aid in attaining the highest aspirations of the human soul. Very sincerely yours, Franklin D. Roosevelt.

On December 21, 1941, two weeks after America was attacked, a day which will live in infamy, as President Roosevelt said, Franklin Roosevelt delivered this message:

Sincere and faithful men and women . . . are asking themselves this Christmas how can we light our trees? How can we give our gifts? How can we meet and worship with love and with uplifted spirit and heart in a world at war, a war of fighting and suffering and death? How can we pause even for a day, even for Christmas day in our urgent labor of arming a decent humanity against the enemies which beset it? How can we put the world aside, as men and women put the world aside in peaceful years, to rejoice in the birth of Christ?

President Roosevelt goes on. He says:

Looking into the days to come, I have set aside a day of prayer, and in that proclamation I have said: "The year 1941 has brought upon our Nation a war of aggression by powers dominated by arrogant rulers whose selfish purpose is to destroy free institutions. They would thereby take from the freedom-loving peoples of the Earth the hard-won liberties gained over many centuries. The new year of 1942 calls for courage . . . Our strength, as the strength of all men everywhere, is of greater avail as God upholds us.

Therefore, I . . . do hereby appoint the first day of the year of 1942 as a day of prayer, of asking forgiveness for our shortcomings of the past, of consecration to the tasks of the present, of asking God's help in days to come. We need his guidance that this people may be humble in spirit but strong in conviction of the right; steadfast to endure sacrifice, and brave to achieve a victory of liberty and peace.

Our strongest weapon in this war is that conviction of the dignity and brotherhood of man which Christmas day signifies.

President Roosevelt goes on:

Against enemies that preach the principles of hate and practice them, we set our faith in human love and in God's care for us and all men everywhere.

On January 6, 1942, President Roosevelt said:

Our enemies are guided by brutal cynicism, by unholy contempt for the human race. We are inspired by faith which goes back through all the years to the first chapter of the Book of Genesis. "God created man in his own image." We on our side are striving to be true to that Divine heritage. We are fighting, as our fathers have fought, to uphold the doctrine that all men are equal in the sight of God. Those on the other side are striving to destroy this deep belief and to create a world in their own image, a world of tyranny and cruelty and serfdom.

That was Franklin Roosevelt, 1942. He knew at the time that there were the axis powers, the evil powers that included Hitler in Germany, Mussolini in Italy, radical Islamists in North Africa joining forces together, and he talked about our heritage. Here he is a year later, Franklin Roosevelt. These are official statements, Madam Speaker. This is President Roosevelt's official government message:

To you who serve in uniform I also send a message of cheer that you are in the thoughts of your families and friends at home, and that Christmas prayers follow you wherever you may be. To all Americans I say that loving our neighbor as we love ourselves is not enough, that we as a Nation and as individuals will please God best by showing regard for the laws of God. There is no better way of fostering good will toward man than by first fostering good will toward God.

Then President Roosevelt quotes John 14:15. President Roosevelt says:

If we love Him, we will keep His commandments. In sending Christmas greetings to the Armed Forces and merchant sailors of the United Nations we include therein our pride in their bravery on the fighting fronts and all the seas.

It is significant that tomorrow, Christmas day, our plants and factories will be stilled. That is not true of the other holidays we have long been accustomed to celebrate. On all other holidays work goes on gladly for the winning of the war. So Christmas becomes the only holiday in all the year. I like to think that this is so because Christmas is a holy day. May all it stands for live and grow throughout the years.

That was Franklin D. Roosevelt.

In 1944, December 24, the official government statement by Franklin Roosevelt as President was:

It is not easy to say "merry Christmas" to you, my fellow Americans in this time of destructive war, nor can I say "merry Christmas" lightly tonight to our Armed Forces at their battle stations all over the world, or to our allies who fight by their side. Here, at home, we celebrate Christmas Day in our traditional American way because of its deep spiritual meaning to us; because the teachings of Christ are fundamental in our lives; and because we want our youngest generation to grow up knowing the significance of this tradition and the story of the coming of the immortal Prince of Peace and good will.

He goes on:

But in perhaps every home in the United States sad and anxious thoughts will be continually with the millions of our loved ones who are suffering hardships and misery and who are risking their very lives to preserve for us and for all mankind the fruits of his teachings and the foundations of civilization itself.

□ 2100

The Christmas spirit lives tonight in the bitter cold of the front lines in Europe and in the heat of the jungles and swamps of Burma and the Pacific Islands. Even the roar of our bombers and fighters in the air and the guns of our ships at sea will not drown out the message of Christmas which comes to the heart of our fighting men.

President Roosevelt goes on:

The tide of battle has turned, but slowly, but inexorably against those who sought to destroy civilization. We pray that this day may come soon. We pray, until then, God will protect our gallant American and women in the uniforms of the United Nations, that He will receive into His infinite grace those who make their supreme sacrifice in the cause of righteousness and the cause of love of Him and His teachings.

President Roosevelt finishes by saying:

We pray that with victory will come a new day of peace on Earth, in which all the na-

tions of Earth will join together for all time, that in the spirit of Christmas, the Holy Day, may that spirit live and grow throughout the world in all the years to come.

And then finally, close with this, Madam Speaker. This is Franklin Roosevelt, January 20, 1945. This is part of his last inaugural address. And as I finish with this, may I say, Madam Speaker, that I know all of us here in the House and the Senate, no matter what our persuasions, have these same very best wishes as Franklin Roosevelt had for our American troops, our men and women in uniform today, just as those wishes were made 68 years ago.

This was 1945. Roosevelt said:

As I stand here today, having taken the solemn oath of office in the presence of my fellow countrymen, in the presence of God, I know that it is America's purpose that we shall not fail. The Almighty God has blessed our land in many ways. He has given our people stout hearts, strong arms with which to strike mighty blows for freedom and truth. He has given to our country a faith which has become the hope of all people in an anguished world.

President Franklin Roosevelt finishes by saying:

So we pray to Him now for the vision to see our way clearly, to see the way that leads to a better life for ourselves and for all our fellow men, to the achievement of His will, to peace on Earth.

Roosevelt finishes by saying:

In the presence of God, I know that it is America's purpose that we shall not fail.

Madam Speaker, if we keep that same faith of Franklin Roosevelt, in his official capacity as President of the United States, he is right. God will not let us fail.

Madam Speaker, I yield back the balance of my time.

HONEST REFLECTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 30 minutes.

Ms. JACKSON LEE. I thank the Speaker for yielding, and I thank the leader, Leader PELOSI, for the time and, as well, the Speaker.

It is always appropriate when we rise in this wonderful holiday season to wish Americans of all faiths a wonderful and blessed time with their families, to wish my colleagues a wonderful time with their families, and to reflect a moment on the greatness of this country that has experienced its challenges, of which I believe the Members of this body and the other body are committed to solving.

But I thought it was important today, as we leave for the recess in our districts where we will be engaging with our constituents—and this coming Saturday I will hold the 19th annual Toys for Kids that I have hosted for the past 19 years at the George R. Brown Convention Center, a way of giving

back, but a way of hearing the joys and sounds of children enjoying themselves.

So I would like to make this time that I have, these few minutes, a time of joy and happiness. But I also think we must be honest, and it should be a time of confronting reality and the truth. And so I wanted to go back for a moment on work that was just accomplished just a few hours ago, when this body voted on a proposal that was given by the negotiators to the House and will be given again to the Senate on the bipartisan Budget Act of 2013.

As many Americans know, we experienced a horrific shutdown just a few weeks ago, unwarranted, bearing no results, and hurting millions of people around the Nation. I remember coming to the floor some 56 times to ask my Republican friends to cease and desist and to open the government, open the government. So I understand the frustration and exhaustion of the American people and our hardworking Federal employees who could take it no more and asked for some minimal way to avoid the atrocious and catastrophic closing of the government on the basis of whim and opposition to an established law, the Affordable Care Act.

So what came of it was an additional \$1.012 trillion that would be spent over fiscal year 2014 and 2015, and what would allow the restoration of Head Start seats that were lost, child care, housing assistance, educational dollars for higher education, research dollars, the same needs that I expressed during the shutdown that were being denied, the addition of these dollars, minimal that they were, but enough to give us a boost over last year's expenditures, and to save some of the needs that Americans had that were lost. I support that and congratulate that step made. And it got us past sequester, which was trickery that was offered as a hammer over a commission and committee that was supposed to design a grand bargain of moving America forward.

But what we also obtained in this Budget Act, although painful, was the maintenance of our Social Security and Medicare for our seniors and the assurance that those funds would not be tampered with, and that any reform would include the widespread opportunity for Members to engage their seniors and others who were receiving these benefits so that there would be a compliance with the commitment that many of us, such as myself, have made—continued protection of Medicare and Social Security.

In the course of that, this Congress has never abandoned the unemployed, and so it was proposed by the Democratic conferees to include unemployment insurance, and, yes, the SGR that would provide seniors with their doctors by fixing the sustainable growth rate.

That was supposed to be the proposal, Madam Speaker. And tragically,

in the constructed, contradictory, conflicted, misrepresented bill that came to the floor through the Rules Committee, they, with the darkness of the night, included the SGR, but they left out the helping of the most vulnerable people.

Twice on the floor today I asked that we not go home so that we could go vote on the Levin-Van Hollen-Lee amendment that would have restored and would have been paid for, the unemployment insurance.

I continue to ask tonight that we not go home or that we be called back to ensure that that insurance continues. I intend to introduce legislation very quickly to require the Congress to come back and for there to be an independent up-or-down vote on actually restoring the unemployment insurance so that it would not expire on December 28 and, as well, for that legislation to be passed by the Senate and signed by the President.

I would also respectfully ask, humbly in this holiday season, as the President has done often, to please continue to push the House and the Senate to return in order to make a difference.

Let me pause for a moment and share with you why this is so important. The uninsured are not criminals. And let me clarify, those who are not getting unemployment insurance are not criminals, as I heard a Member on the other side of the aisle, the Republican chair of the Budget Committee, indicating that they had stopped criminals from getting unemployment insurance. I thought that was the most dastardly statement that could ever be said in the history of the Congress.

I am shocked. I don't know and I have not run into criminals who are getting unemployment insurance, but I will tell you that 1.3 million jobless workers will lose their unemployment benefits on December 28, 2013.

Please remember that these are individuals who have worked. This is not a handout. They have worked and they paid for insurance, or they have benefits through their work that would warrant insurance that would cover them when they were unemployed and looking for work.

A number or a figure was given by my friend and colleague, Congressman LEVIN, who said when the Walmart opened in this area for 600 jobs, Madam Speaker, 23,000 people applied. Does that suggest they are criminals or people who don't want to work?

In 2014, 3.6 million workers will lose access to benefits because of the lack of action of this Congress. In Texas, 68,900 jobless workers will lose their unemployment benefits on the 28th, and an additional 106,900 in 2014.

The unemployment rates have improved, but nationally, they are 7 percent. And the minimum weekly benefits available in Texas are such that I can assure you it would not break the bank.

So I am committed. The pain is deep in many of us that we would close these doors and not, for a moment, have a solution to the unemployment benefits. So many Members have worked on it.

The hearing was held last week by the Democratic Leader and Democratic Members, listening to the pain of many. But I can move the numbers up to 50. If we went on the streets and found 50 unemployed, our stories would be so moving it would bring tears to our eyes.

□ 2115

It is not as if we had overdone it: for this Congress, led by the Republicans, who passed only 57 bills compared to 2010's 258, 2011's 90, and 2009's 125. So there is plenty of time to do some work. And the reason why I think this is so potent is because this is in the backdrop of my having the honor and privilege of joining my fellow colleagues, members of the Congressional Black Caucus, the Congressman from Illinois, the Senator from Texas, to go to the memorial of Madiba, Nelson Mandela.

We spoke about him just a few hours ago on the floor of the House, but I just want to make mention of him again, holding a candlelight service that was held in Houston, Texas, and to, again, thank of many of those involved in the apartheid movement. There are two names that I want to put in the RECORD, Representative Al Edwards and former council member Jew Don Boney. There were many others, but I wanted to express my appreciation to them, along with Deloyd Parker and the SHAPE community family who have been entrenched in issues of justice and freedom and were clearly wrapped around the issue of eliminating apartheid.

And to pay tribute to my colleague from Texas, the Honorable Mickey Leland, who as well worked with Bill Gray and then the Congressional Black Caucus to be the voice and conscience that lifted up the antiapartheid movement in Congress with the passage of the sanctions bill that was joined in by the United States Senate, the other body, as was mentioned earlier.

But I mention that because the service was so moving. The President's words were potent and eloquent and were cited by the South African press as the most significant tribute of that day. Thank you, President Obama.

But it also reminded us, in his words, that it called upon all of us to walk in his footsteps and to be reminded of the needs of the vulnerable and always, as JOHN LEWIS, my friend from Georgia, says, get in the way of what is not good to make it good.

It was not good for this Congress to leave and not do what was right, and that is the passage of the unemployment insurance. So I want to call upon

my colleagues to push toward this floor and the Republican Speaker to find a way to undo the trickery of the Rules Committee to put in the sustainable growth rate, the SGR, and not put into the rule the opportunity to give unemployment insurance to the needy and the desperate and people who have worked who are not looking for a handout. And that would be the intent of my legislation, to make the point that we should be here, to make the point that we can pass it.

And I want to thank the Democratic leadership for putting in the previous question, the vote for us to go on record that we are appalled and outraged that December 28 will come without extending the unemployment insurance. It does not make any sense.

And for the spirited, emotional time that I have, it is well worth it to say, I was there and to be there and to watch head of state after head of state and to see the joy in that massive stadium and to listen to the songs of the people of South Africa in the dialect and language that is so beautiful and to match it with the voices of the choir behind Kirk Franklin, a Texan, to say that we are in your hands. To be able to put all of that together and then come back and not in the spirit of Nelson Mandela, who believed in the importance of being courageous, we find ourselves with no unemployment insurance.

So I believe that there are things that we left undone, and I look to have us come and to fix them, but I also want to join as the cochair of the Congressional Children's Caucus to be able to acknowledge the loved ones who now have come at almost a year. They will do so on December 14. And on December 14, in Houston, the mothers that demand action will, at 3:30 in the afternoon, be lighting candles and mourning the tragedy of Sandy Hook.

How unacceptable to note that we have not been able to pass comprehensive gun safety laws, that we have not been able to deal with the universal background check. In actuality, we have done nothing.

So maybe this will raise a concern of my colleagues to know that gun violence has killed children and continues to kill them every day in America. A .45 caliber pistol killed Lucas Higgins, 3, on Memorial Day last year in his Ohio home. It had been temporarily hidden under the couch by his father when he found it and shot himself through the right eye. His mother called 911 and said, It is bad.

A few days later, in Georgia, Cassie Culpepper, 11, was riding in the back of a pickup truck with her 12-year-old brother and two other children. Her brother started playing with a pistol his father had lent him to scare coyotes. He thought he had removed all the bullets; and, tragically, it fired and blood poured from Cassie's mouth.

In Houston, a group of youth found a Glock pistol and shot a 15-year-old; or at a party, 19 were shot, and two teenagers were dead; or the tragedy of the killing of Braveon Terry, who was shot a few weeks ago, a Jack Yates High School student.

So I mourn with the Sandy Hook families for those that they have lost because tragically 31,537 people die from gun violence annually. Those injured, 71,000. It looks as if we can find a way to be able to stop this violence.

So I want to, in tribute to those families who mourn—maybe someone looking will look at this heart that is on the Web site, the Sandy Hook families where it names every one of those who lost their lives through a crazed gunman with guns, guns, who shot his mother and emphasize the need for mental health and the need for the securing of guns, the need for universal background checks, not gun control but gun regulation to be able to save lives. To those families, I pray with you and mourn with you.

That is not all that was left undone. For I have, over the years, introduced legislation every year on reauthorizing the juvenile block grant, as well in preventing bullying and intervening. The bill, H.R. 2585, the Juvenile Accountability Block Grant Reauthorization and the Bullying Prevention and Intervention Act of 2013, to allow under the juvenile block grants pointedly directing communities across America to address the question of the prevention of bullying and, as well, intervention.

One in seven students in grades K through 12 is either a bully or a victim of bullying; 90 percent of fourth to eighth grade students report being victims of bullying of some type, and 90 percent of students have personally witnessed some type of bullying. And 70 percent of students report incidents of bullying.

I believe that we are called upon. There is a cry to help the families in Sandy Hook and to be able to intervene in a child's life to ensure that they do not suffer from the siege of gun violence or the siege of bullying that occurs in the Nation's schools and community.

I must take note that on December 10, the same day as the memorial for our dear Madiba, was Human Rights Day. As a member of the Human Rights Commission here in the United States Congress, I want to acknowledge that human rights have become essential to the global conversation regarding peace, security, and development. And tying it in to all that I have said, human rights in America calls for us to be as concerned for the vulnerable who are unemployed without unemployment insurance. It calls for us to do more in terms of a budget that looks to lift America, to create jobs, to provide for child care and Head Start and education.

Human rights calls for us to stamp out the cancer, if you will, the devastation of gun violence and violence by children, against children, using guns. It calls for us to act with a greater humanity toward our seniors. It calls for us as well to respond to the call by the families, the families who are fasting and immediately move to passing comprehensive immigration reform. That is what human rights is all about.

And over the years—almost two decades—I have introduced a comprehensive immigration reform bill. But I am ready to be able to ask that H.R. 15, which is a bipartisan initiative proposed by the members of the Democratic Caucus and, as well, the bipartisan legislation that has been signed onto by Republicans and Democrats that has been introduced with over 180 to 190 sponsors, a simple bill that has the Senate language and H.R. 1417 combined to make a parallel bill, H.R. 1417, a bipartisan initiative passed out of homeland security that I helped author and drew Republican and Democratic votes.

The question is, are we going to leave behind mothers who are torn away from children who are being deported because we have not passed comprehensive immigration reform? Every day in my office, there are those who desperately call and show up for very meritorious cases, cases that, because of the backlog, because of the inability to get into the courthouse, they would have been rendered to be nondeportable. They would have been able to stay with their families. But, one, we don't have a matrix of laws. And these people are vulnerable because they don't have the access to the courts, the representation that is necessary to plead their case.

Today in the Judiciary, we held a hearing on whether we were abusing asylum. Asylum is for people who are fleeing persecution. There is no evidence that any of those people in large numbers of any kind are abusing the asylum request; but if we could get a comprehensive approach that we would include H-1B visas, we would help out DREAMers, the very same young people that come into my office who are brilliant, valedictorians and leaders of their community, and yet they are being denied. We are losing the brain power of America because we do not have comprehensive immigration reform.

So it is a crisis long overdue that should be addressed. And the families that were fasting that have dismantled their tents today, who came to this Congress on the steps, the east steps pleading with this Congress, pleading. It disturbs me that it seems that we can't listen to the pleading hearts. We have turned our shoulders, turned our backs. I would simply hope that in the litany of things that I have offered that we could come to some solution.

Let me quickly mention the issues of education and needs in my own district. I want the children of our school districts to come and feel welcomed and loved. And one instruction that I have to my friends who work so hard in education in my own community—listening to a principal that was arrested from Shady Dale Elementary School for theft, tragically. But that principal replaced a good principal that was not retained by the school district.

Or two individuals involved with Wheatley High School—the same high school that Barbara Jordan went to—and, tragically, they were arrested for drug possession, cocaine and marijuana. I make no judgment on that, except it removed them from the very same school that the principal that the children loved was fired from, or removed from.

And look what we came to. Individuals who were arrested for drug possession who had to be removed from the school—one who was the principal, one who was over principals. And another individual who had to be removed from an elementary school whose beloved principal was taken away.

Madam Speaker, the list of challenges that I have given is not without the recognition that we live in the greatest country in the world, and we are able to do most of what we put our minds to.

I want my colleagues to have a wonderful holiday season; but at the same time, I did not want to leave here without expressing the commitment of so many and myself that we must have a love of humanity. We must live the Human Rights International Day that was celebrated on December 10. We must be the defender of human rights.

□ 2130

We must ensure that the economic, social, cultural, civil, and political rights around the world and in the United States are protected. We must reach out to those souls who languish here in the United States—11 million—who need to have us address the issue of their dignity and their status.

We must stop the unending deportation that is unfairly ripping children from mothers and fathers.

We must pay attention to the mourning families at Sandy Hook and respond to their pain in their name and the many others who have died by gun violence. Pass the universal background check.

And we must ensure, again, that we protect those who cannot speak for themselves.

My closing words are, again, let us come back to extend the unemployment insurance. Let us move quickly to pass comprehensive immigration reform. Let us protect our seniors and our soldiers, and let us go home to register and enroll as many uninsured Americans who need health care as

possible. Congratulations on the now 1 million-plus that are enrolled.

Let us be sure to remember that there are others who suffer during this season. We can be tasked with making their lives better by coming together as a Congress and answering their call from the array of issues that I have brought to this Congress and this body tonight. I ask for us to act.

With that, Madam Speaker, I yield back the balance of my time.

Madam Speaker, today I rise to honor and remember each of the 26 victims of the tragic shootings at the Sandy Hook Elementary School in Newtown, Connecticut one year ago on Saturday, December 14, 2013.

As the Founder and Co-Chair of the Congressional Children's Caucus and a senior Member of the Judiciary Committee, I have listened to the tragic testimony of individuals who have survived or lost loved ones as a result of gun violence.

The community and the families directly impacted continue to reel from the inconceivable tragedy that took place at Sandy Hook Elementary on December 14, 2012.

The story of Sandy Hook was particularly frightening and heartbreaking for those of us who are parents or grandparents.

Our hearts still ache with sadness and disbelief for the families and loved ones of the children and women who lost their lives in this senseless act of violence.

This remembrance of the Sandy Hook Elementary School shooting one year ago should recognize and applaud the heroic efforts made by the teachers, administrators, and law enforcement officials who acted quickly to secure and protect the lives of the children who survived this deadly encounter.

This tragedy unlike any other in recent memory touched so many hearts and minds both in the United States and around the world that this remembrance is particularly poignant.

The parents and grandparents who dropped off their children and grandchildren in the early morning hours of December 14, 2012, could never have imagined that by 10 a.m. on that morning they would face this tragedy.

The deaths at Sandy Hook as well as those at Aurora and Columbine will be etched in our collective memories.

The Nation was united in grief one year ago over the Sandy Hook tragedy and many of us who have strongly advocated for sensible gun safety laws throughout our service in Congress thought that the time had arrived when policymakers, parents, teachers, and law enforcement could work to reduce gun related deaths.

We could all agree that the tragedy should not have occurred; unfortunately we could not find agreement on a new national gun policy to reduce gun related violence in the United States.

We must join together in recognizing that gun violence on the scale of Sandy Hook can happen in any community and delaying tactics by the gun lobby will only allow another tragedy to occur.

We must immediately begin to address the underlying problems of gun violence that would lead a young man to take up arms against defenseless women and children.

FINDING SOLUTION TO GUN TRAGEDIES.

We must look at the tragedy of gun violence and the need for mental health services.

The lack of accessible and affordable mental health care is something that is being addressed by the Affordable Care Act, but more needs to be done to reduce and prevent gun violence. However, this is not to equate mental illness with violence.

The Affordable Care Act takes a positive step forward to address the issue of mental illness and access to care by making it a requirement that all healthcare plans contain care for mental illness and substance abuse.

Because of the health care law, for the first time insurance companies in the individual and small group market are required to cover mental health and substance use disorder services as one of ten categories of essential health benefits. Additionally, they must cover these services at parity with medical and surgical benefits (which means things like out-of-pocket costs for behavioral health services must generally be comparable to coverage for medical and surgical care).

The Affordable Care Act expands mental health and substance use disorder benefits and parity protections for approximately 60 million Americans. That's one of the largest expansions of mental health and substance use disorder coverage in a generation.

Further, the White House announced a \$100 million commitment to improve access to mental health services.

The Affordable Care Act will provide \$50 million to assist community centers to provide more mental health services. The Department of Agriculture will provide \$50 million to finance rural mental health facilities.

The health care law requires most health plans to cover recommended preventive services like depression screenings for adults and behavioral assessments for children at no cost to consumers.

Beginning in 2014, the Affordable Care Act prohibits insurance companies from denying coverage or increasing charges to people due to pre-existing health conditions, including mental illnesses.

In the State of Texas it is expected that 5,189,000 people will now have access to mental health and substance abuse assistance programs.

The link between certain mental illnesses and violence is rare, but the work to provide people in need of care should not be solely motivated by concerns regarding violence.

Often those who suffer from mental illness are more likely to be victims of violence or cause harm to themselves.

The real threat of gun violence comes from those who have guns in their lives and in their homes.

The tragedy of Sandy Hook took us all by surprise, but there are hundreds of other tragedies around the nation that involve children who become victims of gun violence.

Annually in the United States there are over 30,000 gun related deaths, but too often we do not focus on how many of these deaths are children.

No other nation has this level of gun violence per-capita as the United States unless they were actively engaged in a civil war or conflict with another nation.

The total number of deaths associated with 13 years of war in both Afghanistan and Iraq is 6778 service men and women.

Each of their deaths we mourn as a nation as we work to bring to an end military action.

These men and women died to keep us safe. We should work to make them safe when they return home.

I read with heartache the September 28, New York Times article, "Children and Guns: The Hidden Toll," published in September of this year.

Some of the stories were tragic as they were familiar to those of us who work to reduce gun violence.

Lucas Heagren, 3 years old, killed by a gun he found where his father temporarily hid it under a couch.

Days later, Cassie Culpepper, age 11, who was shot and killed by her brother who thought a gun his father gave him to scare coyotes was unloaded.

A few weeks later Alex Whitfield, age 11 was killed by a Glock pistol found in a closet by a 15-year-old.

These children are the hidden victims of a nation obsessed with guns at almost any cost.

The children of gun violence may be any child or grandchild—including your own.

They may be from any home found in any neighborhood or rural community in this nation.

The tragedies of gun deaths of children are not just what your child knows about gun safety, but more often what another child with access to a firearm does not know.

More important is the lack of gun safety knowledge among adults which is a factor in far too many gun related child deaths.

Many deaths of children who are victims of guns are not part of official federal records.

The New York Times report found over 259 accidental firearm deaths of children under the age of 15 spanning several years.

These numbers are about twice as many as were reported in federal statistics for the same time period.

For example, gun related federal death statistics would not include Caroline Starks age 2 who was killed by her 5-year-old brother who was playing with his "Cricket" .22 rifle a gun designed specifically for children.

[From the New York Times, Sept. 28, 2013]

CHILDREN AND GUNS: THE HIDDEN TOLL

(By Michael Luo and Mike McIntire)

The .45-caliber pistol that killed Lucas Heagren, 3, on Memorial Day last year at his Ohio home had been temporarily hidden under the couch by his father. But Lucas found it and shot himself through the right eye. "It's bad," his mother told the 911 dispatcher. "It's really bad."

A few days later in Georgia, Cassie Culpepper, 11, was riding in the back of a pickup with her 12-year-old brother and two other children. Her brother started playing with a pistol his father had lent him to scare coyotes. Believing he had removed all the bullets, he pointed the pistol at his sister and squeezed the trigger. It fired, and blood poured from Cassie's mouth.

Just a few weeks earlier, in Houston, a group of youths found a Glock pistol in an apartment closet while searching for snack money. A 15-year-old boy was handling the gun when it went off. Alex Whitfield, who had just turned 11, was struck. A relative

found the bullet in his ashes from the funeral home.

Cases like these are among the most gut-wrenching of gun deaths. Children shot accidentally—usually by other children—are collateral casualties of the accessibility of guns in America, their deaths all the more devastating for being eminently preventable.

They die in the households of police officers and drug dealers, in broken homes and close-knit families, on rural farms and in city apartments. Some adults whose guns were used had tried to store them safely; others were grossly negligent. Still others pulled the trigger themselves, accidentally fracturing their own families while cleaning a pistol or hunting.

And there are far more of these innocent victims than official records show.

A New York Times review of hundreds of child firearm deaths found that accidental shootings occurred roughly twice as often as the records indicate, because of idiosyncrasies in how such deaths are classified by the authorities. The killings of Lucas, Cassie and Alex, for instance, were not recorded as accidents. Nor were more than half of the 259 accidental firearm deaths of children under age 15 identified by The Times in eight states where records were available.

As a result, scores of accidental killings are not reflected in the official statistics that have framed the debate over how to protect children from guns.

The National Rifle Association cited the lower official numbers this year in a fact sheet opposing “safe storage” laws, saying children were more likely to be killed by falls, poisoning or environmental factors—an incorrect assertion if the actual number of accidental firearm deaths is significantly higher.

In all, fewer than 20 states have enacted laws to hold adults criminally liable if they fail to store guns safely, enabling children to access them.

Legislative and other efforts to promote the development of childproof weapons using “smart gun” technology have similarly stalled. Technical issues have been an obstacle, but so have N.R.A. arguments that the problem is relatively insignificant and the technology unneeded.

Because of maneuvering in Congress by the gun lobby and its allies, firearms have also been exempted from regulation by the Consumer Product Safety Commission since its inception.

Even with a proper count, intentional shooting deaths of children—including gang shootings and murder-suicides by family members—far exceed accidental gun deaths. But accidents, more than the other firearm-related deaths, come with endless hypotheticals about what could have been done differently.

The rifle association’s lobbying arm recently posted on its Web site a claim that adult criminals who mishandle firearms—as opposed to law-abiding gun owners—are responsible for most fatal accidents involving children. But The Times’s review found that a vast majority of cases revolved around children’s access to firearms, with the shooting either self-inflicted or done by another child.

A common theme in the cases examined by The Times, in fact, was the almost magnetic attraction of firearms among boys. In all but a handful of instances, the shooter was male. Boys also accounted for more than 80 percent of the victims.

Time and again, boys could not resist handling a gun, disregarding repeated warnings

by adults and, sometimes, their own sense that they were doing something wrong.

When Joshua Skorczewski, II, took an unloaded 20-gauge shotgun out of the family gun cabinet in western Minnesota on July 28, 2008, it was because he was excited about going to a gun safety class that night and wanted to practice.

But for reasons that he later struggled to explain to the police, Joshua loaded a single shell into the gun and pulled the hammer back. He decided he should put the gun back, but his finger slipped. It fired, killing his 12-year-old sister, Natasha, who was standing in the kitchen with him. When his mother called from work to check on them, a shaken Joshua told her he had just called 911: “Mom, I shot Tasha.”

Christina Wenzel, the mother of Alex Whitfield, had tried to make sure he did not visit anyone’s house if guns were present. What she did not know, when Alex went to his father’s apartment last April, was that a family member had stored three loaded guns there.

“I always thought I had Alex protected from being killed by another child by a gun that was not secured,” Ms. Wenzel said. “Unfortunately, I was mistaken.”

UNDERCOUNTING DEATHS

Compiling a complete census of accidental gun deaths of children is difficult, because most states do not consider death certificate data a matter of public record. In a handful of states, however, the information is publicly available. Using these death records as a guide, along with hundreds of medical examiner and coroner reports and police investigative files, The Times sought to identify every accidental firearm death of a child age 14 and under in Georgia, Minnesota, North Carolina and Ohio dating to 1999, and in California to 2007. Records were also obtained from several county medical examiners’ offices in Florida, Illinois and Texas.

The goal, in the end, was an in-depth portrait of accidental firearm deaths of children, one that would shed light on how such killings occur and might be prevented. In all, The Times cataloged 259 gun accidents that killed children ages 14 and younger. The youngest was just 9 months old, shot in his crib.

In four of the five states—California, Georgia, North Carolina and Ohio—The Times identified roughly twice as many accidental killings as were tallied in the corresponding federal data. In the fifth, Minnesota, there were 50 percent more accidental gun deaths. (The Times excluded some fatal shootings, like pellet gun accidents, that are normally included in the federal statistics.)

The undercount stems from the peculiarities by which medical examiners and coroners make their “manner of death” rulings. These pronouncements, along with other information entered on death certificates, are the basis for the nation’s mortality statistics, which are assembled by the National Center for Health Statistics, a division of the Centers for Disease Control and Prevention. Choosing among five options—homicide, accidental, suicide, natural or undetermined—most medical examiners and coroners simply call any death in which one person shoots another a homicide.

GUN STATISTICS

NUMBER OF PERSONS KILLED BY GUNS IN THE 12 MONTHS AFTER NEWTOWN

31,537 people die from gun violence annually:

11,583 people are murdered.

18,783 people kill themselves.

584 people are killed accidentally.
334 are killed by police intervention.
252 die but intent is not known.

NUMBER OF PERSONS INJURED BY GUN VIOLENCE

71,386 people survive gun injuries:
51,249 people are injured in an attack.
3,627 people survive a suicide attempt.
15,815 people are shot accidentally.

694 people are shot by police intervention.
Homicide is the second leading cause of death for young people ages 15 to 24.

Homicide is the leading cause of death for many minorities in this country.

82.8 percent of young people who are killed are killed with a firearm;

Every 30 minutes, a child or teenager in America is injured by a gun;

Every 3 hours and 15 minutes, a child or a teenager loses their life to a firearm.

APPOINTMENT AS MEMBER OF UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker’s appointment, pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for fiscal year 2001 (22 U.S.C. 7002), as amended, and the order of the House of January 3, 2013, of the following individual on the part of the House to the United States-China Economic and Security Review Commission for a term expiring on December 31, 2015:

Mr. Daniel M. Slane, Ohio

APPOINTMENT AS MEMBER OF COMMISSION ON CIVIL RIGHTS

The SPEAKER pro tempore. The Chair announces the Speaker’s appointment, effective December 16, 2013, pursuant to section 2 of the Civil Rights Commission Amendments Act of 1994 (42 U.S.C. 1975 note), and the order of the House of January 3, 2013, of the following individual on the part of the House to the Commission on Civil Rights for a term expiring December 15, 2019:

Mr. Peter N. Kirsanow, Cleveland, Ohio

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DOYLE (at the request of Ms. PELOSI) for today until 3:30 p.m. on account of death in family.

Mr. RUSH (at the request of Ms. PELOSI) for today and December 13 on account of attending to family acute medical care and hospitalization.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2871. An act to amend title 28, United States Code, to modify the composition of

the southern judicial district of Mississippi to improve judicial efficiency, and for other purposes.

H.R. 2922. An act to extend the authority of the Supreme Court Police to protect court officials away from the Supreme Court grounds.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1471. An act to authorize the Secretary of Veterans Affairs and the Secretary of the Army to reconsider decisions to inter or honor the memory of a person in a national cemetery, and for other purposes.

ADJOURNMENT

Ms. JACKSON LEE. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 33 minutes p.m.), under its previous order and pursuant to House Resolution 434, the House adjourned until Monday, December 16, 2013, at 11 a.m., as a further mark of respect to the memory of the late Nelson Mandela, former President of the Republic of South Africa.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 113th Congress, pursuant to the provisions of 2 U.S.C. 25:

KATHERINE M. CLARK, Fifth District of Massachusetts.

OATH FOR ACCESS TO CLASSIFIED INFORMATION

Under clause 13 of rule XXIII, the following Members executed the oath for access to classified information:

Robert B. Aderholt, Rodney Alexander*, Justin Amash, Mark E. Amodei, Robert E.

Andrews, Michele Bachmann, Spencer Bachus, Ron Barber, Lou Barletta, Garland "Andy" Barr, John Barrow, Joe Barton, Karen Bass, Joyce Beatty, Xavier Becerra, Dan Benishek, Kerry L. Bentivolio, Ami Bera, Gus M. Bilirakis, Rob Bishop, Sanford D. Bishop, Jr., Timothy H. Bishop, Diane Black, Marsha Blackburn, Earl Blumenauer, John A. Boehner, Suzanne Bonamici, Jo Bonner*, Madeleine Z. Bordallo, Charles W. Boustany, Jr., Kevin Brady, Robert A. Brady, Bruce L. Braley, Jim Bridenstine, Mo Brooks, Susan W. Brooks, Paul C. Broun, Corrine Brown, Julia Brownley, Vern Buchanan, Larry Bucshon, Michael C. Burgess, Cheri Bustos, G. K. Butterfield, Ken Calvert, Dave Camp, John Campbell, Eric Cantor, Shelley Moore Capito, Lois Capps, Michael E. Capuano, Tony Cardenas, John C. Carney, Jr., André Carson, John R. Carter, Matt Cartwright, Bill Cassidy, Kathy Castor, Joaquin Castro, Steve Chabot, Jason Chaffetz, Donna M. Christensen, Judy Chu, David N. Cicilline, Katherine M. Clark, Yvette D. Clarke, Wm. Lacy Clay, Emanuel Cleaver, James E. Clyburn, Howard Coble, Mike Coffman, Steve Cohen, Tom Cole, Chris Collins, Doug Collins, K. Michael Conaway, Gerald E. Connolly, John Conyers, Jr., Paul Cook, Jim Cooper, Jim Costa, Tom Cotton, Joe Courtney, Kevin Cramer, Eric A. "Rick" Crawford, Ander Crenshaw, Joseph Crowley, Henry Cuellar, John Abney Culberson, Elijah E. Cummings, Steve Daines, Danny K. Davis, Rodney Davis, Susan A. Davis, Peter A. DeFazio, Diana DeGette, John K. Delaney, Rosa L. DeLauro, Suzan K. DelBene, Jeff Denham, Charles W. Dent, Ron DeSantis, Scott DesJarlais, Theodore E. Deutch, Mario Diaz-Balart, John D. Dingell, Lloyd Doggett, Michael F. Doyle, Tammy Duckworth, Sean P. Duffy, Jeff Duncan, John J. Duncan, Jr., Donna F. Edwards, Keith Ellison, Renee L. Ellmers, Jo Ann Emerson*, Elliot L. Engel, William L. Enyart, Anna G. Eshoo, Elizabeth H. Esty, Eni F. H. Faleomavaega, Blake Farenthold, Sam Farr, Chaka Fattah, Stephen Lee Fincher, Michael G. Fitzpatrick, Charles J. "Chuck" Fleischmann, John Fleming, Bill Flores, J. Randy Forbes, Jeff Fortenberry, Bill Foster, Virginia Foxx, Lois Frankel, Trent Franks, Rodney P. Frelinghuysen, Marcia L. Fudge, Tulsi Gabbard, Pete P. Gallego, John Garamendi, Joe Garcia, Cory Gardner, Scott Garrett, Jim Gerlach, Bob Gibbs, Christopher P. Gibson, Phil Gingrey, Louie Gohmert, Bob Goodlatte, Paul A. Gosar, Trey Gowdy, Kay Granger, Sam Graves, Tom Graves, Alan Grayson, Al Green, Gene Green, Tim Griffin, H. Morgan Griffith, Raúl M. Grijalva, Michael G. Grimm, Brett Guthrie, Luis V. Gutiérrez, Janice Hahn, Ralph M. Hall, Colleen W. Hanabusa, Richard L. Hanna, Gregg Harper, Andy Harris, Vicky Hartzler, Alcee L. Hastings, Doc Hastings, Denny Heck, Joseph J. Heck, Jeb Hensarling, Jaime Herrera Beutler, Brian Higgins, James A. Himes, Rubén Hinojosa, George Holding, Rush Holt, Michael M. Honda, Steven A. Horsford, Steny H. Hoyer, Richard Hudson, Tim Huelskamp, Jared Huffman, Bill Huizenga, Randy Hultgren, Duncan Hunter, Robert Hurt, Steve Israel, Darrell E. Issa, Sheila Jackson Lee, Hakeem S. Jeffries, Lynn Jenkins, Bill Johnson, Eddie Bernice Johnson, Henry C. "Hank" Johnson, Jr., Sam Johnson, Walter B. Jones, Jim Jordan, David P. Joyce, Marcy Kaptur, William R. Keating, Mike Kelly, Robin L. Kelly, Joseph P. Kennedy III, Daniel T. Kildee, Derek Kilmer, Ron Kind, Peter T. King, Steve King, Jack Kingston, Adam Kinzinger, Ann Kirkpatrick, John Kline, Ann M. Kuster, Raúl R. Lab-

rador, Doug LaMalfa, Doug Lamborn, Leonard Lance, James R. Langevin, James Lankford, Rick Larsen, John B. Larson, Tom Latham, Robert E. Latta, Barbara Lee, Sander M. Levin, John Lewis, Daniel Lipinski, Frank A. LoBiondo, David Loebsack, Zoe Lofgren, Billy Long, Alan S. Lowenthal, Nita M. Lowey, Frank D. Lucas, Blaine Luetkemeyer, Ben Ray Lujan, Michelle Lujan Grisham, Cynthia M. Lummis, Stephen F. Lynch, Daniel B. Maffei, Carolyn B. Maloney, Sean Patrick Maloney, Kenny Marchant, Tom Marino, Edward J. Markey*, Thomas Massie, Jim Matheson, Doris O. Matsui, Vance M. McAllister, Carolyn McCarthy, Kevin McCarthy, Michael T. McCaul, Tom McClintock, Betty McCollum, James P. McGovern, Patrick T. McHenry, Mike McIntyre, Howard P. "Buck" McKeon, David B. McKinley, Cathy McMorris Rodgers, Jerry McNerney, Mark Meadows, Patrick Meehan, Gregory W. Meeks, Grace Meng, Luke Messer, John L. Mica, Michael H. Michaud, Candice S. Miller, Gary G. Miller, George Miller, Jeff Miller, Gwen Moore, James P. Moran, Markwayne Mullin, Mick Mulvaney, Patrick Murphy, Tim Murphy, Jerrold Nadler, Grace F. Napolitano, Richard E. Neal, Gloria Negrete McLeod, Randy Neugebauer, Kristi L. Noem, Richard M. Nolan, Eleanor Holmes Norton, Richard B. Nugent, Devin Nunes, Alan Nunnelee, Pete Olson, Beto O'Rourke, William L. Owens, Steven M. Palazzo, Frank Pallone, Jr., Bill Pascrell, Jr., Ed Pastor, Erik Paulsen, Donald M. Payne, Jr., Stevan Pearce, Nancy Pelosi, Ed Perlmutter, Scott Perry, Gary C. Peters, Scott H. Peters, Collin C. Peterson, Thomas E. Petri, Pedro R. Pierluisi, Chellie Pingree, Robert Pittenger, Joseph R. Pitts, Mark Pocan, Ted Poe, Jared Polis, Mike Pompeo, Bill Posey, David E. Price, Tom Price, Mike Quigley, Trey Radel, Nick J. Rahall II, Charles B. Rangel, Tom Reed, David G. Reichert, James B. Renacci, Reid J. Ribble, Tom Rice, Cedric L. Richmond, E. Scott Rigell, Martha Roby, David P. Roe, Harold Rogers, Mike Rogers, Mike Rogers, Dana Rohrabacher, Todd Rokita, Thomas J. Rooney, Peter J. Roskam, Ileana Ros-Lehtinen, Dennis A. Ross, Keith J. Rothfus, Lucille Roybal-Allard, Edward R. Royce, Raul Ruiz, Jon Runyan, C. A. Dutch Ruppersberger, Bobby L. Rush, Paul Ryan, Tim Ryan, Gregorio Kilili Camacho Sablan, Matt Salmon, Linda T. Sánchez, Loretta Sanchez, Mark Sanford, John P. Sarbanes, Steve Scalise, Janice D. Schakowsky, Adam B. Schiff, Bradley S. Schneider, Aaron Schock, Kurt Schrader, Allyson Y. Schwartz, David Schweikert, Austin Scott, David Scott, Robert C. "Bobby" Scott, F. James Sensenbrenner, Jr., José E. Serrano, Pete Sessions, Terri A. Sewell, Carol Shea-Porter, Brad Sherman, John Shimkus, Bill Shuster, Michael K. Simpson, Kyrsten Sinema, Albio Sires, Louise McIntosh Slaughter, Adam Smith, Adrian Smith, Christopher H. Smith, Jason T. Smith, Lamar Smith, Steve Southerland II, Jackie Speier, Chris Stewart, Steve Stivers, Steve Stockman, Marlin A. Stutzman, Eric Swalwell, Mark Takano, Lee Terry, Bennie G. Thompson, Glenn Thompson, Mike Thompson, Mac Thornberry, Patrick J. Tiberi, John F. Tierney, Scott R. Titton, Dina Titus, Paul Tonko, Niki Tsongas, Michael R. Turner, Fred Upton, David G. Valadao, Chris Van Hollen, Juan Vargas, Marc A. Veasey, Filemon Vela, Nydia M. Velázquez, Peter J. Visclosky, Ann Wagner, Tim Walberg, Greg Walden, Jackie Walorski, Timothy J. Walz, Debbie Wasserman Schultz, Maxine Waters, Melvin L. Watt, Henry A. Waxman, Randy K. Weber, Sr.,

Daniel Webster, Peter Welch, Brad R. Wenstrup, Lynn A. Westmoreland, Ed Whitfield, Roger Williams, Frederica S. Wilson, Joe Wilson, Robert J. Wittman, Frank R. Wolf, Steve Womack, Rob Woodall, John A. Yarmuth, Kevin Yoder, Ted S. Yoho, C. W. Bill Young*, Don Young, Todd C. Young

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4134. A letter from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting the Department's final rule — Energy Efficiency and Conservation Loan Program (RIN: 0572-AC19) received December 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4135. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Robert P. Lennox, United States Army, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

4136. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Allen G. Myers, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

4137. A letter from the Acting Administrator Rural Housing Service, Department of Agriculture, transmitting the Department's final rule — Single Family Housing Guaranteed Loan Program (RIN: 0575-AC18) received December 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4138. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID FEMA-2013-0002] [Internal Agency Docket No.: FEMA-8311] received December 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4139. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Floodplain Management and Protection of Wetlands [Docket No.: FR-5423-F-02] (RIN: 2501-AD51) received December 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4140. A letter from the Director, Department of the Treasury, transmitting the Department's final rule — Definitions of Transmittal of Funds and Funds Transfer (RIN: 1506-AB20) received December 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4141. A letter from the Secretary, Department of Health and Human Services, transmitting the Annual Report for Fiscal Year 2012 of the Administration on Aging, pursuant to 42 U.S.C. 3018; to the Committee on Education and the Workforce.

4142. A letter from the General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received December 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4143. A letter from the Secretary, Department of Health and Human Services, trans-

mitting a report entitled "Performance Evaluation of Accreditation Bodies under the Mammography Quality Standards Act of 1992 as amended by the Mammography Quality Standards Reauthorization Acts of 1998 and 2004" covering January 1, 2012, through December 31, 2012; to the Committee on Energy and Commerce.

4144. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Placement of Perampanel into Schedule III [Docket No.: DEA-374] received December 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4145. A letter from the Deputy Bureau Chief Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund [WC Docket No.: 10-90] received December 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4146. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-44, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4147. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-69, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4148. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-63, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4149. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-34, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4150. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-62, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4151. A letter from the Director, Defense Security Cooperation Agency, transmitting reports submitted in accordance with Sections 36(a) and 26(b) of the Arms Export Control Act, the 24 March 1979 Report by the Committee on Foreign Affairs, and the Seventh Report by the Committee on Government Operations for the fourth quarter of Fiscal Year 2013, July 1, 2013 — September 30, 2013; to the Committee on Foreign Affairs.

4152. A letter from the Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

4153. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Addition of Certain Persons to the Entity List; Amendment of Entity List Entries; and Removal of One Person from the Entity List Based on a Removal Request [Docket No. 130809700-3700-01] (RIN: 0694-AF96) received December 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4154. A letter from the Assistant Secretary, Department of Defense, transmitting a draft of proposed legislation titled "A bill to provide for the transfer of naval vessels to certain foreign recipients"; to the Committee on Foreign Affairs.

4155. A letter from the Secretary, Department of Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Foreign Affairs.

4156. A letter from the Honorary Secretary, Foundation of Japanese Honorary Debts, transmitting the 228th petition to the Prime Minister of Japan; to the Committee on Foreign Affairs.

4157. A letter from the Director, Office of Government Relations, Corporation for National and Community Service, transmitting the Inspector General's semiannual report to Congress for the reporting period April 1, 2013 through September 30, 2013; to the Committee on Oversight and Government Reform.

4158. A letter from the Acting Chief Privacy and Civil Liberties Officer, Department of Justice, transmitting the Department's final rule — Exemption of Records Systems Under the Privacy Act [CPLC Order No. 006-2013] received December 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4159. A letter from the Director, Office of Administration, Executive Office of the President, transmitting accounting of transactions from the Unanticipated Needs Account for fiscal year 2013; to the Committee on Oversight and Government Reform.

4160. A letter from the Chairman, Federal Maritime Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2013 through September 30, 2013; to the Committee on Oversight and Government Reform.

4161. A letter from the Chairman, Railroad Retirement Board, transmitting the Board's Office of Inspector General Semiannual Report for the period April 1, 2013 through September 30, 2013; to the Committee on Oversight and Government Reform.

4162. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Halibut and Crab Prohibited Species Catch Allowances in the Bering Sea and Aleutian Islands Management Area [Docket No.: 121018563-3148-02] (RIN: 0648-XC985) received December 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4163. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole for Vessels Participating in the BSAI Trawl Limited Access Fishery in the Bering Sea and Aleutian Islands Management Area [Docket No.: 121018563-3148-02] (RIN: 0648-XC977) received December 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4164. A letter from the Acting Deputy Director, Office of Sustainable Fisheries,

NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries; Pacific Tuna Fisheries; 2013 Bigeye Tuna Longline Fishery Closure in the Eastern Pacific Ocean [Docket No.: 110620342-1659-03] (RIN: 0648-XC922) received December 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4165. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Housing Assistance Due to Structural Damage [Docket ID: FEMA-2010-0035] (RIN: 1660-AA68) received November 22, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4166. A letter from the Secretary, Department of Transportation, transmitting the Department's report entitled, "Fundamental Properties of Asphalts and Modified Asphalts — III"; to the Committee on Transportation and Infrastructure.

4167. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a proposed amendment to the Commercial Space Launch Act; to the Committee on Science, Space, and Technology.

4168. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Publication of the Tier 2 Tax Rates received December 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4169. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Rules Relating to Additional Medicare Tax [TD 9645] (RIN: 1545-BK54) received December 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4170. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's "Major" final rule — Extension of Expiration Date for Mental Disorders Body System Listings [Insert Docket No.: SSA-2013-0040] (RIN: 0960-AH49) received December 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4171. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare and Medicaid Programs; Home Health Prospective Payment System Rate Update for CY 2014, Home Health Quality Reporting Requirements, and Cost Allocation of Home Health Survey Expenses [CMS-1450-F] (RIN: 0938-AR52) received December 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

4172. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to Section 7(a) of the Jerusalem Embassy Act of 1995 (Pub. L. 104-45), a copy of Presidential Determination No. 2014-04 suspending the limitation on the obligation of the State Department Appropriations contained in sections 3(b) and 7(b) of that Act for six months as well as the periodic report provided for under Section 6 of the Act covering the period from June 4, 2013, to the present; jointly to the Committees on Foreign Affairs and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mrs. MILLER of Michigan: Committee on House Administration. H.R. 94. A bill to amend the Internal Revenue Code of 1986 to prohibit the use of public funds for political party conventions (Rept. 113-291). Referred to the Committee of the Whole House on the state of the Union.

Mrs. MILLER of Michigan: Committee on House Administration. H.R. 95. A bill to reduce Federal spending and the deficit by terminating taxpayer financing of presidential election campaigns and party conventions (Rept. 113-292, Pt. 1). Ordered to be printed.

Mrs. MILLER of Michigan: Committee on House Administration. H.R. 1994. A bill to terminate the Election Assistance Commission (Rept. 113-293). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL. Committee on Homeland Security. H.R. 3107. A bill to require the Secretary of Homeland Security to establish cybersecurity occupation classifications, assess the cybersecurity workforce, develop a strategy to address identified gaps in the cybersecurity workforce, and for other purposes; with an amendment (Rept. 113-294). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. DELAURO (for herself, Ms. WILSON of Florida, Ms. MOORE, Mr. CARSON of Indiana, Ms. BROWN of Florida, Mr. LANGEVIN, Ms. ESHOO, Ms. LEE of California, Mr. MORAN, Ms. MCCOLLUM, Ms. SCHAKOWSKY, Mr. SWALWELL of California, Mr. GEORGE MILLER of California, Ms. FUDGE, Mr. BLUMENAUER, Mr. DEUTCH, Mr. CARDENAS, Mr. JOHNSON of Georgia, Mr. LEWIS, Ms. ROYBAL-ALLARD, Ms. SHEA-PORTER, Mr. PAYNE, Mr. HUFFMAN, Mrs. CAROLYN B. MALONEY of New York, Ms. NORTON, Ms. JACKSON LEE, Mr. RANGEL, Ms. EDWARDS, Mr. BRADY of Pennsylvania, Mrs. LOWEY, Mr. MCGOVERN, Mr. HASTINGS of Florida, Mr. BARBER, Ms. CASTOR of Florida, Ms. LOFGREN, Mr. PALLONE, Ms. MENG, Mr. TAKANO, Mr. POLIS, and Ms. MATSUI):

H.R. 3712. A bill to provide paid family and medical leave benefits to certain individuals, and for other purposes; to the Committee on Ways and Means.

By Mr. JEFFRIES (for himself and Mr. POE of Texas):

H.R. 3713. A bill to amend the Trademark Act of 1946 to provide for the registration of marks consisting of a flag, coat of arms, or other official insignia of the United States or of any State or local government, and for other purposes; to the Committee on the Judiciary.

By Mr. CARTWRIGHT (for himself, Mr. FARENTHOLD, Mr. HOLT, Mr. GRIMM, Mr. RAHALL, and Mr. BISHOP of Georgia):

H.R. 3714. A bill to provide for a prescription drug take-back program for members of the Armed Forces and veterans, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Armed Services, the Judiciary, and Veterans' Affairs, for a period to be sub-

sequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ELLISON (for himself and Mr. ROHRBACHER):

H.R. 3715. A bill to reduce prescription drug costs by allowing the importation and reimportation of certain drugs; to the Committee on Energy and Commerce.

By Mr. AMODEI:

H.R. 3716. A bill to ratify a water settlement agreement affecting the Pyramid Lake Paiute Tribe, and for other purposes; to the Committee on Natural Resources.

By Mr. MURPHY of Pennsylvania (for himself, Mr. CASSIDY, Mr. LANCE, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 3717. A bill to make available needed psychiatric, psychological, and supportive services for individuals diagnosed with mental illness and families in mental health crisis, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, Education and the Workforce, Ways and Means, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself and Mr. MEEHAN):

H.R. 3718. A bill to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any of certain diseases is the result of the performance of such employee's duty; to the Committee on Education and the Workforce.

By Ms. ESHOO (for herself and Ms. LOFGREN):

H.R. 3719. A bill to amend the Communications Act of 1934 to facilitate retransmission consent negotiations between television broadcast stations and multichannel video programming distributors, to provide greater subscriber choice in cable service tiers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SCALISE (for himself and Mr. GARDNER):

H.R. 3720. A bill to repeal certain provisions of the Communications Act of 1934, title 17 of the United States Code, and the regulations of the Federal Communications Commission that intervened in the television marketplace, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATHAM:

H.R. 3721. A bill to reauthorize the America's Agricultural Heritage Partnership; to the Committee on Natural Resources.

By Mr. LATHAM (for himself and Mr. RICHMOND):

H.R. 3722. A bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASSIDY (for himself, Mr. GUTHRIE, and Mr. DENT):

H.R. 3723. A bill to amend the Public Health Service Act to revise and extend the program for viral hepatitis surveillance, education, and testing in order to prevent deaths from chronic liver disease and liver cancer, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas (for himself, Mr. COHEN, Mr. COBLE, Mr. BACHUS, and Mr. CHABOT):

H.R. 3724. A bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services; to the Committee on the Judiciary.

By Mr. FLORES (for himself, Mr. TAKANO, Mr. COOK, Mr. RUNYAN, Mr. SCHNEIDER, Ms. TITUS, Mr. COFFMAN, and Mr. HANNA):

H.R. 3725. A bill to amend the Internal Revenue Code of 1986 to allow credits for the establishment of franchises with veterans; to the Committee on Ways and Means.

By Mr. PASCRELL (for himself, Mr. REED, Mr. RUNYAN, and Mr. LOWENTHAL):

H.R. 3726. A bill to amend the Internal Revenue Code of 1986 to allow the work opportunity credit for hiring the long-term unemployed; to the Committee on Ways and Means.

By Mr. MCKINLEY (for himself, Mr. GRIFFIN of Arkansas, Mr. STIVERS, Mrs. CAPITO, Mr. JOHNSON of Ohio, Mr. RAHALL, Mr. GUTHRIE, and Mr. CRAMER):

H.R. 3727. A bill to prohibit the Administrator of the Environmental Protection Agency from proposing any standard of performance for emissions of carbon dioxide from existing fossil fuel-fired electric utility generating units before the Administrator has finalized a standard of performance for emissions of carbon dioxide from new fossil fuel-fired electric utility generating units; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska (for himself, Ms. KUSTER, Mr. MCINTYRE, Mr. BENISHEK, Mr. LOEBSACK, Mr. GRIMM, Mr. GINGREY of Georgia, Mr. COLE, Mr. KIND, Mr. LAMALFA, Mr. POE of Texas, Mr. PETERSON, and Mr. WALZ):

H.R. 3728. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for the donation of wild game meat; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 3729. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 100th anniversary of the beginning of Korean immigration into the United States; to the Committee on Financial Services.

By Mr. BILIRAKIS:

H.R. 3730. A bill to direct the Secretary of the Army to establish a process to expedite the consideration of applications submitted by States and municipalities for permits in connection with public safety projects, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK (for herself and Mr. MEEHAN):

H.R. 3731. A bill to require an Exchange established under the Patient Protection and

Affordable Care Act to notify individuals in the case that personal information of such individuals is known to have been acquired or accessed as a result of a breach of the security of any system maintained by the Exchange; to the Committee on Energy and Commerce.

By Mrs. BLACK (for herself, Mr. SMITH of Texas, Mr. GINGREY of Georgia, Mr. POE of Texas, and Mr. FLORES):

H.R. 3732. A bill to prohibit the Secretary of Homeland Security from using Federal funds for the position of Public Advocate, or the position of Deputy Assistant Director of Custody Programs and Community Outreach, within U.S. Immigration and Customs Enforcement, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENAUER (for himself, Mr. THOMPSON of California, Mr. LEWIS, Mr. RANGEL, Mr. MCDERMOTT, and Mr. PASCRELL):

H.R. 3733. A bill to amend the Trade Act of 1974 to authorize the United States Trade Representative to take discretionary action if a foreign country is engaging in unreasonable acts, policies, or practices relating to the environment, and for other purposes; to the Committee on Ways and Means.

By Mr. CARDENAS (for himself and Mr. HONDA):

H.R. 3734. A bill to establish a task force to share best practices on computer programming and coding for elementary schools and secondary schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CARNEY (for himself and Mr. STIVERS):

H.R. 3735. A bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit and provide designated allocations for areas impacted by a decline in manufacturing; to the Committee on Ways and Means.

By Ms. DEGETTE (for herself and Mr. FARENTHOLD):

H.R. 3736. A bill to provide that certain uses of a patent or copyright in compliance with an order of the Federal Communications Commission for emergency communications services shall be construed as use or manufacture for the United States; to the Committee on the Judiciary.

By Mr. GRAYSON:

H.R. 3737. A bill to amend title XVIII of the Social Security Act to provide for an option for any citizen or permanent resident of the United States to buy into Medicare; to the Committee on Ways and Means.

By Ms. EDWARDS (for herself, Mr. DELANEY, and Mr. HONDA):

H.R. 3738. A bill to direct the Secretary of Education to award grants to States that enact State laws that will make school attendance compulsory through the age of 17; to the Committee on Education and the Workforce.

By Ms. EDWARDS:

H.R. 3739. A bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes; to the Committee on Ways and Means.

By Ms. EDWARDS (for herself, Mr. CONYERS, Ms. DELAULO, Mr. RUPERSBERGER, Ms. MATSUI, and Ms. MENG):

H.R. 3740. A bill to amend the Internal Revenue Code of 1986 to make the credit for dependent care expenses refundable and to index the income phaseout of the credit for

inflation; to the Committee on Ways and Means.

By Ms. EDWARDS (for herself, Ms. LEE of California, Mr. JOHNSON of Georgia, Mr. LEWIS, Mr. SERRANO, Mr. CUMMINGS, Ms. SCHAKOWSKY, and Mr. ELLISON):

H.R. 3741. A bill to abolish the death penalty under Federal law; to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GINGREY of Georgia (for himself, Mr. GENE GREEN of Texas, Mr. SHIMKUS, Ms. ESHOO, Mr. WHITFIELD, Ms. DEGETTE, Mrs. BLACKBURN, Mr. ENGEL, Mr. GRIFFITH of Virginia, and Mr. BUTTERFIELD):

H.R. 3742. A bill to provide for approval of certain drugs and biological products indicated for use in a limited population of patients in order to address increases in bacterial and fungal resistance to drugs and biological products, and for other purposes; to the Committee on Energy and Commerce.

By Mr. AL GREEN of Texas (for himself, Mr. STIVERS, Mr. ROSKAM, Mr. TURNER, Mr. CLAY, Mr. CLEAVER, Mr. LANGEVIN, and Mr. MICHAUD):

H.R. 3743. A bill to establish a pilot program to authorize the Secretary of Housing and Urban Development to make grants to nonprofit organizations to rehabilitate and modify homes of disabled and low-income veterans; to the Committee on Financial Services.

By Mr. KILMER (for himself, Mr. MORAN, and Mr. WITTMAN):

H.R. 3744. A bill to provide for the compensation of Federal employees furloughed as a result of sequestration; to the Committee on Oversight and Government Reform.

By Mrs. KIRKPATRICK (for herself, Mr. VAN HOLLEN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. SHEA-PORTER, Mrs. BUSTOS, Mr. BARBER, Mr. ISRAEL, Mr. GEORGE MILLER of California, Mr. WAXMAN, and Mr. LEVIN):

H.R. 3745. A bill to ensure that individuals who attempted to, or who are enrolled in, qualified health plans offered through an Exchange have continuity of coverage, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSON of Connecticut:

H.R. 3746. A bill to provide for an increase in the Federal minimum wage; to the Committee on Education and the Workforce.

By Mr. LARSON of Connecticut (for himself, Mr. LATHAM, Ms. ESTY, Mr. KING of New York, Mr. KIND, Ms. DELAULO, Mr. JOHNSON of Ohio, Mr. MICHAUD, Mr. LOEBSACK, Mr. MCINTYRE, Mr. BLUMENAUER, Mr. MORAN, Mr. GERLACH, Mr. COURTNEY, Mr. PETRI, Mr. TONKO, and Mr. SCHRAEDER):

H.R. 3747. A bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders; to the Committee on Ways and Means.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 3748. A bill to modify the boundaries of Cibola National Forest in the State of

New Mexico, to transfer certain Bureau of Land Management land for inclusion in the national forest, and for other purposes; to the Committee on Natural Resources.

By Mrs. CAROLYN B. MALONEY of New York (for herself and Mr. BILL-RAKIS):

H.R. 3749. A bill to provide for a Medicare demonstration project to evaluate the fiscal impact of covering low vision devices as durable medical equipment under part B of the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MATSUI (for herself and Mr. JOHNSON of Ohio):

H.R. 3750. A bill to promote the provision of telehealth by establishing a Federal standard for telehealth, and for other purposes; to the Committee on Energy and Commerce.

By Ms. NORTON:

H.R. 3751. A bill to amend the Internal Revenue Code of 1986 to extend the rule providing parity for exclusion from income for employer-provided mass transit and parking benefits; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 3752. A bill to amend the Internal Revenue Code of 1986 to provide a payroll tax exemption for hiring long-term unemployed individuals; to the Committee on Ways and Means.

By Mr. O'ROURKE (for himself, Mr. VELA, Mr. CUELLAR, Mr. GALLEGO, Mr. MICHAUD, and Mr. BARBER):

H.R. 3753. A bill to provide emergency funding for port of entry personnel and infrastructure; to the Committee on Homeland Security, and in addition to the Committees on Ways and Means, Appropriations, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PERLMUTTER (for himself and Mr. SCHWEIKERT):

H.R. 3754. A bill to require the exercise of clean-up call options under securities issued by the Federal Home Loan Mortgage Corporation and to prohibit any new mortgage-backed securities issued by such Corporation or the Federal National Mortgage Association from containing provisions for a clean-up call option, and for other purposes; to the Committee on Financial Services.

By Mr. PERRY (for himself and Mr. GOSAR):

H.R. 3755. A bill to provide that the reinsurance fee for the transitional reinsurance program under the Patient Protection and Affordable Care Act be applied equally to all health insurance issuers and group health plans; to the Committee on Energy and Commerce.

By Mr. PERRY:

H.R. 3756. A bill to provide for the public disclosure of information regarding surveillance activities under the Foreign Intelligence Surveillance Act of 1978; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERS of California (for himself, Mr. HONDA, Ms. DELBENE, Mr.

MURPHY of Florida, and Ms. LOFGREN):

H.R. 3757. A bill to amend the Internal Revenue Code of 1986 to extend the research credit one year, to increase and make permanent the alternative simplified research credit, and to provide a 20 percent credit for payments to biotechnology research consortiums for biotechnology research; to the Committee on Ways and Means.

By Mr. PETERS of California:

H.R. 3758. A bill to amend the Internal Revenue Code of 1986 to extend the second generation biofuel producer credit and the special allowance for second generation biofuel plant property; to the Committee on Ways and Means.

By Mr. PETERS of Michigan (for himself and Mr. GRIMM):

H.R. 3759. A bill to amend the Internal Revenue Code of 1986 to extend the employer wage credit for activated military reservists; to the Committee on Ways and Means.

By Mr. POE of Texas:

H.R. 3760. A bill to provide for the expedited approval by the Secretary of Energy of liquefied natural gas exports, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMPEO (for himself, Mr. ENYART, Mrs. McMORRIS RODGERS, and Mr. KLINE):

H.R. 3761. A bill to properly define and distinguish between decorative hearth products and vented hearth heaters; to the Committee on Energy and Commerce.

By Mr. POSEY:

H.R. 3762. A bill to impose penalties for the unauthorized disclosure of personal tax information by Federal employees; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POSEY:

H.R. 3763. A bill to impose penalties for the unauthorized disclosure of personal health information by Federal employees; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POSEY:

H.R. 3764. A bill to impose penalties for the unauthorized disclosure of personal financial information by Federal employees; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REED (for himself, Mr. BISHOP of New York, Mr. KING of New York, Mr. ISRAEL, Mrs. MCCARTHY of New York, Mr. MEEKS, Ms. MENG, Ms. VELÁZQUEZ, Mr. JEFFRIES, Ms. CLARKE of New York, Mr. NADLER, Mr. GRIMM, Mrs. CAROLYN B. MALONEY of New York, Mr. RANGEL, Mr. CROWLEY, Mr. SERRANO, Mr. ENGEL, Mrs. LOWEY, Mr. SEAN PATRICK

MALONEY of New York, Mr. GIBSON, Mr. TONKO, Mr. OWENS, Mr. HANNA, Mr. MAFFEI, Ms. SLAUGHTER, Mr. HIGGINS, and Mr. COLLINS of New York):

H.R. 3765. A bill to designate the facility of the United States Postal Service located at 198 Baker Street in Corning, New York, as the "Specialist Ryan P. Jayne Post Office Building"; to the Committee on Oversight and Government Reform.

By Ms. ROS-LEHTINEN (for herself and Mr. SHERMAN):

H.R. 3766. A bill to amend the Atomic Energy Act of 1954 to require congressional approval of agreements for peaceful nuclear cooperation with foreign countries, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Ohio (for himself, Mr. TURNER, Ms. TSONGAS, Ms. GRANGER, and Ms. SPEIER):

H.R. 3767. A bill to amend Article 32 of the Uniform Code of Military Justice to provide victims of sexual assault "rape shield" protections and the right to representation by a Special Victims' Counsel; to the Committee on Armed Services.

By Mr. SIREs (for himself and Mr. SALMON):

H.R. 3768. A bill to amend the Immigration and Nationality Act to encourage Canadian tourism to the United States; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Nebraska (for himself and Ms. JENKINS):

H.R. 3769. A bill to extend the nonenforcement instruction for the Medicare direct supervision requirement for therapeutic hospital outpatient services insofar as it applies to critical access hospitals and rural hospitals, to require a study of the impact on critical access hospitals and rural hospitals of a failure to extend such instruction, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STIVERS (for himself, Mr. WALZ, Mr. GARY G. MILLER of California, Mr. ROYCE, and Mrs. BACHMANN):

H.R. 3770. A bill to require Senate confirmation of Inspector General of the Bureau of Consumer Financial Protection, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SWALWELL of California (for himself, Mr. THOMPSON of California, Mr. ISSA, Mr. HECK of Nevada, Mr. HONDA, Mr. FRANKS of Arizona, Ms. SPEIER, Mr. SCOTT of Virginia, Ms. CHU, Ms. BORDALLO, Mr. AL GREEN of Texas, Ms. HANABUSA, and Mr. VARGAS):

H.R. 3771. A bill to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the Typhoon

Haiyan in the Philippines; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH:

H.R. 3772. A bill to amend the Internal Revenue Code of 1986 to increase to \$500 the residential energy property expenditures limitation with respect to heat pumps for purposes of the credit for nonbusiness energy property; to the Committee on Ways and Means.

By Mr. McKEON:

H. Con. Res. 71. Concurrent resolution providing for corrections to the enrollment of the bill H.R. 3304; considered and agreed to.

By Mr. RYAN of Wisconsin:

H. Con. Res. 72. Concurrent resolution providing for corrections to the enrollment of H. J. Res. 59; considered and agreed to.

By Mr. McKEON (for himself and Mr. SMITH of Washington):

H. Res. 441. A resolution providing for the concurrence by the House in the Senate amendments to H.R. 3304, with an amendment; considered and agreed to.

By Mr. RICE of South Carolina (for himself, Mrs. BACHMANN, Mr. BRIDENSTINE, Mr. CHAFFETZ, Mr. DUNCAN of South Carolina, Mr. DESANTIS, Mr. FRANKS of Arizona, Mr. GOWDY, Mr. HARRIS, Mr. LAMBORN, Mr. LAMALFA, Mr. MARINO, Mr. MCCLINTOCK, Mr. MEADOWS, Mr. NUNNELEE, Mr. PITTENGER, Mr. POSEY, Mr. PRICE of Georgia, Mr. RIBBLE, Mr. SALMON, Mr. SANFORD, Mr. SCHWEIKERT, Mr. STEWART, Mr. STOCKMAN, Mr. WALBERG, Mr. WEBER of Texas, Mr. WENSTRUP, Mr. WILLIAMS, Mr. WILSON of South Carolina, and Mr. YOHIO):

H. Res. 442. A resolution directing the House of Representatives to bring a civil action for declaratory or injunctive relief to challenge certain policies and actions taken by the executive branch; to the Committee on Rules, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEEKS (for himself, Mr. CONYERS, Mr. LEWIS, Ms. WILSON of Florida, Ms. LEE of California, Ms. CLARKE of New York, and Ms. WATERS):

H. Res. 443. A resolution expressing the sense of the House of Representatives regarding the September 23, 2013, decision of the Dominican Republic Constitutional Court that places hundreds of thousands of Dominican born persons at risk of statelessness; to the Committee on Foreign Affairs.

By Ms. JACKSON LEE (for herself, Mr. CLYBURN, Ms. WILSON of Florida, Ms. FUDGE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS of Florida, Mrs. CHRISTENSEN, Mr. DAVID SCOTT of Georgia, Mr. LARSON of Connecticut, Mr. GENE GREEN of Texas, Mr. PASCRELL, Mr. BRADY of Pennsylvania, Mr. THOMPSON of Mississippi, Mr. AL GREEN of Texas, Mr. CLEAVER, Mr. LEWIS, and Ms. KAPTUR):

H. Res. 444. A resolution honoring the accomplishments of Nicarsia "Nikki" Mayes, a Capitol Hill trailblazer and the first African-American woman to serve as a Doorkeeper of the House of Representatives; to the Committee on House Administration.

By Mr. ROSKAM (for himself, Mr. MCCAUL, Mr. GENE GREEN of Texas, and Mr. LIPINSKI):

H. Res. 445. A resolution urging the P5+1 to only accept a final nuclear agreement with Iran that definitively prevents Iran from acquiring a nuclear weapons capability, ceases Iran's construction of advanced missiles and warheads, suspends Iran's support for terrorist organizations, and reduces human rights violations within Iran; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. DELAURO:

H.R. 3712.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. JEFFRIES:

H.R. 3713.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 (Commerce Clause).

By Mr. CARTWRIGHT:

H.R. 3714.

Congress has the power to enact this legislation pursuant to the following:

Article I; Section 8; Clause 1 of the Constitution states The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States...

By Mr. ELLISON:

H.R. 3715.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. AMODEI:

H.R. 3716.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. MURPHY of Pennsylvania:

H.R. 3717.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mrs. CAPPS:

H.R. 3718.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Ms. ESHOO:

H.R. 3719.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. SCALISE:

H.R. 3720.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. LATHAM:

H.R. 3721.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution

By Mr. LATHAM:

H.R. 3722.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mr. CASSIDY:

H.R. 3723.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution

By Mr. SMITH of Texas:

H.R. 3724.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution—known as the Commerce Clause, and Section 5 of the Fourteenth Amendment.

By Mr. FLORES:

H.R. 3725.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. PASCRELL:

H.R. 3726.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. MCKINLEY:

H.R. 3727.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 18 of the Constitution: The Congress shall have power to enact this legislation to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. YOUNG of Alaska:

H.R. 3728.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. ANDREWS:

H.R. 3729.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. BILIRAKIS:

H.R. 3730.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mrs. BLACK:

H.R. 3731.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution: To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mrs. BLACK:

H.R. 3732.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the Constitution (relating to the power of Congress with respect to taxes and spending).

By Mr. BLUMENAUER:

H.R. 3733.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution.

By Mr. CÁRDENAS:

H.R. 3734.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1.

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. CARNEY:

H.R. 3735.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

Article I, Section 8, Clause 3

The Congress shall have Power * * *

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. DEGETTE:

H.R. 3736.

Congress has the power to enact this legislation pursuant to the following:

Clause 9 of Section 8 of Article I of the U.S. Constitution.

By Mr. GRAYSON:

H.R. 3737.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3:

“The Congress shall have Power * * *

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. EDWARDS:

H.R. 3738.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1, All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Ms. EDWARDS:

H.R. 3739.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Ms. EDWARDS:

H.R. 3740.

Congress has the power to enact this legislation pursuant to the following:

Article I., Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Ms. EDWARDS:

H.R. 3741.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution, as well as the 5th Amendment to the United States Constitution.

By Mr. GINGREY of Georgia

H.R. 3742.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this legislation is based is found in article I, section 8, clause 18 granting Congress the power “to make all Laws which shall be necessary and proper for carrying into Execution foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

By Mr. AL GREEN of Texas:

H.R. 3743.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority to enact this legislation can be found in:

General Welfare Clause (Art. 1 Sec. 8 Cl. 1),

Commerce Clause (Art. 1 Sec. 8 Cl. 3),

By Mr. KILMER:

H.R. 3744.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States states: “No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .” In addition, clause 1 of section 8 of article I of the Constitution provides: “The Congress shall have the Power . . . to pay the Debts and provide for the common Defense and general Welfare of the United States. . . .”

By Mrs. KIRKPATRICK:

H.R. 3745.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. LARSON of Connecticut:

H.R. 3746.

Congress has the power to enact this legislation pursuant to the following:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LARSON of Connecticut:

H.R. 3747.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1 of the United States Constitution which reads: “The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the

United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.”

By Ms. MICHELLE LUJÁN GRISHAM of New Mexico:

H.R. 3748.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution, Article 1, Section 8, Clause 18

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 3749.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: to provide for the common defense and general welfare.

By Ms. MATSUI:

H.R. 3750.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution, Article I, Section 8, Clause 3

By Ms. NORTON:

H.R. 3751.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution.

By Ms. NORTON:

H.R. 3752.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution.

By Mr. O'ROURKE:

H.R. 3753.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes)

By Mr. PERLMUTTER:

H.R. 3754.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. PERRY:

H.R. 3755.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. PERRY:

H.R. 3756.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. PETERS of California:

H.R. 3757.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1.

By Mr. PETERS of California:

H.R. 3758.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1.

By Mr. PETERS of Michigan:

H.R. 3759.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. POE of Texas:

H.R. 3760.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. POMPEO:

H.R. 3761.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. POSEY:

H.R. 3762.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Article I, Section 8, Clause 18 of the Constitution of the United States:

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

Amendment XVI of the Constitution of the United States:

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mr. POSEY:

H.R. 3763.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States:

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Article I, Section 8, Clause 18 of the Constitution of the United States:

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

Amendment XVI of the Constitution of the United States:

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mr. POSEY:

H.R. 3764.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States:

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Article I, Section 8, Clause 18 of the Constitution of the United States:

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

Amendment XVI of the Constitution of the United States:

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mr. REED:

H.R. 3765.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Ms. ROS-LEHTINEN:

H.R. 3766.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. RYAN of Ohio:

H.R. 3767.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 7 of Rule XII of the Rules of the House of Representatives, the following statement is submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution. Congress has the power to enact this legislation pursuant to the following Section 8 statements:

To make Rules for the Government and Regulation of the land and naval Forces.

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. SIRE:

H.R. 3768.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8 of the Constitution.

By Mr. SMITH of Nebraska:

H.R. 3769.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as enumerated in Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. STIVERS:

H.R. 3770.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution: "Congress shall have the power to make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SWALWELL of California:

H.R. 3771.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8; Sixteenth Amendment

By Mr. WELCH:

H.R. 3772.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 15: Mr. HOLT.

H.R. 139: Ms. CLARKE of New York and Mr. COHEN.

H.R. 148: Mr. BISHOP of New York.

H.R. 184: Mr. VAN HOLLEN, Mr. RUSH, and Mr. VEASEY.

H.R. 200: Mr. O'ROURKE.

H.R. 232: Mr. GRIFFITH of Virginia.

H.R. 259: Mr. FLEMING.

H.R. 321: Mr. CARTWRIGHT.

H.R. 333: Mr. SEAN PATRICK MALONEY of New York, Mr. AL GREEN of Texas, and Mr. McDERMOTT.

H.R. 351: Mrs. BACHMANN.

H.R. 354: Ms. DEGETTE and Mr. PETERS of California.

H.R. 366: Mr. POSEY, Mr. CROWLEY, and Ms. WASSERMAN SCHULTZ.

H.R. 377: Ms. CLARK of Massachusetts.

H.R. 383: Mr. O'ROURKE.

H.R. 401: Mr. MEEHAN and Mr. RYAN of Ohio.

H.R. 477: Mr. FLEMING.

H.R. 494: Mr. POE of Texas.

H.R. 503: Mr. TAKANO and Mr. BARTON.

H.R. 517: Ms. DEGETTE.

H.R. 526: Mr. KEATING.

H.R. 532: Ms. SHEA-PORTER.

H.R. 564: Ms. SCHAKOWSKY.

H.R. 610: Ms. DEGETTE.

H.R. 630: Mr. COHEN.

H.R. 647: Mr. KILMER, Mrs. BUSTOS, and Mr. KIND.

H.R. 713: Mr. LARSEN of Washington and Mrs. CAROLYN B. MALONEY of New York.

H.R. 721: Mr. ROGERS of Alabama, Mr. MAF-FEI, and Mr. RICHMOND.

H.R. 724: Ms. KUSTER.

H.R. 794: Mr. O'ROURKE.

H.R. 863: Mr. DOGGETT, Mr. PAYNE, Mr. HOLT, Mr. SEAN PATRICK MALONEY of New York, and Mr. RIGELL.

H.R. 880: Mr. LOWENTHAL.

H.R. 920: Ms. SCHAKOWSKY and Mr. LOBI-ONDO.

H.R. 921: Mr. ISRAEL.

H.R. 924: Mr. POLIS.

H.R. 928: Mr. NADLER.

H.R. 956: Mr. RODNEY DAVIS of Illinois and Mr. FATTAH.

H.R. 1007: Ms. DEGETTE.

H.R. 1010: Mr. QUIGLEY and Mr. KIND.

H.R. 1015: Mr. DENT and Mr. JOYCE.

H.R. 1020: Ms. GABBARD and Ms. FRANKEL of Florida.

H.R. 1024: Mr. CROWLEY.

H.R. 1074: Ms. MATSUI.

H.R. 1078: Mr. FLEMING.

H.R. 1094: Mr. CALVERT, Mr. McDERMOTT, and Mr. GUTIERREZ.

H.R. 1102: Mr. DEUTCH.

H.R. 1129: Mrs. KIRKPATRICK.

H.R. 1146: Ms. DEGETTE.

H.R. 1150: Ms. GABBARD and Mr. SHERMAN.

H.R. 1180: Ms. WASSERMAN SCHULTZ, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. RAHALL, Mr. BARBER, Ms. ESTY, and Mr. RUSH.

H.R. 1186: Mr. SCHRADER.

H.R. 1209: Mr. ROSS, Mr. RUNYAN, Mr. YOUNG of Alaska, Mr. VISCLOSKEY, Mr. GARRETT, Mrs. CAPITO, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. PINGREE of Maine, Mr. HURT, Mr. HARRIS, Mr. PRICE of Georgia, Mr. TERRY, Mrs. BROOKS of Indiana, Mr. SCHWEIKERT, and Ms. CLARKE of New York.

H.R. 1239: Mr. HANNA.

H.R. 1249: Mrs. WAGNER.

H.R. 1250: Mrs. WALORSKI and Ms. PINGREE of Maine.

H.R. 1318: Mr. SERRANO.

H.R. 1333: Mr. PETERS of California.

H.R. 1339: Ms. WILSON of Florida and Mr. GARCIA.

H.R. 1354: Mr. DESANTIS and Mr. VEASEY.

H.R. 1380: Mr. PETERS of California.

H.R. 1389: Mr. PETERS of California.

H.R. 1461: Mr. ROTHFUS.

H.R. 1462: Mr. MARCHANT and Mr. FLEISCHMANN.

H.R. 1507: Ms. HANABUSA and Ms. ROS-LEHTINEN.

H.R. 1508: Mr. ROE of Tennessee.

H.R. 1518: Mr. CALVERT, Mr. SIRES, and Mr. CROWLEY.

H.R. 1528: Mrs. ROBY, Mr. TIPTON, and Mr. CONNOLLY.

H.R. 1553: Mr. SCHOCK.

H.R. 1563: Mr. CONAWAY and Mr. BURGESS.

H.R. 1635: Ms. SCHAKOWSKY.

H.R. 1692: Mr. SALMON.

H.R. 1698: Mr. PERLMUTTER.

H.R. 1708: Mr. FLEMING.

H.R. 1717: Mr. DENT and Mr. LIPINSKI.

H.R. 1726: Mr. SCHOCK, Mr. ANDREWS, Mr. GARAMENDI, Ms. BASS, Mr. THOMPSON of Mississippi, Mr. FATTAH, Mrs. CAROLYN B. MALONEY of New York, Mr. Johnson of Ohio, and Mr. STIVERS.

H.R. 1750: Mr. MATHESON and Mr. ROTHFUS.

H.R. 1751: Ms. MCCOLLUM, Ms. DEGETTE, and Mr. PETERS of California.

H.R. 1763: Mr. GERLACH, Mr. SCHOCK, Mr. RODNEY DAVIS of Illinois, and Ms. CHU.

H.R. 1795: Mr. GERLACH, Ms. FRANKEL of Florida, and Mr. GRAVES of Missouri.

H.R. 1801: Ms. DEGETTE.

H.R. 1814: Mr. BARBER, Ms. MENG, Mrs. MILLER of Michigan, Mr. AMODEI, and Mr. SALMON.

H.R. 1830: Ms. DEGETTE.

H.R. 1845: Ms. BONAMICI.

H.R. 1852: Mr. CHABOT, Mr. THOMPSON of Pennsylvania, Mr. GINGREY of Georgia, Mr. SCHWEIKERT, and Mr. LIPINSKI.

H.R. 1869: Mr. DAINES and Mr. MCINTYRE.

H.R. 1905: Ms. TITUS, Ms. DELAURO, Mr. ROKITA, and Mr. PETERS of Michigan.

H.R. 1907: Mr. GARAMENDI and Ms. BORDALLO.

H.R. 1915: Ms. DEGETTE.

H.R. 1920: Ms. CHU.

H.R. 1921: Mr. COHEN.

H.R. 1943: Mr. HONDA.

H.R. 1984: Mr. KINZINGER of Illinois.

H.R. 2012: Mr. KEATING, Mr. MCGOVERN, and Ms. LEE of California.

H.R. 2037: Mr. HUFFMAN.

H.R. 2058: Ms. DEGETTE.

H.R. 2101: Mr. CLAY.

H.R. 2176: Mr. WITTMAN.

H.R. 2178: Ms. ROYBAL-ALLARD, Mr. SIRES, Ms. NORTON, Mr. BISHOP of Georgia, Mr. MCGOVERN, Mr. TONKO, Mr. PETERSON, and Mrs. MCCARTHY of New York.

H.R. 2247: Mr. CRAWFORD.

H.R. 2288: Ms. DELBENE and Ms. EDWARDS.

H.R. 2300: Mr. BOUSTANY, Mr. ROSKAM, and Mr. HALL.

H.R. 2305: Mr. LIPINSKI.

H.R. 2313: Mr. REICHERT.

H.R. 2315: Mr. ROKITA.

H.R. 2429: Mr. CASSIDY, Mr. BRIDENSTINE, and Mr. GINGREY of Georgia.

H.R. 2443: Mr. DAINES.

H.R. 2484: Mr. DELANEY.

H.R. 2502: Ms. SINEMA, Mrs. BUSTOS, Mrs. NEGRETE MCLEOD, and Mr. RUSH.

H.R. 2504: Mr. LOWENTHAL and Mr. OLSON.

H.R. 2536: Mr. SCHOCK.

H.R. 2560: Mr. LOEBSACK, Ms. FRANKEL of Florida, and Ms. CHU.

H.R. 2566: Mr. CICILLINE.

H.R. 2567: Mr. CICILLINE.

H.R. 2575: Mr. GIBSON, Mrs. WAGNER, Mr. COOK, Mr. DESANTIS, Mr. MCALLISTER, Mr. DESJARLAIS, Mr. GARY G. MILLER of California, Mr. ROGERS of Alabama, Mr. WOLF, Mr. POSEY, Mr. DUNCAN of Tennessee, Mr. DAINES, and Mr. FINCHER.

H.R. 2591: Mr. RODNEY DAVIS of Illinois.

H.R. 2643: Mr. JOHNSON of Ohio.

H.R. 2662: Mr. GRAVES of Missouri, Mr. RODNEY DAVIS of Illinois, Mr. SCHOCK, Mr. GERLACH, and Ms. CHU.

H.R. 2663: Mr. SCHRADER, Ms. CLARKE of New York, Mr. LOWENTHAL, and Mr. ISRAEL.

H.R. 2670: Mr. LOWENTHAL.

H.R. 2686: Mr. JOHNSON of Ohio.

H.R. 2694: Mr. JOHNSON of Ohio.

H.R. 2725: Mr. RUNYAN and Mr. DENT.

H.R. 2734: Mr. RODNEY DAVIS of Illinois and Mr. LIPINSKI.

H.R. 2763: Mr. TONKO.

H.R. 2780: Mr. TERRY.

H.R. 2783: Mr. HIGGINS.

H.R. 2807: Mr. SMITH of Washington, Mr. DAINES, Mr. BENISHEK, Mr.

Grijalva, Mr. SENSENBRENNER, Mr. NOLAN, and Mr. PETERSON.

H.R. 2810: Mr. MARINO and Mr. MCNERNEY.

H.R. 2847: Mr. O'ROURKE.

H.R. 2874: Mrs. BUSTOS.

H.R. 2918: Mr. BISHOP of Utah, Mr. TERRY, Mr. MEEHAN, and Mr. LANCE.

H.R. 2920: Ms. MCCOLLUM.

H.R. 2939: Ms. ROS-LEHTINEN and Mr. ENGEL.

H.R. 2955: Mr. VAN HOLLEN.

H.R. 2959: Mrs. NOEM, Mr. HUDSON, Mr. SIMPSON, Ms. JENKINS, Mr. BISHOP of Utah, Mr. HALL, Mr. BUCSHON, Mr. KLINE, and Mr. HUNTER.

H.R. 2962: Mr. MORAN.

H.R. 2994: Mr. CALVERT, Mr. POCAN, Mr. GARY G. MILLER of California, and Mr. SWALWELL of California.

H.R. 2996: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GIBSON, Mr. AMODEI, Mr. DINGELL, Mr. HUNTER, and Mr. RYAN of Ohio.

H.R. 3024: Mr. DANNY K. DAVIS of Illinois, Mr. HULTGREN, and Mr. CONNOLLY.

H.R. 3040: Mrs. MCCARTHY of New York and Mr. LIPINSKI.

H.R. 3043: Mr. CALVERT.

H.R. 3077: Mr. FLORES and Mr. POE of Texas.

H.R. 3118: Mr. DANNY K. DAVIS of Illinois.

H.R. 3121: Mr. SAM JOHNSON of Texas.

H.R. 3153: Mr. THOMPSON of Mississippi, Ms. WILSON of Florida, Ms. NORTON, Mr. PAYNE, and Ms. CLARKE of New York.

H.R. 3211: Mr. TIBERI and Mr. WILLIAMS.

H.R. 3240: Mr. ROTHFUS.

H.R. 3243: Mr. LARSON of Connecticut, Mr. KENNEDY, Mr. PETERS of California, and Ms. WILSON of Florida.

H.R. 3244: Ms. WILSON of Florida.

H.R. 3279: Mr. SCHOCK.

H.R. 3298: Mr. ROONEY.

H.R. 3303: Mr. GRIFFITH of Virginia.

H.R. 3306: Mr. BARBER.

H.R. 3310: Ms. TSONGAS.

H.R. 3323: Mr. KENNEDY.

H.R. 3367: Mr. OWENS.

H.R. 3370: Ms. DUCKWORTH, Mr. PETERS of Michigan, Ms. DELBENE, Ms. KAPTUR, Mr. SCHOCK, Ms. BONAMICI, Mr. FARENTHOLD, Mr. AMODEI, Ms. SEWELL of Alabama, Mr. KILMER, Mr. BRALEY of Iowa, and Mr. VEASEY.

H.R. 3386: Mr. MARCHANT, Mr. KING of New York, Mrs. BROOKS of Indiana, Mr. SAM JOHNSON of Texas, Mr. LANCE, Mr. GRIMM, Mr. SHIMKUS, Mr. CALVERT, Mr. MARINO, Mr. ROYCE, Mr. BRADY of Texas, Mr. JOHNSON of Ohio, Mr. WILSON of South Carolina, Mr. SHUSTER, Mr. UPTON, Mr. COLLINS of New York, Mr. CROWLEY, Mrs. BACHMANN, Mr. FRANKS of Arizona, Mr. HUFFMAN, Mr. HULTGREN, Mr. LARSON of Connecticut, Mr. TIPTON, Mr. SCHOCK, Mrs. CAPITO, Ms. JENKINS, Mr. SCHIFF, Mr. HIMES, Mrs. BUSTOS, and Mr. STEWART.

H.R. 3399: Mr. HONDA, Mr. JOHNSON of Ohio, Mr. CALVERT, Ms. LORETTA SANCHEZ of California, and Ms. BROWNLEY of California.

H.R. 3401: Ms. SCHAKOWSKY.

H.R. 3413: Mr. WOMACK and Mr. SCHOCK.

H.R. 3422: Mr. ISRAEL.

H.R. 3429: Mrs. ELLMERS, Mr. HUELSKAMP, Mrs. MILLER of Michigan, and Mrs. BLACKBURN.

H.R. 3444: Mr. HANNA.

H.R. 3453: Ms. MENG, Mr. ISRAEL, Ms. SLAUGHTER, Mr. RICHMOND, Ms. KELLY of Illinois, Mr. WELCH, and Ms. DELBENE.

H.R. 3458: Mr. REED, Mr. HIGGINS, and Mr. COLLINS of New York.

H.R. 3459: Ms. DELAURO.

H.R. 3461: Ms. MENG, Mr. MICHAUD, Mr. MCNERNEY, Mr. PETERS of California, Mr. MEEKS, Ms. CHU, Mr. GARCIA, Ms. SCHAKOWSKY, and Ms. FRANKEL of Florida.

H.R. 3471: Mr. PRICE of North Carolina, Mr. MCGOVERN, Mr. O'ROURKE, Mr. HONDA, Ms. HANABUSA and Mr. COHEN.

H.R. 3472: Mr. SERRANO, Mrs. CAROLYN B. MALONEY of New York, Mr. BISHOP of New York, Mr. JEFFRIES, and Ms. VELÁZQUEZ.

H.R. 3479: Mr. POSEY.

H.R. 3485: Mrs. LUMMIS and Ms. FOXX.

H.R. 3488: Mr. DOGGETT, Mr. PETERSON, Mrs. BUSTOS, Mr. KINZINGER of Illinois, Mr. COSTA, and Mr. POMPEO.

H.R. 3489: Mr. COOK.

H.R. 3490: Ms. ROS-LEHTINEN, Mr. RODNEY DAVIS of Illinois, Mr. GERLACH, Mr. GARCIA, and Ms. FRANKEL of Florida.

H.R. 3494: Mr. DOYLE.

H.R. 3496: Mr. TAKANO.

H.R. 3500: Mr. POCAN, Mr. HUFFMAN, and Mr. GRIJALVA.

H.R. 3509: Mr. MORAN, Mr. TIERNEY, Mr. RICHMOND, Mr. GRIJALVA, Ms. SCHAKOWSKY, Mr. LEWIS, Ms. MOORE, Ms. BROWN of Florida, Mr. JOHNSON of Georgia, Mr. AL GREEN of Texas, Ms. WASSERMAN SCHULTZ, Mr. RUSH, Ms. SHEA-PORTER, Mr. CASSIDY, Mr. CHAFFETZ, Mr. BISHOP of Georgia, Mr. CARTWRIGHT, Mrs. CHRISTENSEN, and Mr. HASTINGS of Florida.

H.R. 3522: Mr. BILIRAKIS.

H.R. 3530: Mr. FARENTHOLD.

H.R. 3539: Mr. ROTHFUS and Mr. JOHNSON of Ohio.

H.R. 3544: Mr. KING of New York and Mr. SCHWEIKERT.

H.R. 3546: Ms. WILSON of Florida, Mr. RAHALL, Mr. HIGGINS, Ms. TITUS, Mr. POCAN, Ms. MCCOLLUM, Mr. SEAN PATRICK MALONEY of New York, Mr. CARSON of Indiana, and Mr. KILDEE.

H.R. 3549: Mr. LONG, Mr. CARSON of Indiana, Mr. WALBERG, and Mr. WITTMAN.

H.R. 3563: Mr. COHEN.

H.R. 3571: Mr. ELLISON, Ms. PINGREE of Maine, Mr. HECK of Nevada, Mr. HUFFMAN, Mrs. BUSTOS, Ms. MOORE, Mr. HONDA, Ms. BROWNLEY of California, Ms. BORDALLO, Mr. JOHNSON of Georgia and Mr. GRIJALVA.

H.R. 3579: Mr. SMITH of Nebraska, Mr. BUCHANAN, Mr. NEUGEBAUER, Mr. PAULSEN, and Mr. BURGESS.

H.R. 3590: Mr. CALVERT, Mrs. MILLER of Michigan, Mr. BACHUS, Mr. SAM JOHNSON of Texas, Mr. MILLER of Florida, Mr. POE of Texas, Mr. PETERSON, Mr. LONG, Mr. COLLINS of New York, Mr. CRAMER, Mr. KINZINGER of Illinois, Mr. SCHOCK, Mr. SESSIONS, Mr. POMPEO, Mr. HUNTER, Mr. COBLE, Mr. PEARCE, and Mr. SCHWEIKERT.

H.R. 3591: Ms. CASTOR of Florida and Mr. NADLER.

H.R. 3599: Mr. LARSON of Connecticut, Mr. WESTMORELAND, and Mr. GOWDY.

H.R. 3625: Mr. POSEY.

H.R. 3641: Mr. FRANKS of Arizona, Mr. YOUNG of Alaska, and Mrs. CAPITO.

H.R. 3646: Ms. WILSON of Florida.

H.R. 3650: Mrs. MCCARTHY of New York.

H.R. 3663: Mr. GIBBS.

H.R. 3684: Mr. ROGERS of Kentucky.

H.R. 3685: Mr. CRAMER, Mr. CRAWFORD, Mr. HARRIS, Mr. COURTNEY, Mr. MAFFEI, Mr. ROE

of Tennessee, Mr. AMODEI, Mr. MCHENRY, Mr. COBLE, Mr. GRAVES of Missouri, Mr. WITTMAN, Mr. WALDEN, Ms. ESTY, Mr. WILSON of South Carolina, Ms. SINEMA, Mr. HALL, and Mr. FRELINGHUYSEN.

H.R. 3686: Ms. JENKINS, Mr. WHITFIELD, and Mrs. LUMMIS.

H.R. 3693: Mr. HARPER, Mr. NUNNELEE, Mr. JONES, and Mr. SCHRADER.

H.R. 3697: Mr. HORSFORD, Mr. VARGAS, Mrs. NEGRETE MCLEOD, Mr. VELA, Mr. DANNY K. DAVIS of Illinois, and Mr. GRIJALVA.

H.R. 3698: Ms. JENKINS and Mr. BURGESS.

H.R. 3708: Mr. KINZINGER of Illinois, Mr. SMITH of Texas, Mr. PEARCE, and Mr. JOHNSON of Ohio.

H.R. 3709: Ms. SCHAKOWSKY.

H.J. Res. 20: Mr. BISHOP of New York.

H.J. Res. 43: Mr. PETERS of California.

H.J. Res. 56: Mr. PETERS of California.

H. Con. Res. 27: Ms. MCCOLLUM.

H. Con. Res. 29: Mr. LANKFORD.

H. Con. Res. 69: Mr. ISRAEL and Mr. ENYART.

H. Res. 72: Mr. CALVERT.

H. Res. 98: Mr. JOHNSON of Ohio.

H. Res. 147: Mr. FATTAH.

H. Res. 218: Mr. GOWDY.

H. Res. 254: Mr. TERRY.

H. Res. 302: Mrs. MILLER of Michigan, Mr. WALBERG, and Mr. GOODLATTE.

H. Res. 365: Mr. THOMPSON of California, Ms. BONAMICI, Mr. BISHOP of New York, Mr. KEATING, Mr. PASTOR of Arizona, Mr. VEASEY, and Mr. JEFFRIES.

H. Res. 404: Mr. CALVERT.

H. Res. 417: Mr. DANNY K. DAVIS of Illinois, Mr. HALL, and Ms. SCHAKOWSKY.

H. Res. 418: Mrs. CAROLYN B. MALONEY of New York and Mr. BENTIVOLIO.

H. Res. 421: Ms. JACKSON LEE.

H. Res. 422: Mr. CROWLEY.

H. Res. 424: Mr. PETERS of California.

H. Res. 425: Mr. MASSIE, Mr. KINGSTON, Mr. HUELSKAMP, Mrs. BACHMANN, Mr. STOCKMAN, Mr. MICA, and Mr. MEADOWS.

H. Res. 431: Mr. BROUN of Georgia, Mr. MCHENRY, and Mr. SCHWEIKERT.

H. Res. 432: Mr. FRELINGHUYSEN.

H. Res. 434: Mr. COFFMAN, Mr. ROHR-ABACHER, Ms. TITUS, Ms. WATERS, Mrs. MCCARTHY of New York, Mr. TIERNEY, Mr. PASCRELL, Mr. MATHESON, Mr. WALBERG, Mr. KILDEE, Ms. KUSTER, Mr. SEAN PATRICK MALONEY of New York, Mr. FOSTER, Mr. GARCIA, Mr. COTTON, Mrs. CAPITO, Mr. BARROW of Georgia, Mr. MEADOWS, Mr. BARBER, Mr. PASTOR of Arizona, Mr. BEN RAY LUJÁN of New Mexico, Mrs. WAGNER, and Mrs. BROOKS of Indiana.

H. Res. 436: Ms. BROWNLEY of California and Mr. VAN HOLLEN.

H. Res. 440: Mr. MORAN, Ms. MCCOLLUM, Mr. MAFFEI, Mr. GRIJALVA, Mrs. NAPOLITANO, Mr. FATTAH, Mr. PERLMUTTER, Mr. GARAMENDI, Ms. FUDGE, Mr. GARCIA, Mr. PAYNE, Mr. RANGEL, Ms. SEWELL of Alabama, Ms. WILSON of Florida, Mr. SERRANO, Mr. KILDEE, Mr. CONYERS, Ms. CLARKE of New York, Mr. LEWIS, Mr. CLYBURN, Mr. CLAY, Mr. RICHMOND, Mr. THOMPSON of Mississippi, Mr. CARNEY, Mr. LYNCH, Ms. ESTY, Mr. BRALEY of Iowa, Mr. ELLISON, Mr. KING of New York, Mr. LOEBSACK, Mr. DELANEY, Mr. FOSTER, Mr. NADLER, Mr. HORSFORD, Ms.

LOFGREN, Mr. COOK, Mr. CÁRDENAS, Mr. RUIZ, Mr. KEATING, Mr. PETERS of California, Mr. PASCRELL, Mr. CAPUANO, Mr. JEFFRIES, Mr. ISRAEL, Mrs. LOWEY, Ms. BROWNLEY of California, Ms. MENG, Ms. TITUS, Mr. CUELLAR, Mr. DEUTCH, Ms. FRANKEL of Florida, Mr. SWALWELL of California, Mr. GUTIÉRREZ, Mr. SIRE, Mr. MICHAUD, Mr. O'ROURKE, Mr. ANDREWS, Mr. DEFazio, Mr. GEORGE MILLER of California, Mr. MURPHY of Florida, Mr. HOLT, Mr. PIERLUISI, Mr. BARBER, Ms. SCHAKOWSKY, Ms. PINGREE of Maine, Mr. COOPER, Mr. MATHESON, Mr. KIND, Mr. VEASEY, Mr. GENE GREEN of Texas, Mr. JOHNSON of Georgia, Mr. PALLONE, Mr. NOLAN, Ms. KUSTER, Ms. SPEIER, Mr. ENYART, Ms. SLAUGHTER, Mr. SMITH of Washington, Mr. NEAL, Mr. YARMUTH, Mr. CROWLEY, Mr. DOYLE, Mr. FARR, Mr. TONKO, Mr. WELCH, Ms. CHU, Ms. LORETTA SANCHEZ of California, Ms. SINEMA, Mr. OWENS, Mr. BISHOP of New York, Ms. LINDA T. SANCHEZ of California, Mr. COURTNEY, Ms. JACKSON LEE, Ms. LEE of California, Mr. SEAN PATRICK MALONEY of New York, Mr. CARTWRIGHT, Mr. LIPINSKI, Mr. PASTOR of Arizona, Mrs. BEATTY, Mr. SCHRADER, Mr. BEN RAY LUJÁN of New Mexico, Mr. HASTINGS of Florida, Ms. VELÁZQUEZ, Mr. HINOJOSA, Mr. SARBANES, Mr. POLIS, Mr. BUCHANAN, Mr. KELLY of Pennsylvania, Mr. MARINO, Mr. JOYCE, Mr. BRADY of Pennsylvania, Ms. SCHWARTZ, Mr. RYAN of Ohio, Ms. CASTOR of Florida, Mr. THOMPSON of California, Ms. HAHN, Mr. KENNEDY, Mr. KILMER, Mr. HIMES, and Ms. DELAURA.

EXTENSIONS OF REMARKS

A TRIBUTE TO HONOR THE LIFE OF JOSEPH ANTHONY STEWART

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. BOEHNER. Mr. Speaker, I rise today with my colleague from California, Ms. ESHOO, to honor the memory of Joseph A. Stewart, who passed away on December 6, 2013, after a full and enriching life looking out for others.

Joseph was born on January 20, 1941, in Newark, New Jersey. He attended Seton Hall University, earning a degree in classical languages. He received his MA and PhD in human relations and social policy planning from New York University.

His concern for the sick spurred a prolific career in health care that spanned more than 40 years, taking him everywhere from large academic medical centers to community non-profit hospitals.

The first administrator of Cooperative Care at New York University Medical Center, Joseph went on to hold academic appointments at Carnegie Mellon University and the University of Southern California.

Joseph was also actively involved in his local parish, where he mentored new ministers.

Monsignor Scott Daugherty of St. Anne and Holy Cross Catholic Church in Porterville, California, said Joseph "was a great man, greatly respected by many."

Similarly, Deacon Jim Deiterle said, "He was a great man and had a great outlook on life. . . . He was so committed, so enthused with what he was talking about."

Porterville Unified School District Superintendent John Snavely said of Joseph, "What I admired about him is how quickly and how completely he embraced the community."

Indeed, Joseph Stewart was a man who shared and spread every one of his passions—be it faith, education, or health care. He didn't just do a kindness for someone; he connected with them. He moved people.

Joseph will be remembered as a friend, an educator, a mentor, and a leader. He will also be remembered as a brother to Michael, and a father to David, Brian, Charles, and Catherine.

David serves as Policy Director in the Office of the Speaker, and has been a trusted advisor of mine for the last five years. Charles worked for the Senate Commerce Committee before assuming his current position as Communications Director for Ms. ESHOO nearly two years ago.

Both of these gentlemen are held in high regard by colleagues and members of this body. Their outstanding service to this institution makes clear that Joseph's legacy is in the best of hands.

To David and Charles, and to all their loved ones, we offer our prayers and those of the entire House of Representatives.

Let us also offer our deep appreciation for the service of Joseph Anthony Stewart, and for all the good he did in a life of purpose and accomplishment.

HONORING COLLINS FUNERAL HOME

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Collins Funeral Home, Inc. in Jackson, Mississippi. This is the funeral service business for African-Americans which began in the 1880's. The business was Lyman and Harvey Undertakers at the corner of Pearl and Farish Streets. Lyman came from Vicksburg, Mississippi where he had also started a funeral home. He and Jack Harvey sold their business to G. F. Frazier who operated from 406 North Farish Street beginning in 1903. Records from this year forward are maintained by Collins Funeral Home.

In the late 1880's, Malachi Collins and E.W. Hall established a funeral service business, Hall and Collins Funeral Home was in Hattiesburg, Mississippi. This was the first funeral home owned by African-Americans to service the African-American population.

In 1924, as G. F. Frazier prepared to move from Jackson to Cleveland, Ohio, he sold his business to Malachi Collins and his wife Mary A. Collins. For many years, although owned exclusively by Mr. and Mrs. Collins, the company was known as Frazier and Collins Funeral Home. The Collins Burial Insurance Company was established in 1925.

In April, 1939, Mr. and Mrs. Collins moved the business from 406 North Farish across the street to 415 North Farish Street, its present location. Mr. Collins died later that year, and Mrs. Collins, along with a dedicated staff continued to operate the business.

Clarie Collins Harvey, the only child of Mary and Malachi Collins, joined her mother in management of the business in 1950. The Frazier name was dropped and the business became known as Collins Funeral Home, Inc. Mary A. Collins remained president and CEO until her death in 1970 when her daughter assumed these responsibilities.

Since Clarie C. Harvey had no children or siblings, she developed a close relationship with some of her many cousins. Two of them joined her in the business: Ralph E. Collins in 1963, and his sister, Annette Collins Rollins in 1973. They have owned and operated the Collins Funeral Home and Insurance Companies since Mrs. Harvey's death in 1995.

Collins Insurance Company was formed to offer burial insurance to people of color in the

community at a time when standard life insurance was not available. Mrs. Harvey took this service a step further by offering to Collins' patrons a funeral service for these limited amounts. In an effort to meet the needs of our changing society, Collins now offers life insurance in face amounts up to \$5,000 and has continued the burial insurance allowing patrons the opportunity to upgrade. Prearrangements are also available for those who want to assure that their needs are met and to lighten the burden on loved ones.

Mr. Speaker, I ask my colleagues to join me in recognizing Collins Funeral Home, Inc.

RECOGNIZING THE SERVICE OF DONNA WILLIAMS

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. BACHUS. Mr. Speaker, on the occasion of her retirement, I would like to commend the recognition of the House to an individual who has had an immeasurable influence on the lives of young people in the Sixth District and the State of Alabama, Donna Griffin Williams.

One of my longest-serving staff members, Donna has devoted a large part of her working and volunteer life to creating opportunities to help young people achieve their dreams and to highlighting the many positive things that our students are doing in their schools and communities.

Donna's role as the Special Projects Coordinator in my district office has touched the lives of countless young people.

As a congressman, some of my proudest moments have come when I have met with young people who feel called to defend freedom and serve our country in the U.S. military. That is why a function of my office that I have always taken most seriously is the nomination of students to attend a Service Academy. Donna has expertly coordinated this process for me, and over the years it has been a privilege and an honor to have been of help to so many outstanding young people with high character and an abiding love for America.

Donna has also served as our local organizer for the annual Congressional Art Competition, which provides students with the opportunity to have their original artwork displayed at the U.S. Capitol. This competition attracts entries from schools across the Sixth District and is a public showcase for the positive accomplishments of our students.

Donna has also been a principal organizer of a program that brings great joy to my wife Linda and I during each Christmas season, the Holiday Card Call for Art. This program,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

run in cooperation with the University of Alabama at Birmingham, invites students with visual impairments to submit artwork for our annual Christmas card. The breadth of the creativity is inspiring and Donna has always worked to encourage an excellent level of participation by students and their schools.

Donna's concern for young people has extended beyond work to her civic and volunteer activities. She has provided service as President of the Alabama PTA Board of Directors, a National PTA Board Director, a member of the Mayor's Education Committee, past president of the Vestavia Hills City School Foundation, and member of the A+ Foundation Board. Donna's many other community contributions include her service on the Board of the American Village Citizenship Trust, VIP for United Cerebral Palsy, and her involvement with Leadership Vestavia Hills and Leadership Alabama.

Donna would be the first to say that she has been blessed with a supportive and loving family which includes her husband of 46 years, George, three grown children, and five grandchildren with a sixth soon on the way.

For her service to the residents of the Sixth District and especially the young people who will be the future leaders in our communities, Donna Williams is well-deserving of this recognition and I extend my heartfelt gratitude to her for her loyalty and friendship.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 630, I was unable to be present for H.R. 3521. Had I been present, I would have voted "yes".

PERSONAL EXPLANATION

HON. RICHARD B. NUGENT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. NUGENT. Mr. Speaker, due to inclement weather on December 10th, my flight was cancelled and I was unable to vote on H.R. 3521 Dept. of VA Major Medical Facility Lease and H.R. 1402 VA Expiring Authorities Extension. Had I been able to be present, I would have voted for both pieces of legislation. I applaud the passage of these resolutions which will positively benefit our nation's veterans.

TRIBUTE TO JAMES "SHACK" HARRIS, A BARRIER-BREAKING PIONEER IN THE NATIONAL FOOTBALL LEAGUE

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. RICHMOND. Mr. Speaker, I rise today along with my fellow colleagues Rep. JIM CLY-

BURN (SC-06), Rep. KAREN BASS (CA-37), Rep. CORRIE BROWN (FL-05), Rep. JOHN CONYERS (MI-13), Rep. ELIJAH CUMMINGS (MD-07), Rep. CHRIS COLLINS (NY-27), Rep. SUSAN DAVIS (CA-53), Rep. BRIAN HIGGINS (NY-26), Rep. JOHN LEWIS (GA-05), Rep. VANCE MCALLISTER (LA-05), Rep. GARY PETERS (MI-14), and Rep. JON RUNYAN (NJ-03) to pay tribute to James "Shack" Harris, in this year marking the fiftieth anniversary of the March on Washington. Like such pioneers as Paul Robeson, Joe Louis, and Jackie Robinson, James Harris applied his brilliant talent and steadfast determination as an athlete to advance the cause of racial equality in America.

James Harris was born and raised in Monroe, Louisiana, during some of the harshest years of segregation when a policy of "massive resistance" against court rulings and federal laws denied equal rights for Black citizens. Racial inequality pervaded football fields as much as buses, hotels and lunch counters in the South.

But the Reverend Nashall Harris, James' father, gave his son an appropriate nickname: "Shack," after the Old Testament's Meshach, one of the three ancient Jews who refused the orders of a Babylonian tyrant to bow down and worship his golden idol. Like his namesake, James Harris would not submit to an unjust system.

From his early teens, he aspired to play quarterback in the National Football League—a position that no African American had ever been allowed to play for more than a handful of snaps. In setting this goal, Harris challenged bigotry, stereotypes and the status quo. At the time, it was taken as fact in both college and pro football that Black athletes did not possess the necessary intelligence, leadership, and character to play quarterback. Shack shattered the vile myth.

Inspired by the Rev. Dr. Martin Luther King, Jr.'s "I Have A Dream" speech, Harris persisted in pursuing his own dream. After a record-setting career at Carroll High School in Monroe, he went to Grambling State University and was coached by the legendary Eddie Robinson. Coach Robinson shared James Harris's goal of breaking the color barrier at quarterback in the NFL. And Robinson had recruited him for that very reason.

James Harris had an illustrious career at Grambling. He led the Tigers to three conference titles, set numerous passing records, was selected MVP of the 1967 Orange Blossom Classic, and was chosen the nation's outstanding player in 1968 by the Washington Pigs Club. Despite these achievements, he was not invited to any post-season all-star games and he was not selected in the NFL draft until the eighth round.

James Harris did not give up. He would not be forced into changing positions to receiver or defensive back, as had so many promising African Americans before him. He was determined to play quarterback. Every night during training camp as a rookie, he called Eddie Robinson for advice and moral support.

He ultimately won the starting job, and opened the 1969 NFL season as the Buffalo Bills' starting quarterback. It was the first of many "firsts" in his career. During three pivotal years with the Los Angeles Rams in the

mid-1970s, James Harris led the team twice to the NFC title game, led the conference twice in passing efficiency, was chosen MVP of the Pro Bowl, and was voted captain by his teammates.

From 1969 through 1977, Harris was virtually the only African American quarterback to be a starter. He endured hate mail and death threats. He also bore the hopes of an entire people. As Eddie Robinson had once told him: "You have to make it. Otherwise, people will say you sent us your best and he wasn't good enough."

By being much more than good enough, James Harris opened the door of opportunity for African American quarterbacks to follow, from Doug Williams and Warren Moon to Russell Wilson and Robert Griffin III.

But Harris' legacy did not end when he walked off the playing field. He went on to become a prominent NFL executive for the New York Jets, Baltimore Ravens, Jacksonville Jaguars, and currently the Detroit Lions. As such, Harris has helped to pave the way for other African American coaches and general managers whose success demonstrates the power and promise of diversity and inclusion.

So it is an honor to recognize and applaud the accomplishments of James Harris. Dr. King once called himself a "drum major for freedom." We might call James Harris, the barrier-breaking quarterback, a field general for racial equality.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Ms. LEE of California. Mr. Speaker, I was not present for rollcall votes 630–636. Had I been present, I would have voted "yes" on rollcall 630, "yes" on rollcall 631, "no" on rollcall 632, "yes" on rollcall 633, "yes" on rollcall 634, "yes" on rollcall 635, and "yes" on rollcall 636.

RECOGNIZING SCOTT NISHIOKI

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to Scott Nishioki, who has served as a valued member of my staff for the past nine years. Scott joined my staff during the beginning of my first term in Congress, and he has made a real difference. This month, Scott will be leaving my staff to find other ways to serve our nation beyond the walls of Congress. Scott's years of service to the people of Central California, spanning from Kern County to Merced County, deserve to be commended.

A Sanger native, Scott grew up in the heart of the San Joaquin Valley and graduated from Sanger High School before becoming a Bulldog at California State University, Fresno. He earned his Bachelor's degree in 1976, and shortly thereafter began to pursue a career in

public service that led him from California to Washington, DC.

In his 31 years in Washington, Scott has done it all. As an aide to Congressman Rick Lehman (D-Fresno), Scott wrote the Truth in Savings Act, legislation that protects consumers and encourages healthy financial savings. Following his service with Congressman Lehman, Scott held a number of important positions within the telecommunications industry, the U.S. Department of Commerce, and the American Bankers Association. As a result of his years of service, Scott understands and appreciates the inner workings of this city better than anyone else.

Scott's true value is his ability to focus on what really matters. Spending a lifetime in DC can sometimes leave you blinded by partisanship, ambition, or money, but Scott has never forgotten why he left his home and moved to Washington in the first place. He moved here to solve problems and make a difference for the people of the San Joaquin Valley and the nation. And, that is exactly what he has done.

In addition to his legislative achievements, Scott made a difference by mentoring every member of my staff and several others both on and off Capitol Hill. For years, Scott has calmly helped my staff navigate personal and professional pressures. Together our staff has achieved a great deal both as members of Team Costa and in their professional lives after their service in my office.

Michael Doyle, reporter in the Washington bureau of McClatchy newspapers, may have said it best: "Scott hits the trifecta. He's smart, candid and funny. I have always been able to trust his insight and his judgment. I will miss him; Congress will be a lesser place without him."

Mr. Speaker, it is with great pleasure and pride that I recognize Mr. Nishioki today for his many contributions to not only my Congressional office, but the entirety of the San Joaquin Valley. He is truly a son of the Valley, and the place we both call home is better for his many years of service. It has truly been an honor to work with him over the years and I wish him the best of luck in his next adventure.

IN HONOR OF THE 15TH ANNUAL MONTEREY COWBOY POETRY AND MUSIC FESTIVAL

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. FARR. Mr. Speaker, I rise today to recognize the 15th Annual Monterey Cowboy Poetry and Music Festival. The Monterey Cowboy Poetry and Music Festival is a non-profit organization composed of a group of volunteers who love cowboy poetry, western music, cowboy movies and western art and gear. The volunteers work tirelessly to bring us the, "Cowboy Way of Life" and its most talented musicians, poets and artisans to our region. I have a short poem by Monterey County resident, Wendy Brichnan, to read which captures the essence of this award-winning event.

A GLANCE AT THE MONTEREY COWBOY POETRY & MUSIC FESTIVAL

From the Land of the proud California Vaqueros set in beautiful Monterey, the first capital of California

a modest festival has, for the past 15 years, celebrated the legendary Cowboy Way.

Through cowboy poetry, through cowboy songs, through cowboy crafts and artifacts of the past, the Monterey Cowboy Poetry & Music Festival has shared important values that all should recall.

Honesty, Integrity, Friendship and Loyalty
Courage, Hard Work, and Dedication.
Collaboration, Teamwork, and Honor.
The Cowboy Code of Ethics is one to admire.
Founded by former Monterey police chief, Gary Brown
this special Cowboy Festival has shared highlights of the Western Heritage that Monterey County residents remember with pride.

Mike Beck, Monterey native musician and horse trainer
and visiting Western singers such as
Juni Fisher, Dave Stamey, Don Edwards
and others charm all ages with their prowess.

Their clever and moving songs celebrating the spirit of the cowboy and cowgirls—
through hundreds of years, and thousands of miles,
and spark our imagination and pride.

They bring the world of the cowboy alive with imagery that tugs at our hearts and minds

wide open spaces, shady oak trees,
whispering pines and swaying grasses.

The jingle of spurs, the soaring hawks,
the creak of leather, the sound of hooves,
the cattle grazing down the hillside along the trails

the heat of the day and the cool of the night.

Amazing cowboy poets such as Paul Zarzyski,

Diane Tribitt and Jim and Karen Ross
reach us deep inside with their
talented and humorous views of life. We
see through their eyes, their minds, and their souls.

Young poets and buckaroos come to the Festival

and share their respect for cowboy lore,
and adults step forward and recite
their own memorable poems for all.

It wasn't that long ago that renowned
artist Jo Mora walked in Monterey
and lived with the cowboys and Native Americans

throughout the land.

In his tradition, the Monterey Cowboy Festival

looks to other multi-talented Western artists

like Jack Swanson, Joelle Smith and many, many others

who drew and painted and illustrated what came before them
in the cowboy way of life.

Salinas saddle-maker G. S. Garcia's granddaughter,

steers this festival and allows us to admire the man whose saddle brought home the Gold Medal from the St. Louis World's Fair.

And, artisans from around America journey west

to Monterey to proudly display special
Cowboy boots, jewelry, Navajo blankets
and other symbols of our time-honored Western tradition.

The cowboy today is still seen on the slopes of

Monterey County in rambling ranches
that stretch over mountain tops.
The festival honors our hard-working ranchers

like the Violinis, Dorrances, and Pedrazzis,
and others who work with grazing
cattle, day in and day out.

And, training horses through their "Feel",
a well-loved method developed by
Monterey County's Bill Dorrance and carried on by

Others, such as Marvin and Marguerite Roberts and

Ray Hackworth revealing their unending respect for horses,

also a part of the Monterey Cowboy Festival.

The Festival's Saturday Night Dance lets everyone

kick up their heels in the popular Texas Swing tradition

performed by the always spunky Carolyn Martin Band,

bringing back lots of foot-stomping fun.
Raising money for the Salvation Army

through its famous Cowboy Church on Sunday morning,

with featured performers singing
songs of respect for all religions,
a tradition that graces the Festival stage.

And during the year, too, always loved
by teachers and students, learning history
the very best way through real live demonstrations.

The "Cowboys in the Schools" program
Held each year and teaching so many local youth

self esteem, history, cowboy culture and key values.

The three day festival draws to a close and
people meander out, sad that the time went
to quickly.

taking home special artifacts of the Cowboy Way.

knowing they won't see some friends again
until the next time.

but recharged with another year of Monterey memories.

Mr. Speaker, I congratulate the Monterey County Poetry and Music Festival on their 15th anniversary. The Monterey County Poetry and Music Festival always bring the finest western entertainment; cowboy poets, western music entertainers, fine cowboy art and gear to Monterey, the first capital of Old California. I give a sweeping "Hats Off" on their 15th anniversary and wish them many more years of success.

HONORING IVER DELL ADAMS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable Unsung Hero, Mrs. Iver Dell Adams. Mrs. Adams is affectionately known by most in her community as "Mother Adams" and is a resident of Bolivar County.

Mrs. Adams currently serves as Assistant Superintendent of the Sunday School Department, President of Christian Women Council, Church Mother and Evangelist at Saint Mark Church of God in Christ in Mound Bayou, Mississippi. She also volunteers with other church auxiliaries at Saint Mark.

Mrs. Adams is a faithful Christian servant whose ministry has led her to feed and clothe thousands in the State of Connecticut. She and her husband Lonzie would use their own money to purchase food, school products, and often housed new and used clothing which were donated to assist others. They also, opened their home to a diverse population who was temporary without shelter. Mrs. Adams and her husband shared everything they had without any reservations. After her husband passed she moved to the Great State of Mississippi where she continues her service to others by assisting in raising four children whom she calls her own. These children never desire to leave her residence. Her love to see others "be all they can be" has led her to work hard and diligently for all those she comes in contact with. In her community she and her neighbors', young and old alike, enjoy their conversations and her words of encouragement.

Mrs. Adams has received numerous accolades and awards for her service to others.

Mrs. Adams has six children: three daughters: Virginia, Mamie, Geri and Betty (deceased) and two sons: Lonzie Jr. and Vastie. She and her husband instilled in their children to work hard and smart, to be an asset to society, assist the less fortunate by giving a hand to those who are in need, and to know that they don't have anything they cannot share with someone else.

Mrs. Adams is often invited to minister during various Christian events held throughout the county. She believes in prayer, and that all things are possible as long as you have God as your leader and choice.

Mr. Speaker, I ask my colleagues to join me in recognizing an unsung hero, Mrs. Iver Dell Adams, for her dedication in serving mankind.

RECOGNIZING THE CONTRIBUTIONS OF THE COALITION TO SALUTE AMERICA'S HEROES

HON. TULSI GABBARD

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Ms. GABBARD. Mr. Speaker, as President Calvin Coolidge said, "A nation that that forgets its defenders will soon be forgotten." I rise today to recognize the contributions of The Coalition to Salute America's Heroes, a group that recently invited me to participate in an event honoring the sacrifice and the service of our servicemembers. There, I had the privilege of meeting Corporal Donny Daughenbaugh, a Coalition spokesman who was severely injured during routine patrol in Iraq, as well as Sergeant Mary Herrera, U.S. Marine Corps (Ret.), and Sergeant Jorge DeLeon, U.S. Army (Ret.). Herrera and DeLeon also were injured in the line of duty while serving our country overseas. Despite

their injuries, these selfless heroes have weathered an extremely challenging recovery and are now using their own experience to help fellow veterans make the transition to civilian life. Like so many other veterans, their resilience and love of country endures after they return home and begin to face these tremendous challenges.

The event focused on the growing, serious challenges facing young veterans, particularly, homelessness, which is fast becoming a crisis among female combat veterans. These veterans, who step up to serve and are willing to make the ultimate sacrifice to protect our nation, all too often don't have the support they need when they return home.

I have seen firsthand the overwhelming challenges our returning warriors face in Hawai'i and across the nation. Tragically, more than 1,100 veterans in Hawai'i alone have experienced homelessness. While the overall number of homeless veterans is decreasing, homeless female veterans are the fastest-growing segment of the homeless population. Female veterans are also more likely to suffer post-traumatic stress disorder (PTSD) and frequently have children who also suffer.

The Coalition, led by David Walker, is a national 501(c)(3), non-profit, non-partisan organization, established in 2004 to address the needs of severely wounded veterans of the wars in Iraq and Afghanistan, and their families. The organization provides emergency financial assistance and other support services to help them recover from their injuries, rebuild their lives, and successfully transition back into civilian life. In addition to its work to address homelessness, the Coalition's emergency aid services also aim to combat the troubling rates of suicide and domestic abuse among servicemembers and veterans.

This week in Orlando, Florida, the Coalition is hosting 100 combat-wounded veterans at its seventh annual Road to Recovery Conference and Tribute, a program that provides sessions on professional development, financial planning, and relationships.

Hawai'i has a proud tradition of military service to our nation, and is the grateful home of thousands of veterans and their families. I commend the work of the Coalition to Salute America's Heroes to ensure that our nation's defenders are never forgotten.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 631, I was unable to be present for H.R. 1402. Had I been present, I would have voted "yes."

HONORING BOBBY COX'S HALL OF FAME INDUCTION

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. GINGREY of Georgia. Mr. Speaker, today I rise to honor the long and accomplished career of one of baseball's all-time greatest managers, for Atlanta Braves Manager Bobby Cox.

On Monday, Cox was unanimously elected to the National Baseball Hall of Fame by a 16-member committee, and will be inducted in Cooperstown this coming July.

Throughout his 29 years as a Manager in the Major Leagues, Cox became one of the winningest coaches of all time. He accrued 2,504 wins; the majority taking place during his 25 years leading the Braves. During that time, he brought an unprecedented 14 consecutive division titles, 5 National League championships, and the 1995 World Series pennant to Atlanta.

As a manager, Cox was respected by his players and kept only three rules—show up on time, wear your uniform correctly, and play hard. After the 2010 season, he retired from his job as the team's Manager, but still holds a role as a special assistant that allows him to keep being a part of the game he loves.

Mr. Speaker, on behalf of Georgia's 11th Congressional District and Braves fans everywhere, I extend my thanks to Bobby for the decades of entertainment and the legacy he brought to our great state. It is with great pride that I congratulate him on achieving the highest level of recognition possible in America's pastime. Go Braves.

CONGRATULATING DR. BERNICE DUFFY JOHNSON, IN RECOGNITION OF HER DISTINGUISHED SERVICE TO NORTH CAROLINA CENTRAL UNIVERSITY

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. BUTTERFIELD. Mr. Speaker, I rise to congratulate Dr. Bernice Duffy Johnson on her 34 remarkable years of service to the students, faculty, and staff of North Carolina Central University, NCCU, located in Durham, North Carolina.

Dr. Johnson was raised on a sharecropper farm along with a large family that never benefited from a formal education. Her ascent to become one of the preeminent educators of our time serves as an inspiration to us all and is a testament to her lifelong commitment to bettering the lives of others through education.

Dr. Johnson's meteoric career trajectory is even more impressive as an African-American who made her way during the height of the Civil Rights Movement. As a 1963 graduate of what is now known as University of Arkansas at Pine Bluff and a subsequent graduate of a Pennsylvania State University graduate school, Dr. Johnson began her career in education teaching junior high school in Indianapolis.

In 1979, Dr. Johnson returned to the south as an adjunct professor at my alma mater, NCCU. Her exemplary career at NCCU embodies the best qualities of the Civil Rights Movement and shows the immeasurably positive influence a single individual can have when committed to helping others. While teaching at NCCU, Dr. Johnson earned her Ph.D. from the University of North Carolina at Greensboro and served in various capacities before being named NCCU's Dean of the College of Arts and Sciences.

The importance of Dr. Johnson's many accomplishments during her 34-year tenure at NCCU are beyond the pale. A small sample of Dr. Johnson's many contributions include helping design a \$36 million state-of-the-art science complex, helping six degree programs reach accreditation, and co-authoring a renowned textbook that received \$6 million in research funding from the National Science Foundation, National Aeronautics and Space Administration, and the National Institute on Alcohol Abuse and Alcoholism.

Mr. Speaker, I commend Dr. Bernice Duffy Johnson for her exceptional leadership and dedication to educating future generations of leaders. Of the many accomplishments in her career, I know her greatest pride is positively impacting the lives of more than three decades of NCCU students.

Dr. Johnson's legacy is built on hard work and determination and she is an example to which the next generation of educators should aspire. I ask my colleagues to join me in honoring and celebrating Dr. Bernice Duffy Johnson's many achievements in her 34 years of service to NCCU.

IN MEMORY OF LEROY TYSON

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor the life of Mr. Leroy Tyson. Leroy, or "Tyson" as he was better known in our office, served as a custodian in the Day Cleaning Division of the House Office Buildings. He began his service with the Architect of the Capitol, AOC, on August 6, 2007, where he worked around the clock to help maintain the U.S. Capitol buildings.

Over the past several years, I came to know Tyson through his kindness, hard work, and exceptional service. He became a great friend to me and my office, and touched the lives of all those who had the pleasure of knowing him. Tyson brought an energy and commitment to excellence despite his ongoing struggle with cancer. He prided himself on being here every day, living his life as normally as possible, and consistently making it a point to ask how everyone else was doing. In the midst of chemotherapy and in the days leading up to his untimely passing, Tyson always had a sense of humor and checked in often with our office to share a laugh.

Mr. Speaker, we have lost a great man. I feel truly blessed to have known him, and our thoughts and prayers are with the Tyson family during this difficult time. May Leroy Tyson's

memory serve as a reminder to show our appreciation to each other while we still have the chance.

A TRIBUTE TO HONOR THE LIFE OF JENNIE MIRZA ESHOO

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Ms. ESHOO. Mr. Speaker, I ask my colleagues to join me in honoring the life of Jennie Mirza Eshoo who passed away on November 27, 2013, in Turlock, California at the age of 98. Born in Chicago, Illinois on July 17, 1915, to Aghassi and Martha Mirza, Jennie was the first-born in her family of five sisters and two brothers. She graduated from Waller High School in 1934, and was accepted to the University of Illinois. Though she was unable to attend college due to the Depression, she devoted herself to lifelong learning. She was an avid reader of biographies, history, the National Geographic, Smithsonian, her local newspapers and many other publications. Most of all, she cherished her Bible and its words nourished her soul over a lifetime.

Jennie married Paul Eshoo on September 22, 1934, in Chicago, Illinois. In October, 1936, they bought a farm in Turlock, California, where they farmed wine grapes, walnuts, and chickens.

Jennie was a homemaker for many years, and later in life she took a position at Stanislaus State University when it first opened, and later worked as a teacher's aide. She enjoyed traveling and was able to visit the Holy Land and Europe twice. She was extremely active in and deeply devoted to her church, St. John's Presbyterian, where she served as Elder, Clerk of the Session, Delegate to the Stockton Presbytery, and many other leadership roles.

Jennie was a charter member of the Assyrian American Civic Club and was honored in 2011 as the Club's oldest charter member. She volunteered until the age of 90 for the Emanuel Medical Center Auxiliary, and was a member of the Senior Citizens of Turlock. She volunteered for decades as a poll worker, dedicating herself to one of the great manifestations of a democracy, voting. Her life was devoted to Christ and her community, and she served as a role model for all who were privileged to know her.

Jennie was preceded in death by her husband Paul Eshoo and her sister Esther Aziz. She leaves four children; Peter and Genny Eshoo of Buffalo Grove, Illinois; George Eshoo of Menlo Park, California; Agnes and John Williams of Livermore, California; Alice and Dale Pollard of Turlock, eight grandchildren and eight great-grandchildren, and many nieces and nephews. As Jennie was being taken to her final resting place, the family received the sad news that her sister, Julia Alexander, had just passed. She is now survived by two sisters and two brothers.

Mr. Speaker, I ask my colleagues to join me in honoring the life of a patriot. Jennie Eshoo was a woman who served her community, her church and her country with great dedication,

and today the entire House of Representatives extends its condolences to all her family.

HONORING KIARA L. WALKER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor an ambitious and talented young woman, Ms. Kiara L. Walker. She has shown what can be done through hard work, dedication and a desire to achieve greatness.

Ms. Walker, a native of Rolling Fork, Mississippi, made her embark on this journey of life January 9, 1990. She is the youngest of 6 children by Eldridge and Anne Walker and second oldest child of Delores Myles.

Ms. Walker graduated from South Delta High School in 2008 where she was the Valedictorian. During her 4 year matriculation of high school at South Delta, Kiara devoted herself not only to academic excellence, but also community involvement, mentorship, and other extracurricular activities. She was a section leader (trumpets) and member of the South Delta Marching Band for many years, inductee and board member of the SD Chapter National Honor Society, as well as, student council, peer counselor, and elected Vice-President of her senior class. In 2005, Kiara was a chosen ambassador and is now a reoccurring volunteer facilitator each summer at the Hugh O'Brian Youth Leadership Conference (HOBY) at Millsaps College. She was also listed in Who's Who Among High School Students.

Ms. Walker is a founding member of the Mayor's Youth Council of Rolling Fork, an active member of local 4-H Club, and partner with local elected officials to host many community events throughout the year, such as, the local Easter Egg Hunt, Annual Children's Day Fest and Thanksgiving/Christmas dinners for the elderly. At an early age, she was instilled with the morality of always sharing her many gifts and talents; therefore, she tutors elementary students.

In May 2013 Ms. Walker earned her Bachelor of Science Degree in Biology with a minor in Healthcare Administration. Kiara was a recipient of the Valedictorian scholarship, a student of the WEB DuBois Honors College, and inducted into the Alpha Lambda Delta Honor Society. She's a former member of Tiger P.R.I.D.E. Connection, Pre-Health Society, American Chemical Society, National Organization for the Professional Advancement of Black Chemists and Chemical Engineers (NOBECHE), Interfaith Gospel Choir, and the JSU Concert Chorale. Also during her undergraduate progression, she has studied research in the areas of Molecular Biology and Computational Chemistry and has been a part of scientific publications in assistance with mentor professors.

Ms. Walker's philosophy on life can be drawn from Matthew 19:26 which states, "With man this is impossible, but with God all things are possible." This is a key verse that she understands.

Therefore, she honors her Christian values and strives daily to become a better servant leader. She is a faith member of Mt. Lula Baptist Church in Rolling Fork, MS where she serves in the choir.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Kiara L. Walker for her dedication to her community and mankind.

**HONORING CHARLES J. O'LEARY
ON THE OCCASION OF HIS 80TH
BIRTHDAY**

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to recognize and honor the life and legacy of Mr. Charles J. O'Leary, who is celebrating his 80th birthday this month.

A current resident of Tonawanda, Mr. O'Leary was born and raised on the City of Buffalo's West Side and has both witnessed and endured some of the city and the nation's most tumultuous times. Born on December 12, 1933, Mr. O'Leary knows the true nature of what it is to be resilient in times of hardship, and in effect, what it means to be a true American.

Mr. O'Leary proudly served my hometown and its residents as a dedicated public servant throughout his 37 year career with the City of Buffalo Fire Department. He completed his courageous tour of duty in 1993 as Captain of the renowned and respectfully remembered Engine 10 at Ohio and Ganson Streets in our most historic, industrial waterfront community.

As impressive as his valiant professional life, Mr. O'Leary is to be commended for his commitment as a caring and active family man. In addition to celebrating this birthday milestone, he and his wife Elinor will soon be sharing their 60th wedding anniversary—a mark representing Mr. O'Leary's devotion and dedication as a husband and father to six children—Charles, Robert, Kevin, Eileen, Patrick and Paul. Mr. O'Leary now enjoys quite the extended family, with 20 grandchildren and two great grandchildren.

Mr. Speaker, it is with great pleasure that I rise today to acknowledge the life and accomplishments of Charles J. O'Leary. His good works, devoted public service and gifts as a family man will be celebrated with those whose lives he has so deeply influenced on December 20, 2013 and I am pleased and proud to offer sincere congratulations and best wishes to this good and faithful servant on this most happy occasion.

**RECOGNIZING THE 50TH ANNIVERSARY
OF THE BAGDAD, FLORIDA
VOLUNTEER FIRE DEPARTMENT**

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise to commemorate the 50th anniversary of the

Bagdad, Florida Volunteer Fire Department and recognize the selfless service, sacrifice, and dedication of its members, past and present, in protecting the citizens of the North-west Florida community.

Formally established in 1963, the Bagdad Volunteer Fire Department was initially founded in 1962 as a Fire Rescue team of ten men led by Chief Dan Fowler. Despite having little equipment and no firehouse, this team of dedicated individuals was inspired by the need for a department to provide for the safety and rescue needs of Bagdad and the surrounding Santa Rosa County community. Bagdad Elementary School opened its doors as a meeting place for the volunteers to discuss business and other issues, while the Florida Department of Forestry provided the team's first truck that was stationed at the Chief's home. With the continued support of the local community and to meet the growing needs of its citizens, the department built its first firehouse in 1965 on donated land and acquired a second fire truck. A third truck was acquired in 1975, and the 1980's brought the deployment of a pager system and acquisition of a fourth and more modern fire truck. Today, the department comprises 25 volunteers, 2 Class-A 1,000 gallon pumpers, an E-1 rescue truck, an E-1 brush attack truck and a 17.5-foot rescue boat.

Throughout the course of Bagdad Volunteer Fire Department's fifty-year history and transformation, what has remained constant is the clear vision of the required capabilities needed to successfully meet the safety needs of the growing community, as well as, the passion and dedication of its numerous volunteers.

Mr. Speaker, on behalf of the United States Congress, it gives me great pleasure to commemorate the 50th anniversary of the Bagdad, Florida Volunteer Fire Department. My wife Vicki joins me in thanking all of the volunteers for their faithful service and wishing them and the department continued success.

**HONORING EVAN JOSEPH
HERONEMUS**

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Evan Joseph Heronemus. Evan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 218, and earning the most prestigious award of Eagle Scout.

Evan has been very active with his troop, participating in many scout activities. Over the many years Evan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Evan contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Evan Joseph Heronemus for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 632 I was unable to be present for H.R. 2019. Had I been present, I would have voted "no."

IN MEMORY OF RONDAL K. MOORE

HON. JUAN VARGAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. VARGAS. Mr. Speaker, I rise today in honor of Rondal K. Moore, of Aurora, Colorado, who passed away from a stroke on November 12th at age of 71. Rondal was born on May 25, 1942 in Fort Smith, Arkansas, the son of Clarence Delmer and Golden Viola Moore. In 1961, he graduated from Wheeler County High School in Fossil, Oregon. He went on to serve in the United States Navy during the Vietnam War on board the aircraft carrier USS *Coral Sea* as well as duty in Rhode Island at the Naval War College. In the spring of 1963, he married Nancy E. Heily and on March 29th of this year they celebrated their 50th wedding anniversary. Rondal began working for United Airlines in 1966 and spent decades in the field of de-icing until retiring in 2003 after 37 years. He held multiple patents for inventions in both information and system operations as well as software products used in the process of de-icing. His inventions and patents are still in use today in order to help determine check time for de-icing fluid, which allows for safe airline travel during inclement weather. My thoughts and prayers go out to his surviving family member including his wife of 50 years, Nancy Moore, of Aurora, Colorado; his son, Jason Moore, of Chula Vista, CA; his daughter, Sondra LaValley, of Aurora, CO; and his sister, Carol Ellis, of Kennewick, WA.

**HONORING LINDA HOWARD
JOHNSON**

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to tell the story of an unsung hero. Often times the neighbor next door goes unnoticed because of their ability to quietly go about life helping others without any nudge from the outside to do so, the only nudge they get is the one that is in their heart to do what needs to be done. Mr. Speaker her name is Linda Howard Johnson and she lives in my district, Mississippi Second Congressional District. People in the community call her "Mama or Grandma."

Linda's start in life helped to shape the road she would travel later in life. As a young child,

she was given away to be raised by a woman not related to her, Ms. Clara Tanzy. As a child she was constantly changing elementary schools and places to live. Her mother wanted change and a better life for them, so she chose Tutwiler, MS. Tutwiler was the answer they needed to end their roller coaster ride. Linda said it was the first time they were able to call an apartment home, just for the two of them. The stability gave her the grounding she needed to focus on school, being a child, being a little girl, making friends, and all those things important to a child.

Linda went on to attend Coahoma Junior College in 1978 and 1979, where she played basketball. The team won the regional level basketball competition among three states, Mississippi, Tennessee, and Arkansas and advanced to compete at the national level in Kansas City in 1979. In fact, she credits basketball for having taught her the importance of working together to achieve a common goal. As a mother, Linda instilled that same value in her children, Claretta, Lazerick, and Ramona and her grandchildren, Tashayla, Raileigh, Savannah, Diamond, and Courtney. All three of her children went to college and are successful in their careers. Linda's children are constantly trying to encourage their mother to move away but she reminds them, "Tutwiler grounded me and contributed to who I am, so this is my home and extended family, so I'm here to stay and help someone else." I'm pleased that Linda has decided to stay in Tutwiler and help someone in need.

Linda is constantly giving back in many ways. She is a teacher's assistant in the local school district and a bus driver for the district as well. In addition, Linda serves as a basketball coach for both the West Tallahatchie School District and the Tutwiler Community Education Center. She says what she does is not much but it is what she loves, "helping family," because Tutwiler is her family.

Linda has helped raise eight children. She comes to their aide because she recognizes those same issues that occurred in her life rising in theirs. So, she steps in to try and curtail those circumstances or prevent them from occurring in their lives. Linda recalls the story of child who came from a family that hadn't had a female to graduate from high school in twenty years, well Linda got involved in the child's life from birth and nurtured her through high school until she graduated, thus breaking the chain. She invited a 17 year old young man struggling to get out of the 8th grade, who had no one to guide him, so she invited him to come live with her only if he promised to finish school. The young man got his GED and that was better than nothing. In fact, there have been situations in which Linda has taken in entire families consisting of the husband, wife, and children. She says her house is not the Hilton but it's a home and she's willing to share it with those in need at no charge.

Linda says "I don't know, to me it seems like I need my community and my community needs me and that's why I tell my children I can't move away, I'm at home and a mother's place is at home."

Mr. Speaker, I ask my colleagues to join me in recognizing an unsung hero of the Tutwiler Community for stepping up to the plate and influencing many lives, Ms. Linda Howard Johnson.

TRIBUTE TO MAJOR JOHN TRUAX

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. CARTER. Mr. Speaker, I rise to pay tribute to Major John Truax of the United States Army for his extraordinary dedication to duty and service to our Nation. Major Truax and his wife Alaina will be moving on from his present assignment as an Army Congressional Liaison and will soon be reassigned as a Cyber Operations Officer for the Army National Guard.

Army Congressional Liaisons officers provide an invaluable service to both the military and Congress. They assist Members and staff in understanding the Army's policies, actions, operations, and requirements. Their first hand knowledge of military needs, culture, and tradition is a tremendous benefit to Congressional offices.

Following his graduation from Valley Forge Military College in May 2001, Major Truax was commissioned in the Army National Guard as an Engineer Officer. Major Truax reported to his first operational assignment with Charlie Company, 276th Engineer Battalion in West Point, Virginia where he served as a Platoon Leader and Executive Officer. Following a period of reorganization across the Army, Major Truax transferred branches and became a Military Intelligence Officer.

He left his civilian career in management and sales to deploy in support of Operation Iraqi Freedom from May 2007 to June 2008. During his time in combat, John was responsible for providing security and Area Response Forces in Northern Kuwait as a staff officer in HHC, 2-183 CAV before assuming command of Alpha Troop. After returning from his tour in Kuwait, Major Truax remained on active duty and was assigned to the Army National Guard Materiel Programs Division in Arlington, Virginia. At the completion of an exceptional four years there, he was selected to represent the Army National Guard in the U.S. House of Representatives as a Legislative Liaison.

Major Truax's accomplishments have not gone unnoticed. His awards and decorations include the Meritorious Service Medal, Army Commendation Medal (1 Oak Leaf Clusters), Army Achievement Medal (1 Oak Leaf Cluster), the Parachutist Badge, and the Army Staff Identification Badge.

Mr. Speaker, it has been a pleasure to work alongside Major Truax over the last year. On behalf of a grateful Nation, I join my colleagues in recognizing and commending his dedication to service and the sacrifices he and his family have made. We wish him, his wife Alaina, and their children Xander and Margaux all the best as they continue their journey to his next assignment in the United States Army.

TRIBUTE TO CONGRESSIONAL INTERNS

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. COFFMAN. Mr. Speaker, I rise today to recognize Barr Benyamin, Jacqueline Brittain, Diego Sanchez, and Matthew McCabe for their dedication and hard work for the people of Colorado's Sixth District as interns in my Washington, DC office for the fall 2013 session.

The work of these young men and women has been exemplary and I know they all have bright futures. They served as tour guides, interacted with constituents, and learned a great deal about our nation's legislative process. I was glad to be able to offer this educational opportunity to these four and look forward to seeing them build their careers in public service.

All four of our interns have made plans to continue their work in public service next year with various organizations around Washington. I am certain they will succeed in their new roles and wish them all the best in their future endeavors. Mr. Speaker, it is an honor to recognize Barr Benyamin, Jacqueline Brittain, Diego Sanchez, and Matthew McCabe for their service this fall.

RICHARD WILLIAMSON: A TRUE PUBLIC SERVANT

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. WOLF. Mr. Speaker, I submit a letter, a Washington Post obituary commemorating the life and legacy of Richard Williamson who passed away this weekend at the age of 64.

I had the distinct privilege of working with Rich on a myriad of issues, including Sudan. Rich had a keen understanding of the issues marked by a welcome sense of moral clarity. His advice and counsel were reliably sound.

Many will mourn his loss, not the least of which are the Sudanese people whose basic human rights he championed.

[From the Washington Post, Dec. 10, 2013]

RICHARD WILLIAMSON, R.I.P

(By Jennifer Rubin)

Richard S. Williamson was not a household name, but for decades he was a tireless public servant and resolute defender of America's national security. He passed away suddenly this weekend; he was 64. A release from the McCain Institute recounts, "He was involved in a wide variety of civic organizations, including serving as a nonresident Senior Fellow at the Brookings Institution, as senior fellow at the Chicago Council on Global Affairs, and as a trustee of Freedom House. Williamson was also Assistant to the President for Intergovernmental Affairs in the Reagan White House, Ambassador to the United Nations Offices in Vienna (including the International Atomic Energy Agency), Assistant Secretary of State for International Organization Affairs, member of the

President's General Advisory Committee on Arms Control, Ambassador to the United Nations for Special Political Affairs, Ambassador to the U.N. Commission on Human Rights, the Republican Party's nominee for U.S. Senate in 1993." While he lost that Senate race to Carol Moseley Braun, he was an accomplished lawyer, author and speaker.

I came to know Richard in his capacity as a senior foreign policy adviser to Sen. John McCain's presidential campaign in 2008 and Mitt Romney's 2012 campaign. He was a staunch advocate for his candidates, and beyond that for the principle that foreign policy is the most critical aspect of any presidency and therefore must be a topic of debate in presidential elections. When other policy advisers pleaded to downplay foreign policy, Richard insisted it deserved a full airing. Many of the positions he helped his candidates articulate—the danger of Russian aggression, the Obama administration's duplicity in Libya, the rise of the Iran-Syria axis, the need for adequate national security spending and the need to speak boldly on behalf of human rights—have proved entirely accurate. The country would have been greatly served had he returned to public office.

In the hurly-burly of a presidential campaign Richard was unflappable, honest and gracious treasured qualities in a public servant. In the best sense of the phrase, he was an old-school gentleman.

Elliott Abrams, a former deputy national security adviser who knew Richard well, e-mails: "Rich Williamson was a happy warrior. He was an unflappable soldier of freedom, serving several Republican presidents in the Cold War and then the war against terror, and always, always, in the peaceful but often very rough battle against the Democrats. His ready smile, his sharp political instincts, and his dedication to public service will be long remembered." He adds, "In politics there's a lot of ego and self promotion, but Rich was there to help the party and serve the nation. In the next Republican administration he would have had a very senior foreign policy position, and when that day comes we will miss his counsel, his calm, and his unchanging good humor. He was a wonderful man."

His passing reminds us how essential a strong foreign policy is to the country's well-being. He stood up for a strong America, one that leads the Free World. In addition to conservative groups, including the RNC, which have remarked on his passing, I would hope in the near future our current U.N. ambassador and others in the elite foreign policy establishment who knew him well will honor his achievements. He, as they know, was never one to put partisanship above country. He will be missed.

RECOGNIZING THE DEARBORN COUNTY COMMISSIONERS

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. MESSER. Mr. Speaker, I rise today to recognize the contributions of the Dearborn County Commissioners to the success of the 6th District Job Fair.

On October 21, 2013, over 150 job seekers from across the district met with 36 businesses looking to hire new employees. In a

time when jobs are still hard to come by, these job fairs are an important tool in linking job seekers with prospective employers. I am proud we were able to bring community leaders together and provide this service to the people of the 6th District.

The job fair would not have been the success it was without the help of the Dearborn County Commissioners. I want to recognize the work of Commissioners Kevin Lynch, Art Little and Shane McHenry and Dearborn County Administrator Terri Randle. Their efforts show a deep commitment to their community and the well-being of the people they serve.

I ask the entire 6th Congressional District to join me in recognizing Dearborn County Commissioners Kevin Lynch, Art Little and Shane McHenry and Dearborn County Administrator Terri Randle. I look forward to working with them often on behalf of the people of Dearborn County and Southeastern Indiana.

IN RECOGNITION OF DON AND LOIS MOORE

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. GOSAR. Mr. Speaker, today I congratulate Don and Lois Moore, proprietors of the Quartzsite General Store. Mr. and Mrs. Moore opened the Quartzsite General Store in Quartzsite, Arizona on December 12, 1972. This December 12 will mark the 41st anniversary of its opening. The store's western-themed storefront has been a mainstay of Quartzsite's Main Street for those 41 years, adding to the town's character and economy. Known for its fresh meats and produce, cleanliness, and great customer service, the General Store has consistently contributed to the community of Quartzsite.

The store could not have been successful without Don's and Lois's hard work and dedication. Don retired from the store in 1999 and Lois retired from school teaching in 1995, but they both work at the store again today. Their determination to achieve their American dream is a shining example not only to their 6 children and 15 grandchildren, but to all current and future entrepreneurs. Small businesses like theirs are the backbone of our economy, and it is those businesses that will lead us out of our current economic problems.

Congratulations to the Quartzsite General Store and to its owners, Don and Lois, on 41 years of success. May they have continued success for many years to come.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 633, I was unable to be present for H.R. 2319. Had I been present, I would have voted "yes."

HONORING MAGGIE W. FORREST

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Mrs. Maggie W. Forrest who is a remarkable Director and extraordinary public servant.

Mrs. Forrest was born in Winona, Mississippi, which is located in Montgomery County, on December 5, 1958 to Johnny and Birdie Woods. Mrs. Forrest is one of ten children.

Mrs. Forrest attended J.J. Knox School in 1965 and graduated from Winona High School in 1976 and completed some courses at Wood Jr. College. Mrs. Forrest worked at Winona Elementary School for sixteen years. Her first job was a first grade teacher's assistant. Later, she became an assistant for a third grade class and afterward an assistant for a kindergarten class. During her last three years in Winona School System, Mrs. Forrest served as a library assistant. She enjoyed working with all students. Reading to classes was her most favorite thing to do. After leaving the school system, Mrs. Forrest would see former students and some would tell her how much she inspired them to enjoy and appreciate reading.

February 5, 2001, Mrs. Forrest became the first African American Executive Director for Winona Housing Authority. She seized that opportunity to reach out compassionately and serve people in the community. As Executive Director, not only does Mrs. Forrest provide safe and sanitary housing for eligible low income families but she counsels and encourages her residents when needed and financially donates when someone falls on hard times.

Mrs. Forrest serves on the Zoning Board for the city of Winona. She serves as secretary for the United Methodist Women in her church and a substitute Sunday school teacher. She is the Vice President for Member Services for MAHRO, the Mississippi Association of Housing and Redevelopment Officials, and serves on the Member Services committee for SERC NAHRO, the Southeastern Regional Council National Association of Housing and Redevelopment Officials.

Mrs. Forrest is married to Pastor Nelson Forrest. They have two daughters and three grandchildren.

Mrs. Forrest loves God, her family, her church, her job and all people.

Mr. Speaker, I ask my colleagues to join me in recognizing a Director Extraordinaire, Mrs. Maggie W. Forrest for her dedication to serving others and giving back to the African American community.

OBAMACARE ADS

HON. JOSEPH R. PITTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. PITTS. Mr. Speaker, we all know that this administration is desperate to enroll

young, healthy Americans in new exchange plans.

A recent ad campaign from Progress Now Colorado shows just how low some groups are willing to go to catch young people's attention. The ads depict young men drinking right out of kegs of beer and objectifying young women. They try to encourage people to sign up for health care by making light of unhealthy behaviors.

I recently received a letter from Dr. Julie Welch, which I'll submit for the RECORD, an emergency room physician in Indianapolis, specifically concerned about how the ads promoted risky sexual behavior. The "Let's Get Physical" ad depicts a young woman thanking Obamacare for the words "for providing birth control pills." Dr. Welch writes "As a taxpayer, I am puzzled at why advertising campaigns for health insurance appear to promote high-risk behaviors."

Promoting health coverage by condoning binge drinking and promiscuity is not a step toward a healthier America. What good is it to enroll young people in plans if their actions make them unhealthy?

It's just another way that Obamacare just doesn't work.

McCordsville, Indiana, December 1, 2013.

DEAR MR. PRESIDENT: I am writing to bring to your attention a recent advertising campaign for the new Obamacare government health insurance marketplace through ProgressNow Colorado. The ad campaign was launched by ProgressNow Colorado and the Colorado Consumer Health Initiative for the online marketplace called "Connect for Health Colorado" in October 2013. The ads are housed on the website of Progress Now Colorado (<http://doyougotinsurance.com>).

The campaign is titled "Got Insurance" and is a play on the "Got Milk" phrase. But unlike the health benefits of milk, the "Got Insurance" ads do not universally advertise healthy choices; rather, many celebrate the unhealthy, high-risk behaviors of young adults. The ads of concern are referred to as "Brosurance," "Brosurance for the Ladies," or "Hosurance," by the media and depict keg-stands, alcohol consumption, and women picking up guys.

Many of the ads have gone viral on the Internet and social media. Although I have heard numerous comments from the public, I have not seen your administration take a stand one way or another on the messages being presented in this ad campaign. Silence can only be interpreted as complacency and acceptance. I, however, am neither complacent nor acceptant of the ads that overtly objectify women and promote high-risk behaviors. And as an emergency medicine physician, medical educator, woman, mother, and taxpayer I would like to express my concerns.

Although the ad campaign has expanded to pertain to a broader audience, I am concerned about the message conveyed in several specific ads. One of the ads, titled "Let's Get Physical," depicts a woman holding birth control pills and contemplating how she will get a guy to have sex with her. Five of the ads depict or blatantly celebrate alcohol consumption, titled "Brosurance," "Club Med," "Friends with Benefits," "Keg ER," and "Get Your Shots." What message are these ads sending to our young people and our children? As these ads go viral on social media, young people may think that keg stands and one-night stands are okay. Especially since they are being advertised in as-

sociation with healthcare, Obamacare specifically.

Being an emergency department physician, health insurance ads should not glorify alcohol consumption, doing keg stands, drinking shots, or promiscuous sex. In the emergency department, cases of trauma, physical assault, sexual assault, and motor vehicle crashes are commonly associated with substance abuse, including alcohol consumption. In addition, alcohol consumption, for some patients, becomes a lifelong disease of alcohol addiction leading to serious health effects including hepatitis, cirrhosis of the liver, bone marrow dysfunction, esophageal varicosities, intestinal bleeding, and death. And it typically begins with partying as a young adult, a time when the message is "it's cool to drink" and "you have to drink to have fun." The message I want my patients and medical students to understand is the opposite message I see in these ads. In fact, many of these ads could be used to educate patients (including our teenagers) to the potential negative health consequences of high-risk behaviors. For instance, if you go to a party and do keg stands, then hook up with a girl because she is on birth control pills, what are all of the negative outcomes you can foresee? Having health insurance will be the least of your worries the next morning.

The ad I am most concerned about is "Let's Get Physical." (I have included a copy with this letter.) It depicts a young woman holding a packet of birth control pills standing next to a young man and reads: "OMG, he's hot! Let's hope he's as easy to get as this birth control. My health insurance covers the pill, which means all I have to worry about is getting him between the covers. I got insurance. Now you can too. Thanks Obamacare!" There is an asterisk at the bottom of the ad that reads in tiny print: "The pill doesn't protect you from STDs, condoms and common sense do that." The message from this ad is alarming in several ways and sends the wrong message to women, men, girls, and boys.

1. This ad objectifies women, making her the object of sex. This alone is the most damaging consequence of advertising such as this. This ad seriously harms the progress we have made in women's rights and the way in which women are depicted in the media. It is degrading and offensive.

2. Promiscuous sexual behavior has serious risks for a woman including increased risk of cervical cancer, transmission of sexually transmitted infections (STI), unintended pregnancy, as well as psychological aftermath.

3. Birth control pills do not protect against HIV, herpes, gonorrhea, syphilis, chlamydia, or other sexually transmitted diseases. And the small asterisk message at the bottom of the ad does not outweigh the message put forth in the ad. In fact, using a condom does not eliminate the risk of STD transmission via other routes.

4. Birth control pills are not 100% effective in preventing pregnancy.

5. Birth control pills and reproductive health rights do not equal healthy sexual choices. This ad does not depict responsible reproductive rights. In fact, this ad seems to say that women with birth control pills are sexually promiscuous and just take them to hook up with a guy. This ad also seems to insinuate that now that she has birth control pills, the barriers to a having a sexual relationship are nearly gone. Just getting the guy into bed is all that's left.

6. Finally, what message does this ad send to men? Or teenage boys? That a female just

wants to get "him between the covers"? I fear this ad could promote aggressive behavior towards women, especially if combined with the people in the ads doing keg stands and drinking alcohol.

In 2013, we are in an age when women make up 51% of the workforce and 50% of medical students. Women cannot be silent as advertising emerges that sends the wrong message about our healthcare choices and us.

As a taxpayer, I am puzzled at why advertising campaigns for health insurance appear to promote high-risk behaviors? Do I as a taxpayer have to cover the consequences of these high-risk behaviors? Does the government agree with this? In an age when many insurance companies risk stratify your premiums based on smoking, obesity, blood pressure and cholesterol levels, where does the government stand on the high-risk behaviors in these ads? Will Americans have to share the costs?

The new health care plan is an opportunity to teach our populations about health responsibility, avoidance of risky behaviors, and promotion of good choices, because our country is shouldering it. Health insurance advertising should promote responsible behavior, no matter the source of the advertising. Please take a stand.

Sincerely,

JULIE WELCH, MD,
Emergency Medicine Physician
and Educator.

PERSONAL EXPLANATION

HON. VICKY HARTZLER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mrs. HARTZLER. Mr. Speaker, on Wednesday, December 11, 2013, I was unable to vote. Had I been present, I would have voted as follows: On rollcall No. 636, "yea."

IN HONOR OF MURIEL JOHNSON'S 80TH BIRTHDAY

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Ms. MATSUI. Mr. Speaker, I rise today in recognition of Muriel Johnson, an unparalleled leader and a prominent member of our community, as she celebrates her 80th birthday. I ask my colleagues to join me in honoring this great civic-minded woman whose vision and commitment to both public service and the arts has contributed so much to the Sacramento region.

A Sacramento resident since 1962, Muriel has dedicated her life to public service and civic involvement. She served several terms on the Sacramento County Board of Supervisors, was elected President of the California State Association of Counties (CSAC) and served on the CSAC Board of Directors for twelve years. She also served as Chair of the Sacramento Area Council of Governments and was the Governor's appointee to the Capitol Area Committee for eleven years. Additionally Muriel served on the Sacramento Public Library Authority, Sacramento Area Flood Control Agency, Cable Commission, Sacramento

Regional Sanitation District, Sacramento Regional Transit, and the Sacramento Air Quality Management District. An ardent advocate for women leaders, Muriel served as President for the California Elected Women's Association for Education and Research, now known as California Women Lead, working to increase appointments of women to state boards and commissions.

As a steadfast leader in our community, Muriel has championed local causes and organizations, raising funds for charities and holding various leadership positions, including President of the Crocker Art Museum and of the Sacramento Junior League. Muriel was appointed Director of the California Arts Council by Governor Arnold Schwarzenegger in 2005 and during her six year tenure, she promoted awareness of and public participation in the arts, while strengthening outreach and education efforts. A consistent supporter of investing in local arts, Muriel championed Sacramento County's Art in Public Places which expands the presence of art in public spaces. In 2004 she was named the Sacramento Metropolitan Chamber of Commerce's "Sacramentan of the Year" honoring her decades of dedication to our community.

Mr. Speaker, I ask that my colleagues join me today in recognizing the great life of my friend and mentor, Muriel Johnson, as she celebrates her 80th birthday with her husband Ernest, her children, grandchildren, friends and family in Sacramento. Her work has made a lasting impact on our community.

RECOGNIZING THE SERVICE OF EARL P. WILLIAMS

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. COSTA. Mr. Speaker, I rise today to recognize Mr. Earl P. Williams as he is honored with the Lifetime Achievement Award by the California Cotton Ginners and Growers Associations (CCGGA). Earl is the first individual to ever receive the Lifetime Achievement Award. His decades of service and dedication to cotton ginners and growers around California and the entire nation make him very deserving of this recognition. I have also worked with him personally over the years and know him to be one of the leaders of American agriculture.

Since 1997, Earl has been the President and Chief Executive Officer of CCGGA. The associations represent California's cotton ginning and cotton growing industry in the legal, legislative, and regulatory arenas.

Earl's passion for cotton farming began at a young age due to his family's background in the industry. He spent his childhood years in Arkansas, and in 1958, his family moved to Buttonwillow, California. After graduating from high school in Shafter, California, Earl went on to Cal Poly, San Luis Obispo where he received his Bachelor of Science Degree in Crop Production. His background in cotton growing and technical understanding of crop production prepared him well to serve at CCGGA. From day one, Earl has understood

the importance of hard work, and he knows what it takes to produce quality crops.

Earl was one of fifteen charter members of the California Cotton Ginners Association board of directors from 1972 to 1980. He is the past chairman of the Cal Poly, San Luis Obispo Crop Science Department's Advisory Council; a past board member of the Agricultural Energy Consumers Association; and a past board member of the California Agricultural Education Foundation which oversees the California Ag Leadership Program. Earl is a founding member and past Chairman of the Agricultural President's Council. He is also an advisor to the National Cotton Council of America, the American Cotton Producers, and the National Cotton Ginners Association. Earl serves on the board of directors of Supima, and he is on the Western Agricultural Processors Association's board of directors. Earl's wealth of knowledge coupled with his ability to get things done make him a great leader for the cotton farming community.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Earl P. Williams for the contributions he has made to the cotton industry. He serves as a pillar of the agriculture community, and I thank him for his hard work and devotion to maintaining California's valuable agricultural strength.

PERSONAL EXPLANATION

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. MARINO. Mr. Speaker, on rollcall No. 630, I was unable to make the vote due to inclement weather, had I been present, I would have voted "yea."

HONORING MAE ELIZABETH ROBINSON

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor the life of a beloved mother, grandmother, great-grandmother, and great-great-grandmother Mae Elizabeth Robinson. She was born on October 9, 1917, and departed her earthly habitat to join Heaven's family on December 5, 2013. She was the center of the family universe and will be so missed.

Mae was a licensed psychiatric technician for the State of California. She loved her family first and loved to host family dinners, which were well known, especially for her fried chicken. In her later years she enjoyed playing cards with her retired friends.

Mae Robinson was an active member nearly 54 years of the Escalon Republican Women Federated Club, California Federation of Republican Women and National Federation of Republican Women. At age 96, Mae served most recently as Vice President of the Escalon RWF club and participated in meetings, activi-

ties, Escalon Park Fete, and 'Get out the Vote' efforts in the last election cycle. Mae was known as Mrs. Republican Woman in the Escalon community and served as a mentor to many with great enthusiasm and energy.

Mae was preceded in death by her husband, Claude Robinson and son, Charles Alfred Robinson.

She leaves behind three children: Colleen Woods (Fresno), Bonnie Tabor (Modesto), Carl Robinson (Stockton), and a daughter-in-law, Helen Robinson; two siblings: Gladys Eiland (Los Angeles) and Alfred Stapleton (Modesto); six grandchildren: Rick McCombs (Modesto), Cindy Brown (Fresno), Michael McCombs (Modesto), Diane Goin (Clovis), Cheryl Camacho (San Antonio, TX) and Robbie Robinson (San Angelo, TX).

Mr. Speaker, please join me in honoring Mae Elizabeth Robinson for her accomplishments and contributions. The life of Mae Robinson serves as an example of excellence to those in her life, and her legacy will not be soon forgotten.

HONORING MICHAEL LEE PLEZ

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to pay honor to Mr. Michael Lee Plez; a community advocate and unsung hero for the children on the west side of Tallahatchie County.

Michael is a minister by trade, but a father of many, not just his own but all children. His passion and love to help children comes from his own childhood story. He was raised in a single parent home, where his mother was also his father. He joined the West Tallahatchie Mentor Male Involvement organization to encourage children at an early age by reading to them and participating in educational and fun activities. His colleagues and community members saw this passion in him and voted him as President of the Board for the Tallahatchie County Headstart Center. There was a lack of male involvement in the lives of children in the county, so, Michael reached out to the men and fathers and got their commitment and support on his efforts to increase male involvement. And, now the word on the street is that he has been successful in doing so because he led the charge as the model. Michael got the men to donate their time, skills and money to this worthy cause. Male presence began to increase in activities during school, after school and even on weekends.

Mr. Speaker, I ask my colleagues to join me in recognizing an unsung hero for the children on the west side of Tallahatchie County, Mr. Michael Lee Plez.

UNIVERSITY OF NEW ORLEANS

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. RICHMOND. Mr. Speaker, I rise today to honor fifty-six African-American students whose bravery and determination resulted in the University of New Orleans being the first university in the American South to open as a fully integrated institution of higher education. This year is the 55th anniversary of that historic moment in my district.

Established in 1956, The University of New Orleans was originally called Louisiana State University in New Orleans, or LSUNO. Classes began in September 1958 with a total of 1,460 students, all freshmen and double the number originally anticipated. Of that total, fifty-six African-American students registered to attend LSUNO that fall.

Four years after the Supreme Court struck down "separate, but equal" in the landmark Brown vs. Board of Education case, there were still some who would seek to deny these students admission to the public university. Civil rights activists led by Alexander Pierre Tureaud, an attorney for the New Orleans chapter of the National Association for the Advancement of Colored People (NAACP) during the civil rights movement, and Ernest V. "Dutch" Morial, who later became a two-term New Orleans mayor, brought suit in federal court to allow black students to attend LSUNO. While the local branch of the NAACP sought to prepare the African-American students for their groundbreaking efforts, leaders of the White Citizens Council of Greater New Orleans worked to provide harassing and degrading conditions for the students on a daily basis. Some of the African-American students were not able to endure such conditions for many weeks, while others remained in place for a few semesters. One of them, Mrs. Louise Williams Arnolie, still managed to graduate within four years.

The students encouraged one another throughout the painful process. LSUNO's classrooms and campus were integrated, but its privately managed dining hall barred African-Americans. The students petitioned the LSUNO administration to end the cafeteria's contract. Following continued pressure from attorneys Tureaud and Morial, as well as student boycotts, Dean Homer Hitt gave the cafeteria's managers an ultimatum in the fall semester of 1960: Either serve all students or give up the lease. The company chose to give up the lease, and every part of the university was by then integrated.

Today, the University of New Orleans is ranked by U.S. News and World Report as the most ethnically diverse public university in the state. Let us never forget that this remarkable diversity did not come easily. I would like to acknowledge the names of those fifty-six brave and determined individuals who enrolled at the University of New Orleans in 1958: Brenda Holman Allen, Vincent A. Angeletta, Louise Williams Arnolie, Charles P. Breaux, Yvonne Buckles, Dorothy M. Caulfield, Janice E. Coleman-Sawyer, Laurence Crawford, Shirley M. Crawford, Claudine Curtis, Crystal M.

Davis, Samuel Dugar, Josephine Eli, Wilson (Willison) Fleming, Harold L. Fontenette, Ferdinand J. Fortune III, Phillip L. Fortune, Geneva M. Gambrell, Jo Ann Gaskin, Charles S. Gibson, Peggy M.C. Jackson, Shirley M. Jennings, Alvin F. Johnson, Ervin C. Kinsey, Daniel J. Lewis, Sylvester Lyle Jr., Ernestine M. Lyons, Rosalee McKinley, Rosemary J. McLean, Doris J. Mackey, Lucy Madere, Rose Mary Mays, Priscilla L. Metoyer, Phillip J. Mitchell, Joseph L. Narcisse, Gwendolyn A. Norman, Audrey M. Page, Walter L. Peck, Marilyn J. Phillips, Nelson J. Pierce, Samuel G. Poplus, Geraldine Reimonenq, William Ricks, Patricia R. Robinson, Ronald Shiloh, Charles W. Smith, Mildred T. Smith, Warren A. Smith, Jacquelyn M. Stansberry, Gloria Stokes, Angela A. Vaughn, Jennie F. Warmington, Algie V. Williams, Charles K. Williams, Joseph L. Williams, and Ellis Wilson.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 634, I was unable to be present for S1471, had I been present, I would have voted "yes."

IN HONOR OF DEAN MAXWELL MITCHELL

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. McINTYRE. Mr. Speaker, I rise to express my strong and heartfelt appreciation of Mr. Dean Maxwell Mitchell, who has served as my Chief of Staff and Press Secretary since I was first sworn in to Congress in 1997. As he prepares to retire from more than seventeen years of service to my staff and me to the State of North Carolina, and to our nation, it is only appropriate that he be honored today.

A native of Quitman, Georgia, Dean graduated from the University of Georgia in 1986. He moved to Washington, D.C. and worked for U.S. Representative Charles Hatcher for eight years, during which time he rose from Staff Assistant to Legislative Assistant to Legislative Director, and ultimately served as his Chief of Staff. Before joining my office, he also worked as a Government Affairs Representative at King & Spalding Law Firm.

Upon my election to Congress in 1996, I knew I wanted to select an ethical, effective, intelligent Chief of Staff and Press Secretary who would serve the people of Eastern North Carolina with honor and kindness. Not only did I find those qualities in Dean, but I also found a friend and brother in Christ whom I have not only depended upon, but also admired.

For the past seventeen years, Dean has served as Chief of Staff and Press Secretary in my Washington office, which serves North Carolina's Seventh Congressional District. In his two critical roles, Dean has acted as my

chief advisor on policy, communications, political matters, budget, and personnel; he has successfully managed the day-to-day operations of five congressional offices and twenty-one employees; he has instituted a number of effective outreach initiatives to assist constituents; he has supported our democracy by keeping the people of Eastern North Carolina informed about the work we do on their behalf. Not only this, but he has personally helped thousands of residents of the Seventh District with a wide range of requests, from the simple to the complex. On countless occasions, he has gone far beyond the obligations of duty for our constituents and staff.

Over the course of seventeen years, Dean has held his position of leadership with integrity, grace, and a spirit of giving. He has demonstrated an enduring and enthusiastic dedication to public service that makes him worthy of this recognition. Mr. Speaker, as Dean Mitchell's service to the Seventh Congressional District comes to a close, I ask you to join me in applauding his hard work and unwavering leadership.

May God's blessings always be upon him and his dear wife, Maggie, as well as his sons, Campbell, Henry, and Porter.

HONORING SETH MARTIN HERONEMUS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Seth Martin Heronemus. Seth is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 218, and earning the most prestigious award of Eagle Scout.

Seth has been very active with his troop, participating in many scout activities. Over the many years Seth has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Seth contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Seth Martin Heronemus for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING THE ACHIEVEMENTS OF VICTORY BELL AND CHUCK JEFFERSON

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mrs. BUSTOS. Mr. Speaker, I rise today to congratulate Victory Bell and Chuck Jefferson, who were recently honored by the Booker Washington Center in Rockford, Illinois.

Vic Bell and Chuck Jefferson have both been incredible leaders in the Rockford community for decades. The first African-American

elected to the Rockford City Council, Alderman Bell served for 38 years before retiring in 2009. During his years representing Rockford's most diverse ward, Bell helped increase diversity throughout city government and fought to bring economic development projects to all of Rockford. He was an inspiration and a mentor to many who have since entered public service or joined the City Council and, in 1999, he was named one of the Rockford Register Star's "100 people of the Century."

Chuck Jefferson has been serving as State Representative for Illinois' 67th District since 2001 and is currently the Assistant Majority Leader in the State Assembly. After completing six years of service in the Army, Representative Jefferson moved to Rockford with his wife and began his career in public service. He has been involved in numerous community organizations over the years, including the New Zion Day Care Center, United Way and the Rockford Sportsmen Golf Association, which organizes after-school programs for underprivileged youth.

The Booker Washington Community Center in Rockford is Illinois' oldest African-American community center. It hosts an impressive array of programs for people of all ages dedicated to art, music, violence prevention, education and much more.

Mr. Speaker, I'd like to again congratulate Vic Bell and Chuck Jefferson and thank the Booker Washington Center for recognizing their many years of dedicated service to the people of Rockford.

TRIBUTE TO MAJOR DAVID ROMAN

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. CARTER. Mr. Speaker, I rise to pay tribute to Major David Roman of the United States Army for his extraordinary dedication to duty and service to our Nation. Major Roman and his wife Dymphna will be moving on from his present assignment as an Army Congressional Liaison for the Office of the Secretary of Defense to the 10th Mountain Division in Fort Drum, New York.

Army Congressional Liaison officers provide an invaluable service to both the military and Congress. They assist Members and staff in understanding the Army's policies, actions, operations, and requirements. Their first hand knowledge of military needs, culture, and tradition is a tremendous benefit to Congressional offices.

In November of 2004, Captain Roman reported to his first operational duty assignment as a Platoon Leader with the 1st-501st Attack Helicopter Battalion during their rotation to the Unit Fielding and Training Program at Fort Hood, Texas in my Congressional district. Upon completion the unit was reflagged to 4th-227th Attack Reconnaissance Battalion, 1st Air Cavalry Brigade, 1st Cavalry Division. In 2006, Major Roman deployed to Operation Iraqi Freedom and served 14 months in the Baghdad area of operation. Upon redeployment in 2008, he reported back to Fort Rucker, Alabama for the Aviation Captains Career Course.

In 2008, Captain Roman returned to the 4th-227th and took command of the Headquarters and Headquarters Company. In April 2009, he deployed to Operation Iraqi Freedom for a second time. He then took command of C Company and served under operational control of the 2nd Marine Expeditionary Force before moving to Al Asad Air Base in the Anwar Province. Due in no small part to his leadership, Captain Roman's company provided valuable reconnaissance and inflicted significant damage on enemy forces.

In 2011, Dave served as an Army Fellow in the office of Congressman Silvestre Reyes representing residents of El Paso and Fort Bliss, Texas. During that year he also earned a Masters in Legislative Affairs from the George Washington University. In January of 2012, he arrived in the House Army Liaison Division where he assumed his role as a Legislative Liaison and continued to honorably serve as a conduit between the Army and Congress for two years.

His great work has not gone unnoticed. During Major Roman's distinguished service to this nation, he has earned awards and decorations including: the Bronze Star with Oak Leaf Cluster, Meritorious Service Medal, Air Medal, Army Commendation Medal, Combat Action Badge, Army Aviator Badge, Army Parachutes Badge, and the German Proficiency Badge (Gold Award).

Mr. Speaker it is my honor to recognize the selfless service of Major Roman and his wife Dymphna, who is a former Staff Sergeant in the Army and currently serves as a Department of the Army Civilian. I wish them the best as they continue to serve our great nation and proceed to the next chapter in their remarkable careers.

ALL-AMERICAN HONORS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. OLSON. Mr. Speaker, I rise today to recognize Katarina Morton of Pearland High School, who earned All-American honors from the American Volleyball Coaches Association. She is the first Pearland ISD volleyball player to be named an AVCA All-American.

Katarina is among 100 of the nation's top high school senior volleyball players who represent 33 states and 90 high schools. In order to receive this distinction, she was first nominated by Pearland Lady Oilers head coach John Turner. Coach Turner has commented on Katrina's passion, incredible work ethic and love of the game. It is clear that these three attributes have served Katrina well.

On behalf of all residents of the Twenty-Second Congressional District of Texas, it's an honor to recognize Katarina Morton and her accomplishment of earning All-American honors. We are all very proud of her and wish her the best of luck at Kennesaw State University.

THANKING DAN STRODEL FOR HIS SERVICE TO THE HOUSE

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mrs. MILLER of Michigan. Mr. Speaker, on the occasion of his retirement at the conclusion of the first session of the 113th Congress, Ranking Member ROBERT BRADY and I join together on behalf of the House of Representatives to express our most sincere gratitude to Mr. Daniel Strodel for his nearly three decades of outstanding dedicated service to the United States House of Representatives.

Since 2010, Dan has been tapped by both Republican and Democratic leadership to oversee nearly every administrative aspect of the House—a true testament to the overwhelming bipartisan confidence in his capabilities. During his tenure as CAO, Dan not only ensured the continuity of daily operations, but he spearheaded major internal reforms and IT modernization projects that significantly improved the House's IT security, operational efficiency, financial accountability and transparency.

Prior to his tenure as CAO, Dan worked for the Committee on House Administration, U.S. Capitol Police and the House and Senate officers, including the Clerk of the House and the House and Senate Sergeant at Arms, in multiple capacities for the betterment and safety of the House community. As a senior advisor to the Committee, Dan provided invaluable counsel on operational matters related to the CAO, where he first started right out of college.

Dan's dedicated, longstanding service to this great institution is understood and greatly appreciated by the Members and employees who have benefited from his work.

On behalf of the entire House community, we extend congratulations to Dan for his years of outstanding contributions and service to the United States House of Representatives.

We wish Dan much happiness in fulfilling his retirement dreams.

CONGRATULATING THE LOVETT SCHOOL LIONS FOOTBALL TEAM

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. GINGREY of Georgia. Mr. Speaker, today I rise to recognize The Lovett School Lions varsity football team on an exceptional 2013 season.

This Saturday, the Region 6-AA Champion Lions will make their first championship game trip to the Georgia Dome, and their first championship game since 2007.

Following an impressive 12-1 season, the Lions defeated Brooks County 35-12 last Friday in the Class AA semifinals. They now face Lamar County in the title game. What's more, they now have the opportunity to best the team that eliminated them from last year's playoffs in a hard-fought game.

This season, Coach Mike Muschamp, his staff, and these young men have worked tirelessly to earn their place in Georgia football history. The team's seniors will enter the next chapter of their lives knowing that they have upheld their school's legacy of excellence and have set a high bar for future Lions teams.

I encourage the entire team to reflect proudly on their impressive season and remember the season's important life lessons of responsibility, persistence, and self-discipline. These traits will serve them well throughout their lives.

Mr. Speaker, it is with great pride that I wish the Lovett Lions football team the best of luck in the Class AA State Championship title game, and congratulate them on their impressive season. This team has brought great pride to their school, the city of Atlanta, and Georgia's 11th District. Go Lions.

HONORING MR. CLARENCE
HALL, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a champion, Mr. Clarence Hall, Jr. He has shown what can be done through hard work, dedication and a desire to make life better for others.

Mr. Clarence Hall, Jr. was born in Issaquena County and attended school there. In 1941 he volunteered for the U.S. Army, three of his five years of service was spent in the European Theatre of Operation during World War II. After completing his military service, Mr. Hall attended Agricultural School for four years in Delta City, MS.

Mr. Hall is a faithful member of the St. John Missionary Baptist Church at Palmetto, MS. He has been married to Selvey Hall for 58 years. He has a son, Clarence Hall, III and a daughter, Ruth Ann Evans, 8 grandchildren and 2 great grandchildren.

While Mr. Hall didn't have multiple degrees to attach to his name, he has many, many deeds to attach. He is well versed with common sense and a sense of humility. His love for God and Humanity was instrumental in his endeavors to ensure that all men were treated fairly, which is what lead him to becoming a Civil/Human Rights Activist.

In 1957, he was the first Black in Issaquena County to pay poll tax. Later, in 1964, he was one of the founding members of the Issaquena County Freedom Democratic Party, a political action organization that helped to organize black voters into a viable political force. Mr. Hall and others appeared before the United States Commission on Civil Rights on February 16–20, 1965 to testify about Blacks in Mississippi being denied the right to register to vote and abolish the literacy test. He was also fired from Akin Saw Co., when he went to Washington D.C. seeking funds for the Child Development Group of MS which is now called Headstart.

In 1969 Mr. Hall was one of the founding members of Delta Foundation, Inc. and is a current board member. Also, he founded the

Issaquena County Federal Credit Union in Mayersville, where he has been the Manager, CEO/Chairman for the past 36 years.

He filed a redistricting lawsuit in Issaquena County which resulted in the election of the first black supervisor. He was also active in getting the Mississippi Congressional Districts redrawn to make it possible for Blacks to be elected into the U.S. House of Representatives. Mr. Clarence Hall, Jr. has served in several capacities in Sharkey and Issaquena County to improve life for others. He has worked at Delta Opportunities Corporation, MS Delta Council for Farm Workers, elected to Western Line School Board, member of Issaquena County Executive Committee, member of the Sharkey/Issaquena Hospital Board of Trustees, member of the Issaquena County Levee Board Commission and founding member of the Lake Jackson Water Association among other things.

Clarence has also received several awards throughout his life. In 1968 he received the Rural Service Award from the Office of Economic Opportunity in Washington, D.C. and awards for services to the Issaquena County Federal Credit Union, Western Line School Board and the Delta Area School Board Association.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Clarence Hall, Jr. for his dedication to serving others and giving back to the community.

THE RETIREMENT OF JUDGE
THOMAS D. HORNE

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. WOLF. Mr. Speaker, I rise today to recognize and honor Judge Thomas D. Horne, an integral member of Loudoun County's justice system for more than three decades, who retired at the beginning of this month.

Judge Horne graduated from Muhlenberg College in 1965 and went on to attend William and Mary Law School, where he earned his law degree in 1969. He began his career as a judge advocate for the Marines and in 1979, his love of the courtroom led him to become the county's first elected commonwealth's attorney. In 1982, he was appointed to the Loudoun Circuit Court and since then has heard some of Loudoun's most prominent cases, including the 2002 first-degree murder trial of Claire Schwartz, who was found guilty of killing her father, as well as the nation's first "spam" case involving email advertisements.

Although he is one Virginia's most respected circuit court judges and described by his colleagues a "the epitome of fairness"—his leadership extends far beyond the courtroom. He helped create a bench book for judges in Virginia, which has become an indispensable resource for those involved in the legal profession. Additionally, he spearheaded the nation's first victim-witness program and started a week-long law camp mentoring teenagers interested in law.

Outside of the legal realm, Judge Horne serves his community in other ways. In the

1980's he played an important role in the development of youth soccer programs in Loudoun and later formed the Loudoun County Youth Lacrosse League.

I have had the privilege of knowing Tom for many years. I hope that he enjoys retirement with his wife, Patricia, and their children, Rob and Jennifer, and grandchildren, knowing that he has been a pillar of the Loudoun community for decades. I wish him all the best and thank him for his outstanding service, both inside and outside of the courtroom.

I submit the following Leesburg Today article on Judge Horne's remarkable accomplishments.

[From the Leesburg Today, Dec. 5, 2013]

THE EPITOME OF FAIRNESS': HORNE RETIRES,
AFTER THREE DECADES ON LOUDOUN BENCH

(By Erika Jacobson Moore)

Sitting in his office at the Loudoun County Courthouse, Judge Thomas D. Horne is reminiscing about his high school football coach in Baltimore. After being cut during tryouts for other sports, Horne saw a flyer about a meeting for football. So he went. There, coach George Young—a future New York Giants general manager and NFL vice president—told the group, "I won't cut you. You'll cut yourself." Horne joined the football team and Young became a mentor to the teenager. Then, when it came time for Horne to consider college, Young stepped up.

"I didn't have any money, but every weekend he took me to see schools," Horne remembered. That was when Horne first learned anything about Muhlenberg College in Pennsylvania. "I didn't know what it was. I thought it must have been in Germany somewhere. But he said, 'This is the school for you.' So I went."

It was his time at Muhlenberg that put Horne on the path that eventually led him to Loudoun, where he spent more than three decades as a cornerstone in the county's legal system.

"The point is: you can make a difference in someone else's life. And you should," he said.

It is with that philosophy that Horne has approached his life and more than 30 years on the bench in Loudoun's courtrooms. This week marks the first time since the late 1970s that Horne is not a formal part of Loudoun's legal landscape. Horne retired from the bench Dec. 1, a result of the Virginia requirement that judges retire when they reach age 70. He plans to continue on a part-time basis after the New Year until the General Assembly appoints his replacement.

"I try to set an attitude in the courtroom that respects everybody," he said. "You have to make people understand that you are listening. That is sometimes all people want." Known for often taking cases "under advisement" before issuing an opinion or ruling, Horne said that is intentional—designed to give him time to really examine the arguments and consider both sides.

"You have to be able to look at things objectively . . . people can disagree with whether you came up with the right or wrong answer, that's one of the great things about this system. But you have to take the time," he said, adding with a laugh, "Of course, I always think I came up with the right answer."

Horne's strides to ensure fairness and compassion were always present in his courtroom, according to those who have watched his career. Leesburg attorney Rhonda Paice, who credits Horne with her decision to become a lawyer, said Horne is "the epitome of everything I thought was right with that

[legal] profession." In high school, Paice shadowed Horne when he was an assistant commonwealth's attorney and then worked as his courtroom clerk the summer after she graduated from college in 1983.

"He was an extremely skilled trial attorney," she recalled. "He was very polished in the courtroom. But he never really took advantage."

"Everything he did as a prosecutor it was really him thinking, is this furthering the ends of justice? He was just really advanced at walking the line between doing his job as a prosecutor, but doing it in the right circumstances and giving people a break when they needed it."

Bill Mims, who was elected to serve as a justice on the Supreme Court of Virginia in 2010, practiced law in front of Horne when he was an attorney in Loudoun, and echoed those sentiments. In an email, Mims harkened back to the words of U.S. Supreme Court Justice Potter Stewart, who said, "Justice is fairness."

"Judge Horne is the epitome of fairness," Mims wrote. "He always applies the law faithfully, but also with equity. A judge can receive no higher praise."

Clerk of the Circuit Court Gary Clemens first met Horne in the early 1990s, when he was a witness in a domestic case. "Even at that point I was very impressed with his demeanor, his compassion and actual interest in the people who were before him with a court proceeding," Clemens said. When Clemens became an investigator with the Commonwealth's Attorney's Office a few years later, he began spending more time in Horne's courtroom.

"You could tell he had respect for everyone who appeared before him, even the criminal defendants," he said. "He ensured those rights were upheld. You could tell that with the way he was talking and how he treated them he wasn't really judging them, he was just upholding the law and applying the law."

The Loudoun Circuit Court has been stretched this year with Horne and Judge Burke F. McCahill picking up additional cases after the General Assembly failed to appoint a replacement for Judge James Chamblin, who retired in April. Judge Stephen E. Sincavage was appointed by Gov. Bob McDonnell this summer, but must be confirmed by the state legislature in the upcoming session.

Even with the additional work in his final year, a week before his retirement Horne said he was in position to have everything on his docket completed before he left.

That comes as no surprise to the people who know him best, many who touted his work ethic on the bench. Clemens says there are many nights when Horne would be the last one working in the courthouse, "sometimes as late as 8 p.m. and I would go down the hall and his light is on and he is in there."

"He just has that commitment to the profession," Clemens said. "Most importantly it was his commitment to the people involved. These were people with a very important issue in their lives and he realized that. So he was willing to work very late at night or even come in on the weekends."

After graduating from Muhlenberg in 1965, Horne went to the College of William and Mary, earning his law degree in 1969 and then serving as a judge advocate in the Marines. Eventually, Horne and his family moved to Leesburg.

"At the start of my career, it was a completely different place," he said, recalling his practice was set up in a building with doc-

tors' offices and he "always had pregnant women and people with eye problems dropping in accidentally." Horne served as an assistant commonwealth's attorney in the 1970s—it was a part-time position so he kept his private practice as well.

"You were on a first-name basis with everyone," he said. "But in 1972, Leesburg was still a fairly closed society. The newspaper was still really a society column, about who was vacationing . . . and I'm just a guy who moved here from Reston with my family."

In 1979, he campaigned to be the county's first elected commonwealth's attorney. Horne said he felt drawn to public service. "I love the courtroom. I love the challenge of the courtroom," he said.

Former Clerk of the Court Fred Howard first got to know Horne during that 1979 campaign, and he recalls Horne's commitment coming through as he campaigned. "He walked all the way across Loudoun County," Howard said. "He would stop and do campaign stops along the way, but he walked the entire county. I even wrote a song for his campaign . . . he walked 'from the hills of Northern Loudoun to the plains of Sterling Park'."

After Horne was elected Commonwealth's Attorney, Howard said he always was struck by how dedicated to the legal process he was, with one case coming to mind immediately. A man had been charged with breaking and entering, but said he was innocent because he had been at McDonald's at the time of the crime—even going so far as to say what he ate. Horne went back and checked the man's alibi, finding out that the day of the crime was the only day that restaurant had ever been closed.

"He was always very thorough," Howard recalled. "The look on that boy's face was priceless."

Since being appointed to the Loudoun Circuit Court in 1982, Horne has presided over some of Loudoun's most well known cases—from one of the earliest "shaken baby" manslaughter cases in 1995, which ended in a mistrial and resulted in a guilty plea to a child abuse charge, to the 2002 first-degree murder trial of Clara Schwartz, who was found guilty of killing her father and luring two men into the plot.

He also heard the first SPAM case in the country, where he sentenced a North Carolina man to prison for flooding AOL accounts with thousands of bulk email advertisements. The case was tried in Loudoun because AOL is located in the county. The Virginia Supreme Court later deemed the anti-spam statute in the Virginia State Code unconstitutional, something Horne had called into question when imposing his sentence.

There was the 1999 case where the ability of the Washington Metropolitan Airports Authority, which is made up of representatives of Maryland, Virginia and DC, to condemn land in Virginia was challenged. "That was interesting," Horne said, "because it involved the Compact Clause of the Constitution." The Compact Clause states that without the consent of Congress no state can enter into an agreement or compact with another state.

"Whoever thought I would be hearing a case like that here in Loudoun County?" Horne said with a smile.

And then, of course, for years, Horne has heard land use case after land use case as Loudoun's development ramped up. "In the early 2000s there was always some sort of land use case on the docket," he said. And many of them brought up complicated legal questions, and involved multiple plaintiffs.

He handled legal challenges that resulted from a large-scale Board of Supervisors-initiated downzoning. "You're working on rezonings with 200 plaintiffs and all these lawyers at the top of their game and it's just you," Horne said, acknowledging he appreciates "good lawyering" in his courtroom.

Domestic relations cases were always a staple of Horne's docket, including divorce and child custody cases. In those, he often got the "greatest satisfaction" because "in some of these cases the parents are just litigating constantly."

"It's when I hear from one of those kids and they say they have bonded again with both parents that I get such a sense of satisfaction," he said, recalling one case in particular, in which a wife did not want her husband to have any contact with their children. The father was going overseas to Iraq and "I was able to create a moment" for the father and his children, Horne recalled. "He ended up going over there and he was killed. And that was the last moment they had together."

Horne's influence in the courtroom stretches beyond Leesburg, as well. He was an integral part of the effort to create the bench book for judges in the commonwealth. The book serves as a reference for judges, attorneys and other members of the legal profession.

He also worked on the judicial boundary realignment that benchmarks how many judges are needed in Virginia, and in specific localities, based on the number of case hours worked, the number of cases and how many judges are needed to handle the total. The document easily makes the case, Horne said, for the need to fill his position quickly, and to add a fourth judge in the circuit court in Loudoun.

Horne recalled how he recently had someone tell him they had never seen him get upset until he had to tell someone that he could not hear their case. "We just don't have the manpower," he said of Loudoun's Circuit Court.

The ability to make a difference also drove Horne's work outside the courtroom.

As a prosecutor he helped start the county's victim-witness program, the first of its kind in the nation. "You are trying to bring [victims] a sense of closure. That is really what this is all about; you're trying to reach that closure for people," he said.

More than a dozen years ago, he started Law Camp for high school students in the 20th Judicial Circuit, which brings lawyers together to train students to conduct moot court trials, give speeches and hear from guest speakers. Paice recalled being called into Horne's office with a couple other attorneys.

He said, I have this idea and I want to do this camp, a sleepover that will last a week, and we'll have lawyers who will mentor [teenagers] and then Friday they will try a case," Paice said. "We all sort of looked at each other like, you want to what now? He said he thought it was a worthwhile project for the Loudoun Bar. He thought the legal profession gets a bad rap, and it can be hard for kids to see how much good lawyers can do. He said, 'I think that is a really good program to showcase the things that lawyers do in the community.'"

Ian Duggan, a Loudoun Valley High School graduate, participated in law camp in 2002. Now a JAG serving in Turkey, he credits his interest in law directly to his interactions with Horne. Duggan first met Horne in the eighth grade, when Horne was coaching him in lacrosse and "knew [Horne] had a passion

for the law." Then when he got into high school and participated in law camp, it further spurred his interest in the legal profession.

"Looking at him as a lawyer, he is a good example of what you want to be," Duggan said in a phone interview from Turkey. "I saw the way people respected him. He did a good job of bringing a lot of people from the Bar out and supporting the effort. Not many people could do that."

Horne, along with McCahill, also presided over Loudoun's Drug Court until the Board of Supervisors cut its funding last year. A common target for budget cuts before it was eliminated in 2012, Horne often spoke passionately about the program and the impact it can have, telling supervisors in 2009 that he would "rather take home hours of homework" than see the program cut.

He calls his work for the community "an extension of being a judge."

"I tell the new judges—that is my advice—don't go and hide. Don't sit up on high. Be out in the community; get out with people. Yes, you have your judicial ethics, and you don't talk about your cases, but you need to talk with people, and know them and understand them. You need to understand people," he said.

And Horne's influence on Loudoun's community stretches far beyond the legal system. In the early 1980s, he helped youth soccer form in the county, and at the end of that decade he formed the Loudoun County Youth Lacrosse League. The sport was one of his passions growing up, and one he passed on to his son, Rob.

"I distinctly remember our first catch, I had my baseball mitt and then we would trade off [with the lacrosse stick]," Rob Horne said. "I really took to it very quickly. I think he saw how passionate I was about the sport, and he wanted to provide me with an outlet . . . and in 1989 he founded lacrosse in the county."

Rob Horne said his father is his hero, in no small part because of his passion for his community and his ability to be just as passionate about his family. Growing up the son of a judge, Rob Horne always faced questions about a perceived strict household.

"[My friends] thought that things were incredibly strict and heavy handed in our house. They were not," he said. "My father had an amazing ability to leave the office, the courthouse, behind. He never carried any of that baggage home."

In addition to his dedication to youth sports, Horne is a former Boy Scouts cub master, Loudoun County High School PTA president and the first chairman of Loudoun County High School's all-night, drug-free graduation organizing committee.

"He has this selfless approach that he has taken throughout his adult life in all facets of our community," the younger Horne, now a teacher at Middleburg Academy, said. "It is this inexhaustible energy that he has. That is something that I have really tried to draw from him. When you undertake an endeavor, you really see it through. Be passionate about what it is that you do, either professionally or in some extracurricular activity."

Beyond the tangible work Horne does in Loudoun that will be absent with his retirement, it is the intangible that will be impossible to replace.

"I have dreaded 2013 for so long," Paice said. "I have always had a feeling that as long as he was in that courthouse justice was going to be done, whether it was in front of him or not. Divorce, criminal, land use, he

was going to be there to be sure that justice was done. And he is not going to be there. It is totally an end of an era for this community."

Duggan, who also worked for him as a law clerk one summer, said one of the things Horne worked to instill in him was the importance of people—something he tries to remember every day he works as an attorney. Duggan said he has an "indelible mark" on him of Horne placing his hands on his shoulders and telling him:

"The law programs, the buildings they are all great, but at the end of the day it is the people that really make the system work . . . it doesn't matter if you don't have the right people."

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Ms. SCHWARTZ. Mr. Speaker, on rolcall No. 635, I was unable to be present for H.R. 3212. Had I been present, I would have voted "yes."

TRIBUTE TO LENAWEE CHRISTIAN FAMILY CENTRE

HON. TIM WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. WALBERG. Mr. Speaker, I rise today to recognize the 25 years of service provided by the Lenawee Christian Family Centre to the community of Adrian, Michigan.

The "Centre," as it is popularly known, offers a variety of fitness, sports and other programs enjoyed by over 4,000 members of the community. The brainchild of local philanthropists Orville and Ruth Merillat, the Centre was originally built on a vision of providing a place for young people in the community to gather. While the Centre has grown over the years and their programs have changed, the underlying mission has remained the same: to encourage families and serve them in a Christ-centered way.

I had the distinct honor to have served on the founding board of the Centre and continue to be impressed to see how they've grown over the years to meet a great need in the Adrian community and all of Lenawee County.

Today, the Centre offers fitness options that range from a pool and exercise equipment to a climbing wall and handball courts. They have a cafe, an auditorium, and host a number of classes, wellness programs and family-oriented events. Through all these offerings, which are available to everyone in the community, the Centre seeks to promote and support Christian values and ideals.

Mr. Speaker, it is organizations like the Centre that strengthen our civil society and meet the needs of our communities in a way the government never can. I ask my colleagues to join me in recognizing the Centre's 25 years of service and thank them for their continued contributions to the Adrian community.

HONORING THE LIFE OF CAPTAIN NAO YENG VANG

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Captain Nao Yeng Vang, who passed away on November 16, 2013 at the age of 67. Captain Vang was an extraordinary person, and he will always be remembered as an iconic hero to the Hmong people.

Captain Vang never attended school, but learned to read, write, and speak Lao fluently on his own. In 1964, at 18 years old, he was recruited by the Central Intelligence Agency (CIA) and served as a Captain under the late General Vang Pao during the Vietnam War. He bravely fought and directed Hmong soldiers to fight against communists and saved many American soldiers from torture.

In February 1965, Captain Vang married Yia Yang in Ban Soun, Laos. They were married for 38 years until Mrs. Vang passed away on October 18, 2003. They had six sons: Moua Pao Vang, Chia Neng Vang, Kou Vang, Thai Vang, Ger Vang, and Nou Vang, and seven daughters: Ka Ying Vang, My Vang, Kia May Vang, Maiyer Vang, Pa Houa Vang, Stacey Bao Vang, and Kathleen Kalia Vang.

Captain Vang and his family settled in Nampong, Thailand on May 13, 1975. They lived in Thailand for three years as refugees before receiving asylum from the United States government in 1978. The Vang family resided in Hamilton, Montana where Captain Vang worked as a press operator for three years. In 1980, he co-founded the Lao Family branch in Montana. The organization was developed to help and empower refugees to adapt and become successful members of American society.

The Vang family eventually moved to Fresno, California in 1982. Captain Vang was an independent farmer in Fresno for 16 years. As a farmer, he was able to engage in Hmong and American politics. He encouraged the Hmong community to vote during election cycles. Voting was a very important aspect in his life because in Laos, citizens did not have the right to vote and speak freely. Due to his involvement with American politics, he was able to meet former Secretary of State Hillary Clinton as well as many state, county, and city elected officials.

Captain Vang was a member of Lao Veterans of America, Inc. He served as an advisor to the Hmong community and participated in various organizations as a community leader, educator, and cultural advisor. When he spoke at community events he urged the Hmong community to be productive citizens, to be united, and to love and support one another. He was a tireless supporter of education and encouraged students to stay in school and pursue a higher education.

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to pay tribute to the life of Captain Nao Yeng Vang. He will always be remembered as an influential member of our very important Hmong community.

RECOGNIZING THE SERVICE OF
BILL KREITLEIN

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. BACHUS. Mr. Speaker, a true friend of veterans in the State of Alabama, Bill Kreitlein, is retiring after many years of loyal service in my district office in Birmingham. On this occasion I would like to bring to the attention of the House of Representatives his dedicated work on behalf of our men and women in uniform as well as the entirety of his service to the district.

Bill was one of the first people I asked to join my district office staff when I was originally elected in 1992. He has been a primary liaison for my constituents to a variety of federal agencies. Bill has served two "tours of duty" as a permanent full-time employee and more recently as an invaluable part-time staff member. His personal style has been to work in a respectful and determined way to try to solve problems for people.

As a member of the Alabama National Guard from 1966 to 1972, Bill was the natural choice to handle military and veterans affairs issues in my district office. The members of our military, their families, and veterans have greatly benefited from his concern, diligence, and effectiveness. He has worked tirelessly to help veterans obtain rightfully-earned benefits, health care, and military honors and to address challenges facing active duty members. Bill's unique blend of maturity, experience, and insight has provided relief and comfort to many military families during times of great distress. As a result, Bill is held in the highest regard by veterans groups in the Birmingham region and the State of Alabama.

Bill is a native son of Alabama, having been born in Mobile on May 11, 1941. After attending high school in Pensacola, Florida, he received his bachelor's degree from Livingston State College in Livingston, Alabama. Like many conservatives of his generation, he began his involvement in politics during the presidential campaign of Barry Goldwater in 1964. He has been active on the Republican State Executive Committee in Alabama, run for the Jefferson County School Board, and worked on my first campaign for Congress.

Because of his unwavering devotion and steadfast pursuit of excellence in his duties, Bill has been a great asset to me and the people of the Sixth District. The quality most associated with Bill by anyone who has come in contact with him on either a professional or personal basis is "kindness." He has demonstrated how to achieve success by living out one's faith and principles and by treating all individuals with respect and decency, and that is a wonderful and satisfying legacy to have established during a distinguished career in public service.

CONGRATULATING DANA ELEMEN-
TARY SCHOOL FOR BEING
NAMED A 21ST CENTURY LEARN-
ING EXEMPLAR SCHOOL BY THE
PARTNERSHIP FOR 21ST CEN-
TURY SKILLS

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. MEADOWS. Mr. Speaker, I rise today to congratulate Dana Elementary School in Hendersonville, North Carolina, for being named a 21st Century Learning Exemplar School by the Partnership for 21st Century Skills (P21).

The 21st Century Learning Exemplar Program seeks to identify, document, promote and celebrate examples of successful 21st century learning across the country. For the past 10 years, P21 has advocated for 21st century readiness for every student.

Last spring, the North Carolina Department of Public Instruction nominated Dana Elementary for the 21st Century Learning Exemplar Program. After visiting classrooms and interviewing teachers and students at the school, P21 stated, "A coordinated effort between school leadership and teachers helps students develop problem-solving skills, a collaborative mindset and a goal-oriented approach to learning."

Dana Elementary has also been awarded one of six National School Change Awards from the National Principal Leadership Institute.

In May, I had the opportunity to visit Dana Elementary and see the school's innovative teaching techniques firsthand. By combining a dynamic curriculum and modern technology, Dana Elementary engages students and prepares them for the future.

Mr. Speaker, on behalf of the entire 11th District of North Carolina, I congratulate Principal Kelly Schofield and the entire team at Dana Elementary for being named a 21st Century Learning Exemplar School and thank them for their commitment to our future leaders.

HONORING THE LIFE AND LEGACY
OF EDWARD O. WATTS, SR.

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to acknowledge Edward O. Watts, Sr., director of Watts Architecture & Engineering, who passed away on October 31, 2013 in Buffalo at the age of 70.

A native of the State of Alabama, Mr. Watts attended school there, graduating from Camden Academy. He earned a bachelor's degree in mechanical engineering from Tuskegee University, and went on to gain his master's degree from Baldwin Wallace College.

Mr. Watts began his career at Lockheed Martin in Atlanta as a design engineer, and moved on to work for DuPont in Cleveland, Ohio, before being transferred to Niagara

Falls. He was able to follow the American Dream and start his own business, now known as Watts Architecture & Engineering. The company began with just one employee—Mr. Watts himself—and now employs about 100 people. Recently, the firm celebrated its 25th anniversary. Mr. Watts received many business and design awards for his work, perhaps the most prominent being the U.S. Small Business Administration Graduate Firm of the Year Award in 2010.

Dedicated to giving back to communities that helped him grow, Mr. Watts was a member of the Tuskegee University Alumni Association, and frequently returned to the school to raise funds to upgrade the engineering department and for scholarships. He helped fund the Watts Family Scholarships at Alabama State University in honor of his mother, who was a graduate of the university. Mr. Watts also generously contributed to schools in his native Western New York. His company provides scholarships every year at the University at Buffalo for minority students, one for the School of Engineering and one for the School of Architecture. Mr. Watts completed the University at Buffalo Center for Entrepreneurial Leadership Program, and for more than 10 years he returned as a mentor for numerous business owners.

Mr. Watts was a member of the Lincoln Memorial United Methodist Church and served on its board of trustees as church treasurer. His favorite pastime was playing the Robert Trent Jones Golf Trail in Alabama—a passion he pursued at home as well. He organized the Watts Open Golf Tournament for his employees as well as the American Institute of Architects/American Council of Engineering Consultants of Western New York Golf Tournament.

Mr. Watts's dedication to his community was equaled by his love for his family.

Together, he and his wife of forty-four years, Lydia, raised two sons, Edward and Jonathan. Mr. Watts was close with his siblings, Dr. Vivian DeShields, Claudette Camp, Dr. Geraldine Bell, and Harold Watts.

Mr. Speaker, thank you for allowing me the opportunity to recognize Mr. Watts's incredible contributions to Buffalo's architecture and engineering community, as well as his admirable philanthropy. I extend my deepest condolences to his family, and am truly appreciative of all his great works.

HONORING THE TUTWILER FU-
NERAL HOMES 220 HANCOCK
STREET AND 218 HANCOCK
STREET AND MRS. ANN COUTEE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor two historic sites in the Second Congressional District of Mississippi. The Tutwiler Funeral Homes are both located in Tutwiler, MS.

Mr. Speaker it is important that I make mention of the addresses of the Tutwiler Funeral Homes. The original one is located at 220

Hancock St. There is a newer structure located at 218 Hancock St.

220 Hancock Street is the original Tutwiler Funeral Home. History has documented the funeral home as having several owners. When Mr. C.M. "Chick" Nelson owned it, it was for "blacks only." Although records do not date the funeral home start, events in history that took place associated with it gives an idea of the time and era. Then the funeral home was eventually purchased by Mr. Edward Thomas and sold to Mrs. Ann Coutee for \$33,000 in 1981, who is still the current owner. When she purchased it, the building was in need of repair and equipment. It came with one old hearse and outdated embalming equipment.

At a time when Mississippi was experiencing racial turmoil it played a significant role in the embalming and burying of black folks. On August 31, 1955, the Tutwiler Funeral Home prepared the remains of Emmett Till. At the time Mr. Woodrow "Champ" Jackson was the embalmer who prepared his remains. In October 1985, Michael Anthony Felton, a fifteen year old boy from Cleveland, MS, was believed to be the first Aids victim in the State after having contracted it from a blood transfusion. His family entrusted his remains to the Tutwiler Funeral Home. His death captured statewide attention in both Mississippi and Tennessee, and was even filmed for television. Robert Turner, who was the son of Mrs. Coutee and in line to take over the funeral home for his mother after becoming a licensed embalmer died suddenly. Well, as you will know, Mrs. Coutee stepped in and handled the entire arrangement of his burial. The Tutwiler Funeral Home has a presence and reputation that has withstood time. It has traveled beyond the city limits to handle the remains of loved ones all across Mississippi and the United States (e.g., Chicago, IL; Providence, RI; Mobile, AL; St. Louis, MO; Springfield, MO).

Black churches were significant sure enough for funeral, social events, and even civic meetings to say the least. But under the ownership of Mrs. Coutee the Tutwiler Funeral Home served dual roles. It was also a chapel for services and auditorium for blacks, as the town folks called it. The Tutwiler community was limited in its ability to provide recreational buildings, meeting halls, and public structures for blacks to meet. In 2002, Hurricane Isidore came through and toppled the historic Tutwiler Funeral Home. The remains of the building from the storm are still in place, where the ceiling buckled in on top of one of the hearse.

218 Hancock Street is home to the new Tutwiler Funeral Home. In 2002 after the original Tutwiler Funeral Home was destroyed, Mrs. Coutee immediately sprang into action to rebuild. She made sure the new structure maintained its ability to meet the needs of Tutwiler and all that have a need to use it because she included a chapel-meeting room.

In March 2013, Frank Ratliff, the son of Mrs. Z.L. Ratliff, the owner of the infamous Riverside Hotel in Clarksdale, MS, remains was in the care of the Tutwiler Funeral Home.

Mrs. Ann Coutee is still the owner of the Tutwiler Funeral Home. She moved back to Mississippi in 1977 as a 43-year-old widow of six children. Her education and training span across several occupations, real estate, school

librarian, hospital manager, and a licensed cosmetologist in both Illinois and Mississippi. So, the funeral home business was not her initial or preferred choice. But she wanted to be a business owner, provide steady support for her children and build a business she could pass on to them, and serve the community.

Mrs. Coutee is the mother of six children, two boys and four girls. Her children are Margaret Turner, Sylvia Turner-Lottie, Patricia Turner-Sullivan, Reginald Turner, Robert Turner, and Sandra Hicks-Brown. Both Reginald and Robert are now deceased.

In the beginning she did all her own driving to pick up deceased individuals, traveling near and far, and oftentimes alone. She said embalming was never her choice but rather the cosmetics of preparation. Since the funeral home business was new to her, she joined the National Funeral Directors Association and maintained a membership for years. At her first meeting, she said, she could not figure out why she was the only black and a woman attending the meeting. Well, she soon learned the invitation to join was meant for the previous owner, Mr. Edward Thomas, a white male from Webb, MS. Not only did she learn that but while at the meeting, she was asked how she acquired the building because the all white membership said, "black women don't own funeral homes unless they inherit it." Well, just so you will know, she responded, "I do and I purchased it." Nevertheless, she stayed on because she was determined to learn the business and stay connected. Her struggles to stay on and learn the funeral home business is another story to be told later. Mr. Woodrow "Champ" Jackson remained on as her embalmer for many years. I am compelled to mention that under the ownership of Mrs. Coutee and funeral home director, Aaron Gunn III, the Tutwiler Funeral Home is open to people of all races and ethnic groups in need of burial services—that's right no more "blacks only."

Through that determination and grit, Mrs. Coutee managed to not only raise her children to be successful but as it turned out, none of them are in the funeral home business. Her success did not stop there because as time passed she managed to acquire other properties in Tutwiler. She is the owner of a large majority of the previously white owned businesses and vacant lots in town, 208 Hancock St., 210 Hancock St., 212 Hancock St., 214 Hancock St., 216 Hancock St., 218 Hancock St., 220 Hancock St., and 222 Hancock St.

Mr. Speaker, I ask my colleagues to join me in recognizing the Tutwiler Funeral Homes at 220 and 218 Hancock Street along with the owner Mrs. Ann Coutee for their contribution to the black community and black funeral home business.

DUANE G. DUNCAN, NATIONAL 4-H
HALL OF FAME INDUCTEE

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. BARLETTA. Mr. Speaker, I rise to honor Duane G. Duncan of Carlisle, Pennsylvania

who was inducted into the National 4-H Hall of Fame this year.

Mr. Duncan became an active participant in 4-H at the age of 12 and continued to contribute to the organization while attending college at Penn State University. After graduating from Penn State in 1958, he worked in Adams County as an Assistant County Agent where he continued to collaborate with 4-H. In 1967, Mr. Duncan was promoted to Cumberland County Extension Director. He continued to work with 4-H horse and dairy programs until retiring in 2003 after 45 years of service.

Throughout his many years with 4-H, Mr. Duncan has demonstrated leadership and dedication to both the organization and his community. He served as Secretary of the Pennsylvania Junior Dairy Show from 1972 to 1991 and was honored for his lifetime commitment at the 50th annual show in 2005. In 1974, he established the position of Superintendent of the All American Dairy Show 4-H and FFA Youth Dairy Forum, and he continues to fulfill those duties to this day. Additionally, he has served as treasurer of the PA 4-H Horse Program Development Committee since 1980, is on the Board of Directors of Therapeutic Riding Association of Cumberland County for handicapped children, and is a liaison to the Carlisle Rotary Club.

Mr. Speaker, for his outstanding service to both 4-H and the Carlisle community, I commend Mr. Duane G. Duncan and wish him the best of luck in his future endeavors.

PERSONAL EXPLANATION

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Ms. CLARKE of New York. Mr. Speaker, as a member of the official Congressional Delegation to Johannesburg, South Africa to attend the memorial services for former President Nelson Mandela, I missed the votes on Tuesday, December 10, 2013 and Wednesday, December 11, 2013.

Had I been present, I would have voted: "yes" on rollcall No. 630, H.R. 3521—Authorize VA Medical Facility Leases; "yes" on rollcall No. 631, H.R. 1402—VA Expiring Authorities Extension Act; "no" on rollcall No. 632, H.R. 2019—Gabriella Miller Kids First Research Act of 2013; "yes" on rollcall No. 633, H.R. 2319—Native American Veterans' Memorial Amendments Act of 2013; "yes" on rollcall No. 634, S. 1471—Alicia Dawn Koehl Respect for National Cemeteries Act; "yes" on rollcall No. 635, H.R. 3212—Sean and David Goldman International Child Abduction Prevention and Return Act of 2013; and "yes" on rollcall No. 636, H.R. 1992—Israel QME Enhancement Act.

PERSONAL EXPLANATION

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. MARINO. Mr. Speaker, on rollcall No. 631 I was unable to make the vote due to inclement weather.

Had I been present, I would have voted "yea."

CONGRATULATING JAMES CLEVELAND HUGHES III ON ACHIEVING THE RANK OF EAGLE SCOUT

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. MICA. Mr. Speaker, I rise today to recognize, honor and congratulate an outstanding constituent of my district, James Cleveland Hughes III of Scout Troop 100 in Oviedo, Florida, for achieving the rank of Eagle Scout.

The rank of Eagle Scout is the highest achievement in scouting. To attain this rank, he has demonstrated the qualities of leadership, self-discipline and perseverance while serving his family, friends and community. Only about five percent of Boy Scouts earn the rank of Eagle Scout. The awarding of the rank of Eagle Scout is a performance-based achievement with high standards that have been well maintained over the past century.

James Hughes has met every test and challenge to pass through the ranks of the Boy Scouts. Those aspiring to be Eagle Scouts must fulfill requirements in the areas of leadership, service and outdoor skills. To demonstrate proficiency as a scout, each Boy Scout must achieve merit badges in the areas of First Aid, Citizenship, Environment, Fitness, Family Life and much more.

The work ethic James has shown in his Eagle Scout projects, and every other project leading up to his Eagle Scout rank, speaks volumes about his commitment to assisting his community and serving a cause greater than himself. It is my honor to commend James Hughes for his achievement of the rank of Eagle Scout. James will join the ranks of fellow Eagle Scouts like President Gerald R. Ford, Neil Armstrong and Florida Governor Rick Scott.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. James's devotion to the Boy Scouts over the past decade is laudable, and I congratulate him on his achievement. I thank him for his dedication to service and know we can expect great things from him in the future. I invite my colleagues in the House to join me in congratulating James Cleveland Hughes III on obtaining the rank of Eagle Scout, and I wish him continued success in his future endeavors.

MEDICARE DEMONSTRATION OF COVERAGE FOR LOW VISION DEVICES ACT OF 2013

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, it is estimated that more than 60 million Americans are at risk of serious vision loss—a number expected to increase as the baby boomer generation ages. Along with my colleague Rep. GUS BILIRAKIS, I am proud to introduce legislation to support Americans with limited or impaired vision. For someone with a visual impairment, reading a book or crossing the street could be blurred or distorted even with the help of glasses or contact lenses. In many cases a physician can prescribe magnifiers or special optical devices to help an individual remain independent. While there are a wide variety of options to help people with low vision, currently, there is an exclusion from Medicare coverage for devices that include a lens to aid vision or provide magnification of images for impaired vision. Ultimately, not having these assistance devices could shift more individuals from independent living to care facilities or nursing homes.

To understand the impact of covering these devices for America's seniors, we are introducing the Medicare Demonstration of Coverage for Low Vision Devices Act of 2013. This legislation would create a five-year national demonstration project administered by the Department of Health and Human Services to evaluate the economic impact of allowing reimbursement for certain low vision devices under the Social Security Act. Coverage of such devices could help Medicare beneficiaries with low vision lead healthy, safe, and independent lives.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Ms. SCHWARTZ. Mr. Speaker, on rollcall No. 636, H.R. 1992, I was unable to be present. Had I been present, I would have voted "yes."

HONORING THE W.H. JEFFERSON FUNERAL HOME

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a historic and family legacy, W. H. Jefferson Funeral Home.

W. H. Jefferson Funeral Home was founded in 1894 by William Henry and Lucy Jefferson. Mr. Jefferson was the first African-American funeral director in the State of Mississippi, while Mrs. Jefferson was a leader in edu-

cation. Both fought hard to make Vicksburg and Warren County a wonderful place for all its citizens.

The Jeffersons' values for service, integrity, excellence and putting people first are honored by the facility that carries their name. The new facility, completed in 2002, provides large visitation rooms, a chapel that seats over 300, a spacious break room, and unlimited parking.

The business has grown with Vicksburg through the leadership of the family from generation to generation. Currently, W. H. Jefferson Funeral Home is co-owned by James E. Jefferson, Jr. and his uncle, Robert, Sr.

Mr. Speaker, I ask my colleagues to join me in recognizing the W. H. Jefferson Funeral Home for its legacy and strong history in the Vicksburg and Warren County, Mississippi, area.

50TH ANNIVERSARY OF THE OAKLAND COUNTY COMMUNITY MENTAL HEALTH AUTHORITY

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. LEVIN. Mr. Speaker, I rise today to recognize the 50th anniversary of the Oakland County Community Mental Health Authority's service to the Oakland County community.

Currently, only 28 percent of Americans with a diagnosable mental illness receive the treatment they need, and even Americans who do have health insurance too often find themselves unable to receive care because of discriminatory policies in their health plans. The Oakland County Community Mental Health Authority helps to fill this void by ensuring that more than 22,000 Oakland County citizens have access to high quality mental health services. The Authority provides lifesaving services to those adults and children who are affected by mental health illness, emotional disturbance, or substance abuse. Most notable is the Authority's dedication to serving the under- and uninsured.

Today, the Authority serves as a national leader in the delivery of quality mental health services that improve the health and quality of life of those who are in need of mental health support.

As part of its services, the Authority is opening a new Resource and Crisis Services Center for Oakland County citizens. This facility will serve as an accessible centralized resource for individuals facing crisis and seeking referral to quality support and mental health services. I congratulate Oakland County Community Mental Health Authority for its new Resource and Crisis Services Center, and I look forward to the Authority's expanded impact in our community.

Mr. Speaker, the Oakland County Community Mental Health Authority will celebrate its many contributions to the Oakland County community on December 17, 2013. I ask my colleagues to join me in congratulating the Oakland County Community Mental Health Authority, and its dedicated staff, for its five decades of service to Michigan residents.

HONORING LCDR DANIEL
PROCHAZKA, USN

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. WITTMAN. Mr. Speaker, I rise today to recognize those men and women who have served this great Nation with honor, men such as Lieutenant Commander Daniel "Prozac" Prochazka, United States Navy.

For the past year, Lieutenant Commander Prochazka, a proud naval aviator and graduate of Georgia Tech, served on my staff as a Congressional Defense Fellow. During his assignment, he served as a senior member of my staff responsible for defense, veterans, foreign affairs and intelligence matters. Lieutenant Commander Prochazka executed his work as a liaison to the constituents of the First District and the numerous defense installations in the First District with distinction. Furthermore, he provided exceptional support to me as my staff liaison to the House Armed Services Committee in my role as a Subcommittee Chairman and as the Co-Chair of the Congressional Shipbuilding Caucus.

Lieutenant Commander Prochazka directly contributed to my goal of providing excellent constituent service to the people of the First District. He was responsible for bringing numerous constituent inquiries to a successful conclusion and he was able to leverage his personal and operational experience to respond to the most challenging inquiries.

In addition to his efforts on behalf of the First District, Lieutenant Commander Prochazka took on projects with regional, state and national implications, demonstrating his ability to view a challenge from many angles and develop innovative solutions often requiring collaboration across many levels of government.

Lieutenant Commander Prochazka's work ethic, duty to mission, and commitment to servant leadership is without equal. I believe that his personal drive to achieve excellence in his work has and will set a very high standard for his peers.

I would also like to thank Lieutenant Commander Prochazka for the service and sacrifice he has made, and continues to make, for our Nation and our great Navy. His keen sense of honor, impeccable integrity, boundless work ethic, and loyal devotion to duty earned him the respect and admiration of my staff and the First District of Virginia. After spending the last 12 years as an E-2C Hawkeye pilot in Japan and Virginia and completing eight deployments, which included flying combat support missions over Iraq and Afghanistan, Lieutenant Commander Prochazka and his family are headed to Norfolk, VA where he will become the Executive Officer of VAW-125, the "Tiger Tails." Lieutenant Commander Prochazka, who has been selected for the rank of Commander, will return to sea and to leading Sailors as he goes back into harm's way to execute his trade as naval aviator in the service of this great Nation, flying the new E-2D Hawkeye. I have no doubt that Lieutenant Commander Prochazka will continue to serve the United States Navy honorably and with distinction.

I wish him, his wife Jen, and his daughter Amelia the best of luck as they continue their journey together as a Navy family. It was an honor and a pleasure having him serve on my staff. We all can sleep soundly at night knowing that men and women like Lieutenant Commander Dan Prochazka are members of our all-volunteer force and they stand ready to defend our country and take the fight to our enemies; far away from their families and the comforts of the United States of America.

Lieutenant Commander Prochazka, thank you. Best of luck to you and God bless you, your family, and all the Sailors you are charged with leading. Fair winds and following seas.

TRADE AND ENVIRONMENT ENFORCEMENT ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. BLUMENAUER. Mr. Speaker, today I introduced the Trade and Environment Enforcement Act, also known as the Green 301 Act. Green 301 expands the Section 301 provisions of the Trade Act of 1974 to encompass environmental effects. It provides tools to help prevent practices by other countries that cause negative environmental impacts to human, animal, or plant life or health, or to prevent the conservation of exhaustible natural resources domestically or internationally.

The United States has helped to create the largest trade network the world has ever seen. As we leverage our commercial influence in the global economy, we can also ensure the countries we are doing business with are adhering to basic environmental standards.

Green 301 would allow the U.S. government to impose penalties, including the increase of tariffs, on countries that: fail to effectively enforce the environmental laws of a foreign country; waived or otherwise derogated from the environmental laws of a foreign country or weakened the protections afforded by such laws; fail to provide for judicial or administrative proceedings giving access to remedies for violations of the environmental laws of a foreign country; fail to provide appropriate and effective sanctions or remedies for violations of the environmental laws of a foreign country; or fail to effectively enforce environmental commitments in agreements to which a foreign country and the United States are a Party.

The promise of an open, mutually beneficial trade relationship with the U.S. is both a carrot and a stick. Green 301 lets our trade partners know that, not only does the United States expect our partners to adhere to environmental agreements, but now there could be serious economic penalties for countries that don't hold up their end of the bargain.

My support for international trade agreements has always been predicated on the notion that agreements establish a fair, rules-based trading regime. The economy of my state is heavily trade-dependent. Oregon's iconic brands would not exist without strong international trading relationships. Oregon's largest private employer, Intel, is a product of the international market for high-tech products.

Oregon and other states are greatly disadvantaged when our trading partners derogate from their environmental laws, which provide them with an unfair advantage and undercut U.S. companies, which operate under our own strong environmental protections. I look forward to working with my colleagues to ensure that trade remains free and open, but, in incorporating environmental and labor protections, also meets basic expectations of fairness.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$17,222,454,811,203.79. We've added \$6,595,577,762,290.71 to our debt in 4 years. This is \$6.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TO COMMEMORATE THE 75TH AN- NIVERSARY OF THE NATIONAL INDUSTRIES FOR THE BLIND

HON. PATRICK T. MCHENRY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. MCHENRY. Mr. Speaker, I speak today to recognize and celebrate the 75th anniversary of the National Industries for the Blind (NIB). It was seventy-five years ago when the Wagner-O'Day Act originally helped spur the creation of NIB, whose mission is to enhance economic and personal independence for the blind and visually impaired. Each day NIB upholds its mission by relentlessly creating, sustaining, and improving employment opportunities for those who it serves.

To best meet its objectives, the NIB collaborates with over ninety-one associated nonprofit agencies—based in thirty-five states and home to more than two hundred and fifty locations—which includes the Winston-Salem Industries for the Blind, IFB, located in North Carolina.

In August of this year, I had the pleasure of being invited to visit the Winston-Salem Industries for the Blind in Asheville, NC. During my tour, I was fortunate to learn that the facility's state-of-the-art cutting and ultra-sonic welding capabilities enable workers to compete for new, complex commercial and government opportunities. More impressive was the confidence and independence that Asheville's first-rate facility brought to its workforce—comprised of more than fifty individuals who are either blind or visually impaired—that has earned competitive contracts with our U.S. military and internationally-recognized achievements in quality control.

In the last few years, IFB has employed over three hundred blind and visually impaired

workers at manufacturing facilities located in Asheville and Winston Salem. Both facilities manufacture a significant number of quality products that are utilized to protect everyday Americans such as you and me. Altogether, IFB positively impacts our visually impaired community in seventy-seven counties throughout North Carolina, and it will continue to enhance its economic presence in our region through the introduction of a new mobile eye clinic.

Through the endeavors of IFB, many members of our community who are visually impaired or blind are afforded the opportunity to gain the confidence and financial independence—which many of us take for granted—by achieving their goal of a commendable career. As an advocate of IFB, I appreciate its proactive efforts to improve the livelihoods of our blind and visually impaired community, and I will continue to support IFB's efforts as it continually extends valuable opportunities and services in my home state of North Carolina.

INTRODUCTION OF LEGISLATION

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. BILIRAKIS. Mr. Speaker, today I introduced the Public Infrastructure Modernization Act of 2013. This legislation seeks to modernize the Corps permitting process so that crucial public safety infrastructure projects can be built in a sensible and timely fashion while ensuring there is a thorough environmental review. The National Environmental Policy Act and Clean Water Act guide the Corps' actions to protect our Nation's waterways, but they have flaws that lead to unnecessary and costly delays that do not balance public safety needs against appropriate environmental protections. Under current law, fringe groups are allowed to—for the cost of a postage stamp—file lawsuits against any infrastructure project needing a Clean Water Permit that they spot in the Federal Register. These lawsuits, and the fear of them, have stopped numerous projects that were necessary for local governments to protect their constituents and would have caused minimal harm to the environment. My legislation would modernize the application process for CWA permits submitted by local governments that are for levees, self-closing flood barriers, seawalls, flood gates, slough and stream construction and dredging for flood control, retention ponds for residential areas, and roads and bridges for hurricane, wildfire, and other extreme weather event evacuations. It creates firm time limits for the Corps to act, and a petition process should the agency be unwilling to complete consideration of the project. The legislation also caps mitigation costs to being no more than twenty percent of the total project's cost to ensure projects costs are responsible to the taxpayer. This legislation does not waive NEPA and protects practical environmental review. With local governments struggling to allocate scarce taxpayer dollars for badly needed public safety projects, we must ensure the Federal Govern-

ment properly balances public safety and environmental concerns. I look forward to working with my colleagues to move this legislation through Congress.

PERSONAL EXPLANATION

HON. JOAQUIN CASTRO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. CASTRO of Texas. Mr. Speaker, on rollcall No. 630 on H.R. 3521—The Department of Veterans Affairs Major Medical Facility Lease Authorization Act of 2013, I am not recorded because I was absent due to awaiting the impending birth of my daughter. Had I been present, I would have voted "aye."

Mr. Speaker, on rollcall No. 631 on H.R. 1402—VA Expiring Authorities Extension Act of 2013, I am not recorded because I was absent due to awaiting the impending birth of my daughter. Had I been present, I would have voted "aye."

Mr. Speaker, on rollcall No. 632 on H.R. 2019—Gabriella Miller Kids First Research Act of 2013, I am not recorded because I was absent due to awaiting the impending birth of my daughter. Had I been present I would have voted "nay."

Mr. Speaker, on rollcall No. 633 on H.R. 2319—Native American Veterans' Memorial Amendments Act of 2013, I am not recorded because I was absent due to awaiting the impending birth of my daughter. Had I been present, I would have voted "aye."

Mr. Speaker, on rollcall No. 634 on S. 1471—Alicia Dawn Koehl Respect for National Cemeteries Act, I am not recorded because I was absent due to awaiting the impending birth of my daughter. Had I been present I would have voted "aye."

Mr. Speaker, on rollcall No. 635 on H.R. 3212—Sean and David Goldman International Child Abduction Prevention and Return Act of 2013, I am not recorded because I was absent due to awaiting the impending birth of my daughter. Had I been present, I would have voted "aye."

Mr. Speaker, on rollcall No. 636 on H.R. 1992—Israel QME Enhancement Act, I am not recorded because I was absent due to awaiting the impending birth of my daughter. Had I been present I would have voted "aye."

HONORING BOLTON FUNERAL HOME

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a landmark establishment within the Bolton community, the Bolton Funeral Home.

The Bolton Funeral Home came into existence with a vision and endearing motivation to provide burial services for African Americans living within rural areas of Hinds County, Mississippi. On August 15, 1946, Mr. Walter Rob-

inson, Sr. and Mr. Wren Walton purchased a parcel of land within the city limits of Bolton, Mississippi from Jennie Klingman. The purchasing price was \$450.00, which was paid in cash. The funeral home was constructed and opened for business in November 1946. During that time, the average cost for burial services through the Bolton funeral home was approximately \$300.00.

During the time of legalized segregation, the Bolton Funeral Home became an essential business for many in the African American community seeking to bury their loved ones. At the time, the nearest African American owned funeral homes were located in Jackson, Mississippi. With the establishment of the Bolton Funeral Home, those living within the rural communities surrounding the town of Bolton were granted closer access to a very important and much needed service.

Upon the passing of the Mr. Wren Walton and Mr. Walter Robinson, Sr., the Bolton Funeral Home was inherited by Mr. Lewis Kinney (nephew of Mr. Wren Walton) and Mrs. Ruth J. Robinson (wife of Mr. Walter Robinson, Sr.). Today, the business is operated by Mr. Willie Earl Robinson, Walter L. Robinson, Jr., Yvonne Robinson, and Minnie P. Robinson.

Mr. Speaker, I ask my colleagues to join me in recognizing the Bolton Funeral Home for providing burial services for African Americans during a period of legal segregation and, often times, isolation from such services.

BUSINESSES SHOULDN'T HAVE TO PLAY DEFENSE AGAINST FEDERAL GOVERNMENT

HON. RANDY HULTGREN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. HULTGREN. Mr. Speaker, I rise to draw attention to the regulatory war being waged by this administration on American families, individuals, small businesses, states, cities and towns.

The administration has developed a bad habit of making endless rules and regulations, with little regard for their negative effects on Americans.

From writing confusing tax forms, to mandating what type of water comes out of fire hydrants, the vast bureaucratic machine in Washington delights in determining how Americans should live and work.

The exponential increase of government rules and regulations poses a clear threat to our freedom, for instance, the freedom of individuals to start their own businesses and pursue the American Dream.

But there is a solution.

I have introduced H.R. 309, the Regulatory Sunset and Review Act of 2013, to break this terrible habit.

I believe that reforms are needed to halt this administration's practice of regulating beyond the intent of the laws we pass, and to reduce the burden these regulations place on Americans, especially American businesses.

Before talking more about the solution, allow me to more fully illustrate the problem and its impact on growing jobs and the economy.

Now, not all regulation is bad, and businesses are more than willing to follow commonsense regulations.

The U.S. Grade Standards for fruits and vegetables, for instance, makes sense for grocers by defining the quality standards for fresh produce.

If a dispute between buyer and seller arises, the standards can then determine who is at fault.

But many federal rules are duplicative, obsolete, unnecessary, conflicting or otherwise inconsistent.

An analysis by the Government Accounting Office found that in fiscal year 2013, \$95 billion of the \$3.6 trillion the federal government spent was duplicative.

For instance, according to the GAO report, there are 76 federal drug abuse and prevention treatment programs, spread among an astounding 17 different agencies.

Combined, they generate 6.1 million hours of paperwork, almost \$300 million in costs, and 122 forms to be filled out by individuals, organizations and businesses.

This is an unacceptable waste of tax money and resources.

The engine of our economy—our small businesses—need room to innovate and expand.

But burdensome and duplicative regulations drain resources from businesses—harming their ability hire new workers and create jobs.

In Illinois' 14th District, business owners tell me this is the chief block to investing and hiring.

When it costs them more than \$10,500 per employee annually to comply with all federal regulations, their concerns make sense.

But in 2012, the Obama administration piled on \$236 billion in new regulations.

It's a little wonder we suffer from weak economic growth and still-too-high unemployment.

President Obama has pledged a comprehensive review of existing regulations.

But unfortunately, his administration has actually done little to get rid of regulations currently on the books.

In fact, he's going to be adding many more next year.

According to an American Action Forum report, upcoming regulations from the Obama administration in 2014 could cost the private sector more than \$143 billion.

That's billion with a "b."

The administration calls this the "unified agenda," which includes 15 new "major" rules—those that cost at least \$100 million annually to our economy.

It's these "major" rules that my bill addresses directly.

How does it actually work?

The bill establishes a responsible process for federal agencies to identify, review, and, if necessary, put major regulations that are no longer needed and serve no beneficial purpose on a path to elimination.

And I want to make sure the public—who are directly affected by bad regulations—have a say.

Under my bill, agencies overseeing these major rules will be required to consider the comments of the public, the regulated community, and Congress with regard to the costs and burdens of rules under review.

This will help them determine which rules need to go.

The agencies would then establish a review process to "sunset" bad rules.

The head of each agency would designate an existing employee as the Regulatory Review Officer, charged with implementing the sunset review.

Six months later, the Administrator would publish a first list of major rules, and then an updated list annually.

The agency would be charged with issuing reports to Congress about rules they reviewed.

But some rules are still bad for individuals and businesses even if they fall under the \$100 million cost.

The public and congressional committees would be able to petition agencies to review these rules as well.

This would ensure less-major, but no-less-harmful, regulations could be considered for elimination.

And if an agency claims it cannot change or get rid of a regulation because it is bound by congressional statute, then they would have to recommend to Congress what we can do to change the law.

This ensures a transparent review process that leads to actual regulatory reform.

We must act now to lend a hand to our struggling economy.

Federal agencies, mostly unaccountable to the people they regulate, should review and remove regulations that hurt American businesses and individuals.

My bill exposes duplicative and obsolete regulations to the public, placing them on a path to elimination.

My colleagues are hearing from their constituents about the harm excessive regulations are having on them.

And the Regulatory Sunset and Review Act of 2013 now has 61 co-sponsors.

We're seeing a real desire to put regulations under closer scrutiny than they've traditionally had.

Mr. Speaker, our job creators need all the help they can get.

Small businesses and startups should spend their time hiring workers and growing their business, instead of wasting time playing defense against an aggressive federal government.

Let's defend and extend the sphere of freedom, freedom to pursue the American Dream without government on your back.

H.R. 309 gets us heading in that direction.

I urge the House to take up this legislation in the New Year.

CELEBRATING THE U.S. NATIONAL GUARD'S 377TH BIRTHDAY

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. GINGREY of Georgia. Mr. Speaker, today I rise to recognize the United States National Guard as they celebrate 377 years of selfless sacrifice to our great nation.

The National Guard pre-dates all other active U.S. military branches. On December 13, 1636, what we have come to know as the Na-

tional Guard was formed as a colonial militia, made up of ordinary citizens who stood to protect their communities. From their service in the Revolutionary War where they stood their ground during the opening shots at Lexington Green and Concord Bridge, to valiantly fighting in Operation Enduring Freedom and Operation Iraqi Freedom, the Guard has participated in every major American conflict. All Guardsmen are combat-trained, and while abroad they serve in combat missions, build schools and hospitals, and train local peacekeepers.

National Guard members have established a proud history and tradition of service in all 50 states, organized territories, Puerto Rico, and the District of Columbia. Today's force is comprised of both Army and Air Force divisions and has grown to nearly 500,000 soldiers strong.

The National Guard in my home state of Georgia will hold a special celebration at Clay National Guard Center, giving special recognition to its retirees, Maj. Gen. Jim Butterworth, Brig. Gen. Joe Jarrard, and displaying many of its units' specialized training.

Mr. Speaker, it is with sincere gratitude that I extend my deepest thanks and appreciation to our servicemen and women in the National Guard for their sacrifice and hard work to protect our way of life.

TIME TO BRING OUR TROOPS HOME FROM AFGHANISTAN

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mrs. MILLER of Michigan. Mr. Speaker, 12 years ago on September 11, 2001, al Qaeda terrorists trained and supported by Osama bin Laden from Afghanistan attacked and murdered nearly 3,000 Americans.

Shortly after that horrible day, American armed forces struck back in Afghanistan. Our troops have performed brilliantly and have significantly damaged al Qaeda terrorists' operations and brought the ultimate justice to bin Laden. At the same time our troops have shed their blood to provide the Afghan people with the opportunity to break from the tyranny of the Taliban and achieve freedom and liberty.

In recent months, our government has offered the additional opportunity provided by a bi-lateral security agreement which would keep American forces in that country beyond 2014. To date, Afghan President Karzai has refused to sign that agreement.

I believe that agreement should be withdrawn and President Obama should bring our forces home by the end of next year. Our troops have performed brilliantly. And now it is time for the Afghan people to step up and secure their own nation. We have offered freedom and democracy to Afghans and they must either choose to take it or not. And it is time for our troops to come home.

CELEBRATING THE EPISCOPAL
CHURCH OF SAINT JAMES' 125TH
ANNIVERSARY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Episcopal Church of Saint James, located in Essex County, New Jersey, as it celebrates its 125th anniversary.

The Episcopal Church of St. James began as a small, sixteen person group in 1887 lead by Reverend P.M. Bleecker. As the group grew, a Missionary Committee was established and, at the suggestion of the Bishop, the name "St. James Church, Upper Montclair" was adopted. Within that year, the congregation would grow to consist of 45 people. On December 12, 1888, the Bishop gave canonical permission to form a Parish in the Diocese of Newark. On December 27 of that same year, the Articles of Association were signed. The next day the articles were filed and the church became official.

Around the same time, the church purchased the "Cliffside Chapel" from a nearby Presbyterian Church, which now serves as the cornerstone of the current church.

In 1892, an Alter Guild was formed to attend to the clerical vestments and appointments of the altar. That same year, the Rood Screen was added to the Chancel, and gas was introduced for lighting. The first Vested Choir began in 1898, two members of which continued to sing for the church for over forty years.

In 1902, the church organ was not functioning properly because the building lacked electricity. Later that year, a pipe organ was anonymously donated to replace it. Ten years later, the church ordered a new organ, which was so large they had to modify the roof to fit it.

In 1941, the Willet Studios of Philadelphia began to commission the stained glass windows for the church. That same year, the church installed the Hildreth Meiere painting of James and John fishing over the altar. By 1956, the "Windows of St. James" were completed.

Since the church was built, the congregation has significantly grown. So, the church has developed many programs and groups to help its members. These programs include Youth Groups, Bible Studies, Adult Education, as well as a pre-school.

The church also participates in community service and outreach locally, nationally, and internationally. They work with many organizations to send their congregation, along with others who are interested, on missionary trips to various places in need of aid. Previous trips have been to Appalachia and New Orleans. The most recent trip was to the Jersey Shore to assist in the clean-up from Superstorm Sandy.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Episcopal Church of St. James in celebrating its 125th anniversary.

RECOGNIZING DAVE BORCKY

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. VALADAO. Mr. Speaker, I rise today to recognize Mr. Dave Borcky for his efforts in support of the newly renovated City of McFarland's Veterans Community Center.

A native of McFarland, California, Dave served our country as a member of the United States Navy during the Vietnam War. Since his return, he has worked tirelessly in the community to ensure veterans receive the recognition they deserve. Dave is an active member of the Lions Club and coaches 27 students from McFarland High School in the aptly named LEOS Club. Dave and his fellow Lions organize local food drives, back-to-school drives and many other activities that improve the lives of the McFarland residents.

In December 2011, Dave was named Grand Marshall for the McFarland Christmas Parade. Mr. Borcky is also an active member of his American Legion Post, Boys and Girls State activities.

Without a doubt, Dave has been a key player in McFarland's community for a number of years. It is with great pride that I recognize Mr. Dave Borcky for his service and leadership and congratulate him on his efforts to memorialize American heroes through the McFarland Veterans Community Center.

RECOGNIZING DENIS O'SULLIVAN
AS HE CELEBRATES HIS 80TH
BIRTHDAY

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. COSTA. Mr. Speaker, I rise today to recognize Denis O'Sullivan as he celebrates his 80th birthday. Denis lives every day with enthusiasm and appreciation for all of life's offerings. His story is reflective of the American dream, working hard to create fruitful lives for himself and his family.

Denis was born on December 2, 1933, in New York City at Lennox Hill Hospital. His intelligence and entrepreneurial spirit led him to be the owner and founder of a lucrative business, O'Sullivan Menu Publishing. The company started out small with less than 10 employees and eventually grew to a staff of over 200 individuals who were based out of the United States and Great Britain. O'Sullivan Menu Publishing provided menus to airlines, cruise lines, and various restaurant chains. Denis' company had a groundbreaking impact on the airline industry by providing the first comprehensive service for the creation and production of printed menus.

Since Denis' retirement in 2008, he has volunteered much of his time to local charities. He currently serves as Chairman of the Board of the Visiting Nurse Association of Northern New Jersey, and maintains special interest in their Alzheimer's disease support facility. In addition, Denis is a longstanding supporter of

the fundraising activities at St. Clare's Hospital in Denville, NJ.

Denis stays busy in his philanthropic endeavors, but he cherishes his time with family the most. He is a devoted husband to his wife of 33 years, Elizabeth; a caring father to his children; Roberta, Eric, Kerin, Cathlyn, Christopher, and Patricia; and a loving grandfather to his nine grandchildren. On a personal note, Denis has been a great supporter and true friend to me—his brother-in-law. Denis and Elizabeth appreciate every day of their lives whether it is by spending time with family, traveling around the world, or simply enjoying each other's company.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me in recognizing Denis O'Sullivan's 80th birthday. We acknowledge Denis during this milestone and for all that he has achieved.

RECOGNIZING THE PACE HIGH
SCHOOL "PRIDE OF THE RED,
WHITE, AND BLUE" MARCHING
BAND AS THE 2013 CLASS 5A
FLORIDA MARCHING BAND
GRAND CHAMPIONS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the Pace High School "Pride of the Red, White, and Blue" Marching Band as the 2013 Class 5A Florida Marching Band Grand Champions.

For more than 40 years, the Pace High School Band has regaled crowds at Pace High sporting events, played at parades and events in Northwest Florida and represented the school at competitions on the local, state, and national levels. Today, more than 200 students make up Pace's band program, which includes three concert ensembles, a marching band, a jazz ensemble, chamber ensembles, an indoor percussion ensemble, and a winterguard program. This diverse and versatile repertoire highlights the hard work and dedication of the students and faculty of the Pace High Band and is the one of the keys to their success.

The 2013 Florida Marching Band Championships, held on November 23 at Tropicana Field in Saint Petersburg, FL, played host to more than 80 talented bands from across the state of Florida. The Pace High School "Pride of the Red, White, and Blue" Marching Band began their preparations for this prestigious event more than six months ago and worked tirelessly to perfect their show, entitled "Once Upon Another Time," which featured pieces celebrating different eras in American history with sections on the industrial revolution, the civil rights era and the space race.

The assiduous work of the "Pride of the Red, White, and Blue" paid off during the Class 5A semi-finals, where the band was awarded the highest scores in the Visual, General Effect, and Music categories and the highest overall score of any of the 80 bands competing in the various class semi-finals. The "Pride of the Red, White, and Blue" then

followed their success in the semi-final round with another near-flawless performance in the finals, where they scored 92.38 out of 100 to take home the Class 5A championship.

Pace High's success at the 2013 Florida Marching Band Championships is a testament to the commitment and dedication of all the members of the band, and it is a great reflection on the entire Pace High and Northwest Florida community. On behalf of the United States Congress, my wife Vicki and I congratulate the "Pride of the Red, White, and Blue" on their state championship and wish them all the best as they continue to proudly represent our area.

IN RECOGNITION OF THE RETIREMENT OF CIRCUIT COURT JUDGE
GEORGE R. GREENE

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. ROGERS of Alabama. Mr. Speaker, today we ask for the House's attention to honor Circuit Court Judge George R. Greene, who is retiring from his position as the Circuit Court Judge in Russell County.

In 1975, Judge Greene began serving in the Russell County District Attorney's office as the Assistant District Attorney. He served in the position for four years until 1979, when he was appointed District Judge in Russell County. Judge Greene served as District Judge for over 18 years, and he was elected to this position in three different elections. In 1998, Judge Greene was elected to serve Russell County as the Circuit Court Judge. He has held the office of Circuit Court Judge since that election.

Judge George R. Greene is one of the longest serving judges in the state of Alabama, having served 31 years in the Judicial 26th Circuit. He is also dedicated to his community, and he is known for his selfless public service. He is involved in numerous civic and state public service organizations. One of his initiatives was the establishment of the Cora Reid Greene Home for Children, which provides protection and housing for abused children in the Russell County Area.

Mr. Speaker, please join me in thanking Judge Greene for his tireless pursuit of justice in Russell County. Join me also in wishing him the best in his retirement.

PERSONAL EXPLANATION

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. AL GREEN of Texas. Mr. Speaker, today I was participating in a Congressional Delegation trip to South Africa to honor the life and legacy of President Nelson Mandela and missed the following votes:

1. H.R. 2019 Gabriella Miller Kids First Research Act of 2013, as amended. Had I been present, I would have voted "no" on this bill.

2. H.R. 2319—The Native American Veterans' Memorial Amendments Act of 2013. Had I been present, I would have voted "yes" on this bill.

3. S. 1471—Alicia Dawn Koehl Respect for National Cemeteries Act. Had I been present, I would have voted "yes" on this bill.

4. H.R. 3212—Sean and David Goldman International Child Abduction prevention and Return Act of 2013, as amended. Had I been present, I would have voted "yes" on this bill.

5. H.R. 1992—Israel QME Enhanced Act, as amended. Had I been present, I would have voted "yes" on this bill.

6. Journal Vote—Had I been present for the journal vote, I would have voted "yes".

TO HONOR DOUGLAS GREENFIELD
ON HIS 85TH BIRTHDAY

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor Douglas Greenfield on his 85th birthday. Douglas lives a competitive and successful life in Levittown, PA. He has been an active bowler for the past 50 years and won a bet in the 1960's to walk 50 miles through Bucks County in one day.

Supporting the community's youth is another passion of Mr. Greenfield. In the 60's and 70's he was active with the Boy Scouts of America and taught Confraternity of Christian Doctrine (C.C.D.) at Bishop Egan High School. He also worked to establish the Pennsbury High School boys lacrosse team and today, students still recognize "Gran-Pa" for his tireless effort on and off the field.

A true American role model, Doug, and his wife, Alice, continue to volunteer in their church and community in my home town, Levittown, PA. I want to wish Doug a very Happy 85th Birthday.

IN SUPPORT OF H.R. 3458, THE
FALLEN FIREFIGHTERS ASSISTANCE
TAX CLARIFICATION ACT
OF 2013

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. REED. Mr. Speaker, we're here today because of a heinous act that took place in Webster, New York on December 24th, 2012, when a group of volunteer firefighters responding to a fire was ambushed by a gunman who had deliberately set the fire. Two firefighters were killed and two others were injured.

While donations for the firefighters and their families were made to the West Webster Fire Department, a 501(c)(3) organization, the rules governing non-profit groups prevent the funds from being distributed in a way that does not further the organization's exempt purpose. In this case, these rules prevented the donations from being distributed as intended to the victims and their families.

I am proud to stand here today in support of the "Fallen Firefighters Assistance Tax Clarification Act of 2013," introduced by my colleague from New York Rep. LOUISE SLAUGHTER to address the error and help care for these firefighters and their families.

With the anniversary of this terrible act approaching, I ask that my colleagues join me in honoring the memory and sacrifice of these volunteer responders and approve this common sense legislation.

ON THE INTRODUCTION OF THE
TRANSIT PARITY ACT OF 2013

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Ms. NORTON. Mr. Speaker, today, I introduce the Transit Parity Act of 2013. The bill will extend federal tax benefits for mass transit and parking at current levels for one year. There is currently a permanent provision providing federal tax benefits for parking and mass transit; however, the mass transit benefit is funded at half the level of the parking benefit. The mass transit benefit was temporarily raised this year, but with cuts to the mass transit benefit set to occur on January 1, 2014, impacts will be felt throughout this region and the country.

Millions of people commute in and out of cities every day, bolstering their economies and improving the overall wellbeing of the country, with this region as a prime example. Why would we want to encourage people to drive rather than use mass transit? At the very least, there is no excuse for preferential treatment of driving.

I support a permanent equalization of commuter benefits, but given the costs associated with a permanent extension, the focus of this bill is a temporary one-year extension of benefits. I will seek to bring this bill to the floor before Congress adjourns for the year. If the bill is not passed before then, I will seek retroactive equalization of benefits.

The bill will continue to encourage commuters to use mass transit by equalizing tax benefits for mass transit and parking. Congress did the sensible thing when it increased the commuter benefit cap to \$245 per month, the same as for parking earlier this year. Unless Congress takes action now, however, mass transit benefits will decrease by nearly 50 percent, to \$130, while the benefit for parking will increase to \$250. However, this bill makes federal tax benefits for mass transit and parking equal at \$250 in 2014. I support a permanent equalization of commuter benefits, but given the costs associated with a permanent extension, the focus of this bill is on a one-year extension of equal benefits.

I strongly urge my colleagues to support the legislation.

HONORING DONNA HOFFER ON
HER RETIREMENT FROM THE
U.S. HOUSE OF REPRESENTA-
TIVES

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. DINGELL. Mr. Speaker, I rise today to congratulate Donna Hoffer as she retires after more than thirty years of faithful, dedicated service to Southeast Michigan. As she retires at the end of this year, I honor and recognize her dedication, passion, and hard work in service to the Southeast Michigan, and the people I have served since 1982.

In 1982 Monroe County became part of my Congressional District. I asked the community's leadership for recommendation of a fine and committed civil servant. Donna Hoffer was unanimously recommended and she joined the staff, managing the Monroe district office for 29 years. She competently and astutely served the community as my representative, in addition to handling a complex variety of casework including Social Security matters, of which she is an expert. When redistricting occurred and I lost Monroe County, Donna stayed on, serving well in our Ypsilanti office.

Donna's loyalty to the office and steadfast dedication in her service to the District has stood out through the years, and it has no bounds. Just recently, Donna played an instrumental role in having a lung transplant denial overturned, giving another chance at life to a desperate constituent. Donna has been a critical part of my staff and I am honored that she has spent her career serving the people of my Congressional District.

I extend my congratulations and best wishes to Donna in her retirement and hope that she enjoys the time with her husband, Mick, their two children and four grandchildren. I sincerely thank her for the loyal years she has given in service to Southeast Michigan. She is a dear friend and is the kind of public servant who brings credit on our Government with her faithful and dedicated effort on the behalf of the people we are honored to serve.

HONORING THE CENTRAL
CATHOLIC RAMS

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. BLUMENAUER. Mr. Speaker, victories on the field are much sweeter when achieved by a team, dedicated in unity to achieving its goals. This week the Central Catholic Rams won the OSAA Class 6A Championship, defeating their archrival Jesuit 38-28. It was a fitting end to a 14-0 season and showed what can be done with teamwork and effort.

In a truly dominant year, both during the regular season and playoffs, the young men of Central Catholic, their coaches, and their supporters inspired their fellow students and the community through their exemplary actions on and off the field. This is a season that can in-

spire great pride as the 2013 Rams join the 1952 and 1953 championship teams in the halls of glory.
Go Rams!

RECOGNIZING THE HONORABLE
AND DEDICATED SERVICE OF
MS. DOLORES DUNN

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize and honor the service, dedication, and accomplishments of Ms. Dolores Dunn, Staff Director for the Subcommittee on Health of the House Committee on Veterans' Affairs, upon the occasion of her retirement from the U.S. House of Representatives.

Ms. Dunn graduated with a Bachelor of Science degree from the University of Maryland in 1978. In 1981, she began her congressional staff career in the office of the late Congressman Bob Stump, where she worked for twenty-two years to serve the citizens of the 3rd Congressional District of Arizona.

In 2003, she joined the staff of the House Committee on Veterans' Affairs. Due to her steadfast commitment to her work and her expertise in veterans' health, Ms. Dunn was named Staff Director of the Subcommittee on Health in 2007.

For Ms. Dunn—the daughter of an Army nurse who served in World War II and the sister and aunt, respectively, of female combat veterans who served in Operation Desert Storm and Operation Iraqi Freedom—the Committee's work is a personal calling.

Throughout her tenure on the Committee staff, Ms. Dunn faithfully served three different Committee Chairmen—CHRIS SMITH, Steve Buyer, and myself—as well as countless other Members. I know I speak for us all when I say that her wise advice and sage counsel was instrumental in assisting us in honoring the service and sacrifice of America's servicemembers, veterans, and their families.

Ms. Dunn was a key contributor in the drafting and passage of landmark pieces of veterans' health legislation and personally contributed to the creation of policies that continue to improve the daily lives and ongoing well-being of veterans and their families.

Her skilled leadership and accomplished service on behalf of veterans was recognized in 2012 when she was awarded the Military Order of the Purple Heart Exemplary Service Award and an Award of Appreciation from the National Association of Veterans' Research and Education Foundations.

Over a long and multifaceted career of distinguished service in the halls of Congress, Ms. Dunn has been a tireless advocate for the interests of American's veterans and taxpayers, embodying excellence and commitment in service to her fellow citizens.

Mr. Speaker, on behalf of the United States House of Representatives and the House Committee on Veterans' Affairs, it gives me great pride to honor the selfless service of Ms. Dolores Dunn.

My wife, Vicki, joins me in honoring her for her thirty-two consecutive years of exemplary

service to our Nation, thanking her for her unyielding dedication to America's veterans, and wishing her and her husband, Richard, all of the best in their future endeavors.

CONGRATULATING KAREN
HEYREND

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Ms. BROWNLEY of California. Mr. Speaker, today, I rise to recognize Karen Heyrend, President of the Ventura County Coastal Association of Realtors, who has demonstrated a personal dedication and commitment in carrying out the mission of the Association, which is to be the primary source of real estate products and services for its member brokers and agents in West Ventura County.

Under her outstanding leadership during 2013, Karen has upheld the Association's priorities of maintaining the highest standards of ethical conduct, all while providing a wide array of benefits to the Association's membership of designated brokers, realtors, and affiliate members.

Karen has worked to provide quality service, not only to realtor members, but also to their clients and customers. Representing the cities of Camarillo, Oxnard, Fillmore, Santa Paula, Port Hueneme, and Ventura, she has helped to strengthen the integrity, competency, and professionalism of the Association's members.

Karen's service to the Association goes far beyond her term as President. As a member of the Ventura County Coastal Association of Realtors for the past thirteen years, Karen has diligently served on the Association's Board of Directors as President-Elect, Secretary/Treasurer and Director.

As the lead representative of the Association, Karen represented its members at the National Association of Realtors mid-year meetings, where she met with Federal, State and local government officials and elected representatives.

Through her work, Karen has demonstrated a proud and enduring enthusiasm for the real estate profession that she has chosen as her life-long career. I want to congratulate Karen on her successes and for her tireless dedication to the Association, both past and present.

I am pleased to recognize Karen Heyrend on her personal and professional accomplishments and exemplary year as President of Ventura County Coastal Association of Realtors in carrying forth the organization's goals, and I extend my best wishes for all of her future endeavors.

IN RECOGNITION OF THE 100TH AN-
NIVERSARY OF SEWAREN FREE
PUBLIC LIBRARY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. PALLONE. Mr. Speaker, I rise today to congratulate the Sewaren Free Public Library

on its 100th Anniversary. The library has been an integral part of the local community since 1913 and continues to provide residents an opportunity to learn and a place to gather.

Officially opened in December of 1913, the idea for the Sewaren Free Public Library was proposed in August of 1913 by a member of the Sewaren Civic Association, Mrs. Blanche B. Balfour. Fundraisers were held by supporters, and within a few months, committees were formed and requests were sent out for books and periodicals. Upon its opening, the library had acquired about 417 volumes.

By 1994, the Sewaren Free Public Library was one of many small branches within the Woodbridge Township Public Library system. After being closed due to funding cuts by the Woodbridge Township Public Library system, it was re-opened as an independent library. The Sewaren Free Public Library is currently run by a volunteer Board of Trustees.

Since its founding, the Sewaren Free Public Library has supported and been supported by the local community. It provides services and resources to residents, offering computer access, media services, pre-school programs, and bingo for senior citizens.

Mr. Speaker, once again, please join me in celebrating the 100th Anniversary of the Sewaren Free Public Library. Its continued service to the community is truly deserving of this body's recognition.

HONORING THE LIFE OF LARRY MCKINLEY

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. RICHMOND. Mr. Speaker, I rise today to honor the life and legacy of Larry McKinley, a New Orleans radio personality and music promoter who for decades tirelessly promoted our city's cherished Jazz music. Mr. McKinley recently passed away and while today I am saddened by his passing, I wish to pay tribute to Mr. McKinley and his passion towards a beautiful and beloved art form.

Born in Chicago, Illinois, Mr. McKinley attended the Columbia College of Broadcasting before moving to New Orleans in 1954. By the end of his first decade in New Orleans, he became one of the most influential deejays in the city. During the formative years of his illustrious career, he earned national notoriety for his distinguished musical taste. Atlantic Records' executives credit Mr. McKinley for the success of Ray Charles 1959 hit "What'd I Say" the label's best-performing song of the era.

In 1959, Mr. McKinley founded Minit Records alongside Joe Banashak, a local record-business veteran. He also promoted local concerts by such musical superstars as James Brown, Sam Cooke, and the Jackson 5. Whenever possible, he shined a spotlight on the talented New Orleans musicians broadening their exposure and helping them ascend in the music business.

For these and countless other achievements Mr. McKinley was introduced into the Black Radio Hall of Fame, the Louisiana Music Hall

of Fame, and awarded an OffBeat Magazine Best of the Beat Music Business Award. The passion and commitment Mr. McKinley dedicated to the national treasure that is R&B and Jazz Music inspires us all. I want to join his family, the people of New Orleans, and the music industry in celebrating the life of this exceptional citizen.

HONORING CONCEPCION MORON, A WORLD WAR II HERO

HON. FILEMON VELA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. VELA. Mr. Speaker, I rise today to honor Private First Class Concepcion G. Moron and his bravery during World War II.

Private First Class Concepcion G. Moron of the 304th Infantry Regiment of the United States Army heroically distinguished himself in combat in Germany on April 1, 1945. While advancing upon the town of Steinfischbach, Private Moron's company faced enemy fire from nearby woods. Private Moron led his squad through the woods as they encountered heavy machine gun fire. Private Moron, risking his own life, fired upon the enemy gunners, killing one and forcing two additional to surrender. This courageous act is in keeping with the highest traditions of the Armed Forces.

For these acts of bravery and heroism, Mr. Moron was awarded the Bronze Star Medal for meritorious achievement in ground combat against an armed enemy during World War II in the European Theater of Operations.

On behalf of those whose lives he saved, I rise to recognize the exemplary service of Concepcion G. Moron.

RECOGNIZING JOHN HERBER AS PEOPLE MAGAZINE'S TEACHER OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to congratulate Mr. John Herber of Northwest Florida for being named "Teacher of the Year" by People Magazine. Mr. Herber was one of only six teachers throughout the United States that was bestowed this honor. For fifteen years, Mr. Herber has been an inspiration to his students, his colleagues, and his community, and I am pleased to recognize his commitment and dedication to molding the minds of our Nation's future leaders.

A native of Tomahawk, Wisconsin, Mr. Herber earned his teaching degree from the University of West Florida in Elementary Education. Ever since, his passion for education has only grown, along with the tremendous impact he has made on the Northwest Florida community. Mr. Herber has served the students and families of Escambia County, Florida at Lincoln Park, Warrington, Brentwood, and Weis Elementary Schools. For the past seven years, he has taught fifth-graders at Oakcrest Elementary School.

Mr. Herber creates an enjoyable environment for learning. His classroom, adorned with science experiments, is evidence of his unique hands-on approach. His pupils' enthusiasm and passion for learning are a testament to Mr. Herber's talent and leadership. Outside of the classroom, Mr. Herber dedicates time on the football field as a school football coach. There is no question that the amount of time and energy Mr. Herber invests in the school and his students has contributed to the school's high ratings and improved student performance.

The superb quality and effectiveness of the schools in Northwest Florida can no doubt be credited to educators like Mr. Herber. He understands the invaluable role teachers serve in the lives of their students, and blessed with the support of his wife Sammi, he possesses an unwavering commitment to excellence.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize John Herber's achievements in teaching and elementary education. My wife Vicki and I wish Mr. Herber and his wife continued success.

PERSONAL EXPLANATION

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. REICHERT. Mr. Speaker, on rollcall No. 631, I was unable to cast my vote for rollcall No. 631 because my flight from Seattle was delayed.

Had I been present, I would have voted "yes."

CONGRATULATING GREENBRIAR ELEMENTARY SCHOOL ON BEING NAMED A BLUE RIBBON SCHOOL

HON. BRADLEY S. SCHNEIDER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. SCHNEIDER. Mr. Speaker, I rise today to honor Greenbriar Elementary School in Northbrook, Illinois, in the district I represent. This outstanding educational institution has been recognized as one of only 286 Blue Ribbon schools in the entire country.

This is the first National Blue Ribbon distinction that Greenbriar has earned, one of 21 awarded in the state, one of four awarded to schools in Illinois's Tenth District and one of three in Northbrook.

Good education is the foundation of any community, and it is essential to our success in the 21st Century. At any of Northbrook's Blue Ribbon Schools, you will find some of the nation's finest schools, filled with eager and curious students and passionate and engaging teachers. In Illinois's Tenth District, our communities are strong, in part, because of excellent educational institutions like this.

It is at schools like Greenbriar where students are engaged and encouraged to explore their interests. Here, the wide array of literature, language and math programs challenge students and help them expand their minds.

With schools like Greenbriar, Tenth District students are building foundations for success in this ever-changing, competitive 21st Century.

The education Greenbriar Elementary School students receive not only helps position them for future success, but also prepares them for a lifetime of learning.

Mr. Speaker, I am so pleased to honor Greenbriar Elementary School here today, and I am so proud to have such excellent schools in the Tenth District. I congratulate Greenbriar once again on receiving this distinguished award.

PERSONAL EXPLANATION

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. AL GREEN of Texas. Mr. Speaker, today I was participating in a Congressional Delegation trip to South Africa to honor the life and legacy of President Nelson Mandela and missed the following votes:

1. H.R. 3521—The Department of Veterans Affairs Major Medical Facility Lease Authorization Act of 2013, as amended. Had I been present, I would have voted “yes” on this bill.

2. H.R. 1402—VA Expiring Authorities Extension Act of 2013, as amended. Had I been present, I would have voted “yes” on this bill.

RECOGNIZING ROSLYN M. BROCK

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. MEEKS. Mr. Speaker, Roslyn M. Brock is Chairman of the National Board of Directors for the National Association for the Advancement of Colored People (NAACP). She made history in February 2010 when she was unanimously elected as its 14th Chairman. She is the youngest person and fourth woman to hold this position.

Brock is currently employed as Vice President, Advocacy and Government Relations for Bon Secours Health System, Inc., in Marriottsville, Maryland. Prior to working at Bon Secours, Brock worked 10 years in health programs at the W. K. Kellogg Foundation in Battle Creek, Michigan.

She graduated magna cum laude from Virginia Union University; earned a master's degree in health services administration from George Washington University, an MBA from the Kellogg School of Management at Northwestern University and a Master of Divinity degree from the Samuel DeWitt Proctor School of Theology at Virginia Union University. In May 2010, she received an honorary doctorate degree from Virginia Union University.

Brock has been a servant leader with the NAACP for more than 27 years. She is a Diamond Life Member of NAACP and joined the Association as a freshman at Virginia Union University where she was elected President of the Youth and College Division from the Com-

monwealth of Virginia. One year later, she was elected as a Youth Board Member from Region 7 representing the District of Columbia, Maryland and the Commonwealth of Virginia. In 1988 as Vice Chairman of the NAACP Board Health Committee, her advocacy for quality, accessible and affordable health care for vulnerable communities resulted in the National Board's mandate of a health committee for all units in its Constitution. In 2012, she initiated and led the Board's historic policy decision to support marriage equality and to implement The Black Church and HIV: The Social Justice Imperative.

An expert grant writer, Brock has secured millions in philanthropic support for the NAACP. From 1999–2010, Brock chaired the NAACP's National Convention Planning Committee. In this role, she led the Committee to institute fiscal policies that resulted in the Annual Convention becoming a profit center for the Association with average yearly net revenues of one million dollars. For nine years (2001–2010) she served as Vice Chairman of the NAACP National Board. In 2005, Brock created the NAACP Leadership 500 Summit. The Summit's goal is to recruit, train and retain a new generation of civil rights leaders to the NAACP. Since its inception, Leadership 500 has contributed more than \$1.5m to the NAACP to support its civil rights programs.

Brock is a member of the Board of Trustees of The George Washington University, Kellogg Global Advisory Board, American Public Health Association, American College of Health Services Executives, Association of Healthcare Philanthropy, Alpha Kappa Alpha Sorority, The LINKS and a former Trustee of the Catholic Health Association of the United States of America.

Brock's leadership skills have been recognized by several national publications and organizations. In 2012, she was the convocation speaker at the Kellogg School of Management, Northwestern University and featured as the February 6, 2012 NBC Universal iVillage Woman of the Week. Brock was awarded the 2011 Distinguished Alumni Achievement Award by The George Washington University; the September 2010 issue of Essence magazine listed her among the “40 Fierce and Fabulous Women Who Are Changing the World”; Black Entertainment Television's (BET) 2010 “Black Girls Rock,” honored her in its inaugural broadcast and she received the 2010 National Urban League's Women of Power Award.

Brock participated in the 2008 U.S. Department of Defense's 75th Joint Civilian Orientation Conference (JCOC) reserved for American leaders interested in expanding their knowledge of the military and national defense. She was a guest lecturer on “Alleviating Global Poverty” in Rome, Italy at the 2007 Martin Luther King, Jr. Conflict Resolution Conference. From 2003–2005, Brock was a Young Leaders Fellow with the National Committee on U.S.-China Relations to build cross-cultural understanding and professional networks with young Chinese leaders.

Brock's goal in life is embodied in an African proverb, “Care more than others think is wise, Risk more than others think is safe, Dream more than others think is practical, and Expect more than others think is possible.”

ON THE INTRODUCTION OF THE REDUCING LONG-TERM UNEMPLOYMENT ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Ms. NORTON. Mr. Speaker, I rise today to introduce the Reducing Long-Term Unemployment Act, to address one of the lingering workforce tragedies resulting from today's economy—our long-term unemployed—and to spur economic growth. While millions of Americans are unemployed, my bill targets those particularly hard hit by unemployment. In November 2013, the number of long-term unemployed (those jobless for 27 weeks or more) was 4.1 million, which accounted for 37.3 percent of the total unemployed population.

To make matters even worse, the unemployed now face employment discrimination and employers are reluctant to hire the long-term unemployed because of the length of their unemployment. Therefore, my bill provides a necessary incentive—a \$5,000 tax credit for employers against their payroll tax liability for each (net) new long-term unemployed person they hire. The tax credit is large enough to give employers an incentive to increase hiring and wages, which would inject demand into the economy. The credit would be available to the broadest base of employers because every employer—government, non-profit and for-profit—pays payroll taxes, and employers could claim the credit on a quarterly rather than annual basis. According to the independent, non-partisan Congressional Budget Office, the proposal would “increase both output and employment,” through four mechanisms: (1) with lower employment costs, employers would reduce the costs of their products and services, which, in turn, would first boost sales and then hiring and hours worked; (2) employers would pass on some of the tax savings to employees in the form of higher wages or other compensation, which, in turn, would increase employees' purchasing power; (3) higher profits would lead to higher stock prices for public companies, increasing shareholders' wealth and therefore their willingness to spend; and (4) with lower employment costs, employers would increase hiring. The bill has safeguards to prevent employers from gaming the system, including denying a credit to an employer that fires one employee and hires a replacement.

For some time, it has been clear that policies to address today's unusually stubborn unemployment need to be targeted in order to be effective. Without significant targeting, the long-term unemployed are in danger of becoming permanently unemployed. This group deserves better. The long-term unemployed are also at risk for losing their unemployment benefits without an extension of the Emergency Unemployment Compensation program before December 28, 2013. I ask the House of Representatives to support this bill because it targets this too-often neglected group of Americans.

PERSONAL EXPLANATION

HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mrs. MCCARTHY of New York. Mr. Speaker, I was unavoidably absent during the week of December 2nd 2013. If I were present, I would have voted on the following.

Monday December 2, 2013: rollcall No. 612: On Motion to Suspend the Rules and Pass H.R. 3547, "yea"; rollcall No. 613: On Motion to Suspend the Rules and Pass H.R. 3588, "yea"; rollcall No. 614: On Approving the Journal, "aye."

Tuesday December 3, 2013: rollcall No. 615: On Motion to Suspend the Rules and Pass H.R. 255, "yea"; rollcall No. 616: On Motion to Suspend the Rules and Pass, as Amended H.R. 2719, "yea"; rollcall No. 617: On Motion to Suspend the Rules and Pass, as Amended H.R. 1204, "yea."

Wednesday December 4, 2013: rollcall No. 618: On Ordering the Previous Question, H. Res. 429, "nay"; rollcall No. 619: On Agreeing to the Resolution, H. Res. 429, "nay"; rollcall No. 620: On Agreeing to the Amendment, H.R. 1105, "yea"; rollcall No. 621: On Motion to Recommit with Instructions, H.R. 1105, "aye"; rollcall No. 622: On Passage, H.R. 1105, "aye."

Thursday December 5, 2013: rollcall No. 623: On Agreeing to the Amendment, H.R. 3309, "aye"; rollcall No. 624: On Agreeing to the Amendment, H.R. 3309, "aye"; rollcall No. 625: On Agreeing to the Amendment, H.R. 3309, "No"; rollcall No. 626: On Agreeing to the Amendment, H.R. 3309, "aye"; rollcall No. 627: On Agreeing to the Amendment, H.R. 3309, "aye"; rollcall No. 628: On Agreeing to the Amendment, H.R. 3309, "No"; rollcall No. 629: On Passage, H.R. 3309, "aye."

IN RECOGNITION OF THE 25TH ANNIVERSARY OF CRAVINGS BAKERY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Cravings Bakery of Allenhurst, New Jersey on its 25th Anniversary. Cravings Bakery continues to provide quality products and outstanding customer service to the local community.

Wanting to share her passion for cookies with others, Jan Walker opened Cravings Bakery in the fall of 1988. She met her husband, Stu Kramer, while working at the bakery through his aunt, a customer. Less than a year later they were married, and they've been working in the bakery together ever since.

The bakery offers a variety of homemade baked goods, including cookies, muffins, scones, danish, brownies, cakes and pies. It also offers coffee, cappuccino and lattes, which are enjoyed by a group of regular customers known as the "Coffee Clatch."

Its exceptional desserts and service make Cravings Bakery a premier establishment for

the Allenhurst and surrounding communities to enjoy. For 10 years in a row, Cravings Bakery was voted "Best Desserts" in Monmouth and Ocean Counties by the readers of the Asbury Park Press.

Mr. Speaker, once again, please join me in congratulating Cravings Bakery on its 25th Anniversary. Jan and Stu's hard work and commitment to quality are truly deserving of this body's recognition.

REFORMING OUR BROKEN
IMMIGRATION SYSTEM**HON. RUSH HOLT**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. HOLT. Mr. Speaker, the time to reform our broken immigration system is long overdue. Our system does not meet the needs of families or businesses. I have met with people throughout our district to understand what our uneven, unfair, and unjust immigration system costs our businesses, our families, and our society at large—a cost to our national ideals, as well as a cost in dollars and cents. I have joined the group of dedicated activists who have for nearly a month been fasting on the National Mall, in the shadows of the Capitol, to call attention to the plight of the 11 million individuals who are Americans but for a piece of paper. The time is now to bring them out of the shadows.

My colleagues may have noticed, as have various advocacy groups, that I have not signed on as cosponsor of H.R. 15, the legislation that has recently taken shape as the leading immigration reform bill. The fact of the matter is that we can, and we should, do better. I do support strongly the legislation authored by my friend and colleague from Arizona, Representative RAÚL GRIJALVA. It is a strong, progressive approach to reforming our broken system.

In fact, the Grijalva bill is superior to H.R. 15. It targets and prioritizes border enforcement in an intelligent way to where and how it is needed most—to protect us from serious criminals and terrorist threats. It improves conditions for immigrant detainees and protects family unity by prohibiting separation of families with children. It protects workers' rights and keeps immigration enforcement in the hands of the appropriate authorities—the federal government, not local police.

Whatever legislative vehicle immigration reform takes, it must contain a legal, controlled pathway to citizenship for the undocumented immigrants who keep our economy moving and to repair a tear in our social fabric. It must promote family reunification by reducing two decade-long family backlogs and reuniting spouses, parents, and children to together pursue the American Dream. It must build on the success of President Obama's Deferred Action program and incorporate DREAMers—those who were brought to the U.S. at a young age through no wrongdoing of their own—into the mainstream of American society so they can continue to make beneficial contributions not only to our economy, but to our diverse society. It must satisfy the needs of

American employers. And it must ensure smart, targeted, and reasonable immigration enforcement that protects American society from serious criminals and real threats.

H.R. 15 is not the bill I would have written—nor do I believe it is the bill that will ultimately become law—do not want to appear to be delaying reform. I call upon Speaker BOEHNER and the Republican leadership to immediately bring to the floor for our consideration legislation to reform our immigration laws.

When it comes to something as important as fixing our broken immigration system, we should not settle for less than the American people deserve.

CONGRATULATING KATHY LONG

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Ms. BROWNLEY of California. Mr. Speaker, today, I rise to recognize Ventura County Supervisor Kathy Long, a long-standing community leader whose commitment to Ventura County has been immeasurable over the years.

Currently serving her fifth term as Supervisor to Ventura County's 3rd District, Kathy's dedication to the residents of Ventura County is reflected in her extensive work as a public servant. Since first being elected to the position in 1996, Kathy has made it her mission to strengthen our economy, ensure a sustainable environment, and create a safe community for all families. Her lengthy career in public service shows her unwavering passion for representing Ventura County and its residents, as well as always advocating for the region's best interests.

Kathy's lifelong work has always embodied the true definition of dedication, public service and community. She currently serves as the Board of Supervisor's representative on the Economic Development Collaborative of Ventura County where her efforts focus on the economic development of Ventura County through the attraction, preservation and expansion of local businesses. Kathy was most recently elected as their Board of Directors Chair for 2013.

Over her career of more than 16 years as Supervisor, Kathy has taken on many leadership positions and has effectively represented our community's needs and prosperity. She served as Chair of the Board of Supervisors in 2000, 2005, and 2010.

To honor all that she has done for Ventura County including her extensive work and advocacy for a strong and vital economy, the Ventura and Santa Barbara Counties Chambers of Commerce Alliance has recognized Kathy with the Lawmaker of the Year Award. This is a fitting and well-deserved accolade that represents the caliber of work that Kathy performs on a daily basis. Kathy's pledge to the economic vitality of Ventura County and the strengthening of our workforce makes her a fitting recipient of this honorable recognition.

I have personally known Kathy for many years and I am pleased to join the Ventura and Santa Barbara Counties Chambers of

Commerce Alliance in honoring my friend and colleague, Supervisor Kathy Long.

THE PASSING OF ARMY STAFF
SERGEANT LONDON LEO
HENSCHIED

HON. JASON CHAFFETZ

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. CHAFFETZ. Mr. Speaker, I rise today to honor a dedicated soldier and young patriot who survived his war injuries, but died tragically after a protracted battle with cancer. Army Staff Sergeant Landon Leo Henscheid of Alpine, Utah, was initially paralyzed from injuries he received while serving as a field medic in Afghanistan. Subsequent surgery for those injuries relieved his paralysis, but revealed cancer in his spine. For 18 months, the 24-year-old soldier fought valiantly, but ultimately lost his battle with cancer on Pearl Harbor Day.

Staff Sgt. Henscheid loved serving as a field medic and caring for those with whom he served. He had a tremendous capacity to love other people. He developed strong bonds with the men and women in his unit—bonds which lasted long after their deployments ended. Upon their return from deployment, friends knew they were welcome at the Henscheid home, where at one point a few of them lived in an RV in the driveway that Henscheid's father called, "The Barracks."

Always a fan of a good adrenaline rush, Staff Sgt. Henscheid did not fear danger. According to his mother, he loved driving fast—whether he was on his motorcycle, his 4-wheeler or a boat. He loved jumping out of airplanes. Just before deploying, he even bungee jumped from the Las Vegas Stratosphere. His plans for the future included serving in Special Operations.

Staff Sgt. Henscheid is fortunate to come from a remarkable family whose sacrifices on his behalf—and on behalf of the United States of America—deserve our heartfelt gratitude. The Henscheid family cared for three Wounded Warrior sons—two of their own sons and a son-in-law. They also welcomed into their home other young men who served beside their own sons, providing both physical and emotional support as these brave young men acclimated to post-war life and dealt with their invisible injuries. All of Staff Sgt. Henscheid's immediate family went to great lengths to be with him during his battle with cancer. His mother relocated to Maryland from Utah to assist him. His oldest brother, Cody, a recipient of the Combat Action Badge, Bronze Star Medal w/V device and Purple Heart due to his 2006 injuries in Afghanistan, visited along with his wife Teera. They lived in North Dakota at the time. His sister Rheanna, whose husband Jacob Henry also sustained injuries while serving in Army Civil Affairs in Afghanistan, made the trip from Elko, Nevada. And his

youngest brother Hayden and wife Lexi took multiple trips to Maryland from their home in North Dakota to help provide support and care.

In addition, Staff Sgt. Henscheid enjoyed the love and support of the men who had lived with his family upon their return home from deployments and became like brothers. In particular, Benjamin Judd, who served in Iraq with Cody; Brian Jones, who also served in Iraq with Cody and again in Afghanistan with Landon; and Jacob Henry, who served on Landon Henscheid's first tour and eventually married his sister.

We honor the tremendous personal sacrifice of Staff Sgt. Henscheid's family. He leaves behind his parents, Don and Janet Henscheid, two brothers and a sister. In addition, he leaves behind many of his military brothers who were like family to him.

The contributions of this great American family reflect the tremendous spirit of service and sacrifice that have for so long preserved our freedom. I wish to honor the Henscheid family's example of selfless service and commitment to family.

Today, I ask all Members of Congress to join me as we honor the life and legacy of Staff Sgt. Landon Henscheid, as well as the sacrifices of his and other families across this great nation. We can never repay them the debt we owe for their efforts to protect our freedom.

RECOGNIZING CLARENCE TODD
TAYLOR

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize the life of Clarence Todd Taylor of Urbana, Illinois. Mr. Taylor has been a cornerstone of the Champaign-Urbana community for decades.

He was born on September 21st, 1961 and found his life's passion only a few short years later. That passion, was music.

Clarence was an avid celloist, pianist, organist, and accompanist.

He shared his passion and skill with aspiring musicians and singers, always desiring to be a strong role model and mentor.

Clarence was the Minister of Music at Salem Baptist Church and Music Director at The Church Of The Living God. He was also involved with the Urbana school district and countless other musical groups throughout his lifetime.

He saw music as a way to share and express his love for his savior, Jesus Christ.

Mr. Taylor loved only two things more than music, God and his family. He leaves behind a wife and ten wonderful children as well as countless other family members and friends.

In Clarence's obituary it said that Heaven must have needed an accompanist. Well, they

got a great one. But, Heaven also got a warm, humble, and loving man who always put others before himself.

Clarence will be missed dearly. My thoughts and prayers go out to his family, friends, and community. May God eternally enjoy his music.

PERSONAL EXPLANATION

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. REICHERT. Mr. Speaker, on rollcall No. 630, I was unable to cast my vote for rollcall No. 630 because my flight from Seattle was delayed.

Had I been present, I would have voted "yes."

HONORING THE PICAYUNE HIGH
SCHOOL STATE CHAMPIONSHIP
FOOTBALL TEAM

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 12, 2013

Mr. PALAZZO. Mr. Speaker, I would like to take this opportunity to recognize a group of young men from Picayune, Mississippi who have fought tirelessly at reaching their goal of becoming Mississippi's 5A State Champions. I'm referring to Picayune Panthers High School football team.

The leadership of a dedicated coaching staff paired with the commitment from tremendous student athletes, the Panthers overtook their opponents with a final score of 42–35, earning them the state title and ending their winning season with a record of 12–2.

This team calls themselves "The Maroon Tide" and for good reason. These student athletes face hardships, physically and mentally, in balancing their school work, attending countless practices, and spending time with their families. As a student athlete, I remember how exhausting it was to come home late from a long day of practice, but only the best memories come to mind when the hard work paid off, as it has for this team.

All tides rise and fall, all leaders face hardships. But no matter how far a tide strays from shore, it always rises to the occasion, just as this team has done.

It is a privilege to represent these young men in the House of Representatives and my pleasure to congratulate them on their outstanding accomplishment of bringing home the state title. The Picayune High School Varsity Football team is the epitome of a successful team.

SENATE—Sunday, December 15, 2013

The Senate met at 1 p.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Almighty God, thank You for Your love that never gives up on us. Bless our lawmakers today, guiding their thoughts, words and actions. Lord, inspire them to live as Your servants, always striving to honor You through their labors. May they conduct themselves in a manner worthy of the sacrifice You have made for their salvation. Empower them to continue to grow in knowledge and understanding so that they will be instruments for Your glory. Continue the work You have begun in them until it is finally finished.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 15, 2013.

To the Senate:

Under the provisions of Rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. WARNER thereupon assumed the Chair as Acting president pro tempore. The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2014

Mr. REID. I ask the Chair to lay before the Senate a message from the House with respect to H.J. Res. 59.

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the House, as follows:

Resolved, that the House recede from its amendment to the amendment of the Senate to the resolution (H.J. Res. 59) entitled, "A joint resolution making continuing appropriations for fiscal year 2014, and for other purposes," and concur with a House amendment to the Senate amendment.

Mr. REID. Mr. President, I move to concur in the House amendment to the Senate amendment to H.J. Res. 59.

The ACTING PRESIDENT pro tempore. The clerk will report the motion to concur.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the House amendment to the Senate amendment to H.J. Res. 59.

CLOTURE MOTION

Mr. REID. Mr. President, I offer a cloture motion.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.J. Res. 59, the Bipartisan Budget Act.

Harry Reid, Patty Murray, Max Baucus, Mark Begich, Barbara Boxer, Richard Blumenthal, Tom Udall, Debbie Stabenow, Sheldon Whitehouse, Claire McCaskill, Mazie Hirono, Christopher A. Coons, Jon Tester, Brian Schatz, Martin Heinrich, Joe Donnelly, Heidi Heitkamp, Kirsten E. Gillibrand.

AMENDMENT NO. 2547

Mr. REID. Mr. President, I move to concur in the House amendment to the Senate amendment to H.J. Res. 59, with an amendment.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the House amendment to the Senate amendment to H.J. Res. 59, with an amendment numbered 2547.

The amendment is as follows:

At the end, add the following:

This joint resolution shall become effective 1 day after enactment.

Mr. REID. I ask for the yeas and nays on the motion.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2548 TO AMENDMENT NO. 2547

Mr. REID. I have an amendment which is at the desk.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2548 to the instructions to amendment No. 2547.

The amendment is as follows:

In the amendment, strike "1 day" and insert "2 days".

MOTION TO REFER WITH AMENDMENT NO. 2549

Mr. REID. I move to refer the House message with respect to H.J. Res. 59 with instructions.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to refer the House message on H.J. Res. 59 to the Committee on the Budget with instructions to report back with the following amendment, No. 2549.

The amendment is as follows:

At the end, add the following:

This joint resolution shall become effective 3 days after enactment.

Mr. REID. I ask for the yeas and nays on that motion.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2550 TO AMENDMENT NO. 2549

Mr. REID. I have an amendment to the instructions.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2550 to the instructions of the motion to refer of amendment No. 2549.

The amendment is as follows:

In the amendment, strike "3 days" and insert "4 days".

Mr. REID. I ask for the yeas and nays on that amendment.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2551 TO AMENDMENT NO. 2550

Mr. REID. I have a second-degree amendment.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2551 to amendment No. 2550.

The amendment is as follows:

In the amendment, strike "4 days" and insert "5 days".

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

Mr. REID. I ask the Chair to lay before the Senate a message from the House with respect to H.R. 3304.

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the House as follows:

Resolved, that the House concur in the Senate amendment to the title of the bill (H.R. 3304) entitled "An Act to authorize and request the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor.", and be it further

Resolved, that the House concur in the first three Senate amendments to the text of the aforementioned bill, and be it further

Resolved, that the House concur in the fourth Senate amendment to the text of the aforementioned bill, with an amendment.

Mr. REID. I move to concur in the House amendment to the Senate amendment to H.R. 3304.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the House amendment to the Senate amendment to H.R. 3304.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 3304, the Department of Defense Authorization Act for fiscal year 2014.

Harry Reid, Carl Levin, Patty Murray, Joe Donnelly, Christopher Murphy, Christopher Coons, Jon Tester, Tom Udall, John Rockefeller, Thomas Carper, Debbie Stabenow, Joe Manchin, Angus S. King, Jr., Mazie Hirono, Martin Heinrich, Bill Nelson, Max Baucus.

AMENDMENT NO. 2552

Mr. REID. I move to concur in the House amendment to the Senate amendment to H.R. 3304, with an amendment.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to concur in the House amendment to the Senate amendment to H.R. 3304 with an amendment numbered 2552.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

Mr. REID. I ask for the yeas and nays on my motion.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2553 TO AMENDMENT NO. 2552

Mr. REID. I have an amendment that I ask the Chair to order reported.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2553 to the instructions of amendment No. 2552.

The amendment is as follows:

In the amendment, strike "1 day" and insert "2 days".

MOTION TO REFER WITH AMENDMENT NO. 2554

Mr. REID. I now move to refer the House message with respect to H.R. 3304 with instructions.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to refer House message on H.R. 3304 to the Committee on Armed Services with instructions to report back with the following amendment numbered 2554.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

Mr. REID. I ask for the yeas and nays on that matter.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2555 TO AMENDMENT NO. 2554

Mr. REID. I have an amendment to the instructions.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2555 to the instructions of the motion to refer of amendment No. 2554.

The amendment is as follows:

In the amendment, strike "3 days" and insert "4 days".

Mr. REID. I ask for the yeas and nays on that amendment.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2556 TO AMENDMENT NO. 2555

Mr. REID. I have a second-degree amendment at the desk.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2556 to amendment No. 2555.

The amendment is as follows:

In the amendment, strike "4 days" and insert "5 days".

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FLOOR ACTION

Mr. ENZI. Mr. President, we are here today dealing with a non-essential distraction from the issues our country should be dealing with. None of these nominees need to be confirmed right now. Rather, we should be dealing with the problems we see each day. I talked about two of the biggest problems we face last Wednesday: Obamacare and our debt and deficit. I want to expand on those matters and discuss some of the other things we should be addressing.

We are here today dealing with a non-essential distraction from the mounting Obamacare problems. None of these nominees need to be confirmed right now. Rather, we should be dealing with the problems we see each day of how the health care law will fail to live up to the promises made by the administration. We must repeal this law, because as these reports demonstrate, it is bad for consumers and bad for small businesses. The outcry of millions of people who lost health care plans they were told they could keep forced President Obama to admit that he broke his promise. He then announced a new initiative that he said would really allow people to keep their existing health insurance plans this time—for a short time.

This isn't true either because for one thing he doesn't have the power under the Constitution to rewrite or ignore laws passed by Congress. It would also mean he would have to be willing to ignore a 2010 administration regulation that has prevented insurers from continuing to offer insurance for millions of individuals and small businesses. That's right, at the same time the President was promising out of one side of his mouth that people could keep their health insurance, the other side was approving rules that would make that impossible.

And everyone who was in the Senate at the time knew it. It was right there in the Federal Register and written by

the President's own administration. Congress knew and the administration knew the President was not telling the truth, but kept making the promise anyway.

When one party has 60 votes in the Senate, the minority party is very limited in what it can do. There are few exceptions to the majority leader's control. He decides what the Senate can debate and vote on. Through parliamentary manipulation he can also block amendments.

One sure way to inject something not approved by the majority leader is to find an offensive regulation and petition the Senate for a debate and a simple majority vote. I did that in 2010. One catch is that has to be acted upon within 60 days of the regulation's publication in the Federal Register. Miss that date and it can't be brought up again. Lose the vote and the opportunity is also gone. That's an opportunity Democrats in the Senate squandered. Every single one voted to defeat my resolution and many ridiculed the effort. Over the next few months their constituents are going to make them answer for this.

I have fought against the new health care law for the past 4 years because I knew that there was no way the President could keep all of the promises he was making about how the law would affect average Americans. As an accountant and former small business owner, I understood that you cannot mandate that everyone must purchase gold-plated health insurance plans without increasing costs and causing millions of people to lose their existing insurance plans.

But wait. There is more. If you can't keep the health plans that you like, then you are going to have a tougher time keeping the doctors and hospitals you like. Get ready for the next wave of disappointment and frustration when expectations created by this President and his PR machine come crashing up against the harsh reality of the real world. Obamacare casualties will continue to grow even as this President launches media blitz after media blitz in attempt to convince people that higher premiums, worse coverage and a bigger debt for this country is a good thing.

During the health care debate, the President and his Congressional allies also promised that the new health care law would reduce health insurance premiums for American families. I and my colleagues argued that rather than saving money, the new law would instead drive up the costs of insurance for millions of families.

Disastrous planning and implementation of the healthcare.gov website have made it difficult for Americans to learn just how much this partisan law has driven up costs. People are starting to learn how much their premiums are increasing, and the more they do the

more people will not appreciate how the President's promise failed to reflect the reality of the new health care law.

The President and his allies also promised that the new law would improve the economy and protect Medicare beneficiaries. We now know that small businesses across the country are not hiring new workers because of the impact the health care law will have on their bottom lines. In addition, millions of Medicare beneficiaries face reductions in their existing benefits as a result of the \$500 billion that was taken from Medicare to fund the new law.

It is not quite 2014 yet and most of the 2,700 pages of the new law haven't gone into effect. But each day it seems there is a new breaking story about what a debacle this health care law is turning out to be.

I received a letter from Jessica in Laramie who explains how this health care law is negatively affecting her. Jessica's "catastrophic" health care plan as a single adult, according to healthcare.gov, is \$297 per month. This is with the premium support from the Federal Government. I repeat, this is with the subsidy. The University of Wyoming health insurance rate for a semester is \$452. That's over the course of 4 months. The university's rate is nothing new. It has been available to students long before the Democrats forced their health care disaster through Congress. Today, Jessica's premiums would cost more than any of her medical bills to date. Jessica recently fractured her foot, a very common injury, and this cost her less than \$300 in medical bills. Jessica's mother also works for the State government, and has a health care through the state. However, even though she is under the age of 26, Jessica is not allowed to join her mother's insurance plan. This is yet another example of a broken promise from the Obama administration. The President's flawed health care bill is a raw deal for our students, and for our Nation. Jessica said, "It feels like the government is punishing everyone for the few people who have health bills worth more than a house. It isn't remotely fair."

Karen from Cody contacted me because her construction company had to drop their Blue Cross Blue Shield health insurance plan. Why is this? The President's flawed health care plan mandates health care coverage for full time employees that work more than 90 days for the company. The company was already providing health care plans for their employees, and now these folks can't keep their health care plan they liked. Their employees are mostly young Americans and are trying to make their budgets work. They couldn't afford to sign up for health care plans that would reduce their pay. As a result, all of her employees will have to seek individual policies in 2014.

Karen also said there is a lack of information on insurance plans. She doesn't know what doctors and medical facilities will be included or even available in any health insurance plan next year. Karen is upset. I am upset, too.

It is time for Congress to heed the calls of the majority of Americans and repeal this partisan law, but that won't happen unless ordinary Americans continue to speak out and demand those who brought them Obamacare keep their promises—all of them.

I also want to talk about the recently announced Murray/Ryan budget legislation. I had hoped we would have an open process to finally come up with a solution to our Nation's spending problems, but that didn't happen. Instead, we have another backroom deal put together by two members that is bad for our country. It increases spending and shows that one thing some Democrats and Republicans can agree on is putting off hard decisions.

This plan spends more than current law. It charges people and States more for things and uses the money to increase spending in non-related areas. Spending cuts are scheduled for outlying years and the so-called "savings" are used up right away. It isn't real.

This bill has a lot of problems. It again raises rates for premiums that private companies pay the Federal Government to guarantee their pension benefits. Raising premiums for all companies participating in PBGC is effectively a tax increase. Moreover, this money isn't going to shore up PBGC. The "savings" that these rate increases generate will be spent on other Federal discretionary programs. And employers are still in the process of implementing a \$9 billion rate increase to pay for highways per last year's transit bill. To put it simply, over 2 years the flat-rate premium will have increased 40 percent and over 3 years, the variable-rate premium will have increased over 100 percent. This is a huge tax that will cause companies to end their voluntary pension and retirement plans. These pensions are completely voluntary and if the cost to keep them goes up, companies may have to re-evaluate. Workers and their families will be forced to find other ways to save for retirement due to this increased "tax" on companies.

Under this budget deal, they are also again telling Wyoming, Montana, Utah, Colorado, New Mexico and other States that allow for the production of minerals on their lands that the Federal Government deserves more than half of the revenues. Under Federal law, States are entitled to half of the royalties collected by the Federal Government for energy production on their lands. To distribute the State share, the law intends for the Minerals Management Service to divide the amount of mineral royalties collected by two, write a check for that amount, and

mail it to the States. But an even split is not enough under the new budget bill. In an attempt to satisfy an insatiable appetite for spending, the budget bill's plan is to take more money away from our States, about \$40 million every year. This is money that our State governments use for roads, health care, education for our children, and more efficient and environmentally-friendly development of our energy resources. It is money that finds its way directly to the people, not down some bureaucratic black hole. A disproportionate share of this funding—about \$20 million—comes from my home State of Wyoming, which supplies a disproportionate share of energy to our country. Yet the Federal Government still wants more. Unlike bureaucrats, we answer to our constituents. Mine are telling me they don't want the Federal Government to take any more of our State's money. I am sure yours will tell you the same thing, either now or later.

Worst of all, the so-called budget conference committee for all practical purposes did not exist. The agreement was the sole product of one House member and one Senate member. I sat on the conference committee and I can tell you that I learned the particulars of the deal at the same time as the public. We were not part of the process or negotiations. This is a symptom of the abandonment of the committee process. Instead of Representatives and Senators offering constructive amendments and debating spending bills in public, a couple people and their staff sit in a room and then present a take-it-or-leave-it deal right before a holiday or manufactured crisis deadline.

This is not the way to operate. We have to start legislating and stop deal-making. I had hoped we could make a small move in that direction with this conference committee because I have several ideas for how to keep us out of the situation we were just in—the government shutdown and whether and to what extent to raise the debt limit—and make reasonable, but real, progress on our deficits and debt. I have a penny plan, a proposal on biennial budgeting, some relevant amendments for spending bills, the End Government Shutdowns legislation, forced prioritization for spending cuts, and tax reform.

My penny plan cuts overall spending by 1 percent for 2 years and balances the budget so that we don't have to raise the debt ceiling. We have to stop spending more than we take in and find a way to start paying down the \$17 trillion—and growing—debt. The penny plan doesn't mandate any specific cuts. Congress would have the authority to make targeted cuts and focus on the worst first, but would be required to meet the 1 percent overall cut. Everything would be on the table. And I would argue that we should focus on

identifying and eliminating all of the wasteful spending that occurs in Washington before we look to other important programs and services. Let's not make the cuts hurt. Let's be smart about the spending cuts and prioritize how we spend taxpayers' dollars.

My biennial appropriations bill would allow for each of the appropriation bills to be taken up over a 2-year period, with the more controversial bills taken up in a non-election year and the less controversial bills taken up in an election year. The defense appropriations bill would be taken up each year. This would allow us to get into the spending details more and eliminate duplication and waste.

The End Government Shutdowns Act that I've cosponsored would help us move away from the crisis governing and deal making that has become a mainstay when it comes to funding the Federal Government. It would automatically continue funding for programs, but would use the mechanism from my penny plan to reduce spending across the board by one percent.

We have a spending problem, not a revenue problem. We shouldn't raise taxes in order for Washington to spend more. We cannot spend our way to prosperity. Identifying a process forward for tax reform is where part of our efforts on the budget conference should be focused. If done correctly, tax reform will help to generate additional revenue through economic growth to reduce the deficits and pay down the debt. I am ready to make that happen.

We need to prioritize spending cuts—find the spending cuts that will do the least harm and start there. It worked here in Wyoming, and it can work in Washington. Raising taxes to offset more spending is not the path forward. Reigning in out-of-control spending is.

I sit up nights worrying about our Nation's debt and how it will affect Wyoming children, my children and grandchildren. This was a chance to apply reasonable constraints to impossibly high future spending, but instead we got more spending and no plan to solve the problem.

Congress should have been working on Federal spending bills and a responsible budget for months. Instead, the Senate majority put off this work. If the Senate majority would have allowed the 12 appropriations bills to move through the committee process to floor debate in a timely manner, with input and amendments from Senators on both sides, there would have been no need for a continuing resolution and no government shutdown. Deal making instead of legislating is not an appropriate way to run the country.

And even now we are not working on issues we should be working on. Instead, the Senate majority broke the rules the change the rules, and we are

here processing nominations instead of dealing with the problems of Obamacare and reining in our debt and spending problems.

One of the other things we should be working on is a Defense authorization bill, but once again the Senate has been prohibited from doing its job. The Senate majority leader blocked all but two amendments to the National Defense Authorization Act from consideration, and now we will be asked to vote on a package put together in a back room by a few Members. That is not right. If you want to know what is wrong with the Senate and why people of all political persuasions are upset with Congress, that is a big part of the answer right there.

This is a very important bill for our country and there are a lot of important issues that we need to discuss. We haven't considered issues relating to our nuclear deterrent, privacy concerns relating to the NSA, how to address sexual assault in the military, or a number of other important issues. In the past, we have spent multiple weeks on the defense bill and considered dozens of amendments. That's what we should be doing this year too. Our national security needs to be fully debated by the entire Senate.

One of those important issues that we are skipping over is our nuclear deterrent on which I offered several amendments. I have the honor of representing the city of Cheyenne, WY which is the home of F.E. Warren Air Force Base and the 90th ICBM Missile Wing. These are top notch men and women who work together to maintain the world's most powerful military force.

Unfortunately, there are those in this administration who take the contributions of our military for granted. They don't have the sense of history that is needed to appreciate why these weapons were designed and put into operation in the first place. They don't see how much they are still needed to ensure our future. They don't fully appreciate the key role they have played in the past. They seem to think that nuclear weapons are part of a bygone era—a relic of the past—that has not been needed since the Cold War ended.

The President is playing a dangerous game with our nation's national security. In June he announced that the administration is reducing U.S. strategic warheads to as few as 1,000. This is 550 below the requirements under New START. This comes at a time that both Russia and China are modernizing their nuclear arsenals at a frenetic pace. Even more troubling, however, are the reports that the administration may seek to avoid Congress and undertake further nuclear reductions outside of the formal treaty process.

The administration's views on our nuclear deterrent should come as no surprise to us or anyone who has

watched the development of these ideas since they were first offered for consideration. We've seen President Obama promise to do all that he can to reduce our nuclear arsenal—step by step. First, he rammed the New START Treaty through the Senate by promising commitments that he ultimately did not keep. One of those was the promise to modernize our nuclear force, which we're still waiting on.

I have serious concerns about this policy position, because I believe maintaining a strong nuclear force, which includes ICBMs, is a critical part of protecting our country, which is why I voted against New START. ICBMs are not only cost-effective and reliable, they are a visual reminder that America stands ready to protect itself and its allies from any who would do us harm. By preserving our ICBM force, states like Wyoming play an important role in keeping America strong and free.

Important issues like these are why we need to allow Senators to do their job—offer amendments, debate them, and take votes. This is the least we can do for our national security and the men and women who lay their lives on the line every day to protect our freedoms.

We should also be addressing the fact that the coal industry is under regulatory attack in Washington. Since being sworn into office, President Obama's rule-making machine has released rule-after-rule designed to make it more expensive to use coal.

Instead of encouraging production, the administration always seems to be busy trying to do everything it can to restrict production. When their policies cause a drop in supplies and prices go up they're mystified when they see that people are growing more and more concerned about their energy bills.

Instead of running from coal, we should invest in its abundance, in its power and its potential. Instead of running from coal, America needs to run on coal. Coal supplies nearly half the Nation with low cost, reliable energy. Because we generate 87 percent of our electricity from coal, Wyoming's electricity rates are among the lowest in the Nation. The coal industry also provided—directly and indirectly—over 700,000 good paying jobs in 2010. It is no wonder it is so essential to the U.S. economy.

Fortunately, we have coal champions in the House and Senate who fully realize that we have to work together to keep our coal industry active, vital and productive for the people they employ, the families in America who rely on inexpensive energy and our Nation's economy.

I hope more of my Senate colleagues will join me in fighting back against President Obama's war on coal. Working together we can take a stand against this administration's goal of higher electricity costs.

We should be working to address improper payments and duplication. These are a huge leak in our national finances. They are avoidable wastes of taxpayer dollars. They are obstacles to better and more efficient operations. Ending waste and duplication like this not only helps get our fiscal house back in order, but can help restore some confidence in the ability of the government to operate effectively.

The Government Accountability Office has reported that 31 areas of the Federal Government are in need of reform to eliminate duplicative and unnecessary programs. Consolidating programs and agency functions that overlap would save 95 billion; 2013 is the third year the GAO has been producing its report on duplication. Unfortunately, Congress and the administration have only address a fifth of the recommendations that have been made to fix overlap and duplication.

In fiscal year 2012, there were nearly \$100 billion in improper payments. These are payments that shouldn't even be going out the door, to people who are no longer eligible for benefits or overpayments of benefits or, in the worst cases, payments to people who are deceased. To put the overpayments in perspective, the annual spending reductions required under sequestration are \$85 billion. That's almost 15 billion less than the improper payments going out the door.

We should be working on the problems that have arisen as a result of Dodd-Frank. In 2010, I voted against the Dodd-Frank act because I had serious concerns about the excessive regulations it created and the unintended consequences it would have for folks who had nothing to do with the financial crisis.

The law requires a host of new regulations for banks and non-banking entities no matter what size they are. The big banks that have more funds and man power to handle the new regulations are fine; it's the small banks in our communities that don't have the resources to keep up with all the extra paperwork.

The 300 plus new regulations from the act—only about 40 percent of the total expected—are already creating regulatory uncertainty as they are written and implemented. We are now seeing some of the consequences I spoke about in 2010. The problems are numerous and I am glad that some of my colleagues are starting to listen and help look for solutions.

One of my constituents, Wesley from Jackson, WY, wrote to me with a great example of some of the unintended consequences of this law and its effect on small business. Here's what he had to say: "I am writing to you as member of the Wyoming small business community to report on the implementation of an add-on to the Dodd-Frank act. Specifically section 1502, conflict min-

erals. This legislation is imposing a very severe burden especially on small businesses in the tech sector. I and others struggling to conform to the new requirements have found that they are usually impossible to meet in either the spirit or the letter of the law. I will explain. Section 1502 requires as I understand that publicly traded American companies must certify that their products do not contain conflict minerals—minerals obtained in the DRC—a noble goal indeed. The basic problem is that in practice, this certification is nearly impossible to meet. We are a small private company and are not explicitly subject to the regulation. However we have received numerous requests for these certifications from our (publicly traded) clients, which means that for them to meet the regulation, we must do so as well, and on down the line. Attempting to fulfill these requirements in order to keep our business will occupy 100s of man hours this year that we don't have. This chain of requirements goes all the way to the raw material suppliers, where the ore originates. This is perhaps hundreds of levels in the chain for us. For the vast majority of materials we would want to purchase, our suppliers (of finished parts) cannot provide the certification, which means that we cannot provide it to our clients, which means that they will not buy from us. It is not possible for any honest firm to actually meet the requirements, because it is not possible to buy certified parts in many cases. For example we purchase resistors, which are purchased from large wholesalers and may come from many different vendors. Some of these vendors are overseas, and will not provide the certification even though the products are probably conflict-free. This means that the wholesaler must either lie to certify his product to us, or provide a certification that says "we don't know the status of our parts but are looking into it". We must then do the same to our clients, and on up the chain. At no point in this process is it possible for an honest citizen to actually know the conflict status of their materials. We have received boilerplate "we don't know" certificates from nearly every vendor we have asked for certification, and this is happening all across the industry. No one can provide a real certificate: if anyone along the supply chain is foreign-owned, the chain of certification usually ends there. Nearly everything we would want to use in our products has some components that are foreign, and not certifiable. I would suggest that the burden of proof should be confined to companies that purchase the raw materials from smelters. At this level of the supply chain it would be possible to actually verify one's sources, but for thousands of small to large businesses across the nation, this is simply a severe paperwork burden which does not

actually serve to meet the intended goal. Please let us get back to our work.”

First let me say I love representing folks in Wyoming. They understand the issues and offer great common sense solutions. What Wesley pointed out in his letter is what I talked about when we debated this bill—the unintended consequences associated with a massive bill like this one that the majority crams through without consideration in the committee of jurisdiction will be many and they will be complex. It is unfortunate that businesses like Wesley’s are being stymied by regulations while trying to maintain honest business practices. As a former small business owner, I have been an advocate for small business and have worked to scale back the inundation of federal regulations on businesses large and small.

Dodd-Frank also created the Consumer Financial Protection Bureau, which has no congressional oversight and is funded not through the congressional appropriations process but by the FED. I have serious concerns about this agency and the lack of oversight and transparency.

The Bureau, as allowed by the Dodd-Frank act, could spend up to \$600 million every year, but is not subject to the congressional appropriations process, the same congressional appropriations process that approves the budgets of other agencies like the Securities and Exchange Commission and the Federal Trade Commission. Instead, the agency is funded through revenues from the Federal Reserve, funds that are supposed to be remitted to the Treasury for deficit reduction. The CFPBs cut is 10 percent for fiscal year 2011, 11 percent for fiscal year 2012, and will be 12 percent for fiscal year 2013 and beyond. This means 12 percent of the combined earnings of the Federal Reserve System, which was \$4.98 billion in 2009. At that time, 10 percent would be just under \$500 million.

We are giving all this money to an agency to look into, and track, the financial decisions of American consumers. That’s right. News reports in April 2013 indicated the CFPB was collecting information on as many as 10 million Americans and compiling sophisticated, layered consumer profiles including credit card, overdraft, mortgage and student loan information on individuals. Most recently, reports indicate the Consumer Financial Protection Bureau is seeking to monitor four out of every five U.S. credit card transactions this year—up to 42 billion transactions. The agency also has the goal of monitoring up to 95 percent of all mortgage transactions.

When the Dodd-Frank act was under consideration in the Senate, I filed an amendment to require the CFPB to obtain the written consent of the consumer before they could collect any fi-

nancial data. My amendment was not allowed to come up for a vote. I most recently filed a similar amendment to the National Defense Authorization Act, NDAA, to address this issue. Right now consumers have no say; the CFPB can and will collect their financial data with no input from consumers at all. I have long believed in the importance of financial literacy and consumer protections, but I can’t condone the CFPB putting together a “Google Earth” of the financial transactions of American citizens.

Any conversation I have with the banking community in my home State of Wyoming invariably turns to concerns over the regulatory burden being passed down to them by the CFPB. Just last month a longtime member of the banking community in Wyoming relayed that a small community bank in Lusk, WY—population around 1,550—has discontinued residential real estate lending because they don’t have the man power to comply with new regulations from the CFPB.

The bad actors this agency is supposed to weed out is hitting the folks who provide needed services in our country’s smallest communities with their one-size-fits-all regulations and requirements. This is only the tip of the iceberg.

Mr. President, these are not the only issues we need to address, but they are some of the most important. And the United States would be better served if we were working on these issues than voting on non-essential nominations.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1824. A bill to amend the Safe Drinking Water Act to exempt certain lead pipes, fittings, fixtures, solder, and flux that contain brass.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Mr. MANCHIN (for himself and Mr. INHOFE):

S. 1827. A bill to award a Congressional Gold Medal to the American Fighter Aces, collectively, in recognition of their heroic military service and defense of our country’s freedom throughout the history of aviation warfare; to the Committee on Banking, Housing, and Urban Affairs.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2547. Mr. REID proposed an amendment to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes.

SA 2548. Mr. REID proposed an amendment to amendment SA 2547 proposed by Mr. REID to the joint resolution H.J. Res. 59, supra.

SA 2549. Mr. REID proposed an amendment to the joint resolution H.J. Res. 59, supra.

SA 2550. Mr. REID proposed an amendment to amendment SA 2549 proposed by Mr. REID to the joint resolution H.J. Res. 59, supra.

SA 2551. Mr. REID proposed an amendment to amendment SA 2550 proposed by Mr. REID to the amendment SA 2549 proposed by Mr. REID to the joint resolution H.J. Res. 59, supra.

SA 2552. Mr. REID proposed an amendment to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor.

SA 2553. Mr. REID proposed an amendment to amendment SA 2552 proposed by Mr. REID to the bill H.R. 3304, supra.

SA 2554. Mr. REID proposed an amendment to the bill H.R. 3304, supra.

SA 2555. Mr. REID proposed an amendment to amendment SA 2554 proposed by Mr. REID to the bill H.R. 3304, supra.

SA 2556. Mr. REID proposed an amendment to amendment SA 2555 proposed by Mr. REID to the amendment SA 2554 proposed by Mr. REID to the bill H.R. 3304, supra.

TEXT OF AMENDMENTS

SA 2547. Mr. REID proposed an amendment to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; as follows:

At the end, add the following:

This joint resolution shall become effective 1 day after enactment.

SA 2548. Mr. REID proposed an amendment to amendment SA 2547 proposed by Mr. REID to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; as follows:

In the amendment, strike “1 day” and insert “2 days”.

SA 2549. Mr. REID proposed an amendment to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; as follows:

At the end, add the following:

This joint resolution shall become effective 3 days after enactment.

SA 2550. Mr. REID proposed an amendment to amendment SA 2549 proposed by Mr. REID to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; as follows:

In the amendment, strike “3 days” and insert “4 days”.

SA 2551. Mr. REID proposed an amendment to amendment SA 2550 proposed by Mr. REID to the amendment SA 2549 proposed by Mr. REID to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; as follows:

In the amendment, strike “4 days” and insert “5 days”.

SA 2552. Mr. REID proposed an amendment to the bill H.R. 3304, to authorize the President to award the

Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

SA 2553. Mr. REID proposed an amendment to amendment SA 2552 proposed by Mr. REID to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; as follows:

In the amendment, strike "1 day" and insert "2 days".

SA 2554. Mr. REID proposed an amendment to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

SA 2555. Mr. REID proposed an amendment to amendment SA 2554 proposed by Mr. REID to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; as follows:

In the amendment, strike "3 days" and insert "4 days".

SA 2556. Mr. REID proposed an amendment to amendment SA 2555 proposed by Mr. REID to the amendment SA 2554 proposed by Mr. REID to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; as follows:

In the amendment, strike "4 days" and insert "5 days".

NATIONAL ESTUARIES WEEK

On Friday, December 13 (legislative day of Wednesday, December 11), 2013,

the Senate agreed to the resolution (S. Res. 263), with its preamble, as amended, which reads as follows:

S. RES. 263

Whereas the estuary regions of the United States constitute a significant share of the economy of the United States, with as much as 41 percent of the gross domestic product of the United States generated in coastal shoreline counties;

Whereas the population of coastal shoreline counties in the United States increased by 39 percent from 1970 to 2010 and is projected to continue to increase;

Whereas not less than 1,900,000 jobs in the United States are supported by marine tourism and recreation and other coastal industries that rely on healthy estuaries;

Whereas the commercial and recreational fishing industries rely on healthy estuaries and directly support 1,700,000 jobs in the United States;

Whereas, in 2011, commercial fish landings generated \$5,300,000,000 and recreational anglers spent \$26,780,000,000;

Whereas estuaries provide vital habitats for countless species of fish and wildlife, including many species that are listed as threatened or endangered species;

Whereas estuaries provide critical ecosystem services that protect human health and public safety, including water filtration, flood control, shoreline stabilization, erosion prevention, and the protection of coastal communities during hurricanes and storms;

Whereas the United States has lost more than 110,000,000 acres of wetland, or 50 percent of the wetland of the United States, since the first European settlers arrived;

Whereas some bays in the United States that were once filled with fish and oysters have become dead zones filled with excess nutrients, chemical wastes, harmful algae, and marine debris;

Whereas changes in sea level can affect estuarine water quality and estuarine habitats;

Whereas the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) provides that it is the policy of the United States to preserve, protect, develop, and, if possible, restore or enhance the resources of the coastal zone of the United States, including estuaries, for current and future generations;

Whereas 24 coastal and Great Lakes States and territories of the United States operate a National Estuary Program or contain a National Estuarine Research Reserve;

Whereas scientific study leads to better understanding of the benefits of estuaries to human and ecological communities;

Whereas the Federal Government, State, local, and tribal governments, national and community organizations, and individuals work together to effectively manage the estuaries of the United States;

Whereas estuary restoration efforts restore natural infrastructure in local communities in a cost-effective manner, helping to create jobs and reestablish the natural functions of estuaries that yield countless benefits; and

Whereas the week of September 23 through September 29, 2013, has been recognized as "National Estuaries Week" to increase awareness among all people of the United States, including Federal Government and State and local government officials, about the importance of healthy estuaries and the need to protect and restore estuaries: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of September 23 through September 29, 2013, as "National Estuaries Week";

(2) supports the goals and ideals of National Estuaries Week;

(3) acknowledges the importance of estuaries to sustaining employment in the United States and the economic well-being and prosperity of the United States;

(4) recognizes that persistent threats undermine the health of the estuaries of the United States;

(5) applauds the work of national and community organizations and public partners that promote public awareness, understanding, protection, and restoration of estuaries;

(6) reaffirms the support of the Senate for estuaries, including the scientific study, preservation, protection, and restoration of estuaries; and

(7) expresses the intent of the Senate to continue working to understand, protect, and restore the estuaries of the United States.

ORDERS FOR MONDAY, DECEMBER 16, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m. on Monday, December 16, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business until 5:30 p.m., with the time equally divided and controlled between the two leaders or their designees; further, that the filing deadline for first degree amendments to the motions to concur with respect to H.J. Res. 59, the Budget Resolution, and H.R. 3304, National Defense Authorization Act, be 4 p.m. Monday; and finally, at 5:30 p.m., the Senate proceed to executive session and resume consideration of Executive Calendar No. 406, the nomination for Anne W. Patterson, as provided under the previous order.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MEASURE PLACED ON THE CALENDAR—S. 1824

Mr. REID. Mr. President, I am told that S. 1824 is due for a second reading.

The ACTING PRESIDENT pro tempore. The Senator is correct. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 1824) to amend the Safe Drinking Water Act to exempt certain lead pipes, fittings, fixtures, solder, and flux that contains brass.

Mr. REID. Mr. President, I object to any further proceedings with respect to the reading of this bill at this time.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar under the provisions of rule XIV.

PROGRAM

Mr. REID. Mr. President, on Monday there will be a series of rollcall votes starting at 5:30 in the evening. Those votes will be on confirmation of the Patterson nomination to be Assistant Secretary of State for Near Eastern Affairs, cloture on the Johnson nomination to be Secretary of Homeland Security, confirmation of the Johnson nomination, and potentially additional procedural votes.

ADJOURNMENT

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 1:20 p.m., adjourned until Monday, December 16, 2013, at 3 p.m.

HOUSE OF REPRESENTATIVES—Monday, December 16, 2013

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. SENSENBRENNER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
December 16, 2013.

I hereby appoint the Honorable F. JAMES SENSENBRENNER, JR. to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Reverend Patrick Riffle, St. Peter's Catholic Church, Washington, D.C., offered the following prayer:

Heavenly Father, during this festive time of year we as Your people pause and reflect on Your abundant blessings. We thank You for family and friends. We thank You for the gift of this great Nation and for the gift of our liberty.

And while we reflect on our many blessings, we also remember those among us who are in need, especially the poor and marginalized of our society.

We remember those who are separated from family and friends, especially the men and women of our Armed Forces. May they know of our untiring support for them and their families, for the sacrifices they make for us each day.

Father, we ask You in a particular way to show Your love upon these our brothers and sisters, that our love and concern for them may be an act of gratitude for the blessings You have bestowed upon us.

We ask this all in Your most holy name.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 6(a) of House Resolution 438, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 13, 2013.

Hon. JOHN A. BOEHNER,
*The Speaker, U.S. Capitol,
House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 13, 2013 at 2:59 p.m.:

That the Senate passed without amendment H.R. 3458.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 13, 2013, she presented to the President of the United States, for his approval, the following bills:

H.R. 2871. To amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency, and for other purposes.

H.R. 2922. To extend the authority of the Supreme Court Police to protect court officials away from the Supreme Court grounds.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 6(b) of House Resolution 438, the House stands adjourned until 11 a.m. on Thursday, December 19, 2013.

Thereupon (at 11 o'clock and 3 minutes a.m.), under its previous order, the House adjourned until Thursday, December 19, 2013, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4173. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Richard C. Harding, United States Air Force, and his advancement on the retired list in the grade of lieutenant

general; to the Committee on Armed Services.

4174. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Terry A. Wolff, United States Army, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

4175. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware; Attainment Plan for the Philadelphia-Wilmington, Pennsylvania-New Jersey-Delaware Nonattainment Area for the 1997 Annual Fine Particulate Matter Standard [EPA-R03-OAR-2010-0141; FRL-9904-14-Region 3] received December 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4176. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Michigan [EPA-R05-OAR-2010-0566; FRL-9904-11-Region 5] received December 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4177. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Philadelphia County Reasonably Available Control Technology under the 1997 8-Hour Ozone National Ambient Air Quality Standard [EPA-R03-OAR-2008-0603; FRL-9904-12-Region 3] received December 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4178. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Mexico; Prevention of Significant Deterioration; Greenhouse Gas Plantwide Applicability Limit Permitting Revisions [EPA-R06-OAR-2013-0060; FRL-9903-98-Region 6] received December 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4179. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flonicamid; Pesticide Tolerances [EPA-HQ-OPP-2013-0038; FRL-9902-07] received December 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4180. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-02, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4181. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-17, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

4182. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-19, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4183. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-33, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4184. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-150, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4185. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-140, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4186. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-159, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4187. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-151, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4188. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-156, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4189. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-165, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4190. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-172, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4191. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report entitled, "Human Rights Report for International Military Education and Training Recipients", in accordance with Section 549 of the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

4192. A letter from the Acting Director, Peace Corps, transmitting the Inspector General's semiannual report to Congress for the reporting period April 1, 2013 through September 30, 2013; to the Committee on Oversight and Government Reform.

4193. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Hackensack River, Kearney and Jersey City, NJ [Docket No.: USCG-2013-0639] (RIN: 1625-AA09) received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4194. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Umpqua River, Reedsport, OR [Docket No.: USCG-2013-0526]

(RIN: 1625-AA09) received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4195. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Portsmouth Naval Shipyard, Piscataqua River, Portsmouth, NH [Docket No.: USCG-2013-0956] (RIN: 1625-AA11) received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4196. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Lake Havasu City Christmas Boat Parade of Lights; Colorado River; Lake Havasu, AZ [Docket No.: USCG-2013-0917] (RIN: 1625-AA09) received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4197. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Genesee River, Rochester, NY [Docket No.: USCG-2013-0921] (RIN: 1625-AA09) received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 3008. A bill to provide for the conveyance of a small parcel of National Forest System land in Los Padres National Forest in California, and for other purposes; with an amendment (Rept. 113-295). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2954. A bill to authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance (Rept. 113-296). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1170. A bill to direct the Secretary of the Interior, acting through the Bureau of Land Management and the Bureau of Reclamation, to convey, by quitclaim deed, to the City of Fernley, Nevada, all right, title, and interest to the United States, to any Federal land within that city that is under the jurisdiction of either of those agencies; with an amendment (Rept. 113-297). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 585. A bill to provide for the unencumbering of title to non-Federal land owned by the city of Anchorage, Alaska, for purposes of economic development by conveyance of the Federal reversion interest to the City (Rept. 113-298). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Ms. JACKSON LEE:

H.R. 3773. A bill to extend the emergency unemployment compensation program until January 1, 2015; to the Committee on Ways and Means.

By Ms. LEE of California (for herself, Mr. MORAN, Ms. MOORE, Ms. SCHA-KOWSKY, Mrs. CAPPS, and Mr. FARR):

H.R. 3774. A bill to amend title V of the Social Security Act to eliminate the abstinence-only education program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARR:

H.R. 3775. A bill to amend titles 10 and 38, United States Code, to improve the treatment of members of the Armed Forces and veterans who are victims of military sexual assault; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUSTANY (for himself, Mr. KIND, Mr. BUCSHON, and Mr. VEASEY):

H.R. 3776. A bill to amend title XVIII of the Social Security Act to create alternative sanctions for technical noncompliance with the Stark rule under Medicare, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAINES:

H.R. 3777. A bill to amend the Internal Revenue Code of 1986 to disregard students as employees for purposes of determining employer health care shared responsibility; to the Committee on Ways and Means.

By Mrs. DAVIS of California:

H.R. 3778. A bill to direct the Secretary of Education to award grants to States to pay the Federal share of carrying out full-day prekindergarten programs; to the Committee on Education and the Workforce.

By Mr. HIMES (for himself and Mr. SCHIFF):

H.R. 3779. A bill to require the Director of National Intelligence to annually submit reports on violations of law or executive order by personnel of the intelligence community, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Mr. HOLT (for himself, Mr. DeFAZIO, and Mr. LOWENTHAL):

H.R. 3780. A bill to amend the Outer Continental Shelf Lands Act to authorize the Secretary of the Interior to establish an Ocean Energy Safety Institute, to promote the use of best available and safest offshore drilling technologies, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOWENTHAL:

H.R. 3781. A bill to amend the Internal Revenue Code of 1986 to allow small employers a credit against income tax for hiring individuals receiving unemployment compensation; to the Committee on Ways and Means.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 3782. A bill to direct the Secretary of Agriculture, in consultation with Indian tribes, to make grants, competitive grants, and special research grants to, and enter into cooperative agreements and other contracting instruments with, eligible entities to conduct research and education and training programs to protect and preserve Native American seeds, and for other purposes; to the Committee on Agriculture.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 3783. A bill to amend section 1101 of the Patient Protection and Affordable Care Act to extend for one year the high risk health insurance pool program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. YOHO (for himself, Mr. RICE of South Carolina, Mr. AUSTIN SCOTT of Georgia, Mr. WILSON of South Carolina, Mr. HALL, Mr. GRAVES of Georgia, Mr. WEBER of Texas, Mr. MASSIE, Mr. SALMON, Mr. BRIDENSTINE, Mr. LAMALFA, Mr. POSEY, Mr. DUNCAN of South Carolina, Mr. WESTMORELAND, Mr. STOCKMAN, Mr. FRANKS of Arizona, Mr. PITTENGER, Mr. JONES, Mr. MESSER, and Mr. HULTGREN):

H.R. 3784. A bill to repeal the Affordable Care Act unless the initial enrollment target for Exchanges has been met, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, House Administration, Rules, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOHO (for himself, Mr. GRAVES of Georgia, Mr. BRIDENSTINE, Mr. GRAYSON, Mr. POSEY, Mr. RICE of South Carolina, Mr. DUNCAN of South Carolina, and Mr. WILSON of South Carolina):

H.R. 3785. A bill to provide for a reduction in the pay of the Secretary of Health and Human Services until the healthcare.gov Web site is certified as fully functional; to the Committee on Oversight and Government Reform, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 3786. A bill to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska; to the Committee on Transportation and Infrastructure.

By Ms. JACKSON LEE:

H. Res. 446. A resolution expressing the sense of the House of Representatives that both Houses of Congress should reconvene on or before December 18, 2013, to take appropriate action to enact legislation extending the Emergency Unemployment Compensation Program until January 1, 2015; to the Committee on Ways and Means.

By Mr. ENGEL (for himself, Mr. ROYCE, Mr. LEVIN, Ms. KAPTUR, Mr. KEATING, and Mr. GERLACH):

H. Res. 447. A resolution supporting the democratic and European aspirations of the people of Ukraine, and their right to choose

their own future free of intimidation and fear; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. JACKSON LEE:

H.R. 3773.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. LEE of California:

H.R. 3774.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. BARR:

H.R. 3775.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clauses 12 and 13, which gives Congress the power "To raise and support Armies," and "To provide and maintain a Navy."

By Mr. BOUSTANY:

H.R. 3776.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. DAINES:

H.R. 3777.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, and Article I, Section 8, Clause 3.

By Mrs. DAVIS of California:

H.R. 3778.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. HIMES:

H.R. 3779.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. HOLT:

H.R. 3780.

Congress has the power to enact this legislation pursuant to the following:

Article I of the U.S. Constitution

By Mr. LOWENTHAL:

H.R. 3781.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 3782.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the US Constitution

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 3783.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. YOHO:

H.R. 3784.

Congress has the power to enact this legislation pursuant to the following:

Consistent with the original understanding of the commerce clause, the authority to enact this legislation is found in Clause 3 of Section 8, Article 1 of the Constitution. The bill repeals the Patient Protection and Affordable Care Act, which exceeds the authority vested in Congress by the Constitution. Finally, the bill removed government intrusion into the doctor-patient relationship, which is protected by the Ninth and Tenth Amendments to the Constitution.

By Mr. YOHO:

H.R. 3785.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this legislation is found in Clause 18 of Section 8, Article 1 of the Constitution—to make laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other powers vested by the Constitution in Government of the United States, or in any Department or Officer thereof. The bill affects salaries paid to an Officer of the Health and Human Services Department

By Mr. YOUNG OF ALASKA:

H.R. 3786.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 and Article 1, Section 8, Clause 1.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 292: Mr. WALZ.
H.R. 784: Ms. SCHAKOWSKY.
H.R. 895: Mr. AL GREEN of Texas.
H.R. 942: Mr. KILDEE.
H.R. 1015: Mr. CARTWRIGHT.
H.R. 1173: Ms. HANABUSA.
H.R. 1175: Mr. SCHIFF.
H.R. 1250: Mrs. BROOKS of Indiana.
H.R. 1318: Mrs. NEGRETE MCLEOD.
H.R. 1466: Mrs. NEGRETE MCLEOD.
H.R. 1528: Mr. DENHAM, Mr. GARCIA, and Mr. CARTWRIGHT.
H.R. 1661: Ms. PINGREE of Maine and Mrs. MCCARTHY of New York.
H.R. 1666: Mr. RYAN of Ohio.
H.R. 1726: Mrs. MCCARTHY of California and Mr. DAVID SCOTT of Georgia.
H.R. 1761: Ms. FRANKEL of Florida.
H.R. 1763: Ms. FRANKEL of Florida, Ms. BONAMICI, and Ms. MENG.
H.R. 1832: Mr. DAVID SCOTT of Georgia.
H.R. 1844: Ms. DEGETTE.
H.R. 1967: Mr. CARTWRIGHT.
H.R. 2028: Mr. HUFFMAN.
H.R. 2142: Mrs. MCCARTHY of New York.
H.R. 2237: Mr. HUFFMAN, Ms. MENG, Ms. TSONGAS, and Ms. BONAMICI.
H.R. 2384: Mr. CARTWRIGHT.
H.R. 2663: Mr. BILIRAKIS.
H.R. 2702: Mrs. NEGRETE MCLEOD.
H.R. 2738: Mrs. NEGRETE MCLEOD.
H.R. 2780: Mrs. NEGRETE MCLEOD.
H.R. 2805: Ms. NORTON.
H.R. 2825: Mrs. NEGRETE MCLEOD.

- H.R. 2831: Ms. NORTON.
H.R. 2866: Mr. DEUTCH, Mr. HARRIS, Mr. PETERS of California, and Mr. COURTNEY.
H.R. 2901: Mrs. NEGRETE MCLEOD.
H.R. 2921: Mr. REED.
H.R. 2959: Mr. REED, Mr. AMODEI, Mr. BISHOP of Georgia, and Mr. THORNBERRY.
H.R. 2975: Mr. AL GREEN of Texas.
H.R. 2998: Mr. CARTWRIGHT.
H.R. 3040: Mr. FOSTER.
H.R. 3061: Mrs. KIRKPATRICK.
H.R. 3077: Mr. SHIMKUS, Mr. HINOJOSA, Mr. CALVERT, Mrs. WALORSKI, Mr. CARTWRIGHT, Mr. BRIDENSTINE, and Mr. THOMPSON of California.
H.R. 3097: Ms. NORTON.
H.R. 3111: Mr. ENYART.
H.R. 3169: Mr. CALVERT.
H.R. 3172: Ms. MCCOLLUM.
H.R. 3361: Mr. COURTNEY, Mr. MESSER, and Mr. JORDAN.
H.R. 3367: Mr. MEEHAN.
H.R. 3404: Mr. BISHOP of New York and Mr. LARSEN of Washington.
H.R. 3474: Mr. NEUGEBAUER and Mr. HUIZENGA of Michigan.
H.R. 3481: Mr. ISRAEL and Mr. DELANEY.
H.R. 3485: Mr. HOLDING.
H.R. 3489: Mr. SALMON.
H.R. 3490: Mr. HUFFMAN, Ms. BONAMICI, and Ms. MENG.
H.R. 3494: Mr. SMITH of Washington.
H.R. 3543: Mr. CARTWRIGHT.
H.R. 3555: Mr. DEUTCH.
H.R. 3573: Mr. TONKO.
H.R. 3579: Mr. REED.
H.R. 3591: Mr. KILDEE.
H.R. 3606: Mr. DENHAM.
H.R. 3643: Ms. ESTY.
H.R. 3648: Mr. KIND and Mrs. BUSTOS.
H.R. 3656: Mr. PAULSEN.
H.R. 3685: Mr. LANKFORD, Mr. GOODLATTE, Mr. WESTMORELAND, Mrs. BLACK, Mr. WHITFIELD, and Mrs. CAPITO.
H.R. 3708: Mr. LONG.
H.R. 3717: Mr. FORTENBERRY, Mr. STIVERS, Mrs. ELLMERS, and Mr. TERRY.
H.R. 3724: Mr. CHAFFETZ.
H.R. 3745: Ms. KUSTER, Mr. BISHOP of New York, Ms. EDWARDS, Mr. PALLONE, Mr. MAFFEI, Mr. MCGOVERN, Mr. SCOTT of Virginia, Mr. NADLER, Ms. JACKSON LEE, Mr. O'ROURKE, Mr. ENYART, Mr. MURPHY of Florida, Mr. LOEBSACK, Ms. SINEMA, and Mr. AL GREEN of Texas.
H.R. 3747: Ms. PINGREE of Maine.
H. Res. 231: Mr. CASSIDY, Mr. BRADY of Pennsylvania, Mr. LARSON of Connecticut, Mr. RUIZ, Mr. KIND, Mr. CALVERT, Mr. BURGESS, and Mr. WELCH.
H. Res. 440: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

SENATE—Monday, December 16, 2013

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Gracious God, You remain faithful even when we are unfaithful. Nothing is impossible for You, for You have all power in Your hands. Thank You for being wonderfully kind, tolerant, and patient with us.

Lord, continue to guide our Senators. May they seek to be instruments of Your glory, striving to please You in all that they do. Make them so ethically congruent that they practice what they profess. May their hearts be so transformed by Your spirit that they seek Your approbation above any earthly approval.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

WORKFORCE INVESTMENT ACT OF 2013—MOTION TO PROCEED—Resumed

Mr. REID. Mr. President, I move to proceed to Calendar No. 243, S. 1356.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 243, S. 1356, a bill to amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will be in morning business until 5:30 this afternoon. At 5:30 the Senate will proceed to executive session. There will be at least 3 rollcall votes: Confirmation of

the Patterson nomination, cloture on the Johnson nomination, and confirmation of the Johnson nomination.

NOMINATIONS

Mr. President, last week was difficult for the entire Senate community. When cooperation is lacking, as it was last week, completing the business before this body becomes much more difficult. Last week, though, the Senate confirmed four district court judges, two DC Circuit Court of Appeals judges, an Equal Employment Opportunity Commissioner, the Secretary of the Air Force, a Privacy and Civil Liberties Oversight Board member, and a Deputy Secretary of State.

Although we accomplished a great deal, the process was neither easy nor pleasant. This week the Senate has just as much to achieve as it did last week. Without cooperation we will face another daunting vote schedule. But I am optimistic the same spirit of cooperation that made tonight's votes possible will last all week long.

Tonight the Senate will vote on Anne Patterson's nomination to be Assistant Secretary of State. We will also vote on cloture on the nomination of Jeh Johnson to be Secretary of the Department of Homeland Security. If cloture is invoked, this body will immediately vote on Johnson's confirmation.

As General Counsel of the Defense Department from 2009 to 2012, Mr. Johnson served as the senior lawyer for the largest government agency in the world. He oversaw the work of more than 10,000 military and civilian lawyers. Prior to his work at the Defense Department, Mr. Johnson served as Assistant U.S. Attorney and spent nearly 2 decades in private legal practice. He is eminently qualified, and we all look forward to his confirmation.

THE BUDGET

Tomorrow, the Senate will begin consideration of the budget measure passed by the House last week. Although neither side got everything it wanted from this agreement, the legislation should help break a terrible cycle of governing by crisis. It rolls back the painful and arbitrary cuts of the sequester, protects Social Security and Medicare benefits, and will help prevent another dangerous government shutdown in the new year.

On Wednesday, the Senate will turn to the Defense authorization measure, crucial legislation that safeguards our Nation, ensures our troops have the resources and training they need, and provides for the military families who support our fighting men and women.

The Senate must also confirm Janet Yellen to head the Federal Reserve,

Alejandro Mayorkas to be Deputy Secretary of Homeland Security, and John Koskinen to head the Internal Revenue Service. The nominations of Robert Wilkins to be a member of the DC Circuit Court of Appeals and Brian Davis of Florida to be a district court judge are also priorities for us. Mr. Davis' nomination has been pending for 2 years.

The Senate must also move quickly to confirm Sarah Sewall as Under Secretary of State, Jessica Wright to be Under Secretary for Readiness at the Defense Department, Sarah Bloom Raskin to be second in command at Treasury, and Mike Connor to be second in command at Interior, and Sloan Gibson to be deputy at the Veterans Affairs Department, and Rick Engler's nomination for the Chemical Safety Board.

Christmas is 1 week from Wednesday. We have a lot to do. We could complete all of our work by Thursday, by Friday, by Saturday, by Sunday, by Monday, or Tuesday, but finish it we must. I have outlined what we need to do. It is up to the minority to determine what, if anything, they are going to stop us from doing.

I am happy to work with them on time. But there are several items that I have indicated we have got to get done before Christmas.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Ms. HIRONO.) Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5:30 p.m. with the time equally divided and controlled between the two leaders or their designees.

Mr. REID. Madam President, I would suggest the absence of a quorum and ask unanimous consent that the time be equally divided for all quorum calls.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARPER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JOHNSON NOMINATION

Mr. CARPER. I am proud to rise to speak in strong support of the nomination of Jeh Johnson to serve as the

Secretary of the Department of Homeland Security. As my colleagues know, I have been concerned for many months about the high number of senior-level vacancies that exist at the Department. In fact, the Department of Homeland Security has been without a Senate-confirmed Deputy Secretary since April and without a Senate-confirmed Secretary since early September. That is simply too long for such critical positions to be vacant, especially since the Department of Homeland Security has been without Senate-confirmed leadership in a number of other senior leadership positions too.

That list of vacancies includes the position of Deputy Secretary, as well as the heads of Customs and Border Protection, Immigration and Customs Enforcement, and the Inspector General.

Working with the President, we need to do something about it. Today we can. It is my hope and expectation that we will vote to confirm a new Secretary to lead the Department within the next few hours, allowing Jeh Johnson to be sworn in and start work later this week.

Getting a Secretary of Homeland Security quickly confirmed is essential to help effectively run this Department and protect the safety of our citizens. This Department is a large and complex entity with a diverse set of missions and challenges.

It is composed of 22 distinct agencies spread across various locations throughout the country. In the 10 years after its creation, the Department of Homeland Security still lacks a strong sense of cohesion.

Moreover, given the Nation's fiscal challenges, the Department, as many Federal agencies, is being asked to do more and get even better results with fewer Federal dollars.

That being said, over its 10 years, the Department has celebrated a number of important milestones. In fact, only last week, for the first time ever, the Department of Homeland Security received a clean financial audit.

There is one outlier among the major departments of our government that hasn't received that clean financial audit, and that is the Department of Defense, which has been around for approximately 70 years.

The Department of Homeland Security took 10 years and has been on the GAO high-risk list for all of those 10 years. I was delighted when I received word last week that this goal had been achieved. It is a major accomplishment and one for which I heartily congratulate the Department.

There is an old saying that goes something such as this: You can't manage what you can't measure.

Now the Department of Homeland Security achieved a clean financial audit. It is my hope that its financial

management practices will continue to improve. In order to build upon this and other successes, I believe the Department needs Senate-confirmed leadership.

There is no doubt that even on a good day, serving as Secretary of the Department of Homeland Security is a very hard job. Jeh Johnson, however, is no doubt up to this enormous task. Again, I strongly support his nomination.

Mr. Johnson is a seasoned national security expert who is eminently qualified to take the reins to run the challenging Department of Homeland Security. After graduating from Morehouse College and then Columbia Law School, Jeh Johnson started his career in private practice. Later he became an Assistant U.S. Attorney in the Southern District of New York, where he prosecuted public corruption cases. He then returned to the private sector where he became a partner with the law firm of Paul, Weiss, Rifkind, Wharton & Garrison.

While working with this law firm, Mr. Johnson again answered the call to public service, first as the Air Force's top lawyer during the second term of the Clinton administration and, more recently, in the first term of the Obama administration, as the top lawyer for the entire Department of Defense. In both positions he was confirmed by the Senate with strong bipartisan support.

Having served in such important positions at the Department of Defense has no doubt helped him develop a number of outstanding skills that will enable him to lead this Department effectively.

There are few better places to learn how to manage a complex national security bureaucracy than at the Department of Defense. For example, for 4 years he was a partner and a part of the senior leadership team that ran the Defense Department. He played a critical role in overseeing more than 3 million military and civilian personnel scattered around the country and across the world, including having direct responsibility for nearly 10,000 attorneys.

He provided key advice to two exceptional Defense Secretaries—Bob Gates and Leon Panetta—and was an important member of their management teams. To me, this is an invaluable experience for the huge task to which he has been nominated.

He also participated in almost every discussion of consequence for the Department, helping to shape the policies that directly impacted the lives of our brave men and women in uniform and their families.

In fact, during his time at the Pentagon, Mr. Johnson developed a reputation for tackling some of the toughest issues in the Department of Defense and finding a way to build consensus

and develop thoughtful and effective policy. For example, he won praise from both sides of the aisle for his work on the issue of don't ask, don't tell and on the military commission system.

Additionally, Mr. Johnson was an influential member of the President's national security team and helped design and implement many of the country's policies to fight terrorism and dismantle the core of Al Qaeda. Because of his experience in these positions and in other commanding roles, Mr. Johnson is well prepared to face the challenges that will await him if he is confirmed by the Senate today.

People don't have to take my word for it. Mr. Johnson has received high praise from many distinguished former government officials from both sides of the aisle.

In a letter to our Committee on Homeland Security and Governmental Affairs, for example, every single former Secretary of that Department—Tom Ridge, Michael Chertoff, and Janet Napolitano—lauded Mr. Johnson as an “eminently qualified nominee.”

They went on further to state, and I paraphrase: Jeh Johnson's service at the highest levels of the Department of Defense—the largest government agency in the world—provided him a keen understanding of how to successfully execute large-scale operational missions of varying complexity and purpose.

This is what former Defense Secretary Bob Gates, a highly regarded and much-admired manager himself, said about Jeh Johnson and his time at the Department of Defense:

Take my word for it: [Jeh Johnson] has successfully managed an array of major initiatives across the biggest bureaucracy in the government—and, in so doing, won the esteem of virtually everyone with whom he worked.

Similarly, former Defense Secretary Leon Panetta said this about Jeh Johnson:

Jeh has proven himself to be a talented, capable, bipartisan, and trusted public servant. I give my strongest recommendation and full support to his confirmation as the Nation's next Secretary of Homeland Security.

Former Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, who stepped down in late 2011, has also expressed his deep confidence in the nominee, stating:

Jeh Johnson is as fine a person and professional as I have ever met.

I wish to state that again. Admiral Mike Mullen states:

Jeh Johnson is as fine a person and professional as I have ever met. I am confident in his choice and that he will succeed in leading this most complex organization at a critical time in our country.

Mr. Johnson has also received encouraging words and praise from a

number of law enforcement groups, including the Major Cities Chiefs Association and the national Fraternal Order of Police.

I would also add that at Mr. Johnson's confirmation hearing, our ranking member, Dr. COBURN, made known his support for Jeh Johnson and even went so far as to ask him to consider staying on as Secretary after the 2016 election, a high compliment indeed. I might add as an aside, Mr. Johnson's wife was sitting immediately behind him, and when Dr. COBURN asked for that assurance from the nominee, I wasn't sure if she was going to come out of her seat—and it wasn't in support of the idea.

Mr. Johnson is undoubtedly a highly skilled leader. He is just the type of person that we need for this extremely important and challenging position.

Mr. Johnson, of course, will not be alone in the task of leading the Department of Homeland Security. It is critically important that Mr. Johnson be allowed to surround himself with a capable leadership team. We can help. Indeed, we must help.

At the Department of Homeland Security alone, there are 14 Presidentially appointed positions that are without a permanent replacement. Of these, 10 require Senate confirmation. This is an edition of what I call executive branch Swiss cheese.

As we consider Mr. Johnson's nomination, we must remember that protecting the homeland is a team sport, and those of us in the legislative branch are critical members of this important team. If Mr. Johnson is confirmed, we must do our part to expeditiously, but thoroughly, vet and confirm his leadership team as well.

We need to put aside our partisan differences, work together, and give the President and the Department the entire team it needs to better protect our homeland. That includes confirming Ali Mayorkas for Deputy Secretary of Homeland Security.

Today the question before us is Mr. Johnson's nomination. For my colleagues still on the fence about Mr. Johnson's nomination, I leave us with a few thoughts on his character and his integrity. I have gotten to know Jeh Johnson very well over the last couple of months. I have been impressed by his forthrightness, his thoughtfulness, his core values, and his impeccable moral character, as well as his deep commitment to public service and serving our Nation. He treasures his family, and he strives to honor the legacy through his work.

I had the privilege of meeting several members of his family at the confirmation hearing last month. His wife is an accomplished professional in her own right. In fact, Jeh met his wife when she was practicing dentistry—and I think he might have been the patient.

Together they are the proud parents of two young adults that any parent

would be proud to call their own. He is also a devoted son and brother. Although they could not attend his confirmation hearing, I know his parents are deeply proud of the son that they raised.

I noticed in his confirmation hearing that Jeh proudly wore a pin that was his grandfather's. His great-grandfather worked as a Pullman train car porter in the early 20th century. I think that quiet statement says a lot about the importance of family to Jeh and how the values and character his family instilled in him are always with him.

It is clear he is a student of history and draws inspiration from the civil rights movement. One of Jeh Johnson's guiding principles is a lesson he learned from Dr. Benjamin "Bennie" Mays, the former president of Morehouse College and a mentor to Dr. Martin Luther King, Jr., who said, "You earn a living by what you get; you earn a life by what you give." Think about that for a second. "You earn a living by what you get; you earn a life by what you give." Think about that and think about all the times Jeh Johnson has left the comforts of the private sector—three times before—so that he could give back and serve the people of our country as a leader in our government. With that in mind, I think we know what kind of leader we are getting in Jeh Johnson and what he will bring to the Department of Homeland Security.

I urge my colleagues to join me in voting today for Jeh Johnson.

I thank the Chair, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUDGET CONTROL ACT

Mr. SESSIONS. Madam President, I wish to share some thoughts about the bipartisan Budget Control Act which passed through the House and is now here, and we are going to have a cloture vote on it in the morning.

I appreciate the hard work which Chairman RYAN and Chairman MURRAY put into that. It is a complicated and important task. But I am not going to be able to support it.

I am the ranking member on the Budget Committee. I have dealt with these issues, and Chairman RYAN and Chairman MURRAY and I have all talked about them for a number of years. There are a lot of things which are important as we work through this. The proposal before us would increase spending, increase taxes and fees, and

it would violate the core promise Congress made when passing the debt ceiling in 2011.

In August of 2011, we told the American people that if they allow us to raise the debt ceiling \$2.1 trillion, we would cut \$2.1 trillion in discretionary spending, essentially over the next 10 years. We would try to reach a bigger agreement. But if we didn't, we would cut money through the discretionary accounts: Defense and nondefense. No agreement was reached. The automatic cuts went into place.

I think we could modify those reductions in spending in a way which makes them less harmful and gives the agencies and departments—particularly Defense—much better ability to meet the reductions in spending we asked them to meet, without doing unwise damage as I think we probably are today. We could make it a lot better, but not to spend more than we agreed over the now 8 years remaining in the Budget Control Act's time.

I am willing to give and take on some of this, but I am a bit frustrated that we are now going to spend from \$63 billion to \$65 billion more mostly in the next 2 years over the Budget Control Act's limits, which include the sequester that we agreed to. I am worried about that. It is going to be spent, and we are going to try to cut somewhere else to fund it. Over half the cuts that are going to fund this \$65 billion occur outside the 8 years remaining on the Budget Control Act, in the last 2 years. That is not good.

We promised in 2011 we would reduce spending \$65 billion more this year, or contain its growth, more than this legislation says. We promised that. Now this legislation is going to cost from \$63 billion to \$65 billion more this year and next year in spending which we promised just 2 years ago. So I am a little uneasy that we are going to say we are going to pay for that extra spending in years 8 and 10 over the next 10-year budget.

Forgive me if that causes me concern, but it does. I am worried about it, and I hope that our colleagues will study this.

There are a couple of big issues that are out there. One is a real hit to retired military. People who served 20 years are going to have their military retirement pay until they are 62 reduced significantly.

In addition, we have a problem which I think is even more serious and important to me. As a member of the Budget Committee who has made and raised budget points of order on the floor of the Senate, I wish to make this point clear:

There is a budget point of order under current law that—if this Congress attempts to spend more money than was agreed to in the Budget Control Act and the sequester—that any Member can raise, and I have raised it

on at least three occasions, and we prevailed on each one of those three occasions.

What it says is: Even though you may say you have more money—you raised taxes or fees—we agreed not to spend over this level. This is our spending limit. It shows growth over 10 years in spending. It is not a real cut, although it cuts in the short term this year. But after this year, defense and nondefense discretionary spending will grow 2.5 percent each year. So this is not a permanent savaging of the Federal budget.

The point is, it was an agreement to limit spending. Somehow, in this agreement reached by Chairman MURRAY, the Democratic Senate budget leader, and Chairman RYAN, the House Republican budget leader—who is not familiar with Senate rules, but Senator MURRAY is—the Democrats obviously insisted that we change that budget point of order. That means if somebody proposes to spend more than the Budget Control Act says and proposes to pay for it with taxes and fees, it is no longer subject to a 60-vote point of order. That will undermine in a real way our ability to be successful, because it will pit unpopular taxes on some business against some needy cause, and it will say that you didn't vote to help people in need; whereas, in truth we agreed to spending limits, and we should adhere to those limits.

In the past we have had votes, and the vote was simply: This amendment, this bill that is before the Senate, spent more money than we agreed to spend. Go back and find some other way to fund this good cause you want to fund, not by more taxes and more spending. So this has been eroded significantly, and I am worried about it.

There are a number of other problems with the legislation, and I know people will complain about it. But nothing is perfect. I know that, and I know we would like to have an agreement, and hopefully somehow we can.

But what should happen is the Senate should not agree to reduce military retirees' benefits, at least not before we know there is no other alternative, and that other employees of the Federal Government at least have the same kind of reductions. It doesn't appear to be so here, and we ought not to have changed the internal budgetary enforcement powers included in this point of order. That should not be eliminated, and, unfortunately, that is what has happened today.

JOHNSON NOMINATION

In a bit we will be voting on the Secretary of the Department of Homeland Security. This is a very, very important position, one of the most important positions in our entire government. It is a massive agency. It was cobbled together under President Bush's tenure after pushing from Congress.

What happened was President Bush, after 2001 and the attack of 9/11, was pressured to have a new agency for homeland security. He didn't go for that at first, but the pressure built, and he decided to do it. He submitted legislation to do so. I supported it, but being a Federal prosecutor, having worked with virtually all of these Federal agencies, I probably knew better. It was a big deal, and it is very, very hard to cobble these agencies together—with their own history, their own administrations, their own policies, their own rules and regulations—into one. I am not sure it is a totally win-win. But we did it, and I voted for it eventually. Now it is the law of the land. The problem is it has not yet been brought under control. It has not yet been unified in an effective way.

There are over 240,000 employees of the Department of Homeland Security, and we need a strong leader to make this happen. We need a strong leader who can blend these agencies into one harmonious whole. I don't know why Coach Nick Saban came to mind. But you need somebody who is strong enough to drive the special interests, the old historical biases, the old ideas of doing things, into one focused whole to make this the best agency in the U.S. Government. That is what we need.

The nominee, Mr. Jeh Johnson, doesn't come close to that. He is not a good choice for this position. I am not saying he is not a good man. I am saying he is not a good choice.

Let's go over some of these things here. With over 240,000 employees, the Department of Homeland Security is the third largest cabinet-level department, behind only the Department of Defense and Veterans Affairs, and it is less cohesive than those two by far. When it was established, it subsumed 22 government agencies which all came together.

Some of the many DHS components which still exist today as part of Homeland Security include the U.S. Customs and Border Protection service, which itself has 25 component parts; the U.S. Citizenship and Immigration Service, which itself has 21 parts. They are an unhappy group. Their officers association has complained to this administration about the lack of support and lack of commitment to law. The U.S. Coast Guard is part of Homeland Security; FEMA, the Federal Emergency Management Agency, which has 37 component parts; and U.S. Immigration and Customs Enforcement, ICE. The ICE Office of Principal Legal Advisor alone has 41 component parts.

ICE is an important agency. It has been decimated under this administration. They have voted "no confidence" unanimously in their Director John Morton, who finally retired. All of these report directly to the Secretary of Homeland Security.

Before the Judiciary Committee 2½ years ago, I asked Secretary Napolitano if she was aware of the ICE officers association morale, which according to government surveys was virtually the lowest in the entire U.S. Government, and would she meet with them, and she didn't make a commitment to do so. So a year later she came back before the Judiciary Committee and I said: Have you met with them yet? No. She didn't meet with them. So this is a big problem.

The U.S. Secret Service, the group which protects the President and provides security throughout the country, is a very important agency. The TSA, Transportation Security Administration, airport security people, has 21 component parts in that entity. The Domestic Nuclear Detection Office; the Federal Law Enforcement Training Center; the Director for National Protection and Programs, which includes the Office of Emergency Communications; the National Cybersecurity and Communications Integration Center, the Stakeholder Engagement and Cyber Infrastructure Resilience Division, the Federal Network Resilience Division, and the Network Security Deployment Division.

I was a U.S. attorney. I worked with many of these Federal agencies for years, but I never heard of those. But they are out there, and they are important. The Directorate for Science and Technology, which has 37 component parts; the Office of Infrastructure Protection, which has 5 divisions; the Office of Operations Coordination and Planning; the Office of Intelligence and Analysis—and that doesn't include 10 other offices.

On December 12, 2013, the Government Accountability Office—our independent agency that investigates departments and provides information to Congress—published a report stating that since its inception in 2003, the Department of Homeland Security "has faced challenges in implementing its human capital functions and Federal surveys have consistently found that DHS employees are less satisfied with their jobs than the government-wide average of Federal employees."

Some of those agencies are at the very bottom of satisfaction and so forth.

DHS has ranked 36 out of 37 agencies that participated in the Office of Personnel Management Employee Viewpoint Survey. They surveyed the employees. How do you view your agency? They are at the bottom. We need a leader who can turn that around. This program is down. We need a coach who can build a winner.

This survey includes questions such as whether leaders generate high levels of motivation and commitment in the workforce and whether employees have a high level of respect for their organization's senior leaders. That is what

they ask when they do this survey. From the years 2006 through 2013, DHS scored lower than the governmentwide average each year. While the governmentwide scores for this index have declined 3 percentage points since 2011, DHS's scores have decreased by even more—by 5 percentage points from their previous level.

My point is that this is a massively important agency on which we spend billions of dollars, and it needs a top-flight manager, a proven leader, somebody who understands law enforcement. It could be a Governor, it could be a State attorney general, but in my opinion we really need somebody who is a Federal law enforcement officer who has been a leader or deputy leader at the very top of some of these agencies—the FBI, the Secret Service, the Coast Guard—somebody who understands these issues and is committed to turning this agency around.

I have to tell you that the secret is that there is no real intent to turn this agency around because the immigration system—U.S. Customs, ICE, the Border Patrol, the Customs and Immigration Service, which evaluates requests for admission to the United States—is in disarray. This administration's goal is to further undermine their ability to be effective because they do not really want vigorous enforcement in these agencies. That is one reason their morale is so bad.

The ICE officers of the United States of America filed a lawsuit in court in Texas. They said their supervisors were instructing them not to fulfill their sworn duty, which was to enforce the laws of the United States. The lawsuit went on for some time. It eventually got dismissed on technical grounds, but the judge found that the supervisors of these agencies, the top people in these agencies, could not direct people not to enforce the law—which is what they are doing. We can go into that in some depth, and I am going to do that if I have the time. I am going to document, for the last 4 or 5 years, the systematic action by the President of the United States and his homeland security officers and Secretary and sub-Secretaries to undermine law enforcement, not to help our officers do better but to block them from doing their job. It is breathtaking. We have had too little discussion of it.

Jonathan Turley, legal scholar, supporter of President Obama, has said this goes beyond—this crosses the line. This goes beyond what is an Executive power that the President has. It goes beyond his power to basically tell his agencies to implement a DREAM Act law that Congress three times refused to pass. Congress wouldn't pass it, so he directed his agencies to do it anyway.

Professor Turley said this is a breathtaking violation of the Madisonian concept of three branches

of government. It crosses the line. He was crystal clear. If I have time, I am going to talk about what he said about that.

Mr. Johnson, who is a nice individual and capable, is a lawyer. He came by to see me. We talked some about this. I expressed, frankly, my concerns to him.

The administration has pointed to Mr. Johnson's position as General Counsel for the Department of Defense as proof of his management ability. That position is actually substantially equivalent to being an Assistant Secretary of Defense. There are 15 of those. But one thing that counsel for the Department of Defense does not do is manage the Department and deal with all the conflicts about the agencies and departments and so forth.

An Assistant Secretary of Defense is the fifth highest ranking official within the Department's organizational hierarchy. First, there is the Secretary of Defense, then the Deputy Secretary of Defense, then the Executive Secretary, Under Secretaries, and Deputy Chief Management Officer. You have to go that low, and then he is the counsel—not a manager, a lawyer.

He was previously a litigator at some big New York law firm and an assistant U.S. attorney for 2 years. I was U.S. attorney. I managed an office—a relatively small office—of 12. He was for 2 years an assistant U.S. attorney. He is now supposed to be able to manage this entire monstrosity of an agency.

The first Secretary of Homeland Security, Tom Ridge, had served as Governor of Pennsylvania for 6 years. That is a big State. That requires some management skills. And he was President Bush's Homeland Security Advisor from 2001 to 2003 and was a part of the post-9/11 response, and President Bush appointed him and he was the first leader in the Department of Homeland Security.

His successor, Mike Chertoff, had been a judge on the U.S. court of appeals, but, more significantly to me, he had a long term in the Department of Justice and as U.S. attorney in one of the big offices in America, the District of New Jersey. He worked with every one of those agencies for a long period of time, spent decades of prosecuting cases, and he understood the culture of the agencies that came together to form Homeland Security.

Even Secretary Napolitano had been Governor of Arizona for 6 years and had been State attorney general, both of which were management positions.

In an interview with the blog *abovethelaw.com*, nominee Mr. Johnson was asked why he left a lucrative private practice to join the Department of Justice, and he replied: "Loyalty to this President, commitment to public service, and safety for our country." The first thing he mentioned was loyalty to this President.

According to one article, Johnson was described as "a loyal political operative of the President who often referred to himself as 'the President's man' at the Department of Defense." So the President had his man, the lawyer, at the Department of Defense. I suppose that is OK, to have a friend at the Department of Defense, but is he capable of running the Department of Homeland Security?

On October 18 of this year, at the press conference announcing his nomination, Mr. Johnson said, "I love this country, I care about the safety of our people, I believe in public service, and I remain loyal to you, Mr. President."

While at the Department of Defense, Mr. Johnson is credited with spearheading the President's effort to repeal the don't ask, don't tell law or policy despite the fact that a poll of the combat units showed they didn't favor that. A report he produced dismissed these attitudes as laden with emotion and misperception. He was hailed as "a hero of don't ask, don't tell repeal" by the Washington Post. I think that is what he has been given the most credit for, being active in that issue. I am not saying that is disqualifying; I am saying that is what he spent his time doing at the Department of Defense. He wasn't dealing with how much aircraft carriers are going to cost. He wasn't dealing with the kind of weapons we need to be providing or building today to be used by our military down the road and doing so in a constrained budget.

According to Senator MCCAIN, recently the White House instructed Mr. Johnson not to be responsive to Senators' requests for information in relation to his nomination, and he has complied with that instruction. I think it was a concern of Senator MCCAIN's that Cabinet members have a duty to be responsive to the U.S. Congress and that when you ask a nominee or Cabinet member a question, they need to respond. If they are going to be loyal to the President to the extent they do not respond to legitimate questions from Congress, then maybe they do not need to be confirmed to the job. Are they not going to respond? And who at the White House told him to do that? It was probably not the President; it was probably some staffer, maybe in his thirties, never done any of this stuff before, and they decided politically they didn't want him to answer questions, so they told him not to, and he didn't do it.

We are having a problem today with this. Getting responses is an important matter for any Cabinet head. But, of course, he had some other matters. I am not attacking Mr. Johnson's integrity. I am not attacking him in any way personally. But according to the Federal Election Commission, he has donated over \$130,000 to various Democratic candidates since 1998, including

the President's 2008 campaign. According to the Web site opensecrets.org, Mr. Johnson was a bundler for President Obama's 2008 campaign to the tune of \$65,000. He also served on President Obama's fundraising committee. He donated to many other groups, and he was counsel to Senator Kerry's 2004 campaign.

He is an insider. He is close to the President. They are close personally. He is, perhaps, a good lawyer. Maybe he has some good political skills, but we have a department that is in disarray, a department that is hurting perhaps more than any other department in Washington. It is a massive department that needs real leadership. They need a new coach. They need somebody to whip them into shape, break down these barriers, and eliminate the petty turf fights that are still going on in that agency.

We need strength, integrity, and a commitment there, and I don't believe Mr. Johnson has ever had the opportunity to demonstrate that. He has not been trained in those kinds of issues, and he has had no example of it.

My colleagues remember the execution of the nuclear option in this very Chamber in which the majority leader broke the rules of the Senate to change the rules of the Senate, to eliminate the ability of the Senate to have 60 votes to confirm nominees, although most of the President's nominees were being confirmed and have overwhelmingly been confirmed.

They got irritable about a few judges so they changed the rules of the Senate. It has been a devastating change for a lot of reasons. One of the ramifications is—with loyal Democratic senatorial support—that Mr. Johnson doesn't have to respond to my letter or to the inquiries of Senator McCain. He has to respond to some staffer in the White House who said: Don't give them any information. Just give them some general junk. He will still be confirmed because we have 55 Senators, and they only have to have 51. The ability to put pressure on these nominees is important.

I know my friend Senator REID made a huge error. He has a tough job, but he did not need to go along with this. I know he had radical and progressive groups pushing him to do this nuclear option, pull the trigger, stick it to them, do it, and he eventually ended up doing it.

It has been reported that when Senator REID left the Senate Chamber and went to the Mansfield room, there was raucous applause and cheering from the ACLU and many leftwing groups that were over there that wanted this thing to happen.

I know the hard left wanted that. They have been pushing for elimination of the classic Senate prerogatives that make us different from the House of Representatives. I guess this

was the first big step they feel they achieved. It has certainly undermined our ability to ask this nominee, before we confirm him to this hugely important agency, to get some commitments from him about how he is going to manage this agency.

Ranking member of the Judiciary Committee, Senator GRASSLEY, along with myself, as ranking member of the Budget Committee, Senator HATCH, as the ranking Republican on the Finance Committee, Senator CORNYN, who is second in command and the whip in the Senate for the Republicans, and Senators LEE and CRUZ, sent a letter to Mr. Johnson on November 15 regarding several issues. Most of the issues focused on the outright refusal of this administration to enforce immigration law as written.

On Friday we received a letter that can only be described as insufficient. He refused to give a straight answer to a single question. He said he would provide his "more general views as they exist at this stage."

What kind of commitment is that? I am going to give you some of my "more general views as they exist at this stage." Is that the kind of response the Congress should expect from a man about to head this agency? I am sure it is the kind of response the White House staff told him to give.

Mr. Johnson's answers are critical to the ability of Senators in this body to properly judge him. It goes to the essence of his qualifications for the post and one of the central areas of responsibility under his direction.

According to Senator McCain, Mr. Johnson said the White House prevented him from giving more complete answers.

Now that President Obama, Majority Leader REID, and the leftwing interest groups have decided and successfully nullified the Senate's constitutional right of advice and consent, why should any nominee be responsive to questions on any topic, let alone controversial ones such as: Will you enforce the immigration laws of America? Isn't that something we ought to be able to ask him? Or will you continue to direct your officers to violate their oath and not enforce the law faithfully? That is what is being done right now, as I will document, if we have time to do so.

This Department has been at the epicenter of this administration's refusal to enforce our laws. The administration's political appointees have amounted to little more than rubberstamps, and they abdicated their sworn duty to enforce the law.

The White House has summarily suspended entire portions of Federal immigration law, granting unilateral reprivileges to people based on everything from family connections, age of entry, and criminal record. These policies, I fear, are only the tip of the iceberg.

The one thing Mr. Johnson was clear about in his letter is that he supports

the Senate's immigration bill, one that passed the Senate, but the House has said it was dead on arrival. This bill provides amnesty without ever securing the border, that further erodes what interior law enforcement is left, is even weaker than current law, and provides the Secretary of Homeland Security unprecedented discretion and waiver authority. One of the big problems—and one of the reasons the law is not being enforced—is the Secretary says that I am waiving all of these portions of the law, and that is why you don't enforce the law, officers.

Under the bill that cleared the Senate, it gave even broader power to the Secretary to not enforce plain law.

I think there is no doubt that if Mr. Johnson is confirmed, he will use the additional powers he has to even further undermine enforcement.

Speaker BOEHNER of the House has said they will not take up the Senate bill but will take up several immigration bills in a step-by-step approach. Does anyone believe this administration will actually enforce anything they pass? They are not enforcing current law.

Before the House gets into passing laws and conferring on any kind of comprehensive bill, I urge that they start insisting—and help us insist—that this administration enforce the law they have. If they just refuse to do it, why should we assume that passing the bill has any ability to change the path we are on?

The first responsibility of Congress must be to restore the rule of law, secure the border, and bring the administration into compliance with the laws of the United States. Until that happens, there is no reason or basis to offer any legalization plans considered in the Congress.

Congress cannot capitulate into this overreach. The first place we ought to start is Mr. Jeh Johnson, the nominee of Homeland Security. He would control the Customs officers, the Border Patrol officers, and the Immigration and Naturalization Service. Those are all under his direct control, and they need to be strengthened and not further undermined.

The record of lawlessness is what we sought to explore in our policy-oriented inquiry to Mr. Johnson, but we got no response to it.

In September 2011, the President said:

We live in a democracy. You have to pass bills through the legislature and then I can sign it.

Yet less than 1 year after he personally disputed the notion that the executive branch could not act on its own, he decided to grant legal status to a class of individuals. He instituted an action called the Deferred Action for Childhood Arrivals, a directive to all the agency department heads—all the way down to the officers at the lowest

level—which would grant legal status to a mass population of individuals who are in the country illegally.

The directive, combined with the so-called Morton memo, ordered law enforcement agencies in the field to stop apprehending and removing people in the country illegally and instead allow them an opportunity to apply for legal status.

There is no law that allows them to apply for legal status. The law came up three times in Congress and three times Congress rejected the law.

As Professor Turley said, this is a big deal. Three times Congress rejects the law and then the President directed his officers to execute a law that was never passed; in fact, it was rejected.

The President told an audience in November of this year that he did not have the power to halt deportations, stating:

If, in fact, I could solve all these problems without passing this through Congress, then I would do so. We're a Nation of laws. . . . the easy way out is to try to yell and pretend like I can do something by violating our laws.

He said that, but he is doing just the opposite. His statement is accurate.

Every Member of Congress should be alarmed by this.

I asked my Democratic friends who have been awfully quiet on this issue: What would you do if a President refused to enforce welfare laws or minimum wage laws or fair housing laws? What would you do if a President circumvented Congress to implement a policy you disagreed with and Congress had explicitly rejected? Would your reaction be the same silence we are seeing today?

Once the rule of law begins to be undermined, this whole Republic is in danger. The American people get it. They talk to me about it all the time. They use different phrases. They say: What is a Constitution? The people don't tell the truth. The law is not being enforced. How can he amend ObamaCare—the Affordable Care Act?

I was taught in elementary school and high school that the President executes the laws; he doesn't make law. How can he change the law you guys just passed? I get asked that all the time. I have to say it is not a frivolous question because we have an abuse—as Professor Turley and others have said—that is very significant. It has to end. No one is above the law. That is what the judge in Texas said and that is what the judge said to President Nixon when he didn't want to do some things. He said: You are not above the law. They said it to President Clinton too.

Failure to uphold our laws violates our legal and moral responsibilities to our own citizens and those who came to this country legally and creates the preconditions necessary for a repressive and capricious government.

When the majority leader can stand before this Senate—and the rules of the Senate say that to change the rules of the Senate, you must have a two-thirds vote. In order to shut off debate, you must have 60 percent of the people vote for it. When you make a parliamentary inquiry and overrule the Parliamentarian and Presiding Officer who rule exactly that and say we can shut off debate on Presidential nominees with 51 votes, something bad has happened. That is a very clear problem we have.

I spoke to Mr. Johnson, and we had, by chance, an opportunity to have a few minutes in my office, and he said he supported the law. So I asked him why he wanted this job because he was not going to be allowed to enforce the law because this President's policies were contrary to that. He had his own ideas about immigration, inconsistent with the law of the land, and he was executing his ideas about immigration laws, not what is the law of the land.

So I am going to detail—if I don't finish, I will offer the information for the record and maybe speak on it later—a long, continuous trail of violations of law and improper policies designed to block the enforcement of law in America concerning immigration. It is stunning, and we should be talking about that with Mr. Johnson, but he doesn't have to answer our questions. He just says he will give us some general ideas about what his views are and the views he has at this time. Of course, they may change.

Most Americans probably don't know that a law enforcement officer who apprehends someone for speeding and discovers the person is illegally in the country does nothing. The Federal people will not come to pick them up; it is against the policy. They just release them on the spot. They could have caught him for other lesser offenses. They are released because people won't come and get them. It is actually being applied to people in prison who are supposed to be deported.

In early 2009 there was an Immigration and Customs Enforcement raid—and this story explains how we got into this—initiated and planned while President Bush was in office. And he had been weak on enforcement of the laws too, but he was actually getting a little better. He called out the National Guard, and momentum was moving in the right direction. So they executed an enforcement action at an engine machine shop in Washington State, where ICE agents detained illegal immigrants without authorization. In a statement about the operation, ICE said they were investigating criminal activity. They discovered hiring records revealing a significant number of people who were using bogus Social Security numbers and counterfeit documents. They found 26 illegal immigrants working at this company. It was a completely legitimate and justified

law enforcement action, but President Obama had just taken office and he had clearly promised this kind of thing wouldn't happen. Shortly thereafter, certain pro-amnesty groups criticized him. As a result, Secretary Napolitano vowed she would “get to the bottom of it.” An article in the Washington Times quoted a Homeland Security official as saying, “The Secretary is not happy about it.” And instead of enforcing the law, the Secretary investigated the law enforcement officers for simply doing their duty—apparently in response to some secret demand made or promises made to advocacy groups during the campaign.

I appreciate the opportunity to share these thoughts. As I said, that was the first event, and we have had a series of those since—a long list of them—that got us then to a point where we need to know where the Secretary of Homeland Security stands on these issues. We should not confirm somebody who is not crystal clear about what their policy would be for this great office and we shouldn't confirm somebody who has no apparent training or background or capacity to be the kind of strong leader we need at this point in time in history.

I see Senator MCCONNELL is on the floor. I appreciate his leadership in trying to make sure we adhere to our spending agreements and do the right thing on our spending. I thank Senator MCCONNELL for his steadfast and solid good judgment as we wrestle with some very tough issues.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. KING). The minority leader is recognized.

HEALTH CARE REFORM

Mr. MCCONNELL. Mr. President, I thank my friend from Alabama for his kind words, and I commend him for the great job he has been doing in outlining the issues before us, not to mention the particular nominee he was speaking about.

A few weeks ago the Obama administration essentially declared that it had met its goals for fixing the ObamaCare Web site. With the Web site fixed, they led us to assume that ObamaCare was “fixed” as well, but that was never true. As I have been saying all along, the problems are much bigger than a Web site.

Even the administration's claims about the Web site have been exaggerated. Recent news reports suggest that many Americans who thought they had enrolled on the exchanges will find that they do not, in fact, have coverage on January 1, largely as a result of lingering problems with the site.

An even larger problem lies with the coverage options folks are actually finding if they manage to make it through the Web site. For folks patient enough to successfully navigate through healthcare.gov, many are finding that ObamaCare offers higher premiums, higher costs, or higher deductibles—sometimes all three—in exchange for coverage that is in many cases inferior to what they had before: fewer choices, restricted hospital networks, losing doctors our constituents know and trust. That is what many are getting in exchange for higher costs and skyrocketing premiums, even after the President promised ObamaCare would “cut costs and make coverage more affordable for families and for small businesses.”

Despite the President’s serial pledges to the contrary, the government’s own studies on this issue now indicate that ObamaCare will actually increase the cost of health care in America by more than \$620 billion. ObamaCare will actually increase the cost of health care in America by more than \$620 billion.

As one California woman recently put it, for her, ObamaCare has meant being forced into lower coverage for more money. Many Kentuckians feel exactly the same way.

Giselle Martino is a constituent of mine from Prospect, KY. Here is what she recently wrote to me after losing her coverage:

I paid a very high premium to have a major medical plan. I am now forced into the exchange for a lesser plan with more exclusions and higher deductibles. I will most likely never reach those deductibles. How does this help me? I am basically paying into the plan for the others. If I must pay for my higher tier heart drugs anyway, why should I bother with the health plan? What a disappointment this administration has caused.

Higher costs and less care, that is what ObamaCare means for Giselle Martino.

ObamaCare has been a disappointment for Mike Conn from Prestonsburg too. Here is what he had to say about this law:

A policy that has similar coverage to what we had would cost us around \$1,100 a month. [That] is a 100-percent increase for me and my wife. I was informed by the individual that was helping me find coverage that it was because we live in eastern Kentucky.

Mike says his plan is no longer available in that part of the State, and now he is evidently facing a 100-percent increase in cost because of where he lives—a 100-percent increase in cost because of where he lives. It is not fair.

Mike and Giselle both have every right to be upset. But that is the reality of ObamaCare for too many Kentuckians, a State where 280,000 people have already lost the coverage they had because of this law. It is a reality facing millions of Americans across our country. When the White House was asked today whether they were confident that the millions of Ameri-

cans with canceled policies would be able to sign up for new insurance before January 1, they couldn’t give a straight answer.

That is why we Republicans are going to maintain our focus where it belongs—on the people we represent and on the issues that truly matter to them because our constituents understand that ObamaCare is about so much more than a Web site. The administration needs to start understanding that too. Fixing a few lines of code isn’t going to help people keep the plans they like, plans that work for their families. It isn’t going to help our constituents afford the law’s exorbitant premiums and deductibles. It isn’t going to help our constituents cope with fewer choices and lower quality of care. These are the things that actually matter to the middle class.

The administration and its allies in Congress can talk until they are hoarse about a Web site or about nominees or about whatever else they think they can say to distract Americans from the failures of this law, but that isn’t going to work.

To the millions of Americans suffering under ObamaCare, people should know that Republicans are on their side. We are going to keep fighting for true health reform that lowers costs, for reform that promotes choice and a better quality of care, and we are going to keep fighting against the idea that government knows better than our constituents when it comes to their families’ health care. That is what our constituents expect of us, I know that is what Kentuckians expect, and that is just what Republicans are going to continue to do.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING MAYOR TOM MENINO

Ms. WARREN. Mr. President, I rise today to honor one of the great leaders in the history of Boston. It might seem odd to describe a man who is still with us today, alive and well, as a figure in history, but in the almost 400 years since Boston was founded, a history that is filled with names known across this country—Winthrop, Adams, Lowell, Lodge—in this 400-year history, few have done more for Boston than our mayor Tom Menino.

Looking back at his 20 years in office, it is clear how much Tom Menino has done for our city. Mayor Menino

revitalized Boston. From the waterfront and Innovation District to Dudley Square and Roxbury, Mayor Menino led the resurgence of our neighborhoods, expanded parks and livable spaces, and created a city whose innovative potential is unbounded.

Mayor Menino worked for Boston. With firm convictions, he cautioned against predatory lenders, starting the “Don’t Borrow Trouble” campaign long before the great recession. With political will and courage, he improved education for all our kids, creating full-day kindergarten and making Boston schools some of the best in the country. With foresight of the next frontiers, he fought for hospitals and scientific research, giving Boston the world’s leading health care institutions. With fierce moral clarity, he stood firmly for equality—equal opportunity for immigrants, equal rights and equal marriage for the LGBT community, equal pay for women.

Perhaps most importantly, Mayor Menino has been there for Boston. It is often said that more than 50 percent of Boston residents have met Mayor Menino personally. I do not believe this is true. I believe the number must be much greater. It seems as if the mayor attends every community event, every potluck dinner, every school play, and every soccer game. From Grove Hall to the North End, Bowdoin to West Roxbury, we know Mayor Menino will be there for us in our moments of greatest triumph—ribbon cuttings for new buildings and parks, World Series victories, a new Bostonian’s citizenship, a child’s graduation—and we know he will be there for us in our moments of great tragedy—the death of a loved one, terror in Copley Square.

Of course, Mayor Menino could not have done it alone. By his side for all these years he has had Angela Menino. Angela is a devoted wife, mother, and grandmother. To all of us in Boston, she was not just a first lady but a first friend. Angela championed causes that often went unheralded in the press, supporting women and children, employment and education, and fighting to end homelessness. Today we thank Angela as well for helping make our city into a warm and thriving community.

Almost 400 years ago, on a ship sailing from England to the New World, John Winthrop declared that the new city they would found, Boston, would be a “city upon a hill, the eyes of all people are upon us.” And if that experiment, our city, was to succeed, he said “we must be knit together . . . we must entertain each other in brotherly affection . . . we must rejoice together, mourn together, labor and suffer together, always having before our eyes our commission and community in the work, as members of the same body.”

For 20 years Mayor Menino has made Boston into a city that all eyes can see

is a model for the country and for the world. He has succeeded because he knew all along that our fortunes depend on our work together—as one people, as one community, as one Boston.

On behalf of a grateful people, Tom Menino, we thank you for your hard work, for your service, and most of all for your dedication to making Boston a better place.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO LAURA HERZOG

Mr. CORKER. Mr. President, I rise today to speak about an outstanding member of our staff, a friend, and a very special person who will soon leave the Senate—after almost 11 years of service—with her family to go to Nashville to begin the next exciting phase of their lives.

I first met Laura Lefler when she was a staffer working in Senator LAMAR ALEXANDER's front office answering the phones and greeting visitors. I was in Washington to try to decide, like the Presiding Officer, whether running for the U.S. Senate was something I should consider. Seeing her smiling face and listening to her Tennessee accent certainly made me feel at home.

Later, after I decided to run, we became involved in one of the most difficult races in the country in 2006. I was the only new Republican to make it through. Toward the end, with the race nationalized and dealing with all kinds of issues, a whole crew of folks descended upon our office to help us get across the top. One of those was young Laura Lefler, who helped us in our communications office. I think she was surprised by the fierceness of a campaign such as this. She took it all very personally—a sign of someone you want to be at your side.

Then came the transition. Laura was the first person to open our office, and she helped us interview people and find our way through the daunting task of opening a new Senate office. When it came down to deciding who would lead our communications office, we had gotten down to people who had been here and done it for a long time and Ms. Laura Lefler. She always said I was concerned about whether she should really be the person, and, in fairness, now that she is leaving, I will say I was. She was young. She had never done this before. Certainly I had never done this before. And I wondered whether we needed someone who was more seasoned and had different expe-

riences. Without question, hiring Laura to lead our communications office is one of the best decisions I have ever made in my life. I cannot imagine the last 7 years without Laura in our office, and I know the rest of our staff feels the same way.

Laura has been instrumental to our office in every way. No doubt, she has done an outstanding job as a communications director. I think every person in our office, those in other offices, and the media people throughout the Capitol and throughout Tennessee would all speak to the fact that she has been a professional, she has been endearing and a responsible communications director.

She has also been instrumental in other ways, such as always ensuring that I have never forgotten where I came from. She has that knack when we are making a decision over a tough vote to slip in toward the end and sit down privately and express her own feelings—something I value greatly.

As time went on, I realized something was different about other Senate offices. Most Senate offices center around the U.S. Senator. Our office has never been that way; it has always revolved around Laura.

It began with this guy named John Herzog, whom she later married. Was he going to end up having the kind of job that would allow him to know he could support a family? And then when he did, was he going to ask her to marry him? This went on for months and months.

Then there was the wedding after he asked. I do not think I have ever seen so many photographs of dresses and flower arrangements, nor have others in our office.

Then came the decision about their home purchase. Where would it be? What would it look like? How far of a drive would it be? You know the drill.

Then came young Jack. His hair was so perfect when he was born, he instantly was dubbed “the Weatherman.” Then, of course, which daycare would he attend? Would it be close enough? Would she continue to be a communications director and a good mom? As we all knew would be the case, she has been exceptional at both.

Then more of the same in Tennessee. I remember a townhall meeting in Loudon, TN, where over 1,000 people showed up at the gymnasium—a place where Laura Lefler had been the val- edictorian. I remember walking in with such excitement that so many people would be there at this townhall meeting to hear me discuss the big issues facing our Nation, but, not surprisingly, the first thing that was said when I walked in the door was, “Where’s Laura?”

Now, as we all knew would happen at some point, it is time for them to move on to the next phase in their lives. While we have all been a part of her

life and lived the ups and downs, she has been a part of all of ours. We will miss her greatly. She knows full well that I would gladly continue to be second fiddle in our office if she would stay. But we all know it is time for her and John, with their wonderful son Jack and possibly others to come, to go back to Tennessee, time to go back and be a part of other people's lives the way they have been a part of ours.

She has made life better for all of us over the last 7 years. Her big smile and ability to take ribbing—and also dish it out—have made each day so much more enjoyable. She is a consummate professional, always seeking perfection but with the ability to make it fun along the way. We will miss her, but we are so happy for her, for John, and for Jack. We are happy for her mother, who lives just across the line in Kentucky, and her dad, who lives right up the road in Loudon. We know Nashville will be a much better place with the Herzogs there. We look forward to visiting them often, and we all hope they will continue to involve us all in their wonderful life, their story, and the evolution of the Herzog family in Tennessee.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise to speak in morning business for approximately 10 minutes.

The PRESIDING OFFICER. The Senator is recognized.

BIPARTISAN BUDGET AGREEMENT

Ms. MIKULSKI. Mr. President, I come to the floor today to urge my colleagues to support the bipartisan budget agreement.

I congratulate our colleagues, especially Budget Committee chairwoman MURRAY for her outstanding leadership in forging this bipartisan agreement with her House counterpart, Mr. RYAN. They reached this agreement in a way that is indeed a compromise—not everyone's desired outcome but a fair and necessary one. I urge my colleagues to support it. I think it is fantastic that they actually got a budget done. This is the first time in several years we are actually going to vote on a bipartisan budget conference agreement, and I think it bodes well for future activity where we return to the due order of passing legislation, one in each House, having a conference committee to hammer out the disagreements, and then it coming back to us for final agreement.

What I like about this agreement is it creates certainty by avoiding sequester for 2 years, giving the top-line funding to us on the Appropriations Committee for 2014 and 2015. Many people do not realize that we on the Appropriations Committee who actually put money in the Federal checkbook to be

spent have a cap put on our spending by the Budget Committee. That is called the 302(a) or the top line. We have not been able to do our Appropriations Committee work because we have not had a top line. This enables us to have one for 2014. We are under a mandate to bring it back to the Senate and to the House by January 14. We will meet that deadline. It is going to be tough. It is going to be stringent. But we are going to get the job done. It also gives us certainty for 2015 so we can return to a regular order of actually knowing where we stand with our cap, holding our hearings, and bringing bills to the committee.

The other facet I like about this bipartisan budget agreement is it prevents harm. It protects seniors and families. It preserves the social safety net, such as Medicare and Social Security.

Finally, the agreement ends gridlock. The American people are tired of shutdown, slowdown, slam-down politics. This agreement ends the lurching from crisis to crisis and shows we can compromise and we can govern.

First of all, and foremost, this budget agreement creates certainty for America's businesses and families. By avoiding sequester for 2 years, it prevents further across-the-board cuts—not that we do not need strategic cuts, and we will come up with them in the Appropriations Committee—but across-the-board cuts where we do not know if a program works or if a program is dysfunctional. This way, we can actually look at those programs that we do need to cut—those that are dated, those that are duplicative, those that are dysfunctional. Sure, let's cut those.

But at the same time let's keep the good programs and make sure that they are adequately funded. I believe that avoiding the sequester and the meat-ax approach to cuts really helps us to have better governance. We will have a more frugal government, and we will have a more sensible way of spending.

It also gives us this top line funding for 2014 and 2015 for the Appropriations Committee. It means that we can write an omnibus bill. What does an omnibus bill mean? We on the Appropriations Committee have 12 subcommittees. We would like to have brought these subcommittees up one by one and have the House exercise their due diligence in looking at the bills to see what they want to add, subtract or change.

We could not do it because we failed to have this budget agreement to give us the top line. What we will now be able to do is for 2014 we will be able to bring them all up at one time in a bill called the omnibus. I hope it is a bus that really moves. It will enable us to make smart choices about our investments in America instead of government on autopilot through a continuing funding resolution.

This agreement saves America from lurching from one continuing funding resolution to another. It is a fair compromise. For 2014 it is \$45 billion above the House-proposed budget, but it is \$45 billion below the Senate-proposed budget. Our budget leadership met in the middle and really thought that would be an adequate compromise. I would have preferred the 1.058 level, but it is adequate.

The bipartisan agreement also, as I said, prevents harm to the middle class. What America is looking for, though, is not only numbers and programs and so on, they want us to get our act together. They want us to really do our job, and do it in a way that is sensible and civil.

I believe that is what was done in that budget committee. They want us to work together across the aisle and across the dome. This bipartisan agreement shows what can be done when we do meet in the middle to make progress for the middle class and for those people who are neither right or left but want to take the middle of the road.

This compromise is not perfect. Compromises never are. For me, some of the pay-fors were not exactly what I was happy about. For example, they require new Federal employees to pay more for their retirement and working-age military retirees to receive smaller COLAs. I would have preferred an agreement that closed tax loopholes or canceled some of those out-of-date farm subsidies left over from the 1930s.

However, by avoiding the sequester, we also will be able to avoid furloughs. If you talk to the civilian employees at Defense, and you talk to Federal employees in the domestic agencies about this whole idea of furloughs and sequester, some of them had to have a double furlough, such as at the FBI. We were facing furloughs in the FBI. We did not have gas for the FBI cars. That is not right.

We want to make sure we continue to fund our government and meet our responsibilities. I cannot stress enough how important this bipartisan agreement is. If we continued the path that we left and the sequester was left in place, it is would cost our economy 800,000 jobs in 1 year—800,000 jobs.

Maryland already lost 21,000 jobs because of the sequester. We have important Federal agencies. We have over 250,000 contractors, both in defense and civilian agencies, and the ripple effect through my State had an impact on institutions like Johns Hopkins and the University of Maryland and on major flagship companies like Lockheed Martin, and it was really significant.

By passing this, we have a certainty that enables us to keep those jobs. The Appropriations Committee is ready to write a funding bill that will create jobs today and jobs tomorrow. Jobs today and important investments in infrastructure, education, research and development, and jobs tomorrow.

Let's take this bipartisan agreement, and we will produce a bill. We on the Appropriations Committee will produce a bill that meets our national security needs, our compelling human needs, and at the same time lay the groundwork for a more prosperous America.

I urge my colleagues to support this bill and end gridlock and deadlock. Let's get on with making sure that we have certainty and reliability in funding the government of the United States of America.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNEMPLOYMENT INSURANCE

Mr. REED. Mr. President, in 12 days, unemployment insurance will expire for 1.3 million Americans. This will impact virtually every State. Over the course of the next year, it will set back millions of hard-working families, slow down job growth, and slow our economic recovery.

Today I filed three amendments to the Bipartisan Budget Agreement Act. The amendments would extend UI for 1 month, 3 months, or a year respectively. While I believe the best policy is to extend unemployment insurance for 1 year in order to keep our economic recovery moving forward, I am willing to work with my colleagues who object to extending it for the full year to find a path forward.

What we must, I think, provide is at least a message to those people that they will not see their benefits eliminated on December 28, and that we will, in fact, be working to make sure that this protection is in place for families all across this country. Over the next several days I will be coming to the floor seeking consent and urging my colleagues to extend unemployment insurance.

The expiration of unemployment insurance will be devastating to families across the entire Nation who rely on this as the last remaining source of support, in many cases for people who have worked hard for many years and because of this economy have lost their jobs.

This is a stressful time.

My home State of Rhode Island has an unemployment rate of 9.2 percent. We have been struggling since 2008 and 2009. This is very difficult for people. This difficulty will be particularly hard to bear as we celebrate the holidays—at a time when people should be able to consider and count their blessings—they will instead be looking

ahead a few days afterward to the loss of valuable, irreplaceable income.

It is also a devastating blow to our local businesses and economy. Extending UI is not only doing the right thing for American families, this is doing the right and smart thing for the American economy.

The Congressional Budget Office estimates that if we fail to extend unemployment insurance, we will lose 200,000 jobs—at a time when our major priority should be getting as many jobs as we can—and will slow economic growth by about .2 percent GDP.

This is not only the right thing to do in terms of the families of America, it is the smart and right thing to do for our economy. There is a compelling, economic rationale to provide these extended unemployment insurance benefits.

Mark Zandi, a noted economist, estimates that for every \$1 we put into the UI Program we get \$1.55 in return of economic activity. It makes sense. People who are living without their income from employment, when they take this money, they go to the store, they put food on the table, they pay rent. They pay for heat in the Northeast where the President pro tempore resides.

They are not stashing it away. In some cases, they are putting it right back into the economy. So this is a wise, economic policy, as well as a humane and decent policy.

Now is not the time to let this program expire for the individuals or for the economy. We have to extend UI immediately. December 28 is the day it stops; it is a cliff. People are off the program. Then, throughout the year, as people exhaust their State benefits at 26 weeks, they fall off because there is no Unemployment Insurance Program.

This is an economy where we are just beginning to see some recovery. Last month's numbers suggested about a 200,000-job gain. That was good, but hidden in those statistics was increasing evidence that long-term unemployment is increasing. Those people who haven't found jobs quickly are not finding jobs very well at all.

That trend is continuing and that is another reason we need the long-term benefits that are provided by the Federal program.

I am going to do my best to try to bring people together to recognize that this is an issue that is about American workers. People don't get unemployment insurance unless they have worked. It is about American families, because it is so necessary to support these families, and it is about States all across this country. Rhode Island has a 9.2-percent unemployment record. Nevada is the highest with 9.3 percent.

We can look at States—North, South, East, West—scattered across this country that have unemployment rates over

8 percent that need this program for their residents. I hope we can come together, work together, and get this done.

I urge, again, in the next few days that we all stop and think about our obligations, not only to the families of America but to keeping the momentum of economic growth moving forward. I would particularly ask those colleagues who are representing States with unemployment rates that are above the national average—and the national average is 7 percent—to think very hard about what they are going to tell many of their constituents on December 28 when they have lost their benefits.

I yield the floor and I suggest the absence of a quorum.

The legislative clerk proceeded to call the roll.

Mr. COATS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFFORDABLE CARE ACT

Mr. COATS. I know we will be voting shortly. The narrative out of the White House is that this health care plan is starting to work. That is not what I am hearing from home, and many are questioning this.

The Wall Street Journal today published an analysis showing how the health care law will raise premium rates. We all are familiar with the President's promise that rates will not increase under the ObamaCare, Affordable Care Act. According to The Wall Street Journal, Americans—particularly young, healthy adults—“could see insurance rates double or even triple when they look to buy individual coverage.” Other groups, Oliver Wyman, PricewaterhouseCoopers, and Milliman, all issued reports estimating that ObamaCare would increase premiums by up to 60 percent.

On and on this drama goes with broken promises. The American people are learning and discovering promises were made when this law was passed—and all through the 3½ years leading up to where we are—and assurances were coming from the President and the White House: Don't worry. Your premiums won't go up, period. You can keep the doctor that you have, period. It is not going to cost any more money, period.

Those promises have been broken and Hoosiers are finding out about this every day.

Regardless of the statements coming out—don't worry, everything is going to be OK, sort of take it to the bank, trust us—that is not what is happening on the ground.

People are writing to me. They are calling our office. They are tweeting, emailing, and doing everything they

can to give us these horror stories, saying: Do I have to do this?

Unfortunately, they do. Edward from Chesterton, IN, said he has spent countless hours on healthcare.gov searching for a health care plan. He discovered that the plans offered under the ObamaCare exchange had expensive premiums that he hadn't anticipated. In order to afford the monthly premiums, he has to choose the plan for his family with unaffordable deductibles in order to keep his premiums at the level he can afford to pay. It is basically: Edward, don't get sick. Don't have a medical expense throughout your family every year, and you will be OK. But if you do, what you didn't pay in premiums you are going to have to pay in much higher deductibles.

John from Martinsville, IN, was finally able to get on the healthcare.gov Web site. He found the bronze plan that was going to be at least \$100 more per month. He doesn't qualify for a government subsidy, and he doesn't see any way this new law will be saving money for his family. John says the only thing he sees is that he now will be subsidizing the health care system even more than before the law was passed.

DeWayne from Shipshewana, IN, wrote to tell me that not only is the small group health insurance plan his business currently offers not available any longer starting in 2014, but in his 15 years of administering the business health plans, he said he has never seen a rate increase this high.

DeWayne's health insurance plan for him and his business employees will increase 65 percent in this coming year. DeWayne's small group health insurance is increasing 65 percent for 2014—and this is called the Affordable Care Act?

I wish to give one more broken promise. William from Granger, IN, wrote and told me that his wife who works as a part-time nurse will no longer be offered health care since she works part-time. I assume they have children at home or maybe the hospital has determined they want to stay under that 40-hour workweek level, so they put her on part-time. I am not exactly sure what the case is.

In any event, they have discovered they will have premiums rise from \$11,544 a year under their current plan to \$19,076 per year, an increase of over \$7,500.

He goes on to say: “So much for [the President's promise] if you like your plan . . . if you like your doctor . . . your costs will go down by \$2,500.”

William's costs go up by \$7,500.

This isn't only Republicans in Washington highlighting these health care costs. These are Hoosiers from all backgrounds, Republicans, Democrats, and from all walks of life, sharing their stories with me about how they are

paying the price for the President's broken promises.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF ANNE W. PATTERSON TO BE AN ASSISTANT SECRETARY OF STATE (NEAR EASTERN AFFAIRS)

The PRESIDING OFFICER. Under the previous order the Senate will proceed to executive session to consider the following nomination which the clerk will report.

The legislative clerk read the nomination of Anne W. Patterson, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Ambassador, to be an Assistant Secretary of State (Near Eastern Affairs).

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the nomination of Anne W. Patterson, of Virginia, to be an Assistant Secretary of State?

Mr. COATS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from South Carolina (Mr. GRAHAM), the Senator from Illinois (Mr. KIRK), the Senator from Arizona (Mr. MCCAIN), the Senator from Kentucky (Mr. PAUL), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Arizona (Mr. MCCAIN) would have voted "nay."

The result was announced—yeas 78, nays 16, as follows:

[Rollcall Vote No. 274 Ex.]

YEAS—78

Ayotte	Flake	Merkley
Baldwin	Franken	Mikulski
Baucus	Gillibrand	Murkowski
Begich	Grassley	Murphy
Bennet	Hagan	Murray
Blumenthal	Harkin	Nelson
Booker	Hatch	Portman
Boozman	Heinrich	Pryor
Boxer	Heitkamp	Reed
Brown	Hirono	Reid
Burr	Hoeven	Rockefeller
Cantwell	Inhofe	Sanders
Cardin	Isakson	Schatz
Carper	Johnson (SD)	Schumer
Casey	Johnson (WI)	Shaheen
Chambliss	Kaine	Stabenow
Coats	King	Tester
Cochran	Klobuchar	Thune
Collins	Landrieu	Toomey
Coons	Leahy	Udall (CO)
Corker	Levin	Udall (NM)
Cornyn	Manchin	Warner
Donnelly	Markey	Warren
Durbin	McCaskill	Whitehouse
Feinstein	McConnell	Wicker
Fischer	Menendez	Wyden

NAYS—16

Alexander	Heller	Rubio
Barrasso	Johanns	Scott
Coburn	Lee	Sessions
Crapo	Moran	Shelby
Cruz	Risch	
Enzi	Roberts	

NOT VOTING—6

Blunt	Kirk	Paul
Graham	McCain	Vitter

The nomination was confirmed.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Jeh Charles Johnson, of New Jersey, to be Secretary of Homeland Security.

Harry Reid, Sherrod Brown, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

QUORUM CALL

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair now directs the clerk to call the roll to ascertain the presence of a quorum.

The assistant legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 13]

Alexander	Boxer	Crapo
Ayotte	Brown	Donnelly
Baldwin	Cantwell	Durbin
Barrasso	Cardin	Feinstein
Boozman	Coats	Fischer
Burr	Coburn	Franken
Chambliss	Cochran	Grassley
Coats	Cornyn	Harkin

Hatch	McConnell	Schatz
Heinrich	Menendez	Schumer
Heitkamp	Merkley	Scott
Heller	Mikulski	Sessions
Hoeven	Murkowski	Shaheen
Isakson	Murray	Stabenow
Johnson (WI)	Nelson	Thune
King	Portman	Toomey
Klobuchar	Pryor	Udall (NM)
Landrieu	Reid	Warner
Leahy	Risch	Warren
Lee	Roberts	Whitehouse
Manchin	Rockefeller	
Markey	Sanders	

The PRESIDING OFFICER. A quorum is present.

The question is, Is it the sense of the Senate that debate on the nomination of Jeh Charles Johnson, of New Jersey, to be Secretary of Homeland Security, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from South Carolina (Mr. GRAHAM), the Senator from Illinois (Mr. KIRK), the Senator from Arizona (Mr. MCCAIN), the Senator from Kentucky (Mr. PAUL), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Arizona (Mr. MCCAIN) would have voted "nay."

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 57, nays 37, as follows:

[Rollcall Vote No. 275 Ex.]

YEAS—57

Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Booker	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Cantwell	Klobuchar	Schatz
Cardin	Landrieu	Schumer
Carper	Leahy	Shaheen
Casey	Levin	Stabenow
Collins	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murkowski	Wyden

NAYS—37

Alexander	Enzi	Moran
Ayotte	Fischer	Portman
Barrasso	Flake	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rubio
Chambliss	Heller	Scott
Coats	Hoeven	Sessions
Coburn	Inhofe	Shelby
Cochran	Isakson	Thune
Corker	Johanns	Toomey
Cornyn	Johnson (WI)	Wicker
Crapo	Lee	
Cruz	McConnell	

NOT VOTING—6

Blunt	Kirk	Paul
Graham	McCain	Vitter

The PRESIDING OFFICER. On this vote the ayes are 57, the nays are 37.

The motion is agreed to.
The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that the remaining votes this evening be 10 minutes in duration.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

NOMINATION OF JEH CHARLES JOHNSON TO BE SECRETARY OF HOMELAND SECURITY

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Jeh Charles Johnson, of New Jersey, to be Secretary of Homeland Security.

The PRESIDING OFFICER. Cloture having been invoked, under the previous order all postcloture time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Jeh Charles Johnson, of New Jersey, to be Secretary of Homeland Security.

Mr. COATS. I ask for the yeas and nays.

Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from South Carolina (Mr. GRAHAM), the Senator from Illinois (Mr. KIRK), the Senator from Arizona (Mr. MCCAIN), the Senator from Kentucky (Mr. PAUL), and the Senator from Louisiana (Mr. VITTER).

The result was announced—yeas 78, nays 16, as follows:

[Rollcall Vote No. 276 Ex.]

YEAS—78

Alexander	Feinstein	Mikulski
Ayotte	Flake	Moran
Baldwin	Franken	Murkowski
Barrasso	Gillibrand	Murphy
Baucus	Hagan	Murray
Begich	Harkin	Nelson
Bennet	Hatch	Pryor
Blumenthal	Heinrich	Reed
Booker	Heitkamp	Reid
Boxer	Heller	Roberts
Brown	Hirono	Rockefeller
Burr	Isakson	Sanders
Cantwell	Johanns	Schatz
Cardin	Johnson (SD)	Schumer
Carper	Johnson (WI)	Shaheen
Casey	Kaine	Stabenow
Chambliss	King	Tester
Coats	Klobuchar	Thune
Coburn	Landrieu	Toomey
Cochran	Leahy	Udall (CO)
Collins	Levin	Udall (NM)
Coons	Manchin	Warner
Corker	Markey	Warren
Donnelly	McCaskill	Whitehouse
Durbin	Menendez	Wicker
Enzi	Merkley	Wyden

NAYS—16

Boozman	Cruz	Hoeven
Cornyn	Fischer	Inhofe
Crapo	Grassley	Lee

McConnell	Rubio	Shelby
Portman	Scott	
Risch	Sessions	

NOT VOTING—6

Blunt	Kirk	Paul
Graham	McCain	Vitter

The nomination was confirmed.

Mr. LEAHY. Mr. President, I am pleased to support the confirmation of Jeh Johnson to be the Secretary of Homeland Security. Mr. Johnson's distinguished career in public service, including his service as a Federal prosecutor and as general counsel of the Department of Defense, will suit him well as he takes on this new and very challenging responsibility. I look forward to inviting Mr. Johnson to testify before the Senate Judiciary Committee for an oversight hearing in the new year, which he has committed to do. Mr. Johnson will oversee many issues within the Judiciary Committee's jurisdiction, not the least of which is Federal immigration policy.

I had the opportunity to meet with Mr. Johnson recently and discuss some of the issues that have been of interest to me over the last several years. I encouraged him to continue to support the exceptional work U.S. Citizenship and Immigration Services Director Alejandro Mayorkas has done to make USCIS a better, stronger agency. In particular, I encouraged Mr. Johnson to build upon Director Mayorkas' work to strengthen and improve the EB-5 Regional Center Program, which is a successful, job-creating immigration program that has transformed parts of Vermont and other communities across the country. I look forward to working with Mr. Johnson and Director Mayorkas following his confirmation as Deputy Secretary for Homeland Security to continue the partnership the Senate Judiciary Committee developed with USCIS to make the improvements necessary to maintain the highest standards of integrity in this important program, and to sustain it as a significant economic engine for the United States.

I relayed to Mr. Johnson my concerns about Border Patrol checkpoints in the interior of the country, such as the one that the previous administration implemented and operated nearly 100 miles south of the Canadian border on Interstate 91 in Vermont. Over the past several years, I have heard from many Vermonters who find the idea of a Federal checkpoint 100 miles from the Canadian border, deep into the State of Vermont, entirely inconsistent with Vermont values and an overbearing Federal presence that creates an environment susceptible to racial profiling and the needless harassment of law abiding citizens. I continue to have serious questions about the effectiveness of checkpoints such as these, especially when weighed against the significant intrusion into the privacy of Americans.

I also discussed with Mr. Johnson my concerns related to the treatment of Americans returning to the United States, in particular the practice of CBP officials conducting warrantless searches of Americans' persons and belongings, including conducting forensic searches of electronic devices. These searches within the border zone are not subject to the usual protections provided by the Fourth Amendment to Americans. Recent CBP activities have raised serious questions about whether Federal officials are circumventing the protections of the Fourth Amendment by conducting opportunistic searches on individuals when those officials know they will be reentering the United States. As I wrote in a letter to the current acting secretary, such authority must be used with great restraint. I look forward to continuing my discussions about these important issues with Mr. Johnson.

Finally, I will seek to work with Mr. Johnson to address the overbroad material support bar in our immigration law. It has resulted in people, including vulnerable refugees, being unfairly barred from the United States based solely on de minimus commercial or social conduct that has negligible connection to the support of terrorism. One example involves an individual who sold flowers to members of a terrorist group, and is now considered to have provided "material support" to terrorism. That simply does not make sense and must be changed. As I have with his predecessors, I will urge Mr. Johnson to address this unjust situation as soon as possible after he takes office.

I congratulate Jeh Johnson on his confirmation and look forward to working with him as Secretary of Homeland Security.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF ALEJANDRO NICHOLAS MAYORKAS TO BE DEPUTY SECRETARY OF HOMELAND SECURITY

Mr. REID. I now move to proceed to executive session to consider Calendar No. 456.

The PRESIDING OFFICER. The question is on agreeing to the motion.
Mr. McCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be

a sufficient second. There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Michigan (Mr. LEVIN) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from New Hampshire (Ms. AYOTTE), the Senator from Missouri (Mr. BLUNT), the Senator from South Carolina (Mr. GRAHAM), the Senator from Illinois (Mr. KIRK), the Senator from Arizona (Mr. MCCAIN), the Senator from Kentucky (Mr. PAUL), and the Senator from Louisiana (Mr. VITTER).

The result was announced—yeas 53, nays 38, as follows:

[Rollcall Vote No. 277 Leg.]

YEAS—53

Baldwin	Hagan	Nelson
Baucus	Harkin	Pryor
Begich	Heinrich	Reed
Bennet	Heitkamp	Reid
Blumenthal	Hirono	Rockefeller
Booker	Johnson (SD)	Sanders
Boxer	Kaine	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Stabenow
Carper	Manchin	Tester
Casey	Markey	Udall (CO)
Coons	McCaskill	Udall (NM)
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murphy	Wyden
Gillibrand	Murray	

NAYS—38

Alexander	Enzi	Moran
Barrasso	Fischer	Murkowski
Boozman	Flake	Portman
Burr	Grassley	Risch
Chambliss	Hatch	Roberts
Coats	Heller	Rubio
Coburn	Hoeven	Scott
Cochran	Inhofe	Sessions
Collins	Isakson	Shelby
Corker	Johanns	Thune
Cornyn	Johnson (WI)	Toomey
Crapo	Lee	Wicker
Cruz	McConnell	

NOT VOTING—9

Ayotte	Kirk	McCain
Blunt	Landrieu	Paul
Graham	Levin	Vitter

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Alejandro Nicholas Mayorkas, of the District of Columbia, to be Deputy Secretary of Homeland Security.

CLOTURE MOTION

Mr. REID. Mr. President, I would ask the clerk to report a cloture motion under the direction of the Chair.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination

of Alejandro Nicholas Mayorkas, of the District of Columbia, to be Deputy Secretary of Homeland Security.

Harry Reid, Thomas R. Carper, Barbara Boxer, Mark Begich, Richard Blumenthal, Benjamin L. Cardin, Tom Udall, Debbie Stabenow, Sheldon Whitehouse, Bernard Sanders, Mazie Hirono, Christopher A. Coons, Jon Tester, Brian Schatz, Martin Heinrich, Claire McCaskill, Heidi Heitkamp, Kirsten E. Gillibrand.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

Mr. REID. Mr. President, I move to proceed to legislative session.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. REID. Mr. President, I got ahead of myself. I ask unanimous consent that the Senate move to legislative session.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Republican leader.

Is there objection?

Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF JOHN ANDREW KOSKINEN, OF THE DISTRICT OF COLUMBIA, TO BE COMMISSIONER OF INTERNAL REVENUE

Mr. REID. Mr. President, I now move to proceed to executive session to consider Calendar No. 459.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Michigan (Mr. LEVIN) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from South Carolina (Mr. GRAHAM), the Senator from Illinois (Mr. KIRK), the Senator from Arizona (Mr. MCCAIN), the Senator from Kentucky (Mr. PAUL), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 37, as follows:

[Rollcall Vote No. 278 Leg.]

YEAS—55

Baldwin	Hagan	Nelson
Baucus	Harkin	Pryor
Begich	Hatch	Reed
Bennet	Heinrich	Reid
Blumenthal	Heitkamp	Rockefeller
Booker	Hirono	Sanders
Boxer	Johnson (SD)	Schatz
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Manchin	Udall (CO)
Collins	Markey	Udall (NM)
Coons	McCaskill	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murphy	
Gillibrand	Murray	

NAYS—37

Alexander	Enzi	Murkowski
Ayotte	Fischer	Portman
Barrasso	Flake	Risch
Boozman	Grassley	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Cochran	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Lee	Wicker
Crapo	McConnell	
Cruz	Moran	

NOT VOTING—8

Blunt	Landrieu	Paul
Graham	Levin	Vitter
Kirk	McCain	

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of John Andrew Koskinen, of the District of Columbia, to be Commissioner of Internal Revenue.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of John Andrew Koskinen, of the District of Columbia, to be Commissioner of Internal Revenue.

Harry Reid, Max Baucus, Barbara Boxer, Mark Begich, Richard Blumenthal, Benjamin L. Cardin, Tom Udall, Debbie Stabenow, Sheldon Whitehouse, Bernard Sanders, Christopher A. Coons, Mazie K. Hirono, Kirsten E. Gillibrand, Jon Tester, Brian Schatz, Martin Heinrich, Claire McCaskill, Joe Donnelly, Heidi Heitkamp.

LEGISLATIVE SESSION

Mr. REID. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

BRIAN J. DAVIS TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA

Mr. REID. Mr. President, I move to proceed to executive session to consider Calendar No. 382.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Brian J. Davis, of Florida, to be United States District Judge for the Middle District of Florida.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Brian J. Davis, of Florida, to be United States District Judge for the Middle District of Florida.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

LEGISLATIVE SESSION

Mr. REID. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF JANET L. YELLEN TO BE CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

Mr. REID. I move to proceed to executive session to consider Calendar No. 452.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Janet L. Yellen, of California, to be Chairman of the Board of Governors of the Federal Reserve System.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Janet L. Yellen, of California, to be Chairman of the Board of Governors of the Federal Reserve System.

Harry Reid, Tim Johnson, Barbara Boxer, Mark Begich, Richard Blumenthal, Benjamin L. Cardin, Tom Udall, Debbie Stabenow, Sheldon Whitehouse, Bernard Sanders, Mazie Hirono, Jon Tester, Brian Schatz, Martin Heinrich, Claire McCaskill, Heidi Heitkamp, Kirsten E. Gillibrand.

LEGISLATIVE SESSION

Mr. REID. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF SLOAN D. GIBSON TO BE DEPUTY SECRETARY OF VETERANS AFFAIRS

Mr. REID. I move to proceed to executive session to consider Calendar No. 455.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination. The assistant legislative clerk read the nomination of Sloan D. Gibson, of the District of Columbia, to be Deputy Secretary of Veterans Affairs.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Sloan D. Gibson, of the District of Columbia, to be Deputy Secretary of Veterans Affairs.

Harry Reid, Barbara Boxer, Mark Begich, Richard Blumenthal, Benjamin L. Cardin, Tom Udall, Debbie Stabenow, Sheldon Whitehouse, Bernard Sanders, Mazie K. Hirono, Christopher A. Coons, Jon Tester, Martin Heinrich, Brian Schatz, Claire McCaskill, Heidi Heitkamp, Kirsten E. Gillibrand.

LEGISLATIVE SESSION

Mr. REID. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF SARAH SEWALL TO BE AN UNDER SECRETARY OF STATE (CIVILIAN SECURITY, DEMOCRACY, AND HUMAN RIGHTS)

Mr. REID. I move to proceed to executive session to consider Calendar No. 445.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination.

The assistant legislative clerk read the nomination of Sarah Sewall, of Massachusetts, to be an Under Secretary of State (Civilian Security, Democracy, and Human Rights).

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Sarah Sewall, of Massachusetts, to be an Under Secretary of State (Civilian Security, Democracy, and Human Rights).

Harry Reid, Robert Menendez, Barbara Boxer, Mark Begich, Richard Blumenthal, Benjamin L. Cardin, Tom Udall, Debbie Stabenow, Sheldon Whitehouse, Bernard Sanders, Mazie K. Hirono, Christopher A. Coons, Jon Tester, Brian Schatz, Martin Heinrich, Heidi Heitkamp, Kirsten E. Gillibrand.

LEGISLATIVE SESSION

Mr. REID. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF MICHAEL L. CONNOR TO BE DEPUTY SECRETARY OF THE INTERIOR

Mr. REID. I move to proceed to executive session to consider Calendar No. 371.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Michael L. Connor, of New Mexico, to be Deputy Secretary of the Interior.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Michael L. Connor, of New Mexico, to be Deputy Secretary of the Interior.

Harry Reid, Sherrod Brown, Richard J. Durbin, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

LEGISLATIVE SESSION

Mr. REID. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF SARAH BLOOM RASKIN TO BE DEPUTY SECRETARY OF THE TREASURY

Mr. REID. I move to proceed to executive session to consider Calendar No. 457.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Sarah Bloom Raskin, of Maryland, to be Deputy Secretary of the Treasury.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Sarah Bloom Raskin, of Maryland, to be Deputy Secretary of the Treasury.

Harry Reid, Tim Johnson (SD), Barbara Boxer, Mark Begich, Richard Blumenthal, Benjamin L. Cardin, Tom Udall (NM), Debbie Stabenow, Sheldon Whitehouse, Bernard Sanders, Mazie K. Hirono, Christopher A. Coons, Jon Tester, Brian Schatz, Martin Heinrich, Claire McCaskill, Heidi Heitkamp, Kirsten E. Gillibrand.

LEGISLATIVE SESSION

Mr. REID. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF JESSICA GARFOLA WRIGHT TO BE UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS

Mr. REID. I now move to proceed to executive session to consider Calendar No. 356.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Jessica Garfola Wright, of Pennsylvania, to be Under Secretary of Defense for Personnel and Readiness.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the clerk will report the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Jessica Garfola Wright, of Pennsylvania, to be Under Secretary of Defense for Personnel and Readiness.

Harry Reid, Carl Levin, Barbara Boxer, Mark Begich, Richard Blumenthal, Benjamin L. Cardin, Tom Udall (NM), Debbie Stabenow, Sheldon Whitehouse, Bernard Sanders, Mazie K. Hirono, Jon Tester, Martin Heinrich, Brian Schatz, Claire McCaskill, Heidi Heitkamp, Kirsten E. Gillibrand.

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF RICHARD J. ENGLER TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

Mr. REID. I now move to proceed to executive session to consider Calendar No. 189.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Richard J. Engler, of New Jersey, to be a Member of the Chemical Safety and Hazard Investigation Board.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Richard J. Engler, of New Jersey, to be a Member of the Chemical Safety and Hazard Investigation Board.

Harry Reid, Barbara Boxer, Mark Begich, Richard Blumenthal, Benjamin L. Cardin, Tom Udall (NM), Debbie Stabenow, Sheldon Whitehouse, Bernard Sanders, Claire McCaskill, Patrick J. Leahy, Mazie K. Hirono, Jon Tester, Martin Heinrich, Brian Schatz, Heidi Heitkamp, Kirsten E. Gillibrand.

LEGISLATIVE SESSION

Mr. REID. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent to proceed to morning business, with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. It is my understanding that Senator SESSIONS tonight wants to speak for up to 30 minutes. So everybody would be limited to 10 minutes each, except for him.

The PRESIDING OFFICER. Without objection, it is so ordered.

HOMETOWN HEROES SURVIVORS BENEFITS ACT

Mr. LEAHY. Mr. President, today I am proud to recognize the 10th anniversary of the enactment of the "Hometown Heroes Survivors Benefits Act" which occurred this past Saturday. Back in 2003, I worked with a bipartisan group of Senators to pass this legislation to improve the Department of Justice's Public Safety Officers' Benefits—PSOB—program by allowing families of public safety officers who suffer fatal heart attacks or strokes to qualify for Federal survivor benefits. I am proud to mark the 10-year anniversary of this important program.

I first want to thank each of our Nation's brave law enforcement officers, firefighters, and emergency medical responders for the work they do for the

American public each and every day. This legislation, like the Public Safety Officers Benefits program, is for them. It is Congress' recognition of the importance of their service to their communities and to the Nation.

Our public safety officers are often the first to respond to a crime scene or emergency situation. They are often the first line of defense in a natural disaster or national security emergency. They are among our most courageous and dedicated public servants. I applaud their efforts in responding to more than 240 million emergency calls each year—whether those calls involve a fire, crime, medical emergency, natural disaster, or act of terrorism—without hesitation. They act with a steadfast commitment to the safety and protection of their fellow citizens and, sadly, sometimes lose their own lives in the protection of their communities.

Each year, hundreds of public safety officers nationwide lose their lives and thousands more are injured while performing their duties. And while these benefits can never be a substitute for the loss of a loved one, the families of all these fallen heroes deserve this financial support from the Federal government.

The PSOB program was established in 1976 to authorize a one-time financial payment to the eligible survivors of Federal, State, and local public safety officers who die in the line of duty. While there had been various efforts over the years to improve the program leading up to 2003, the benefits did not extend to officers suffering a fatal heart attack or stroke from a work-related, non-traumatic injury, such as stress or strain from the job.

The Hometown Heroes Act of 2003 expanded PSOB coverage to ensure that the survivors of public safety officers who die of heart attacks or strokes in the line of duty or within 24 hours of a triggering effect while on duty—regardless of whether a traumatic injury is present at the time of the heart attack or stroke—are eligible to receive financial benefits. Ensuring public safety is dangerous, grueling, and stressful work. A first responder's chances of suffering a heart attack or stroke exponentially increases when he or she puts on heavy equipment and rushes into a burning building or gets into a shootout with dangerous criminals. Since enactment of the Hometown Heroes law, the Department of Justice has approved 373 claims. This is 373 families who have received this important support in the face of a tragedy. The families of these brave public servants deserve coverage under the PSOB program and I am grateful that Congress was able to pass legislation to make sure the law covered these situations.

Over the past few years I have increasingly sought ways to improve the

PSOB program. Last year, as part of the National Defense Authorization Act, I was successful in adding to that legislation the Dale Long Act. The inclusion of this amendment fixed coverage gaps in the Federal PSOB program by extending benefits to private, non-emergency medical services—EMS—volunteers and personnel. In Vermont alone, this change covers an estimated 1,200 EMS personnel for the program. This legislation also streamlined what had been an unwieldy and unnecessarily long appeals process for claimants, clarified the list of eligible survivor recipients, and eliminated an artificial distinction under current law to include vascular ruptures as a type of injury that would make a public safety officer's survivors qualified for Hometown Heroes benefits. Since 2012, as a result of the Dale Long Act's enactment, an additional 23 Hometown Heroes cases have been approved.

Finally, I want to recognize the outstanding work of Director Denise O'Donnell and her staff at the Department of Justice's Bureau of Justice Assistance. Under Director O'Donnell's leadership, her dedicated staff has put into place significant reforms and improvements to the program that have increased efficiency, transparency, and communication with the survivors of fallen first responders with pending claims. They are putting to good use the new statutory provisions that were enacted as part of the Dale Long Act provisions that make the program more cost effective and easier for administrators and claimants to find resolution. As a former prosecutor, Director O'Donnell understands the importance of this program to first responders across the country and she has worked very hard to listen to their concerns and act on them. I know the staff members within the PSOB program office recognize the solemnity and importance of the work they do and recognize that each case represents a family that has endured a great sacrifice. They carry out their duties with the respect these cases deserve and I thank them as they continue to carry out the promise Congress made to America's first responders over 30 years ago.

Public safety officers are part of the bedrock of our Nation. We must continue to recognize their hard work and selfless dedication to communities across this country and ensure that they and their families have the protections they need and most certainly deserve.

JAMES NOMINATION

Mr. INHOFE. Mr. President, the process for running these nominees through the Senate is unnecessary and contrived simply to ignore a number of Republican concerns.

I do not oppose all the nominees, however. I wish to strongly support the

confirmation of Deborah James for Secretary of the U.S. Air Force. With three Air Force installations in Oklahoma—Tinker Air Force Base in Oklahoma City, Altus Air Force Base, and Vance Air Force Base in Enid—the Air Force has long been a part of the fabric of the State of Oklahoma. Oklahoma is home to five major military installations between the U.S. Air Force and U.S. Army. They employ thousands of Oklahomans and contract work throughout the State being responsible for a tremendous role in Oklahoma's economy. These installations enjoy the strong support of the communities in which they are located and the entire State of Oklahoma.

The Senate Armed Services Committee held a nomination hearing on Ms. James back in September. In addition, I have met with Ms. James, and I have had an opportunity to discuss with her my concerns about this unprecedented period in which the readiness and capabilities of the Air Force are at significant risk because of budget cuts and sequestration.

For example, the Air Force was forced to ground one-third of its combat coded active squadrons for a time during fiscal year 2013 and according to the Chief of Staff of the Air Force it will now cost a minimum of 10 percent more flying hours to fully retrain the grounded squadrons than it would have to simply keep them trained all along. Further, General Welsh stated that sequestration in fiscal year 2014 could force flying hours to be cut by 15 percent and within 3 to 4 months, many units would be unable to fly at rates required to maintain mission readiness.

Ms. James has over 30 years of senior homeland and national security management, policy, and program experience in government and the private sector. She served with SAIC in McLean, VA from 2002 as the president of SAIC Technical and Engineering Sector, executive vice president for communications and government affairs, and senior vice president for Homeland Security. Prior to those positions, she served as vice president for International Operations and Marketing at United Technologies from 1998 to 2000.

She served as Assistant Secretary of Defense for Reserve Affairs from 1993 to 1998, overseeing all matters pertaining to the National Guard and Reserve Forces. She has significant experience working with Congress, as a former professional staff member on the House Armed Services Committee from 1983 to 1993. She has a bachelor's degree in comparative studies from Duke University and a master's degree in international affairs from Columbia University.

I believe she is very qualified and ready to start her new role. I look forward to working with Secretary James

in her new role and strongly congratulate her.

However, I would like to point out that these nominations are not without controversy which may be why the Democratic majority would rather ignore the minority and change the Senate for the first time in over 200 years.

For example, Ms. Patricia Wald who the Administration nominated to serve on the Privacy and Civil Liberties Oversight Board has written that those accused of terrorism should be given access to the civilian trial court system and be afforded the protections of simple criminal defendants. These views ignore the devastating effects of terrorism and ignore our actual war against terrorism around the world. These acts are not simply criminal acts, they threaten our entire country. This should be the subject of debate in the Senate, not simply brushed aside for quick confirmations.

Earlier the Senate voted on the nominations of two district court judges for Montana. These are lifetime appointments. The Senate confirmed these judges by a wide margin, but the Senate should not simply group a number of nominations together to pass for lifetime appointments for circuit and district judicial vacancies simply because the majority does not even want to work with the minority. This session will end with continued confirmation votes. It is to the detriment of both parties if the prerogatives, priorities, and concerns of the minority are not considered in the Senate, but it will not be easily overlooked.

Mr. INHOFE. Mr. President, it is with great pleasure that I join my friend Senator MANCHIN from West Virginia in introducing legislation authorizing a Congressional Gold Medal for United States Air Force Fighter Aces.

This bill specifically honors those American pilots who have shot down five or more enemy aircraft in aerial combat during a war or conflict in which American armed forces have participated.

Since the First World War, there have been 60,000 American fighter pilots who have taken to the air in harm's way, but only 1,444 have become fighter aces. Our bill authorizes the U.S. Mint to strike—at no cost to the taxpayer—a medal of appropriate design to American fighter aces in recognition of their heroic military service and defense of our country's freedom, which as spanned the history of aviation warfare.

American Fighter Aces hail from every State in the Union are one of the most decorated military groups in American history. Twenty-two fighter aces have achieved the rank of admiral, and 79 have achieved the rank of general in the Army, Air Force, and Marines. And there are 19 Medal of Honor recipients.

One of those aces hailed from my home State of Oklahoma.

BG Robinson "Robbie" Risner was from Tulsa, OK, my hometown, and a fellow graduate of Tulsa Central High School in 1942. Risner then enlisted in the U.S. Army Air Force as an aviation cadet and began his career as one of America's most celebrated Fighter Aces.

After being stationed in Panama during World War II, he returned home to serve in the Oklahoma Air National Guard until he was called to fight in the Korean war. There, he flew 108 missions in his sweptwing F-86 Sabre and became an ace by shooting down eight enemy MiG-15s. He also received one of two Silver Stars in his valiant attempt to save a fellow pilot.

During the Vietnam war, General Risner flew 55 missions and led the first flight of air strikes over North Vietnam in Operation Rolling Thunder, earning him the Air Force Cross.

While flying in another raid in his F-105 Thunderchief on September 16, 1965, he took fire and was forced to bail out. He was captured and was a prisoner of war for 7 years 4 months and 27 days, serving most of his time in the infamous Hanoi Hilton. He was kept shackled for weeks at a time and spent more than 3 years in a darkened, solitary cell. In his 1973 memoir, "The Passing of the Night: Seven Years as a Prisoner of the North Vietnamese," he wrote, "I did not ask God to take me out of it. I prayed he would give me strength to endure it."

After his release in 1973, General Risner returned to the air in the F-4 Phantom II in the 1st Tactical Fighter Wing at MacDill Air Force Base, FL. He was later transferred to Cannon Air Force Base, NM, in February 1974 to command the 832d Air Division, in which he flew the F-111 Aardvark. He was promoted to brigadier general in May 1974, became vice commander of the USAF Tactical Fighter Weapons Center at Nellis Air Force Base, NV, in 1975 and retired in 1976. He spent his retirement years involved in community service projects and spoke often before gatherings of veterans and other pilots.

He was inducted into the Oklahoma Hall of Fame in 1974 and passed away in his sleep on October 22, 2013, at the age of 88.

I salute Gen Robbie Risner and all other American fighter aces who have served our country so courageously and selflessly. It is my honor to be associated with the introduction of this legislation today which authorizes a Congressional Gold Medal for U.S. Air Force fighter aces.

TRIBUTE TO STEPHEN LILLEY

Mr. WHITEHOUSE. Mr. President, any Senator will acknowledge that each of us is only as effective as the staff who support us. For nearly as long as I have been a Member of this body, I have enjoyed the benefit of the

considerable abilities and expertise of Stephen Lilley. Stephen's tenure on my staff has drawn to a close, and the U.S. Senate loses a gifted lawyer and a dedicated public servant.

Stephen joined my team in 2008 as a Heyman Federal Public Service fellow and quickly demonstrated a keen understanding of the workings of the Senate and of the Judiciary Committee. Unwilling to part with either his sharp legal analysis or his good humor, we brought him on board full time as a counsel after his fellowship ended. After more outstanding work, he was soon promoted to chief counsel on the Subcommittee on Administrative Oversight and the Courts and later the Subcommittee on Crime and Terrorism.

Stephen has ably staffed hundreds of committee hearings and markups and advised me on every issue under the wide-ranging jurisdiction of the Judiciary Committee. In particular, he played a key role in the investigation of the Subcommittee on Administrative Oversight and the Courts into the use of so-called enhanced interrogation techniques in the aftermath of the terrorist attacks of September 11, 2001; he helped me during the confirmation of two Justices to the Supreme Court; he worked with me to promote and defend the role of the civil jury; and he has emerged as one of the Senate's leading experts on cybersecurity and intellectual property, facilitating immensely complex negotiations that brought us to the brink of comprehensive cyber legislation.

In addition to producing great work, Stephen elevated the work of those around him. His diligence, his ability to work well with other offices, his passion for doing right, and—not least—his sharp and dry wit, all made him a pleasure to work with. I particularly wish to thank his wife Jaynie and his daughter Mary Win for supporting Stephen and for sharing him with us.

Stephen's hard work brought him success before his arrival at the Senate, whether at Princeton University, where he graduated summa cum laude; at Yale University, where he earned his law degree; or as a clerk to Judge Thomas Ambro on the U.S. Court of Appeals for the Third Circuit and Judge Jeremy Fogel on the U.S. District Court for the Northern District of California. I have no doubt he will find continued success in all of his future endeavors.

Theodore Roosevelt reminded us of the credit due to the man who spends himself in a worthy cause. I gratefully credit Stephen Lilley for his exceptional service to the Senate, the people of Rhode Island, and the United States of America.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, and were referred as indicated:

EC-3770. A communication from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Energy Efficiency and Conservation Loan Program" (RIN0572-AC19) received during adjournment of the Senate in the Office of the President of the Senate on December 6, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3771. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Bovine Spongiform Encephalopathy; Importation of Bovines and Bovine Products" (RIN0579-AC68) (Docket No. APHIS-2008-0010) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3772. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Agricultural Mortgage Corporation Funding and Fiscal Affairs; Farmer Mac Capital Planning" (RIN3052-AC80) received in the Office of the President of the Senate on November 7, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3773. A communication from the Acting Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Single Family Housing Guaranteed Loan Program" (RIN0575-AC18) received in the Office of the President of the Senate on December 9, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3774. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Richard C. Harding, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-3775. A communication from the Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Terry A. Wolff, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-3776. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Allen G. Myers, IV, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-3777. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, a report relative to the Government of Panama requesting the U.S. Government to destroy eight U.S.-origin munitions remaining from testing by the United States on San Jose Island off the coast of Panama; to the Committee on Armed Services.

EC-3778. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Unallowable Fringe Benefit Costs" (RIN0750-AH76) (DFARS Case 2012-D038) received during adjournment of

the Senate in the Office of the President of the Senate on December 5, 2013; to the Committee on Armed Services.

EC-3779. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Preparation of Letter of Offer and Acceptance" (RIN0750-AH84) (DFARS Case 2012-D048) received during adjournment of the Senate in the Office of the President of the Senate on December 5, 2013; to the Committee on Armed Services.

EC-3780. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary, Fair Housing and Equal Opportunity, Department of Housing and Urban Development, received during adjournment of the Senate in the Office of the President of the Senate on December 5, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3781. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Policy Development and Research, Department of Housing and Urban Development, received during adjournment of the Senate in the Office of the President of the Senate on December 5, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3782. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Amendments to the 2013 Mortgage Rules Under the Equal Credit Opportunity Act (Regulation B), Real Estate Settlement Procedures Act (Regulation X), and the Truth in Lending Act (Regulation Z)" (RIN3170-AA37) (Docket No. CFPB-2013-0018) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3783. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Definitions of Transmittal of Funds and Funds Transfer" (RIN1506-AB20) received during adjournment of the Senate in the Office of the President of the Senate on December 6, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3784. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a six-month periodic report relative to the continuation of the national emergency with respect to the proliferation of weapons of mass destruction that was originally declared in Executive Order 12938 of November 14, 1994; to the Committee on Banking, Housing, and Urban Affairs.

EC-3785. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons to the Entity List; Amendment of Entity List Entries; and Removal of One Person from the Entity List Based on a Removal Request" (RIN0694-AF96) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3786. A communication from the Chief Counsel, Federal Emergency Management

Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" (44 CFR Part 64) (Docket No. FEMA-2013-0002) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3787. A communication from the Acting Administrator and Chief Executive Officer, Bonneville Power Administration, Department of Energy, transmitting, pursuant to law, the Administration's Annual Report for fiscal year 2013; to the Committee on Energy and Natural Resources.

EC-3788. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Special Regulations; Areas of the National Park System; New River Gorge National River, Bicycling" (RIN1024-AD95) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Energy and Natural Resources.

EC-3789. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Special Regulations; Areas of the National Park System; Curecanti National Recreation Area, Snowmobiles and Off-Road Motor Vehicles" (RIN1024-AD76) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Energy and Natural Resources.

EC-3790. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Transmission Planning Reliability Standards" (Docket Nos. RM12-1-000 and RM13-9-000) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Energy and Natural Resources.

EC-3791. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Communication of Operational Information between Natural Gas Pipelines and Electric Transmission Operators" (RIN1902-AE72) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Energy and Natural Resources.

EC-3792. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Version 5 Critical Infrastructure Protection Reliability Standards" (Docket No. RM13-5-000) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Energy and Natural Resources.

EC-3793. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the updated Morganza to the Gulf of Mexico, Louisiana, hurricane and storm damage risk reduction project; to the Committee on Environment and Public Works.

EC-3794. A communication from the Administrator, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the Corporation's annual financial audit and management report for the fiscal year ending September 30, 2013; to the Committee on Environment and Public Works.

EC-3795. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Voluntary Withholding on Dividends and Other Distributions by Alaska Native Corporations" (Notice 2013-77) received during adjournment of the Senate in the Office of the President of the Senate on December 6, 2013; to the Committee on Finance.

EC-3796. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2013 Base Period T-Bill Rate" (Rev. Rul. 2013-24) received during adjournment of the Senate in the Office of the President of the Senate on December 6, 2013; to the Committee on Finance.

EC-3797. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of CC: INTL No-Rule Revenue Procedure, Rev. Proc. 2013-7" (Rev. Proc. 2014-7) received during adjournment of the Senate in the Office of the President of the Senate on December 6, 2013; to the Committee on Finance.

EC-3798. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Tier 2 Tax Rates for 2014" received during adjournment of the Senate in the Office of the President of the Senate on December 6, 2013; to the Committee on Finance.

EC-3799. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "User Fees for Processing Installment Agreements and Offers in Compromise" ((RIN1545-BL37)(TD 9647)) received during adjournment of the Senate in the Office of the President of the Senate on December 6, 2013; to the Committee on Finance.

EC-3800. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Dividend Equivalents from Sources within the United States" ((RIN1545-BK53)(TD 9648)) received during adjournment of the Senate in the Office of the President of the Senate on December 6, 2013; to the Committee on Finance.

EC-3801. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Net Investment Income Tax" ((RIN1545-BK44)(TD 9644)) received during adjournment of the Senate in the Office of the President of the Senate on December 6, 2013; to the Committee on Finance.

EC-3802. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to groups designated by the Secretary of State as Foreign Terrorist Organizations (OSS 2013-1799); to the Committee on Foreign Relations.

EC-3803. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the United States strategy to countering the threat posed by Boko Haram (OSS 2013-1826); to the Committee on Foreign Relations.

EC-3804. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to Guantanamo (OSS 2013-1846); to the Committee on Foreign Relations.

EC-3805. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to Guantanamo (OSS 2013-1800); to the Committee on Foreign Relations.

EC-3806. A communication from the Assistant Administrator, Bureau for Legislative and Public Affairs, U. S. Agency for International Development (USAID), transmitting, pursuant to law, a report responding to a GAO report entitled "Global Food Security: USAID Is Improving Coordination but Needs to Require Systematic Assessments of Country-Level Risks"; to the Committee on Foreign Relations.

EC-3807. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the elimination of the danger pay allowance for Haiti; to the Committee on Foreign Relations.

EC-3808. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-154); to the Committee on Foreign Relations.

EC-3809. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-159); to the Committee on Foreign Relations.

EC-3810. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-140); to the Committee on Foreign Relations.

EC-3811. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-150); to the Committee on Foreign Relations.

EC-3812. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-151); to the Committee on Foreign Relations.

EC-3813. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-156); to the Committee on Foreign Relations.

EC-3814. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-105); to the Committee on Foreign Relations.

EC-3815. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-172); to the Committee on Foreign Relations.

EC-3816. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-145); to the Committee on Foreign Relations.

EC-3817. A communication from the Acting Assistant Secretary, Legislative Affairs, De-

partment of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-165); to the Committee on Foreign Relations.

EC-3818. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-163); to the Committee on Foreign Relations.

EC-3819. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-146); to the Committee on Foreign Relations.

EC-3820. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to sections 36(c) and 36(d) of the Arms Export Control Act (DDTC 13-128); to the Committee on Foreign Relations.

EC-3821. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 42(g)(2) of the Arms Export Control Act (DDTC 13-177); to the Committee on Foreign Relations.

EC-3822. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2013-0195-2013-0199); to the Committee on Foreign Relations.

EC-3823. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Food and Drug Administration's annual report on the performance evaluation of FDA-approved mammography quality standards accreditation bodies; to the Committee on Health, Education, Labor, and Pensions.

EC-3824. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Annual Report to Congress on Food Facilities, Food Imports, and FDA Foreign Offices Provisions of the FDA Food Safety Modernization Act"; to the Committee on Health, Education, Labor, and Pensions.

EC-3825. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Administration on Aging (AoA) Report to Congress for fiscal year 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-3826. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted for Direct Addition to Food for Human Consumption; Acacia (Gum Arabic)" (Docket No. FDA-2011-F-0765) received during adjournment of the Senate in the Office of the President of the Senate on December 6, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-3827. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Turtles Intrastate and Interstate Requirements; Confirmation of Effective Date" (Docket No. FDA-2013-N-0639) received during adjournment of the Senate in the Office of the President of the Senate on November 25, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-3828. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Amendments to General Regulations of the Food and Drug Administration" (Docket No. FDA-2010-N-0560) received during adjournment of the Senate in the Office of the President of the Senate on November 25, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-3829. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Ophthalmic Devices; Classification of the Scleral Plug" (Docket No. FDA-2012-N-1238) received during adjournment of the Senate in the Office of the President of the Senate on November 25, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-3830. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Listing of Color Additives Exempt From Certification; Spirulina Extract; Confirmation of Effective Date" (Docket No. FDA-2011-C-0878) received during adjournment of the Senate in the Office of the President of the Senate on November 25, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-3831. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Part 4022) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-3832. A communication from the Acting Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled "Record Requirements in the Mechanical Power Presses Standard" (RIN1218-AC80) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-3833. A communication from the Acting Assistant Secretary for the Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Labor Certification Process for Logging Employment and Non-H-2A Agricultural Employment" (RIN1205-AB65) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-3834. A communication from the Acting Assistant Secretary for the Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Removal of Attestation Process for Facilities Using H-1A Registered Nurses" (RIN1205-AB67) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-3835. A communication from the Acting Assistant Secretary for the Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the re-

port of a rule entitled "Attestation Process for Employers Using F-1 Students in Off-Campus Work" (RIN1205-AB66) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-3836. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priority; Rehabilitation Training: Rehabilitation Long-Term Training Program—Vocational Rehabilitation Counseling" (CFDA No. 84.129B) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-3837. A communication from the Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Program Integrity Issues" (RIN1840-AD02) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-3838. A communication from the Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Student Assistance General Provisions, Federal Perkins Loan Program, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program" (RIN1840-AD12) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-3839. A communication from the Board Chair and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration's Semiannual Report of the Inspector General and the Semiannual Management Report on the Status of Audits for the period from April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3840. A communication from the Chief Executive Officer, Corporation for National and Community Service, transmitting, pursuant to law, the Semiannual Report of the Inspector General and the Corporation for National and Community Service's Report on Final Action for the period from April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3841. A communication from the Chairman of the National Endowment for the Arts, transmitting, pursuant to law, the Semiannual Report of the Inspector General, the Chairman's Semiannual Report on Final Action Resulting from Audit Reports, Inspection Reports, and Evaluation Reports for the period from April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3842. A communication from the Administrator of the Agency for International Development (USAID), transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2013, through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3843. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General

for the period from April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3844. A communication from the Chair of the Securities and Exchange Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General and a Management Report for the period from April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3845. A communication from the President, African Development Foundation, transmitting, pursuant to law, the Annual Report of the Inspector General for the period from October 1, 2012 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3846. A communication from the Chief Operating Officer/Acting Executive Director, U.S. Election Assistance Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3847. A communication from the Deputy Director, Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3848. A communication from the Chairman of the Consumer Product Safety Commission, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3849. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2013 through September 30, 2013 and the Semi-Annual Report of the Treasury Inspector General for Tax Administration (TIGTA); to the Committee on Homeland Security and Governmental Affairs.

EC-3850. A communication from the Acting Director of the Peace Corps, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3851. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-221, "Extension of Time to Dispose of the Strand Theater Temporary Amendment Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-3852. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-219, "Cottage Food Amendment Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-3853. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-211, "Driver's Safety Amendment Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-3854. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-220, "Trauma Technologists

Licensure Amendment Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-3855. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Electronic Retirement Processing" (RIN3206-AM45) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3856. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Technical Amendments" (FAC 2005-71) received during adjournment of the Senate in the Office of the President of the Senate on November 25, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3857. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Small Entity Compliance Guide" (FAC 2005-71) received during adjournment of the Senate in the Office of the President of the Senate on November 25, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3858. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Accelerated Payments to Small Business Subcontractors" (RIN9000-AM37) received during adjournment of the Senate in the Office of the President of the Senate on November 25, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3859. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; New Designated Country—Croatia" (RIN9000-AM66) received during adjournment of the Senate in the Office of the President of the Senate on November 25, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3860. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Introduction" (FAC 2005-71) received during adjournment of the Senate in the Office of the President of the Senate on November 25, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3861. A communication from the Chairman of the Railroad Retirement Board, transmitting, pursuant to law, the Semi-annual Report of the Inspector General for the period from April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3862. A communication from the Archivist of the United States, transmitting, the report of a draft bill entitled "Federal Register Modernization Act" received in the Office of the President of the Senate on November 12, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3863. A communication from the Acting General Counsel, National Indian Gaming

Commission, transmitting, pursuant to law, the report of a rule entitled "Tribal Background Investigations and Licensing" (RIN3141-AA15) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Indian Affairs.

EC-3864. A communication from the Acting General Counsel, National Indian Gaming Commission, transmitting, pursuant to law, the report of a rule entitled "Tribal Background Investigations and Licensing" (RIN3141-A15A) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Indian Affairs.

EC-3865. A communication from the Acting General Counsel, National Indian Gaming Commission, transmitting, pursuant to law, the report of a rule entitled "Compliance and Enforcement" received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Indian Affairs.

EC-3866. A communication from the Acting General Counsel, National Indian Gaming Commission, transmitting, pursuant to law, the report of a rule entitled "Appeal Proceedings Before the Commission" (RIN3141-AA47) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Indian Affairs.

EC-3867. A communication from the Acting General Counsel, National Indian Gaming Commission, transmitting, pursuant to law, the report of a rule entitled "Minimum Technical Standards for Class II Gaming Systems and Equipment" (RIN3141-AA27) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Indian Affairs.

EC-3868. A communication from the Acting General Counsel, National Indian Gaming Commission, transmitting, pursuant to law, the report of a rule entitled "Self-Regulation of Class II Gaming" (RIN3141-AA44) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Indian Affairs.

EC-3869. A communication from the Acting General Counsel, National Indian Gaming Commission, transmitting, pursuant to law, the report of a rule entitled "Fees" (RIN3141-AA40) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Indian Affairs.

EC-3870. A communication from the Acting General Counsel, National Indian Gaming Commission, transmitting, pursuant to law, the report of a rule entitled "Minimum Internal Control Standards" (RIN3141-AA27) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Indian Affairs.

EC-3871. A communication from the Director of the Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Land Acquisitions: Appeals of Land Acquisition Decisions" (RIN1076-AF15) received during adjournment of the Senate in the Office of the President of the Senate on December 3, 2013; to the Committee on Indian Affairs.

EC-3872. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant

to law, the report of a rule entitled "Schedules of Controlled Substances: Placement of Perampanel into Schedule III" (Docket No. DEA-374) received during adjournment of the Senate in the Office of the President of the Senate on December 5, 2013; to the Committee on the Judiciary.

EC-3873. A communication from the Acting Chief Privacy and Civil Liberties Officer, Office of Privacy and Civil Liberties, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Exemption of Records Systems Under the Privacy Act" (CPCLO Order No. 006-2013) received in the Office of the President of the Senate on November 18, 2013; to the Committee on the Judiciary.

EC-3874. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "2012 Annual Report of the National Institute of Justice"; to the Committee on the Judiciary.

EC-3875. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Authorization for Non-VA Medical Services" (RIN2900-AO46) received during adjournment of the Senate in the Office of the President of the Senate on December 6, 2013; to the Committee on Veterans' Affairs.

EC-3876. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Grants to States for Construction or Acquisition of State Homes" (RIN2900-AO60) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Veterans' Affairs.

EC-3877. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Criteria for a Catastrophically Disabled Determination for Purposes of Enrollment" (RIN2900-AO21) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Veterans' Affairs.

EC-3878. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Specially Adapted Housing Eligibility for Amyotrophic Lateral Sclerosis" (RIN2900-AO84) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Veterans' Affairs.

EC-3879. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Copayment for Extended Care Services" (RIN2900-AO59) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Veterans' Affairs.

EC-3880. A communication from the Director of Regulations and Policy Management

Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Advisory Committee; Veterinary Medicine Advisory Committee; Termination" (Docket No. FDA-2013-N-1380) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3881. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting, a report of proposed legislation entitled "A Bill to Provide for the Transfer of Naval Vessels to Certain Foreign Recipients"; to the Committee on Foreign Relations.

EC-3882. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Implementation of the Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, and Changes to National Endorsements" ((RIN1625-AA16) (Docket No. USCG-2004-17914)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Brig. Gen. Paul S. Dwan, to be Major General.

Air Force nominations beginning with Brigadier General Catherine A. Chilton and ending with Brigadier General Tommy J. Williams, which nominations were received by the Senate and appeared in the Congressional Record on October 28, 2013.

Air Force nomination of Col. Josef F. Schmid III, to be Brigadier General.

Air Force nominations beginning with Colonel Talantino C. Angelosante and ending with Colonel Stephen D. Vautrain, which nominations were received by the Senate and appeared in the Congressional Record on November 12, 2013.

Air Force nomination of Col. Stephen E. Rader, to be Brigadier General.

Air Force nomination of Col. Michael T. McGuire, to be Brigadier General.

Air Force nomination of Maj. Gen. John W. Raymond, to be Lieutenant General.

Army nomination of Brigadier General Charles A. Flynn, to be Major General.

Army nomination of Lt. Gen. David G. Perkins, to be General.

Army nominations beginning with Colonel James T. Iacocca and ending with Colonel Kurt L. Sonntag, which nominations were received by the Senate and appeared in the Congressional Record on October 28, 2013.

Army nomination of Col. Anthony L. Hall, to be Brigadier General.

Army nomination of Col. Paul S. Wilson, to be Brigadier General, Judge Advocate General's Corps.

Army nomination of Maj. Gen. Robert S. Ferrell, to be Lieutenant General.

Army nomination of Lt. Gen. Joseph Anderson, to be Lieutenant General.

Navy nomination of Rear Adm. (lh) Rebecca J. McCormick-Boyle, to be Rear Admiral.

Navy nomination of Vice Adm. Michelle J. Howard, to be Admiral.

Navy nomination of Adm. Mark E. Ferguson III, to be Admiral.

Navy nomination of Rear Adm. Joseph P. Mulloy, to be Vice Admiral.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Stanton J. J. Applonie and ending with Richard J. Zavadil, which nominations were received by the Senate and appeared in the Congressional Record on October 30, 2013.

Air Force nominations beginning with James D. Athnos and ending with Stephen M. Williams, which nominations were received by the Senate and appeared in the Congressional Record on October 30, 2013.

Air Force nominations beginning with Paige T. Abbott and ending with Reno Joseph Zisa, which nominations were received by the Senate and appeared in the Congressional Record on October 30, 2013.

Air Force nominations beginning with Scott A. Haber and ending with Yves P. Leblanc, which nominations were received by the Senate and appeared in the Congressional Record on November 7, 2013.

Army nomination of Jesus M. Munozlasalle, to be Major.

Army nominations beginning with Wayne J. Aaron and ending with Ann H. Zgrodnik, which nominations were received by the Senate and appeared in the Congressional Record on October 28, 2013.

Army nominations beginning with John R. Doolittle II and ending with Baucum W. Fulk, which nominations were received by the Senate and appeared in the Congressional Record on October 28, 2013.

Army nominations beginning with Steven T. Greiner and ending with Cheryl D. Sofaly, which nominations were received by the Senate and appeared in the Congressional Record on October 30, 2013.

Army nominations beginning with Stanley T. Breuer and ending with Deydre S. Teyhen, which nominations were received by the Senate and appeared in the Congressional Record on October 30, 2013.

Army nominations beginning with Kimberlee A. Aiello and ending with Jeffrey S. Yarvis, which nominations were received by the Senate and appeared in the Congressional Record on October 30, 2013.

Army nominations beginning with Robin M. Adamsmassenburg and ending with Veronica A. Villafranca, which nominations were received by the Senate and appeared in the Congressional Record on October 30, 2013.

Army nominations beginning with David A. Ceniti and ending with Edward M. Reilly, which nominations were received by the Senate and appeared in the Congressional Record on November 19, 2013.

Army nominations beginning with Nancy J. Alouise and ending with D011605, which nominations were received by the Senate and appeared in the Congressional Record on December 12, 2013.

Navy nomination of Corey N. Doolittle, to be Lieutenant Commander.

Navy nominations beginning with Christopher W. Acor and ending with Amanda H. Zawora, which nominations were received by the Senate and appeared in the Congressional Record on November 13, 2013.

Navy nomination of Julie A. Meier, to be Commander.

Navy nomination of Krysten J. Pelstring, to be Lieutenant Commander.

Navy nomination of Michael R. Saum, to be Captain.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. DONNELLY (for himself and Mr. COBURN):

S. 1828. A bill to amend the Truth in Lending Act to modify the definitions of a mortgage originator and a high-cost mortgage; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HEINRICH:

S. 1829. A bill to modify the boundaries of Cibola National Forest in the State of New Mexico, to transfer certain Bureau of Land Management land for inclusion in the national forest, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ:

S. 1830. A bill to prohibit unfair or deceptive acts or practices relating to the prices of products and services sold online, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MANCHIN:

S. 1831. A bill to establish a national Yellow Dot Program to alert law enforcement and emergency services personnel to the medical conditions, prescriptions, and other vital information necessary to treat drivers and passengers in motor vehicles in emergency circumstances; to the Committee on Commerce, Science, and Transportation.

By Mr. MARKEY:

S. 1832. A bill for the relief of Esther Karinge; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER:

S. Res. 322. A resolution to authorize the printing of a collection of the rules of the committees of the Senate; considered and agreed to.

ADDITIONAL COSPONSORS

S. 232

At the request of Mr. HATCH, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 232, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 313

At the request of Mr. CASEY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax

treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 338

At the request of Mr. BAUCUS, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 520

At the request of Mr. BEGICH, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 520, a bill to strengthen Federal consumer protection and product traceability with respect to commercially marketed seafood, and for other purposes.

S. 526

At the request of Mr. BAUCUS, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 526, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 559

At the request of Mr. ISAKSON, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 559, a bill to establish a fund to make payments to the Americans held hostage in Iran, and to members of their families, who are identified as members of the proposed class in case number 1:08-CV-00487 (EGS) of the United States District Court for the District of Columbia, and for other purposes.

S. 820

At the request of Mrs. FEINSTEIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 820, a bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes.

S. 878

At the request of Mr. FRANKEN, the name of the Senator from Connecticut

(Mr. MURPHY) was withdrawn as a cosponsor of S. 878, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 1064

At the request of Mr. BROWN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1064, a bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

S. 1357

At the request of Mr. BAUCUS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1357, a bill to extend the trade adjustment assistance program.

S. 1406

At the request of Ms. AYOTTE, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Michigan (Ms. STABENOW) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 1406, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1456

At the request of Ms. AYOTTE, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 1456, a bill to award the Congressional Gold Medal to Shimon Peres.

S. 1510

At the request of Mr. COBURN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1510, a bill to provide for auditable financial statements for the Department of Defense, and for other purposes.

S. 1666

At the request of Mr. RUBIO, the name of the Senator from Nebraska (Mr. JOHANNES) was added as a cosponsor of S. 1666, a bill to amend the Patient Protection and Affordable Care Act to improve the patient navigator program.

S. 1719

At the request of Mrs. MURRAY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1719, a bill to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

S. 1756

At the request of Mr. MORAN, his name was added as a cosponsor of S. 1756, a bill to amend section 403 of the Federal Food, Drug and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants, similar retail food establishments, and vending machines.

S. 1779

At the request of Mr. TOOMEY, the names of the Senator from Texas (Mr. CORNYN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 1779, a bill to amend the Safe Drinking Water Act to exempt fire hydrants from the prohibition on the use of lead pipes, fittings, fixtures, solder, and flux.

S. 1797

At the request of Mr. REED, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1797, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. 1798

At the request of Mr. WARNER, the names of the Senator from Illinois (Mr. KIRK), the Senator from Colorado (Mr. UDALL), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Delaware (Mr. COONS) and the Senator from Indiana (Mr. DONNELLY) were added as cosponsors of S. 1798, a bill to ensure that emergency services volunteers are not counted as full-time employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

S. 1802

At the request of Mr. DONNELLY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1802, a bill to provide equal treatment for utility special entities using utility operations-related swaps, and for other purposes.

S. 1808

At the request of Mr. LEE, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S. 1808, a bill to prevent adverse treatment of any person on the basis of views held with respect to marriage.

S. 1810

At the request of Mrs. GILLIBRAND, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1810, a bill to provide paid family and medical leave benefits to certain individuals, and for other purposes.

S. 1811

At the request of Mr. ALEXANDER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1811, a bill to amend title 49, United States Code, to prohibit voice communications through mobile communication devices on commercial passenger flights.

S. RES. 319

At the request of Mr. MURPHY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. Res. 319, a resolution expressing support for the Ukrainian people in light of President Yanukovich's decision not to sign an Association Agreement with the European Union.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 322—TO AUTHORIZE THE PRINTING OF A COLLECTION OF THE RULES OF THE COMMITTEES OF THE SENATE

Mr. SCHUMER submitted the following resolution; which was considered and agreed to.:

S. RES. 322

Resolved, That a collection of the rules of the committees of the Senate, together with related materials, be printed as a Senate document, and that there be printed 200 additional copies of such document for the use of the Committee on Rules and Administration.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2557. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table.

SA 2558. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2559. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2560. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2561. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2562. Mr. REED submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table.

SA 2563. Mr. REED submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

SA 2564. Mr. REED submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

SA 2565. Ms. HIRONO (for herself, Mr. BEGICH, and Mr. SCHATZ) submitted an amendment intended to be proposed by her to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

SA 2566. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table.

SA 2567. Mr. COBURN submitted an amendment intended to be proposed by him to the

bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2568. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2569. Mr. ENZI (for himself, Mr. BARASSO, and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table.

SA 2570. Mr. ENZI (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

SA 2571. Mr. SESSIONS submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

SA 2572. Mr. SESSIONS submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

SA 2573. Mr. SESSIONS submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

SA 2574. Mr. WICKER (for himself, Mr. GRAHAM, Mr. SESSIONS, Mr. INHOPE, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

SA 2575. Mr. CORKER submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table.

SA 2576. Ms. AYOTTE (for herself and Mr. WICKER) submitted an amendment intended to be proposed by her to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table.

SA 2577. Ms. AYOTTE (for herself and Mr. GRAHAM) submitted an amendment intended to be proposed by her to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

SA 2578. Ms. AYOTTE submitted an amendment intended to be proposed by her to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

SA 2579. Mr. LEE (for himself, Mr. PAUL, Mr. CRUZ, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table.

SA 2580. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2581. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2582. Mr. TOOMEY submitted an amendment intended to be proposed by him

to the bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2583. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2584. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2585. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2586. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2587. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2588. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2589. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2590. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2591. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table.

SA 2592. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

SA 2593. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

SA 2594. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

SA 2595. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

SA 2596. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

SA 2597. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

SA 2598. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

SA 2599. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the joint resolution H.J. Res. 59, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2557. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of

Honor; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DISPOSAL OF SURPLUS OR EXCESS TANGIBLE PROPERTY OF THE DEPARTMENT OF DEFENSE SOLELY BY PUBLIC SALE.

Notwithstanding any other provision of law, surplus or excess tangible property of the Department of Defense shall be disposed of solely by public sale.

SA 2558. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. LIMITATION ON AMOUNTS AVAILABLE IN FISCAL YEAR 2014 FOR TUITION ASSISTANCE PROGRAMS OF THE DEPARTMENT OF DEFENSE TO ADDRESS CRITICAL-NEEDS SHORTAGES FOR MILITARY PERSONNEL.

Notwithstanding any other provision of this Act, the total amount available in this Act for fiscal year 2014 for tuition assistance programs of the Department of Defense may not exceed \$100,000,000 in order that such assistance be limited to use as a retention tool to address critical-needs shortages for military personnel.

SA 2559. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—AUDIT OF THE DEPARTMENT OF DEFENSE

SEC. ____01. SHORT TITLE.

This title may be cited as the “Audit the Pentagon Act of 2013”.

SEC. ____02. FINDINGS.

Congress makes the following findings:

(1) Section 9 of Article I of the Constitution of the United States requires all agencies of the Federal Government, including the Department of Defense, to publish “a regular statement and account of the receipts and expenditures of all public money”.

(2) Section 3515 of title 31, United States Code, requires the agencies of the Federal Government, including the Department of Defense, to present auditable financial statements beginning not later than March 1, 1997. The Department has not complied with this law.

(3) The Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note)

requires financial systems acquired by the Federal Government, including the Department of Defense, to be able to provide information to leaders to manage and control the cost of Government. The Department has not complied with this law.

(4) The financial management of the Department of Defense has been on the “High-Risk” list of the Government Accountability Office, which means that the Department is not consistently able to “control costs; ensure basic accountability; anticipate future costs and claims on the budget; measure performance; maintain funds control; [and] prevent and detect fraud, waste, and abuse”.

(5) The National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107) requires the Secretary of Defense to report to Congress annually on the reliability of the financial statements of the Department of Defense, to minimize resources spent on producing unreliable financial statements, and to use resources saved to improve financial management policies, procedures, and internal controls.

(6) In 2005, the Department of Defense created a Financial Improvement and Audit Readiness (FIAR) Plan, overseen by a directorate within the office of the Under Secretary of Defense (Comptroller), to improve Department business processes with the goal of producing timely, reliable, and accurate financial information that could generate an audit-ready annual financial statement. In December 2005, that directorate, known as the FIAR Directorate, issued the first of a series of semiannual reports on the status of the Financial Improvement and Audit Readiness Plan.

(7) The National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84) requires regular status reports on the Financial Improvement and Audit Readiness Plan described in paragraph (6), and codified as a statutory requirement the goal of the Plan in ensuring that Department of Defense financial statements are validated as ready for audit not later than September 30, 2017. In addition, the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) requires that the statement of budgetary resources of the Department of Defense be validated as ready for audit by not later than September 30, 2014.

(8) At a September 2010 hearing of the Senate, the Government Accountability Office stated that past expenditures by the Department of Defense of \$5,800,000,000 to improve financial information, and billions of dollars more of anticipated expenditures on new information technology systems for that purpose, may not suffice to achieve full audit readiness of the financial statement of the Department. At that hearing, the Government Accountability Office could not predict when the Department would achieve full audit readiness of such statements.

(9) At a 2013 hearing of the Senate, Secretary of Defense Chuck Hagel affirmed his commitment to audit-ready budget statements for the Department of Defense by the end of 2014, and stated that he “will do everything he can to fulfill this commitment”. At that hearing, Secretary Hagel noted that auditable financial statements were essential to the Department not only for improving the quality of its financial information, but also for reassuring the public and Congress that it is a good steward of public funds.

SEC. ____03. CESSATION OF APPLICABILITY OF REPORTING REQUIREMENTS REGARDING THE FINANCIAL STATEMENTS OF THE DEPARTMENT OF DEFENSE.

(a) CESSATION OF APPLICABILITY.—

(1) MILITARY DEPARTMENTS.—The financial statements of a military department shall cease to be covered by the reporting requirements specified in subsection (b) upon the issuance of an unqualified audit opinion on such financial statements.

(2) DEPARTMENT OF DEFENSE.—The reporting requirements specified in subsection (b) shall cease to be effective when an unqualified audit opinion is issued on the financial statements of the Department of Defense, including each of the military departments and the other reporting entities defined by the Office of Management and Budget.

(b) REPORTING REQUIREMENTS.—The reporting requirements specified in this subsection are the following:

(1) The requirement for annual reports in section 892(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4311; 10 U.S.C. 2306a note).

(2) The requirement for semi-annual reports in section 1003(b) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2440; 10 U.S.C. 2222 note).

(3) The requirement for annual reports in section 817(d) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (10 U.S.C. 2306a note).

(4) The requirement for annual reports in section 1008(a) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1204; 10 U.S.C. 113 note).

(5) The requirement for periodic reports in section 908(b) of the Defense Acquisition Improvement Act of 1986 (Public Law 99-500; 100 Stat. 1783-140; 10 U.S.C. 2326 note) and duplicate requirements as provided for in section 6 of the Defense Technical Corrections Act of 1987 (Public Law 100-26; 101 Stat. 274; 10 U.S.C. 2302 note).

SEC. ____04. ENHANCED REPROGRAMMING AUTHORITY FOLLOWING ACHIEVEMENT BY DEPARTMENT OF DEFENSE AND MILITARY DEPARTMENTS OF AUDIT WITH UNQUALIFIED OPINION OF STATEMENT OF BUDGETARY RESOURCES FOR FISCAL YEARS AFTER FISCAL YEAR 2014.

(a) DEPARTMENT OF DEFENSE GENERALLY.—Subject to section ____06(1), if the Department of Defense obtains an audit with an unqualified opinion on its statement of budgetary resources for any fiscal year after fiscal year 2014, the limitation on the total amount of authorizations that the Secretary of Defense may transfer pursuant to general transfer authority available to the Secretary in the national interest in the succeeding fiscal year shall be \$8,000,000,000.

(b) MILITARY DEPARTMENTS, DEFENSE AGENCIES, AND DEFENSE FIELD ACTIVITIES.—Subject to section ____07(a), if a military department, Defense Agency, or defense field activity obtains an audit with an unqualified opinion on its statement of budgetary resources for any fiscal year after fiscal year 2014, the thresholds for reprogramming of funds of such military department, Defense Agency, or defense field activity, as the case may be, without prior notice to Congress for the succeeding fiscal year shall be deemed to be the thresholds as follows:

(1) In the case of an increase or decrease to the program base amount for a procurement program, \$60,000,000.

(2) In the case of an increase or decrease to the program base amount for a research program, \$30,000,000.

(3) In the case of an increase or decrease to the amount for a budget activity for operation and maintenance, \$45,000,000.

(4) In the case of an increase or decrease to the amount for a budget activity for military personnel, \$30,000,000.

(c) **CONSTRUCTION.**—Nothing in this section shall be construed to alter or revise any requirement (other than a threshold amount) for notice to Congress on transfers covered by subsection (a) or reprogrammings covered by subsection (b) under any other provision of law.

(d) **DEFINITIONS.**—In this section, the terms “program base amount”, “procurement program”, “research program”, and “budget activity” have the meanings given such terms in chapter 6 of volume 3 of the Financial Management Regulation of the Department of Defense (DoD 7000.14R), dated March 2011, or any successor document.

SEC. 05. FAILURE TO OBTAIN AUDITS WITH UNQUALIFIED OPINION OF FISCAL YEAR 2015 GENERAL FUND STATEMENT OF BUDGETARY RESOURCES OF THE DEPARTMENT OF DEFENSE.

(a) **IN GENERAL.**—If the Department of Defense fails to obtain an audit with an unqualified opinion on its general fund statement of budgetary resources for fiscal year 2015 by December 31, 2015, the following shall take effect on January 1, 2016:

(1) **ADDITIONAL QUALIFICATIONS AND DUTIES OF USD (COMPTROLLER).**—

(A) **QUALIFICATIONS.**—Any individual nominated for appointment to the position of Under Secretary of Defense (Comptroller) under section 135 of title 10, United States Code, shall be an individual who has served—

(i) as the chief financial officer or equivalent position of a Federal or State agency that has received an audit with an unqualified opinion on such agency's financial statements during the time of such individual's service; or

(ii) as the chief financial officer or equivalent position of a public company that has received an audit with an unqualified opinion on such company's financial statements during the time of such individual's service.

(B) **DUTIES AND POWERS.**—The duties and powers of the individual serving as Under Secretary of Defense (Comptroller) shall include, in addition to the duties and powers specified in section 135(c) of title 10, United States Code, such duties and powers with respect to the financial management of the Department of Defense as the Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(2) **ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASA FOR FINANCIAL MANAGEMENT.**—

(A) **QUALIFICATIONS.**—Any individual nominated for appointment to the position of Assistant Secretary of the Army for Financial Management under section 3016 of title 10, United States Code, shall be an individual who has served—

(i) as the chief financial officer or equivalent position of a Federal or State agency that has received an audit with an unqualified opinion on such agency's financial statements during the time of such individual's service; or

(ii) as the chief financial officer or equivalent position of a public company that has received an audit with an unqualified opinion

on such company's financial statements during the time of such individual's service.

(B) **RESPONSIBILITIES.**—The responsibilities of the individual serving as Assistant Secretary of the Army for Financial Management shall include, in addition to the responsibilities specified in section 3016(b)(4) of title 10, United States Code, such responsibilities as the Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(3) **ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASN FOR FINANCIAL MANAGEMENT.**—

(A) **QUALIFICATIONS.**—Any individual nominated for appointment to the position of Assistant Secretary of the Navy for Financial Management under section 5016 of title 10, United States Code, shall be an individual who has served—

(i) as the chief financial officer or equivalent position of a Federal or State agency that has received an audit with an unqualified opinion on such agency's financial statements during the time of such individual's service; or

(ii) as the chief financial officer or equivalent position of a public company that has received an audit with an unqualified opinion on such company's financial statements during the time of such individual's service.

(B) **RESPONSIBILITIES.**—The responsibilities of the individual serving as Assistant Secretary of the Navy for Financial Management shall include, in addition to the responsibilities specified in section 5016(b)(4) of title 10, United States Code, such responsibilities as the Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(4) **ADDITIONAL QUALIFICATIONS AND RESPONSIBILITIES OF ASAF FOR FINANCIAL MANAGEMENT.**—

(A) **QUALIFICATIONS.**—Any individual nominated for appointment to the position of Assistant Secretary of the Air Force for Financial Management under section 8016 of title 10, United States Code, shall be an individual who has served—

(i) as the chief financial officer or equivalent position of a Federal or State agency that has received an audit with an unqualified opinion on such agency's financial statements during the time of such individual's service; or

(ii) as the chief financial officer or equivalent position of a public company that has received an audit with an unqualified opinion on such company's financial statements during the time of such individual's service.

(B) **RESPONSIBILITIES.**—The responsibilities of the individual serving as Assistant Secretary of the Air Force for Financial Management shall include, in addition to the responsibilities specified in section 8016(b)(4) of title 10, United States Code, such responsibilities as the Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) may prescribe.

(b) **PUBLIC COMPANY DEFINED.**—In this section, the term “public company” has the meaning given the term “issuer” in section 2(a)(7) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201(a)(7)).

SEC. 06. FAILURE OF THE DEPARTMENT OF DEFENSE TO OBTAIN AUDITS WITH UNQUALIFIED OPINION OF FISCAL YEAR 2018 FINANCIAL STATEMENTS.

If the Department of Defense fails to obtain an audit with an unqualified opinion on its general fund statement of budgetary resources for fiscal year 2018 by December 31, 2018:

(1) **PERMANENT CESSATION OF ENHANCED GENERAL TRANSFER AUTHORITY.**—Effective as of January 1, 2019, the authority in section 44(a) shall cease to be available to the Department of Defense for fiscal year 2018 and any fiscal year thereafter.

(2) **REORGANIZATION OF RESPONSIBILITIES OF CHIEF MANAGEMENT OFFICER.**—Effective as of April 1, 2019:

(A) **POSITION OF CHIEF MANAGEMENT OFFICER.**—Section 132a of title 10, United States Code, is amended to read as follows:

“§ 132a. Chief Management Officer

“(a) **IN GENERAL.**—(1) There is a Chief Management Officer of the Department of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate.

“(2) Any individual nominated for appointment as Chief Management Officer shall be an individual who has—

“(A) extensive executive level leadership and management experience in the public or private sector;

“(B) strong leadership skills;

“(C) a demonstrated ability to manage large and complex organizations; and

“(D) a proven record in achieving positive operational results.

“(b) **POWERS AND DUTIES.**—The Chief Management Officer shall perform such duties and exercise such powers as the Secretary of Defense may prescribe.

“(c) **SERVICE AS CHIEF MANAGEMENT OFFICER.**—(1) The Chief Management Officer is the Chief Management Officer of the Department of Defense.

“(2) In serving as the Chief Management Officer of the Department of Defense, the Chief Management Officer shall be responsible for the management and administration of the Department of Defense with respect to the following:

“(A) The expenditure of funds, accounting, and finance.

“(B) Procurement, including procurement of any enterprise resource planning (ERP) system and any information technology (IT) system that is a financial feeder system, human resources system, or logistics system.

“(C) Facilities, property, nonmilitary equipment, and other resources.

“(D) Strategic planning, annual performance planning, and identification and tracking of performance measures.

“(E) Internal audits and management analyses of the programs and activities of the Department, including the Defense Contract Audit Agency.

“(F) Such other areas or matters as the Secretary of Defense may designate.

“(3) The head of the Defense Contract Audit Agency shall be under the supervision of, and shall report directly to, the Chief Management Officer.

“(d) **PRECEDENCE.**—The Chief Management Officer takes precedence in the Department of Defense after the Secretary of Defense and the Deputy Secretary of Defense.”

(B) **CONFORMING AMENDMENTS.**—

(i) Section 131(b) of title 10, United States Code, is amended—

(I) by striking paragraph (3);

(II) by redesignating paragraph (2) as paragraph (3); and

(III) by inserting after paragraph (1) the following new paragraph (2):

“(2) The Chief Management Officer of the Department of Defense.”.

(i) Section 132 of such title is amended—

(I) by striking subsection (c); and

(II) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(iii) Section 133(e)(1) of such title is amended by striking “and the Deputy Secretary of Defense” and inserting “, the Deputy Secretary of Defense, and the Chief Management Officer of the Department of Defense”.

(iv) Such title is further amended by inserting “the Chief Management Officer of the Department of Defense,” after “the Deputy Secretary of Defense,” each place it appears in the provisions as follows:

(I) Section 133(e)(2).

(II) Section 134(c).

(v) Section 137a(d) of such title is amended by striking “the Secretaries of the military departments,” and all that follows and inserting “the Chief Management Officer of the Department of Defense, the Secretaries of the military departments, and the Under Secretaries of Defense.”.

(vi) Section 138(d) of such title is amended by striking “the Secretaries of the military departments,” and all that follows through the period and inserting “the Chief Management Officer of the Department of Defense, the Secretaries of the military departments, the Under Secretaries of Defense, and the Director of Defense Research and Engineering.”.

(C) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by striking the item relating to section 132a and inserting the following new item:

“132a. Chief Management Officer.”.

(D) EXECUTIVE SCHEDULE.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:

“Chief Management Officer of the Department of Defense.”.

(E) REFERENCE IN LAW.—Any reference in any provision of law to the Chief Management Officer of the Department of Defense shall be deemed to refer to the Chief Management Officer of the Department of Defense under section 132a of title 10, United States Code (as amended by this paragraph).

(3) JURISDICTION OF DFAS.—Effective as of April 1, 2019:

(A) TRANSFER TO DEPARTMENT OF THE TREASURY.—Jurisdiction of the Defense Finance and Accounting Service (DFAS) is transferred from the Department of Defense to the Department of the Treasury.

(B) ADMINISTRATION.—The Secretary of the Treasury shall administer the Defense Finance and Accounting Service following transfer under this paragraph through the Financial Management Service of the Department of the Treasury.

(C) MEMORANDUM OF UNDERSTANDING.—The Secretary of Defense and the Secretary of the Treasury shall jointly enter into a memorandum of understanding regarding the transfer of jurisdiction of the Defense Finance and Accounting Service under this paragraph. The memorandum of understanding shall provide for the transfer of the personnel and other resources of the Service to the Department of the Treasury and for the assumption of responsibility for such personnel and resources by the Department of the Treasury.

(D) CONSTRUCTION.—Nothing in this paragraph shall be construed as terminating, altering, or revising any responsibilities or authorities of the Defense Finance and Ac-

counting Service (other than responsibilities and authorities in connection with the exercise of jurisdiction of the Service following transfer under this paragraph).

SEC. 7. FAILURE OF THE MILITARY DEPARTMENTS TO OBTAIN AUDITS WITH UNQUALIFIED OPINION OF FINANCIAL STATEMENTS FOR FISCAL YEARS AFTER FISCAL YEAR 2017.

(a) PERMANENT CESSATION OF AUTHORITIES ON REPROGRAMMING OF FUNDS.—If a military department fails to obtain an audit with an unqualified opinion on its financial statements for fiscal year 2018 by December 31, 2018, effective as of January 1, 2019, the authorities in section 104(b) shall cease to be available to the military department for fiscal year 2018 and any fiscal year thereafter.

(b) ANNUAL PROHIBITION ON EXPENDITURE OF FUNDS FOR CERTAIN MDAPs PAST MILESTONE B IN CONNECTION WITH FAILURE.—

(1) PROHIBITION.—Effective for fiscal years after fiscal year 2017, if a military department fails to obtain an audit with an unqualified opinion on its financial statements for any fiscal year, effective as of the date of the issuance of the opinion on such audit, amounts available to the military department for the following fiscal year may not be obligated by the military department for a weapon or weapon system or platform being acquired as a major defense acquisition program for any activity beyond Milestone B approval unless such program has already achieved Milestone B approval of the date of the issuance of the opinion on such audit.

(2) DEFINITIONS.—In this subsection:

(A) The term “major defense acquisition program” has the meaning given that term in section 2430 of title 10, United States Code.

(B) The term “Milestone B approval” has the meaning given that term in section 2366(e)(7) of title 10, United States Code.

SEC. 8. ENTERPRISE RESOURCE PLANNING.

The Secretary of Defense shall amend the acquisition guidance of the Department of Defense to provide for the following:

(1) The Defense Business System Management Committee may not approve procurement of any Enterprise Resource Planning (ERP) business system that is independently estimated to take longer than three years to procure from initial obligation of funds to full deployment and sustainment.

(2) Any contract for the acquisition of an Enterprise Resource Planning business system shall include a provision authorizing termination of the contract at no cost to the Government if procurement of the system takes longer than three years from initial obligation of funds to full deployment and sustainment.

(3) Any implementation of an Enterprise Resource Planning system shall comply with each of the following:

(A) The current Business Enterprise Architecture established by the Chief Management Officer of the Department of Defense.

(B) The provisions of section 2222 of title 10, United States Code.

(4) The Deputy Secretary of Defense (acting in the capacity of Chief Management Officer of the Department of Defense) or a successor official in the Department of Defense (acting in such capacity) shall have the authority to replace any program manager (whether in a military department or a Defense Agency) for the procurement of an Enterprise Resource Planning business system if procurement of the system takes longer than three years from initial obligation of funds to full deployment and sustainment.

(5) Any integrator contract for the implementation of an Enterprise Resource Plan-

ning business system shall only be awarded to companies that have a history of successful implementation of other Enterprise Resource Planning business systems for the Federal Government (whether with the Department of Defense or another department or agency of the Federal Government), including meeting cost and schedule goals.

SA 2560. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1. USE OF FUNDS AVAILABLE FOR THE DEPARTMENT OF DEFENSE ONLY FOR DEFENSE-RELATED PURPOSES.

(a) ELIMINATION OF NON-DEFENSE SPENDING.—Amounts authorized to be appropriated by this Act may not be used for a program, project, or activity if the Secretary of Defense determines that the such program, project, or activity does not serve a defense-related purpose.

(b) TRANSFER OF DUPLICATIVE PROGRAMS.—In the event the Secretary of Defense determines that a program, project, or activity of the Department of Defense duplicates, in whole or in part, a program, project, or activity of another department or agency of the Federal Government, the Secretary shall transfer to the head of such department or agency jurisdiction any part of such program, project, or activity that is so duplicative.

(c) COORDINATION ON NON-DEFENSE-SPECIFIC RESEARCH.—In the event the Secretary of Defense determines that a program, project, or activity of the Department of Defense involves research or development that will benefit another department or agency of the Federal Government, the Secretary shall coordinate with the head of such department or agency and the Director of the Office of Management and Budget on such research and development in order to ensure that such research and development is conducted in a manner which provides maximum benefit to both the Department and such department or agency.

SA 2561. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. —. REPORT ON BALANCES CARRIED FORWARD BY THE DEPARTMENT OF DEFENSE AT THE END OF EACH FISCAL YEAR.

Not later March 1 each year, the Secretary of Defense shall submit to Congress, and publish on the Internet website of the Department of Defense available to the public, the following:

(1) The total dollar amount of all balances carried forward by the Department of Defense at the end of the previous fiscal year by account.

(2) The total dollar amount of all unobligated balances carried forward by the Department of Defense at the end of the previous fiscal year by account.

(3) The total dollar amount of any balances (both obligated and unobligated) that have been carried forward by the Department of Defense for five years or more as of the end of the previous fiscal year by account.

SA 2562. Mr. REED submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division B, add the following:

TITLE III—UNEMPLOYMENT PROVISIONS

SEC. 1301. EXTENSION OF EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM.

(a) **EXTENSION.**—Section 4007(a)(2) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(b) **FUNDING.**—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended—

(1) in subparagraph (I), by striking “and” at the end;

(2) in subparagraph (J), by inserting “and” at the end; and

(3) by inserting after subparagraph (J) the following:

“(K) the amendments made by section 1301(a) of the Pathway for SGR Reform Act of 2013;”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112-240).

SEC. 1302. TEMPORARY EXTENSION OF EXTENDED BENEFIT PROVISIONS.

(a) **IN GENERAL.**—Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111-5 (26 U.S.C. 3304 note), is amended—

(1) by striking “December 31, 2013” each place it appears and inserting “December 31, 2014”; and

(2) in subsection (c), by striking “June 30, 2014” and inserting “June 30, 2015”.

(b) **EXTENSION OF MATCHING FOR STATES WITH NO WAITING WEEK.**—Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110-449; 26 U.S.C. 3304 note) is amended by striking “June 30, 2014” and inserting “June 30, 2015”.

(c) **EXTENSION OF MODIFICATION OF INDICATORS UNDER THE EXTENDED BENEFIT PROGRAM.**—Section 203 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) is amended—

(1) in subsection (d), by striking “December 31, 2013” and inserting “December 31, 2014”; and

(2) in subsection (f)(2), by striking “December 31, 2013” and inserting “December 31, 2014”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112-240).

SEC. 1303. EXTENSION OF FUNDING FOR REEMPLOYMENT SERVICES AND REEMPLOYMENT AND ELIGIBILITY ASSESSMENT ACTIVITIES.

(a) **IN GENERAL.**—Section 4004(c)(2)(A) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended by striking “through fiscal year 2014” and inserting “through fiscal year 2015”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112-240).

SEC. 1304. ADDITIONAL EXTENDED UNEMPLOYMENT BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) **EXTENSION.**—Section 2(c)(2)(D)(iii) of the Railroad Unemployment Insurance Act (45 U.S.C. 352(c)(2)(D)(iii)) is amended—

(1) by striking “June 30, 2013” and inserting “June 30, 2014”; and

(2) by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) **CLARIFICATION ON AUTHORITY TO USE FUNDS.**—Funds appropriated under either the first or second sentence of clause (iv) of section 2(c)(2)(D) of the Railroad Unemployment Insurance Act shall be available to cover the cost of additional extended unemployment benefits provided under such section 2(c)(2)(D) by reason of the amendments made by subsection (a) as well as to cover the cost of such benefits provided under such section 2(c)(2)(D), as in effect on the day before the date of enactment of this Act.

(c) **FUNDING FOR ADMINISTRATION.**—Out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Railroad Retirement Board \$250,000 for administrative expenses associated with the payment of additional extended unemployment benefits provided under section 2(c)(2)(D) of the Railroad Unemployment Insurance Act by reason of the amendments made by subsection (a), to remain available until expended.

SEC. 1305. FLEXIBILITY FOR UNEMPLOYMENT PROGRAM AGREEMENTS.

(a) **FLEXIBILITY.**—

(1) **IN GENERAL.**—Subsection (g) of section 4001 of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) shall not apply with respect to a State that has enacted a law before December 1, 2013, that, upon taking effect, would violate such subsection.

(2) **EFFECTIVE DATE.**—Paragraph (1) is effective with respect to weeks of unemployment beginning on or after December 29, 2013.

(b) **PERMITTING A SUBSEQUENT AGREEMENT.**—Nothing in such title IV shall preclude a State whose agreement under such title was terminated from entering into a subsequent agreement under such title on or after the date of the enactment of this Act if the State, taking into account the application of subsection (a), would otherwise meet the requirements for an agreement under such title.

SA 2563. Mr. REED submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division B, add the following:

TITLE III—UNEMPLOYMENT PROVISIONS

SEC. 1301. EXTENSION OF EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM.

(a) **EXTENSION.**—Section 4007(a)(2) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended by striking “January 1, 2014” and inserting “April 1, 2014”.

(b) **FUNDING.**—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended—

(1) in subparagraph (I), by striking “and” at the end;

(2) in subparagraph (J), by inserting “and” at the end; and

(3) by inserting after subparagraph (J) the following:

“(K) the amendments made by section 1301(a) of the Pathway for SGR Reform Act of 2013;”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112-240).

SEC. 1302. TEMPORARY EXTENSION OF EXTENDED BENEFIT PROVISIONS.

(a) **IN GENERAL.**—Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111-5 (26 U.S.C. 3304 note), is amended—

(1) by striking “December 31, 2013” each place it appears and inserting “March 31, 2014”; and

(2) in subsection (c), by striking “June 30, 2014” and inserting “September 30, 2014”.

(b) **EXTENSION OF MATCHING FOR STATES WITH NO WAITING WEEK.**—Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110-449; 26 U.S.C. 3304 note) is amended by striking “June 30, 2014” and inserting “September 30, 2014”.

(c) **EXTENSION OF MODIFICATION OF INDICATORS UNDER THE EXTENDED BENEFIT PROGRAM.**—Section 203 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) is amended—

(1) in subsection (d), by striking “December 31, 2013” and inserting “March 31, 2014”; and

(2) in subsection (f)(2), by striking “December 31, 2013” and inserting “March 31, 2014”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112-240).

SEC. 1303. EXTENSION OF FUNDING FOR REEMPLOYMENT SERVICES AND REEMPLOYMENT AND ELIGIBILITY ASSESSMENT ACTIVITIES.

(a) **IN GENERAL.**—Section 4004(c)(2)(A) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended by striking “through fiscal year 2014” and inserting “through the first quarter of fiscal year 2015”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112-240).

SEC. 1304. ADDITIONAL EXTENDED UNEMPLOYMENT BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) **EXTENSION.**—Section 2(c)(2)(D)(iii) of the Railroad Unemployment Insurance Act (45 U.S.C. 352(c)(2)(D)(iii)) is amended—

(1) by striking “June 30, 2013” and inserting “September 30, 2013”; and

(2) by striking “December 31, 2013” and inserting “March 31, 2014”.

(b) CLARIFICATION ON AUTHORITY TO USE FUNDS.—Funds appropriated under either the first or second sentence of clause (iv) of section 2(c)(2)(D) of the Railroad Unemployment Insurance Act shall be available to cover the cost of additional extended unemployment benefits provided under such section 2(c)(2)(D) by reason of the amendments made by subsection (a) as well as to cover the cost of such benefits provided under such section 2(c)(2)(D), as in effect on the day before the date of enactment of this Act.

(c) FUNDING FOR ADMINISTRATION.—Out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Railroad Retirement Board \$62,500 for administrative expenses associated with the payment of additional extended unemployment benefits provided under section 2(c)(2)(D) of the Railroad Unemployment Insurance Act by reason of the amendments made by subsection (a), to remain available until expended.

SEC. 1305. FLEXIBILITY FOR UNEMPLOYMENT PROGRAM AGREEMENTS.

(a) FLEXIBILITY.—

(1) IN GENERAL.—Subsection (g) of section 4001 of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) shall not apply with respect to a State that has enacted a law before December 1, 2013, that, upon taking effect, would violate such subsection.

(2) EFFECTIVE DATE.—Paragraph (1) is effective with respect to weeks of unemployment beginning on or after December 29, 2013.

(b) PERMITTING A SUBSEQUENT AGREEMENT.—Nothing in such title IV shall preclude a State whose agreement under such title was terminated from entering into a subsequent agreement under such title on or after the date of the enactment of this Act if the State, taking into account the application of subsection (a), would otherwise meet the requirements for an agreement under such title.

SA 2564. Mr. REED submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division B, add the following:

TITLE III—UNEMPLOYMENT PROVISIONS

SEC. 1301. EXTENSION OF EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM.

(a) EXTENSION.—Section 4007(a)(2) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended by striking “January 1, 2014” and inserting “February 4, 2014”.

(b) FUNDING.—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended—

(1) in subparagraph (I), by striking “and” at the end;

(2) in subparagraph (J), by inserting “and” at the end; and

(3) by inserting after subparagraph (J) the following:

“(K) the amendments made by section 1301(a) of the Pathway for SGR Reform Act of 2013;”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112-240).

SEC. 1302. TEMPORARY EXTENSION OF EXTENDED BENEFIT PROVISIONS.

(a) IN GENERAL.—Section 2005 of the Assistance for Unemployed Workers and Strug-

gling Families Act, as contained in Public Law 111-5 (26 U.S.C. 3304 note), is amended—

(1) by striking “December 31, 2013” each place it appears and inserting “February 4, 2014”; and

(2) in subsection (c), by striking “June 30, 2014” and inserting “July 31, 2014”.

(b) EXTENSION OF MATCHING FOR STATES WITH NO WAITING WEEK.—Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110-449; 26 U.S.C. 3304 note) is amended by striking “June 30, 2014” and inserting “July 31, 2014”.

(c) EXTENSION OF MODIFICATION OF INDICATORS UNDER THE EXTENDED BENEFIT PROGRAM.—Section 203 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) is amended—

(1) in subsection (d), by striking “December 31, 2013” and inserting “February 4, 2014”; and

(2) in subsection (f)(2), by striking “December 31, 2013” and inserting “February 4, 2014”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112-240).

SEC. 1303. EXTENSION OF FUNDING FOR REEMPLOYMENT SERVICES AND REEMPLOYMENT AND ELIGIBILITY ASSESSMENT ACTIVITIES.

(a) IN GENERAL.—Section 4004(c)(2)(A) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended by striking “through fiscal year 2014” and inserting “through the first month of fiscal year 2015”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112-240).

SEC. 1304. ADDITIONAL EXTENDED UNEMPLOYMENT BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) EXTENSION.—Section 2(c)(2)(D)(iii) of the Railroad Unemployment Insurance Act (45 U.S.C. 352(c)(2)(D)(iii)) is amended—

(1) by striking “June 30, 2013” and inserting “July 31, 2013”; and

(2) by striking “December 31, 2013” and inserting “February 4, 2014”.

(b) CLARIFICATION ON AUTHORITY TO USE FUNDS.—Funds appropriated under either the first or second sentence of clause (iv) of section 2(c)(2)(D) of the Railroad Unemployment Insurance Act shall be available to cover the cost of additional extended unemployment benefits provided under such section 2(c)(2)(D) by reason of the amendments made by subsection (a) as well as to cover the cost of such benefits provided under such section 2(c)(2)(D), as in effect on the day before the date of enactment of this Act.

(c) FUNDING FOR ADMINISTRATION.—Out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Railroad Retirement Board \$21,000 for administrative expenses associated with the payment of additional extended unemployment benefits provided under section 2(c)(2)(D) of the Railroad Unemployment Insurance Act by reason of the amendments made by subsection (a), to remain available until expended.

SEC. 1305. FLEXIBILITY FOR UNEMPLOYMENT PROGRAM AGREEMENTS.

(a) FLEXIBILITY.—

(1) IN GENERAL.—Subsection (g) of section 4001 of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) shall not apply with respect to a State that

has enacted a law before December 1, 2013, that, upon taking effect, would violate such subsection.

(2) EFFECTIVE DATE.—Paragraph (1) is effective with respect to weeks of unemployment beginning on or after December 29, 2013.

(b) PERMITTING A SUBSEQUENT AGREEMENT.—Nothing in such title IV shall preclude a State whose agreement under such title was terminated from entering into a subsequent agreement under such title on or after the date of the enactment of this Act if the State, taking into account the application of subsection (a), would otherwise meet the requirements for an agreement under such title.

SA 2565. Ms. HIRONO (for herself, Mr. BEGICH, and Mr. SCHATZ) submitted an amendment intended to be proposed by her to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 57, strike lines 16 through 19, and insert the following:

“(c) LIMITATION ON FEE.—

“(1) IN GENERAL.—Except as provided in paragraph (2), fees imposed under subsection (a)(1) shall be \$5.60 per one-way trip in air transportation or intrastate air transportation that originates at an airport in the United States.

“(2) EXCEPTIONS.—Fees imposed under subsection (a)(1) may not exceed \$2.50 per enplanement, and the total amount of such fees may not exceed \$5.00 per one-way trip, for passengers—

“(A) boarding to an eligible place under subchapter II of chapter 417 for which essential air service compensation is paid under that subchapter;

“(B) on flights, including flight segments, between 2 or more points in Hawaii; or

“(C) in Alaska aboard an aircraft having seat capacity of less than 60 passengers.”.

SA 2566. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON EMPLOYMENT BY THE DEPARTMENT OF DEFENSE OF INDIVIDUALS AND CONTRACTORS WITH SERIOUSLY DELINQUENT TAX DEBTS.

(a) PROHIBITION.—An individual or contractor with a seriously delinquent tax debt may not be appointed to, or continue serving in, a position within or funded by the Department of Defense.

(b) SERIOUSLY DELINQUENT TAX DEBT DEFINED.—In this section, the term “seriously delinquent tax debt” means an outstanding debt under the Internal Revenue Code of 1986 for which a notice of lien has been filed in public records pursuant to section 6323 of such Code, except that such term does not include—

(1) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or section 7122 of such Code; and

(2) a debt with respect to which a collection due process hearing under section 6330 of such Code, or relief under subsection (a), (b), or (f) of section 6015 of such Code, is requested or pending.

SA 2567. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CONSOLIDATION OF DUPLICATIVE AND OVERLAPPING AGENCIES, PROGRAMS, AND ACTIVITIES OF THE FEDERAL GOVERNMENT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the heads of other departments and agencies of the Federal Government—

(1) use available administrative authority to eliminate, consolidate, or streamline Government agencies, programs, and activities with duplicative and overlapping missions as identified in Government Accountability Office reports on duplication and overlap in Government programs;

(2) identify and submit to Congress a report setting the legislative action required to further eliminate, consolidate, or streamline Government agencies, programs, and activities with duplicative and overlapping missions as identified in the reports referred to in paragraph (1); and

(3) determine the total cost savings that—
(A) will accrue to each department, agency, and office effected by an action under paragraph (1) as a result of the actions taken under that paragraph; and

(B) could accrue to each department, agency, and office effected by an action under paragraph (2) as a result of the actions proposed to be taken under that paragraph using the legislative authority set forth under that paragraph.

SA 2568. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . SENSE OF CONGRESS ON SMALL ARMS AND AMMUNITION USED BY UNITED STATES ARMED FORCES.

It is the sense of Congress that the small arms and ammunition used by the United States Armed Forces should be superior to the small arms and ammunition used by po-

tential threat nations, foreign allied militaries, and United States domestic law enforcement.

SA 2569. Mr. ENZI (for himself, Mr. BARRASSO, and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 302 of division A.

SA 2570. Mr. ENZI (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1 ____ . CLARIFICATION.

Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) does not apply with respect to the funding of—

(1) the standard setting body designated pursuant to section 19(b) of the Securities Act of 1933 (15 U.S.C. 77s(b));

(2) the Securities Investor Protection Corporation; or

(3) the Public Company Accounting Oversight Board.

SA 2571. Mr. SESSIONS submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 403 of division I and insert the following:

SEC. 403. SOCIAL SECURITY NUMBER REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.

(a) IN GENERAL.—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(5) IDENTIFICATION REQUIREMENT WITH RESPECT TO TAXPAYER.—

“(A) IN GENERAL.—Paragraph (1) shall not apply to any taxpayer for any taxable year unless the taxpayer includes the taxpayer’s Social Security number on the return of tax for such taxable year.

“(B) JOINT RETURNS.—In the case of a joint return, the requirement of subparagraph (A) shall be treated as met if the Social Security number of either spouse is included on such return.

“(C) LIMITATION.—Subparagraph (A) shall not apply to the extent the tentative minimum tax (as defined in section 55(b)(1)(A)) exceeds the credit allowed under section 32.”.

(b) OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.—Subparagraph (I) of section 6213(g)(2) of such Code is amended to read as follows:

“(I) an omission of a correct Social Security number required under section 24(d)(5) (relating to refundable portion of child tax credit), or a correct TIN under section 24(e) (relating to child tax credit), to be included on a return.”.

(c) CONFORMING AMENDMENT.—Subsection (e) of section 24 of such Code is amended by

inserting “WITH RESPECT TO QUALIFYING CHILDREN” after “IDENTIFICATION REQUIREMENT” in the heading thereof.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 2572. Mr. SESSIONS submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 403.

SA 2573. Mr. SESSIONS submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, strike line 10 and all that follows through page 18, line 11 and insert the following:

(c) EXPIRATION.—Subsection (a)(2) shall

SA 2574. Mr. WICKER (for himself, Mr. GRAHAM, Mr. SESSIONS, Mr. INHOFE, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 403.

SA 2575. Mr. CORKER submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

On page 559, beginning on line 7, strike “The Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives” and insert the following: “The Secretary of Defense shall notify the Committees on Armed Services and Foreign Relations of the Senate and the Committees on Armed Services and Foreign Affairs of the House of Representatives”.

On page 563, line 11, insert “, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives” after “congressional defense committees”.

On page 564, line 9, insert “, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives” after “congressional defense committees”.

On page 572, lines 17 and 18, strike “The Secretary of Defense shall, in coordination with the Secretary of State” and insert “The Secretary of State shall, in coordination with the Secretary of Defense”.

On page 629, strike lines 10 through 17 and insert the following:

(a) **AUTHORITY.**—Notwithstanding section 544(c)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2347(c)(1)), for fiscal years 2014 through 2016, the President is authorized to enter into cooperative arrangements providing for the participation of foreign and United States military and civilian defense personnel for integrated air and missile defense programs in Southwest Asia without charge to participating countries and, notwithstanding section 632(d) of such Act (22 U.S.C. 2392(d)), without charge to the fund available to carry out chapter II of part II of the Foreign Assistance Act (22 U.S.C. 2311 et seq.).

(b) **REPORT.**—Not later than one year after the date of the enactment of this Act, and annually thereafter until a final summary report is submitted after the end of fiscal year 2016, the President shall submit to the Committees on Armed Services and Foreign Relations of the Senate and the Committees on Armed Services and Foreign Affairs of the House of Representatives a report on the implementation of the authority provided under subsection (a), including a description of the numbers of such participating foreign personnel, the cost of such non-reimbursable arrangements, and prospects for equitable contributions from such countries in the future.

On page 639, line 7, insert “the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives” before “of the Secretary’s”.

Strike section 1247.

On page 641, line 19, strike “of Defense” and insert “of State”.

Strike section 1249.

SA 2576. Ms. AYOTTE (for herself and Mr. WICKER) submitted an amendment intended to be proposed by her to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

In division A, strike section 403 and insert the following:

SEC. 403. STANDARD UTILITY ALLOWANCES BASED ON THE RECEIPT OF ENERGY ASSISTANCE PAYMENTS.

(a) **STANDARD UTILITY ALLOWANCE.**—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in subsection (e)(6)(C), by striking clause (iv); and

(2) in subsection (k), by striking paragraph (4) and inserting the following:

“(4) **THIRD PARTY ENERGY ASSISTANCE PAYMENTS.**—For purposes of subsection (d)(1), a payment made under a State law (other than a law referred to in paragraph (2)(G)) to provide energy assistance to a household shall be considered money payable directly to the household.”.

(b) **CONFORMING AMENDMENTS.**—Section 2605(f)(2) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)(2)) is amended—

(1) in the matter preceding subparagraph (A), by striking “and for purposes of determining any excess shelter expense deduction under section 5(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e))”; and

(2) in subparagraph (A), by inserting before the semicolon at the end the following: “, except that such payments or allowances shall not be considered to be expended for purposes of determining any excess shelter expense deduction under section 5(e)(6) of the

Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6))”.

SA 2577. Ms. AYOTTE (for herself and Mr. GRAHAM) submitted an amendment intended to be proposed by her to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 403 of division A and insert the following:

SEC. 403. SOCIAL SECURITY NUMBER REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.

(a) **IN GENERAL.**—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(5) **IDENTIFICATION REQUIREMENT WITH RESPECT TO TAXPAYER.**—

“(A) **IN GENERAL.**—Paragraph (1) shall not apply to any taxpayer for any taxable year unless the taxpayer includes the taxpayer’s Social Security number on the return of tax for such taxable year.

“(B) **JOINT RETURNS.**—In the case of a joint return, the requirement of subparagraph (A) shall be treated as met if the Social Security number of either spouse is included on such return.

“(C) **LIMITATION.**—Subparagraph (A) shall not apply to the extent the tentative minimum tax (as defined in section 55(b)(1)(A)) exceeds the credit allowed under section 32.”.

(b) **OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.**—Subparagraph (I) of section 6213(g)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

“(I) an omission of a correct Social Security number required under section 24(d)(5) (relating to refundable portion of child tax credit), or a correct TIN under section 24(e) (relating to child tax credit), to be included on a return.”.

(c) **CONFORMING AMENDMENT.**—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended by inserting “WITH RESPECT TO QUALIFYING CHILDREN” after “IDENTIFICATION REQUIREMENT” in the heading thereof.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 2578. Ms. AYOTTE submitted an amendment intended to be proposed by her to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 18, line 7, strike “338.”.

SA 2579. Mr. LEE (for himself, Mr. PAUL, Mr. CRUZ, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

Section 4001 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following new subsection (a):

“(a) No citizen shall be imprisoned or otherwise detained by the United States except consistent with the Constitution and pursuant to an act of Congress that expressly authorizes such detention.”;

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

“(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014.

“(3) This section shall not be construed to authorize the detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.”.

SA 2580. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . NATIONAL GUARD COUNTERDRUG PROGRAM.

(a) **ADDITIONAL AMOUNT FOR DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.**—The amount authorized to be appropriated for fiscal year 2014 by section 1404 and available for Drug Interdiction and Counter-Drug Activities, Defense-wide for the National Guard Counterdrug Program as specified in the funding table in section 4501 is hereby increased by \$130,000,000, with not less than \$27,400,000 to be available for activities at the National Guard counter-drug training centers.

(b) **USE OF AMOUNTS.**—

(1) **UNIFORM ALLOCATION.**—The amount available under subsection (a) shall be allocated evenly among the National Guard counter-drug training centers.

(2) **TRAINING OF LAW ENFORCEMENT OFFICERS.**—Not less than an amount equal to 50 percent of the amount available under subsection (a) shall be used for training of State and local law enforcement officers at the National Guard counter-drug training centers, including subsistence for officers undergoing such training.

(3) **CIVILIAN EXPERTS.**—The amount available under subsection (a) may be used for the costs of civilian experts in the provision of training by the National Guard counter-drug training centers.

(4) **USE OF EXCHANGE STORES.**—Any law enforcement officer undergoing training described in paragraph (2), and any civilian support staff and experts engaged in the provision of such training, may use the exchange store of the counter-drug training center concerned in the same manner as members of the National Guard may use such exchange store.

(c) **OFFSET.**—The amount authorized to be appropriated for fiscal year 2014 by section 301 and available for Operation and Maintenance, Defense-wide as specified in the funding table in section 4301 is hereby reduced by \$130,000,000, with the amount of the reduction to be applied to amounts otherwise available for civilian employees of the Department of Defense.

SA 2581. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the end add the following:

Strike section 4 and all that follows and insert the following:

SEC. 4. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(7) Section 478a(e), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance.

(8) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

SEC. 5. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) **TITLE 10 AUTHORITIES.**—The following sections of title 10, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) **TITLE 37 AUTHORITIES.**—The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 302c-1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

SEC. 6. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

SEC. 7. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37, CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 351(h), relating to hazardous duty pay.

(7) Section 352(g), relating to assignment pay or special duty pay.

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

SEC. 8. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.

The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 324(g), relating to accession bonus for new officers in critical skills.

(6) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(7) Section 327(h), relating to incentive bonus for transfer between armed forces.

(8) Section 330(f), relating to accession bonus for officer candidates.

SEC. 9. ONE-YEAR EXTENSION OF AUTHORITY TO PROVIDE INCENTIVE PAY FOR MEMBERS OF PRECOMMISSIONING PROGRAMS PURSUING FOREIGN LANGUAGE PROFICIENCY.

Section 316a(g) of title 37, United States Code is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

SA 2582. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the end, add the following:

Strike section 4 and all that follows and insert the following:

SEC. 4. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(7) Section 478a(e), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance.

(8) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

SEC. 5. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) **TITLE 10 AUTHORITIES.**—The following sections of title 10, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) **TITLE 37 AUTHORITIES.**—The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 302c-1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

SEC. 6. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

SEC. 7. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO TITLE 37, CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.

The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 351(h), relating to hazardous duty pay.

(7) Section 352(g), relating to assignment pay or special duty pay.

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

SEC. 8. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.

The following sections of title 37, United States Code, are amended by striking “December 31, 2013” and inserting “December 31, 2014”:

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 324(g), relating to accession bonus for new officers in critical skills.

(6) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(7) Section 327(h), relating to incentive bonus for transfer between armed forces.

(8) Section 330(f), relating to accession bonus for officer candidates.

SEC. 9. ONE-YEAR EXTENSION OF AUTHORITY TO PROVIDE INCENTIVE PAY FOR MEMBERS OF PRECOMMISSIONING PROGRAMS PURSUING FOREIGN LANGUAGE PROFICIENCY.

Section 316a(g) of title 37, United States Code is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

SEC. 10. EXTENSION OF AUTHORITY OF SECRETARY OF TRANSPORTATION TO ISSUE NONPREMIUM AVIATION INSURANCE.

Section 44310 of title 49, United States Code, is amended—

(1) by inserting “(a) IN GENERAL.—” before “The authority”;

(2) by striking “this chapter” and inserting “any provision of this chapter other than section 44305”; and

(3) by adding at the end the following new subsection:

“(b) INSURANCE OF UNITED STATES GOVERNMENT PROPERTY.—The authority of the Secretary of Transportation to provide insurance and reinsurance for a department, agency, or instrumentality of the United States Government under section 44305 is not effective after December 31, 2018.”.

SEC. 11. ONE-YEAR EXTENSION OF AUTHORITY TO USE FUNDS FOR REINTEGRATION ACTIVITIES IN AFGHANISTAN.

Section 1216 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4392), as most recently amended by section 1218 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1990), is further amended—

(1) in subsection (a)—

(A) by striking “\$35,000,000” and inserting “\$25,000,000”; and

(B) by striking “for fiscal year 2013” and inserting “for fiscal year 2014”; and

(2) in subsection (e), by striking “December 31, 2013” and inserting “December 31, 2014”.

SEC. 12. TECHNICAL AND STANDARDIZING AMENDMENTS TO DEPARTMENT OF DEFENSE TRAVEL AND TRANSPORTATION AUTHORITIES IN CONNECTION WITH REFORM OF SUCH AUTHORITIES.

(a) ESCORTS OF DEPENDENTS OF MEMBERS.—

(1) INCORPORATION OF ESCORTS OF DEPENDENTS UNDER GENERAL AUTHORITY.—Section 451(a)(2)(C) of title 37, United States Code, is amended by inserting before the period the following: “or as an escort or attendant for dependents of a member for necessary travel performed not later than one year after the member is unable to accompany the dependents who are incapable of traveling alone”.

(2) REPEAL OF SUPERSEDED AUTHORITY.—(A) Section 1036 of title 10, United States Code, is repealed.

(B) The table of sections at the beginning of chapter 53 of such title is amended by striking the item relating to section 1036.

(b) TRAVEL AND TRANSPORTATION OF DEPENDENT PATIENTS.—Section 1040 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking “roundtrip transportation” and all that follows through “may be paid at the expense of the United States” and inserting “travel and transportation allowances may be furnished to necessary attendants. The dependents and any attendants shall be furnished such travel and transportation allowances as specified in regulations prescribed under section 464 of title 37.”; and

(2) by striking subsection (d).

(c) TRAVEL IN CONNECTION WITH LEAVE CANCELLED DUE TO CONTINGENCY OPERATIONS.—

(1) INCORPORATION OF EXPENSES UNDER GENERAL AUTHORITY.—Section 453 of title 37, United States Code, is amended by adding at the end the following new subsection:

“(g) REIMBURSEMENT FOR TRAVEL IN CONNECTION WITH LEAVE CANCELLED DUE TO CONTINGENCY OPERATIONS.—A member may be reimbursed as specified in regulations prescribed under section 464 of this title for travel and related expenses incurred by the member as a result of the cancellation of previously approved leave when the leave is cancelled in conjunction with the member's participation in a contingency operation and the cancellation occurs within 48 hours of the time the leave would have commenced. The settlement for reimbursement under this subsection is final and conclusive.”.

(2) REPEAL OF SUPERSEDED AUTHORITY.—(A) Section 1053a of title 10, United States Code, is repealed.

(B) The table of sections at the beginning of chapter 53 of such title is amended by striking the item relating to section 1053a.

(d) TRAVEL AND TRANSPORTATION FOR TRAVEL FOR SPECIALTY HEALTH CARE.—Section 1074i of title 10, United States Code, is amended—

(1) in subsection (a), by striking “reimbursement for reasonable travel expenses” and inserting “travel and transportation allowances as specified in regulations prescribed under section 464 of title 37”; and

(2) in subsection (b), by striking “REIMBURSEMENT FOR TRAVEL UNDER EXCEPTIONAL CIRCUMSTANCES.—The Secretary of Defense may provide reimbursement for reasonable travel expenses of” and inserting “ALLOWABLE TRAVEL AND TRANSPORTATION UNDER EXCEPTIONAL CIRCUMSTANCES.—The Secretary of Defense may provide travel and transportation allowances as specified in the regulations referred to in subsection (a) for”.

(e) TRAVEL AND TRANSPORTATION IN CONNECTION WITH THE DISPOSITION OF REMAINS OF MEMBERS.—Section 1482(a)(8) of title 10, United States Code, is amended by striking “and roundtrip transportation and prescribed allowances” and inserting “and travel and transportation allowances as specified in regulations prescribed under section 464 of title 37”.

(f) TRAVEL AND TRANSPORTATION IN CONNECTION WITH FUNERAL HONORS FUNCTIONS AT FUNERALS FOR VETERANS.—Section 1491(d)(1) of title 10, United States Code, is amended by striking “transportation (or reimbursement for transportation) and expenses” and inserting “travel and transportation allowances as specified in regulations prescribed under section 464 of title 37”.

(g) REPEAL OF REDUNDANT AUTHORITY ON MOTOR VEHICLE TRANSPORTATION OR STORAGE FOR MEMBERS UNDERGOING PCS OR EXTENDED DEPLOYMENT.—

(1) REPEAL.—Section 2634 of title 10, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 157 of such title is amended by striking the item relating to section 2634.

(h) CLARIFICATION OF LIMITATION ON TRANSPORTATION OF HOUSEHOLD GOODS.—Section 453(c)(3) of title 37, United States Code, is amended by striking “(including packing, crating, and household goods in temporary storage)” and inserting “(including household goods in temporary storage, but excluding packing and crating)”.

SEC. 13. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Effective January 1, 2014, section 1101(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4615), as most recently amended by section 1101 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1973), is further amended by striking “through 2013” and inserting “through 2014”.

SEC. 14. EXTENSION OF AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING UNDER CERTAIN CIRCUMSTANCES.

Section 403(b)(7)(E) of title 37, United States Code, is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

Amend the title so as to read: “An Act to reauthorize certain expiring provisions related to military activity, and for other purposes.”.

SA 2583. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the end, add the following:

At the end of subtitle B of title XII, add the following:

SEC. 1220. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ.

The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243; 116 Stat. 1498; 50 U.S.C. 1541 note) is repealed effective on the date of the enactment of this Act or January 1, 2014, whichever occurs later.

SA 2584. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . CHALLENGES TO GOVERNMENT SURVEILLANCE.

(a) CHALLENGES TO ORDERS TO PRODUCE CERTAIN BUSINESS RECORDS.—

(1) IN GENERAL.—Title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) is amended by adding at the end the following:

“SEC. 503. CHALLENGES TO ORDERS TO PRODUCE CERTAIN BUSINESS RECORDS.

“(a) APPEAL.—

“(1) IN GENERAL.—A person who is required to produce any tangible thing pursuant to an order issued under section 501 may appeal the order to a United States court of appeals on the basis that the order violates the Constitution of the United States.

“(2) VENUE.—An appeal filed pursuant to paragraph (1) may be filed—

“(A) in the United States court of appeals for a circuit embracing a judicial district in which venue would be proper for a civil action under section 1391 of title 28, United States Code; or

“(B) United States Court of Appeals for the District of Columbia.

“(b) SUPREME COURT REVIEW.—A person may seek a writ of certiorari from the Supreme Court of the United States for review of a decision of an appeal filed under subsection (a)(1).”.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 is amended by adding after the item relating to section 502 the following:

“Sec. 503. Challenges to orders to produce certain business records.”.

(b) CHALLENGES TO GOVERNMENT SURVEILLANCE TARGETING OF CERTAIN PERSONS OUTSIDE THE UNITED STATES.—Section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a) is amended by adding at the end the following:

“(m) CHALLENGES TO GOVERNMENT SURVEILLANCE.—

“(1) INJURY IN FACT.—In any claim in a civil action brought in a court of the United States relating to surveillance conducted under this section, the person asserting the claim has suffered an injury in fact if the person—

“(A) has a reasonable basis to believe that the person’s communications will be acquired under this section; and

“(B) has taken objectively reasonable steps to avoid surveillance under this section.

“(2) REASONABLE BASIS.—A person shall be presumed to have demonstrated a reasonable basis to believe that the communications of the person will be acquired under this section if the profession of the person requires the person regularly to communicate foreign intelligence information with persons who—

“(A) are not United States persons; and

“(B) are located outside the United States.

“(3) OBJECTIVE STEPS.—A person shall be presumed to have taken objectively reasonable steps to avoid surveillance under this section if the person demonstrates that the steps were taken in reasonable response to rules of professional conduct or analogous professional rules.

“(n) APPEALS.—

“(1) IN GENERAL.—A person who is subject to an order issued under this section may appeal the order to a United States court of appeals on the basis that the order violates the Constitution of the United States.

“(2) VENUE.—An appeal filed pursuant to paragraph (1) may be filed—

“(A) in the United States court of appeals for a circuit embracing a judicial district in which venue would be proper for a civil action under section 1391 of title 28, United States Code; or

“(B) United States Court of Appeals for the District of Columbia.

“(3) SUPREME COURT REVIEW.—A person may seek a writ of certiorari from the Supreme Court of the United States for review of a decision of an appeal filed under paragraph (1).”.

SA 2585. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be

proposed by Mr. LEE to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 1082. AUDIT REFORM AND TRANSPARENCY FOR THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) IN GENERAL.—Notwithstanding section 714 of title 31, United States Code, or any other provision of law, an audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks under subsection (b) of such section 714 shall be completed within 12 months of the date of enactment of this Act.

(b) REPORT.—

(1) IN GENERAL.—A report on the audit required under subsection (a) shall be submitted by the Comptroller General to the Congress before the end of the 90-day period beginning on the date on which such audit is completed and made available to the Speaker of the House, the majority and minority leaders of the House of Representatives, the majority and minority leaders of the Senate, the Chairman and Ranking Member of the committee and each subcommittee of jurisdiction in the House of Representatives and the Senate, and any other Member of Congress who requests it.

(2) CONTENTS.—The report under paragraph (1) shall include a detailed description of the findings and conclusion of the Comptroller General with respect to the audit that is the subject of the report, together with such recommendations for legislative or administrative action as the Comptroller General may determine to be appropriate.

(c) REPEAL OF CERTAIN LIMITATIONS.—Subsection (b) of section 714 of title 31, United States Code, is amended by striking all after “in writing.”.

(d) TECHNICAL AND CONFORMING AMENDMENT.—Section 714 of title 31, United States Code, is amended by striking subsection (f).

SEC. 1083. AUDIT OF LOAN FILE REVIEWS REQUIRED BY ENFORCEMENT ACTIONS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct an audit of the review of loan files of homeowners in foreclosure in 2009 or 2010, required as part of the enforcement actions taken by the Board of Governors of the Federal Reserve System against supervised financial institutions.

(b) CONTENT OF AUDIT.—The audit carried out pursuant to subsection (a) shall consider, at a minimum—

(1) the guidance given by the Board of Governors of the Federal Reserve System to independent consultants retained by the supervised financial institutions regarding the procedures to be followed in conducting the file reviews;

(2) the factors considered by independent consultants when evaluating loan files;

(3) the results obtained by the independent consultants pursuant to those reviews;

(4) the determinations made by the independent consultants regarding the nature and extent of financial injury sustained by each homeowner as well as the level and type of remediation offered to each homeowner; and

(5) the specific measures taken by the independent consultants to verify, confirm, or rebut the assertions and representations made by supervised financial institutions regarding the contents of loan files and the extent of financial injury to homeowners.

(c) REPORT.—Not later than the end of the 6-month period beginning on the date of the enactment of this Act, the Comptroller General shall issue a report to the Congress containing all findings and determinations made in carrying out the audit required under subsection (a).

SA 2586. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 1082. IMPROVED ENUMERATION OF MEMBERS OF THE ARMED FORCES IN ANY TABULATION OF TOTAL POPULATION BY SECRETARY OF COMMERCE.

(a) IN GENERAL.—Section 141 of title 13, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

“(g) Effective beginning with the 2020 decennial census of population, in taking any tabulation of total population by States, the Secretary shall take appropriate measures to ensure, to the maximum extent practicable, that all members of the Armed Forces deployed abroad on the date of taking such tabulation are—

“(1) fully and accurately counted; and

“(2) properly attributed to the State in which their residence at their permanent duty station or homeport is located on such date.”.

(b) CONSTRUCTION.—The amendments made by subsection (a) shall not be construed to affect the residency status of any member of the Armed Forces under any provision of law other than title 13, United States Code.

SA 2587. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 1208. LIMITATION ON FOREIGN ASSISTANCE TO PAKISTAN.

No amounts may be obligated or expended to provide any direct United States assistance to the Government of Pakistan unless the President certifies to Congress that—

(1) Dr. Shakil Afridi has been released from prison in Pakistan;

(2) any criminal charges brought against Dr. Afridi, including treason, have been dropped; and

(3) if necessary to ensure his freedom, Dr. Afridi has been allowed to leave Pakistan.

SA 2588. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the end, add the following:

SECTION 1082. FOURTH AMENDMENT PRESERVATION AND PROTECTION.

(a) SHORT TITLE.—This section may be cited as the “Fourth Amendment Preservation and Protection Act of 2013”.

(b) FINDINGS.—Congress finds that the right under the Fourth Amendment to the Constitution of the United States of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures is violated when the Federal Government or a State or local government acquires information voluntarily relinquished by a person to another party for a limited business purpose without the express informed consent of the person to the specific request by the Federal Government or a State or local government or a warrant, upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

(c) DEFINITION.—In this section, the term “system of records” means any group of records from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular associated with the individual.

(d) PROHIBITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Federal Government and a State or local government is prohibited from obtaining or seeking to obtain information relating to an individual or group of individuals held by a third-party in a system of records, and no such information shall be admissible in a criminal prosecution in a court of law.

(2) EXCEPTION.—The Federal Government or a State or local government may obtain, and a court may admit, information relating to an individual held by a third-party in a system of records if—

(A) the individual whose name or identification information the Federal Government or State or local government is using to access the information provides express and informed consent to the search; or

(B) the Federal Government or State or local government obtains a warrant, upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

SA 2589. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G.

Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 1082. EXTENSION OF PERIOD FOR USE OF ENTITLEMENT TO POST-9/11 EDUCATIONAL ASSISTANCE FOR INDIVIDUALS WITH POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY.

(a) EXTENDED PERIOD.—Section 3312 of title 38, United States Code, is amended—

(1) in subsection (a), by striking “in subsections (b) and (c)” and inserting “in subsections (b), (c), and (d)”;

(2) by adding at the end the following new subsection:

“(d) EXTENDED PERIOD FOR INDIVIDUALS WITH POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY.—Subject to section 3695 of this title and except as provided in subsections (b) and (c), an individual entitled to educational assistance under this chapter who has a service-connected disability consisting of post-traumatic stress disorder or traumatic brain injury is entitled to a number of months of educational assistance under section 3313 of this title equal to 54 months.”.

(b) REDUCED AMOUNT.—Section 3313 of such title is amended by adding at the end the following new subsection:

“(j) REDUCED AMOUNT FOR INDIVIDUALS WITH EXTENDED PERIOD OF ASSISTANCE.—The amount of educational assistance payable under this section to an individual described in section 3312(d) of this title shall be 67 percent of the amount otherwise payable to such individual under this section.”.

SA 2590. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the end, add the following:

SECTION 1082. PURCHASE OF PRISON-MADE PRODUCTS BY FEDERAL DEPARTMENTS.

(a) REPEAL OF PURCHASE REQUIREMENT.—Section 4124 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “shall purchase” and inserting “may purchase”; and

(B) by inserting “and services” after “such products”; and

(2) in subsection (c), by striking “subject to the requirements of subsection (a)” and inserting “that purchases such products or services of the industries authorized by this chapter”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 8504 of title 41, United States Code, is amended—

(1) in subsection (a), by striking “(a) IN GENERAL.—”; and

(2) by striking subsection (b).

SEC. 1083. PROHIBITION ON AWARD OF CERTAIN CONTRACTS TO FEDERAL PRISON INDUSTRIES, INC.

Notwithstanding any other provision of law, a Federal agency may not award a contract to Federal Prison Industries after competition restricted to small business concerns under section 15 of the Small Business Act (15 U.S.C. 644) or the program established under section 8(a) of the Small Business Act (15 U.S.C. 637(a)).

SEC. 1084. SHARE OF INDEFINITE DELIVERY/INDEFINITE QUANTITY CONTRACTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to require that if the head of an executive agency reduces the quantity of items or services to be delivered under an indefinite delivery/indefinite quantity contract to which Federal Prison Industries is a party, the head of the executive agency shall reduce Federal Prison Industries's share of the items or services to be delivered under the contract by the same percentage by which the total number of items or services to be delivered under the contract from all sources is reduced.

(b) DEFINITIONS.—In this section—

(1) the term “executive agency” has the meaning given the term in section 133 of title 41, United States Code; and

(2) the term “Federal Acquisition Regulatory Council” means the Federal Acquisition Regulatory Council established under section 1302(a) of title 41, United States Code.

SA 2591. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fourth Amendment Preservation and Protection Act of 2013”.

SEC. 2. FINDINGS.

Congress finds that the right under the Fourth Amendment to the Constitution of the United States of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures is violated when the Federal Government or a State or local government acquires information voluntarily relinquished by a person to another party for a limited business purpose without the express informed consent of the person to the specific request by the Federal Government or a State or local government or a warrant, upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

SEC. 3. DEFINITION.

In this Act, the term “system of records” means any group of records from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular associated with the individual.

SEC. 4. PROHIBITION.

(a) IN GENERAL.—Except as provided in subsection (b), the Federal Government and a State or local government is prohibited from obtaining or seeking to obtain information relating to an individual or group of in-

dividuals held by a third-party in a system of records, and no such information shall be admissible in a criminal prosecution in a court of law.

(b) EXCEPTION.—The Federal Government or a State or local government may obtain, and a court may admit, information relating to an individual held by a third-party in a system of records if—

(1) the individual whose name or identification information the Federal Government or State or local government is using to access the information provides express and informed consent to the search; or

(2) the Federal Government or State or local government obtains a warrant, upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

SA 2592. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Right-to-Work Act”.

SEC. 2. AMENDMENTS TO THE NATIONAL LABOR RELATIONS ACT.

(a) RIGHTS OF EMPLOYEES.—Section 7 of the National Labor Relations Act (29 U.S.C. 157) is amended by striking “except to” and all that follows through “authorized in section 8(a)(3)”.

(b) UNFAIR LABOR PRACTICES.—Section 8 of the National Labor Relations Act (29 U.S.C. 158) is amended—

(1) in subsection (a)(3), by striking “; Provided, That” and all that follows through “retaining membership”;

(2) in subsection (b)—

(A) in paragraph (2), by striking “or to discriminate” and all that follows through “retaining membership”; and

(B) in paragraph (5), by striking “covered by an agreement authorized under subsection (a)(3) of this section”; and

(3) in subsection (f), by striking clause (2) and redesignating clauses (3) and (4) as clauses (2) and (3), respectively.

SEC. 3. AMENDMENT TO THE RAILWAY LABOR ACT.

Section 2 of the Railway Labor Act (45 U.S.C. 152) is amended by striking paragraph Eleven.

SA 2593. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. —. DELAY IN APPLICATION OF PATIENT PROTECTION AND AFFORDABLE CARE ACT.

(a) ONE-YEAR DELAY IN PPACA PROVISIONS SCHEDULED TO TAKE EFFECT ON OR AFTER JANUARY 1, 2014.—Notwithstanding any other provision of law, any provision of (including any amendment made by) the Patient Protection and Affordable Care Act (Public Law 111-148) or of title I or subtitle B of title II of the Health Care and Education Reconciliation Act of 2011 (Public Law 111-152) that is

otherwise scheduled to take effect on or after January 1, 2014, shall not take effect until the date that is one year after the date on which such provision would otherwise have been scheduled to take effect.

(b) ONE-YEAR SUSPENSION OF CERTAIN TAX INCREASES ALREADY IN EFFECT.—Notwithstanding any other provision of law, in the case of any tax which is imposed or increased by any provision of (including any amendment made by) the Patient Protection and Affordable Care Act (Public Law 111-148) or of title I or subtitle B of title II of the Health Care and Education Reconciliation Act of 2011 (Public Law 111-152), if such tax or increase takes effect before January 1, 2014, such tax or increase shall not apply during the 1-year period beginning on such date.

SA 2594. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. —. PROHIBITION ON FOREIGN ASSISTANCE TO EGYPT.

Beginning 30 days after the date of the enactment of this Act, no amounts may be obligated or expended to provide any direct United States assistance to the Government of Egypt unless the President has, prior to such effective date, certified to Congress that—

(1) the Government of Egypt is not holding, detaining, prosecuting, harassing, or preventing the exit from Egypt of any person working for a nongovernmental organization supported by the United States Government on the basis of the person's association with or work for the nongovernmental organization; and

(2) the Government of Egypt is not holding any property of a nongovernmental organization described in paragraph (1) or of a person associated with such a nongovernmental organization.

SA 2595. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

Resolved, That (a) it shall not be in order for the Senate to consider any bill, resolution, message, conference report, amendment, treaty, motion, or any other measure or matter which violates the 2nd Amendment to the Constitution of the United States.

(b)(1) Any Senator may raise a point of order that any bill, resolution, message, conference report, amendment, treaty, or any other measure or matter is not in order under subsection (a). No motion to table the point of order shall be in order.

(2) Any Senator may move to waive a point of order raised under paragraph (1) on the grounds that the bill, resolution, message, conference report, amendment, treaty, or other measure or matter does not violate the 2nd Amendment to the Constitution of the United States by an affirmative yea and nay vote of two-thirds of the Senators duly chosen and sworn. All motions to waive under this paragraph shall be debatable collectively for not to exceed 3 hours equally divided between the Senator raising the point

for order and the Senator moving to waive the point of order or their designees. A motion to waive the point of order shall not be amendable.

(c) This resolution is enacted pursuant to the power granted to each House of Congress to determine the Rules of its Proceedings in clause 2 of section 5 of Article I of the Constitution of the United States.

SA 2596. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fourth Amendment Restoration Act of 2013”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Bill of Rights states in the 4th Amendment to the United States Constitution that “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”.

(2) Media reports indicate that the National Security Agency is currently collecting the phone records of American citizens.

(3) Media reports indicate that the National Security Agency has secured a top secret court order in April 2013 from a court established under section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1803) for the telephone records of millions of American citizens.

(4) Media reports indicate that President Barack Obama’s Administration has been collecting information about millions of citizens within the borders of the United States and between the United States and other countries.

(5) The collection of citizen’s phone records is a violation of the natural rights of every man and woman in the United States, and a clear violation of the explicit language of the highest law of the land.

SEC. 3. RULE OF CONSTRUCTION.

The Fourth Amendment to the Constitution shall not be construed to allow any agency of the United States Government to search the phone records of Americans without a warrant based on probable cause.

SA 2597. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Regulations From the Executive in Need of Scrutiny Act of 2013” or the “REINS Act”.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Section 1 of article I of the United States Constitution grants all legislative powers to Congress.

(2) Over time, Congress has excessively delegated its constitutional charge while failing

to conduct appropriate oversight and retain accountability for the content of the laws it passes.

(3) By requiring a vote in Congress, the REINS Act will result in more carefully drafted and detailed legislation, an improved regulatory process, and a legislative branch that is truly accountable to the people of the United States for the laws imposed upon them.

(b) PURPOSE.—The purpose of this Act is to increase accountability for and transparency in the Federal regulatory process.

SEC. 3. CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.

Chapter 8 of title 5, United States Code, is amended to read as follows:

“CHAPTER 8—CONGRESSIONAL REVIEW OF AGENCY RULEMAKING

“Sec.

“801. Congressional review.

“802. Congressional approval procedure for major rules.

“803. Congressional disapproval procedure for nonmajor rules.

“804. Definitions.

“805. Judicial review.

“806. Exemption for monetary policy.

“807. Effective date of certain rules.

“§ 801. Congressional review

“(a)(1)(A) Before a rule may take effect, the Federal agency promulgating such rule shall submit to each House of Congress and to the Comptroller General a report containing—

“(i) a copy of the rule;

“(ii) a concise general statement relating to the rule;

“(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification specifically addressing each criteria for a major rule contained within sections 804(2)(A), 804(2)(B), and 804(2)(C);

“(iv) a list of any other related regulatory actions intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions; and

“(v) the proposed effective date of the rule.

“(B) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress—

“(i) a complete copy of the cost-benefit analysis of the rule, if any;

“(ii) the actions of the agency pursuant to sections 603, 604, 605, 607, and 609 of title 5, United States Code;

“(iii) the actions of the agency pursuant to sections 1532, 1533, 1534, and 1535 of title 2, United States Code; and

“(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

“(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

“(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date as provided in section 802(b)(2). The report of the Comptroller General shall include an assessment of compliance by the agency with procedural steps required by paragraph (1)(B).

“(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General’s report under subparagraph (A).

“(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 802 or as provided for in the rule following enactment of a joint resolution of approval described in section 802, whichever is later.

“(4) A nonmajor rule shall take effect as provided by section 803 after submission to Congress under paragraph (1).

“(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this chapter in the same Congress by either the House of Representatives or the Senate.

“(b)(1) A major rule shall not take effect unless the Congress enacts a joint resolution of approval described under section 802.

“(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

“(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 90-calendar-day period if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

“(2) Paragraph (1) applies to a determination made by the President by Executive order that the major rule should take effect because such rule is—

“(A) necessary because of an imminent threat to health or safety or other emergency;

“(B) necessary for the enforcement of criminal laws;

“(C) necessary for national security; or

“(D) issued pursuant to any statute implementing an international trade agreement.

“(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 802.

“(d)(1) In addition to the opportunity for review otherwise provided under this chapter, sections 802 and 803 shall apply, in the succeeding session of Congress, to any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

“(A) in the case of the Senate, 60 session days before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session; or

“(B) in the case of the House of Representatives, 60 legislative days before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session.

“(2)(A) In applying sections 802 and 803 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

“(i) such rule were published in the Federal Register on—

“(I) in the case of the Senate, the 15th session day after the succeeding session of Congress first convenes; or

“(II) in the case of the House of Representatives, the 15th legislative day after the succeeding session of Congress first convenes; and

“(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

“(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

“(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

“§ 802. Congressional approval procedure for major rules

“(a)(1) For purposes of this section, the term ‘joint resolution’ means only a joint resolution addressing a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii) that—

“(A) bears no preamble;

“(B) bears the following title: ‘Approving the rule submitted by _____ relating to _____.’ (The blank spaces being appropriately filled in);

“(C) includes after its resolving clause only the following: ‘That Congress approves the rule submitted by _____ relating to _____.’ (The blank spaces being appropriately filled in); and

“(D) is introduced pursuant to paragraph (2).

“(2) After a House of Congress receives a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii), the majority leader of that House (or the designee of the majority leader) shall introduce (by request, if appropriate) a joint resolution described in paragraph (1)—

“(A) in the case of the House of Representatives, within 3 legislative days; and

“(B) in the case of the Senate, within 3 session days.

“(3) A joint resolution described in paragraph (1) shall not be subject to amendment at any stage of proceeding.

“(b) A joint resolution described in subsection (a) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

“(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

“(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the

consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

“(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

“(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

“(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

“(e) In the House of Representatives, if the committee or committees to which a joint resolution described in subsection (a) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee or committees shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for not fewer than 5 legislative days to call up the joint resolution for immediate consideration in the House without intervention of any point of order. When so called up, a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

“(f)(1) For purposes of this subsection, the term ‘identical joint resolution’ means a joint resolution of the first House that proposes to approve the same major rule as a joint resolution of the second House.

“(2) If the second House receives from the first House a joint resolution, the Chair shall determine whether the joint resolution is an identical joint resolution.

“(3) If the second House receives an identical joint resolution—

“(A) the identical joint resolution shall not be referred to a committee; and

“(B) the procedure in the second House shall be the same as if no joint resolution had been received from the first house, except that the vote on final passage shall be on the identical joint resolution.

“(4) This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

“(g) If either House has not taken a vote on final passage of the joint resolution by

the last day of the period described in section 801(b)(2), then such vote shall be taken on that day.

“(h) This section and section 803 are enacted by Congress—

“(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in subsection (a) and superseding other rules only where explicitly so; and

“(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

“§ 803. Congressional disapproval procedure for nonmajor rules

“(a) For purposes of this section, the term ‘joint resolution’ means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: ‘That Congress disapproves the nonmajor rule submitted by the _____ relating to _____, and such rule shall have no force or effect.’ (The blank spaces being appropriately filled in).

“(b)(1) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

“(2) For purposes of this section, the term ‘submission or publication date’ means the later of the date on which—

“(A) the Congress receives the report submitted under section 801(a)(1); or

“(B) the nonmajor rule is published in the Federal Register, if so published.

“(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

“(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

“(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall

be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

“(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

“(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

“(e) In the Senate the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

“(1) after the expiration of the 60 session days beginning with the applicable submission or publication date, or

“(2) if the report under section 801(a)(1)(A) was submitted during the period referred to in section 801(d)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

“(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

“(1) The joint resolution of the other House shall not be referred to a committee.

“(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

“(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

“(B) the vote on final passage shall be on the joint resolution of the other House.

“§ 804. Definitions

“For purposes of this chapter—

“(1) the term ‘Federal agency’ means any agency as that term is defined in section 551(1);

“(2) the term ‘major rule’ means any rule, including an interim final rule, that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—

“(A) an annual effect on the economy of \$100,000,000 or more;

“(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

“(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets;

“(3) the term ‘nonmajor rule’ means any rule that is not a major rule; and

“(4) the term ‘rule’ has the meaning given such term in section 551, except that such term does not include—

“(A) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

“(B) any rule relating to agency management or personnel; or

“(C) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties.

“§ 805. Judicial review

“(a) No determination, finding, action, or omission under this chapter shall be subject to judicial review.

“(b) Notwithstanding subsection (a), a court may determine whether a Federal agency has completed the necessary requirements under this chapter for a rule to take effect.

“(c) The enactment of a joint resolution of approval under section 802 shall not—

“(1) be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a rule;

“(2) extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule; and

“(3) form part of the record before the court in any judicial proceeding concerning a rule except for purposes of determining whether or not the rule is in effect.

“§ 806. Exemption for monetary policy

“Nothing in this chapter shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

“§ 807. Effective date of certain rules

“Notwithstanding section 801—

“(1) any rule that establishes, modifies, opens, closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping; or

“(2) any rule other than a major rule which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest, shall take effect at such time as the Federal agency promulgating the rule determines.”

SEC. 4. BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.

Section 257(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907(b)(2)) is amended by adding at the end the following:

“(E) Any rules subject to the congressional approval procedure set forth in section 802 of chapter 8 of title 5, United States Code, affecting budget authority, outlays, or receipts shall be assumed to be effective unless it is not approved in accordance with such section.”

SA 2598. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. LEE to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SECTION 1. PERMANENT SUSPENSION OF PRICE SUPPORT AUTHORITY.

(a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—The following provisions of the Agricultural Adjustment Act of 1938 shall not be applicable to covered commodities (as defined in section 1001 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702)), peanuts, and sugar and shall not be applicable to milk:

(1) Parts II through V of subtitle B of title III (7 U.S.C. 1326 et seq.).

(2) In the case of upland cotton, section 377 (7 U.S.C. 1377).

(3) Subtitle D of title III (7 U.S.C. 1379a et seq.).

(4) Title IV (7 U.S.C. 1401 et seq.).

(b) AGRICULTURAL ACT OF 1949.—The following provisions of the Agricultural Act of 1949 shall not be applicable to covered commodities (as defined in section 1001 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702)), peanuts, and sugar and shall not be applicable to milk:

(1) Section 101 (7 U.S.C. 1441).

(2) Section 103(a) (7 U.S.C. 1444(a)).

(3) Section 105 (7 U.S.C. 1444b).

(4) Section 107 (7 U.S.C. 1445a).

(5) Section 110 (7 U.S.C. 1445e).

(6) Section 112 (7 U.S.C. 1445g).

(7) Section 115 (7 U.S.C. 1445k).

(8) Section 201 (7 U.S.C. 1446).

(9) Title III (7 U.S.C. 1447 et seq.).

(10) Title IV (7 U.S.C. 1421 et seq.), other than sections 404, 412, and 416 (7 U.S.C. 1424, 1429, and 1431).

(11) Title V (7 U.S.C. 1461 et seq.).

(12) Title VI (7 U.S.C. 1471 et seq.).

(c) SUSPENSION OF CERTAIN QUOTA PROVISIONS.—The joint resolution entitled “A joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended”, approved May 26, 1941 (7 U.S.C. 1330 and 1340), shall not be applicable to crops of wheat.

SA 2599. Mr. LEE (for Mr. PAUL) submitted an amendment intended to be proposed by Mr. Lee to the joint resolution H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Preserving Freedom from Unwarranted Surveillance Act of 2013”.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term “drone” has the meaning given the term “unmanned aircraft” in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note); and

(2) the term “law enforcement party” means a person or entity authorized by law, or funded by the Government of the United States, to investigate or prosecute offenses against the United States.

SEC. 3. PROHIBITED USE OF DRONES.

Except as provided in section 4, a person or entity acting under the authority, or funded in whole or in part by, the Government of the United States shall not use a drone to gather evidence or other information pertaining to criminal conduct or conduct in violation of a statute or regulation except to the extent authorized in a warrant that satisfies the requirements of the Fourth Amendment to the Constitution of the United States.

SEC. 4. EXCEPTIONS.

This Act does not prohibit any of the following:

(1) PATROL OF BORDERS.—The use of a drone to patrol national borders to prevent or deter illegal entry of any persons or illegal substances.

(2) EXIGENT CIRCUMSTANCES.—The use of a drone by a law enforcement party when exigent circumstances exist. For the purposes of this paragraph, exigent circumstances

exist when the law enforcement party possesses reasonable suspicion that under particular circumstances, swift action to prevent imminent danger to the life of an individual is necessary.

(3) **HIGH RISK.**—The use of a drone to counter a high risk of a terrorist attack by a specific individual or organization, when the Secretary of Homeland Security determines credible intelligence indicates there is such a risk.

SEC. 5. REMEDIES FOR VIOLATION.

Any aggrieved party may in a civil action obtain all appropriate relief to prevent or remedy a violation of this Act.

SEC. 6. PROHIBITION ON USE OF EVIDENCE.

No evidence obtained or collected in violation of this Act may be admissible as evidence in a criminal prosecution in any court of law in the United States.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a business meeting has been scheduled before the Senate Committee on Energy and Natural Resources on Thursday, December 19, 2013, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the business meeting is to consider pending calendar business.

For further information, please contact Sam Fowler at (202) 224-7571 or Abigail Campbell at (202) 224-4905.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on December 16, 2013, at 5:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Colin Goldfinch, a fellow on the Finance Committee, and Stephen Jenkins and Kevin McNellis, interns on the Finance Committee, be granted floor privileges for Tuesday, December 17, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZING THE PRINTING OF A COLLECTION OF THE RULES OF THE COMMITTEES OF THE SENATE

Mr. REID. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 322.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 322) to authorize printing of a collection of the rules of the committees of the Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid on the table, and that there be no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 322) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 106-398, as amended by Public Law 108-7, and upon the recommendation of the majority leader, in consultation with the Chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, reappoints the following individuals to the United States-China Economic Security Review Commission: William A. Reinsch of Maryland for a term beginning January 1, 2014 and expiring December 31, 2015, and The Honorable Carte P. Goodwin of West Virginia for a term beginning January 1, 2014 and expiring December 31, 2015.

ORDERS FOR TUESDAY, DECEMBER 17, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until tomorrow morning at 9 a.m.; that is, December 17, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, the first vote will be at 10 a.m. on the motion to invoke cloture on the motion to concur with respect to the budget agreement.

ORDER FOR ADJOURNMENT

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that the Senate adjourn following the remarks of the Senator from Alabama, Mr. SESSIONS.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF JEH JOHNSON

Mr. SESSIONS. Mr. President, I spoke a bit earlier in relation to the nomination of Jeh Johnson to be Secretary of Homeland Security.

It is an important department with 240,000 employees, and includes the Coast Guard, the Secret Service, TSA airport personnel, and ICE officers who enforce immigration laws, our Border Patrol officers who patrol the border, the Citizenship and Immigration Service which evaluates and approves or disapproves people who apply for admission to the United States, and agency after agency.

I have watched many of these complex departments and do not believe they have been brought together to the degree they ought to be, and it hasn't had the kind of strong leadership it needs to have to be effective for the American people.

In addition to that, we have the difficulty that this administration has basically told the immigration component of Homeland Security—one of its largest components—that they shouldn't do their job. They have been blocked and instructed not to enforce the law to a degree that Professor Turley said represents an unacceptable alteration of the Madisonian understanding of the separation of powers.

In other words, the President is charged with the duty to enforce law, to see that the laws of the United States are faithfully enforced. He is not given the power to flatly direct his officers not to enforce laws of the Congress.

I am sure Mr. Johnson has many abilities. He is apparently a Wall Street lawyer, a big political campaigner, has raised a bunch of money and gave money to President Obama. He is a close confidant of President Obama, was made the legal counsel for the Department of Defense—about which he said he was President Obama's man at the Department of Defense.

But he has not had any real leadership and management experience. He shows no interest in or desire to seize control of this Department, to make it better, and to honor the officers who are a part of it and who serve their country often at risk every day, only to find that high political appointees in that Department undermine their ability to enforce the law and place their lives at risk.

You say: JEFF, that is an exaggeration. I am going to talk tonight in some detail about some of the things this administration has done to undermine, block, and frustrate the ability of the fine law enforcement officers—ICE officers, customs enforcement officers, Border Patrol officers—who serve our country on a daily basis at risk to themselves, and it is not good.

A lot of people might not know that I was a Federal prosecutor and Attorney General of Alabama. Back in the mid-1990s when I was traveling the State, I would meet the law enforcement officers and I would ask them: What happens when you apprehend somebody in Alabama whom you identify as illegally in the country?

Their answer was: Nothing. We let them go. We are told by the Federal officials—who are the only ones that can deport anybody: If you don't apprehend at least 15, don't bother to call us. So we just don't do it.

People are shocked at that. I would have town meetings and I would ask people: What happens if your local police officer or local sheriff apprehends somebody? They think they turn them over to the Federal Government for deportation, and that did not happen. It hasn't happened in a long time. But it has gotten worse than that.

The argument was: What we would do is enforce the workplace and we would keep people from getting a job. If they don't have a job, they won't come to America. We are going to enforce that. That has never been effectively enforced. That is just talk. It is not happening. At a time of extraordinarily high unemployment, at a time when wages for working Americans are sliding downward and not going up, and when every month that goes by we see large numbers of people hired part time rather than full time, all of this is happening while we are totally unwilling to take any action which would stop illegal workers from getting jobs that Americans need.

We have American people that are hurting. We have American people unemployed. We have children and grandchildren and grandparents and mothers and fathers unemployed or only in part-time jobs. Over the last 5 or 6 years, the number of people who have gotten jobs in America is about 1.9 million over that period. That is how many immigrant workers entered the country. So the net improvement in employment in a mathematic sense has all gone to foreign workers who come to America—legally or illegally.

So we need to be serious about this. We need to ask ourselves: Don't we have an obligation to the American people to faithfully enforce the laws, and to end the lawlessness and create a good immigration system which serves the interests of America and of American workers? I think we do. I think that is what the American people want.

I think they are entitled to that, and I want to show tonight how far away from that we are today.

The reason I am talking about this is we just confirmed Jeh Johnson as the Secretary of Homeland Security. He is the political confidant of the President, and the President has no intention of enforcing the laws and has created a circumstance which is not good for this country.

Mr. Johnson, in my brief conversation with him, seemed like a nice enough gentleman. But I asked him: Why do you want this job, Mr. Johnson? You say you believe in law and you believe the laws ought to be enforced. If you take this job, you are not going to be allowed to enforce the laws. You just need to know that.

I asked him, was he going to be willing to confront the President and tell him: You can't do this. I am a sworn officer here. I have thousands of law enforcement officers working for me out there on the streets, out there dealing directly with people in violation of American law, and I can't keep telling them not to do what they are required to do. I don't have the ability to deny them the right to enforce the laws of the United States.

This issue was defined early in the Obama administration.

President Bush was slow. But President Bush, after comprehensive reform in 2006 and 2007 failed, seemed to get it. So he called out the National Guard, which made a positive difference. He stepped up enforcement. We finally began to build fencing, and he began to have a pretty good bit of workplace enforcement. They raided some chicken plants in Georgia, and they found hundreds of people working here illegally.

What happened in Georgia was they had to raise pay to get legal immigrants to come to work. What is wrong with that? Pay is too low in America. We need higher wages.

So the people during the campaign who had been interfacing with the Obama administration obviously had a deal. They were told they were going to stop these kinds of enforcement and they weren't going to do them anymore. The Immigration and Customs Enforcement raid in Washington State was a completely justified enforcement action. But pro-amnesty groups complained. As a result, the Secretary of Homeland Security Janet Napolitano—who Mr. Johnson will replace—vowed that she would get to the bottom of this problem.

An article in the Washington Times quoted a Homeland Security official as saying: The Secretary is "not happy about it." Instead of enforcing the law, the Secretary investigated the law officers who were simply doing their duty—apparently in response to some demands of advocacy groups who had been pushing them during the campaign.

Then Esther Olavarria, Deputy Assistant Secretary of Homeland Security, said on a phone call with employers and pro-amnesty groups: We are not doing raids or audits under this administration.

This statement symbolized the end of workplace enforcement in America, and it is in violation of law. Workers are not entitled to work illegally in American factories or plants. Where did this come from? How did it ever get to be the idea that Americans can have their jobs taken by people illegally in the country, and you can't ever do an investigation or enforcement action and remove people who are illegally here and not authorized to work?

Then, in 2010, the administration began implementing its plan to dismantle the immigration law enforcement system as we know it.

On May 19, 2010, in an interview with the Chicago Tribune, then-Director of ICE John Morton announced that ICE may not even process or accept the transfer of illegal aliens to the agency's custody by Arizona officials. Arizona, of course, was facing a very serious problem.

Mr. President, on May 27, 2010, an internal ICE email revealed that top officials declared that the low-risk immigration detainees would be able to have far greater visitation rights, with visitors staying an unlimited amount of time during a 12-hour window—which can really make maintaining order at a detention facility difficult—and also that they, the detainees, would be given access to unmonitored phone lines. The mayor of your town, who is in jail over tax evasion, doesn't get unmonitored phone line use, but apparently illegal aliens do. They get email, free Internet calling, movie nights, bingo, arts and crafts, dance and cooking classes, tutoring and computer training. All of these are for people who have been apprehended while illegally in the country. It really should be on a fast turnaround to be returned to the country from which they came.

On June 25, 2010, the National ICE Council, which is the union that represents more than 7,000 fine ICE officers, cast a unanimous vote. They voted "no confidence" in their Director, John Morton. According to the union, the vote reflected "the growing dissatisfaction among ICE employees and union leaders that Director Morton had abandoned the agency's core mission of enforcing United States immigration laws and enforcing public safety and has instead directed their attention to campaigning for programs and policies relating to amnesty."

I have been here in the Senate now for going on 17 years and I am not aware of a major governmental employee union voting "no confidence" in its boss, particularly when it deals with the simple policies of law and enforcement, not even relating to some workplace rule or complaint.

In August 2010 top ICE officials began circulating a draft policy that would significantly limit the circumstances under which ICE could detain illegal aliens. In effect, ICE agents were no longer authorized to pick up an illegal alien for illegally entering the country or for possessing false identification documents. False documents? You go to the bank or you go to get on an airplane and you use a false document, somebody is going to prosecute you. But if you are, apparently, a noncitizen who entered the country illegally, you are given immunity by the administration. Why? Because they do not want to see the law enforced. That is the reason. They basically have made that decision. Under the new policy, illegal aliens could only be detained if other law enforcement agencies made an arrest for a specific criminal violation. This was the beginning of what would become known as administrative amnesty.

Then in December 2010 a Washington Post article on internal ICE emails and communications reported that ICE had padded its deportation statistics. Many of you have heard that the administration claims they deported far more people than before; therefore, they should be applauded for being effective law enforcement officers. But it is a fact that those numbers were padded and exaggerated. According to the Washington Post article, ICE included 19,422 removals in fiscal year 2010 that were actually removals from fiscal year 2009.

We have had a problem in this country. There is a growing concern about this administration not telling the truth. Their philosophy seems to be, we say whatever is convenient at the time, and when we get caught we do not worry about it, we just keep right on going and our friendly press will ignore it. But it is beginning to bite now. People are getting tired of this.

This is a deliberate—by 19,000—misrepresentation of the number of removals.

The article also described how ICE extended a Mexican repatriation program beyond its normal operation date, adding 6,500 to the final removal numbers—again, making them look better than they were.

In a March 2, 2011 memo, ICE Director Morton outlined new enforcement priorities and encouraged agents not to enforce the law against most illegal aliens and to only take action against those who meet certain priorities.

On July 17, 2011, ICE Director Morton issued a second memorandum further directing ICE agents to refrain from enforcing the law against certain segments of the illegal alien population—criteria similar to that under the DREAM Act—despite having no legal or congressional authority to do so and despite the fact that Congress had explicitly rejected the DREAM Act three

times. This is a matter of serious constitutional import.

On June 17, 2011, ICE Director Morton issued a third memo instructing ICE personnel to consider refraining from enforcing the law against individuals engaged in a protected activity related to civil or other rights. So if you are in the country illegally and, for example, union organizing or complaining to authorities about employment discrimination or housing conditions, you can be protected from being deported. Anybody who is in a nonfrivolous dispute with an employer, landlord, or contractor seems to be eligible to avoid the consequences of being in the country illegally.

On June 23, 2011, the ICE Agents and Officers' Union again expressed outrage over Director Morton's actions, noting that since the administration was "unable to pass its immigration agenda through legislation, it is now implementing it through agency policy." That is exactly what they did. Everybody who knows enough about what is going on knows that is what they did. But somehow, like the frog in the ever-warming water, we are oblivious to the consequences when an executive branch declares and directs a law to be enforced and carried out that was never passed and in fact was rejected in recent years three separate times.

The ICE officers association accused the appointees of working hand in hand with the open borders lobby—they see this on a daily basis—while excluding its officers, the ICE officers, from the policy development process.

In effect, ICE officers allege that the political appointees at ICE were advancing the agenda of those here illegally and maneuvering against their own law enforcement officers trying to do their duty—to enforce the law and end the illegality in America. That is exactly what they said was happening, and that is exactly what is happening, colleagues.

On June 27, 2011, an internal memorandum revealed that ICE officers attempted to publicly distance themselves from the administrative amnesty policies and deny that they ever existed after the Houston Chronicle exposed the Department of Homeland Security directive to review and dismiss valid deportation cases then in process.

On August 1, 2011, the Justice Department filed a lawsuit in Federal court to stop Alabama's law that was designed to assist the Federal Government in identifying and bringing forth to the Federal officials people in the country illegally.

On August 18, 2011, Secretary Napolitano announced that DHS was reviewing all pending and incoming deportation cases to stop proceedings against those illegal aliens who were not DHS priorities.

On September 28, of 2011, at a roundtable with amnesty advocates, Presi-

dent Obama admitted that his deportation statistics were misleading. He said:

The statistics are actually a little deceptive because what we've been doing is . . . apprehending folks at the borders and sending them back. That is counted as a deportation even though they may have only been held for a day or 48 hours.

That is pretty interesting. So the President is meeting with amnesty advocates, and he is admitting this to them but not to the American people. He told the American people they had an enhanced number of deportations. But when he met with the amnesty people to assuage their complaints that too many people were being deported, he said the numbers were not correct.

We need the President of the United States to look the group in the eye and say: If you come to America illegally, expect to be deported if we apprehend you. What else should he say? He is the chief law enforcement of America. He is charged with ensuring that the laws of the United States are faithfully executed.

On October 12, in testimony before the House Judiciary Committee, Director Morton admits that Cecilia Munoz, a former senior vice president of the National Council of La Raza and now assistant to the President and Director of the White House Domestic Policy Council, assisted in the preparation of the administrative amnesty memorandum.

La Raza has been awfully aggressive on these issues. They have every right to be aggressive, but I have to tell you their positions are nowhere near anything that comes close to being an advocate for a lawful system of immigration in America. They want the lawlessness to continue.

On October 18, 2011, ICE refused to take any action after the Santa Clara County, CA, Board of Supervisors voted to stop using county funds to honor ICE detainees except in limited circumstances.

Let me tell you about this. I have been an attorney general and a U.S. attorney. A detainer is a very useful law enforcement tool that is critical for harmonious relationships between various agencies. If somebody arrests somebody and they are serving time for drug dealing or burglary and another jurisdiction has a charge against him, they place a detainer against him at that jail. As soon as they finish their term, they are not released; they are turned over to the agency that has another charge pending against them.

So the Santa Clara County Board of Supervisors voted not to allow the Federal Government to place detainees on people in their jail who were here in the country illegally and voted, in effect, not to turn them over, as all law enforcement officers do and have done for decades.

So ICE didn't do anything about it. They still send them Federal money for

law enforcement. They have things that they could do. They just went along with it because I guess they don't care.

On October 19, ICE refused to act after the mayor of District of Columbia, Vincent Gray, issued an order to prevent the DC police from enforcing U.S. immigration law. Among other things, the order prohibits all public safety agencies from inquiring about an individual's immigration status—they can't even inquire about it—or from contacting ICE if there is no nexus to a direct criminal investigation other than immigration.

The District of Columbia knows better than that. ICE says their officers can't even inquire to see if somebody is illegally in the country? That is a stretch. That is unacceptable. We ought to cut off funds for cities that refuse to at least conduct minimal cooperation with Federal law enforcement.

October 31, 2011, the Justice Department filed a suit against South Carolina to block their immigration law designed to help the Federal Government enforce immigration laws. They had plenty of time to sue States and other entities who want to help them enforce the laws. They had plenty of time also to meet with amnesty groups but no time whatsoever to meet with these law officers and find out what their concerns are or to draft policies that would help us to be more effective.

On November 7, 2011, USCIS issued a memo stating that USCIS will no longer issue "notices to appear" in immigration court to illegal aliens who do not meet administration priorities. That is a major step backward.

On November 22, the Justice Department filed suit against Utah's immigration enforcement system. They have plenty of time to sue Utah, which would like them to help enforce the law.

On November 22, ICE refused to act after Mayor Michael Bloomberg signed a measure ordering all New York City jails to ignore certain ICE detainers issued to deport illegal aliens from those jails. So the mayor of New York issues an order not to honor the detainers placed there by the Federal Government—the U.S. Government.

Mr. Bloomberg is spending millions of dollars of his billion-dollar wealth to lobby the House to pass an amnesty bill. It is his money; I guess he can spend it where he wants to. But just because he has made \$1 billion, I don't think it suggests to me that he has any better idea about how to run the immigration system of the United States than I do, since I spent 14 years dealing with Federal law enforcement.

On December 15, 2011, DHS rescinded Maricopa County, Arizona's 287(g) agreement, a cooperative agreement whereby local law enforcement received training in identifying and ap-

prehending illegal aliens and handling them in a way preferably consistent with law—being very careful in how we treat people who are detained in a decent and very fine way. The 287(g) Program is a very fine program. It really is good. And it is a great disappointment to me that this administration has basically killed it.

I remember Alabama was the first State in the Nation that participated in the 287(g) Program. A certain number of officers—not a huge number—came to a training center for several weeks and were trained on how to be of valuable assistance to the Federal officers to maximize their ability to be effective. This has been canceled. It basically ended under this administration.

Director Morton told a Maricopa County attorney that ICE will no longer respond to calls from Maricopa County sheriff's officers involving traffic stops, civil infractions, or other minor offenses. DHS's legal reasoning is unclear given that Federal law requires the Federal Government to respond to inquiries by law enforcement agencies to verify immigration status. In other words, local officers apprehend somebody and they make an inquiry as to whether this person is lawfully in the country and they have a right to be responded to. Apparently, they have chosen not to respond to that basic law enforcement request.

On December 29, 2011, ICE announced the creation of a 24-hour hotline for illegal alien detainees to be staffed by the Law Enforcement Support Center—the same organization that ICE had already stated was understaffed as far as keeping up with the immigration status check requests for State and local law enforcement. They were getting lots of requests for statuses on people, about whether they were legally or illegally here, from local law enforcement. They don't have enough time to do that, but now these officers have been given the extra duty of having a 24-hour hotline for illegal alien detainees. Who are we serving here?

ICE then revised its detainer form to include a new provision which states ICE should consider this request for a detainer operative "only upon the subject's conviction" of an offense. It completely ignores the fact that presence in the United States of America illegally is a violation of federal law.

On January 3, 2012, there was a report by the inspector general that revealed that USCIS officials or top political officials pressured the employees to approve applications that should have been denied and that employees believed they did not have enough time to complete the interviews of applicants, "leaving ample opportunity for critical information to be overlooked." The 911 Commission said people should be interviewed face-to-face, but that idea has completely collapsed today.

On January 10, 2012, the President promoted Cecelia Munoz to be the new

Director of his Domestic Policy Council. She previously served as senior vice president of La Raza. We need an objective person in that position, not an advocate for undermining the law. I am not saying she is a bad person. She is perfectly legitimate to be an advocate for amnesty or open borders. It is a free country. But she ought not to be put in a top position where the duty is to enforce the law.

On January 17, 2012, DHS stopped the rollout of the Secure Communities Act in Alabama, according to a DHS email, because the administration disagrees with Alabama's immigration law. They just quit cooperating.

In January 2012, ICE attorneys in Denver and in Baltimore recommended that the agency voluntarily close 1,667 removal cases, resulting in the release of illegal aliens already in proceedings without consequence of their violation of immigration law.

On January 19, 2012, the President issued an Executive order waiving certain screening safeguards, allowing those applying for nonimmigrant visas—people who come here to work only—to obtain them more easily from China and Brazil. On the same day, the State Department announced it will waive the longstanding statutory requirement of in-person interviews by a consular officer.

On February 7, 2012, ICE announced the creation of a public advocate who is to serve as a point of contact for aliens in removal proceedings, community advocacy groups, and others who have concerns, questions, and recommendations they would like to raise about the enforcement of laws and amnesty efforts.

In February 2012, the President revealed in his budget a proposal to cut funding for ICE and the 287(g) Program, effectively gutting the program.

On April 17, 2012, the administration announced it would reduce National Guard troops stationed at the border from 1,200 to 300. Is this an action of an administration that seems to be interested in seeing that we have a lawful system of immigration we can be proud of, a legal system that promotes the interests of the United States of America? Are we at a point in time where we are undermining law?

I have about half of these done so far, and I could continue. It goes on and on and on. It is a consistent trend and agenda. It is basically, if you don't grant amnesty, Congress, I am not going to enforce the law. Just forget it. I am going to direct my officers to do what I want them to do, not what the law of the United States requires them to do. It is a deep and fundamental challenge to the very integrity of American constitutional order.

People say: JEFF, you are exaggerating.

Let me tell my colleagues about a recent House Judiciary hearing that was

held on the President's constitutional duty to faithfully execute the laws. Chairman GOODLATTE summarized the reason for the hearing as follows:

The Obama administration has ignored the Constitution's carefully balanced separation of powers and unilaterally granted itself the extra constitutional authority to amend the laws and to waive or suspend their enforcement. This raw assertion of authority goes well beyond the executive power granted to the President and specifically violates the Constitution's command that the President is to take care that the laws be faithfully executed. The President's encroachment into Congress's sphere of power is not a transgression that should be taken lightly. As English historian Edward Gibbon famously observed regarding the fall of the Roman Empire, the principles of a free constitution are irrevocably lost when the legislative power is dominated by the executive.

From ObamaCare to immigration, the current administration is picking and choosing which laws to enforce. So this is correct. I believe Chairman GOODLATTE is discussing an important issue.

What about the testimony of the witnesses at that hearing? It was stunning. One witness, Professor Jonathan Turley, well known throughout the country, writes a lot in publications and legal journals. He is the Shapiro Professor of Public Interest Law at George Washington University Law School and is a nationally recognized constitutional scholar. He said he is a supporter of President Obama's policies and voted for him. But I want you to hear this, colleagues. Professor Turley, at the hearing, said this:

I believe the president has exceeded his brief. The president is required to faithfully execute the laws. He's not required to enforce all laws equally or commit the same resources to them. But I believe the president has crossed the constitutional line in some of these areas.

(Ms. WARREN assumed the Chair.)

Mr. SESSIONS. He goes on—this is a direct quote—

This goes to the very heart of what is the Madisonian system. If a president can unilaterally change the meaning of laws in substantial ways or refuse to enforce them, it takes offline that very thing that stabilizes our system.

He goes on:

I believe the members will loathe the day that they allow that to happen.

He is talking about Members of Congress. "I believe the members [of Congress] will loathe the day that they allow that to happen."

He goes on:

This will not be our last president. There will be more presidents who will claim the same authority.

When I teach constitutional law, I often ask my students, what is the limiting principle of your argument? When that question is presented to this White House, too often it's answered in the first person, that the president is the limiting principle or at least the limiting person. We can't rely on that type of assurance in our system.

That is what Professor Turley said, who voted for President Obama and is

a well-known legal scholar. That is dramatic testimony and we need to listen to it. I am hearing it from my constituents daily. They think this administration is not telling the truth on a regular basis. They cannot imagine how we can pass a health care law, and the President is just going and picking and choosing what parts of it he wants to go forward, what parts he wants to delay. How can this happen? Is this a legal system or not?

Mr. Turley goes on:

The problem of what the president is doing is that he is not simply posing a danger to the constitutional system; he is becoming the very danger the Constitution was designed to avoid: that is, the concentration of power in any single branch. This Newtonian orbit that the three branches exist in is a delicate one, but it is designed to prevent this type of concentration.

Wow. This is very strong. Then, when Professor Turley was asked whether the President has acted contrary to the Constitution, Professor Turley answered in the affirmative. He said further:

I really have great trepidation over where we are heading because we are creating a new system here, something that is not what was designed. We have this rising fourth branch in a system that's tripartite. The center of gravity is shifting, and that makes it unstable. And within that system you have the rise of an uber presidency. There could be no greater danger for individual liberty, and I really think that the framers would be horrified by that shift because everything they've dedicated themselves to was creating this orbital balance, and we've lost it. . . .

That makes the hair stand on the back of my neck. This goes to the core of our government. Are we a legal system or not? If we start eroding these classical principles of law, duty, and responsibility—the appropriate balance between the three branches of government—we have done something that is important. As Professor Turley said, we are undermining the orbital balance. Indeed, he said we have lost it—Professor Turley, not me.

Professor Turley goes on to say:

It's not prosecutorial discretion to go into a law and say an entire category of people will no longer be subject to the law. That's a legislative decision.

It is a legislative decision, not the President's decision. The legislature represents the people. Over a period of years, people are elected to this body and the House.

It goes on. Professor Turley said:

Prosecutorial discretion is a case-by-case decision that is made by the Department of Justice. When the Department of Justice starts to say, we're going to extend that to whole sections of law, then they are engaging in a legislative act, not an act of prosecutorial discretion. Wherever the line is drawn, it's got to be drawn somewhere from here. It can't include categorical rejections of the application of the law to millions of people. . . .

Great Scott. He is so correct. Prosecutors have discretion. They do not

have to prosecute every case that comes before them. But the President does not have power just to eviscerate whole sections of law that affect millions of people. Professor Turley hit that exactly correct. He goes on to say:

Many of these questions are not close, in my view. The president is outside the line. . . . And that's where we have the most serious constitutional crisis, I view, in my lifetime, and that is, this body is becoming less and less relevant.

He is talking to the House, the House of Representatives. You are becoming less and less relevant. He considers this to be "the most serious constitutional crisis . . . in my lifetime." We sit here oblivious to what has been happening. I have talked about it an awful lot, but I guess I have not been very effective. Professor Turley's arguments and remarks just hammer home how serious it is, this question we are dealing with.

So he goes on to say this:

I believe that [Congress] is facing a critical crossroads in terms of its continued relevance in this process. What this body cannot become is a debating society where it can issue rules and laws that are either complied with or not complied with by the president. I think that's where we are . . . [A] president cannot ignore an express statement on policy grounds. . . .

He says the President cannot ignore an express act, statement of law because he has a different policy view.

Now, does anybody contend that he can? I would like to see them send me a note on it. Any Member of this body who thinks the President of the United States can ignore an express statement of law because he just disagrees with it on policy grounds—I would like to hear them defend that issue or explain their position on it.

He goes on to say:

[I]n terms of the institutional issue . . . look around you. Is this truly the body that existed when it was formed?

He is talking to the House now.

Does it have the same gravitational pull and authority that was given to it by its framers? You're keepers of this authority. You took an oath to uphold it. And the framers assumed that you would have the institutional wherewithal and, frankly, ambition to defend the turf that is the legislative branch.

Isn't that true?

. . . the framers assumed that you would have the institutional wherewithal and, frankly, ambition to defend the turf that is the legislative branch.

We are sitting here, we had the majority leader stand before the Presiding Officer and break the rules of the Senate to amend the Senate rules just a few weeks ago. It was a stunning development. This is Third World stuff. This is not the United States of America, a constitutional Republic that I served as a prosecutor year after year.

We took so much pride, my staff and I, in trying to make sure nobody was given an advantage or disadvantage based on status or wealth or race, intelligence or background or whatever

advantage they had: equal justice under the law. We enforced the law whether anybody would have voted for it or not had we been in Congress. It was passed by Congress, we enforced the law. At that same hearing, Nicholas Rosenkranz, a professor of law at Georgetown University Law Center and the author of the single most downloaded article about constitutional interpretation in the history of the social science research network, also testified before the House Judiciary Committee.

He stated that the President's Constitutional duty to take care that the laws be faithfully executed "is not optional; it is mandatory," and that President Obama's "wholesale suspension of law . . . is the paradigm case of a 'take care' clause violation."

He further testified:

What's striking about this is the president's decision to enforce the immigration laws as though the DREAM Act had been enacted, when in fact it has not. . . . Rather than declining to comply with a duly enacted statute, the president is complying meticulously, but with a bill that never became law.

So they offered a bill. It was rejected by the Congress. The President is almost to the letter enforcing a bill rejected by the people's representatives. Professor Rosenkranz goes on to say:

Congress has repeatedly considered . . . the DREAM Act. The President favors this act. Congress has repeatedly declined to pass it. So the President simply announced that he would enforce the Immigration and Nationality Act as though it had been—as though the DREAM Act had been enacted. To put the point another way, the president's duty is to take care that the laws be

faithfully executed, laws capital L, not those bills that fail to become law, like the DREAM Act.

I think this is a serious matter and I think Professor Rosenkranz hits it directly. Professor Rosenkranz was in agreement with Professor Turley that "prosecutorial discretion is one thing."

It is real.

But wholesale suspension of law is quite something else, and that is what has happened under ObamaCare. Likewise, in the immigration context, kind of case-by-case prosecutorial discretion is one thing, but a blanket policy that the immigration act will not apply to 1.8 million people, that's quite something different. This is a scale of decision-making that is not within the traditional conception of prosecutorial discretion.

That is certainly true. It is hard to believe we are here. I think we are here because in the great law schools of America and the top levels of our academic world in our new media and so forth, we have moved in sort of a postmodern world in which words do not have meaning. They are subject to being altered whenever they choose to fit the mood of a moment.

The President said, when he nominated people for the Supreme Court, he wanted nominees who would show empathy. What is empathy? It is not law. Is it politics? Is it bias? Is it personal opinion? Our system is based on law, not empathy, not bias, not politics, not ideology. This is a serious matter. Chairman GOODLATTE then interjected:

In fact the president has taken it a step further and has actually given legal documents to the people in that circumstance, well beyond simply deciding not to leave them there and not prosecute them, but to actually enable their violation of the law by

giving them documents to help them evade the problems that ensue from living in the country that they're not lawfully present in.

Professor Rosenkranz replied, "Quite right." This matter is not going away. We are going to deal with it. I truly believe the American people expect this government of theirs that works for them to produce an immigration system, a legal system that involves ObamaCare and other policies that is committed to law and not to the feelings of the chief executive and not to his policy preferences.

We avoid that or we have a serious matter in this country that goes to the heart of the strength of this Republic. You could sap that strength, erode the power of our legal system. The legal system, in my opinion, is the greatest strength this Nation has.

I yield the floor.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9 a.m. tomorrow.

Thereupon, the Senate, at 8:16 p.m., adjourned until Tuesday, December 17, 2013, at 9 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 16, 2013:

DEPARTMENT OF STATE

ANNE W. PATTERSON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER AMBASSADOR, TO BE AN ASSISTANT SECRETARY OF STATE (NEAR EASTERN AFFAIRS).

DEPARTMENT OF HOMELAND SECURITY

JEH CHARLES JOHNSON, OF NEW JERSEY, TO BE SECRETARY OF HOMELAND SECURITY.

EXTENSIONS OF REMARKS

TRIBUTE TO YOUNG STAFF MEMBERS AND INTERNS FOR THEIR CONTRIBUTIONS ON BEHALF OF THE PEOPLE OF THE 18TH CONGRESSIONAL DISTRICT OF TEXAS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Ms. JACKSON LEE. Mr. Speaker, one of the major reasons why I believe the future of our country is bright and its best days lie ahead is the extraordinary quality, talent, commitment, and energy of the young people who will in time assume the responsibility of leadership.

Members of Congress know well, perhaps better than most, how blessed our nation is to have in reserve such exceptional young men and women who will go on to become leaders in their local communities, states, and the nation in the areas of business, education, government, philanthropy, the arts and culture, and the military.

We know this because we see them and benefit from their contributions every day. Many of them work for us in our offices as junior staff members, congressional fellows, or interns and they do amazing work for and on behalf of the constituents we are privileged to represent.

I rise today to pay tribute to the wonderful young men and women who have done this work in my office for my constituents.

Mr. Speaker, I believe there is no higher calling than the call to serve a cause larger than ourselves. That is why I ran for public office. I was inspired to serve by President Kennedy who said, "Ask not what your country can do for you, ask what you can do for your country," and by the Rev. Dr. Martin Luther King, Jr., who said:

Everybody can be great because anybody can serve. . . . You only need a heart full of grace. A soul generated by love.

By this measure, there are several other great young men and women who served as volunteers this year in my offices. They may toil in obscurity but their contributions to the constituents we serve are deeply appreciated and I wish to acknowledge them. They are: Carlos Fierros, Toulia Nwabunnia, Ziad Saqr, Michal Shinnar, Chike Achebe, Morgan Cassell, Deontae Wherry, Kern Kumar, Myron Latney, Mohammad Cifci, Hiromi Oka, Marcus Smith, Zahit Akinci, Alezeh Rauf, Elif Duran, Omorose Eguakun, Amy Akabue, Ariadna Mujica, Olivia Igboke, and Ayanna Costley.

Mr. Speaker, the energy, intelligence, and idealism young people bring to their internships in my office and those of my colleagues helps keep our democracy vibrant. The insights, skills, and knowledge of the governmental process they gain from their experi-

ences will last a lifetime and prove invaluable to them as they go about making their mark in this world.

I am grateful that such thoughtful committed young men and women can be found working in my office, those of my colleagues, and in every community in America. Their good works will keep America great and good.

ANNOUNCING RECIPIENTS OF THE 2013 CONGRESSIONAL VETERAN COMMENDATION FOR THE THIRD DISTRICT OF TEXAS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my privilege to honor fourteen distinguished military veterans, community servants, and American patriots who call the Third District of Texas home. All faithfully answered the call of duty and to place service above self for the sake of our great nation. Each one leaves a legacy to be remembered, for future generations to follow, a legacy of bravery, loyalty, dedication, and sacrifice. For their selfless service, bold leadership, and undying commitment for their neighbor and nation, the following individual has been selected as a recipient of the third annual Congressional Veteran Commendation:

Colonel Dan Prather served in the United States Army from 1963 to 1993. After participating in ROTC at West Texas State University, Mr. Prather was commissioned in the U.S. Army, beginning his military career at Fort Hood. As a company commander and aide de camp to Major General George Ruhlen, he earned his Ranger tab to improve on his infantry skills. During his two tours of Vietnam, he earned the Silver Star, Legion of Merit, Bronze Star with Combat Valor, and Bronze Oak Leaf Cluster, along with numerous other medals.

As seen from his decorations, Mr. Prather demonstrated countless moments of valor, loyalty, and leadership. One exemplary moment was his decision to change daytime patrols of the Viet Cong to nighttime patrols. The "Rat Patrol," as he called it, was instantly successful, capturing weapons, mines, and grenades while neutralizing 34 enemy soldiers, all within the first month of operation. In fact, Mr. Prather's tactical strategy proved so effective that other U.S. Infantry adopted his nighttime model to high levels of success. Perhaps even more impressive than his tactical instincts is under his command, he lost not one soldier's life through both of his tours in Vietnam. That's remarkable leadership.

To quote a man who served in Prather's battalion at Fort Polk, who later became a General, "What a great soldier, leader, and

commander Dan Prather was. In my view, he was the best of all . . . whenever I faced tough situations as a commander, I often thought of how he would have handled it."

After his military career, his dedication to service never waned. He served as a City Alderman for two terms in Madison, Mississippi, where he created local community improvement and infrastructure projects. When a horrific flood hit the town, he hopped right in his truck with his chain saw to help homeowners clear away rubble and start rebuilding. That's the active, selfless and relentless leadership for which he will be remembered.

Colonel Dan Prather, let me both thank and congratulate you on your exceptional service to our country and our community both past and present. It is my pleasure to award you the 2013 Congressional Veteran Commendation for the Third District of Texas.

CELEBRATING THE 60TH ANNIVERSARY OF BOBBY AND LETA AYERS

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. HALL. Mr. Speaker, I rise today to congratulate Bobby and Leta Ayers who celebrated their 60th anniversary this year. Their commitment to each other and their family is an inspiration and a wonderful reminder of the importance of family, particularly during the holiday season.

Bobby and Leta were wed on July 3, 1953, at First Christian Church, Caddo Mills, by Dr. James S. Riley. Over the past six decades, Mr. and Mrs. Ayers have been blessed with one son, Dean, and his wife Gerry Ayers and one daughter, Diane, and her husband David Lindsey, as well as four grandchildren and four great-grandchildren.

The Ayers have lived their lives in Caddo Mills, Texas. Bobby worked for TXU Energy for 40 years and is now retired. Leta gave private piano lessons and was a church secretary for 10 years at their church, First Baptist, Caddo Mills.

Bobby and Leta Ayers are blessed to have had so many happy years together, and I wish them many more. Mr. Speaker, I ask my colleagues to join me in celebration of the Ayers' 60th wedding anniversary.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING LUISA DELAURO AS SHE CELEBRATES HER 100TH BIRTHDAY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Ms. DELAURO. Mr. Speaker, it is always an honor for me to have the opportunity to rise and recognize the accomplishments of those I so proudly represent. Today, however, is particularly special as I stand to pay tribute to my mother, Luisa DeLauro, who will celebrate her 100th birthday this December 24. She is—by any definition—an extraordinary woman, whose passion for family and civic service made all the difference in our lives and in our community.

Born December 24, 1913, at 111 Wooster Street, my mother was one of six children. She grew up in the heart of New Haven's Italian American community and spent most of her childhood in my grandmother's pastry shop, Canestri's. It was in the Wooster Square neighborhood that my mother learned the importance of family, respect, and community. She married my father, Ted, in 1938 and they successfully balanced a life of family and community service. I have vivid memories of my parents sitting with neighbors at our kitchen table—particularly newly immigrated families—and my mother and father doing all they could to help them overcome whatever obstacle they were facing. My mother was no stranger to hard work. When I was growing up, she worked in a sweatshop, sewing shirt collars for pennies. Every day she would make me come by after school to see the horrible, cramped conditions. It is something I will never forget. The lesson was clear: work hard. Make something of yourself. Get a good education.

My mother was elected to the Board of Alderman in 1965—a position she held for 35 years and which stands today as the record for the longest serving member of that Board. In her time on the Board, she focused much of her attention on her childhood community—seeing Wooster Square designated as the City's first Historic District, initiating the annual Cherry Blossom Festival, and recognizing distinguished residents and organizations with the honorary naming of streets and corners—but she was also a fierce advocate, particularly for senior citizens and children.

My mother knew the importance of helping people—she understood that politics was an avenue for change. She also understood that women had an obligation to participate in the political process. When I first ran for Congress in 1990, I found an article my mother wrote in the 10th ward Democratic newsletter in 1933, now 80 years ago. Serving as Secretary of the organization at the time, amazingly, she wrote:

It is not my intention to be critical, rather my motive in writing this article is to encourage the female members of this organization to take a more active part in its affairs. We are not living in the middle ages when a woman's part in life was merely to serve her master in her home, but we have gradually taken our place in every phase of human endeavor, and even in the here-to-for stronghold of the male sex: politics. I have noticed that the girls, unlike the men, are

timid in asserting themselves, and many a good idea is lost, having been suppressed by its creator. Come on girls, let's make ourselves heard.

And so, mom, I want to take this opportunity to say, "You made yourself heard." You continue to make us all proud. Thank you and congratulations on your centennial anniversary. You are your daughter's greatest inspiration.

ANNOUNCING RECIPIENTS OF THE 2013 CONGRESSIONAL VETERAN COMMENDATION FOR THE THIRD DISTRICT OF TEXAS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my privilege to honor fourteen distinguished military veterans, community servants, and American patriots who call the Third District of Texas home. All faithfully answered the call of duty and placed service above self for the sake of our great nation. Each one leaves a legacy to be remembered, for future generations to follow, a legacy of bravery, loyalty, dedication, and sacrifice. For their selfless service, bold leadership, and undying commitment for their neighbor and nation, the following individual has been selected as a recipient of the third annual Congressional Veteran Commendation:

Kevin Haines served in the United States Army from 1989 to 1996. During his ten year military career, he served in the 89th Military Police Brigade, which supported in wartime and humanitarian services to numerous U.S. Army missions across the globe. For instance, he deployed to Iraq when the United States first invaded Kuwait in 1990 and approximately one year later, deployed to Cuba to help Haitian refugees. He also deployed to Somalia, and served at Fort Hood for several years. For his dedication and years of service, Mr. Haines was awarded the Army Commendation Medal, Army Achievement Medal, and Humanitarian Awards: Southwest Asia Medal, Armed Forces Expeditionary Medal, Kuwait Liberation Medal, National Defense Service Medal, and a Good Conduct Medal.

After Mr. Haines' military career honorably ended in 1996, he began his fire service career with the City of Temple Fire Rescue. He joined the Plano Fire Department in 1999 where he serves as a Paramedic Trainer and chairs the EMS Vision Committee. He received a Life-Saving Award in 2002 and was also awarded the Paramedic of the Year in 2007. Both in his military and civilian career, Mr. Haines has consistently demonstrated the highest level of service, putting his life on the line to protect our community, our businesses, and our homes.

Kevin Haines, let me both thank and congratulate you on your exceptional service to our country and community both past and present. It is my pleasure to award you the 2013 Congressional Veteran Commendation for the Third District of Texas.

THE NATIONAL INSTITUTES OF HEALTH

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SIMPSON. Mr. Speaker, the mission of the National Institutes of Health (NIH) is to seek and improve the quality of knowledge in the medical sciences, and to apply that knowledge in a meaningful way. The NIH fulfills this mission by maintaining high standards of scientific integrity, public accountability, and social responsibility. The NIH also enriches many colleges and universities across the country, because, though many Americans are not aware, a large portion of the budget is sent out to all fifty states in the form of extramural research grants. Through these grants, better education yields higher return on public investment in medical research.

Thanks in part to research performed by the NIH, the life expectancy of a baby born in the United States is now 79—which is three decades longer than one born in 1900. Not only are we living longer, but our quality of life is improving. According to the NIH, the proportion of elderly with chronic disabilities has dropped by almost one third over the last 25 years.

Research and development in the medical field is the key to curing not only cancer, but also a host of other diseases that impact millions of Americans. For citizens who suffer from pancreatic cancer, one of the deadliest major cancers, such funding is not just necessary, it's urgent. It is critical that Congress do whatever is possible to support pancreatic cancer research at the NIH and the National Cancer Institute (NCI). In meetings with my constituents who have shared their stories about pancreatic cancer, it has been clear that we could do more to find a cure for this disease.

It is crucial that we, Members of the United States Congress, continue to support the NIH and its subsidiary, the NCI, by providing sustained and predictable funding. In these times of record debts and deficits and reduced budgets, it remains important that Congress continue to prioritize what is most important. The NIH is truly a national treasure. It is a light that we must not let fade.

FIVE CHINESE DAUGHTERS TO BEIJING: PLEASE LET OUR FATHERS GO FREE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SMITH of New Jersey. Mr. Speaker, when China bullies, incarcerates, tortures—and even executes—a prisoner of conscience, their entire family and friends suffer an excruciating sense of loss, bewilderment, emotional pain and agony.

Often members of the family are themselves subjected to interrogation, mistreatment and house arrest in order to amplify the hurt.

In a very real sense, everyone close to a prisoner of conscience goes to jail and lives a seemingly unending nightmare. Every day, family and friends are left to wonder what terrible abuse awaits dad or mom or a brother or sister or child. Every day, the tears flow.

The people who rule China today with an iron fist resort to these ugly methods of control in the mistaken assumption that the people—the masses—can't be trusted to govern themselves, practice their faith as they see fit or create a family. China's barbaric one child per couple population control policy in effect since 1979 continues unabated to make brothers and sisters illegal and relies on ruinous fines and penalties, forced abortion, and coercive sterilization—crimes against humanity—to achieve its ends. And all "news" content and commentary in cyberspace, TV, radio or in print media continues to be strictly controlled and manipulated by the communist party.

The Chinese government today is in the business of breaking minds, bodies and hearts. The repression is systematic, pervasive, unrelenting and unnecessary—the people of China love their nation and deserve better treatment. Even heroic persons like Chen Guangcheng, Wei Jingsheng, Rebiya Kadeer, Bishop Su, Harry Wu, and countless others who have demonstrated by their extraordinary perseverance an indomitable will to advance bedrock human rights principles regardless of cost carry the indelible scars of unspeakable mistreatment.

The people who rule China today employ these ugly methods of control to prop up their own political power and increase their personal wealth. China, a great nation, deserves better.

Far too many of us who live in freedom often fail to exert ourselves in a meaningful way to assist prisoners of conscience and their loved ones—in China and elsewhere.

Far too many of us fail to empathize with their plight. Or to see what's just below the façade of the purported harmonious society.

How can it be that the 2010 Nobel Peace Prize winner Liu Xiaobo remains in prison while his wife Liu Xia is forced to endure the extreme isolation of house arrest and is now reportedly experiencing severe depression?

Perhaps we are uninformed or too busy or prefer to look askance. However, with so much preventable suffering being endured by so many prisoners of conscience and their families in China today, the time has surely come for a more serious and sustained defense of these heroic individuals and their noble causes.

All of us—including the Chinese government—have a duty to protect.

At a hearing that I held several weeks ago, we heard the cries for release and freedom from five remarkable daughters on behalf of their wrongly imprisoned fathers and from a dad on behalf of his unjustly jailed son. We also received expert testimony from a previously incarcerated Christian pastor who cares deeply for the vulnerable and at risk and another human rights activist who was detained in China after an attempt to visit a dissident.

ANNOUNCING RECIPIENTS OF THE 2013 CONGRESSIONAL VETERAN COMMENDATION FOR THE THIRD DISTRICT OF TEXAS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my privilege to honor fourteen distinguished military veterans, community servants, and American patriots who call the Third District of Texas home. All faithfully answered the call of duty and placed service above self for the sake of our great nation. Each one leaves a legacy to be remembered, for future generations to follow, a legacy of bravery, loyalty, dedication, and sacrifice. For their selfless service, bold leadership, and undying commitment for their neighbor and nation, the following individual has been selected as a recipient of the third annual Congressional Veteran Commendation:

LeRoy Myrben served in the United States Navy from 1955 to 1977. During his 22 years of service, he completed six tours aboard aircraft carriers, three of those tours during the Vietnam War, and in total, served in ten different naval commands. After his many years of active duty, he worked for 27 years as a civilian employee, developing government and corporate programs, such as the design stage of the Blackhawk Helicopter, F-18 Hornet. In 2003, he retired as the Director of National Security Solutions and as the Director of the Coast Guard Program before moving to Frisco, Texas.

Since moving to Texas, he's been an extremely active leader and servant to the city of Frisco, advocating relentlessly on behalf of veterans and their families. Quickly after moving, he joined the Frisco Veterans of Foreign Wars (VFW) 8273 post and in one short year became the Post Senior Commander and then later the Post Commander. During his time as Commander, he chaired the Frisco Veterans' Walk of Honor project to develop a memorial walkway that displays names of veterans on the Memorial in Frisco's Commons Park. All the while, he continues to be an active Frisco Committee Parade member and has served as Frisco's Memorial Day Master of Ceremonies for the past three years. As an advisor to Frisco's Mayor, Maher Maso, he developed and now chairs the Mayor's Frisco Veterans Advisory Committee, which consists of individuals from all military branches selected to advise the Mayor and City Council Members on issues pertaining to the veterans. Mr. Myrben not only put his life on the line overseas, he continues to sacrifice his time, energy, and efforts every single day at home to ensure that his fellow veterans receive the care, attention, and honor they rightfully deserve.

LeRoy Myrben, let me both thank and congratulate you on your exceptional service to our country and community both past and present. It is my pleasure to award you the 2013 Congressional Veteran Commendation for the Third District of Texas.

PERSONAL EXPLANATION

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. FRANKS of Arizona. Mr. Speaker, had I been present, I would have voted "yes" on rollcall No. 641 on H. Res. 441.

HONORING RICHARD "DICK" FREELAND

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. ROKITA. Mr. Speaker, I rise today to recognize and salute a distinguished Hoosier, Richard "Dick" Freeland, who passed away on October 20, 2013. I wish to express my heartfelt gratitude and appreciation for his leadership and service to the people of Indiana.

Mr. Freeland was a Nevada native and Iowa transplant who later moved his family to Indiana to pursue the American Dream. He started his career as an ironworker in Iowa who worked on Atlas rocket sites throughout the Midwest. In 1967, Mr. Freeland started a part-time job working for Pizza Hut for \$1.25 an hour. He eventually worked his way up to store manager, area manager, and part-owner in an Iowa Pizza Hut franchise.

Mr. Freeland moved his wife and young family to Fort Wayne, Indiana, in 1972 and opened their first Pizza Hut franchise. Over the next 40-plus years, the business grew to include 48 Pizza Hut locations in Indiana and Ohio as well as four Kentucky Fried Chicken restaurants. His knowledge and business acumen was so well respected by the corporate office that he was asked to travel to Poland to advise the Pizza Hut team on improving their operations. Soon after, he became a partner in those Pizza Hut and Kentucky Fried Chicken restaurants in Poland and the Czech Republic.

Mr. Freeland sought to hire high-quality employees, train them well and empower them to make decisions for the benefit of themselves, the customer and the business. In his free time, he was involved in local, state and national politics and enjoyed hunting, fishing, traveling, and breeding Arabian horses at Freeland Farms. Mr. Freeland was a member of numerous corporate and charitable organization boards and served as the regional finance chairman of Bush/Quayle campaign in 1992.

Mr. Freeland left his loving wife, Deanna, two children, six grandchildren, and one great-grandchild.

Mr. Freeland's legacy demonstrates the promise of hard work and the extraordinary opportunities afforded to the individual by liberty and American free enterprise. Dick's story should serve as an example to millions of young Americans. Through hard work and perseverance, the American Dream can be realized. There are very few places in the world today where a part time hourly worker, through his own toil and dedication, can not

only be promoted to management, but build an empire. And then use his success for the betterment of our nation and his fellow man. Mr. Freeland's life and story are a testament to the unlimited potential of every individual, our great nation, and America's bright future. America is quite exceptional indeed.

Rest in peace my friend, and thank you for your example and leadership.

IRAN'S PERSECUTION OF PASTOR ABEDINI WORSENS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SMITH of New Jersey. Mr. Speaker, at our full committee hearing on Tuesday, December 10, I asked Secretary of State Kerry whether he had raised Pastor Saeed Abedini's release during the Iranian nuclear talks. I read him the following advance excerpt of the testimony that Naghmeh Abedini—wife of Pastor Saeed Abedini who remains imprisoned and subject to torture in Iran—would offer on Thursday, December 12. "While I am thankful for President Obama's willingness to express concern about my husband and the other imprisoned Americans in Iran during his recent phone conversation with Iran's new president, Hassan Rouhani, I was devastated to learn that the Administration didn't even ask for my husband's release when directly seated across the table from the leaders of the government that holds him captive. My husband is suffering because he is a Christian. He is suffering because he is an American. Yet, his own government at least the Executive and diplomatic representatives has abandoned him. Don't we owe it to him as a nation to stand up for his human rights, for his freedom?"

Secretary Kerry acknowledged that he had not done so—confirming the awful report that Naghmeh had already heard.

Pastor Abedini remains imprisoned in Iran, sharing a cell with violent criminals who have more than once surrounded Pastor Abedini as he tried to sleep, wielding knives and threatening his life.

Saeed Abedini is an American citizen. He went to Iran last year to build an orphanage for Iranian children. He had been arrested in Iran before, but released and told he could enter and exit the country for humanitarian aid work if he agreed to cease pastoring house churches.

As Pastor Abedini's wife, Naghmeh, testified last week, he accepted that proposal—but Iran did not uphold its end of the agreement.

Abedini was arrested in July 2012, imprisoned, and tried for sharing his religious beliefs and thereby supposedly undermining the security of Iran.

He was denied contact with his attorney until just before the trial. The trial was not public, and he and his attorney were barred from participating in key portions of the trial—following which a judge sentenced him to 8 years in prison. His appeals have been denied.

In prison, he has been repeatedly beaten, denied medical care, and held in solitary con-

finement. While nuclear talks played out on the world stage—Iran moved Pastor Abedini to a prison notorious for housing the worst criminals in Iran, Rajai Shahr.

The very fact that Pastor Abedini was moved to a dangerous prison in the middle of negotiations confirms that the Iranians recognized him as a potential factor in the negotiations. Since August of 2012, the United States has reportedly released four Iranians, including most recently a high-ranking scientist, who were imprisoned in the U.S. for sanctions violations.

Speaking for myself, I question whether these releases are unrelated to the nuclear talks.

Yet American citizen Saeed Abedini remains in a hell-hole prison in Iran.

The U.S. government must not waste another opportunity to secure the release of Pastor Abedini—his case needs to be front and center in the next round of U.S.-Iranian negotiations. Time is running out. Naghmeh, Rebecca, and Jacob need their husband and father home.

ANNOUNCING RECIPIENTS OF THE 2013 CONGRESSIONAL VETERAN COMMENDATION FOR THE THIRD DISTRICT OF TEXAS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

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Colonel Richard H. Graham served in the United States Air Force from 1964 to 1989. He entered pilot training at Craig Air Force Base in Alabama. Once he graduated he remained at Craig AFB as a T-37 instructor pilot and flight examiner. In 1970, Mr. Graham was assigned to the 555th Tactical Fighter Squadron at Udon Air Force Base in Thailand. During this time he flew 145 combat missions over North Vietnam and Laos in F-4C/D/E aircraft. He ended his military career honorably with more than 4,600 flying hours.

For his years of distinguished service, Mr. Graham received numerous decorations including a Legion of Merit, Distinguished Flying Cross with three Oak Leaf Clusters, Meritorious Service Medal with one Oak Leaf Cluster, Air Medal with 18 Oak Leaf Clusters, and an Air Force Outstanding Unity Award with Valor.

Mr. Graham has continued to serve since his retirement from the military. He is actively involved in many charities and contributes his

time and life experiences giving motivational speeches around the country. His main charitable work is through the four books he wrote on the SR-71. He donates the royalties from these books to aviation museums including the Smithsonian Air and Space Museum in D.C. and the Frontiers of Flight Museum in Dallas.

Colonel Richard Graham, let me both thank and congratulate you on your exceptional service to our country and community both past and present. It is my pleasure to award you the 2013 Congressional Veteran Commendation for the Third District of Texas.

HONORING LINDA CRAYTON

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Ms. LEE of California. Mr. Speaker, I rise today to honor the extraordinary career of Linda Crayton as we celebrate over 40 years of her dedicated service to the community and her wide reaching accomplishments. Ms. Crayton is an outstanding individual, who throughout her distinguished career has championed public private partnerships, led efforts for gender equality, advocated for justice in her community, and supported our youth.

Ms. Crayton's esteemed career has spanned over four decades as an employee of Comcast, where she is currently the San Francisco Regional Senior Director of Government Relations. Along the way, she has been a staunch advocate for the advancement of women by leading efforts with Black Women Organized for Political Action, California Women Lead, EMERGE, Women In Cable and Telecommunications, and 100 Black Women of the Bay Area, Inc. Ms. Crayton has been recognized numerous times for her commitment to gender equality. The San Francisco League of Women Voters accorded Ms. Crayton "The Woman Who Could Be President" award in 2001. In 2006, she was named "Woman of the Year" for the 9th senatorial district by California State Senator and President Pro-Tempore Don Perata, as well as "Corporate Woman of the Year" by 100 Black Women, Inc. In 2011, Ms. Crayton was recognized by the National Women's History Month with a History Makers Award.

Among her many contributions, Ms. Crayton has tirelessly served her community and church as a civil rights leader. She has worked with the NAACP, Urban League, and countless other community justice organizations. She also supports the East Oakland Youth Development Center, Oakland Boys and Girls Club, and the Spanish Speaking Citizens Foundation. For her tremendous commitment to the community, she has been recognized by the San Francisco African American Chamber with a "Lifetime Achievement" award and by the National Association for Multi-ethnicity in Communications (NAMIC) as a Black History Month—Living Legend. In 2007, the Martin Luther King Jr. Civic Committee and the Bayview Hunters Point Family Resource Center further honored Ms. Crayton with a "Distinguished Community Service Award," and a "Humanitarian Award," respectively.

Moreover, Ms. Crayton boasts an impressive commitment to local government. In 1996, San Francisco Mayor Willie Brown first appointed her to the San Francisco Airports Commission, a role that she has been appointed to by successive San Francisco mayors continuously till this day. She has worked hard to ensure that San Francisco International Airport is the best run, cleanest, and most welcoming airport in the world.

Additionally, Ms. Crayton provided much needed support and leadership to the restructuring of the San Francisco Department of Health in her capacity as President of the San Francisco District V Mental Health Board. For these efforts she was recognized by the San Francisco Board of Supervisors with the prestigious Leadership Award.

Throughout her prolific career, Ms. Crayton has not only been a hardworking professional, but also a compassionate and generous individual. She has been a mentor for countless men and women throughout the years, taking them under her wing to help them grow professionally and pursue job opportunities.

Therefore, on behalf of California's 13th Congressional District, Ms. Linda Crayton, I salute you. Your many years of service have made an indelible mark in our community. Best wishes to you and your loved ones in the years to come.

HONORING THE MOTOR TRANSPORT ASSOCIATION OF CONNECTICUT FOR THEIR EFFORTS TO COMBAT HUMAN TRAFFICKING

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Ms. DeLAURO. Mr. Speaker, it is with great pride that I rise today to extend my deepest thanks and appreciation to the Motor Transport Association of Connecticut for their many efforts to combat human trafficking, including their most recent action in honoring Kendis Paris and "Truckers Against Trafficking" with their highest honor, the "Good Buddy Award."

As you know, each year hundreds of thousands of women and children are abducted and forced into prostitution and enslaved under some of the most abusive of circumstances. The Federal Bureau of Investigation has identified truck stops and rest areas as places where these abductions can occur. The Motor Transportation Association of Connecticut (MTAC), an organization dedicated to promoting the interests of Connecticut's trucking industry, has taken a leadership role in the national effort to combat this terrible epidemic. Truckers are the eyes and ears of our nation's highways—indeed just this past July, in one weekend, with the help of truckers and others, more than 100 teenagers were rescued. The leadership and members of MTAC have taken a special interest in this cause, making it a top priority.

At their most recent annual meeting, MTAC demonstrated their commitment to this effort by recognizing "Truckers Against Trafficking," a national non-profit organization that exists to

educate, equip, empower and mobilize members of the trucking and travel plaza industry to combat domestic sex trafficking, and its co-founder, Kendis Paris, with their 2013 Good Buddy Award—a demonstration of the high level of esteem that MTAC holds for both the program and Kendis. I am proud to say that, in addition to these actions, MTAC has been working with me to develop a legislative agenda focused on combatting human trafficking.

Human trafficking is a rampant issue that is impacting the lives of millions across the world, hundreds of thousands in our nation alone. I applaud the Motor Transport Association of Connecticut, Truckers Against Trafficking, and Kendis Paris for their remarkable work in combating this appalling practice. I look forward to continuing to work with them and to someday realize the goal we all share—to ensure that every woman and child is protected from such a dreadful fate.

ANNOUNCING RECIPIENTS OF THE 2013 CONGRESSIONAL VETERAN COMMENDATION FOR THE THIRD DISTRICT OF TEXAS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

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Sergeant Major Daniel Huff served in the United States Marine Corps from 1981 to 2010. After graduating high school, he enlisted in the Marine Corps, starting his career at Boot Camp and Administrative Clerk School. In 1983, then-Corporal Huff was transferred to the United Nations Command in Seoul, South Korea, where he earned his first Navy Achievement Medal. He was then assigned to the Inspector-Instructor Staff, 25th Marines, in Massachusetts and earned his promotion to Sergeant.

Later on in his career, Mr. Huff served as Senior Drill Instructor to mold young men into exemplary character with traits of honorable service to God and country and then as Administrative Chief to several Marine bases, the last being in Quantico, Virginia. He served in Operation Iraqi Freedom I and II, earning the Meritorious Service Medal and Bronze Star with Combat V Medal for heroic actions in intense combat situations. For instance, on April 14, 2004 in Karabilah, Iraq, a roadside bomb exploded and enemy fire unleashed on all sides of the Battalion Commander's convoy. During this attack, Mr. Huff provided first-aid to a critically wounded Marine while simulta-

neously returning fire. He then ensured the medical evacuation of 22 other wounded comrades and led the Marines to secure the medical evacuation route. During the following five days, the Battalion destroyed over 80 enemy insurgents, safeguarding the city from an attempted takeover by anti-Iraqi Forces. Mr. Huff's extensive career and numerous decorations only scratch the surface of his exemplary leadership, dedication, and sacrifice.

Currently, Mr. Huff works for Dyncorp International in Fort Worth, Texas, where he oversees approximately 10,000 to 11,000 personnel at the Afghanistan base. He also volunteers in the community with the Toys for Tots Program, as a USMC JROTC mini-boot camp program supervisor, and represents the Marine Corps in various community events around the DFW metroplex.

Sergeant Major Daniel Huff, let me both thank and congratulate you on your exceptional service to our country and community both past and present. It is my pleasure to award you the 2013 Congressional Veteran Commendation for the Third District of Texas.

OCEAN ENERGY SAFETY AND TECHNOLOGY IMPROVEMENT ACT OF 2013

HON. RUSH HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. HOLT. Mr. Speaker, today I rise to introduce the Ocean Energy Safety and Technology Improvement Act of 2013, a bill to facilitate the development and use of technology to make offshore drilling safer for workers and the environment.

A little more than three and a half years ago, the Deepwater Horizon exploded and sank off the coast of Louisiana, killing eleven workers, and allowing its unfinished well to pour millions of barrels of crude oil into the Gulf of Mexico until it was finally capped several months later. This event—the greatest single environmental disaster in American history—exposed as a myth the idea that such tragic offshore events, such as the Montara explosion in Australia, the Piper Alpha disaster in the North Sea, or the Ixtoc blowout in Mexico, could not happen in the United States.

There was no question that the industry had gotten complacent. And the regulators had gotten complacent. And even Congress had gotten complacent. The only debate before the Deepwater Horizon tragedy was where drilling should occur, not how safe it would be. Those of us whose states depend on clean beaches and clear water to fuel a multi-billion dollar tourism industry were assured that technology had reached the point that there was no risk whatsoever: that offshore drilling could coexist with clean beaches, that vacationers and merchants would never have to fear oil-soaked seabirds dying on their shores, or tarballs staining the coasts for years to come.

Those assurances, we learned in April 2010, were completely false. The technology the industry boasted of was about drilling deeper and faster, not about being cleaner or safer. And while there is a requirement in the

Outer Continental Shelf Lands Act for companies to use the "best available and safest technology," in reality companies were allowed to simply meet regulatory minimums. The Bureau of Safety and Environmental Enforcement, or BSEE, recently proposed to close that loophole and ensure that companies really are using the best and safest technology; naturally that proposal was met with the predictable wails from industry.

But despite those complaints, this is clearly an idea whose time has come. In October, the National Academy of Sciences released a report with recommendations on how to implement a true requirement for using the best available and safest technology available in the offshore industry. The Academy endorsed BSEE's formation of an Ocean Energy Safety Institute, but said that the institute needed more funding, more stability, and more authority.

That is what my legislation does. It adopts the National Academy's recommendations by giving BSEE the authority to stand up a robust, permanent Ocean Energy Safety Institute with a steady source of funding. The Institute will facilitate collaboration between academia, regulators, and industry, serve as a center of excellence for offshore safety research and education, and most importantly, help BSEE identify the best available and safest technologies currently in use, and facilitate the development of better and safer technologies.

This legislation also implements other recommendations from the Academy, including providing the authority for the review of drilling plans and permits to be prioritized if they would use particularly innovative safety technologies, and promoting safety research by small businesses, where many of the best innovations arise.

Let me be clear: I do not believe that offshore drilling can ever be made safe enough to put the beaches and tourist economy of New Jersey at risk. There will always be the chance of equipment failure or human error that produces a catastrophic result, regardless of the level of technology employed. No amount of oil or gas is worth the potential destruction of the state's lifeblood. I also believe that a continued dependence on offshore oil and gas, from any part of the country, keeps us from addressing the real issue that we should be focusing on: how to move to a renewable energy economy and ensure long-lasting energy and climate security.

However, I acknowledge that we cannot get there overnight, and offshore drilling will continue in places like the Gulf of Mexico, at least for the time being. But while it is happening, we should ensure that it is being done with the absolute best safety and environmentally responsible technology available, and I urge my colleagues to join me in getting to that point by supporting the Offshore Drilling Safety Technology Improvement Act of 2013.

HONORING THOMAS E.
SCHWEDHELM

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize and honor the Chief of Police for the City of Santa Rosa, California, Tom Schwedhelm, who is retiring after a 26-year career in law enforcement.

Chief Schwedhelm worked as a cadet and then a correctional officer in the Sonoma County Jail prior to graduating from the Santa Rosa Training Center's Police Academy in 1983.

In 1996, Tom Schwedhelm was promoted to Sergeant working with Sex Crimes & Family Violence investigations. He also had several collateral assignments: Special Response Unit Team Member and Team Leader; an Instructor in Use of Force, Chemical Agents, and Crowd Control; and an Ethics Facilitator.

In 2002 he was promoted to Lieutenant and was promoted to Captain in 2004 as the Captain in charge of both the Field Services Division and the Special Services Division. In March 2009, he was appointed as the Acting Chief of Police; he was subsequently appointed as the official Chief of Police for the City of Santa Rosa on May 3, 2009.

Chief Schwedhelm was instrumental in developing one of the first Victim Services Programs, and assisted in the implementation of CHOICES Grant Program, a community-wide effort to address gang violence in the community, as well as the Family Justice Center, the Mayor's Gang Prevention Task Force and the Police Department Succession Planning.

Chief Schwedhelm is a second generation law enforcement officer. He and his wife, Jackie, have lived in Santa Rosa for 22 years, where they have raised their two children.

Mr. Speaker, Chief Schwedhelm has served the City of Santa Rosa well during his distinguished career. It is therefore appropriate that we commend him for his many years of public service and wish him well on his retirement.

HUMAN RIGHTS ABUSES IN EGYPT

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SMITH of New Jersey. Mr. Speaker, a hearing that I convened last week examined the escalating human rights abuses in Egypt. It was fitting that we held the hearing on December 10, International Human Rights Day, because we are witnessing grievous violence and other abuses directed against religious and political minorities, particularly the Copts and other Christians, about which our government and the media has said far too little—which seems to be a pattern worldwide.

The persecution of Christians is escalating. Witness the slaughter of Christians in the Central African Republic (CAR). Bishop Nongo of the CAR told my committee that Christians were being targeted because of their faith

while the U.N., the United States, and the rest of the world looked on. Last Thursday, I chaired a hearing on American pastor Saeed Abedini who is jailed and suffering torture in Iran. Pastor Abedini's wife, Naghmeh, told my committee: "While I am thankful for President Obama's willingness to express concern about my husband and the other imprisoned Americans in Iran during his recent phone conversation with Iran's new president, Hassan Rouhani, I was devastated to learn that the administration didn't even ask for my husband's release when directly seated across the table from the leaders of the government that holds him captive. My husband is suffering because he is a Christian. He is suffering because he is an American. Yet, his own government, at least the Executive and diplomatic representatives, has abandoned him. Don't we owe it to him as a nation to stand up for his human rights, for his freedom?"

After President Mubarak resigned in February of 2011, the world hoped for a new Egypt, a just government for all Egyptians, which would not make President Mubarak's mistakes—but reality has been just the opposite.

Horrific anti-Christian pogroms have taken place under each of the post-Mubarak governments. For some of these abuses, the governments bear the responsibility of inaction. For others they bear direct responsibility. In recent months, undercurrents of abuse and contempt for human dignity long existing in Egypt have turned into flash floods of violence.

For example, the Supreme Council of the Armed Forces presided over the Maspero protest massacre in October 2011. At least 25 people were killed and more than 300 injured—almost all of them Copts—when the military drove trucks through the crowd and used live ammunition against the unarmed protestors.

Under the now-displaced Morsi government three low-level soldiers involved were charged with minor crimes and received two- to three-year sentences. No commanding officers were held responsible for ordering or failing to prevent the deadly assaults.

While Mr. Morsi of the Muslim Brotherhood's Freedom and Justice Party, at times voiced support for an Egypt that was home to Muslims and Christians, his inaction belied his rhetoric. In April of 2012, St. Mark's Cathedral, seat of the Coptic Pope, was attacked by 30–40 Muslim youths. While dozens of Copts were sheltering inside, security forces joined the mob. Rather than dispersing the crowd, they participated in the all-night attack or stood idly by as rocks, gasoline bombs, and gas canisters were lobbed into the iconic cathedral. Despite this, President Morsi denied that the clash was sectarian in nature.

After Mr. Morsi was removed in July of this year, the military ended the Muslim Brotherhood's sit-in with violence, killing hundreds of protestors. Tragically, some in the Muslim Brotherhood scapegoated the Copts although the Copts had nothing to do with the military's violent response.

On August 14, a day that will be remembered as the worst day for Copts in 700 years, thirty-seven churches, five schools, three Bible societies, four other Christian institutions, and

many homes and businesses were burned or damaged by mobs. More than 100 deaths were documented in the initial spate of violence and its aftermath.

Some Copts have charged the current military government in Egypt with allowing the attacks on Coptic persons, businesses, churches, and homes to continue—often in sight of police stations and in spite of repeated and direct calls for help—in order to solidify government power as the only alternative to the Muslim Brotherhood, as well as to justify their own heavy-handed crackdown on the Muslim Brotherhood.

The Muslim Brotherhood denies any involvement in the attacks occurring across the country, and has at times condemned them.

Yet the Brotherhood's Freedom and Justice Party Branch in Helwan reportedly posted a statement holding the Coptic Pope responsible for Morsi's removal and otherwise linked Copts to attacks on the Muslim Brotherhood. The Brotherhood also called for Friday prayers to be held in an evangelical church in Minya after it was occupied and converted into a mosque on August 15.

Whoever the attackers are—and that is one thing we hope to learn more about today—the bottom line is that Coptic citizens are having their most basic human rights—freedom of religion, freedom of association, and equal protection of the laws—denied.

We can never rest while human dignity is so grossly trampled on—nor can we ever accept the suffering that has marked Coptic life for decades, very much including the abductions, forced conversions, and forced marriage of Coptic girls and women. These abuses have continued unabated, and, by some reports, have escalated sharply following the Arab Spring, as has the abuse of the Egyptian courts to prosecute blasphemy cases against Christians, moderate Muslims and secularists.

Moreover, despite the nearly 1.5 billion dollars in foreign aid American taxpayers give Egypt each year, neither the Mubarak government nor the Morsi government, or now the military government, has seen fit to return kidnapped American citizen children Noor and Ramsey Bower, who were abducted by their mother to Egypt in 2009 in violation of valid U.S. court orders, to the United States. They, along with about 30 other American children in Egypt, are forced to live without the love and guidance of an American parent who daily fights for their return, while being stripped of half of their culture and half of their identity.

In addition, freedom of expression continues to be under fire. The current interim government has been arresting and jailing journalists critical of the military government, jamming the broadcast signals, deporting foreign reporters, and otherwise closing the offices of news outlets that are "broadcasting lies."

In his September 23rd speech to the United Nations General Assembly, the President stated that his "... approach to Egypt reflects a larger point: the United States will at times work with governments that do not meet the highest international expectations, but who work with us on our core interests." These core interests were earlier defined in the speech to include the "Camp David Accords and counter-terrorism" efforts but not, I believe mistakenly, to include human rights.

Human rights, and the intrinsic dignity of every human being from womb to the tomb, are important in and of themselves. But for those who fail to grasp this, there is another important point to be made: It is in the strategic interest of the United States to encourage governments to respect the rights of their people, because governments that fail to do so are in the final analysis unstable: This should be the abiding lesson of the Arab Spring.

The president also stated that future U.S. support to Egypt "will depend upon Egypt's progress in pursuing a democratic path." Again, it is unclear what criteria this entails. What if the democratic path does not include protection of human rights, such as what we saw under the Morsi government and now the interim government?

It is not democracy per se that is to be the goal, but rather a duly-elected constitutional government that respects minorities, the separation of power, and human rights. Tyranny of the majority is not an acceptable option.

What is clear is that the U.S. needs a new approach. This administration's short-sighted approach of not clearly linking aid to the protection of human rights in Egypt has been unequivocally ineffective. It is my hope that our hearing today will shed light on what went wrong and how the United States can be more effective in protecting human rights going forward.

HONORING BISHOP PRINCE E.W. BRYANT, SR., OF HOUSTON, TEXAS, "SOLDIER OF THE CROSS" WHO HAS MINISTERED THE GOSPEL FOR 50 YEARS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Ms. JACKSON LEE. Mr. Speaker, I rise to pay tribute to Bishop Prince E.W. Bryant, Sr., the legendary pastor of the legendary Island of Hope Church of God in Christ Church in Houston, Texas. This year marks the 50th anniversary of Bishop Bryant's service in the ministry of the Gospel.

To mark this great occasion, Bishop Bryant is being honored as a "Soldier of the Cross" by the Texas South Central Jurisdiction of The Church of God in Christ, Inc.

Born in East Texas, Bishop Bryant was the fifteenth child of Deacon Bishop and Mamie Bryant. He was saved and filled with the Holy Ghost on March 18, 1963, and began preaching on March 25, 1963 at the age of 15 under the late Elder Eddie Davis. He was licensed under the late Bishop C. H. Nelson and ordained by the late Bishop S. M. Crouch of Los Angeles, California.

Bishop Bryant was attended public school at Concord High School in Mt. Enterprise, Texas. He later attended LIFE Bible College, Los Angeles, California, from which he received his Bachelors of Theology; and the Family Bible Institute in Denver, Colorado, from which he was awarded a Doctorate of Divinity in 1993.

Bishop Bryant began his pastoral ministry on August 6, 1969. Over the next 50 years,

pastored six churches: Bethlehem COGIC in Mt. Enterprise, Texas; Evangelist Temple COGIC in Bay City, Texas; Eastside COGIC in Lufkin, Texas; and The City of Refuge COGIC, Livingston Memorial COGIC, and The Island of Hope COGIC (formerly Anderson Memorial), all in Houston, Texas. He remodeled or built three of these churches.

Bishop Bryant has served the church from his youth to present in many capacities: as Sunday School Superintendent, Jurisdictional Chaplain, Jurisdictional Young People's Willing Worker President, District Superintendent, Jurisdictional Executive Secretary, President of Jurisdictional Minister's and Worker's Institute, Chairman of Jurisdictional Annual Leadership Conference, and as Administrative Assistant to the late Jurisdictional Bishop, Bishop N. H. Henderson.

Nationally, Bishop Bryant has served the Church of God in Christ as a member of the General Assembly Executive Committee, Commissions for Constitutional Convention Committee, General Council of Pastors and Elders Judiciary Review Committee, and Executive Board Member of the Church of God in Christ Urban Initiative.

Bishop Bryant has also actively involved himself in the civic life of the community. He served two terms as President of the Advisory Board to the Mayor of Houston under Mayors Kathryn J. Whitmire and Mayor Bob Lanier.

Bishop Bryant also served on the Civilian Review Committee for the Houston Police Department, as Chairman of Religious Committee, as founder of the Project David Ex-Felon Re-Aclamation Job Program, as Vice President of the Houston Northeast Quadrant Citizens Chamber of Commerce, as Chairman of Houston-Harris County Regional Substance Abuse Faith-Based Task Force Committee, and member of the Executive Board of the Minister's Conference at Prairie View A & M University.

In times of disaster, Bishop Bryant can be counted on to provide comfort and assistance. In 1983, he organized and chaired the Emergency Disaster Relief Texas Inter-Jurisdictional Council, which coordinated government entities and non-profit charity organizations such as FEMA, Red Cross and United Way.

When Tropical Storm Allison hit in 2001, Bishop Bryant facilitated a benefit service. In 2005, during Hurricane Katrina he organized the Hurricane Katrina Relief Fund and was the Coordinator of the Church of God in Christ Distribution Center, a 20,000 square foot warehouse which distributed food, clothing, and non-perishable goods to thousands of displaced Katrina victims.

In 2008, in response to Hurricane Ike, Bishop Bryant again chaired the Emergency Disaster Relief Texas Inter-Jurisdictional Council.

During his fifty years of ministry, Bishop Bryant has been the recipient of many awards and honors, including the following: Meritorious Services To The Community by Mayor Fred Hofheinz; Meritorious Service To the Community by Mayor Kathryn Whitmire; Houston Police Department Public Service Award; Service Recognition Citation by Councilman Shelia Jackson Lee; Distinguished Service Award and Outstanding Leadership Award from COGIC Texas South Central Jurisdiction;

Excellence In Service Award by United Minister's Institute of Texas Southern University; Special Achievement Award from The Religious Workers Guild; Outstanding Leadership AIM 2000 Church of God in Christ National Auxiliaries In Ministry Convention; by Bishop J. W. Macklin-AIM Chairman, Charles Harrison Mason Award The Religious Workers Guild, Visionary Pastors Award from the Houston Forward Times.

On October 17, 2013 in Abuja, Nigeria, the African Children's Hostel was named The Bishop Prince Bryant, Sr. African Children's Hostel in his honor.

Mr. Speaker, Bishop Bryant is married to Mrs. Yolanda Howard Bryant and they are the proud parents of five children: Superintendent Prince E. Bryant, II (Candies); Dommonique Jeannie Bryant; Phillip Paul Bryant; Elder Desmon Ryan Bryant (Franchell); and Tymorra Mishon Bryant.

They also have been blessed with five wonderful grandchildren: Prince E. Bryant, III, Paiton Anise Bryant, Pierce Edward O'neal Bryant, Madison Danielle Bryant, and John Patrick Bryant.

Mr. Speaker, for 50 years Bishop Bryant has provided remarkable service to our nation as a community, state, and national leader.

I am proud to call this remarkable American hero my friend and I offer him my heartfelt congratulations on the 50th Anniversary of his service in the ministry of the Gospel.

Bishop Bryant truly is a "Soldier of the Cross." I offer my best wishes for his continued success in ministering the Gospel for many years to come.

ANNOUNCING RECIPIENTS OF THE
2013 CONGRESSIONAL VETERAN
COMMENDATION FOR THE THIRD
DISTRICT OF TEXAS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my privilege to honor fourteen distinguished military veterans, community servants, and American patriots who call the Third District of Texas home. All faithfully answered the call of duty and placed service above self for the sake of our great nation. Each one leaves a legacy to be remembered, for future generations to follow, a legacy of bravery, loyalty, dedication, and sacrifice. For their selfless service, bold leadership, and undying commitment for their neighbor and nation, the following individual has been selected as a recipient of the third annual Congressional Veteran Commendation:

Lance Corporal John Wangler served in the United States Marine Corps from 2007 to 2011. His commitment to the military began at a young age, learning from his grandfather, a Korean War Veteran, the value of placing duty to country above self. Immediately after graduating from high school, he enlisted in the Marine Corps in February 2007, because eighteen years was long enough for him to wait to serve. In 2008, Mr. Wangler deployed to Iraq where he completed more than 200 combat

patrols throughout the Al-Anbar province. The following year he deployed to Afghanistan where he led mortar missions as the adjusting gun squad leader and commanded a six-man vehicle checkpoint that implemented security measures and registered local population. Because of his service and leadership, he was awarded the Combat Action Ribbon, Presidential Unit Citation, Afghanistan and Iraq Campaign Medals, as well as numerous other medals.

After returning to civilian life, he redirected his commitment to the college classroom at Collin College. Recognizing the difficulty of transitioning from military to civilian life, Mr. Wangler became an officer of the Student Veterans of America (SVA) organization where he currently helps other student veterans navigate through the GI Bill. He also volunteers as a mentor in the new Veterans Welcome and Resource Center on campus. Additionally, he is one of only three student veteran advisors, which plans and hosts events to honor the sacrifice of our service members. Mr. Wangler truly represents the best of our young generation. We need more young people like him who will give their time, energy, and efforts to make this community a better place.

Lance Corporal John Wangler, let me both thank and congratulate you on your exceptional service to our country and community both past and present. It is my pleasure to award you the 2013 Congressional Veteran Commendation for the Third District of Texas.

JONATHAN SEROTA YALE MODEL
CONGRESS SPEECH

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. ISRAEL. Mr. Speaker, for 408 hours, the government of the United States of America shut down its facilities and closed its doors. Over the course of that tumultuous time, national parks, museums, and public grounds were barred to visitors. 800,000 Federal workers were sent home from their jobs, and many more were forced to work with delayed pay. Veterans, and active duty military personnel and their families were kept in a constant state of fear, worried about making ends meet. This period of panic was not caused by some foreign aggressor, some archenemy of state, or some ruthless tyrant. No, the crisis that shook the very faith that the American people had in their government, was caused by that very body itself. So who is to blame for the government shutdown? Shall we point fingers at Republicans? How about the Democrats? It must be someone's fault right? That is what our political system has taught us isn't it? Well, it appears that recently, that is just what it has done. As the ominous clouds descended upon the capital in the early hours of October the 1st, the government shutdown that took place in the District of Columbia, and all across the country, had effects that will continue to be impactful for years to come.

Model Congress. The word 'model' implies a want or desire to replicate, to recreate and imitate. For years now, thousands of students

have come to Yale and other conferences alike, and taken pride in acting as Senators, Representatives, Cabinet Members, and Presidents. We have touted our accomplishments on our resumes, shined our gavels and framed our certificates. My question to you tonight is: Do we really, want to model Congress? The body which we have all gathered here tonight to replicate has, over the past several years, produced a stalemate and inefficiency that has rarely been seen in the long and arduous history of both man and this nation. Complete ideological division, refusal to compromise, and the inability to put national interest above self interest has weakened our country, as well as its image both at home and abroad. Why is it as teenagers, we are able to sit down, talk, work out our problems, and come to productive agreements, but as adults, we put our fingers in our ears and stomp our feet on the ground until we get what we want? The roles seem to be backwards if you ask me.

People would like to have you believe that we are naive, we are inexperienced, and we know too little about the world to make decisions on our own. Well I argue the contrary. I think that they are too rigid, they are too closed minded, and they are too pleased with pushing the blame onto others, that they fail to see that the problem is caused by no one else but themselves.

Is this what America is about? Surely the land of the free and the home of the brave is not just some idealistic nonsense that we were told about in second grade, and then by the cruel hand of fate, forced to rule out as anything but true. The American ideal that we all hold dear to our hearts, the feeling of honor that sweeps over our senses and rushes down our spine when we publicly declare, "I am proud to be an American!" is only true because our government is about us, the people. We, the people, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity. We are that posterity.

We have come to this conference to argue for things which we are passionate about, and argue against those which we are passionately not about. We have come to this conference to test each other, and our ability to work together to shape both foreign and domestic policy. We have come to this conference to gain experience, to gain knowledge, and to make progress not only for ourselves, but also for those who feel that their opinion doesn't matter. While most of us came here tonight with distinct political agendas, we have always been able to open our minds, challenge our beliefs, and move together in the hope that we may one day truly create what Ronald Reagan famously described as, "that shining city on a hill".

I love what we do here at Model Congress. If you ask me, I don't think we imitate Congress, we act better than it. We don't aspire to be like them, we aspire to be better than them. Here, at this conference, we have come together to act like the body of government that the founders intended. There are no special interest groups, no superpacs, no shady campaign deals, and no political parties. There

is only the work we have set out to do, and the goals which we wish to achieve.

As I sat to write this speech, I decided that I wanted to talk about something that really mattered to us, the youth of America. Now, I could have simply gotten up here, shouted a couple of phrases like "legalize marijuana", "Make the playing field fairer", "lower taxes", "feed the hungry" and "help the poor." And while I'm sure that I would have gotten a couple of apathetic rounds of applause, I thought that it would be more prudent to get up here, and as I have, talk about something that we, both as citizens and as young adults, are frustrated with in the hopes of bringing about change.

If elected I vow to each and every one of you, that I will help us take those first frightening steps into the obscure and unsure future. I will do my best to lead this conference in a way so that Congressmen, Senators, Governors, and Presidents alike know that we won't accept anything less than that second grade idealistic dream, so that our peers both here and at home know that we mean business, and so that we may all realize that we must join hands and look into the unknown abyss that is our future, and conquer it with the fearless determination that is so quintessentially American.

With hope and faith, we move forward together. With knowledge and determination, we strive, to make a better tomorrow. May God Bless each and every one of you, and may God Bless the United States of America.

CONGRATULATING JACOB CURTIN JOHNSON ON ACHIEVING THE RANK OF EAGLE SCOUT

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. MICA. Mr. Speaker, I rise today to recognize, honor and congratulate an outstanding constituent of my district, Jacob Curtis Johnson of Scout Troop 100 in Oviedo, Florida, for achieving the rank of Eagle Scout.

The rank of Eagle Scout is the highest achievement in scouting. To attain this rank, he has demonstrated the qualities of leadership, self-discipline and perseverance while serving his family, friends and community. Only about five percent of Boy Scouts earn the rank of Eagle Scout. The awarding of the Rank of Eagle Scout is a performance-based achievement with high standards that have been well maintained over the past century.

Jacob Johnson has met every test and challenge to pass through the ranks of the Boy Scouts. Those aspiring to be Eagle Scouts must fulfill requirements in the areas of leadership, service and outdoor skills. To demonstrate proficiency as a scout, each Boy Scout must achieve merit badges in the areas of Family Aid, Citizenship, Environment, Fitness, Family Life and much more.

The work ethic Jacob has shown in his Eagle Scout projects, and every other project leading up to his Eagle Scout rank, speaks volumes about his commitment to assisting his community and serving a cause greater than

himself. It is my honor to commend Daniel Moon for his achievement of the rank of Eagle Scout. Jacob will join the ranks of fellow Eagle Scouts like President Gerald R. Ford, Neil Armstrong and Florida Governor Rick Scott.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. Jacob's devotion to the Boy Scouts over the past decade is laudable, and I congratulate him on his achievement. I thank him for his dedication to service and know we can expect great things from him in the future. I invite my colleagues in the House to join me in congratulating Jacob Curtis Johnson on obtaining the rank of Eagle Scout, and I wish him continued success in his future endeavors.

ANNOUNCING RECIPIENTS OF THE 2013 CONGRESSIONAL VETERAN COMMENDATION FOR THE THIRD DISTRICT OF TEXAS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my privilege to honor fourteen distinguished military veterans, community servants, and American patriots who call the Third District of Texas home. All faithfully answered the call of duty and placed service above self for the sake of our great nation. Each one leaves a legacy to be remembered, for future generations to follow, a legacy of bravery, loyalty, dedication, and sacrifice. For their selfless service, bold leadership, and undying commitment for their neighbor and nation, the following individual has been selected as a recipient of the third annual Congressional Veteran Commendation:

Captain Richard "BJ" Bjorklund served in the United States Air Force from 1966 to 1975. After graduating from the U.S. Air Force Academy, Mr. Bjorklund headed to pilot training at Reese Air Force Base in Lubbock, Texas. Later, he was assigned to the 668th Bomb Squadron, at Griffiss Air Force Base in New York and was shortly deployed to Anderson Air Force Base in Guam. He served two tours of duty at Anderson, and flew 75 Arc Light combat missions over Southeast Asia as a B-52 pilot. For his distinguished service, he received the Vietnam Service Medal and the Air Medal with Oak Leaf Clusters.

Since his honorable discharge in 1975, Mr. Bjorklund has worked as an investment advisor in Dallas, Texas, and has tirelessly devoted his time and efforts in service to our community. Back in 1985, he helped Congressman Dick Arney establish his Service Academy Selection Board. Mr. Bjorklund served as chairman of that board for the next 18 years until Congressman Arney retired as the House Majority Leader. Also involved in local politics, Mr. Bjorklund has been a delegate to the Texas GOP State Convention in both 2010 and 2012 and currently serves in an appointed position on the Collin County Health Care Advisory Board. He is also an active member in his church, Christ Church in

Plano, Texas, and has served as chairman of the Building Fund Campaign as well as chairman of the Stewardship Campaign. On Memorial Day 2012, he hiked 35 miles with the Carry the Load Campaign in memory of veterans that have lost their lives for our great Nation. What a fitting reminder that all gave some, but some gave all.

Captain Richard "BJ" Bjorklund, let me both thank and congratulate you on your exceptional service to our country and community both past and present. It is my pleasure to award you the 2013 Congressional Veteran Commendation for the Third District of Texas.

WHAT GIFT CAN I BRING? IN HONOR OF OUR ARMED FORCES AND THEIR FAMILIES THIS CHRISTMAS

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SESSIONS. Mr. Speaker, I rise today in honor of America's Armed Forces, and their Families during this Christmas and Holiday Season. The ones who are separated by death, war, and plagued with life altering health conditions throughout America, are paying the price of freedom for us all. The ones who give us the greatest gifts, "That Last Full Measure". Say a prayer for them, and keep them in your hearts this Christmas and Holiday Season. Say a prayer for peace, I ask that this poem penned in their honor by Albert Carey Casewell be placed in the RECORD.

WHAT GIFT CAN I BRING?

(By Albert Carey Caswell)

"What gift can I bring?" . . .
 Pa rumpa pum pum . . .
 "That's fit for a King" . . .
 Pa rumpa pum pum . . .
 What gift can I give?
 Pa rumpa pum pum . . .
 All in this life I live . . .
 Pa rumpa pum pum . . .
 While,
 into the valley of death I walked!
 Pa rumpa pum pum . . .
 Out into that darkness standing tall!
 Pa rumpa pum pum . . .
 My arms and legs I gave . . .
 Pa rumpa pum pum . . .
 For you I limp this day!
 Pa rumpa pum pum . . .
 And in my arms my love ones I shall never
 hold this way . . .
 Pa rumpa pum pum . . .
 All so we may live in peace this day!
 Pa rumpa pum pum . . .
 And . . . my eyes I gave . . .
 so all in darkness I must stay . . .
 Pa rumpa pum pum . . .
 As another beautiful sunset I shall never so
 see portrayed . . .
 Pa rumpa pum pum . . .
 And my ears I gave,
 so I can never hear the words "I love you"
 say . . .
 Pa rumpa pum pum . . .
 And all those scars upon my face . . .
 In the mirror I must look at each day . . .
 Pa rumpa pum pum . . .
 All for the beauty of peace on earth this day
 . . .
 Pa rumpa pum pum . . .

As all in such nightmares I awake . . .
 Pa rumpa pum pum . . .
 All in the name of Freedom I paid . . .
 Pa rumpa pum pum . . .
 What greater gift can I give?
 Pa rumpa pum pum . . .
 That's fit for a King . . .
 Pa rumpa pum pum . . .
 As I did . . .
 Pa rumpa pum pum . . .
 As all in such pain and worry my family now
 lives . . .
 Pa rumpa pum pum . . .
 And all of those Doctors and Nurses,
 Corpsmen and Medics who witness such
 death and carnage each day!
 Pa rumpa pum pum . . .
 Who so many lives so save!
 Pa rumpa pum pum . . .
 Creating such demons inside they must now
 so face!
 Pa rumpa pum pum . . .
 And my life I gave!
 Pa rumpa pum pum . . .
 As approached the face of death . . .
 Pa rumpa pum pum . . .
 As out to me so called . . .
 Pa rumpa pum pum . . .
 As its hand upon me I felt and saw . . .
 Pa rumpa pum pum . . .
 As my Brothers In Arms gathered around
 cried,
 praying with tears in eyes . . .
 Pa rumpa pum pum . . .
 I gave my best for them!
 I gave my life for them!
 Pa rumpa pum pum . . .
 Pa rumpa pum pum . . .
 Pa rumpa pum pum . . .
 And I'd do it all over again my son!
 Pa rumpa pum pum . . .
 All so one day more they could live!
 Pa rumpa pum pum . . .
 As they so lowered me into my quiet grave
 . . .
 Pa rumpa pum pum . . .
 As my family so wept upon that day . . .
 Pa rumpa pum pum . . .
 As ever the tears they made!
 Pa rumpa pum pum . . .
 As they now live with the kind of pain which
 won't go away!
 Pa rumpa pum pum . . .
 All so,
 we may have peace on earth this day . . .
 Pa rumpa pum pum . . .
 Was but the price of Freedom I paid . . .
 Pa rumpa pum pum . . .
 Pum . . .
 Pum . . .
 What gift can I bring?
 Pa rumpa pum pum . . .
 That's fit for a King!
 Pa rumpa pum pum . . .
 And then,
 he smiled at me . . .
 Pa rumpa pum pum . . .
 As my Lord said,
 "come to heaven son" . . .
 Pa rumpa pum pum . . .
 Pa rumpa pum pum . . .
 Pa rumpa pum pum . . .
 Smiled at me!
 Pa rumpa pum pum . . .
 Pum!
 Pum!
 Pum!

HONORING THE EDDIE VALLUS POLKA BAND

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the harmonious and melodious career of Eddie Vallus and the Eddie Vallus Band. The sweet sounds of the Eddie Vallus Polka Band included talented musicians John Ross, Ed Wasacz, Al Martini, Lou Tofil, and of course Eddie Vallus. They spent their lives on the bandstand sharing their music with their fans who love to dance, dance, dance. Since the release of their debut album in 1963, the Eddie Vallus Band has been recognized as a musical force. They were honored by former mayor of Youngstown Pat Ungaro and the Mahoning County Commission in 1985. The band's success garnered them a Grammy nomination in 1989, the Cleveland Polka Hall of Fame Trustee Award in 2003, and a Lifetime Achievement Award in 2012.

I am convinced that the world needs more polka but after a lifetime of extended bookings, it saddens me that the Eddie Vallus Band has decided to put their instruments down. Many of my friends and neighbors continue to cherish their music. On October 26th, the band played its final concert at St. Paul Church in New Middletown, Ohio. As a 77 year resident of Boardman, Ohio, incomparable Eddie Vallus is an inspiration to our community. Although the Eddie Vallus Band will be no more, Eddie will continue to perform with the Rex Taneri Band. Eddie has led a long and happy life marked by success and a love of the arts. For Eddie there is never a sour note and he is always on key and in rhythm. I wish Mr. Vallus all the best and know he will spend time with his wife Pat of 51 years, his three daughters, and his five grandchildren. And a one and a two and a three for Eddie Vallus.

HONORING KARYN SINUNU- TOWERY

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Ms. LOFGREN. Mr. Speaker, I rise to recognize the service of Ms. Karyn Sinunu-Towery to the County of Santa Clara.

For over 30 years, Ms. Sinunu-Towery has served the people of Santa Clara County in the District Attorney's Office. She has made enormous contributions to the office, and after her final day of service on December 20, 2013, she will undoubtedly be missed.

Ms. Sinunu-Towery began her career in 1983 as a law clerk for the Santa Clara District Attorney. Two years later, on December 12, 1985, she became a member of the California Bar and joined the office as a staff attorney.

After serving eleven years as a Deputy District Attorney and the Supervisor of the Sexual Assault Unit, prosecuting over 50 jury trials,

Ms. Sinunu-Towery was promoted to the executive position of Assistant District Attorney. In this role, she has lead-by-example, and provided valuable counsel to the District Attorney.

Throughout her career Ms. Sinunu-Towery has been known for her fairness, resilience, professionalism, and commitment to justice.

Ms. Sinunu-Towery has a reputation as a reformer who truly cared for the victims she was charged with protecting. She wrote Victim's Rights manuals that were distributed throughout California and developed a model procedure for the investigation of child-abuse investigations with the goal of reducing the trauma to the children involved.

Ms. Sinunu-Towery was just as vigilant when it came to ensuring that the accused received fair treatment. She worked with local police chiefs and the Sheriff to create fairer line-up procedures to accurately identify suspects, and guidelines for the interrogation of mentally ill suspects. She personally worked to free defendants wrongly convicted and is a model for prosecutors everywhere in this regard.

Ms. Sinunu-Towery was a trailblazer when it came to the use of technology to better administer justice. She was instrumental in the office's transition from paper to electronic data storage, and continued to push for greater technology use.

I wish to congratulate Ms. Karyn Sinunu-Towery on her impressive career and commend her for 30 years of service to the Santa Clara County community. She leaves the District Attorney's Office a better place and will be dearly missed.

ANNOUNCING RECIPIENTS OF THE 2013 CONGRESSIONAL VETERAN COMMENDATION FOR THE THIRD DISTRICT OF TEXAS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my privilege to honor fourteen distinguished military veterans, community servants, and American patriots who call the Third District of Texas home. All faithfully answered the call of duty and placed service above self for the sake of our great nation. Each one leaves a legacy to be remembered, for future generations to follow, a legacy of bravery, loyalty, dedication, and sacrifice. For their selfless service, bold leadership, and undying commitment for their neighbor and nation, the following individual has been selected as a recipient of the third annual Congressional Veteran Commendation:

Sergeant Paul Gade served in the United States Navy from 1979 to 1991 and currently serves in the Naval Reserves. During his time in service, Mr. Gade served isolated duty at Guantanamo Bay, Cuba. During his 3rd Duty Station, Mr. Gade became interested in the SEAL program and in 1986 he qualified for the program. Having started the SEAL class with 120 participants, Mr. Gade was one of only 12 original classmates to complete the training. During graduation, he was selected as the

Lead Petty Officer to ring out his class. To date, Mr. Gade is the only enlisted man to have that honor while officers present.

Mr. Gade continued his relentless service by joining the McKinney Police Department. He has served in the Patrol Division, as a Detective, in the Special Operations Division, and was a SWAT member for several years. When the McKinney Police Department was attacked in August 2010, Mr. Gade was among the officers to respond to the shooting by running into the fray to protect his fellow officers and citizens nearby.

Additionally, on July 4, 2009, Mr. Gade was sworn into the Naval Reserves, it's clear his desire to serve his community and country after all of these years continues. His contributions leave a legacy for us to recognize and honor as he goes out of his way to help fellow officers and citizens and has received numerous commendations for his actions.

Sergeant Paul Gade, let me both thank and congratulate you on your exceptional service to our country and community both past and present. It is my pleasure to award you the 2013 Congressional Veteran Commendation for the Third District of Texas.

TRIBUTE TO RAY GAESSER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Ray Gaesser of Corning, Iowa for being named the next President of the American Soybean Association.

Founded in 1920, the American Soybean Association represents America's soybean farmers on issues vital to the soybean industry across the country and across the globe. The national, grassroots membership that comprise this great organization creates, promotes, and implements policies to improve the thriving soybean industry.

Ray Gaesser has farmed since his father's passing when he was just 15 years old. In 1979, two years after marrying his wife Elaine, the couple moved to the Corning area to begin a modest farming partnership. Today, the Gaessers farm nearly 6,000 acres of corn and soybeans and are an essential component of the Iowa farming community. As a member of the Iowa Soybean Association for nearly 30 years, Ray has won numerous awards while serving in several leadership roles. Mr. Gaesser served as President of the Iowa Soybean Association in 2007, was a member of Iowa's Products Advisory Committee from 2006 to 2011, and was awarded the Iowa Master Farmer Award in 2012.

Mr. Speaker, Ray's selection as the next American Soybean Association President is the culmination of a lifelong commitment to farming and a testament to the world-class agriculture industry of our great state. It is an honor to represent Mr. Gaesser, his family, and all of the hardworking farmers of Iowa in the United States Congress and I invite my colleagues in the House to join me in thanking our nation's farmers, congratulating Ray on his outstanding efforts, and wishing him continued success on the job ahead. Thank you.

RECOGNIZING THE ACHIEVEMENTS OF DR. SANDRA E. MADRID

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SMITH of Washington. Mr. Speaker, I rise to honor and congratulate Dr. Sandra E. Madrid, who was recently awarded the 2013 Latino Heritage Award by the City of Seattle's Latino City Employees organization and Seattle Mayor Mike McGinn.

The Latino Heritage Award recognizes individuals who have made significant contributions to Seattle through initiative, innovation, leadership, and commitment to the Latino community. Dr. Madrid has been an active member of her community for many years and has made it her priority to empower minority groups and promote Latino involvement.

Dr. Madrid recently retired from the University of Washington School of Law and has worked diligently on issues important to diverse communities in our region. Sandra has long advocated on behalf of women and children and the underrepresented. She is also an inspirational mentor and educator to young individuals and professionals.

Dr. Madrid currently serves as a board member for the United Way of King County, Seattle Children's Hospital, Seattle Art Museum, and YMCA. In addition to serving on more than 30 boards in the past 20 years, she was also the first Latina to serve on the Board of Trustees of the Seattle Children's Hospital.

Dr. Madrid's dedication to the Latino community has made her a widely respected advocate and leader. Her work is commendable and we are fortunate to have her expertise representing our region.

Mr. Speaker, it is with great pleasure that I congratulate Dr. Sandra E. Madrid on her contributions to the City of Seattle.

ANNOUNCING RECIPIENTS OF THE 2013 CONGRESSIONAL VETERAN COMMENDATION FOR THE THIRD DISTRICT OF TEXAS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my privilege to honor fourteen distinguished military veterans, community servants and American patriots who call the Third District of Texas home. All faithfully answered the call of duty and placed service above self for the sake of our great nation. Each one leaves a legacy to be remembered, for future generations to follow, a legacy of bravery, loyalty, dedication, and sacrifice. For their selfless service, bold leadership, and undying commitment for their neighbor and nation, the following individual has been selected as a recipient of the third annual Congressional Veteran Commendation:

Dr. Stephanie Abramoske-James served in the United States Army from 1986 to 2007. She joined the Military Police Corp in 1986

where her first assignment was in Fort Hood, Texas, and was later deployed to Honduras. In 1990, she joined the U.S. Army Criminal Investigation Command, where she protected three Secretaries of Defense and investigated, processed, and supervised thousands of criminal investigations. In 2003, she deployed to Iraq as a part of Operation Iraqi Freedom as a Forensic Science Officer to gather evidence against Saddam Hussein for the offense of genocide. In her 21 years of distinguished service to the U.S. Army, Dr. Abramoske-James has received the Defense Meritorious Service Medal, four Meritorious Service Medals, two National Defense Service Medals, and numerous other decorations.

As a resident of Plano, Texas, Dr. Abramoske-James continues to be an active servant to her local community. She created an ongoing CSI summer camp to mentor high school students interested in forensic science. She has been a volunteer consultant with the Dallas Area Rape Crisis Center, and is currently working on mentoring programs for at-risk youth in Plano ISD. She is also one of three faculty advisors to the Student Veterans of America at Collin College. Her vast knowledge, remarkable experiences, dedication to justice, as well as her commitment to her students makes her a superb educator and a role-model for all.

Dr. Stephanie Abramoske-James, let me both thank and congratulate you on your exceptional service to our country and community both past and present. It is my pleasure to award you the 2013 Congressional Veteran Commendation for the Third District of Texas.

CHARLIE AND MARILYN WALLACE CELEBRATE THEIR 50TH WED- DING ANNIVERSARY

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. POE of Texas. Mr. Speaker, I rise today to recognize two of my constituents, Charlie and Marilyn Wallace, who will celebrate their 50th wedding anniversary with a vow renewal ceremony in my Texas district office this week. These two native Texans have spent half of a century together, and I am proud to honor them.

Charlie and Marilyn first met on April 6, 1963, at the University of Texas at Austin during its famous, festive tradition of Round-Up weekend. In a series of random events, some acquaintances conspired to set Charlie and Marilyn up on a blind date. Marilyn, a senior English major, reluctantly accepted Charlie's invitation to the Round-Up talent show and dance with great reservation because Charlie was an Aggie! Yes, prior to his graduate studies at UT, Charlie earned his bachelor's degree in Chemical Engineering from Texas A&M.

That evening, Charlie called Marilyn from her dorm lobby where male students were required to wait for their dates. He told her he was wearing a blue suit with a red tie and to "look for the ugliest one in the room." [Marilyn mistakenly first approached the wrong guy,

also wearing a blue suit and red tie, who gave her a strange look when she said, "Charles?" Fortunately, she found the right man soon thereafter.]

Midway through the evening, Marilyn had the uncharacteristic, passing thought: "It might be fun to be married to a man like this." It wasn't a typical date for Charlie either: In addition to the talent show and dance, he gave Marilyn a tour of his chemical engineering research lab and even played his guitar for her.

Marilyn graduated in August of 1963 and went on to teach English at Houston ISD's Austin High School, her alma mater, but Charlie made sure she didn't get away before she finally accepted his proposal on August 1, 1963. Charlie presented Marilyn with an engagement ring on September 21, 1963, and they were married December 21, 1963, in Houston at the Epworth Methodist Church.

Upon Charlie's completion of his master's degree in August 1964, he accepted a job with Shell Oil Co. that started with an intensive training program and work assignments at Shell's locations throughout Louisiana. During the Louisiana years, Marilyn was a substitute teacher, and she also held various administrative assistant positions that included one at LSU's agronomy department where she was well-regarded for her outstanding work and professionalism. Of particular note is that Marilyn served as a volunteer teacher during the Integration of the Louisiana Public School System and taught typing to Special Education students. Charlie and Marilyn also were involved in a Prison Ministry that they started at Angola Prison. The couple bought their first home and settled in Slidell, Louisiana, in the summer of 1967, and their daughter Sheryl was born in New Orleans later that fall. Their son David was born in Slidell in the summer of 1970, just a few weeks before Charlie was transferred from New Orleans to Shell's Head Office in New York City.

In 1971, when Shell's Head Office Engineering was moved to Houston, the Wallaces were thrilled to return home to Texas. After 35 years of service to Shell, Charlie "retired" in 1999. However, Charlie immediately started his own full-time chemical engineering consulting business. His career has presented him with opportunities for international travel to Canada, The Netherlands, France, Hungary [when it was still behind the Iron Curtain,] China, England, Scotland, and Italy.

Marilyn has always been a supportive wife and mother and a committed homemaker. She is an "independent agent of good" who dedicates her time, resources, creativity, and advocacy to improve the quality of life for a diverse array of people including the seriously ill, the disadvantaged, the disabled, and the elderly.

Their children describe Charlie and Marilyn as fiercely committed to each other and extremely compatible. They enjoy travel, the outdoors, fitness and nutrition, and music. It is an honor to represent such decent, hardworking, civic-minded Texans. I want to congratulate Charlie and Marilyn on their 50th anniversary and may God bless them with many more years together. They are truly an outstanding couple from the second district of Texas.

RECOGNIZING THE WASHINGTON HIGH SCHOOL WILDCATS AS THE 2013 SWIMMING CLASS 2A FLORIDA CHAMPIONS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. MILLER of Florida. Mr. Speaker, I am proud to congratulate the First Congressional District of Florida's Booker T. Washington High School Wildcats for winning their first Class 2A State Swimming Championship. This victory marks the swim team's first state title, as well as, the first title for a girls swim team in Escambia or Santa Rosa counties.

Truly an outstanding team effort put forth by the swimmers, under the leadership of their talented coach, Ms. Megan Oberholtzer, there is no question that several performances contributed to the overall title. Jacquie Kinman and Chloe Berens swam the 100-yard breaststroke, which ended up putting the team in first place as they entered the final event. Brooke Ferrara, Miss Kinman, Rachel Martin and Brianna Mount swam the 400-yard freestyle relay in the All-American consideration time of 3:31.98. Miss Ferrara and Miss Kinman also joined Sophia Diagne and Abigail Goram in the 200 medley relay winning with the All-American consideration time of 1:47.16, and Miss Mount, Miss Martin, Miss Goram, and Miss Kinman won the 200 freestyle at 1:36.57, again, an All-American consideration time. Exceptional individual swimming achievements included Miss Mount's second place finish in the 50 freestyle in 23.57 seconds and Miss Kinman's second-place finish in the 100 breaststroke in 1:04.77, both All-American consideration times. Finally, Miss Ferrara finished third in the 50 freestyle and 100-yard backstroke with All-American consideration times, 23.68 and 56.56 respectively.

The Washington Wildcats ended their undefeated season with a final team score of 233, triumphing over the second-placed team by 17 points. I commend the team for challenging themselves and setting an example for their fellow students and youth in our community.

Washington High's victory at the 2013 Florida Swim Team Championships is a testament to the commitment and dedication of all the members of the team, and it is a great reflection on the entire Washington High and Northwest Florida community. On behalf of the United States Congress, my wife Vicki and I congratulate the Wildcats for this extraordinary accomplishment and wish them continued success.

ANNOUNCING RECIPIENTS OF THE 2013 CONGRESSIONAL VETERAN COMMENDATION FOR THE THIRD DISTRICT OF TEXAS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my privilege to honor fourteen distin-

guished military veterans, community servants, and American patriots who call the Third District of Texas home. All faithfully answered the call of duty and placed service above self for the sake of our great nation. Each one leaves a legacy to be remembered, for future generations to follow, a legacy of bravery, loyalty, dedication, and sacrifice. For their selfless service, bold leadership, and undying commitment for their neighbor and nation, the following individual has been selected as a recipient of the third annual Congressional Veteran Commendation:

Justin Arsenault served in the United States Army from 2003 to 2006. After enlisting, he served one tour of duty in Iraq from 2005 to 2006. During his tour, Mr. Arsenault was his unit's primary pilot for the Raven Unmanned Aerial Vehicle where he was to utilize the Raven to clear supply routes. During one particular mission, he used the Raven to maintain an aerial perimeter for troops whose vehicle had been disabled by a roadside explosive device. He continued to monitor the area for enemy combatants until ground support could reach the disabled troops and escort them to safety. For his acts of bravery and courage during this mission, Mr. Arsenault received a second Army Commendation Medal.

Since returning home, Mr. Arsenault has continued to faithfully uphold his calling to defend, protect, and serve his fellow Americans across the community. In 2007, he began his service as a police officer in Allen, Texas where he currently serves as a Field Training Officer. If all of that is not enough, off duty he volunteers his time for the Carry the Load campaign, which is held over Memorial Day weekend every year. To him, Memorial Day ought to be more than cookouts and retail sales events, but a day to remember and honor the ultimate sacrifice given by members of our Armed Forces. This is a man who truly embodies the spirit of America.

Justin Arsenault, let me both thank and congratulate you on your exceptional service to our country and community both past and present. It is my pleasure to award you the 2013 Congressional Veteran Commendation for the Third District of Texas.

IT'S THE MOST WONDERFUL TIME OF THE YEAR

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. POE of Texas. Mr. Speaker, it's the most wonderful time of the year. Families across the fruited plain decorate their houses with red and green lights, hang ornaments on their trees, and think about new recipes to spice up this year's menu. Holiday party invitations flow in, carolers line the neighborhood streets at night, everybody is in the holiday spirit. In the midst of all the cheer, we are reminded that many families are sitting down this year to a table with an empty chair. They are not together because their loved ones (our American warriors) are oceans away from their families, fighting for the rest of us.

They say the worst casualty of war is to be forgotten. In our community we have a tradition to make sure that our men and women

overseas know that we will never forget them. For seven straight years, Texans from the Second Congressional District and beyond have joined forces and collected handmade Christmas cards from the community to send overseas to our military. People from young school children to community leaders contribute, and this joint effort makes my annual Christmas Cards for Troops drive a success. Whether they are students, teachers, area Boy Scouts and Girl Scouts, churches, and non-profits, they have been relentless in their efforts to express how grateful they are for our men and women on the front lines of battle by decorating and personalizing holiday cards for the troops. In my opinion, there's no better way than spreading the joy of the holidays overseas to the ones that can't be with their families for Christmas dinner and unwrapping gifts from under the tree. Each year is better than the last.

There is no greater sight than watching our troops open up the colorful, heartwarming cards. It wasn't until a few years ago that I witnessed firsthand what it means to them. One year, I decided to pack my bags and visit the Landstuhl Military Base in Germany, a hub for wounded Americans who come from Afghanistan and Iraq. With me, I carried two suitcases full of 6,000 handmade cards piled high from third, fourth, and fifth graders of the Second Congressional District.

I checked one of my suitcases but decided to carry on the smaller of the two. The temptation to read the cards overtook me. I couldn't hold back so about half way through the flight, I opened the bag and began reading some of the cards. Curiosity sparked the person in the seat next to me so I shared a few of the cards with him. Then the person next to him wanted to see the cards, too. Before I knew it, the whole plane was reading them. The cards were being passed up and down the aisles, and some tears were shed. You wouldn't believe the kind words written in those cards by these Texas school children.

When I arrived at the base and hand-delivered these cards, I was amazed to see what they meant to our troops. They didn't personally know the child who the card was from but every one of them read it and smiled proudly at the words of support. Soon, nurses were scrambling to tape as many cards as they could to the hospital walls above their beds. Red, green, yellow, and blue cards were decorated with snowmen, gingerbread men, candy canes, menorahs, or even their favorite football team. There is something about a homemade card that doesn't compare to anything else, especially when it's from a child.

This year was our most successful card drive yet with a record-breaking collection of 113,000 cards. A special thank you City of Baytown, Goose Creek CISD, Humble ISD, Spring ISD, Huffman ISD, Klein ISD, Cy Fair ISD, Spring Branch ISD, as well as area Boy Scout and Girl Scout troops, local churches and non-profits. It could not have been done without them.

In a few weeks, hundreds of thousands of soldiers, sailors, airmen, and marines will open up their packages from Operation Interdependence, along with their holiday card from a fellow Texan. Although the military member has never met the child or person on

the other side of the world who took the time to create the card, there is nothing like receiving the holiday cheer from the land of the free and home of the brave.

And that's just the way it is.

ANNOUNCING RECIPIENTS OF THE
2013 CONGRESSIONAL VETERAN
COMMENDATION FOR THE THIRD
DISTRICT OF TEXAS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my privilege to honor fourteen distinguished military veterans, community servants, and American patriots who call the Third District of Texas home. All faithfully answered the call of duty and placed service above self for the sake of our great nation. Each one leaves a legacy to be remembered, for future generations to follow, a legacy of bravery, loyalty, dedication, and sacrifice. For their selfless service, bold leadership, and undying commitment for their neighbor and nation, the following individual has been selected as a recipient of the third annual Congressional Veteran Commendation:

Serving in the United States Navy for ten years, Commander Jeff Hensley began his military career after graduating from the University of Texas in August 1988. After finishing top of his class in flight school, he was assigned to fly an F-14 and deployed with Fighter Squadron 2 and 211. He later moved to Dallas where he served with the Navy Recruiting Office, which led him to Baghdad in 2005. From deployment to civilian services, Mr. Hensley has seen the whole spectrum of military service. Due to his exemplary leadership and patriotism, Hensley was awarded the Bronze Star, an Air Medal, and three Navy and Marine Corps Achievement Medals.

Having retired from active duty in 2008, his service to his country and the military continue to this day. He used the benefits of the new GI Bill to earn a master's degree in counseling to help other veterans make the transition from military life to civilian life. With his degree, Mr. Hensley worked with Rocky Top Equine therapy program and Equest's Hooves for Heroes program, where he serves as Program Coordinator. Furthermore, he now serves as the Texas head of the Iraq and Afghanistan Veterans Association, IAVA, which serves over 10,000 IAVA members in Texas alone. Daily, he seeks the betterment of his fellow veterans and their families. His life work leaves a legacy to be honored, setting an example for future generations of a man whose commitment to serve never faded. IAVA's motto, "building the next greatest generation" couldn't be more fitting.

Commander Jeff Hensley, let me both thank and congratulate you on your exceptional service to our country and community both past and present. It is my pleasure to award you the 2013 Congressional Veteran Commendation for the Third District of Texas.

RECOGNIZING THE WEYERHAEUSER COMPANY, RECENTLY NAMED ONE OF THE MOST COMMUNITY-MINDED COMPANIES IN THE NATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SMITH of Washington. Mr. Speaker, I rise to honor and congratulate the Weyerhaeuser Company for being recognized as one of the most community-minded companies in the United States. The National Conference on Citizenship and Points of Light, in partnership with Bloomberg named Weyerhaeuser to The Civic 50 list as one of 50 companies that have demonstrated socially responsible practices and substantial civic involvement in their communities.

The Weyerhaeuser Company, based in Federal Way, Washington, began more than a century ago in the forest industry. The company currently owns and operates nearly 21 million acres of timberland with offices throughout North America and produces wood and fiber products for a variety of applications.

Weyerhaeuser also makes giving back to the community a company priority. Through the Weyerhaeuser Active Volunteer Employees (WAVES) Program, the company recognizes employee volunteers who contribute their time. The organizations where employees volunteer are also eligible to apply for WAVES grants, ranging from \$1,000 to \$5,000. Last year, 1,357 of Weyerhaeuser's employees participated in more than 164 service projects and contributed more than 31,820 volunteer hours. Through their efforts, 164 WAVES grants were awarded last year to the community. Additionally, Weyerhaeuser has instituted an Employee Volunteer of the Quarter program to honor Weyerhaeuser employees who significantly impact their communities through their personal efforts.

Recently, Weyerhaeuser teamed up with World Vision, a non-profit faith-based organization focused on fighting poverty and injustice, creating Operation Diaper Drive. Operation Diaper Drive is an annual event held by Weyerhaeuser employees where diapers are collected and donated to low-income families. In March of this year, nearly three quarters of a million diapers were distributed to families throughout the United States.

Mr. Speaker, it is with great pleasure that I congratulate the Weyerhaeuser Company on their recognition. Weyerhaeuser continues to strive as a leader in the community and in the nation for their impressive philanthropic work.

ANNOUNCING RECIPIENTS OF THE
2013 CONGRESSIONAL VETERAN
COMMENDATION FOR THE THIRD
DISTRICT OF TEXAS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my privilege to honor fourteen distinguished military veterans, community servants,

and American patriots who call the Third District of Texas home. All faithfully answered the call of duty and placed service above self for the sake of our great nation. Each one leaves a legacy to be remembered, for future generations to follow, a legacy of bravery, loyalty, dedication, and sacrifice. For their selfless service, bold leadership, and undying commitment for their neighbor and nation, the following individual has been selected as a recipient of the third annual Congressional Veteran Commendation:

Sergeant James Fairbairn served in the United States Marine Corps from 1950 to 1954. After completing boot camp, James headed to Korea in December of 1950 where he joined the 2nd Platoon of Able Company, 1st Battalion, 5th Marine Regiment of the 1st Division. It was in this assignment that Mr. Fairbairn served as a fire team leader during an attack against a strong enemy force. Without regard for his personal safety, he was able to rush and attack the enemy, which ultimately resulted in overrunning the enemy and completing the mission.

For his heroism in battle and his distinguished years of service, James Fairbairn earned the Bronze Star Medal with Combat Valor, a Presidential Unit Commendation Ribbon, United Nations Service Medal, Korean Service Medal, and numerous other decorations.

As a resident of Richardson, Texas, Mr. Fairbairn has continued to serve his community. He served as the president of the Dallas Chapter of the 1st Marine Division Association. He has also worked extensively with the U.S. Marine Corps Reserve Toys for Tots program. He currently represents the Sons of the American Revolution on the Volunteer Board of the Dallas Veterans Affairs Hospital.

Sergeant James Fairbairn, let me both thank and congratulate you on your exceptional service to our country and community both past and present. It is my pleasure to award you the 2013 Congressional Veteran Commendation for the Third District of Texas.

TRIBUTE TO THE LIFESERVE BLOOD CENTER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. LATHAM. Mr. Speaker, I rise today to call attention to National Blood Donor Month and to recognize the great work being done by the volunteers and professionals who comprise the LifeServe Blood Center.

Established in 1969 by President Nixon, National Blood Donor Month is celebrated in January to bring awareness to the immeasurable difference made by blood donations. During National Blood Donor Month, we thank those across the country who have saved lives by donating in the past and encourage previous and first-time donors alike to schedule an appointment. Each year, only 10 percent of those eligible to donate blood choose to do so, although nearly 38,000 pints of blood are needed every day to sustain a sufficient and secure blood supply.

As one of the largest blood centers in the country, LifeServe Blood Center assists more than 100 hospitals in Iowa, Nebraska, and South Dakota by providing much-needed blood and blood supplies. In addition to their role as a local blood supplier, LifeServe also provides a wide range of healthcare solutions to our communities including transfusion medicine, cellular therapy, and research. It is blood centers like LifeServe that stand ready, in the face of disasters and emergencies, to meet the blood supply needs of our cities, states, and nation.

Mr. Speaker, the great work done every day by LifeServe, and all blood centers across the country, provides a crucial and life-saving service to our communities. In honor of National Blood Donor Month, I invite my colleagues in the House to join me in encouraging regular blood donations in this time of need and thanking all blood donors for their invaluable and selfless contribution. It is a great honor to represent the men and women of LifeServe in the United States Congress and I look forward to all of Iowa's participation in the busiest National Blood Donor Month yet. Thank you.

TRIBUTE TO NACARSIA "NIKKI" MAYES

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. ISRAEL. Mr. Speaker, today I'd like to bring your attention to a very special person, someone I respect and whose friendship I value. I'm referring to Nicarsia "Nikki" Mayes who after 36 years of dedicated public service, will be retiring this December.

Nikki started work here in 1977 as an elevator operator and it was not long before her professional and cheerful manner caught the eye of her superiors. In 1980, she became the first African American woman ever hired by the Office of the Doorkeeper. It was a tremendous achievement then and it remains an exceptional moment in both her personal history and the history of this body.

As her career progressed she joined the Office of the Sergeant at Arms and served as a member of the Chamber Security Division. Her career is a testament to what dedication, hard work and a positive attitude can accomplish.

Mr. Speaker, I don't need to remind you that our work here can be difficult and stressful. But that's what makes Nikki such a treasure. Even when there was tension inside the House Chamber, there was friendship and kindness waiting at the door.

Nikki, I wish you the best of luck as you embark on this next part of your life. You will be greatly missed by me and every one of my colleagues.

ANNOUNCING RECIPIENTS OF THE 2013 CONGRESSIONAL VETERAN COMMENDATION FOR THE THIRD DISTRICT OF TEXAS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my privilege to honor fourteen distinguished military veterans, community servants, and American patriots who call the Third District of Texas home. All faithfully answered the call of duty and placed service above self for the sake of our great nation. Each one leaves a legacy to be remembered, for future generations to follow, a legacy of bravery, loyalty, dedication, and sacrifice. For their selfless service, bold leadership, and undying commitment for their neighbor and nation, the following individual has been selected as a recipient of the third annual Congressional Veteran Commendation.

Captain Shep Stahel served in the United States Navy from 1955 to 1989. After earning a Navy ROTC Scholarship to Tulane University, Mr. Stahel's Naval career began during his college years where he served on summer midshipman cruises; one in the North Sea with NATO forces and the other in Hong Kong. After graduating with a Bachelor's degree in Economics, he commissioned as Ensign and served for two years as Navigator on the USS *Matthews* and then as Executive Officer on the USS *Duval County*. During the Cuban Missile Crisis, the USS *Duval County* operated out of Fort Lauderdale, Florida, training soldiers to conduct amphibious landings.

After transitioning from active to reserve duty, he served as commanding officer of Surface Warfare Units in both Trenton, New Jersey and Buffalo, New York until he moved to Dallas to command a unit at Naval Air Station Dallas.

This year, Mr. Stahel retired from IBM after 50 years of service. During his time there, he managed business affairs for IBM Corporation's legal department in the South-Southwestern region of the U.S. Additionally, for the past twenty plus years, Mr. Stahel has served as the founder and chairman of countless city and transportation boards for crucial city development of Dallas and Plano.

Captain Shep Stahel, let me both thank and congratulate you on your exceptional service to our country and community both past and present. It is my pleasure to award you the 2013 Congressional Veteran Commendation for the Third District of Texas.

RECOGNIZING THE TOWN OF SEYMOUR'S RESOLUTION CONCERNING THE BLUE WATER NAVY VIETNAM VETERANS ACT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Ms. DeLAURO. Mr. Speaker, it is with my full support of the Blue Water Navy Vietnam

Veterans Act that I rise today at the request of First Selectman Kurt Miller, the Board of Selectmen, and the Town of Seymour to officially submit the following town resolution into the CONGRESSIONAL RECORD:

Whereas, During the Vietnam War, the United States military sprayed 22 million gallons of Agent Orange and other herbicides over Vietnam to reduce forest cover and crops used by the enemy; these herbicides contained dioxin, which has since been identified as carcinogenic and has been linked with a number of serious and disabling illnesses affecting thousands of veterans; and

Whereas, The United States Congress passed the Agent Orange Act of 1991, to address the plight of veterans exposed to herbicides while serving the Republic of Vietnam; the Act amended Title 38 of the United States Code to presumptively recognize as service-connected certain diseases among military personnel who served in Vietnam between 1962 and 1975; this presumption has provided access to appropriate disability compensation and medical care for Vietnam veterans diagnosed with such illnesses as Type II diabetes, Hodgkin's disease, non-Hodgkin's lymphoma, prostate cancer, Parkinson's, multiple myeloma, peripheral neuropathy, AL Amyloidosis respiratory cancers, and soft tissue sarcomas and others yet to be identified; and

Whereas, Pursuant to a 2001 directive, the United States Department of Veterans Affairs policy has denied the presumption of a service connection for herbicide-related illnesses to Vietnam veterans who cannot furnish written documentation that they had "boots on the ground" in-country, making it virtually impossible for countless United States Navy, Marine and Air Force veterans to pursue their claims for benefits; moreover, personnel who served on ships in the "Blue Water Navy" in Vietnamese territorial waters were, in fact, exposed to dangerous airborne toxins, which not only drifted offshore but washed into streams and rivers draining into the South China Seas; and

Whereas, The United States Navy has been excluded ever since, Agent Orange has been verified, through various studies and reports, as a wide spreading chemical that was able to reach Navy Ships through the air and waterborne distribution routes; and

Whereas, Warships positioned off the Vietnamese shore routinely distilled seawater to obtain potable water, a 2002 Australian study found that the distillation process, rather than removing toxins, in fact concentrated dioxin in water used for drinking, cooking, and washing; this study was conducted by the Australian Department of Veterans Affairs after it found that Vietnam veterans of the Royal Australian Navy had a higher rate of mortality from Agent Orange-associated diseases than did Vietnam veterans from other branches of the military; when the United States Centers for Disease Control and Prevention studied specific cancers among Vietnam veterans, it found a higher risk of cancer among United States Navy veterans; and

Whereas, Herbicides containing TCDD did not discriminate between soldiers on the ground and sailors on ships offshore, and

Whereas, More than 30 Veterans Service Organizations support the Blue Water Navy Vietnam Veterans Act of 2013; by not passing H.R. 543, a precedent could be set to selectively provide certain groups with injury-related medical care while denying other groups without any financial, scientific or consistent reasoning, and

Whereas, When the Agent Orange Act passed in 1991 with no dissenting votes, con-

gressional leaders stressed the importance of responding to the health concerns of Vietnam veterans and ending the bitterness and anxiety that had surrounded the issue of herbicide exposure, the federal government has also demonstrated its awareness of the hazards of Agent Orange exposure through its involvement in the identification, containment, and mitigation of dioxin "hot spots" in Vietnam; and

Whereas, The United States Congress should reaffirm the nation's commitment to the well-being of all of its veterans and direct the United States Department of Veterans Affairs to administer the Agent Orange Act under the presumption that herbicide exposure in the Republic of Vietnam includes the country's inland waterways, offshore waters, and airspace; similarly, now, therefore, be it

Resolved, That the Town of Seymour hereby respectfully urge the Congress of the United States to restore the presumption of a service connection for Agent Orange exposure to United States Veterans who served on the inland waterways, in the territorial waters, and in the airspace over the combat zone.

THE INNOVATION ACT

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Ms. LEE of California. Mr. Speaker, I rise to express my support for H.R. 3309, the Innovation Act.

While not perfect, this legislation would take significant steps toward reducing the number of costly and abusive patent lawsuits.

"Patent trolls," or non-practicing entities that take advantage of the legal process for their own economic gain, are a massive cost to businesses and a significant strain on our already overburdened justice system.

I strongly agree that we should be addressing this critical problem especially at a time of continuing economic recovery.

However, like many, I had serious concerns about specific portions of this legislation.

That is why I voted in strong support of an amendment introduced by my dear friend and colleague Congressman JOHN CONYERS, the Ranking Member of the Judiciary Committee.

His amendment would have improved the Innovation Act by adding provisions that protect customers targeted in infringement suits, promote transparency in patent ownership, and direct the Patent and Trademark Office to develop educational materials for small businesses.

Unfortunately, while his amendment failed, I hope we will continue to work to implement many of his suggestions.

As we vote on this legislation today, it is also important that we remember other issues affecting our ability to fight patent fraud.

For example, the sequester cost the Patent and Trademark Office nearly \$150 million this year. It also resulted in 1000 fewer patent examiners and delayed the construction of a satellite patent office in Silicon Valley.

I commend this legislation's well intentioned goal to curb abusive patent litigation and look forward to continuing to work with my colleagues to end this destructive practice.

THE U.S. POST-TYPHOON RESPONSE IN THE PHILIPPINES: HEALTH AND HUMAN RIGHTS ISSUES

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SMITH of New Jersey. Mr. Speaker, Recently, the deadliest typhoon ever to hit South East Asia devastated portions of the Philippines, including the islands of Leyte, Samar, and Cebu. With sustained winds of 155 miles per hour, Typhoon Haiyan/Yolanda reached as high as 270 miles per hour at one brief point. The storm surge reached a maximum height of 40 feet. It is the deadliest Philippine typhoon on record, killing more than 5,600 people. Another 1,759 are listed as missing. Approximately 26,000 were injured. Yolanda is also the strongest storm ever recorded at landfall, and unofficially the fourth strongest typhoon ever recorded in terms of wind speed. Philippines Foreign Secretary Alberto Del Rosario told us the storm was "three and a half times the size of Katrina."

Several weeks ago, I led a congressional delegation to the Philippines to witness the devastation unleashed by Typhoon Haiyan—known locally as Typhoon Yolanda—and to gain a better understanding of the unmet needs going forward.

Joined by my distinguished colleagues TRENT FRANKS and AL GREEN—and staff director Greg Simpkins and counsel Piero Tozzi—we were unanimous in our deep respect and abiding gratitude for the accomplishments of the U.S. military, USAID leaders, and NGOs on the ground including Catholic Relief Services—who alone has committed over \$20 million to assist victims. For their part, the Philippine military was also playing a vital role along with the remnants of local governing bodies.

In the immediate aftermath of the storm—right up until arrival—highly motivated U.S. service members brought desperately needed supplies, including food, water, medicine, and housing materials by the plane-load to the ruins of Tacloban, with homeless, destitute victims—over 19,000 and counting—hitching flights back to Manila for safety and shelter.

As was the case after the 2004 tsunami, the United States deployed an aircraft carrier—this time the USS *George Washington*—and other major military assets to provide assistance. Smart, rapid response, combined with unique airlift capability has made all the difference in the world.

In the Philippines, I had the privilege of meeting Col. Eric Mellinger, Chief of Staff of the 3rd Marine Expeditionary Force. I nominated Eric to the Academy in 1982—and it was clear watching him in action that he has earned extraordinary respect. His leadership—and that of Generals Kennedy and Wissler—ensured that a desperate, shell-shocked population of victims got immediate, tangible help. Every Marine we saw, including three from New Jersey—Lance Cpl. Anthony Pellegrini, Lance Cpl. James Soccodato, and Lance Cpl. Michael Nappa—was working around the clock to protect victims. "Sleep—what's that?"

one Marine told me with a smile. "We're saving lives."

Al Dwyer, Principal Regional Advisor for East Asia and the Pacific at the USAID Office of Foreign Disaster Relief said "when the U.S. hit the ground things got moving . . . this was a model response . . . we saved lives here—I know that for a fact." The cooperation and teamwork of the military and disaster assistance leaders from USAID, including Jeremy Konyndyk—Director of the Office of U.S. Foreign Disaster Assistance—who traveled with us, the NGO community, and Philippine officials was a textbook example of how disaster assistance ought to be done. But of course the relief efforts are far from over. The emergency phase has matriculated into recovery.

With Donald Reilly from Catholic Relief Services, our delegation visited a sanitation kit distribution at a local parish church, and received a briefing from Mayor Remedios Petilla of Palo—whose daughter Jessica Petilla is a medical doctor in New Jersey—and met with numerous survivors who told us heartbreaking stories yet radiated a calm and inner peace. One man told us how his father drowned only a few feet from where we stood and how he had stoically carried many waterlogged dead bodies to a mass grave. He said he nearly collapsed emotionally however when he carried the lifeless body of a three year-old girl. He said he just broke down, overwhelmed, and felt he could continue no more. Yet amazingly, a few hours later, there he was—determined to rebuild and overcome and full of faith in God.

That resiliency was best summed up by Archbishop Jose Palma of Cebu who said "the Typhoon was the strongest in the world . . . but our faith in the Lord is even stronger . . . no calamity or natural devastation can quench the fire of our hope. The Filipino soul is stronger than Yolanda."

Enroute from Tacloban to Manila aboard a C130 commanded by Major Jason Kauffman, our plane was diverted to seek the whereabouts and rescue of a helicopter that crashed into Manila Bay. After a flawless, just above the deck, systematic search for survivors in the water—kind of like looking for a needle in a haystack—the pilot spotted two individuals, opened the back end of the C130, and kicked out a yellow life raft to two lifejacketless swimmers. With night darkness fast approaching, it was clear that their lives had been saved. Aboard was the crew's superior officer, Colonel John Peck, 3rd Marine Expeditionary Brigade Chief of Staff, along with copilot Captain Kim and Crewmasters MSgt. Holdaway, Sgt. Weins, Cpl. Oliver, and LCpl Lopez.

Back in Manila, we had productive meetings with both the Health Minister Enrique Ona and Secretary of Foreign Affairs Albert del Rosario. Matt Bohn, Resident Country Director of the Millennium Challenge Corporation told us that roads that had been constructed pursuant to a \$435 million 5-year MCC grant had been only minimally damaged but had provided—after debris removal—an additional artery for humanitarian aid.

We also met with a plethora of NGOs and U.N. agencies. Our interest was not only in seeing how effective our emergency aid coordination has been throughout it all, but going forward where our assistance ought to be di-

rected in the medium- and long-term. We felt that two areas deserved special attention: preventing or addressing potential epidemics and minimizing human trafficking.

It normally takes two to three weeks for a marked increase in disease prevalence after a natural disaster such as the typhoon, but international health experts on the scene told us that dengue fever already was endemic in the storm-ravaged areas and could increase four- to five-fold in the coming weeks. In addition to dengue fever, cholera, hepatitis A, typhoid fever, leptospirosis, shigelosis, pneumonia and other diseases can proliferate in a post-storm environment. There are vaccines for cholera, hepatitis A and typhoid fever (as well as some other diseases likely to spread post-storm), but there are no such vaccines for dengue fever, leptospirosis or shigelosis.

Efforts to address potential epidemics are complicated by several factors. First, the Philippines is undergoing a rainy season that will not only increase breeding grounds for mosquitoes and other disease-bearing pests, but also will hamper relief efforts. Furthermore, the many residents without shelter or with inadequate shelter will be more susceptible to the elements. Second, the lack of electricity means no cold chain for medicines that must be refrigerated to remain usable. Third, many roads remain uncleared or badly damaged, making transportation for health workers or patients more difficult. Fourth, many Filipino health workers have either left the affected areas or died in the storm, and the continued presence of foreign health workers will depend on ongoing donor funding and the health needs demanded by subsequent crises elsewhere.

Internationally-funded protection efforts currently focus on family reunification, personal identification and creation of safe spaces for women and children. USAID grantees are establishing women-friendly and child-friendly spaces in strategic locations to address the needs of women and adolescent girls, as well as male children. The lack of electricity and insecure housing raises their risk of falling prey to abusers, especially at night.

However, while there is acknowledgement of the increased risk of human trafficking in the wake of the storm, the lack of reports of increased trafficking may be a good thing—or could mean that this issue is not yet a sufficient focus of protection efforts. This is despite the fact that the Philippines had a problem with human trafficking even before the latest typhoon. The Philippines was raised from Tier II Watch List to Tier II in the current human trafficking report by the Department of State. Nevertheless, that report states that trafficking of men, women, and children remains a significant problem, but child sex trafficking is a special danger, with children being forced to perform sex acts on the internet. Clearly, there needs to be more involvement of trafficking-in-persons experts on recovery planning teams.

Also important will be providing shelter for the 1.2 million families whose homes have been damaged or destroyed. Schools have been so widely destroyed on Leyte that officials told us the school year may be over now—months before it normally would have ended in March. Livelihoods have been severely affected as the coconut industry—the

leading agricultural producer—has been decimated, and it will take 5–7 years to replace the trees lost in this storm.

The Philippines is a major American ally and trading partner. There are an estimated 350,000 Americans living in the Philippines, and 4 million Filipinos living in the United States. We have an important stake in seeing that our friends and neighbors in the Philippines can recover from this devastating storm.

ANNOUNCING RECIPIENTS OF THE 2013 CONGRESSIONAL VETERAN COMMENDATION FOR THE THIRD DISTRICT OF TEXAS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2013

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my privilege to honor fourteen distinguished military veterans, community servants, and American patriots who call the Third District of Texas home. All faithfully answered the call of duty and placed service above self for the sake of our great nation. Each one leaves a legacy to be remembered, for future generations to follow, a legacy of bravery, loyalty, dedication, and sacrifice. For their selfless service, bold leadership, and undying commitment for their neighbor and nation, the following individual has been selected as a recipient of the third annual Congressional Veteran Commendation:

Keeshawn Coffey served with honor in the United States Navy from 2008 to 2012. He began his military career by enlisting as a Religious Program Specialist. Selected for the Fleet Marine Force, he served at the Officer Candidate School in Quantico, Virginia, where he trained chaplain candidates and facilitated over 150 religious services and over 200 field services.

Mr. Coffey's next assignment led him to Yokosuka, Japan, where he served with the Forward Deployed Naval Forces. In this position, he planned and implemented community service events which allowed the USS *Cowpens* to log 3,059 community service hours. Following his service with the USS *Cowpens*, Mr. Coffey remained in Japan where he was assigned to the Chapel of Hope and the United States Naval Hospital Yokosuka. He was stationed there when the 2011 tsunami and earthquake struck Japan. As his final act of military service, Mr. Coffey spent long hours creating general ledgers for Operation Tomodachi in order to maintain 100 percent accountability in the expenditure of government and donated funds.

After Mr. Coffey's service to the military honorably ended, he enrolled in the University of Texas at Dallas to continue his education. On campus he has continued serving the community by co-founding and serving as President of the Veterans of Dallas at UTD's student organization. In 2012, he played an active role in the creation and establishment of the UTD Veteran Services Center.

Keeshawn Coffey, let me both thank and congratulate you on your exceptional service

to our country and community both past and present. It is my pleasure to award you the 2013 Congressional Veteran Commendation for the Third District of Texas.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, December 17, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

DECEMBER 18

10 a.m.

Committee on Finance

Subcommittee on Social Security, Pensions, and Family Policy

To hold hearings to examine the role of Social Security, defined benefits, and private retirement accounts in relation to retirement crisis.

SD-215

Committee on Foreign Relations

Subcommittee on East Asian and Pacific Affairs

To hold hearings to examine rebalance to Asia IV, focusing on economic engagement in the Asia-Pacific region.

SD-419

Committee on Health, Education, Labor, and Pensions

Business meeting to consider S. 1417, to amend the Public Health Service Act to reauthorize programs under part A of title XI of such Act, S. 1719, and H.R. 3527, bills to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program, and the nominations of David Weil, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor, France A. Cordova, of New Mexico, to be Director of the National Science Foundation, Steven Joel Anthony, of the District of Columbia, to be a Member of the Railroad Retirement Board, James H. Shelton III, of the District of Columbia, to be Deputy Secretary of Education, and any pending nominations.

SD-430

Committee on Homeland Security and Governmental Affairs

Business meeting to consider S. 1486, to improve, sustain, and transform the United States Postal Service, and an

original bill entitled, "Cybersecurity Recruitment and Retention Act".

SD-342

2 p.m.

Committee on Small Business and Entrepreneurship

To hold hearings to examine Small Business Innovation Research and Small Business Technology Transfer, focusing on measuring the effectiveness of the reauthorization act and maximizing research dollars to America's small businesses.

SR-428A

2:15 p.m.

Committee on Foreign Relations

Business meeting to consider an original bill entitled, "Egypt Assistance Reform Act of 2013", S. 653, to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia, S. Res. 314, commemorating and supporting the goals of World AIDS Day, S. Res. 288, supporting enhanced maritime security in the Gulf of Guinea and encouraging increased cooperation between the United States and West and Central African countries to fight armed robbery at sea, piracy, and other maritime threats, S. Res. 312, calling on the government of Iran to fulfill their promises of assistance in this case of Robert Levinson, one of the longest held United States civilians in our Nation's history, S. Res. 75, condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights, S. Res. 318, expressing the sense of the Senate regarding the critical need for political reform in Bangladesh, S. Res. 317, expressing the sense of the Senate on the continuing relationship between the United States and Georgia, an original resolution entitled, "in support of the Ukrainian people in light of President Yanukovich's decision not to sign an Association Agreement with the European Union", and the nominations of Dana J. Hyde, of Maryland, to be Chief Executive Officer, Millennium Challenge Corporation, Mark E. Lopes, of Arizona, to be United States Executive Director of the Inter-American Development Bank for a term of three years, and Keith Michael Harper, of Maryland, for the rank of Ambassador during his tenure of service as United States Representative to the UN Human Rights Council, Department of State.

S-116

Special Committee on Aging

To hold hearings to examine the future of long-term care policy, focusing on continuing the conversation.

SD-562

2:30 p.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine what information data brokers have on consumers, and how they use it.

SR-253

Committee on Indian Affairs

Business meeting to consider S. 1352, to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and the nomination of Vincent G. Logan, of New York, to be Spe-

cial Trustee, Office of Special Trustee for American Indians, Department of the Interior.

SD-628

Committee on the Judiciary

To hold hearings to examine the nominations of Daniel D. Crabtree, to be United States District Judge for the District of Kansas, Cynthia Ann Bashant, to be United States District Judge for the Southern District of California, Jon David Levy, of Maine, to be United States District Judge for the District of Maine, and Theodore David Chuang, and George Jarrod Hazel, both to be a United States District Judge for the District of Maryland.

SD-226

DECEMBER 19

9:30 a.m.

Committee on Energy and Natural Resources

Business meeting to consider S. 37, to sustain the economic development and recreational use of National Forest System land and other public land in the State of Montana, to add certain land to the National Wilderness Preservation System, to release certain wilderness study areas, to designate new areas for recreation, S. 404, to preserve the Green Mountain Lookout in the Glacier Peak Wilderness of the Mount Baker-Snoqualmie National Forest, S. 974, to provide for certain land conveyances in the State of Nevada, S. 1237, to improve the administration of programs in the insular areas, S. 1300, to amend the Healthy Forests Restoration Act of 2003 to provide for the conduct of stewardship end result contracting projects, S. 1301, to provide for the restoration of forest landscapes, protection of old growth forests, and management of national forests in the eastside forests of the State of Oregon, S. 1341, to modify the Forest Service Recreation Residence Program as the program applies to units of the National Forest System derived from the public domain by implementing a simple, equitable, and predictable procedure for determining cabin user fees, S. 1491, to amend the Energy Independence and Security Act of 2007 to improve United States-Israel energy cooperation, H.R. 1158, to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area, and H.R. 2337, to provide for the conveyance of the Forest Service Lake Hill Administrative Site in Summit County, Colorado.

SD-366

10 a.m.

Committee on the Judiciary

Business meeting to consider S. 619, to amend title 18, United States Code, to prevent unjust and irrational criminal punishments, S. 1410, to focus limited Federal resources on the most serious offenders, S. 1675, to reduce recidivism and increase public safety, S. 975, to provide for the inclusion of court-appointed guardianship improvement and oversight activities under the Elder Justice Act of 2009, and the nominations of John B. Owens, of California,

and Michelle T. Friedland, of California, both to be a United States Circuit Judge for the Ninth Circuit, Nancy L. Moritz, of Kansas, to be United States Circuit Judge for the Tenth Circuit, David Jeremiah Barron, of Massachusetts, to be United States Circuit Judge for the First Circuit, Matthew Frederick Leitman, Judith Ellen Levy, Laurie J. Michelson, and Linda Vivienne Parker, all to be a United States District Judge for the Eastern District of Michigan, Christopher Reid Cooper, to be United States District Judge for the District of Columbia, Gerald Austin McHugh, Jr., and Edward G. Smith, both to be a United

States District Judge for the Eastern District of Pennsylvania, M. Douglas Harpool, to be United States District Judge for the Western District of Missouri, Sheryl H. Lipman, to be United States District Judge for the Western District of Tennessee, Stanley Allen Bastian, to be United States District Judge for the Eastern District of Washington, Manish S. Shah, to be United States District Judge for the Northern District of Illinois, and Peter Joseph Kadzik, of New York, to be an Assistant Attorney General, Robert L. Hobbs, to be United States Marshal for the Eastern District of Texas, and Gary Blankinship, to be United States Mar-

shal for the Southern District of Texas, all of the Department of Justice.

SD-226

10:30 a.m.

Committee on Homeland Security and Governmental Affairs

Subcommittee on Financial and Contracting Oversight

To hold hearings to examine the Inspector General of the Department of Homeland Security.

SD-342

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

SENATE—Tuesday, December 17, 2013

The Senate met at 9 a.m. and was called to order by the President pro tempore (Mr. LEAHY.)

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of peace, in whom are hidden all the treasures of wisdom and knowledge, thank You for coming to our world with the gift of salvation. We praise You for forgiving our sins and canceling the penalty which stood against us.

Help our Senators to be peacemakers as they move toward the finish line of another year. Lord, may they be filled with the knowledge of Your will in all spiritual wisdom and understanding, leading lives worthy of You as they strive to please You. Infuse them with the spirit of Your peace and grace so that there will be peace on Earth and good will to humankind.

We pray in Your majestic Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

WORKFORCE INVESTMENT ACT OF 2013—MOTION TO PROCEED—Resumed

Mr. REID. Mr. President, I move to proceed to Calendar No. 243.

The PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 243, S. 1356, a bill to amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, at 10 a.m. there will be a rollcall vote on the motion to invoke cloture on the motion to concur in the House message to accompany H.J. Res 59, the budget resolution.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WICKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

BUDGET RESOLUTION

Mr. WICKER. Mr. President, it is my understanding that at 10 a.m. the Senate will proceed to a cloture vote on the proposed budget. It has already been passed by the House of Representatives. The cloture vote will take 60 Senators. If those 60 votes are in favor, we would then move to a period of debate—pro forma debate, actually, because the question would already have been decided. If Members do not favor this budget, the time to register that opposition is this morning. At 10 a.m. is the last chance to say no to this proposal and simply send it back to the negotiators and ask them to do a better job.

I rise this morning to reiterate my strong opposition to the House-passed budget, to the Murray-Ryan budget. I do so for one specific reason. I would first interject that there are many aspects of the budget that Members do not like, that we are not overly delighted with. We realized from the outset that there would be compromises and unpleasant decisions that had to be made because when you find additional revenues, when you cut programs that are popular, it hurts and it is uncomfortable. So I appreciate the fact that Senator MURRAY and Representative RYAN have made tough decisions. Apparently, the House of Representatives on a bipartisan basis has agreed to go along. But my objection that moves me from “undecided” to a “no” is what the budget does to current and military retirees and the fact that it breaks a promise that has been made to military retirees for years and years. It does so retroactively, unlike what it does to Federal employees, unlike what this Congress directed on an earlier occasion when establishing a commission to look into retirement. What it does to military retirees under the age of 62, instead of receiving the same cost-of-living adjustment everyone else would be receiving, it cuts their COLA back to COLA less 1 percent.

Why do we have a cost-of-living adjustment in the first place? The cost-of-living adjustment is designed to protect the purchasing power of a pension. So when a young man or young woman joined the military, say, 20 years ago at age 22, for example, they served for 20 years at least and they were entitled to a pension under the law. That was the deal. We agreed also that once that pension was received and was in place, we would protect that pension against inflation each year by a cost-of-living adjustment. It is simply fair. It protects the purchasing power and the real ability of that pension to protect and support the retired military person and that person's family.

What this budget does is it goes back on that promise. It says to people who have completed their service, who have completed the full 20 years of their bargain: You may have done what we asked you to do, but now the government is not going to do what we told you we would do. We are not going to protect the purchasing power of your pension. In the first year, we are going to cut that cost-of-living back 1 percent. The next year, whatever cost-of-living there is out there, you get that less 1 percent.

It adds up over time. I think Members have been astonished to learn that an E-7 retiring at age 40 today; that is, an enlisted person, would experience a loss of \$83,000 in purchasing power over the course of the 22 years that pensioner would experience between ages 40 and 62—\$83,000 in broken promises to our military retirees. An O-5 would lose some \$124,000 lifetime with this budget agreement.

It is on the verge of being adopted. The only thing that stands in the way between our military retirees and this broken promise amounting to \$83,000 for the typical enlisted person and \$124,000 for the typical retiree officer—the only thing standing in the way is this vote at 10 a.m. on cloture.

Forty-one of us could say to the Senate: Hold on a minute. We know we have a problem. We know we have an \$80 billion package. But there is \$6 billion of it here that is unfair to military retirees. We can do better than that.

There are amendments we would like to offer. There are amendments Senator GRAHAM would like to offer. There is an amendment by Senator AYOTTE, the distinguished Senator from New Hampshire, that would eliminate this broken promise to our military retirees and pay for it with other savings elsewhere, savings that have already been endorsed as good government and are simply a matter of tightening up the

enforcement of laws that are already there.

We can find, my colleagues, \$6 billion elsewhere without breaking a promise to people who during the time of a global war on terror have stood forward, donned the uniform of the United States of America, and volunteered time and time again to re-up, to go overseas, place themselves in harm's way, and embark on a career in the U.S. military. We can pass a budget that accomplishes the goals of Murray-Ryan without breaking this promise. I so hope we will. But this is the time. Forty-seven minutes from now is the opportunity we will have. After that, it is a simple majority. The deal will be done. The news accounts say that the debate is over, that the votes are already in.

I would hope that somewhere someone within the sound of my voice is realizing this is just another example of the government breaking its word. When we do this, when we tell falsehoods and change our minds and change our positions to the American people over and over again, what does that do to the confidence the American people should have in their government and the confidence in their elected officials to do what we promised to do and to fulfil our side of the agreement?

I implore my colleagues even at this late hour to take a pause, perhaps ask the committee, the conference committee which I was a member of and which was not consulted, to take another look, find the \$6 billion in savings elsewhere, and fulfill our promise to the American people.

One other point before I yield back. I wish to point out that a commission was established last year by Congress entitled the Military Compensation and Retirement Modernization Commission. The purpose of this commission is to provide us with a comprehensive list of ways to make meaningful reforms to military pay and benefits.

Members should remember that we specifically told this commission it could recommend any option as long as it grandfathered in those who currently serve and those who are currently retired. That was the sense of the Senate, and that was the sense of the Congress last year.

This is one reason why military retirees are so surprised by this reversal—so surprised that we would be on the brink of changing the rules in the middle of the game—because we specifically said, only last year, that we would not do such a thing. I hope we will honor that promise, and there is yet time for the Senate to do so.

For this reason, I strongly urge a “no” vote on the cloture vote which will begin shortly.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KING). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, before the Senator speaks—I have the last 10 minutes before the vote—so I ask unanimous consent the Senator get 2 minutes and then I be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, the budget conference didn't meet. We didn't produce a budget in conference. Our conferees did not vote. The two leaders of the conference, Senator MURRAY and Congressman RYAN, prepared the legislation now before us which has a number of problems, in my opinion. To skip the conference and create this legislation instead is not the right way to have conducted this process.

But the question is, Should we advance with this legislation or does it need to be improved? I believe it can be improved, I believe it should be improved, and I believe legislation of this size and scope should be carefully considered. Since this bill actually amends the Budget Control Act of the United States, which has successfully contained the growth and spending for a couple of years the Budget Control Act ought not to be altered without more care and thought.

I suggest the right vote today would be to vote against cloture and say to the leadership and Senator REID that we want to have amendments on this legislation.

If this legislation goes forward, we are about to have a significant reduction in the retirement benefits of disabled military personnel, people who have served 20 years in the U.S. military. The pay is going to be cut as much as \$70,000 for a staff sergeant over their lifetime. We need to think about that.

This legislation, amazingly and disappointingly, has altered the ability of this Senate to block increases in spending. We have a budget point of order today which allows an objection to be raised to require 60 votes in order to spend more than we agreed to spend. This legislation takes that away. Perhaps the House didn't understand the significance of it, but it is very significant. We have used it three separate times successfully to block tax-and-spend legislation within the last year or so and help us stay with the commitment we made to the American people to keep spending at an agreed-upon level.

So, colleagues, there are a lot of problems with this bill. But the only way to fix it would be to say to Senator REID and the Democratic leadership in the Senate: Let's slow down, let's give Senators a chance to have actual amendments, and let's fix some of the

problems. There is plenty of time to fix those problems, send the bill back to the House, and be able to pass it before the deadline of January 15.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, through the past few years in Congress we have lurched from one budget crisis to another, from one fiscal cliff to the next. When one countdown clock stopped, it wasn't too long before the next one got started.

The uncertainty was devastating to our very fragile economic recovery. The constant crisis cost us billions of dollars in lost growth and jobs, and the continued across-the-board cuts from sequestration were hurting our families and our communities and cutting off critical investments in economic growth and national security programs.

After the completely unnecessary government shutdown and debt limit crisis just 2 months ago, the American people were more disgusted than ever at the gridlock and the dysfunction. They were sick of partisanship, sick of showboating and saber rattling. They were tired of turning on their televisions at night and seeing elected officials saying: It is my way or the highway, and they had no more patience for politicians holding the economy and the Federal Government hostage to extract concessions or score political points.

So when the government was finally reopened and the debt limit crisis averted, people across the country were hoping Democrats and Republicans could finally get in a room, make some compromises, and take a step away from the constant crises. That is why I was so glad that part of that crisis-ending deal was creating the budget conference that many of us on both sides of the aisle had been trying to start since the Senate and House passed our budgets 7 months earlier.

The budget conference began at a time when distress between Democrats and Republicans could not have been higher. We had just 2 months to get a deal to avoid lurching toward another crisis, and most people assumed there was no way the divide could be bridged. But Chairman RYAN and I got together and we started talking and we decided that instead of trying to solve everything at once, the most important thing we could do for the families we represented was to end the uncertainty and start rebuilding some trust. We weren't going to spend the next 8 weeks sniping at each other from our partisan corners, we were not going to use what was said in the room to launch political attacks on the other, and we weren't going to try to tackle the larger challenges we both know are critical but aren't going to be solved right now. So we focused on what was

attainable. We worked together to find common ground, and we looked for ways we could compromise and take some steps toward the other. We both thought the least we should be able to do is to find a way to replace some of the across-the-board cuts from sequestration and agree on a spending level for the short term so we could avoid another crisis.

I know some of our colleagues want to keep the sequester caps. But Democrats and many Republicans believe it makes sense to replace these meat-ax cuts with smarter and more balanced savings.

We spent 7 weeks working on this. I worked very closely with the House Budget Committee's ranking member CHRIS VAN HOLLEN as well as my colleagues in the Senate on and off the Budget Committee, and I am very proud that last week Chairman RYAN and I reached an agreement on the bipartisan Budget Act of 2013.

This bill passed the House of Representatives Thursday on a vote of 332 to 94, with overwhelming support from Democrats and Republicans. I come to the floor to urge my colleagues to support this bill in the Senate and send it to the President so it can be signed into law.

The bipartisan Budget Act puts jobs and economic growth first by rolling back sequestration's harmful cuts to education, medical research, infrastructure investments, and defense jobs for the next 2 years. If we didn't get a deal, we would have faced another continuing resolution that would have locked in the automatic cuts or, worse, a potential government shutdown in just a few short weeks.

Over the past year, I have heard from so many people across my home State of Washington who have told me sequestration has hurt their families, businesses, and communities—from the parents of children whose Head Start Programs were shut down and seniors wondering whether Meals On Wheels would continue, the scientists and doctors whose investments in cutting-edge research and medical cures were cut off or threatened, the construction workers who lost their jobs when projects were put on hold, small business owners whose revenues were declining due to the cuts and uncertainty, and so many more. For them, the cuts from sequestration were senseless. They were real, they were hurting, and they were only going to get worse. So I am very proud that our bill replaces almost two-thirds of this year's sequester cuts to domestic discretionary investments.

This will not solve every problem sequestration has caused, but it is a step in the right direction and a dramatic improvement over the status quo.

Over the past year I have talked to workers at Joint Base Lewis-McChord and Fairchild Air Force Base and else-

where who have been very much impacted by the sequestration and very worried about how another round of cuts would affect their jobs and families. I have heard from military leaders who told me sequestration would impact our national security if it continued and from companies that do business with the Defense Department that the uncertainty and the cuts were hurting their ability to hire workers and invest in future growth. So I am very glad this bill will prevent the upcoming round of defense sequestration and provide some certainty to the Pentagon for the upcoming years.

Secretary of Defense Hagel and Chairman of the Joint Chiefs of Staff Dempsey have both expressed support for this bill, as have a number of colleagues in Congress who have spent the last few years highlighting the impact of continued sequestration on national security and defense workers.

The increased investments we get from rolling back sequestration over the next 2 years are fully replaced with a smarter, balanced mix of new revenue and more responsible spending cuts. Experts and economists have said the responsible thing to do is increase investments now while our economic recovery remains fragile and workers are still fighting to get back on the job, while tackling our deficit and debt over the long run. This bill moves us in the direction of exactly that.

We have cut our deficit in half over the past few years, and this bill adds to the \$2.5 trillion in deficit reduction done since 2011 with an additional \$23 billion in savings over the next 10 years.

This bill is not exactly what I would have written on my own. I am pretty sure it is not what Chairman RYAN would have written on his own.

Mr. President, I ask unanimous consent for 3 additional minutes.

THE PRESIDING OFFICER (Mr. BOOKER). Is there objection? Without objection, it is so ordered.

Mrs. MURRAY. This bill is a compromise, and that means neither side got everything they wanted and both of us had to give a bit.

I was very disappointed we were not able to close a single wasteful tax loophole that benefits the wealthiest Americans and biggest corporations. I had hoped to extend critical support for workers who are fighting to get back on the job. I was very disappointed that Republicans refused to allow that to be part of this deal. I certainly would have liked to have replaced more of sequestration. I know it was difficult for many Republicans to accept any increases in the BCA caps at all.

I know many Republicans had hoped this would be an opportunity to make the kind of Medicare and Social Security benefit cuts they have advocated in the past, but I fought hard to keep them out.

This deal is a compromise. It doesn't tackle every one of the challenges we face as a nation, but that was never our goal. This bipartisan bill takes the first steps toward rebuilding our broken budget process and hopefully toward rebuilding our broken Congress.

We have spent far too long here scrambling to fix artificial crises instead of working together to solve the big problems we all know we need to address. We have budget deficits that have improved but have not disappeared, and we have deficits in education, innovation, and infrastructure that continue to widen. There is so much more we need to do to create jobs, boost our economy, replace the remaining years of sequestration, and tackle our long-term fiscal challenges fairly and responsibly.

I am hopeful that this deal can be just the first of many bipartisan deals, that it can rebuild some of the trust, bring Democrats and Republicans together, and demonstrate that government can work for the people we all represent.

I urge my colleagues to support the bipartisan Budget Act of 2013.

I thank Chairman RYAN for his work with me over the last several months. I thank a number of Members who have worked very closely with us, including Ranking Member VAN HOLLEN and every Member of our Budget Committee here in the Senate who worked hard to pass a budget, start a conference, and get a bipartisan deal.

When we come back next year, I will be ready to get to work with Chairman RYAN or anyone else from either side of this aisle who wants to build on this bipartisan foundation to continue addressing our Nation's challenges fairly and responsibly. It is not going to be easy, but the American people are expecting nothing less.

CLOTURE MOTION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the mandatory quorum required under rule XXII be waived with respect to the cloture motion relative to H.J. Res. 59.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion to invoke cloture.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.J. Res. 59, the Bipartisan Budget Act.

Harry Reid, Patty Murray, Max Baucus, Mark Begich, Barbara Boxer, Richard Blumenthal, Tom Udall, Debbie Stabenow, Sheldon Whitehouse, Claire

McCaskill, Mazie K. Hirono, Christopher A. Coons, Jon Tester, Brian Schatz, Martin Heinrich, Joe Donnelly, Heidi Heitkamp, Kirsten E. Gillibrand.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.J. Res. 59, making continuing appropriations for fiscal year 2014, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 67, nays 33, as follows:

[Rollcall Vote No. 279 Leg.]

YEAS—67

Alexander	Hagan	Murkowski
Baldwin	Harkin	Murphy
Baucus	Hatch	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Portman
Blumenthal	Hirono	Pryor
Blunt	Hoeven	Reed
Booker	Isakson	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Johnson (WI)	Sanders
Cantwell	Kaine	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Landrieu	Stabenow
Chambliss	Leahy	Tester
Collins	Levin	Udall (CO)
Coons	Manchin	Udall (NM)
Donnelly	Markey	Warner
Durbin	McCain	Warren
Feinstein	McCaskill	Whitehouse
Flake	Menendez	Wyden
Franken	Merkley	
Gillibrand	Mikulski	

NAYS—33

Ayotte	Enzi	Paul
Barrasso	Fischer	Risch
Boozman	Graham	Roberts
Burr	Grassley	Rubio
Coats	Heller	Scott
Coburn	Inhofe	Sessions
Cochran	Johanns	Shelby
Corker	Kirk	Thune
Cornyn	Lee	Toomey
Crapo	McConnell	Vitter
Cruz	Moran	Wicker

The PRESIDING OFFICER. On this vote, the yeas are 67 and the nays are 33. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2014—Resumed

The PRESIDING OFFICER. The Chair lays before the Senate a message from the House which the clerk will report.

The legislative clerk read as follows:

Resolved, that the House recede from its amendment to the amendment of the Senate to the resolution (H.J. Res. 59) entitled, "A joint resolution making continuing appropriations for fiscal year 2014, and for other purposes," and concur with a House amendment to the Senate amendment.

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate

to the joint resolution, with Reid amendment No. 2547, to change the enactment date.

Reid amendment No. 2548 (to amendment No. 2547), of a perfecting nature.

Reid motion to refer the message of the House on the joint resolution to Committee on the Budget, with instructions, Reid amendment No. 2549, to change the enactment date.

Reid amendment No. 2550 (to (the instructions of the motion to refer) amendment No. 2549), of a perfecting nature.

Reid amendment No. 2551 (to amendment No. 2550), of a perfecting nature.

The PRESIDING OFFICER. Cloture having been invoked on the motion to concur in the House amendment to the Senate amendment, the motion to refer falls as it is inconsistent with cloture.

The Senator from Maryland.

Mr. CARDIN. Mr. President, am I correct we are in postcloture time now?

The PRESIDING OFFICER. The Senator is correct.

Mr. CARDIN. Mr. President, I take this time to talk about the budget agreement that was negotiated by Senator MURRAY and Congressman RYAN and the work they did, but I first wish to relate to my colleagues conversations I had with numerous Marylanders over this past weekend—people I didn't know who came up to me and said how pleased they were that Congress was on the verge of getting something done—something that will make a difference in our budget over the next 2 years. They were pleased that Democrats and Republicans were actually able to reach a compromise and that we were actually able to get our business done in some regular order. They were hopeful that it would not only make a difference in the budget of our Nation this year and next, but that it was a sign that Democrats and Republicans were prepared to work together to do the people's business. They were pleased this was truly bipartisan—a real compromise—something we haven't seen enough of in this Congress.

The American people understand that the Congress is controlled—the House by Republicans and the Senate by Democrats. They understand that. What they do not understand is how we have not been able to get together and compromise on our differences in order to move forward on the important issues of our time. They are very encouraged by this action.

So I intend to support the final vote on the budget agreement, and I hope my colleagues will support this agreement. It provides the framework for appropriations bills for the next 2 years without sequestration. That is regular order. The appropriations committees can now meet and decide the policy of our country through the appropriations bills as to where we believe priorities should be on Federal resources.

It allows us to operate, hopefully, without a continuing resolution. The number of continuing resolutions that

we have passed indicate a failure because when we pass a continuing resolution, we do not adopt the priorities for the current time. Instead, we just freeze in prior years' priorities. We now have the opportunity to enact priorities that are important today, recognizing that some of the past spending is not necessary and there are other areas that we need now to adopt, considering the changes in our own communities and considering the international changes.

It allows us to operate without the fear of a government shutdown. Before I said a fear of a government shutdown because we thought we would not see a government shutdown, but as we know, in October we saw a government shutdown, and we saw people who were hurt, and we saw our economy that was hurt as a result of that shutdown. Now this budget agreement gives us the opportunity to use regular order so we can pass appropriations bills or an omnibus bill that sets current priorities. It allows us to do that without the fear of closing government, which is inefficient, costly, and harms our economy and people.

The framework that was adopted in this budget agreement allows us to protect our Nation's seniors, disabled children, and the disadvantaged. The resources can be made available to deal with our most vulnerable to allow us to move forward as a nation, and it shows we can work together.

So I strongly support this budget agreement. I do so but I want to express my disappointments. I am sure that every Member of the Senate will have disappointments. But I am concerned about what is included in this budget agreement and what is not included, and I want to spend a few minutes talking about it.

I am disappointed that this is a 2-year agreement, that it does not completely remove sequestration. I think all of us would acknowledge that sequestration is something we do not want to see in effect because it is mindless across-the-board cuts. It does not set priorities. We are responsible to set priorities. If you ran into a problem with your own home budget in your family, if you lost some income, you would not cut every expenditure item identically. You would make decisions. You would make sure your family had a roof over them. You would make sure they had food on the table. Maybe you would postpone a weekend trip. You do not treat every expenditure the same. Sequestration treats every expenditure the same.

The good news in this budget agreement—the good news—we do not worry about that for the next 2 years. The bad news: It returns after 2 years. I know Senator MURRAY has worked very hard to get rid of sequestration. I know she is going to continue to work on that as the chair of the Budget Committee and, as I said earlier, I applaud

her greatly for being able to reach an agreement with the Republicans, particularly in the House. But I would hope we could get rid of sequestration once and for all. Unfortunately, this budget agreement does not do it. It is for only 2 years. I would have liked to see a long-term budget agreement.

On that, I would like to see us enact a long-term budget agreement. We talk frequently about the fact that one of the most damaging parts to our inaction is uncertainty. When businesses have to make decisions and individuals have to make decisions, the uncertainty of our Federal budget causes them harm, extra costs, anxiety. We need a long-term budget agreement, the so-called grand bargain. Yes, we will get an agreement for these 2 years, but it does not take us beyond that. We all understand we need a responsible budget, one that deals with the investments that are important for job growth, but also reduces the budget deficit.

I know Chairman MURRAY has mentioned this frequently, but let me just repeat this. During the past 2 years, we have reduced the deficit by \$2.8 trillion. We have done a good job in reining in the Federal deficit. That is over the period of fiscal years 2014 to 2023, and that is before sequestration.

So when you go back to Simpson-Bowles and the amount of deficit reduction we were trying to get, we are about three-fourths of the way there in reducing the deficit. Yes, we have to do more. We have to continue to reduce the deficit. But let us acknowledge that we have done a pretty good job in reining in the Federal deficit, and I applaud the Chair of the Budget Committee for her leadership in that regard.

We also must allow for critical investment for job growth. We are in a global economy today. We have to invest in modernization. We need new investments in energy in this country. We need transportation investments, not just in roads and bridges, but in transit systems. We need to invest in education. Education is the great equalizer in America. We are in a global competition. We know we are behind in the STEM fields of science, technology, engineering, and math. We have passed legislation to try to catch up. We have to fund those initiatives. The Federal Government has to be an active partner in education.

I can mention many agencies, but I always like to mention the National Institutes of Health, which happens to be headquartered in my State of Maryland. It is very important to New Jersey, the Presiding Officer's State, and very important to every part of our country. Why? Because they do the basic research which is the building block for the type of technology growth which is critically important in America.

We have the best trained people here in America. We need to invest in the basic research so we can continue to lead the world. Yes, the budget for NIH has not been as strong as it needs to be. We have to invest more money in that.

There are many reasons we need a long-term budget agreement. We need it for predictability, so we do not govern from one manufactured crisis to another manufactured crisis. But we also need it so we can invest in critical investments for job growth in America. That is another reason why I hope we are able to build on this 2-year agreement for a longer-term budget agreement.

We also need to protect the safety nets as we do that. We need a balance here, and those who are most vulnerable need to be assured their government is on their side to help them, whether they are our seniors, whether they are people with disabilities, whether it is young people who need an opportunity to be able to take advantage of the opportunities in America.

We need to enhance the protection of our environment for future generations and have an energy policy that makes sense not only for America's security and environment but also for our economy.

So a balanced agreement for a long-term budget, which is not in this agreement, would give us that predictability, would give us that ability to move forward. To do that we need to deal with mandatory spending. This budget agreement deals with discretionary spending. It does not deal with mandatory spending.

We have taken steps to move in this direction. The passage of the Affordable Care Act puts in place a manner in which we can deal with health care costs, by reducing the growth rate of health care expenditures, by dealing with the readmissions to hospitals, by managing complicated illnesses, duplicative tests, getting people out of the emergency room into our clinics and into preventive care, having seniors take advantage of preventive health care because they do not have to pay a copayment that they could not afford.

These are ways we improve what we call the delivery system of health care in America, where you bring down the costs of health care. That is the best way to bring down the mandatory spending accounts in Medicare and Medicaid—reduce health care costs. We need to do more of that. We need to reduce the cost of our mandatory spending in this country. We could have done more, and this budget agreement did not deal with that.

Then there is the issue of revenue. I am going to talk about revenue because I was proud to be part of the Congress that balanced the Federal budget when Bill Clinton was President of the United States. Do you know what we did back then? We brought in more revenue,

we reduced spending, and we balanced the budget. What happened? Our economy took off. We were not only growing jobs, we were growing good-paying jobs, and the standard of living for all Americans went up. We have to get back to that.

We are spending too much today, and we do not have enough revenue. Yes, this agreement takes care of reducing some spending, but not all, and does virtually nothing about revenues. We have to get back to that. We can bring in the revenue necessary to balance the Federal budget by reforming our Tax Code. There has been some great work done in the Senate Finance Committee I am privileged to serve on—Democrats and Republicans taking a look at our Code to see ways we can make more sense out of our Tax Code. We can do things about it.

Let me just remind my colleagues that we spend more money in the Tax Code than we do through all the appropriations bills. We spend more in our Tax Code. Over \$1 trillion a year is spent in our Tax Code. These are tax breaks that go to some but not all taxpayers.

So there is no need to raise rates. All we need to do is close loopholes and be more critical of how we spend our money in the Tax Code, as we do on the appropriations side. Every dollar we spend on the appropriations side is scrutinized all the time. We need to do the same on the tax side. Quite frankly, Senator BAUCUS and Senator HATCH have worked out a way that the members of the Finance Committee can take a look at some of those. I think we can reach some agreements on areas of the Tax Code that are not high priorities that can reduce the revenue hemorrhaging we have. Put another way, if we eliminated all the tax breaks that are in the Tax Code, our rates could be one-half of what they are today—one-half of what they are today.

So we not only can bring in the revenue necessary to balance our Federal budget and allow for the types of investments that are important for job growth, we can actually reduce the rates for a large number of Americans. Unfortunately, that is not in this budget agreement. To me, that is a disappointment, that we are not dealing with the balance that is necessary for a long-term budget agreement.

Then there is one other area I want to talk about, and it is not going to be a surprise to my colleagues—a couple of areas I want to talk about, one of which is the Federal workforce.

This agreement provides for a 1.3-percent increase in retirement contributions for new hires under Federal service. That is on top of an increase that was just done a year ago on the extension of the payroll tax, where we increased the retirement contributions for new hires. We also, in this budget

agreement, have a reduction in the COLA increases for military retirees.

I think that is regrettable. I do not believe that should have been in this budget agreement. Our civilian workforce has already contributed. When you add up what will be done by retirement contributions, that is going to be over \$20 billion. We have had 3 years of a pay freeze. We have a way in our law where we make adjustments to our civilian workforce pay each year that reflects not the cost of living, something less than the cost of living. Our Federal workforce has seen a freeze. They have not gotten that for the last 3 years. That is close to \$100 billion in contribution to the deficit. They have already done that. So they have contributed already about \$120 billion-plus, and that does not include—does not include—the fact that many of our Federal workforce have had to endure furloughs as a result of sequestration and government shutdowns.

So our Federal workforce has contributed. These are predominantly middle class families, a large number of veterans, a large number of women, a large number of minorities. They have contributed more than any other group of working Americans already in dealing with this deficit reduction, and I find it very regrettable that this retirement contribution provision was included in the budget agreement.

Let me just quote, if I might, from the nonprofit Partnership for Public Service that commented to Senator MURRAY and Representative RYAN during the budget negotiations. I quote this for what they say because I think it expresses my view and I hope the view of all the Members of the Senate:

As you work to put our federal government on a sustainable fiscal path, we encourage you in the strongest possible terms to treat the federal workforce as the considerable asset that it is, and ensure it is appropriately trained, compensated and resourced to serve the American people with excellence for the long term.

The federal civilian service is smaller today on a per capita basis than at almost any time since the Kennedy Administration—yet its responsibilities are greater than ever. Rather than asking how to make the federal workforce smaller or less expensive, Congress should be asking what we need the Federal Government to do, and what it will take to ensure that we have a workforce with the necessary skills in appropriate quantities to execute those responsibilities with maximum effect at a reasonable expense.

Proposals to freeze federal pay, change retirement contributions or reduce the workforce through attrition do nothing to improve the capacity and performance of the federal government and those who serve in its civilian workforce. These proposals are easy and expedient, but they miss the opportunity to make real and sustained improvements in how the Federal Government manages its people.

I could not agree more with those comments. We have a smaller workforce today, asked to do more ex-

tremely important work. These are people who are protecting our food supply. These are the great scientists who are doing the research to give us what we need, new technologies in health care. These are people making sure our seniors get the services they so richly need and deserve. These are people who are on the frontline in so many different ways.

Our responsibility is to make sure they have the resources to carry out their mission. Yes, we make value judgments as to what are the priorities, but to put our class of Federal workers through additional cuts, to me, is wrong. I regret that was included in the budget agreement.

I also wish to mention I was disappointed that we were not able to use this last train that will reach the finish line before we recess to extend unemployment insurance. Some 1.3 million workers are in danger of losing benefits come January 1. In 2014, as many as 4.7 million workers will not be getting the extended benefit, 83,000 of whom are located in my State of Maryland.

Let me point out, I know the unemployment rates are getting lower. We are all working to make sure to get them as low as we can. But they are still substantially higher than they were when we first recognized that we needed to have extended Federal unemployment benefits because of the softness in our economy. Particularly for those who are long-term unemployed, it is extremely difficult to find a job. If you are unemployed and you are looking for work, it is tough out there.

So the right thing for us to do is to continue these benefits for people who are actively looking for work and cannot find jobs. This is an insurance program. The moneys have been collected during good times so that we pay during these times. The money is there. We need to make sure those benefits are continued. I was disappointed it was not included in the legislation. It will help our economy grow.

There are more and more economic studies that show every dollar we make available in unemployment compensation returns much more to our economy in job growth. So this is hurting ourselves by not extending it, plus we are hurting millions of Americans who are going to be more vulnerable in trying to keep their families together during these very challenging times.

Let me conclude by saying that as I said in the beginning, this is an important budget agreement to get approved. I strongly support it. I applaud the leadership of Senator MURRAY and Congressman RYAN in bringing us to this moment. My constituents believe this is a very important step forward, showing that we can compromise and work together and get our work done.

In a few days we will bring the first session of the 113th Congress to a close

and leave Washington to spend the holidays with our families and friends. I hope each one of us will use that time to reflect on the extraordinary privilege of being a Member of Congress. I hope each one of us will reflect on the extraordinary challenges our Nation faces. I hope each one of us will come to the conclusion that we can do extraordinary things if we work together. The American people demand and deserve no less.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I rise to express my disappointment that the budget deal we will soon be voting on reflects just that, a deal—not legislation, a deal. It raises spending above the cap. That is the spending limit we put in place just 2 years ago.

It raises revenue from hard-working Americans to pay for this new spending and promises to cut some spending in the future. We have seen before how that story ends. We have already read that book. We will spend more now, we will grow the government more now, and ultimately the spending cuts will never materialize.

I have a favorite retired truckdriver in Pinedale, WY, who has suggested that we need to quit putting people in the wagon and get more people pulling the wagon. What he, of course, is referring to is the way we are growing government. Every time we grow government we put some more people in this wagon that the private sector has to pull. Yes, everybody in government pays taxes. But not one person in the government pays as much in taxes as they earn, so they become a part of the burden in the wagon.

Yes, even Senators are part of that burden in the wagon. But we are getting less and less people pulling the wagon. They are getting a little tired of pulling the wagon. I am going to show some things that are happening in this budget that are making it even tougher for them to pull the wagon.

So this is not the right path forward. My constituents back home in Wyoming and Americans across this country deserve better. We talk about how we have reduced the deficit. Reduced the deficit? Yes, that means we used to be overspending \$1 trillion a year, and now we are only overspending \$500 billion, which is one-half trillion. That is still overspending.

Families across America know you cannot keep spending more than you take in. Is there any indication that this causes a problem? We have been experiencing some of the lowest interest rates in the history of the country, which means the Federal Government has been able to borrow its money for less than it ever has before.

A few months ago I went to one of these bond sales. It was \$40 billion worth of bond sales, sold in 30 minutes.

People in other countries had so much confidence in the United States that they were willing to pay us to take their money. They put in bids of negative interest rates. They paid us to take their money, to keep it, to make sure it was secure. They believed it would be secure. So they paid us a negative interest rate.

At that particular bond sale, the interest rate was .86 percent to borrow \$40 billion. That is what it averaged out at. Last week we did bond sales. Last week we sold \$30 billion worth of bonds. I do not know how many minutes it took to do that, but it was a relatively short period of time, probably less than 30 minutes as well.

Do you know what the interest rate was? It was 3.90 percent. In just a few months it has gone from .86 to 3.90. Is that factored into this budget? I bet you it is not. If that interest rate keeps going up, if it hits 5 percent, we are not going to be able to do nearly as much as we are now. We have to pay our interest first, otherwise we have bankrupted the United States and proven it.

When we talk about raising the debt ceiling, it is a minor issue compared to being able to pay the interest on the debt. If it keeps going up significantly, we and our kids and our grandkids are not going to be able to pay the debt. That is what I hear across Wyoming. That is what I hear across America. So what are we trying to do? We are trying to come up with a reasonable amount of spending for the United States. This budget does not do it.

Because Members are going to be voting on a deal rather than a bill that had the opportunity to be improved through the committee process with feedback from other Members, we will not have the opportunity to discuss the potential unintended consequences and address them before they become law. I just heard 15 minutes of that discussion from the Senator from Maryland who knows a whole bunch of items that are in this bill that he is upset with, and I, quite frankly, think he ought to be upset with.

But I am on that conference committee. When the deal was made, we read about it in the papers just like everybody else. We did not get any special notice that there had been a deal made. On conference committees, I have seen the deals made before. I have never seen one made by so few people before. In this one there was a Democrat from the Senate and a Republican from the House. The two of them came up with a conclusion that this is what we should have.

That is not too bad, provided it goes through a normal process, which means we get to make some amendments. When we make amendments, some pass, some fail. But at least we get to bring up the unintended consequences that we see. That is why we have so many people in Congress: 100 here and

435 on the other side. That is why we have a whole lot of backgrounds looking at everything that happens around here from a whole lot of perspectives so maybe we can stop the unintended consequences.

But that is only if it goes through a normal process. So far the tree is filled on this bill. What does that mean? That means no amendments allowed. Take it or leave it. No matter what you think of it, forget it. We are going to have some unintended consequences that are going to come out of this and they are going to become law.

For example, I applaud the proposal that would limit access to Social Security's Death Master File to prevent identity theft, and individuals from fraudulently claiming government benefits and tax refunds associated with those who have passed away. That is a good idea. However, I am concerned that certain organizations that use that same Death Master File for legitimate business purposes that benefit consumers may have their access restricted.

If we discussed these issues in committee, we might have been able to address them, perhaps with a sensible solution, perhaps in a way that would have protected the identity and still protected the benefits to the consumer.

The budget deal makes a permanent provision that would require States to pay a 2-percent administrative fee to the Federal Government for the collection of mineral royalties. This only affects a few States, particularly Wyoming. The negotiators and the administration see this as an easy pot of money. We saw the same situation play out last year when the Federal Government saw a pot of money associated with the abandoned mine lands, that primarily go to Wyoming, and spent it on an unrelated highway bill.

When the Federal Government first started to withhold the mineral royalty money owed to States, I introduced legislation with Senator BARRASSO and Representative LUMMIS and a bipartisan group of legislators from affected States to stop it. Each of those States is fully capable of collecting its own share of the mineral revenues without help from the Federal Government. We should not have to pay for that. We will continue to reverse this unjust practice.

Another fascinating little item was when we did the sequester, the money that comes in from Federal mineral royalties to the Federal Government was considered to be revenue. The money that went out, which is by law to the States, was considered to be revenue to the States that passed through the Federal Government. The Federal Government took 5.3 percent out of it until, of course, we started having a lot of success at reversing both this 2 percent that I just talked about and the stealing of the Federal mineral royal-

ties. Suddenly the Federal Government said: Oh, that was a mistake. You are going to get your full half of the Federal mineral royalties less, of course, the 2 percent.

Another little problem is the deal raises premiums private companies pay the Federal Government to guarantee their pension benefits. That is something we have also insisted on. We have said companies need to pay a fee so if they go out of business, the people they promised a pension to will get at least 60 percent of what they were promised. That is supposed to be a trust fund, a trust fund to be able to pay those people if the company goes out of business.

We have addressed that a number of times. We have held that sacrosanct until a couple of years ago. This raises the premium. That is gentle for a new tax. A premium is a tax. If every company has to pay another \$200 per employee who receives a pension, that is a tax.

If it goes into the trust fund, maybe it is a fee. But here is the real kicker: This money we raise does not go to the Pension Benefit Guaranty Corporation, so it is a tax increase. It does not shore up this trust fund. It will be spent on discretionary programs, and it will be spent this year. But it will be collected for 10 years. How many people in America get to take 10 years of revenue, spend it this year, and then not worry about it? Nobody that I know of.

Employers are still in the process of implementing and paying for a \$9 billion tax increase called for in the highway bill last year. That, again, is a 10-year tax to build highways for 2 years. When that highway bill comes up, where are we going to steal the money next time?

There is always the Social Security trust fund and a whole bunch of other trust funds. I can hear the yelling about that, and I will join the yelling about that if it is even considered. If we can tap it in the private sector, undoubtedly we can tap it in the government sector as well.

A \$9 billion increase, that was for the highway bill. We have another \$200 per employee, so we have another \$900 billion increase that is put on the backs of private industry, the ones pulling the wagon that I talked about. To put it simply, over 2 years the flat-rate premium will have increased 40 percent, and over 3 years the variable-rate premium—which is a tax if it doesn't go where it is supposed to—will have increased over 100 percent. That is a huge tax.

I guarantee that will end the willingness of some companies to continue pensions. Pensions are voluntary.

If the cost to continue them goes up, the companies will reevaluate.

In fact, I can state that they are reevaluating right now. When we are looking at \$200 per year per employee,

we have to take a look at how that affects this. Pensions will change drastically because of this agreement.

A few of the concerns I have just raised could be addressed, if not in committee, then on the Senate floor. Once again, the majority leader has decided that no amendments will be allowed. They won't be allowed to be offered, and they won't be allowed to be voted on.

I filed two amendments to the budget deal that are relevant to this discussion. One was with Senator MURPHY regarding the need to follow congressional intent and to clarify that the funding of the accounting standards-setting bodies is not subject to sequestration.

We have a system where there are rules set up to have generally accepted accounting principles, and we have a body that is supposed to be very independent that is supposed to come up with those rules.

We do force the companies that are in the accounting business to pay for that body, to standardize the accounting process. It comes directly from the accountants, and it is supposed to go directly to this accounting board. We have decided that sequestration should take a little chunk out of that. That should not happen. That is stealing money again. That is one of the amendments.

Another one was to strike the language making it permanent for the Federal Government to withhold 2 percent of mineral royalty owed to the States for administrative expenses. We should have the opportunity to discuss, debate, and vote on them on the Senate floor.

There are a lot of others, but those are the two primary ones. We have to stop dealmaking and we have to start legislating.

Our constituents sent us here to legislate. They deserve better than a deal agreed to behind closed doors without input and improvements from the rest of the legislators, not even the committee to which it was assigned. Even though I am disappointed in the process that has led to this point today, I am even more disappointed in the product that resulted from the dealmaking.

This budget deal breaks the promise we made to our constituents in 2011—as part of the Budget Control Act—that we would reduce spending. It has worked. It hasn't worked the way a lot of people would like for it to work because it has been across-the-board. But for the first time since the Korean War, it has reduced spending 2 consecutive years.

We were close. After 2014, overall discretionary spending would have increased even with the sequester. Yes, we were almost at the end of the part of taking down the spending, but we couldn't find the will to prioritize spending this year under the current

spending levels and, instead, decided to ask Americans to send in more of their hard-earned money to Washington so the Federal Government could spend it the same way we always have—promise the cuts in the end and take more money in the beginning.

I think my constituents in Wyoming know best how to spend their money. Of course, this penalizes them for their principled budgeting which they have been doing and makes it look as if they have money. Every State could have money if they were as careful as Wyoming has been.

Washington, DC, has a spending problem. We don't have a revenue problem. We can think of all kinds of things we would like to spend money on, things that we think would be a good deal and probably that would buy some votes out there. That is wrong. We need to get things under control before that 3.9 percent interest rate goes to 5 percent, 10 percent—or it has been as high as, I think, 18 percent before.

The budget deal increases spending and shows the one thing that some Democrats and Republicans can agree on, and that is putting off our decisions. This plan spends more than the current law. It charges people and States for more and uses the money to increase spending in nonrelated areas.

Spending cuts are scheduled for outlying years, and so the so-called savings are used right away. Yes, just shift that money from out there and put it into the current spending. That isn't real. Nobody else gets to do it. It is only a government trick.

We cannot spend our way to prosperity. We need to prioritize spending cuts. We need to find the spending cuts that will do the least harm, start there, and go through an appropriations process that works. We have been doing omnibus bills around here for a long time. I have constituents who will start coming in January, and they will want me to take a look at their program and add only a few dollars there. I have to tell them the last time I had a look at a line on appropriations was about 5 years ago. We just take one whole lump of \$1 trillion and vote it up or down one time. That is not doing our job. Our main job is spending the money. We need to prioritize those cuts.

I will tell us how Wyoming did it. Wyoming was facing an 8-percent cut, they thought. We are talking about 2.03 percent for the Federal Government. If we compress it down to only a few months, we are talking about 5.3 percent. But the true amount of that sequestration was 2.3 percent.

Wyoming thought they were going to get hit for 8 percent, mostly because of some of the regulations on energy that reduced some of the energy production in Wyoming.

How did they go about doing this? The Governor said to every single

agency: I wish to see from you how you would spend it if you have to cut 2 percent, if you have to cut 4 percent, if you have to cut 6 percent, and if you have to cut 8 percent.

Do you know what he did when he got those four lists from all of the agencies? He looked to see if the items at 2 percent, 4 percent, 6 percent, and 8 percent were the same.

That is the way we find out what the agency thinks they can get rid of. That is a simple way of prioritizing spending. Did we ever do that around here? No. We do have a process by which the President can have his agencies say what they intend to get done and then tell what they got done and how well they were doing.

We never pay attention to that. So the ones that come out rated very badly on this continue spending money as they always did. We need to have a prioritization process. We need to have a way that we can look at some of the details of the spending bills. Putting off spending forever and forever, and then coming in after the fact and saying: OK, this is how much we spent, how much we are going to spend, then we get to vote yes or no, is wrong. That again is dealmaking, not legislating, and it won't rein in the out-of-control spending.

I have talked a little bit about the prioritization we have to start doing around here. When we do the sequestration, the complaints are the agencies will always make it hurt. I watched this when I was in the Wyoming legislature. If we only told them how much of a cut to make and didn't tell them specifically where to take it, they always did something that was very visual that their constituents would notice. Their constituents would complain about, and their constituents would make us put it back into the spending.

They didn't have to do that. There isn't any business, there isn't government agency that doesn't have some waste. That is what ought to go first.

Then the duplication ought to go—and there is about \$900 billion a year in duplication around here, but we ought to take a look at that.

Another thing we can do is the government shutdown legislation. That is the one that needs to tell those spending committees they need to get the leader to bring up their bill and get it finished with the amendments in the appropriate time. If they don't, then they will have to cut another 1 percent off their spending every quarter until they get their work done. Then we don't have a shutdown, but we have a reduction in spending; there is some incentive for them to do that.

We need to do tax reform. I agree with Senator CARDIN. I think that could make a huge difference in how we are doing our revenue.

I also have a penny plan. The penny plan just takes 1 cent off of every Federal dollar the Federal Government spends. When I first started looking at this, the Congressional Budget Office said that it would balance the budget in 7 years. If we did that for 7 consecutive years with 1 percent off every year, it would balance it in 7 years.

The newer valuation is that with the sequestration it balances the budget in 2 years—only 2 years. When I talk to my constituents about it, that it would be 3.3 percent over 2 years, and it comes to almost 7 percent over 3 years—I think that we could do that, and we could do it with so little pain—people would say: Please continue that another couple of years and pay down some of the debt.

Just getting rid of part of the deficit means we are still overspending, but we ought to at some point start paying down that debt so we don't have to pay the interest on the debt.

When we pay down a little bit of the debt so we don't have to pay as much interest, we ought to use that interest that we saved to pay down the debt some more. That is how we pay off things. People who have credit card problems know that is the way to go about it.

I would also like to go to biennial budgeting. We supposedly spend \$1 trillion in discretionary spending and the military every year—\$1 trillion. That is so much money that nobody can look at it, and we don't.

If we divided those 12 spending bills up into two packages of six, and we allowed them to have spending worth 2 years each time, they could plan ahead much better. We would do the six toughest bills right after the election, the year right after the election and we would do the six easy bills just before election. We could get through those.

Then we could do what my constituents think that we are doing, which is to look at every one of those expenditures and decide whether they ought to go up or down—allowing amendments on bills, allowing the spending bills to go through one at a time, maybe a week at a time. We could have them all done before October, and then there wouldn't be any government shutdown anyway.

There are a lot of ideas out there on what we could do. I sit up nights worrying about the Nation's debt and how it will affect the children of Wyoming, how it will affect my children, and how it will affect my grandchildren. This budget conference was an opportunity to apply reasonable constraints to impossibly high future spending, but instead we got more spending and no real plan to solve the problem. Yes, we said, we got some savings from out there in the future. We will spend that now, and we will make those cuts later. It never happens.

For all of those reasons, I cannot support the budget deal. I hope our

next fiscal deadline dealing with the debt limit early next year will provide an opportunity for my colleagues and me to have a real conversation about the spending problems our country faces. The spending issue isn't going away. The longer we put it off, the worse it will become. That is the reality our country faces.

I hope that we continue on the bill that says, no budget, no pay, and actually get that done so that we have the emphasis to actually finish a budget much earlier. Yes, there is blame, blame enough to go around on the budget process. We are actually too late for the budget process to have an impact. We are at the spending part. We are not getting to address that with amendments, and I am deeply disappointed we are not legislating.

I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from Alabama.

Mr. SESSIONS. I thank Senator ENZI for his leadership on the Budget Committee. He is a long-time member, a senior member, and he has worked hard on these issues for years.

He is an accountant. He is able to add and subtract. He can see a debt crisis when one is there, and I appreciate the comments he has made. I believe he is exactly correct on so many of those points.

The Senator suggested that something is awry on the pension benefit commission in which we, in effect, tax employers more supposedly to help the guarantee fund be able to honor people's pensions if a company goes bankrupt. But it seems to me in simple dollars and cents if we do that we can't then spend it on other items unrelated to pension guarantees.

Is that the concern the Senator has raised, essentially?

Mr. ENZI. Yes, that is exactly the issue I was raising. We keep promising people that money is going to go to certain places and then we divert it to other places.

I think that under the system of accounting we use, we probably could get it to show up in two places and get to spend it twice. That is double the problem. So we have to start being honest with the public about where we are taking the money and where we are actually putting the money, and that was my purpose in making that comment.

I thank my colleague for his comments and for his dedication on the budget. I don't think anybody spends as much time looking at those numbers as the Senator from Alabama does, and commenting here on the floor. It is an effort to educate America on what is really going on, and my colleague is very good at it. I thank him for his leadership.

Mr. SESSIONS. I thank my colleague. And I was referring to the fact that Senator ENZI is the one who has explained to us in a very clear way,

from his accounting background, the problems we have had with the pension guarantee fund, and it is a very real situation. It is actuarially unsound in the long run. It needs to be put on a better basis, but we can't put it on a better basis if we tax the employers. That may even reduce, as the Senator from Wyoming says, the number of employers who provide a pension. That would be a terrible policy error, if we keep driving up the cost to supposedly fix the fund but then spend the money on something else and we therefore disincentivize the businesses from even having retirement plans for their employees. So I thank my colleague for raising that very important issue.

The PRESIDING OFFICER. The Senator from Washington.

ORDER OF PROCEDURE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate recess from 12:30 until 2:15 p.m. to allow for the weekly caucus meetings and that the time during the recess count postcloture on the motion to concur in the House message to accompany H.J. Res. 59.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I rise today to speak on the bipartisan budget deal that is currently before the Senate.

Chairman RYAN and Chairman MURRAY have shown us true leadership on divisive and complex budget issues. The legislation we have before us today is the embodiment of compromise—something that has, unfortunately, been absent in Washington as of late. They have crafted a bill that sets forth the guidelines for spending for the remainder of this fiscal year and the platform for the next fiscal year.

This deal will set overall discretionary spending for the current fiscal year at \$1.012 trillion—an amount that is approximately halfway between the Senate budget number and the House budget number. This number is also less than the 2014 spending level set forth in Chairman RYAN's 2011 budget. While the overall spending number is higher than what I would have wanted, the House and Senate Budget Committee chairmen were able to craft a budget deal that produces \$23 billion in net deficit reduction. Very honestly, with the deficit we have been running, \$23 billion is a mere pittance, and I think all of us who are concerned about the debt and the deficit of this country would like to see that number higher. But more importantly, they have produced a budget that will set in place some fiscally responsible spending policies and give us a way forward. Regardless of how each Member of this Chamber feels about the resulting policy, we should all recognize the importance of

this agreement and thank the chairmen for their tireless work to end this chapter of political disagreement.

Although I would still prefer a grand bargain to solve our fiscal crisis, this deal marks the first step in that journey. Congress will now be in a better position to tackle the issues of taxation and entitlement reform in the short term, and I truly hope the committees of jurisdictions will take this as a sign that that does need to be what happens next if we are truly going to address our fiscal issues.

The budget deal before us is not perfect. There is a lot in this proposal to like and there is a lot in this proposal to dislike. But there is one provision related to military retirement pay that will certainly have to be addressed after the passage of this bill, and it is one of the provisions that, frankly, I don't like. I am told by Pentagon officials that this provision basically came out of nowhere. I think it is terribly unfair to our men and women in uniform. They should not have a disproportionate share in our deficit reduction measures.

However, I feel confident this issue will be resolved in the near term. I have had a conversation with the chairman of the Committee on Armed Services, as well as a number of other members of the Armed Services Committee who are committed to making sure we address this, and hopefully we will come up with some alternative before this provision takes place, which doesn't happen, interestingly enough, until December of 2015.

Many Georgians have served with honor in our military, and while the changes to their annual cost-of-living increase may appear insignificant on paper in this bill, this is real money promised to those who put their lives in harm's way in defense of this Nation. I want to assure our service men and women that there is ample time to address this issue before it takes effect, and I am committed to addressing it, and I will not turn my back on those who fight and have fought for this country.

That said, this budget deal is a necessary and crucial step toward a functioning Congress. With passage of this budget deal, we can close the book on discretionary spending arguments for the next couple of years. We can turn our full attention to entitlement reform and tax reform as Congress debates raising the debt ceiling once again next year.

Also, with this bill we will no longer need to provide additional flexibility for defense spending. This bill will give the defense community the resources they need, No. 1.

In conversations with top officials at the Pentagon and within the intelligence community over the weekend, they have urged the support of this bill as a way to address their current bud-

get crisis, and I am extremely sympathetic to both those communities and wanted to make sure that whatever product came to the floor of the Senate did that. This bill does address the shortfalls and the flexibility issue in the defense community and in the intelligence community.

I was pleased at the approach the budget chairmen took will not turn off sequester but will extend the mandatory cuts for an additional 2 years beyond what the Budget Control Act prescribed because, as I see this, this has been an \$85 billion fix on the sequester that keeps it from going too deep into the defense budget, which had the potential for causing real problems within the Pentagon as well as within the intelligence community.

With this budget deal, we can also put in place a 302(a) budget allocation—the top-line number Congress can spend on discretionary spending. For the first time in several years, this will allow the Appropriations Committee to do the job that it is actually intended to do. Our appropriators have previously been forced to make spending decisions without a top-line number and through continuing resolutions. They had no information and no guidance from Congress. It is no wonder our spending has caught up with us. The country benefits when Congress approaches the appropriations process through regular order and not through last-minute continuing resolutions. This agreement makes that process more likely.

The Budget Committee chairmen have also made a good-faith effort to attack the real problems in our budget by cutting money from mandatory programs rather than searching for more discretionary cuts. In their agreement, they took notice of how often the Federal Government has given special treatment to certain groups and they have taken efforts to curb that. While many outside groups may attack these reforms, they are representative of the types of reforms that will have to be included in any future agreement to achieve entitlement reform, which at the end of the day is where the real problem in our Federal budget lies.

This deal does little to address the \$17 trillion debt, but it is a start down that road, and I truly hope this will lead to more serious discussions on the floor of the Senate about our debt and a solution for how we are going to see that \$17 trillion repaid.

In all, this budget deal represents a partial completion of the work the American people expect from us. It is far from perfect and leaves much to be desired. But the prospect of compromise on the single most important issue of our time requires attention and serious looking at by every Member of this body. I will vote for the passage of this bill because it lays the groundwork for the next chapter in our pursuit of fiscal sanity.

For 3½ years now, Senator WARNER and I have been involved in seeking out a much larger debt and deficit reduction deal than what is currently before us. We know the American people are tired of out-of-control spending and don't understand why Congress can't address our \$17 trillion debt. It is not rocket science. The Bowles-Simpson Commission gave us a roadmap 3 years ago this month, and I regret that the White House has not followed the leadership of its own Commission. This bill represents a small step toward the type of cooperation that will be necessary to comprehensively address our debt and deficit. It is my hope that this agreement allows that effort to restart in a meaningful way.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I wish we had an agreement that is grand and great and would do what a lot of people have been dreaming of for some time and would put us on a sound financial path for decades to come. It is within our grasp. But it seems we are unable to make those choices or bring that forward.

I believe if the President has led and given a commitment to fixing our financial problems in America, we could have done it in the last few years. But he has not. So it has put us in a bad position, and we end up with the agreement we have today, which essentially would save some of the risk of a government shutdown and reduce some of the tension, which a lot of people think is great and I do too. It would be good for the country to have more predictability. It would be good for the Defense Department to have more predictability. It would be good for the financial community to have more predictability about what is happening in Washington. But what occurred is not sufficient in any way, and it has been postured to look a good bit better than it is.

Essentially, we remain on an unsustainable financial path in America. The numbers are real clear. We are seeing a reduction in our deficit in the near term, but the Congressional Budget Office tells us in the next several years we will begin to see the relentless increase in deficits every year, reaching almost \$1 trillion again by the end of this 10-year window. That is not a good path to be on.

We pay interest on the debt which we accrue each and every year, plus all the money we have borrowed previously. The amount is notable. We have exceedingly low interest rates, so it is

not impacting us as much as it is likely to impact us in the future, as they will return to the mean and we will see rates go up.

But just to point out that this agreement—the legislation before us—spends \$63 billion to \$70 billion in the next 2 years. Where does that money come from? Essentially, it adds to the debt. But we are told not to worry because we have other cuts in spending, other fees that will come in, which will eventually pay for it. But over half of the pay-fors occur outside the 8 years left on the Budget Control Act window and in the last 2 years of the 10-year budget window for this legislation. But the Congressional Budget Office has scored that, because we are spending more money sooner—money which has to be borrowed—it would add \$10.5 billion to the interest payment of the United States over this 10 year period.

So the claim it is going to reduce the debt over time if every bit of this is adhered to—which our pattern is not to adhere to what we promise. But if we were to adhere to it over the 10 years, the savings wouldn't be \$23 billion as claimed, it would be \$12.5 billion because the legislation supporters haven't discussed the interest cost of this gimmicked-up bill, where we spend more now and save later. It is a very serious matter.

They say the sequester is hard. The sequester is so bad that it cannot be sustained, America will collapse, and we will not be able to act in a compassionate way and be supportive of people in need or meet the basic needs of the government.

The former Speaker PELOSI, now leader of the Democrats in the House, said the cupboard is bare. There are no more cuts to make. She said on September 21 of this year: There are no more cuts to make.

There are plenty more cuts to make. There are ways to save money. For example, the majority in the Senate changed the rules of the Senate using the nuclear option to ram through the appointment of three new Federal judges. Each one of those, with their staff, costs the taxpayers \$1 million a year, and it was for the DC Circuit, which absolutely does not need these judges. They are not needed. The DC Circuit has by far the lowest caseload per judge in America, even with the vacancies on the court.

So what we should have done, and I worked toward previously, is not filled those judges and move them to other circuits which need judges that we are going to have to fill. That would have saved \$3 million a year. That is just one example of the waste of money. It is the equivalent of burning \$1 million to \$3 million a year on the mall out here because those judges were not needed.

So to say there are no cuts to make and we can't reduce spending any more

is not accurate. It is all through the system. As Senator ENZI said, his State was prepared to take an 8-percent cut. But under the Budget Control Act, which includes the sequester, we are not cutting spending over 10 years; we are increasing spending over 10 years. We are just increasing it \$2 trillion less than before. We were on the path to increase spending, at the time the Budget Control Act was passed, by \$10 trillion—from \$37 trillion to \$47 trillion over 10 years. We passed the Budget Control Act and said it would increase to \$45 trillion instead of \$47 trillion.

So we go from \$37 trillion to \$45 trillion. That was essentially what the agreement was. It passed both Houses of Congress. It had no tax increases in it. It was simply a commitment to contain the growth of spending, and it sharply reduced spending. It reduced spending in the near term. But after this year, spending is allowed to continue for the last 7 years or 8 years of the Budget Control Act agreement, a 2.5-percent-a-year annual increase every year after this year.

So the cuts began to bite this year. They were being felt this year. What did Congress do? It folded up like a house of cards. Congress couldn't sustain the heat and couldn't honor the promise we made in August of 2011 to reduce the growth of spending just a little bit. That was the promise. To raise the debt ceiling \$2.1 trillion, we agreed to reduce the growth of spending by \$2.1 trillion over 10 years.

Now we have already hit the debt ceiling. We have already borrowed another \$2.1 trillion. So now we hit the debt ceiling again, but we are not honoring the promise to reduce spending.

What happened? The sequester said we had to have more cuts this year, more reductions this year, and Congress couldn't sustain it—just couldn't—would not take the heat, and we came up with this new plan that is before us to avoid a shutdown. I guess we can say we avoided a shutdown, but we can also say we did not do the right thing about spending in America. We have not faced the challenge we have because we remain on an unsustainable financial path. In a couple years we will be back on a deficit growth pattern which is going to be very serious and will threaten the financial future of America. As President Obama's Simpson-Bowles Debt Commission has told us, nothing fundamentally has changed in that.

So we have our colleagues who are anxious to have more taxes—more revenue they call it. What they are talking about are more taxes.

House Minority Leader PELOSI says that there are no more cuts to make, American people. We have cut all we can cut. There is no more we can cut. So now we have decided the problem is you, American people. You haven't sent us enough money. We demand, we

insist, we require you to send us more money so we don't have to make any tough decisions anymore. We don't have to make the financial choices they made in Wisconsin or Alabama or Wyoming, that every State and city has had to face during this financial crisis, and they are leaner and more productive and more efficient as a result of having to make those choices. But we don't have to because we want to have more revenue.

So after this August of 2011 Budget Control Act passed, which reduced spending over 10 years by \$2.1 trillion, the President signed and agreed to, had no tax increases in it, it was just a commitment that we would contain spending—that is what the agreement was, a spending containment bill. In January, President Obama submitted a budget that wiped it out, busted it wide open. It would have added \$1 trillion in new taxes and \$1 trillion in new spending.

Wow. What kind of commitment was that to the American people; you sign a bill, you say you are going to do something, and before the ink is dry you are proposing a different idea that goes back on the very promise that was made.

Eventually, this year, the Senate Democrats passed a budget increasing spending \$1 trillion and increasing taxes \$1 trillion. It is a tax-and-spend budget, the same budget the President submitted each year.

They said we are going to have a balanced approach. What they wanted the American people to hear when they said a "balanced approach" is: We have a plan to reduce the deficit, and the plan is we are going to cut some spending and increase revenues. That is what they wanted the American people to hear. It was a subtly and carefully crafted message, but it was not the truth. The truth was that they wanted to spend more and tax more. Taxes were not used in a balanced approach to bring down the deficit from the unsustainable path on which we remain. The taxes were used to fund additional spending above the amount we agreed to in the Budget Control Act of August 2011, which is still in effect—unless this legislation passes, and that is going to amend it.

The fundamental fact is that my colleagues want to tax and spend. They say they have cut all they can cut and they want more revenue and more money from the American people. Just send it to us, and we will spread it around and we will do all the good things we can dream of with your money. We don't have enough of it; we want more.

I don't think that is good for America. I don't think that is good for the economy. We need a vibrant private sector with growth possibilities and the opportunity to have innovation and creativity and the efficiencies that

occur in the private sector that are not present in the government sector. We can't run this government. We have never managed the government effectively. It is so massive. We spend so much money. We need to be leaner and more productive. We need to decide which areas in our country we don't need the government to undertake. We need to let the private sector handle that wherever possible. If we do that, we can manage a smaller and more efficient government. We need to extract less money from the American people.

We have commitments. We are committed to Social Security, Medicare, and other funding we need to make sure we are honoring. We can't take money from Medicare, our seniors' health care program, and then spend it and say we have strengthened Medicare and made it better because we reduced its costs. The money that is saved in Medicare needs to be used to strengthen the long-term viability of Medicare, which is in great doubt. It is not on a sound path.

I know we can do better. We are going to have to face up to this. It is not going to be easy. It has challenges for all of us. But reductions in Federal spending can work.

For example, they say we need more revenue. Well, have we gotten more revenue? Yes, we have already. This Budget Control Act did not include more taxes. The Budget Control Act represented a \$2.1 trillion reduction in the growth of spending, but in January of this year we passed a \$650 billion tax on the rich, upper income people, and the ObamaCare legislation included a \$1 trillion tax increase on top of that. This bill has \$34 billion in fees and taxes. Is there not revenue around here? Revenue is being increased, but the problem is that it is not being used to reduce our deficits and it is not being used to put us on a sound financial path. It is being used to advance more spending, and that is the danger we are in, that is the danger we have to watch, and that is the danger that threatens us all.

I know how seductive it is for us to think we just can't reduce spending; the cupboard is bare. Minority Leader PELOSI says that we can't cut any more. Well, we can. There is a lot we can do to make this government leaner and more productive, and we are required to do so.

I yield the floor

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from South Dakota.

OBAMACARE

Mr. THUNE. Madam President, I listened to the Senator from Alabama talk about the current budget debate we are having on the floor, and I couldn't help but think of the discussion we had when we were debating the ObamaCare legislation a few years ago and how many of us at the time were

making the argument that this is the biggest expansion of government in literally half a century. I think that it is becoming increasingly clear that was, in fact, the case.

We are seeing dramatically more levels of spending. I think we are going to see dramatically higher levels of debt over time. But you would think that with \$½ trillion in cuts to Medicare, \$½ trillion in tax increases—and when it is fully implemented, it will be much bigger than that. The overall cost of the bill, when it is fully implemented, goes to about \$2.5 trillion. The expansion of government that occurred as a result of the passage of ObamaCare was, frankly, stunning relative to anything we have seen in recent history. You would think with that you would see some relief, if you will, in terms of the burdens being placed upon middle-class Americans, but we are seeing the opposite.

Many Americans are already feeling the effects of ObamaCare, whether it is higher insurance premiums, canceled health plans, or the loss of a doctor they like. Middle-class Americans are going to be hit the hardest.

Lower income families will face steep premiums and deductibles under ObamaCare, but they will get some help in the form of subsidies from the government to pay for some of their health care costs.

Upper income families are also going to face higher health care costs. In fact, the majority leader told a Nevada newspaper that his premiums under ObamaCare will rise by \$4,500 next year. Affluent Americans will be able to absorb those increases. What about a middle-class family facing a \$4,500 increase in health care costs, a family whose budget is already at its limit between housing costs, school expenses, and grocery bills? That family won't be able to absorb those costs. That family doesn't have a spare \$4,500 anywhere in its budget. For that family, the \$4,500 will have to come from money that was allocated for orthodontic payments or college tuition bills or money for a new car.

Back when the President was trying to sell his health care proposal to the American people, he promised that ObamaCare would "cut costs and make coverage more affordable for families and small businesses." Unfortunately, the last few months have made it abundantly clear that this promise is not being kept.

Instead of seeing reduced costs and more affordable coverage, middle-class Americans are seeing steep premium hikes and soaring out-of-pocket costs. Those Americans who have been lucky enough not to have their plans canceled have been receiving insurance plan renewal letters with staggering premium increases. In some cases it has doubled or even tripled what they have been paying before. One con-

stituent emailed me to tell me that thanks to ObamaCare her premiums will increase more than 100 percent, which she goes on to say is equal to 45 percent of her monthly income—45 percent just for health care. That is more than most Americans pay for their mortgage.

Americans whose health care plans have been canceled as a result of ObamaCare and who are being forced to shop on the exchanges are frequently facing higher premiums and drastically increased out-of-pocket costs.

A couple of days ago an article in Chicago Business reported that an average Chicago family with a midlevel health plan in the individual market would go from a \$3,500 deductible to a \$10,000 deductible if they obtained a similar plan in the exchange. That is \$10,000 on top of the \$9,000 a year that family would already be paying in premiums.

In Federal exchanges, many families are facing deductibles as high as \$12,700. Barring catastrophic illness or injury, in many cases a family with a deductible that high might as well not have insurance at all.

Of course, a family could buy a more expensive plan and greatly reduce those out-of-pocket costs. Many of the platinum plans, which are the high-end plans, have no deductible at all. As CBS News points out—and this was for a Houston, TX, family—"that means shelling out almost \$12,400 per year in monthly premiums, or about the same as the deductible for the bronze plans. Either way, families and individuals who don't qualify for tax credits may find ObamaCare failing to deliver on its promise of affordable health care."

That is from CBS News when talking about a specific family in Houston, TX.

What makes it even worse—and this is what the Associated Press reported—many families don't fully understand the expenses they are taking on when they sign up for plans with high out-of-pocket costs. The Associated Press notes that "only 14 percent of American adults with insurance understand deductibles and other key concepts of insurance plans, according to a study published this year in the Journal of Health Economics. If people with insurance don't understand it, it's likely that uninsured Americans' grasp is even fuzzier."

A family shopping on the exchanges may snap up plans with relatively low premiums without realizing that they are, in effect, purchasing nothing more than catastrophic coverage that may leave them on the hook for thousands of dollars in medical costs each year.

So far, I have talked about the direct financial consequences of the President's health care law, but its effects don't end with higher premiums and skyrocketing out-of-pocket costs. Middle-class families will also take a financial hit thanks to the damage ObamaCare does to businesses.

ObamaCare puts in place a slew of new regulations, new taxes, and new fees on businesses large and small. When faced with that, businesses will have two choices: They can absorb the costs of new taxes and fees, thereby reducing the amount of capital they have to expand their businesses, hire new workers, or promote existing ones, or they can pass on these costs directly to their workers, further burdening families already facing steep health care costs. It is a lose-lose situation.

Small businesses are being hit particularly hard. Susan Gabay, cofounder and managing director of a small business investment banking firm, published a column on Saturday in the Washington Times in which she discussed the effect the President's health care law is having on her business. Thanks to ObamaCare, the health plan she offered to her employees was canceled. The new coverage she was offered contains a 48-percent premium increase, which she says "translates into approximately \$1,676 in added costs per year for every individual covered on our plan." That is a \$6,704 premium increase for a family of four. She says that is approximately \$44,000 in added annual costs for her business that otherwise could be used to hire a college graduate.

Maybe her employees are getting better coverage thanks to ObamaCare's regulations, right? Well, actually, the answer is no. Let me read her answer to that observation. She says:

The response to our plight is that we are getting much better coverage. But that isn't true, either. We have historically provided our employees with a generous plan with 100% coverage for in-network preventative care and low out of pocket maximums. Conversely, our new "great alternative" plan offers comparable benefits with much higher out of pocket maximums.

So thanks to ObamaCare, Ms. Gabay's business will pay more for health care and so will her employees without receiving any meaningful increase in benefits.

As every middle-class parent—wondering where money for the next dentist bill or tuition payment will come from—knows, America's economy is still struggling to recover from the last recession. Burdening any business—particularly our Nation's small businesses, which are responsible for a majority of the new job creation in this country—is the worst possible thing we could do for our economic recovery and for the millions of middle-class Americans searching for better jobs and opportunities.

Democrats and the President made the American people a promise. They said: We will make health care more affordable. As long as ObamaCare is in place, that promise will continue to be broken, and middle-class families will suffer as a result. In fact, just recently, when asked a question in an interview about the health care plan, Secretary Sebelius said:

There are some individuals who may be looking at increases. I think you cannot make a statement based on cost unless you compare what they had to what they are going into.

That was Secretary Sebelius saying there are some individuals who may be looking at increases. I think that is the understatement of the year based upon the experience of literally millions of Americans, some of whom have lost coverage entirely, but millions of Americans who are suffering with the sticker shock of dramatic increases in the premiums they pay for their health insurance coverage, dramatic increases in the deductibles now available under their policies, and dramatic decreases in the take-home pay they have to meet the other obligations they have for their families. This is a direct hit to the pocketbooks and the future economic vitality of middle-class Americans.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. Madam President, earlier this morning the Senate voted to advance a budget agreement that passed the House last week. The legislation has been a topic of much discussion over the past several days, and there are sincere arguments on both sides.

While I appreciate the challenges House and Senate negotiators faced in crafting these budgetary guidelines, I voted against this legislation because in my view Congress should continue to adhere to the fiscal restraints both parties agreed to under the Budget Control Act.

I was the principal Republican negotiator of that agreement. I have been particularly invested in its success, and I was very proud of it. As a result of the Budget Control Act, government spending has declined for 2 years—2 years in a row—for the first time since the Korean war. This was hard-won progress on the road to getting our Nation's fiscal house in order.

As I said, I fully appreciate the constraints Chairman RYAN and Chairman MURRAY faced in their negotiations, and there is clearly some good to be said about their agreement. But we should not go back on the agreement we made under the BCA.

Nonetheless, this has been a very important public debate. Unfortunately, our colleagues on the other side do not seem terribly interested in substantial debate on this or any other substantive issues this week, least of all ObamaCare, which has been wreaking

havoc on our constituents for months now but which Democrats seem entirely uninterested in discussing. Instead, for much of this week the Democrat-run Senate has decided to devote its attention to pushing through nominations—nominations. They want to spend time seating political appointees at places such as the Department of Interior—positions that, while they may be important, are certainly not in any way emergencies that need to be attended to right this second.

Meanwhile, out in the real world, millions of Americans will continue to suffer under a law they told Washington not to pass in the first place, a law that Washington Democrats still stubbornly refuse to change in any meaningful way. Our colleagues on the other side seem to think they have no responsibility to do anything about the impact of ObamaCare since the White House issued a press release declaring partial victory—partial victory—in fixing the Web site. That is their whole approach to this rolling disaster: Let the White House dodge and deflect on any problem that arises until people forget about the last one. Point the finger at some bureaucrat or some Web technician and basically do nothing.

We are now nearly 3 months into this national calamity, and what have Democrats done about this national calamity? Well, they have issued a lot of talking points and some halfhearted apologies. They have mouthed nostrums about "private sector velocity." They have waived laws for fear of the political impact of leaving them in place. And there has hardly been any accountability for the massive consequences faced by American consumers as a result of this failed law. In other words, they haven't done much of anything. They have treated this whole thing like a public relations problem to get past rather than a real-life problem for middle-class Americans to be solved. They are engaged in daily battle aimed at one overriding goal: Protect the law. Yet nearly every day we hear more about its painful impact.

Since the October rollout, millions of Americans have lost their insurance plans. More than 280,000 have lost coverage in Kentucky alone, and so many are feeling the squeeze of this law, folks such as Lana Lynch, a mom from Brandenburg, KY, who told me the annual out-of-pocket expenses for her family rose from \$1,500 to \$7,000 under ObamaCare, and folks such as Barrett Simpson from Sweden, KY.

Barrett had a health plan he liked and wanted to keep, a \$540-a-month policy that was, in his words, "perfect" for his family. The folks responsible for ObamaCare apparently thought they knew better than he did about the needs of his family, so he lost it. Here is what he had to say about that:

[My] plan is being eliminated because of the ACA, and the cheapest, closest plan will

cost [u]s \$1,400 next year. We can keep the plan until the end of next year, but we will have to pick a new one. We don't need the extra coverage for maternity, for vision or dental, but yet we will be forced to pay for it.

He continued:

These changes are absurd. Most people in this country who are content with what they had are now paying for what Obama is trying to do for a very few.

Barrett closed his letter by asking me to work to repeal ObamaCare.

Well, Barrett and Lana should know this—in fact, every Kentuckian should know this, and every American should know this: Members on my side of the aisle hear you loudly and clearly. We are not going to give up this fight. No matter how much the other side tries to distract the country's attention, we won't be fooled and we know you won't be either.

Look. The folks each of us were sent here to represent—not the government—should be the ones choosing plans that make more sense for their families. And when our colleagues on the other side go around referring to insurance being lost as “junk,” that is beyond offensive to the people we represent.

There is a lot of ivory tower thinking that goes on in this city—way too much of it. It is time for our Washington Democratic friends to finally climb out of the ivory tower and see the reality of their ideas in action, witness the failure of their policies firsthand. It is time for Washington Democrats to drop their refusal to change anything of substance in ObamaCare, and it is time for them to listen closely to the people who sent us here in the first place.

Here is what so many Americans are saying. They want Democrats to start working with Republicans to improve our Nation's health care system in a positive way, to help us implement real, patient-centered, commonsense reforms that can actually lower costs and improve the quality of care because we were sent here to solve problems, not to make them worse, as ObamaCare does.

Let's erase that mistake. Let's get rid of it and start over with real reform. Working together, we can do it.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, I would like to continue to raise a simple point but a point of profound financial significance to America. One of the things that has happened in the bill that is before us is there has been an

extension in the 10-year BCA plan—which was enacted 2 years ago; there are only 8 years left—an extension of a 2-percent reduction in payments to hospitals and doctors who provide services through Medicare, treat patients, and get paid by the U.S. Government. So they were reduced 2 percent.

This is scored as a savings for the country. In effect, it is perceived as a savings that allows us to spend more money somewhere else. That savings, as was done in this legislation, involved the last 2 years—years 9 and 10—of the 10-year window from today. It creates some money, they say, because we reduced Medicare costs and we can spend that money in this year and next year on nondefense and defense discretionary spending, and we are going to promise to use the money we save in Medicare in years 9 and 10, outside the promised BCA 10-year window which is already moving along.

What I want to raise is a deep and fundamental point. Medicare is already in deficit. Medicare is already spending more money to provide care for seniors than is being taken in off people's paychecks every week. But Medicare does have a trust fund. Medicare Part A does; it's called the Hospital Insurance trust fund. Social Security also has a trust fund. People have that money come off their paychecks every week when they go to work, and they believe, correctly in my opinion, they have a right to receive those benefits in the future.

They are not happy. They believe America is going on the wrong track when we take that money and spend it, therefore, jeopardizing the confidence they should have in retirement that their Medicare and Social Security are going to be in place.

We know there are some deep problems with Medicare and Social Security actuarially because people are living longer and there are more people retiring and we have to deal with some problems there. But what I want to say is, the worst thing you can do is to do the things necessary to make Medicare sound—tighten up payments to providers, perhaps; although there is a limit at some point as to how much you can do there—and do other things that make Medicare more financially stable, but you should not see that savings as something you can spend on a new program. The entitlement programs that went into ObamaCare, the Affordable Care Act, \$500 billion of that money that supposedly was used to fund it was from Medicare and some from Social Security too—saving money in those accounts.

But those programs have trust funds. They have trustees. When they ran a surplus, as they had done for many decades—but not now—when they were running a surplus, the money was loaned to the Federal Treasury and they spent it. But the Federal Treasury

owes it back to them. Now that both of those programs are heading into steep fiscal decline, they are calling the notes, they are calling back the money they loaned. The trustees of those programs know whom they represent. They represent Social Security recipients. They represent Medicare beneficiaries. They are demanding their money, they are going to get it, and we are going to honor it.

So what I am saying is we cannot count that money twice. That is what Mr. Elmendorf, the Director of the CBO, told us on December 23, the night before the ObamaCare bill was passed on the floor of the Senate in 2009. He said: You cannot count the money twice, and to suggest you are strengthening Medicare and simultaneously providing a source of money to spend on the new ObamaCare program is double counting. He used the words “double counting.”

How simple is this? My question to him, when he gave the letter—and I asked him to put it in writing. I insisted he do that. He works for us, and he did what he is supposed to do. He said: Even though the conventions of accounting might suggest otherwise, you cannot simultaneously use the same money to strengthen Medicare and fund ObamaCare. That is what he said.

So under our conventions of accounting, we have what we call a unified budget. The CBO does it both ways, but the one we talk mostly about, the one everybody focuses on, is the unified budget. So if Social Security is a little better off, it is assumed it is in the same pot. Everything is in one pot. So anything that cuts the expenses of Medicare and Social Security to make them strong is utilized and considered to put more money in the pot to be spent somewhere else.

What is happening to us now is the unfunded liabilities in pension funds, retirement funds, Medicare, Social Security, and other accounts are reaching unprecedented levels, some say nearly \$100 trillion, and it is growing considerably. This is the long-term threat to America. This is the thing that several attempts have been made in recent years to fix, to confront, to put us on a sound path financially, but it has always failed. People can blame everybody, and everybody is subject to blame, I assure you. However, I do believe it is quite plain it will not happen unless the President of the United States leads and participates and says: I want to fix it. He is basically saying: We do not have a problem. We are doing fine. He is not willing to call on the American people and use his bully pulpit to lay out the challenges we face in how we could put ourselves on a financially sound path without destroying the country.

We can do that. We really can do that. But it will take belt-tightening in

every aspect of our government, and everybody should share equally in the belt-tightening, not just a few, not just veterans, military people who have served 20 years, and disabled veterans having their retirement cut, as this legislation does. It needs to be something where everybody participates in tightening the belt. We could get the country on a sound path.

But I want to register again—and I am going to continue to talk about this because I think it leads to a false impression. It leads to the impression we have more money than we have. You cannot use Social Security's money, Medicare's money to fund ObamaCare, the Defense Department or nondefense discretionary spending. It is not possible to use that money twice.

I thank the Chair and yield the floor.

Mr. BLUMENTHAL. Madam President, I ask unanimous consent that I be permitted to speak for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING ERIKA ROBINSON

Mr. BLUMENTHAL. Madam President, over the weekend, the State of Connecticut and the country and the world commemorated with grief and continued pain the first year anniversary of the tragic massacre in Newtown.

On the morning of Saturday—1 year after the Newtown tragedy—I attended a church service, a beautiful, moving, powerful celebration of faith at the St. Rose of Lima Church, whose pastor, Monsignor Robert Weiss, has been such a great friend to so many in the community and such a source of strength and comfort.

Later in the weekend, I visited with the family of Erika Robinson of West Haven, Connecticut, who was shot and killed at a nightclub in New Haven on October 26. This seemingly random act of violence left Erika dead and five other individuals injured by gunfire.

I have spent months and have been grateful for the experience with the families of those victims in Newtown. I was equally grateful to spend this time with Erika's family—Celeste and Greg Fulcher—at their home, and I want to thank them for welcoming me to their home on that day.

Erika Robinson was only 26 years old when she became a victim of gun violence. She clearly was a person full of joy and life and goodness for all of her 26 years and including the day she perished.

She was building a business, a clothing line. As her business grew, a local store started selling that line of clothing. Those who knew her described her as hard working and driven.

She was compassionate. Most recently, she released a special collection in honor of Breast Cancer Awareness Month.

She had enormous potential. She did everything right. She played by the rules. She stayed out of trouble, and she had the support of her two loving parents.

She was on track to fulfill the American dream, and now her life, tragically, has been reduced to a statistic, unless we make sure it is more than a statistic and that we work and fight to make her legacy one of helping to protect others, helping to prevent gun violence that takes victims like her who are simply in the wrong place at the wrong time, as she was that night in New Haven, when a shooter who was illegally in possession of a firearm—in fact, apparently on bail—turned to take as a victim someone else in the crowd that evening in the nightclub, and she became a victim that night inadvertently, unintentionally, and five others were wounded.

I have her picture here. Erika was more than a statistic. She was a person. Part of her clothing line was this small card she fashioned herself:

It's so regular for us to say "You only live once", but do you deeply understand that it's real. What I'm trying to say is be fearless. Do things you always wanted to do. Never let anyone hold you back. Enjoy this thing we call life while we can. People going to talk regardless, so be you!

Forever, Erika Robinson.

May that legacy be forever. May that legacy be with us forever and inspire us to work as we have done on behalf of the families of Newtown and as we should be doing on behalf of the 10,000 other victims of gun violence since Newtown.

The victims are not only the victims who perished among those 10,000, they are others who have been injured, such as the 5 who were injured that night when the shooter at that nightclub in New Haven was aiming for someone else and sprayed gunfire that killed Erika, took her as a casualty but also injured others severely and traumatized countless others who saw or watched or heard what went on in that nightclub that night, an establishment that was legally licensed by the State of Connecticut, legally licensed to entertain people and charge for them being there, an establishment that was the last place Erika Robinson knew.

Such a promising young woman at the wrong place at the wrong time, a woman who could have contributed so much to New Haven, to Connecticut, to our country. This was a tragic loss for her family that continues to honor her life with courage and strength and a tragic loss for all of us and for the thousands of people who came to her funeral because she had already, in those young 26 years, touched so many lives.

We owe it to her and to her family that her legacy will be one of protecting others such as she, protecting others across America regardless of the neighborhood or the place in that

neighborhood, whether it is downtown New Haven, an urban area, or Newtown, a suburban neighborhood. It should not matter where gun violence is a threat. We should eradicate it everywhere. It should not matter who may be the victim of gun violence, what her background may be, her race, religion, anything about her.

Every human being, every person in the United States of America is deserving of protection that our society failed to give this young woman. We do a great disservice to our Nation when we fail to honor those individuals who may not be in the headlines, who may not be from neighborhoods that we know but others that are unfamiliar to us. We owe it to ourselves, not just to Erika and her family but to ourselves as a nation to do better and to make America safer. She deserved better from the greatest country in the history of the world. We as citizens of that country deserve better and have an obligation to do better. So we will, I hope, leave a legacy for her in her name that speaks to a safer, better America.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:33 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2014—Continued

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I come to the floor to speak in support of the 2-year bipartisan budget agreement reached by Representative RYAN and Senator MURRAY. I am pleased that the budget agreement passed the House of Representatives with overwhelming bipartisan support and that cloture was invoked in the Senate today.

I understand there are many of my colleagues on this side of the aisle who are very unhappy with this deal and intend to vote against it. My only response to that is I respect their vote, but I would like to know what we do in order to avoid another shutdown of the government. The American people steadfastly reject a shutdown of the government. I have concerns about the budget deal—I think everybody does—because of the nature of the way business is done. But to somehow vote against it without an alternative to keep the government from shutting down lacks some intellectual integrity.

My support and vote will be based on two important facts:

It will prevent another government shutdown, which we cannot put the

American people through or the people of my State through again.

It goes a long way in alleviating the devastating impact of sequestration on our military. Have no doubt that the sequestration has had a devastating effect on many aspects of our ability to defend this Nation. Don't just talk to our leadership but talk to the men and women who are serving. They don't know where they are going to go next. The pilots aren't flying, the ships aren't sailing, and the training is not being conducted. That is unfair to the men and women who are serving their military, and I would remind us that all have volunteered to serve this country in harm's way.

This budget deal will avert another government shutdown and reduce the impact of sequestration. It will reduce the deficit by roughly \$23 billion without raising taxes.

Peggy Noonan is a noted conservative columnist who writes for the *Wall Street Journal* and served in the Reagan administration. She observed in a *Wall Street Journal* op-ed:

[T]he government is now unable even to pass a budget, to perform this minimal duty. Instead, Congress and the administration lurch from crisis to crisis, from shutdown to debt-ceiling battle. That gives a sense the process itself is broken, and this lends an air of instability, of Third World-ness, to the world's oldest continuing democracy. We can't even control our books. We don't even try. That's my context for the Ryan-Murray budget deal.

She continued:

Should it be passed? Yes, yes and yes. The good things about it are very good. The idea that Republicans and Democrats are capable of coming to a budget agreement is good. The idea that they can negotiate and make concessions and accept gains is good. The idea the U.S. government is able to produce anything but stasis and acrimony is good. That we can still function even in the age of Obama—good.

She noted:

[This] agreement moves us an inch or two in the right direction. Let me tell you what that's better than: It's better than moving a few inches in the wrong direction! And it's better than where we've been, in a state of agitated paralysis.

Only weeks ago we all witnessed firsthand the impact a government shutdown had on our constituents, and none of us wants to go through that again.

In my home State of Arizona, the impact was very significant. Nearly 500,000 visitors were turned away from Arizona's national parks during the shutdown. Arizona lost about \$33 million in visitor spending. At Grand Canyon National Park, food banks had to rush supplies to 2,200 employees of the concessionaires inside the park who were furloughed or laid off. Arizona spent about \$500,000 in donations to reopen the Grand Canyon for 5 days during the shutdown.

The list goes on and on.

Our approval rating, I would say to my friends on this side of the aisle, and

our party's approval rating plummeted. The damage was severe.

Now we have an agreement. I repeat to my colleagues who would vote against this—both on that side of the aisle and this side of the aisle—if you have a better idea, bring it up, let's consider it, and let's vote on it because the only alternative to this is a government shutdown. Let's not deceive ourselves about why we are voting and what we are voting on.

I admit it is not perfect. I think it has caused heartburn for all of us. One potentially problematic provision—and it is problematic—would slow the growth of cost-of-living adjustments for working-age—and I emphasize “working-age”—military retirees. Let me point out that the COLAs for working-age military retirees under the age of 62 will continue to grow after 2015, in most cases more slowly than before.

The fact is that the chairman of the Senate Armed Services Committee—one of the most admired and respected individuals in this Senate—has stated that we will review this provision, and we will review it in the context of the work that is already being done on the Senate Armed Services Committee, and that is a review of all paid benefits and aspects of our military that, in the words of former Secretary of Defense Mr. Gates that these entitlements in the military are “eating us alive.”

I would like to give an example. In 2012 military retirees and survivor benefit recipients received \$52 billion. In 10 years that will grow to \$59 billion. By 2034 it will grow to \$108 billion per year. From 2001 to 2011 payments to military retirees grew by 49 percent. Every penny of it is deserved. Every penny of it we are proud we gave them. But I don't think there is any doubt that we are going to have to look at this whole issue of the pay, benefits, retirement, and all of that of members of the military in a prospective fashion.

I am confident that one of the items taken up next year in the Senate Armed Services Committee will be what we are passing today, but it will be brought up in the context of all of the aspects of personnel costs in the military today—keeping in mind that we have an all-volunteer service and we are proud and pleased of the fact that we have America's finest in the military.

But I can say for a fact that with this lurching from shutdown to shutdown, these draconian effects of sequestration—and I know my colleagues know that in 2014 there will be a more severe cut than at any time—these brave young men and women are getting sick and tired of not being able to do their jobs, and the best and the brightest are already making decisions as to whether to remain in the military.

I wish to mention one small aspect that I think is indicative. About 20

years ago there was a very large influx of pilots into the civilian airlines as airlines began to expand rather dramatically. That very large number of pilots is now nearing retirement age.

There is going to be a dramatic demand for airline pilots, who, as we all know, are very well paid. We are offering pilots \$225,000 to stay in and fly airplanes in the military. Do you know that the vast majority of these young pilots, these aviators, are not accepting that? One of the reasons they are not signing up is because a lot of times they don't fly anymore. They are not operating anymore, and they are spending time away from their homes and their families without being able to do what they were trained to do. This is only a small example of the impact of sequestration on the military.

I wish all of my colleagues who are members of the Armed Services Committee would listen to the testimony of our military leaders who tell us that already they may not be able to defend this Nation in the most efficient fashion because of the effects of sequestration.

All I can say is that if I had written this legislation—I think each one of us individually would have written it differently, but we didn't—the option of shutting down the government and the option of further damage inflicted by sequestration I hope would override the problems we see with this agreement. I want to promise my colleagues that I will work in every way with Senator LEVIN under his leadership next year—remember, this COLA issue does not kick in until 2015—I will work with my colleagues under Senator LEVIN and Senator INHOFE's leadership to review this provision in this bill as to whether it is fair and whether it needs to be changed.

Again, I challenge my colleagues who will come to this floor and speak against this agreement to tell me what we can vote on and pass to prevent another government shutdown, and then I will be pleased to support it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. Kaine. I also rise today to talk about the Bipartisan Budget Act of 2013 and to echo many of the reasons for supporting that budget that were just spoken about by my colleague from Arizona.

This is the first Budget Conference Committee in a divided Congress since 1986, and compromise leaves every side with something they like and something they don't like, but it is what Americans expect us to do.

I applaud Senator MURRAY, our Senate budget chair, for her leadership since our very first Budget Committee meeting in January 2013. I applaud Congressman RYAN, the chair of the conference committee, for his work with his House colleagues. I was proud

to be a part of the Budget Committee in this conference.

Americans want us to find a budget compromise to restore some certainty in a way that will help families, help businesses, and help our economy.

The day that I was sworn in as a Senator, before I took the oath of office, I was interviewed by a radio station in Virginia. They asked me what were the two things I wanted to do most immediately as a Senator. Only last week I was reminded what I said. I said: I want the Senate to find a budget that will be a budget for all of Congress, and I want to end sequester.

I have done a lot of budgets as a Governor and a mayor. It was challenging for me to understand how in February we were here without a Federal budget but on the verge of embracing nonstrategic across-the-board sequester cuts in a way that would hurt so many priorities Virginians care about.

I gave my first speech on the Senate floor in February to urge my colleagues to avoid sequester. In the months since, I have visited Virginia shipyards, research universities, and early childhood education centers and have seen the effect sequester has on Virginians, on Americans, and on our economy.

I am acutely aware of the budget impasse and continuing challenges that are imposed upon this economy by gimmicks such as sequester, and the absence of a budget for 4 years compounds those things. We have seen the harm sequester has done to so many of the priorities we care about.

No manager would embrace indiscriminate across-the-board cuts because not everything the Federal Government does is worth everything else. If we are going to be making cuts, they should be strategic. There are areas in which we shouldn't be making cuts at all. We should be putting more money into the budget to do what is strategic and what is necessary.

So what we have done with this budget deal is we have taken a step back to regular budgetary order to give certainty to the economy and to give certainty to our planners who work for the Federal Government. And while we are not replacing all of sequester—and how much I wish we were—we will do a lot to reverse some of its worse effects.

The budget deal is good in a number of ways.

It replaces \$63 billion in sequestration cuts scheduled to go into effect in the next fiscal years—2014 and 2015—and replaces those nonstrategic cuts with a targeted mix of responsible spending reductions and new fees and revenue.

It increases the top-line discretionary spending level for fiscal year 2014 to \$1.012 trillion and \$1.014 trillion in 2015.

It provides budget certainty for 2 years. This is something many of us in

State governments, who have State government experience, have long embraced—the virtue of 2-year budgets, which are common at the State level because they provide more certainty.

Under the agreement defense cuts of an additional \$20 billion that were scheduled to take effect in January will not go into effect, and we will find ways to restore funding and avert sequester cuts to nondefense accounts as well.

The bill will let Chairwoman MIKULSKI and appropriators write full appropriations bills to reverse the cycle of widespread continuing resolutions. Many folks in the Federal Government tell me that as damaging as sequester is, a continuing resolution—that locks in line items at the level of last year or the year before that, instead of allowing flexibility to deal with these situations—is just as dangerous. So our appropriators can now write full-year appropriations bills for fiscal year 2014 and 2015.

With budgetary certainty, our Department of Defense will be able to plan and strategize for the future, as will our domestic agencies. We will fund critical readiness issues. We will allow the Navy in Virginia to continue to work on ship building and repair, which is so critical and, above all, we can show the American public that Congress can work together in a bipartisan way, which is what we are all trying to do and what the American public asks us to do.

We do know, as Senator MCCAIN and all have mentioned, like any compromise this budget compromise is not perfect. I would put on the top of my list as the most grievous challenge with the budget compromise not something that is in it but something that is not in it—the extension of unemployment insurance benefits to the long-term unemployed. In this economy, all of the economic data suggests the extension of those benefits is not only good for the individuals, they are good for the economy itself. The suggestion is the expiration of these benefits could cost the country 200,000 to 300,000 jobs. That is a weakness in this proposal.

An additional weakness is the way we have dealt with the cost-of-living increase for military retirees pre-age 62 who are not disabled. I don't agree with that compromise provision. It requires a reduction in the cost-of-living increase for certain military pensions. The Senate budget that all those currently in this Chamber worked so hard on to pass in March did not contain that provision. It was not the way we felt we should be dealing with the budget. Obviously, we liked the Senate budget, and we found a way to replace sequester without making this change to military pensions. But it was added during the conference in order to find compromise with the House to move

forward. Compromise is necessary because absent compromise the very folks who will be affected by this particular change will also be affected, because we have seen sequester and shutdown and furloughs affect military employees. We have seen it affect military operations, and so the alternative of brinkmanship and shutdown is no better for our retirees than this provision.

We have heard from Secretary Hagel and Chairman Dempsey that they are supportive of the overall framework of the deal and it will help them address military readiness challenges. I am pleased Senator LEVIN, the chairman of Armed Services Committee—a committee on which I serve—has signaled his intention to review the COLA provisions in the Armed Services Committee next year, since it will not be scheduled to take effect until 2015.

I am also disappointed that new Federal employees will be targeted for increased pension contributions. We have now increased those contributions in a somewhat tiered level for new employees twice in the last 3 years. But again, while that compromise is challenging for those newly hired Federal employees, the alternative is more challenging, because we can't keep going through the uncertainty of shutdowns or furloughs. It wouldn't be fair to those employees for us to do that.

So again, we have replaced a portion of the nonstrategic cuts, and that is the way we should go going forward. I will continue to work to get rid of the rest of sequestration and replace it with similarly targeted strategies.

For those reasons I urge my colleagues to support this deal. While I wouldn't agree with all items in it, that is like any compromise I have ever engaged in in my life. All of us who are part of a group—from the Senate of the United States to families—know that if you are part of a group, it is not always your way or the highway. You have to give and expect others to give as well, and that was an important aspect of this compromise.

I will say in conclusion that another aspect of this deal I like very much is that it has unified the Virginia congressional delegation. There are 13 of us, 11 in the House and 2 Senators. There are 8 Republicans and 5 Democrats. We get along well and work together well, but there aren't many issues like this—big policy issues—where all of us agree. In the House last week, all 11 Members of Congress of both parties voted for this budget compromise. Senator WARNER, as a budget conferee, together with all of us in the Chamber right now, are supporting this budget compromise. I am glad my colleagues from Virginia have pulled together, and I think it is a tribute to the fact we have all seen the impacts that the budget uncertainty and sequester have caused. I am glad we seem to be on the verge of providing that sense of

certainty that will be good for the public and good for the economy.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Madam President, I want to take the floor today because I am very disturbed by the apparent shift in attitude by many elected leaders, including some in this body and in the House—the attitude towards people who do the work that makes this country run. They do not sit behind desks. They do not wear coats and ties every day or wonderful clothes. They do not sit in air-conditioned offices. They do not clip coupons. They just do hard work. They are the people you run into every day when you go into the local coffee shop and you order your latte. Maybe you see them when you go out and have lunch at a restaurant or you hail a taxi. Maybe you get on a bus or the subway. Maybe now, since it is near Christmas time, you go to a department store to do your Christmas shopping, and it is that person standing behind the counter.

You think that person is only there for you when you go in there to buy your Christmas present. Think about it. She has probably been standing there all day long, and after you get out of there, she is still standing there to wait on somebody else.

That is who I am talking about. They are not the big wheels in our society. They never thought of themselves as being big wheels, but they are the cogs and the inner workings that make our country run.

There used to be fairly universal agreement that these people are the backbone of this country and the foundation of our economy; that our job as elected officials is to do all we can to ensure that all working Americans have a decent shot at the American dream. We used to agree that if someone worked hard and played by the rules, they should be able to earn enough to support their family, keep a roof over their head, put some money away for a rainy day, and have a secure retirement. We used to agree that if one loses their job through no fault of their own, especially at a time of chronically high unemployment, they should have some support to get them through the rough patch while they are looking for new work. We used to agree not too long ago, on both sides of the aisle, that no child in this country should go to bed hungry at night. I say both sides. I remember McGovern and Dole, Dole and McGovern, and the great work they did on hunger in America.

In recent years, it has been alarming to see how these fundamental principles and values are being attacked in our public discourse. For many, the new attitude is: You are on your own. If you struggle, even if you face insurmountable challenges, well, it is probably your own fault.

It just seems to me that there is a harshness in our land, a harshness that I think of as sort of borne of a benign neglect toward those Americans who have tough lives, may be ill-educated, marginally employed or they are just down on their luck. It used to be we only heard harsh rhetoric such as that from radio talk show partisans trying to get their ratings up. Sadly, it has now become a part of our everyday conversation, even in the Congress.

We hear how minimum wage workers don't deserve a fair increase because they are just not worth \$10.10 an hour. We hear that unemployed workers should be cut off from unemployment insurance because they are becoming "dependent." At a time when there are three job seekers for every job, we hear it is critical to take away food assistance from millions of individuals so that, supposedly, if we take away their food and take away their unemployment insurance, they will now somehow learn the redemptive power of work. As if young mothers working service jobs, laid-off factory workers delivering newspapers, unemployed families receiving SNAP benefits—that somehow they need to be lectured by Members of Congress about work. These people know what it is like to work.

What happened to our respect—our respect for the people who do the work and want to work in our country? What happened to our values, basic moral truths that people shouldn't go hungry in the richest country in the world? Whence comes this harshness of ours, reminiscent of the late 19th century workplace in America? How did we get to the point where many of us value the work of day traders pushing paper on Wall Street, but we ignore the contributions of the people who work in our daycare centers, educate our kids, care for our elderly in the twilight of their lives? What about their value?

I wish the people who are pushing this harsh rhetoric would talk to Terrence, a father of three in Kansas City, MO. He works 50 hours a week. Don't lecture him about working. Fifty hours a week, two jobs—one at Pizza Hut and one at Burger King—to try to make ends meet. He can barely insure his 15-year-old car or purchase shoes for his three girls. Last year, he lost his house. He told the Washington Times:

We work hard for companies that are making millions. We're not asking for the world. We want to make enough to make a decent living. We deserve better. If they respect us and pay us and treat us right, it'll lift up the whole economy.

I will bet Terrence never got a degree in economics, but he says it better and understands it better than a lot of these economic thinkers down at our big banks and these economic think tanks.

They should speak with Edward, a father in Illinois. Both he and his fiancée earn the minimum wage. He said:

We have three children and our paychecks combined barely cover the necessities like a roof over our heads, gas and lights, and clothes for the kids. We wouldn't be able to make it without government assistance like food stamps and a medical card. There is constant stress because we are living paycheck to paycheck and never have enough money. Everyone needs help sometimes, especially since the economy is so bad and it has made life even harder for working people. This isn't about needing more money for luxury things, we need a raise in the living wage in order to survive.

Edward and Terrence clearly are not lazy. They are doing exactly what we might expect them to do, what we have told them they must do to make it in this country. But they are slipping further and further behind, through no fault of their own.

The fact is our economy has changed. It is not working for many families right now. We can't stick our heads in the sand and pretend it is not true. We shouldn't suggest it is Edward's and Terrence's fault or that their kids don't deserve to eat or to wear shoes.

We as elected officials have an obligation to recognize the fundamental truths about the challenges working families face in America. We have a duty to support policies which will help these families both weather the continuing economic storm and also build a brighter future for their children.

First, we have to acknowledge the truth that while we are slowly moving in the right direction, the economy has not recovered, especially for those at the bottom of the economic ladder, the Edwards and Terrences and others. Jobs are still scarce. Four million people have been pounding the pavement for at least 6 months looking for new work. There are three job seekers for every job. Our economy is still millions of jobs short of what we need.

In the past when the job market was this challenging, politicians on both sides of the aisle agreed the Federal Government had an obligation to step in and help the long-term unemployed while they are struggling to find work. In fact, the current Federal Unemployment Insurance Program was put in place in 2008, under a Republican President, George W. Bush, and we did it when the unemployment rate was 5.6 percent. Today the unemployment rate officially is 7 percent. We know it is higher. That is the official rate. But unofficially, if we include folks who want to work full time but can only find part-time work, those who have given up actively looking for work, the rate is actually 13.2 percent. That is

the real unemployment rate in America.

So given that the unemployment rate remains high in many parts of the country, my colleague Senator JACK REED and I have introduced a modest proposal to extend the current system of federally funded extended unemployment insurance until the end of 2014. It is vitally important that we do so because it is going to expire in 2 weeks. Almost 5 million American workers will exhaust their State unemployment insurance and lose their last lifeline before the end of next year. We are their last lifeline. They are counting on us. How can we think about turning our backs on them?

But instead of joining a call to action, some of my colleagues on the other side of the aisle are actually suggesting that an extension of unemployment insurance will hurt jobless Americans. I was rather shocked when I heard this from our colleague from Kentucky, Senator PAUL, on a Sunday talk program. Here is what he said:

When you allow people to be on unemployment insurance for 99 weeks, you're causing them to become part of this perpetual unemployed . . . group in our . . . economy, and . . . while it seems good, it actually does a disservice to the people you're trying to help.

A disservice? I don't understand this kind of harshness for people who are out of work, who have paid into unemployment insurance and they are seeking now to get their insurance payments. First of all, this 99 weeks is not quite right. The maximum is 73 weeks, and that is only for those who have been unemployed the longest and it is only in two States. Only two States have 73 weeks. Those are the two States with the highest unemployment rates. The rest of the States have access to, at most, 63 weeks. In my State, Iowa, it is only 40 weeks, not 99.

Secondly, unemployment insurance is a desperately needed program. Let's be clear, unemployed workers are not living high on the hog on these insurance payments which average about \$310 per week nationally. If you are on it for 1 year, that averages about \$15,000 per year. There are some that are less than that. Mississippi, for example, is \$193 a week. The truth is they are barely subsisting, barely hanging on, not sitting around watching TV. Why? Because there is only one way you can collect unemployment insurance benefits. That is, No. 1, if you have worked and paid into the system. So you have already earned the right to access the insurance you paid for. Secondly, you can only collect on the insurance if you are actively looking for a job.

So contrary to the statement of my colleague from Kentucky, it is not a disservice to provide this meager benefit to the long-term unemployed, a benefit which they have earned. The

only disservice is to float this absurd myth that jobless Americans want to be unemployed. I think it is offensive to suggest they are lazy and don't want to work. To me, it is morally repugnant to conclude that they will somehow be miraculously better able to find a job if we simply let their kids go hungry.

That same harsh kind of thinking has also crept into our national debate about the most fundamental aspect of our social safety net—food assistance. Millions of American families depend upon the SNAP program, the Supplemental Nutrition Assistance Program. It is what everybody thinks of as food stamps. Such a basic thing, having enough to eat, in this country. Again, many of these people are in working families.

In 2011, 41 percent of SNAP participants lived in a household where someone was working. Over the last several years, my Republican colleagues have sought again and again to slash food assistance for these families.

The House-passed farm bill, engineered by Republicans in the House, proposed cutting food stamps by \$40 billion over the next 10 years. Contrast that to what we passed in the Senate. Under the leadership of Senator STABENOW, we passed a farm bill which made some cuts over 10 years of a little over \$4 billion. That was supported by most people on both sides of the aisle. The House bill was only supported by the Republicans: Forty billion the Republicans wanted to cut versus \$4 billion in the Senate. That would have cut 3.8 million individuals from the SNAP program next year.

Other parts of their proposal would have cut off food stamps and benefits in the future for some of the poorest adults, many of whom SNAP is the only income assistance they have or it would result in throwing 210,000 children out of their free school meals program, raising the level so low-income kids would be cut out of their free lunch program.

Yet another provision the House Republicans put into their bill would have provided strong financial incentives to States to kick people off the SNAP program. The House farm bill would allow States to cut off SNAP benefits to most adults receiving or applying for SNAP, including parents with children as young as 1 year old, if they are not working or participating in a work or training program for at least 20 hours a week. That was it. There was no exclusion for mothers with little kids.

The House bill meant that mothers with young children still in diapers could be cut off from the SNAP program even if they don't have affordable childcare. Imagine that—forcing a mother to choose between employment and safe child care for her child. That is harsh.

As I said, this is not realistic. We already said there are three job seekers for every job, and 48 States have a waiting list for our largest training program, the Workforce Investment Act. Are we going to tell a young mother with a child who can't get adequate childcare that she has to be in a job training program? The lists are so long that you can't get in. Are we then going to tell her that she has to work? There are three job seekers for every job. What is she going to do?

Never mind reality. Somehow Republicans seem to think that denying food assistance will magically make people find jobs despite the fact that jobs don't exist. Getting people into the workforce will require a stronger, growing economy with real jobs and strong job-training programs that really will help people get ahead. Promoting draconian cuts to SNAP programs under this benign-sounding work label does not make the effect any less harsh.

What we have seen in recent years with respect to the SNAP program are not concerted and sincere efforts to help people leave the SNAP programs because they have gained employment or because our economy is getting stronger; quite the contrary. Many Republicans want to eliminate food assistance for families without regard for the true nature of the economy or the effect on those families. In addition to acknowledging the fundamental economic truth that our job market has not adequately recovered—and for many Americans, programs such as unemployment insurance and food stamps are essential to basic survival—we also have an obligation to face another, perhaps even more alarming, economic reality. For those at the bottom who are working and playing by the rules, it is not enough.

Hard-working people who are working full time—sometimes multiple jobs—are not getting paid enough to make ends meet. Full-time workers are living in poverty. Families are living in poverty. They go to work every day. This is a fundamental failure of our economy. It is something I believe we have a moral obligation to address by fixing and raising the minimum wage in America.

I have introduced a proposal that I have worked on for a long time with Congressman GEORGE MILLER in the House—the Fair Minimum Wage Act. It would gradually raise the minimum wage from \$7.25 an hour, where it is now, to \$10.10 an hour, then it would link the minimum wage to the cost of living in the future. It would be indexed.

We would also provide a raise in the minimum wage for tipped workers, which has not been done in more than 20 years.

Let's look at what happened to the minimum wage. If we kept the minimum wage at the same level when adjusted for inflation, and made that adjustment based on the minimum wage for 1968, which was a pretty good economic year, the minimum wage today would be \$10.75 an hour. It is now \$7.25 an hour.

You wonder why there are more people on food stamps. Look at what's happened. By the way, these are people who are working, and they are people you see every day. You see them every day when you go in to get that coffee, go to that lunch counter or that department store. You see these minimum-wage workers every day. If you have daycare for your kids, you probably see them there too.

Again, if we kept at this level, that family making minimum wage would have an additional \$7,000 every year to spend on necessities. It is no wonder that working people turn to the safety net. In fact, a recent study found that taxpayers have to pick up the tab for millions of working families who are getting minimum wage. We have to pick up the tab to the tune of about \$243 billion a year. Why? That is what we pay for food stamps, Medicaid, and the Children's Health Insurance Program, the Earned Income Tax Credit Program, and Temporary Assistance for Needy Families. Taxpayers are picking up the tab to the tune of about \$243 billion.

If you want to say who benefits from an increase in the minimum wage, it is not only the people who are making the minimum wage, taxpayers will benefit too because a lot of this would fall by the wayside because people wouldn't qualify any longer for the safety net programs.

Businesses will benefit too. The biggest problems for businesses—especially small businesses—is the lack of consumer demand and poor sales. If you put money back in the pockets of low-income workers, that will be a boon to small businesses, and it will be a boon to businesses on Main Street because that is where they will tend to shop.

Many of these low-income workers don't drive out to the suburbs. A lot of them don't go online and buy at amazon.com, but they will go to their neighborhood stores, and that is where they spend their money.

In a poll earlier this year two-thirds of small business owners said they support raising the minimum wage because they know it will help increase consumption and reduce pressure on taxpayer-funded public benefit programs.

We always hear the claim that if you raise the minimum wage, it will cost jobs. That is just not true. The most sophisticated empirical economic research conducted over the last 2 decades has shown repeatedly that min-

imum-wage increases do not cause job loss—not generally, not among teenagers, and not among restaurant workers.

In short, history shows us time and again that despite all the cries of doom and gloom from richly paid lobbyists and well-funded trade associations, there is simply no real negative economic consequences from an increase in the minimum wage. To the contrary, the benefits are enormous.

The Economic Policy Institute estimates that our bill would pump an additional \$22 billion into the gross domestic product, thereby supporting 85,000 new jobs, and giving workers an additional \$35 billion to spend over the 3 years of the implementation, and, of course, more beyond that.

Fourteen million children in America will have a parent who gets a raise because of increasing the minimum wage. Again, this makes a real difference in people's lives. They are not going to the Riviera. They are not taking vacations to the beach.

Fifteen million women, 13 million men, 4 million African-American workers, 7 million Hispanic workers, and 7 million parents will get a raise. It is going to make a real difference in their lives.

A boost to \$10.10 would mean an extra \$6,000 a year. Think about what that would mean for someone who is making the minimum wage, which puts them at \$14,000 to \$15,000. After 3 years of implementation, they would get \$6,000 more a year, which amounts to 7 months of groceries, 6 months of rent, 1 semester at a 4-year public university or 1,600 gallons of gas. That is a real difference.

I have heard some say that they think the Earned Income Tax Credit should be the answer to the problem of low wages. What this overlooks is that the Earned Income Tax Credit only helps families with children. Childless adults who work full time at the minimum wage actually earn too much to qualify for the Earned Income Tax Credit. The minimum wage is not enough for a single person to survive on.

Moreover, just relying on the Earned Income Tax Credit would simply shift more costs to the taxpayers rather than requiring employers to pay a fair wage. It would actually incentivize employers to pay even less in wages, even to workers who don't qualify for EITC.

The minimum wage raise we are proposing is particularly important for millions of tipped workers. They will receive a raise for the first time in 22 years. Workers who receive tips will get a raise in their base wage. These include not only restaurant servers, but also nail salon workers, pizza delivery drivers, coat checkers, parking attendants, and many more.

Right now, under our current Federal law, employers are required to pay

only \$2.13 an hour to tipped workers. So rather than supplementing wages, tips have actually, over the last 20 years, replaced wages, which is insecure for workers. It often leaves them in poverty. There is no predictability when counting on tips. Often workers go home with only tips because tax deductions canceled out their cash wages.

This is an actual copy of a real check made out to a restaurant worker in the District of Columbia. It is a paycheck. The check date is 8/5/2013, and it says \$0.00. This is made out to a real person. She got a paycheck for \$0.00. Why? After they took out her withholding and FICA taxes, she didn't make enough to get paid. Some people might say, well, she got tips. Maybe. But anyone who gets tips can tell you one day they are up and the next day they are down. Sometimes they are good; sometimes they are not.

How do you budget on that? That is like saying the Earned Income Tax Credit. I have already pointed out the fallacy of that, but that only comes a year later. I am talking about—how do you live from paycheck to paycheck when your paycheck is zero? You can't make plans based on your budget, and you can't raise a family based on it. No one who works for a living should come home with a paycheck that says \$0.00 when they have worked over 40 hours a week.

My bill would establish a fair balance between wages and tips by slowly—over 6 years—lifting the base wage for tipped workers from \$2.13 an hour to 70 percent of the minimum wage. That is more in line with how the wage for tipped workers worked in the decades that have since passed.

The National Restaurant Association claims it can't afford to raise these wages. They say that every time we propose raising the minimum wage. The National Restaurant Association opposes any minimum wage increase at any time. But they can afford it.

In fact, the last minimum wage increase from 2007 to 2009, which meant raises for workers such as bussers, kitchen staff, and others who don't regularly receive tips, didn't hurt the industry. But they said so at the time. Here is what they said in 2007. When we were here debating an increase in the minimum wage, here is what they said: "A minimum wage increase will cost our industry jobs."

That is what they said in 2007.

Flash forward to 2012. Here is what the restaurant industry said: "The restaurant industry not only provided much-needed job growth during the sluggish last decade, it also is poised to post steady growth well into the future."

They can't have it both ways. This is the truth, that they provided job growth during that time. More power to them. But don't come and tell us that an increase in the minimum wage

and an increase in the minimum wage for tipped workers is going to cost them jobs. That just doesn't hold.

I will close with one more statement from a real worker whose life will be improved if we step up and support the people who work in our country. She has a lesson for us. Jackie Perkins works at a restaurant in Denver, CO, and she says:

You are talking about real people. You sit in your ivory tower in the legislature and talk about economics, numbers, jobs, but what you don't understand is there are real jobs and real workers who have families that they need to support, and raising the minimum wage helps me support myself and my family and to advance and to achieve the American dream.

So I believe in Jackie's dreams and those of all of these hard-working Americans, as I said earlier, who make the country work, who make it operate. As we look ahead to the Christmas season and the new year, I hope all my colleagues will take time over the holidays to think about all the blessings we have been given and all that we should be thankful for. I hope we put ourselves in the shoes of these working people who just want to build a better life for themselves and their children. Think about the minimum wage retail worker we see when we go into the store to shop for that Christmas present, who works hard running that cash register, standing on her feet all day, and she can't even afford to shop in her own store. Think of the unemployed worker who must go to the local food bank because he can't find a job. The food stamps have run out and he can't afford that nice big turkey and all the dressing and everything else for Christmas dinner.

I will close where I started. We have to stop being so harsh and having these harsh attitudes toward people at the lower economic end of the spectrum. They have value too. Their lives have value. Their work has tremendous value. The country couldn't exist, couldn't operate without people such as they.

So let's refine our public policies to be a little bit more considerate, a little bit more compassionate, a little bit more understanding of the tough lives some people have in our society. Let's have a compassion that is borne of an understanding that we are so privileged to live in the richest country in the world. We can afford to make sure people have enough food to eat. We can afford to make sure people who are unemployed get unemployment insurance benefits next year. We can afford that. We can afford to increase the minimum wage. We can afford these things, and we will be a better country socially and economically if we do so.

We have a duty, I believe, to put ourselves in their shoes. We have a duty to make sure people who do the work such as that in our country get a fair chance to aspire to the American dream.

So I hope we all have a good holiday season—Christmas and New Year's with our families and our friends. I hope we take time to pause and reflect also, as I said, on our blessings and our obligations toward people who may not be as fortunate as we are. I hope when we come back we will support a strong food assistance program, a deserved and long overdue increase in the minimum wage, and an extension of Federal unemployment insurance, and let's have a new year that is filled with less harshness and a little bit more compassion and understanding for our fellow Americans.

I yield the floor.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Georgia.

Mr. ISAKSON. Mr. President, I see the distinguished Senator from Washington on the floor who I assume wishes to speak; if not, I ask to be recognized for up to 5 minutes and then I will yield to the distinguished Senator from Washington.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ISAKSON. Mr. President, last Friday I left this Chamber with a folder containing most of the information from the Ryan-Murray comprehensive agreement on the budget. I left with the ringing of suggestions in my ear from some colleagues on the floor that it wasn't enough, it didn't do enough, and that we didn't need to pass it. But inside me I had that little voice of conscience all of us get from time to time that said the time was right to do what was right.

So on the airplane back to Atlanta, I read the entire agreement. Then, when I spent the weekend at home while doing Christmas shopping, going out with grandchildren and talking to my wife, I also listened to the people of Georgia. I listened to what they said, and there were some remarkable things that happened this weekend. At church on Sunday following a cantata—and usually I am accosted at church by people who have all kinds of various suggestions about what I should or should not be doing—but I was remarkably surprised by how many people came up to me and said: Thank goodness you all have finally found an agreement with predictability on the spending in our Federal budget. I received not one negative comment.

I left church, went to lunch, and then went shopping at the mall where I was stopped three or four times by people—some Democrats, some Republicans; some I knew, some I did not—again, the same comment: Finally, you guys have gotten your act together and you have gotten a bipartisan agreement on the budget.

I went to a dinner party with a lot of partisan activists Sunday night. Although there was some grumbling about not getting this or that, there was some relief that we weren't going

to go through what we went through on October 1 and the threats we have gone through in the past about government shutdowns and the failure of our government to function.

Then I got on the plane to fly back to Washington yesterday morning and, once again, members of the military, people I did not know, people I do know; some with the bureaucracy, some not, all stopped and generally said the same thing: Finally, it is about time.

So when I voted earlier today to shut off the debate or end the debate and bring to a final vote a vote on the bipartisan budget agreement, I voted in favor of it because it is the right thing to do at the right time. When the final vote comes in the next 30 hours, I will vote for it again. I want to give three precise reasons why.

No. 1, I have been the voice of a biennial budget in this Congress for the last 15 years and in this Chamber for the last 9. I have talked about how we need to bring more predictability and more continuity to the budget process. I have spoken about how we can't continue to pass CR after CR after CR which, on its face, is an admission we cannot do our job.

JEANNE SHAHEEN, the distinguished Democratic Senator from New Hampshire, and I have coauthored the biennial budget proposal. This is a biennial budget taking us through 2015, giving us predictability. That is something we need to take advantage of and build on into the future and replicate over and over as we bring more continuity to the budget process.

No. 2, yes, I know there are a couple of pension tweaks and, yes, I know there are some savings in a couple of pension tweaks. But we are going to have to do a lot of tweaking in terms of long-term entitlements over the next few years if we are ever going to rein in the spending. Our biggest problem is not nearly as much as what we spend in discretionary spending in 1 year as the obligation and the mortgage we are accumulating over decades. This particular proposal will save \$22.6 billion over the next decade but \$100 billion over the decade to follow because it accumulates and it compounds and those savings on entitlement programs can make a tremendous difference.

No. 3, and most important, we stumbled and fell last October when we decided to shut down the government rather than do our job. I commend Senator MURRAY and I commend PAUL RYAN. I want to refer to my colleagues a conversation PAUL RYAN and I had on Saturday via cell phone. I was at Mount Bethel Methodist Church in the gymnasium watching my 8-year-old granddaughter play basketball. He was in Wisconsin watching his daughter play basketball as well. He called me on my cell phone and we talked for about 15 minutes, not as much about

the budget proposal as about my granddaughter and his daughter, recognizing that if we fulfill our responsibility as representatives of the American people in this Congress this year, if we begin the process of predictability in appropriations and budgeting, and if we can begin the process of recognizing our entitlements are running away from us and that our debt and deficit will kill us, maybe—just maybe—instead of being the first generation of American politicians to leave our children and grandchildren worse off, we will be the first generation of American politicians who returned to the sanity of fiscal soundness, biennial budgeting, and accountability in the way we do our business.

I vote for that, and I will vote for the Ryan-Murray budget tomorrow when it comes to the floor of the Senate.

I yield back the remainder of my time and defer to the Senator from Washington.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I am here to speak on the budget, but until our other colleague from Pennsylvania gets here, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISAPPEARANCE OF BOB LEVINSON

Mr. NELSON. Mr. President, over the course of Friday and through the weekend there has been the publication, first by the Associated Press, of a missing American, a missing Floridian, Bob Levinson, a retired FBI agent and that publication has spurred other entities, primarily the New York Times, which had been holding the story for a number of years—well before the Associated Press ever got the story—to then print a story of additional information about the disappearance, 7 years ago, of Bob Levinson on Kish Island, a resort island in the Persian Gulf right off the coast of mainland Iran.

Of course, we have been searching for any shred of evidence about Bob. He has here in the U.S., in Florida, a wife and seven children. The length of time he has been missing, unfortunately, seems to have met or exceeded the amount of time of almost any American.

The family, of course, desperately seeks any shred of evidence. They were heartened 3 years ago when Christine Levinson, his wife, received a secretive email with a video that showed that Bob was alive. In it he made statements that he had served the govern-

ment of the U.S. for 30 years and: Please help.

About a year later, she received, also by another circuitous email, a photograph of him, obviously later because his hair is long and there is a full beard. His hair is silver, his beard is silver. In both the video and the last item, the photograph, he appears quite gaunt. Of course, we know he has health problems, high blood pressure, and so forth, and, of course, we fear.

We also know that just this morning, on "CBS This Morning," a fellow who he was seeing—an American who lives in Iran, a fellow who he was seeing on Kish Island—saw him taken by Iranian authorities.

It is no secret that all levels of the government, including their Florida Senator, have reached out to the Iranian Government over the years, including the President of the United States when he spoke to the newly elected President of Iran when that United Nations meeting occurred in September.

I have spoken within the last couple of days to the Iranian Ambassador to the United Nations and reiterated the plea of those of us on a humanitarian basis for this family to be reunited with their loved one and have offered to the Ambassador, if it would in any way help, that I am willing to go to Iran if in any way it would secure his release. If the Iranian authorities took him, somebody in the Government of Iran knows of his whereabouts.

I will conclude by saying that for the first time we have what appears to be successful talks going on between the two governments with regard to the Iranian nuclear program, and those are at a critical stage to, hopefully, bear fruit within about 5 months from now.

What better time for the Government of Iran to show their good will than to step forth and produce Bob Levinson so he can return home to his family.

Mr. President, that concludes my remarks on Bob Levinson for the moment. I will continue to speak on this matter.

Now I would like to turn to the matter at hand with regard to the budget, since my colleague from Pennsylvania and, of course, our chair, the Senator from Washington, are here.

I would like to take a moment to acknowledge a small but significant provision in this budget compromise. It is section 203 of the Budget Act of 2013, and it limits access to what is known as Social Security's Death Master File, which is important because criminals utilize fraudulently the Death Master File to steal people's identities.

When someone dies, the Social Security Administration puts their information into the Death Master File and releases it to the public through the Commerce Department. It lists their name, their Social Security number, and other personal identification information.

The public release shortly after death of the Death Master File came about as a result of a Freedom of Information Act lawsuit back in the 1980s. Over time, Federal agencies and industries came to rely on the information from the Death Master File. Life insurers use it to know when to pay out benefits. Banks and credit card companies use information from the file to prevent fraud. A whole host of Federal and State agencies, as well as other industries, depend on the information for legitimate purposes, including pension funds, unclaimed property auditors, and identity theft protection companies.

But there is somebody else who is using the Death Master File too. It is the criminals who are stealing identities, including especially the Social Security number. When that is posted online, they are using it fraudulently. What are they doing? They are filing an income tax return. They are utilizing somebody else's identity—in this case easily accessible, the Death Master File—creating a false return and getting a tax refund.

You may find this hard to believe, but this actually happened in Tampa, FL. Street crime—hijackings, stickups, burglaries, dope dealing—actually dropped because the criminals found a new way of being able to steal people's money. They did it with a laptop instead of with a crowbar or a gun. Street crime actually reduced because the criminals have found a new way.

They would steal people's identities in many different ways. They would go to senior citizens' mailboxes, and they would get their ID, they would get their Social Security number. They would go through hospital records, and they would get Social Security numbers. They would do it a number of ways. But one of the easiest ways was this Death Master File.

I want to tell you about the story of Alexis Agin, the daughter of two courageous parents John and Neely, who have joined us today. Tragically, Alexis died from cancer 2 weeks shy of her 5th birthday. Obviously, no parent should have to go through the pain of seeing their child go through this kind of ordeal and then losing the child.

So you can imagine how they felt when months later they learned that someone had used Alexis' identity, obtained from the Death Master File, to file a fraudulent tax return, claiming a refund, and the IRS—when they tried to correct this—asked them to prove that Alexis was their daughter and was not the one responsible for the fraudulent tax return.

Because I have heard so many stories of innocent Americans whose identities have been stolen, this Senator filed this legislation that would restrict access to the Death Master File by establishing a certification program run by the Commerce Department while still

allowing access to the Death Master File for legitimate purposes.

This brings us to the budget agreement. I am very pleased that the Senator from Washington has included within this budget that we are going to pass—it would be nice if it were today, but it looks as if it is going to be tomorrow—what some of us have been calling on for years: restricting access to this master file, making it harder for criminals to steal identities and therefore making it harder to steal taxpayer money.

That is where this actually has a revenue effect because we are going to actually save the U.S. Government money by doing this. We are going to save the U.S. Government money that otherwise would be stolen. So I thank the courageous chairman of the Budget Committee for including this idea in the act and for crafting what used to be S. 676, the Identity Theft and Tax Fraud Prevention Act.

It was never the intent of this Senator or the cosponsors to deny access to the master file by the people who need it for legitimate purposes. The language in this budget deal would include the file in the Freedom of Information Act exemptions so that it will not be available to just anyone off the street. However, the Social Security Administration and Commerce would still be able to release the information in the file for those who need it.

So I want to ask the distinguished chair of the committee whether it is true that as Commerce sets up a certification program, the Social Security Administration and Commerce will still be able to release the Death Master File to folks who need to use it for legitimate purposes?

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I would ask unanimous consent to engage in a colloquy with the Senator from Florida and the Senator from Pennsylvania so I may respond.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. The Senator from Florida is correct. That is absolutely our intention. There is nothing in law that prevents the continued public release of the Death Master File while the Commerce Department sets up the certification program. This act simply exempts the Social Security Administration's death records from freedom of information requests under section 552 of title 5 of the United States Code, subsection (b).

Mr. CASEY. Mr. President, echoing the comments of my colleague from Florida, I am pleased that the budget includes language to address the fraud that is perpetrated with information from the Death Master File. Tax fraud is a large and growing problem. We know that. In 2012, for example, the IRS reported that they identified over

1.2 million identity theft returns. As of June 2013, they identified 1.6 million for this year. Thousands of these cases involve the identities of deceased taxpayers. A recent audit of the 2011 tax year identified 19,000 fraudulent returns from recently deceased taxpayers. Under current practice, for \$10, criminals can purchase the full name, Social Security number, date of birth, and date of death of a deceased citizen or legal resident.

As a member of the Finance Committee, I have worked with my colleagues to address this issue. I am pleased to see the language limiting access to the Death Master File in the budget deal.

As Commerce begins its rulemaking, it is essential to strike the correct balance. The reality is that the Death Master File is used by companies across Pennsylvania and the Nation to prevent fraud and provide other essential consumer protections. Banks, investment companies, insurers, and numerous other businesses run this file to ensure the identity of those accessing their services. Striking the correct balance in the regulatory process is critical to ensuring the continued legitimate use of this information.

Businesses and those who contract for assistance with fraud prevention and other businesses must maintain access to the file. Furthermore, access must remain available as those regulations are promulgated.

In short, as a certification program is set up, it is important that we get it right. The Death Master File is critical to fraud prevention and must remain available to legitimate users. To that point, I ask the Senator from Washington, the distinguished chairwoman, is it the intention of the Bipartisan Budget Act for the Commerce Department to seek input from stakeholders as it creates the certification program to ensure legitimate users maintain access to the file?

Mrs. MURRAY. Mr. President, the Senator from Pennsylvania is correct. We intended for Commerce to follow notice-and-comment rulemaking procedures in the establishment of the certification program.

Mr. NELSON. Mr. President, I want to close by again thanking the distinguished chairwoman of the committee. She has been a quiet hero, and the proof is in the pudding of all of her labors. She deserves the praise of the country that we have a budget, No. 1, but I also thank her for making it a lot more difficult for criminals to steal the identities of those who have passed on.

Mr. HATCH. Mr. President, I have decided to support the budget agreement, though it is by no means the budget solution that I would have written and it contains some imperfections.

Following up on earlier remarks today in a colloquy on the Senate floor by my colleagues from Florida, Penn-

sylvania, and the Senate Budget Committee Chair, Senator MURRAY, I wish to provide some instructive remarks about the Death Master File provision of the budget agreement. The Death Master File is a data set compiled by the Social Security Administration, and made available to various researchers and business interests through the Commerce Department. Many researchers, genealogists, and businesses use the data for bona fide reasons including fraud prevention, ancestry research, identifying remains of deceased individuals, retirement plan administration and prevention of improper payments. As long as they can show the Commerce Department that they have rigorous privacy protections and protocols put in place, they should be able to become certified by Commerce to have access to the Death Master File data.

I concur with what much of what my colleagues have said in their recent colloquy about the Death Master File provision of the budget agreement. Specifically, I wish to reiterate the need for balance in the regulatory process and in the rulemaking procedures that the Commerce Department is called upon in the budget legislation to undertake. We need a robust rulemaking process, where all interested parties are afforded the time and opportunity to adequately express their interests. And, importantly, we need to ensure that during that process, there will be access to Death Master File data for bona fide purposes, including fraud prevention, identifying remains of deceased individuals, forensic and other genealogical research, prevention of improper payments, and assurance of proper payments.

As the budget agreement is currently written, there appears to be some confusion and ambiguity concerning implementation of the regulatory process and rulemaking procedures that the Commerce Department is to undertake and whether access to data in the interim, when rules are being promulgated and aired, will be assured. I must say that a more robust and inclusive process for arriving at the Death Master File provision of the budget agreement could have eliminated the confusion and ambiguity that has arisen. The Finance Committee, of which I am the Ranking Member, has jurisdiction over the manner in which the Social Security Administration governs Death Master File data, and the Finance Committee has expertise that could have been called upon. Unfortunately, that was not the case, as the Death Master File provision of the budget agreement was not processed through regular order with adequate Finance Committee input.

Mr. President, it is becoming far too common for important legislation to bypass committees of jurisdiction and for it to be written by legislators who

do not necessarily have the depth of knowledge and expertise necessary to avoid writing laws that either do not work or contain glitches, ambiguities, and confusing language. In my opinion, we need to return to regular order where committees of jurisdiction are the places where issues in their jurisdiction are debated, processed, and agreed upon in a bipartisan fashion. Certainly, committees of jurisdiction must be consulted when others decide to write legislation that involves issues that lie squarely within their jurisdictions. That will be the surest route to preventing a reoccurrence of the ambiguity and confusion that has, unfortunately, arisen from the Death Master File provision of the budget agreement.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, we are watching America pass from the hands of the "greatest generation" to the hands of the debt-paying generation with nothing to show for it but the bill. For months Republicans have challenged President Obama to fix the Federal debt, to save entitlement programs that Americans depend upon, and to rescue young Americans from being forever known as the debt-paying generation.

Earlier this year, for example, I called on the President to show the same kind of leadership that President Johnson did on civil rights, that President Nixon did on China, that President Carter did on the Panama Canal Treaty, and that President Reagan did on Social Security. Confront your own party. Say what needs to be said. Do what needs to be done. This has not happened.

I appreciate very much the efforts of the Senator from Washington and Representative RYAN to try to bring certainty to the budget process. That is why I voted today to allow a vote on the House-passed budget agreement. It seems to me, at least, that a Republican Senator could allow a vote on legislation passed by the House of Representatives with the support of the House Republican leadership and two-thirds of the House Republicans, so I voted yes to allow a vote.

However, I am going to vote against the Ryan-Murray budget amendment because it avoids the Federal Government's single greatest challenge; that is, reducing the growth of runaway entitlement spending. Instead, it spends savings that should be used to strengthen Medicare, to strengthen pensions, and to strengthen the air transportation system.

I believe in user fees. When you build a highway, you have a gas tax to pay for the highway. You do not raise the gas tax to pay for education. You do not raise the gas tax to pay for a health program. A user fee is related to the service it provides. This budget

agreement does not withstand that test.

It would have been much better to pay for this budget agreement by using a small part of the almost \$1 trillion in entitlement savings that Senator CORKER and I have suggested in the Fiscal Sustainability Act or with meaningful entitlement savings from the President's own budget.

The Fiscal Sustainability Act that Senator CORKER and I have suggested would slow the growth of out-of-control mandatory spending by, among other things, recommending a more realistic Consumer Price Index. This is a Consumer Price Index that most economists have said is more realistic in its assessment of what the increase in the standard of living is. The monthly difference between the current Consumer Price Index and the more accurate Consumer Price Index is about \$3 per month for the average beneficiary, which is less than the average cost of a gallon of gasoline. This modest change would help to slow the growth—not cut but help slow the growth of mandatory entitlement spending. The purpose of that is to help make those programs solvent so beneficiaries can depend on them.

The Medicare trustees have told us that Medicare will not have enough money in it in 13 years to pay all of the hospital bills. What are seniors going to think of Senators who in 2013 did not take the steps to make Medicare solvent? We could do that if we would begin to adopt some of the recommendations in the Corker-Alexander Fiscal Sustainability Act or in the President's own budget. He also recommended a smaller version of the more realistic Consumer Price Index. He recommended several hundred billion other dollars of changes in entitlement programs that Republican Senators might be able to agree with.

To go back to the Consumer Price Index, according to the Congressional Budget Office, we could save \$162 billion over 10 years if we adopted a more realistic Consumer Price Index for entitlement programs. That is twice as much money as we needed for the budget agreement. The rest could have been used to reduce the debt today, and the reduction would be even more in future years.

As I emphasized before, the purpose of reducing the growth of entitlement spending is so the programs are solvent, so a Medicare beneficiary does not get to a point in 13 years and say: Why does Medicare not have enough money to pay for all of my hospital bill?

Here is another way we could have cut wasteful spending: Eliminate the wind production tax credit. The Senator from West Virginia and I have written a letter to the Finance Committee and suggested we do that. Here we are in the budget agreement strug-

gling to find \$63 billion over the next 10 years. Where could we find \$63 billion? That amount about equals what we could save if we did not extend the wind production tax credit each year for the next 10 years.

So any way you slice it, we could either have taken some of the President's suggested savings in entitlement spending, some of Senator CORKER's and my suggested savings, we could have taken half of the savings from the more realistic Consumer Price Index, paid for the budget agreement that way, and then I could have voted for it because we would have moved money from the out-of-control side of the budget to relieve the sequester, and we would have done what we should have done.

What I have to ask with all respect is, Where was the President in all of this? I mean, if Lyndon Johnson can pass a civil rights bill and Richard Nixon can go to China, if Jimmy Carter can pass the Panama Canal Treaty and Ronald Reagan can work with Tip O'Neill on Social Security, why can't President Obama get involved with his own budget recommendations and help us begin to deal with entitlement spending, which everybody knows is the single biggest problem we have facing our country?

Washington could learn a lot about debt and taxes from Tennessee. Tennessee's tax burden ranks third lowest of any State, it has the lowest per capita debt, and it balances its budget every year. All that did not happen by accident. I was Governor when we needed three big road programs. Instead of borrowing the money, we paid for it as we went. We used user fees, the gasoline tax, but we applied that to the roads. Guess where we are today? We have one of the best four-lane highway systems in America and zero road debt. While other States have billions of dollars of road debt, we have zero. So all of our gas tax money goes to keeping one of the best four-lane highway systems in the country. Those policies have paid off. According to the Department of Labor, Tennessee is the fourth best State in the country in net new jobs.

Getting debt under control is the foremost problem we have facing our country. If we do not do that, the people who depend upon Medicare and other important programs will be not able to depend on them to pay their hospital bills. Runaway spending is going to leave our young Americans forever known as the debt-paying generation.

We are watching America pass from the hands of the "greatest generation" to the debt-paying generation with nothing to show for it but the bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

(The remarks of Ms. WARREN pertaining to the introduction of S. 1837

are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Ms. WARREN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REED. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNEMPLOYMENT INSURANCE

Mr. REED. I come again to the floor to remind my colleagues that in 11 days 1.3 million Americans will lose their unemployment insurance. With the goal of providing certainty to these families that they will continue to have access to this vital lifeline, I and my colleague from Nevada, Senator HELLER, are introducing a bill that would extend unemployment insurance compensation benefits for 3 months.

I hope this sensible and bipartisan approach will provide a path forward to extending the program through 2014, which will give families and our economy more time to recover.

In many parts of the country, recovery is just getting underway. My own State of Rhode Island has 9.2 percent unemployment. There are States throughout the country that have over 8 percent unemployment. There are some States that are doing well and we are very pleased they are. But for the millions of people who are still looking for work, they need this help.

This program is designed so workers continue to look for work while they receive very modest compensation. In my State the average is about \$354 a week. That is not the kind of money that is going to induce someone to simply sit back and collect. It is going to provide some support for them to just put food on the table.

This safety net is not only there for them, it is for everyone, as 23.9 million Americans have received these Federal benefits since the start of the program in 2008. Some, thankfully, have found work and returned to work. But all of them, in a very critical time, received assistance and support. They only qualified for the support because they worked. This is a program that is based on one fundamental principle—they have worked long enough to qualify for these benefits. As a result, I think we have to go ahead, follow through, and not leave 1.3 million people, on December 28, literally with nothing, in many cases.

As we look by household, the number of Americans this program has helped rises to about 69 million people, not only the workers but their families,

sons, daughters, and spouses. In fact, it includes about 17 million children who would not have received support without the benefits provided by this program.

In terms of income, over 40 percent of those households new to receiving UI in 2012 had household income between \$30,000 and \$75,000. That is an important point to make. These are working families. These are people who were enjoying a reasonably good living and suddenly, because of many changes, globalization, downsizing, you name it, they are without a job in a very difficult job market.

They went from people with good, solid, middle-class jobs to desperately looking for work. At least this program gave them some support as they made that great effort to look for work.

This program has been and continues to be a crucial benefit to millions of American households all over the country and of nearly every conceivable demographic background. That is why it is such a significant part of our recovery too. Its expiration will hurt families.

It has been estimated that if we do not extend this program over the next year, we will lose 200,000 jobs. And the logic of this program is very compelling. People who receive these benefits, people who used to make \$50,000 a year, for example—and many of them did—they are not going to go ahead, turn around, take these benefits and just sort of squirrel them away or go off on a vacation. This is about paying the rent and paying for fuel in a cold winter or a hot summer in the South and Southwest. It is about making sure their children get a little something. Again, about 17 million children have benefited over the last several years—since 2008—from this program.

This is absolutely critical. It is critical to our economy. It is not only the right thing to do, it is the economically smart thing to do. It has been estimated that without the extension of unemployment insurance, we will lose .2 percent of GDP growth this year, and this is at a time when we all very sincerely profess that our No. 1 job is jobs—getting people back to work and growing the economy. And if we grow the economy, that has many beneficial effects. Not only does it lower the number of people who need this type of assistance, but as a result of that and other activities, it begins to lower our deficit.

For so many reasons, both economic and central to our purpose as a government—which is when people who have worked hard run into a situation where they lose their employment through no fault of their own, this is something that is there for them, and I hope we can move forward on it.

I am so pleased Senator HELLER has stepped up and has joined me, and I will join him, in urging all my col-

leagues to give us the opportunity not only to bring this legislation up but for at least 3 months to extend it so we can look longer term. Some of my colleagues have raised some very interesting points about how perhaps there are reforms necessary for the program. Well, in the context of a program that expires on December 28, it is hard to take the legislative time and insight to develop reforms that will work for everyone. But if we can extend this for at least 3 months, we will have that opportunity.

Mr. President, again, I will return. This is not the last time I will speak on this point. But I did want to come back and remind people that this program is central to so many families. It is an important part of continuing our economic expansion, and it is particularly difficult at this time of year when 1.3 million Americans in this holiday season are facing a cutoff of benefits that to many of them are the difference between paying the rent, paying the mortgage, and keeping the kids in their sports programs or doing those things families in America need to do.

With that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. AYOTTE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. AYOTTE. Mr. President, I come to the floor today to talk about an issue about which I am deeply concerned.

While I certainly appreciate the work done by Congressman RYAN and Senator MURRAY on the recent budget agreement, in my view there is a provision in this agreement which makes it a deal breaker. That provision is, there is \$6 billion taken from our current military retirees over the next 10 years from their cost-of-living increases to pay for this budget agreement.

I do not believe we have to take from the backs of our men and women in uniform to pay for more spending. I believe there are other ways we can find \$6 billion in the trillions and trillions we will spend over the next decade, rather than taking it from the men and women in uniform who have sacrificed the most for our country.

What troubles me most about this particular provision of this budget agreement is our military retirees under the age of 62 were singled out. There are some changes to the contributions that Federal employees will have to make to their retirement, but those changes are only made prospectively to new hires.

Our men and women in uniform were not grandfathered under this agreement. They are the only ones singled

out under the agreement to have their benefits cut.

What I find most appalling is the question we pressed and we pressed the Department of Defense for an answer to, and that is: What happens to our disabled veterans?

Many of us have been to Walter Reed. We have seen the injuries our men and women in uniform have sustained fighting on our behalf in Afghanistan. Some did multiple tours in Afghanistan and also served our country in Iraq. When you have a disability that occurs in the line of duty, you are entitled to a disability retirement, and this agreement will also cut the cost-of-living increases for our disabled veterans, which I find appalling, particularly with some of the horrific injuries too many of our men and women in uniform have sustained in defending our country and taking bullets for us all.

Under this agreement, an E-7—sergeant first class—who retires at age 40 could stand to lose \$72,000 by the time he or she turns age 62. To put that in perspective, the average retirement for an E-7 is roughly \$25,000. So in that period, this cut of 1 percent to their COLA could equate to \$72,000. Think about the impact that has on our veterans and our men and women in uniform who have done so much for our country. Why are they being singled out in this agreement?

The other issue I wish to raise is this notion about which some have said: We have to vote for this agreement or we are going to face another government shutdown. I think that is a false choice. We may be in a rush to get home to our families for the holidays, but the notion we can't find \$6 billion somewhere else on a bipartisan basis for our men and women in uniform is a false one. We can keep this government open, we can address the budget issues, but we should not do so on the backs of our men and women in uniform singled out in this agreement.

Right now, as this agreement stands, the so-called amendment tree has been filled. That means any amendments which either side would want to offer cannot be offered right now because the majority leader has filled every part of the amendment tree, not allowing individual Members to offer amendments.

Were I allowed to offer amendments, I have filed two amendments which would address this issue for our military and have found other pay-fors to address the issue. Those are just two ideas which I came up with. I am sure if we committed in this body to working on this issue, we could quickly find \$6 billion that would not be taken from the backs of our men and women in uniform and would not be taken from the backs of our disabled veterans, who have already suffered too much on behalf of our Nation. I do not believe this is too much to ask of us.

We are blessed to be in this country and blessed to enjoy the freedoms we enjoy in this country because of our men and women in uniform and what they have done to defend our Nation.

Make no mistake, a military retirement is not like any other retirement. When you retire from the military, you understand that you can be called back. You can be called back at any time. And who is most likely to be called back? Our younger veterans. In fact, since 2001, thousands of our veterans who thought they were going back into civilian life have been called back by our government to serve their Nation again. They didn't get to say yes or no. They agreed to do that even though they thought they would be retired. That is what distinguishes a military retirement from other retirements, or an average civilian retirement.

They earned this for defending our country. I believe we should fulfill our responsibility to them, and that they should not be singled out. Of all the groups to be singled out, they should not be the group to be singled out, especially after everything they have done for our Nation.

I ask that we take a few moments in this body and come up with \$6 billion some other way instead of taking it from the backs of our men and women in uniform. Why don't we have an amendment process that would allow us to address this issue and allow us to fix this now?

To those who are saying: We will fix this later, that is such a Washington answer. For those who are serving our country right now in Afghanistan, what kind of comfort is that to them that we will fix this down the line after we vote on this agreement? How about fixing this now?

I ask my colleagues to fix this now on behalf of our military, the best in the world, those who have sacrificed the most for our country.

If this body is to pass this agreement, I would call on our Commander in Chief to veto this agreement. Bring us to the White House. Make the House and the Senate sit together so we can resolve this issue. As the Commander in Chief of this country, don't accept the cuts to the military and have our military retirees singled out, particularly our disabled veterans, in this agreement.

We can get this done. We can get this done before the holidays. Yes, we will suffer some personal inconvenience, but think about that. That is nothing compared to what our veterans have done for us and continue to do for us every single day in this great country.

With that, I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from South Carolina.

Mr. GRAHAM. Madam President, I join with the Senators from New

Hampshire and Alabama in trying to urge the body to take a pause here and see if we can right a wrong before it matures. The good news is that we have a bipartisan agreement to try to fund the government in a fashion where we will not have a government by crisis. I appreciate that. I understand how hard it is to reach a consensus around here.

My objection is not to the deal as a whole. I appreciate the fact that sequestration relief occurred for our DOD budget for 2 years, and nondefense spending, and it was paid for. I appreciate that very much because sequestration has really cut into our ability to defend this Nation in a dramatic fashion, and to have it paid for is also a worthy goal and the right thing to do.

The point Senator AYOTTE, Senator SESSIONS, and I are trying to make is that a budget is about your priorities. What we are doing today is telling everybody in America what is important to the Congress, the Senate, and the House when it comes to getting a budget passed for 2 years and how we should pay for it. Here is what I can't understand: Of all the groups in America you would go to and single out, unlike any other group, to pay for the offset and come up with some money out of their pocket to get this budget deal passed—which doesn't keep us from becoming Greece, by any means, but I do applaud the effort—we picked the military community.

Here is what we have done to our military retirees, past, present, and future: We have taken their cost-of-living adjustment and reduced it by 1 percent until they get to age 62. If you are an E-7, a master sergeant in the Air Force, who retires at 42 in 2015, by the time you get to 62, this 1-percent reduction a year of your COLA amounts to almost \$72,000 in lost benefits.

Do you know how much a master sergeant with 20 years of service makes in retirement? It is less than \$25,000 a year. So that almost \$72,000 number requires the master sergeant to give up 3 years of retirement, because \$24,000 to \$25,000 a year is what they make for a 20-year period, and the cost of the COLA reduction is almost \$72,000, so basically you have taken 3 years of their retirement away to do a budget deal that could be accomplished without having to do that to our military.

By the way, nobody else in the country is doing this. No Social Security recipient has given up a dime. The COLA formula for the military is exactly the same as Social Security and other COLAs that we get around here.

Should we look at reforming our military retirement pay pension benefit system? Yes, because it is unsustainable in the future. Entitlement growth in the military is real, just as it is on the civilian side. Nobody has ever envisioned doing it this

way, to take the military retiree community and retroactively apply a benefit cut to them that takes \$6.3 billion out of the retiree community. These are the people who have been fighting the wars for 20 years. These are the people who have been serving continuously since 9/11, overseas and at home, trying to protect the Nation, and this COLA reduction doesn't just apply to people who have retired and are in good health at 40 or 42 or 45, it also applies to people who are medically retired. Someone who has had their legs blown off in Afghanistan or Iraq, and most likely will not be able to get a second job, is going to lose thousands of dollars in this cost-of-living adjustment, and nobody else in the country is so situated.

Can we do better? You better believe it. Here is what Congress told the Military Compensation and Retirement Modernization Commission. We set up a commission last year to advise the Congress next year on how we can fairly adjust retirement packages to make the personnel costs more sustainable in the Department of Defense in the future and how we can do that fairly.

Do you know what we told the commission. We mandated that any change they recommend has to grandfather existing forces and retirees. We put it in the law that created this commission. We put a restriction on the commission's ability to come up with pension, pay, and benefit reform by saying: You cannot apply it to people who have signed up and are expecting certain things. They are grandfathered.

We should have told ourselves that. We limited the commission, but we do exactly what the commission is not allowed to do. I don't know how my colleagues are going to explain this when they go back home. I hope somebody will ask what you are trying to accomplish. Trying to have a bipartisan budget that avoids a government shutdown is good, but asking the people who have been on the front lines of defending this Nation, who have been in the military for 20 years—and do you have any idea how many times the average military family moves in 20 years? Do you have any idea how many schools their children will attend because they move every couple of years? Do you have any idea what it is like to serve this country since 9/11?

All I can say is if we want to find \$6.3 billion over the next decade to pay for this budget deal, we can find better alternatives than this if we take some time.

If my colleagues don't like what Senator AYOTTE is doing, there are other ways. I am not asking a Democrat to defund ObamaCare to keep the government open. I am not asking a Democrat to take away a safety net from a group of Americans who are struggling. I am not asking a Republican to raise taxes. I am asking both of us, before

Christmas, to rethink what we are doing here and take a little bit of time to fix a problem that, quite frankly, is unconscionable.

If you make over \$250,000 a year in retirement, you receive \$109 a month for a subsidy to pay for your Part D prescription drug bill. Here is what I would say: If you want to pick on rich people, let's do it. To me, \$250,000 puts you in a category of living pretty good. Why in the world does our government give you \$109 a month to pay your prescription drug bill when we as a nation are broke? That subsidy alone is worth \$54 billion over the next 10 years. What if we took some of that money? What if we went to the \$250,000 retiree and said: Would you give up some of your subsidy to pay your drug bill so military retirees don't have to lose the retirement benefits they have earned and have fought so hard to defend this Nation for so long? I bet they would say yes.

Here is the point: We are going to rush through this. If you ask me what bothers me the most about this, it is how insensitive we have become as a nation. We trip over ourselves to welcome the troops home when they come back from deployment. Members of Congress want to be there when the Guard unit leaves. We want to show how much we love the troops. That is a good thing.

Every American—Republican, Libertarian, vegetarian, Democrat—we all love the troops, but your Congress is expressing that love in a very strange way.

How far have we fallen? Do we have no shame? As a body elected by the American people to make sure the Nation is well run, what is the proper first role of the Federal Government? To defend the Nation. Tell me how to defend this Nation without people willing to die for it.

The budget doesn't defend this Nation. The CBO, the OMB, and all these acronyms do not defend the Nation against radical Islam. I am urging my colleagues in a spirit of bipartisanship and common decency: Do not single out the military retiree who has served so long and so hard and ask them to give so much when others are doing almost nothing.

As to our Federal employees, you are being asked to contribute more to the Federal retirement system, and I am sure that is a burden. But what do we do to Federal employees? We say that everybody who is in the system today does not share that burden. They are grandfathered. It is only for people who are hired in the future.

As to the military retiree, thank you for all of your hard work. Boy, do we have a deal for you.

This is not going to stand. This is going to pass because everybody is hellbent on getting out of here and going home and celebrating a bipar-

tisan breakthrough, and we are going to talk about how we have become functional again. I do appreciate the effort to become functional, but to me, in our effort to become functional, we have lost our way and, quite frankly, lost our soul. Any political body that would do this in the name of good government has forgotten what government is all about. It is for, by, and of the people.

I will tell you right now, from the CEO to the doorman, when they hear about what we have done to pay for a budget deal at the expense of the military retired community, they are not going to be very appreciative. I promise this: If we don't fix it now, not only are we going to review it, we are going to fix it.

To our President: There is only one Commander in Chief. How could any Commander in Chief sign a bill that does this? Call us down to the White House, put us in a room, Republicans and Democrats, and don't let us out until we find a \$6.3 billion offset that doesn't do injustice to the military retired community. If I were the President, I sure as hell would do that. Nobody would be going home until we got this right.

So the President owes a duty to the troops greater than anybody because he is their Commander in Chief. I don't know whether we are going to get this fixed. The train is running, and the retired military community is on the tracks, and a few of us are trying to get them off. I promise their families that if we fail today, we are going to come back at this tomorrow, over and over and over, until the Congress finds its soul.

I yield.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, first of all, my good friend from South Carolina is a mind reader. He always looks at you and figures out what you are going to say and then he says it better.

There are a couple of things that haven't been said during this discussion, and I want to mention them, and then I know we are going to vote. One is that our military was told—and I talked to several of the groups, the military retiring groups and others—that they would be grandfathered in. Now, I want everyone grandfathered in if we are going to do something like this. Certainly, in one installation in my State of Oklahoma, we have 13,000 civilian employees who are going to be grandfathered in, and I want them to be grandfathered in. That is the right thing to do.

People make career decisions predicated on what they are told at the time. And these military guys—and I look around the room and most of the Senators who are in here have spent a lot of time, as I have, in Afghanistan and Iraq, and we talk to these guys in

the mess hall, and they talk about how they happened to get in. They make these decisions, and then we come along and take it away.

I think it has been said enough, the example of the gunnery sergeant at age 42, having been in for 20 years, and it is going to cost him some \$72,000, but not much is said about the officers. For the officers, it is actually a lot more than that. An O-5 officer at that agency under the same circumstances would lose \$124,000. These are not wealthy people; these are people who depend upon this for their retirement.

They were told, as I mentioned, that they also—the military people—would be grandfathered in. Now, anytime one is grandfathered in, then obviously they change the rules and the new people making a career decision will make it predicated on those circumstances of retirement that are there at that time.

I have to say this: Tomorrow we are going to be involved in the bill that was put together by the big four. It is the NDAA. It is a must-pass bill. We will pass it. I can't imagine there won't be the votes to pass it. But I can tell my colleagues this: If we had known this was going to come up, we would have addressed this in the NDAA. This is something that could have been addressed and could have been offset.

So I agree with everyone who has spoken on this issue. I think it is very difficult to understand how this could happen. We do know this: One of the differences between civilian employees and military employees is that we can't recall civilian employees.

We have a figure here. Are my colleagues aware that we actually have, since September 11, 3,456 military retirees who have been recalled to duty? Every one of them is going to be affected by this. This is a travesty we cannot allow to happen.

I applaud my friend from Alabama for bringing this up, and hopefully we will be able to correct it. We are going to have a vote right now, and I hope this is a solution to it. Then tomorrow we will have a chance to get into the details about the NDAA bill, which is a very significant bill that addresses provisions such as this.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I thank my colleagues for their heartfelt remarks about the cuts in this bill that will immediately impact the retirements of American military. They are subject to recall, to Active Duty. They are expecting these payments. Other departments and agencies and government employees are not going to get their retirement reduced; only people who served in the military. It is not correct, and it should not happen.

What I want to emphasize to all of my colleagues and highlight for us here today is that the legislation before us

now was brought forth in a way that will not allow any amendments. If people have an idea about a problem with this legislation that was agreed to in secret by a couple of Senators—I suppose maybe some staff involved, so they agreed to this language. It is the first time we have seen it. It is the first time it has been before the light of day in the Senate, and we find problems with it, real problems.

If people ask schoolchildren, if people ask senior citizens in America, if a bill hits the floor of the Senate and it has bad provisions in it, what can Senators do, well, they will say that Senators offer an amendment and they fix it. Isn't that what we were taught? Isn't that what the history of the Senate is all about? It is a place where people can debate and amend and improve legislation. But we are in an odd and unusual circumstance—not so odd in recent years.

The majority leader of the Senate has sought recognition, as he is able to do, and he has filled the amendment tree, and nobody can get an amendment. Nobody can get a vote on this amendment to fix this part of the legislation that plainly needs fixing. It is not available to us. That is awfully hard to believe. It is awfully hard to believe that in the great Senate—as Senator Robert Byrd said, there are two great Senates: the Roman Senate and the American Senate; and he defended it and its rights and priorities. But we have one leader of the Senate, supported by his colleagues, who says: We don't want amendments because we might have to take tough votes, and all we want to do is rubberstamp this agreement, this bill written in secret, and we want to pass it without any amendments.

How did that become the policy of America? How did that become the policy in the Senate? What justification can be given to the concept that duly-elected Senators can't stand up on the floor of this body and defend the rights of their constituents and their States by offering amendments to improve legislation?

Tomorrow we are going to have the Defense spending bill, authorizing the expenditure of over \$500 billion—\$500 billion-plus—to fund our military. A lot of people have ideas about how to improve that bill. We are not going to get a single amendment because the majority leader has filled the tree and he is going to deny the Members of this body, who represent millions of people in their States—and really we represent everybody—the right to offer amendments to improve that bill. It is contrary to our tradition. It is contrary to our heritage. It is contrary particularly to the heritage of the U.S. Senate, where open debate and discussion is so important.

I thank Senator WICKER. He spoke this morning. I thank Senators

AYOTTE, GRAHAM, and INHOFE, who shared their thoughts about the lack of wisdom in this legislation.

I am going to offer a tabling motion, and the purpose of it will be to remove the parliamentary maneuver of Majority Leader REID and allow us to have a vote. So what is this motion about? This motion will remove the filling of the tree, and it will allow the Senate to vote on this amendment to strike the military retiree pay cut—and other amendments, perhaps, but this amendment in particular. I believe that is in the tradition of the Senate. I believe it is extremely important.

So, Madam President, I ask unanimous consent to set aside the pending motion so that I may offer a motion to concur with amendment No. 2572 which is filed at the desk.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Mrs. MURRAY. Madam President, reserving the right to object, and I will object, first, as many of my colleagues here know, I have dedicated much of my career to fighting for our Nation's veterans and our military families. I am the daughter of a World War II veteran. I am the first woman ever to chair the Senate Veterans' Affairs Committee. I have worked tirelessly time and again to safeguard the health care and the benefits and services that those in our uniforms have sacrificed for. So obviously any provision that impacts them or the benefits our servicemembers have earned is of great concern to me.

As is true with any very difficult compromise, there are certain policy changes in this bill I would never have made on my own. Thankfully, though, we wrote this bill in a way that will allow 2 years before this change is implemented—2 years—so that Democrats and Republicans can keep working together to improve this provision or find smarter savings elsewhere. In that time I know there is an armed services-mandated military retirement commission due to report their findings, which would give both Chambers time to legislate a solution before any COLA change is ever implemented.

I also know the senior Senator from Michigan, the chairman of the Armed Services Committee, has indicated he is going to move forward with efforts to review this change before it takes effect, and I support that effort. I am quite sure other Members of the Senate will look for ways to replace these savings in a different way. In other words, we can and we will look at other hopefully better ways to change this policy going forward.

But opening this bill to changes today, after the vast majority of Congress has voiced their support for a deal that ends the repeated crises we have faced in this Nation, is not the solution. In fact, jeopardizing this deal

right now only threatens our national security, and it will force layoffs of those very servicemembers and civilian military personnel so many Members have come out here to speak on behalf of.

As with any bill, the oversight process in Congress will move forward the moment we pass it, and there is no doubt that improvements will be made where they are needed. But this motion, I say to my colleagues, is an effort to bring down this bill, to stop us from moving forward, and for that reason alone it should be voted down. Therefore, Madam President, I object to the unanimous consent request.

Mr. WICKER. Will the distinguished chairman yield on her reservation?

Mr. SESSIONS. Madam President, I still have the floor, I believe.

The PRESIDING OFFICER. I believe that is correct.

Mr. SESSIONS. I yield to the Senator for a question.

Mr. WICKER. I don't mean to prolong this, but I wish to ask this of the distinguished chairman.

I think everyone should understand that although the Senator from Washington chairs the committee and was a member of the conference committee, this is not a report of the conference committee. The question I wish to ask is, Did the negotiators realize, when this COLA-less-1-percent provision was inserted in the conference committee, that it would mean \$80,000 lifetime out of the retirement pay of the typical enlisted retiree? Did the conferees realize the magnitude of what they were agreeing to? Did the two negotiators agree to the magnitude of what they were sending to the House and Senate?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Washington to answer that question?

Mr. SESSIONS. Madam President, I would be pleased to yield to the Senator without yielding the floor to answer that question.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Washington.

Mrs. MURRAY. Madam President, I would suggest that the Senator ask that question to Chairman RYAN. But I would say again, as many of us have talked about here today, this is not the deal Democrats would have written on our own. It is not the deal Republicans would have written on their own. Nobody got everything they wanted, and we each had to give up some things to get to where we are today, again, to bring us back to a time of certainty because without a budget moving forward today, we would be facing a time in a few short weeks where there would be dramatic changes and cuts to, in particular, our Department of Defense, meaning furloughs and layoffs and a threat to our national security, as so many Members of the military have told us.

So I hope we can move forward. I know we are going to go through some parliamentary inquiries and a motion here in a minute. But I hope our Members would take the time to say, "What is the end process here." and vote with us to not change this at this point and to allow us to go forward and bring certainty to so many families across this country at this holiday season time.

The PRESIDING OFFICER. The Senator from Alabama has the floor.

Mr. WICKER. Madam President, I wonder if the Senator from Alabama would yield to me for 60 seconds.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I yield to the Senator without yielding the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WICKER. Thank you, Madam President.

I would ask the Senator from Alabama, it seems to me no one wants to claim parenthood of this very onerous penalty on the retired servicemembers of the United States of America. I would have to infer from the answer of the Senator from Washington that she was not aware. One percent from COLAs sounds so innocuous, but when it comes to \$130,000 for officers and \$80,000 for enlisted people, it is real money.

This is a penalty, and it is hitting the people who step forward and volunteer to serve our country and protect our security. So until someone is willing to step forward and claim ownership, I have to assume the negotiators did not know the impact this would have on our military retirees. It seems to me the Senator from Alabama has devised a way to surgically remove this provision, pay for it elsewhere, and send it back to the House. I think we would be doing them a favor, frankly.

I thank my friend from Alabama for yielding.

Mr. SESSIONS. Well, I thank the Senator.

I would note that Senator AYOTTE, who has spoken, Senator GRAHAM, and Senator WICKER, along with myself, were conferees on the budget conference committee and that this was supposed to be the kind of thing we would discuss. But we were not called to the final discussion, and now this legislation is brought to the floor that we did not have time to approve in advance.

Mr. GRAHAM. Will the Senator yield for a second?

Mr. SESSIONS. I say to Senator GRAHAM from South Carolina, I am pleased to yield for a question.

Mr. GRAHAM. I thank the Senator.

To follow on what Senator WICKER said, I have been trying to find out how this started to begin with too. Whose good idea was this?

So I called the Secretary of Defense, and he said: We did not do this. I

talked to Chuck Hagel, and he said: This did not come from us. Because I said: What are you all doing over there? Please understand, Senator GRAHAM, this did not come from us.

I think Senator WICKER knows the exact number. But if you are a military retiree, on your DD214 form—I do not know if the Senator from Alabama knows this, but when you get your retirement, your discharge DD214 form, at the bottom it says: Subject to being recalled.

Does the Senator know how many military retirees have been recalled since 9/11?

Mr. SESSIONS. I do not, I say to Senator GRAHAM.

Mr. GRAHAM. I think the Senator from Mississippi may have the exact number, and it amounts to a brigade of soldiers, almost.

I ask the Senator from Mississippi, what is the number?

Mr. WICKER. Madam President, if the Senator would yield for an answer to that question, precisely 3,456 DOD retirees—the very people we are penalizing in this provision—have been recalled to Active Duty since September 11, 2001.

Mr. SESSIONS. I say to Senator GRAHAM, you are a full colonel in the Air Force, still serving in the Reserve.

Mr. GRAHAM. Yes. Take my pay.

Mr. SESSIONS. Bless your heart. But it is a fact that this retirement pay is really more than retirement pay, is it not? It is really an income, a source of payment that ensures that the person can be recalled. So it is part of the right to recall you, a compensation for that.

Mr. GRAHAM. The answer is that when you retire after 20, you are subject to being recalled as long as you are physically able. I know one individual who was recalled at age 56 who was a JAG officer who had been out of the military for years. He set up his practice, and he said: Can they do this? I said: Hey, man, you are the lawyer. Of course. Read it. You know they can do this. And they did, only because we had to, and he went and did his part.

I bet you that of those 3,400, some of them were volunteers and some of them were not. But the cost-of-living adjustment is to make sure their retirement over time maintains its value. That is why we have a cost-of-living adjustment.

How much money do you make if you are a master sergeant after 20 years of service? It is less than \$25,000 a year in retirement. So these people do not become millionaires when they retire. Try to raise a family of four on \$25,000 without a COLA. So the COLA is designed to keep the benefit vibrant over time. When you do a COLA minus 1 percent, it does diminish the value of the package.

Here is what gets me the most. If we did it for everybody in the country,

that would be one thing. These are the only people in America who get this special good deal.

Mr. SESSIONS. Madam President, I thank Senator GRAHAM. I think he made the defining point there, that this is a one-sided reduction of retirement benefits to people who served in the military, not impacting lots of others.

I want to return to the central point. This bill that will be voted on tomorrow—final passage—cuts military retirement by \$6 billion. That \$6 billion is counted in the numbers of the proponents of the legislation toward their justification for spending more money the next 2 years. They say they are paying for it by reducing this \$6 billion over time. It is mandated. It is not an option in the bill. We should not pass legislation that does that.

So what I would propose is that we not go along with Majority Leader REID's determination to run the train over the men and women of our military, that we slow down and we follow the regular process of the Senate, not fill the tree, and allow amendments to be voted on on this substantive matter.

So parliamentary inquiry, Madam President.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. SESSIONS. Is it correct that while the majority leader's motion to concur in the House amendment with an amendment to which the majority leader has also offered a second-degree amendment is pending—while it is pending, no Senator is permitted to offer an amendment to the House-passed spending package?

The PRESIDING OFFICER. The Senator is correct.

Mr. SESSIONS. So let me repeat to be sure my colleagues and I understand the situation. The Chair has just told the Senate that I cannot offer an amendment to the House-passed spending bill that would strike the military retiree pay cut because the majority leader has filled the tree with his own amendments. I have read the majority leader's amendments, and I see they merely change the date of enactment by a few days.

Further, parliamentary inquiry, Madam President: If a motion to table the majority leader's motion to concur with an amendment is successful, would there be an opportunity for me to offer a motion to concur with amendment No. 2572?

The PRESIDING OFFICER. Yes, there would.

Mr. SESSIONS. Again, summarizing for my colleagues, the Presiding Officer is telling this Senate that if there can be 51 votes to table the current amendment tree to the House-passed spending bill, then there will be an opportunity for me or other Senators to offer by motion a motion to concur with the amendment that strikes the military pay cut.

So, Madam President, in order to make a motion to concur with amendment No. 2572, I move to table the pending motion to concur with an amendment offered by the majority leader, and I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested.

Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I would just state to all of our colleagues that this motion is an effort to bring this bill down—

Mr. SESSIONS. Madam President, there is no debate on a motion to table.

The PRESIDING OFFICER. Debate is not in order.

The question is on agreeing to the motion.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 46, nays 54, as follows:

[Rollcall Vote No. 280 Leg.]

YEAS—46

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hagan	Risch
Burr	Hatch	Roberts
Chambliss	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Kirk	Vitter
Crapo	Lee	Wicker
Cruz	McCain	
Enzi	McConnell	

NAYS—54

Baldwin	Harkin	Murray
Baucus	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Boxer	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden

The motion was rejected.

Mrs. MURRAY. Mr. President, Section 401 of the Bipartisan Budget Act of 2013 creates a new category of employee called a further revised annuity employee and would require further revised annuity employees to contribute additional amounts into the Civil Service Retirement and Disability Fund. It is the intent of Congress for the Office of Personnel Management to create a new normal cost for the further revised annuity employees, and to ensure that the retirement plan not be underfunded.

Additionally, it is the intent that for the new further revised annuity employee plan that the only determinant of whether an individual is a Federal Employee Retirement System, FERS, employee or Member, as opposed to a FERS revised annuity employee or FERS further revised annuity employee, is through application of the FERS revised annuity employee test. And that the new further revised annuity employee test only differentiates between FERS revised annuity employee coverage and new FERS further revised annuity employee coverage.

TRANSBOUNDARY AGREEMENTS

Mr. MENENDEZ. Mr. President, I want to briefly discuss Section 304 of the Bipartisan Budget Act of 2013, which contained an amendment to the Outer Continental Shelf Lands Act. I was disappointed to see that the amended Section 32 requires submissions regarding future transboundary hydrocarbon agreements be made to the Speaker of the House, the Senate Majority Leader, the chair of the Committee on Natural Resources of the House of Representatives, and the chair of the Committee on Energy and Natural Resources in the Senate. This language fails to mention the Senate Foreign Relations Committee, an omission I find curious in light of the Foreign Relations Committee's jurisdiction over international agreements. I would like to yield to my colleague from Washington in order to clarify that this language was not intended to negate the Foreign Relations Committee's jurisdiction of transboundary hydrocarbon agreements.

Mrs. MURRAY. I thank the Senator for his question, and I appreciate his leadership as Chairman of the Senate Foreign Relations Committee. I understand his concerns and can assure him that the language in the Bipartisan Budget Act of 2013 was not intended to alter or negate the Foreign Relations Committee's jurisdiction.

Mr. MENENDEZ. I thank the Senator from Washington for her response, and I appreciate the tremendous work she has done to arrive at a budget agreement. Due to the importance of this issue, I want to seek additional confirmation of this point. The February 20, 2012 Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico went through the Senate Committee on Energy and Natural Resources with the approval of the Senate Foreign Relations Committee because the implementing legislation was narrow and addressed the ability of the Department of the Interior to carry out the agreement. However, the Foreign Relations Committee engaged in robust oversight of this agreement in meetings with high-ranking officials at the Department of State and the Department of the Interior, including the

submission of a detailed letter with several questions, which received a lengthy response. These actions reflect the Senate Foreign Relations Committee's intention to retain oversight of transboundary hydrocarbon agreements, and to reserve the right to draft and oversee implementing legislation for future transboundary hydrocarbon agreements.

Mrs. MURRAY. I thank the chairman of the Senate Foreign Relations Committee. It is quite clear by the extensive work the committee has done on the U.S.-Mexico Transboundary Hydrocarbon Agreement that the committee has an expertise in international agreements and should play an integral role in the oversight of future transboundary hydrocarbon agreements. The language in the Bipartisan Budget Act was not intended to undermine the Senate Foreign Relations Committee's jurisdiction with respect to any matter that would be properly before it.

Mr. MENENDEZ. I thank the chair of the Budget Committee for her responses.

NOT-FOR-PROFIT LOAN SERVICING

Mr. SANDERS. Mr. President, I rise to enter into a colloquy with the chairman of the Budget Committee, Senator MURRAY, and several of my colleagues regarding the not-for-profit student loan servicing provisions in the Bipartisan Budget Act of 2013.

Is it your understanding and intent that the not-for-profit servicing provision in this act does not require the termination of the existing Federal loan servicing contracts of any not-for-profit servicers who are currently servicing Federal loans?

Is it further the understanding and intent of the chairman of the Senate Budget Committee that the Education Department will continue to enter into contracts with not-for-profit servicers based on their performance?

Mrs. MURRAY. Mr. President, the Senator from Vermont is correct. It is my intent that existing contracts to use the services of not-for-profit servicers are not terminated by this bill and that they will be permitted to compete with the Department of Education's title IV servicers for additional accounts. I know several of my colleagues also feel strongly about this issue. I would like to recognize the following Senators to also join in on the colloquy: Senators LEAHY, HARKIN, ALEXANDER, HATCH, SHAHEEN, BEGICH, GRASSLEY, KING, BAUCUS, TESTER, and MURKOWSKI.

Mr. LEAHY. Mr. President, if I may join in this colloquy, I am glad for the clarification from the senior Senator from Washington and am pleased to know it is her legislative intent for the Department of Education to continue to use not-for-profit servicers and maintain their existing contracts and that not-for-profit servicers will be permitted to compete in the future for

additional accounts. Like other not-for-profits around the country, the Vermont Student Assistance Corporation, VSAC, has provided counseling services and low-cost loans to students and Vermonters for more than 40 years. Since then, VSAC has worked hard to establish and maintain strong and longstanding working relationships with Vermont's higher education institutions, as well as K-12 schools, to provide outreach programs critical to the economic vitality of Vermont. In their new role servicing Federal loans, VSAC has consistently received praise from their customers and scored high in customer satisfaction surveys. In fact, when Congress switched to direct lending we ensured that not-for-profit servicers would continue to service Federal loans because of the superior customer service experience that not-for-profit servicers have consistently provided. I am glad that Congress is continuing to recognize the importance of not-for-profit servicers in our communities and intends to allow for their continued role of servicing Federal loans and helping more students gain access to college and more students to complete their degrees.

Mr. HARKIN. Mr. President, as chairman of the Health, Education, Labor and Pensions Committee, which holds jurisdiction over the servicing of our Federal student loan programs, it is my understanding that the intent of the budget agreement is to allow for the continuation of the existing not-for-profit servicer contracts and that they will be permitted to compete based on performance with the Department of Education's title IV servicers for additional accounts, so that students receive the best possible service and taxpayer funds are used efficiently.

Mr. ALEXANDER. Mr. President, I thank the Senator from Vermont for engaging in this dialogue and appreciate the Senator from Washington clarifying that it is the intent of the budget measure for the Department of Education to continue to use not-for-profit servicers for the Federal loan program and that these entities should be permitted to compete for additional loan volume in the future.

Mr. HATCH. Mr. President, I thank the Senator from Vermont and the Senator from Washington for providing clarification on this issue. I am happy to hear that the legislative intent of the budget deal is to continue the use of the not-for-profit student loan servicers and that they will be permitted to compete in the future for additional accounts.

Mrs. SHAHEEN. Mr. President, I would like to associate myself with the comments of the senior Senator from Washington and am pleased to know it is her intent that not-for-profit servicers, like the New Hampshire Higher Education Loan Corporation and the NHHEAF Network, will be able

to continue their important work and that they will be able to compete in the future for additional accounts.

For over 50 years, the New Hampshire Higher Education Loan Corporation and the NHHEAF Network have provided critical college access, financial education, and default-prevention programs to students in New Hampshire and across the country. The New Hampshire Higher Education Loan Corporation's dedicated staff services a national portfolio over 250,000 borrowers, helping them to manage repayment of almost \$5 billion in student loans. These professionals play a uniquely important role in helping students to succeed in postsecondary education, and I am pleased that it is the Senator from Washington's intent to allow them to continue their work.

Mr. BEGICH. Mr. President, I rise as well to thank the senior Senator from Washington for her insight and to echo the comments from my colleagues, especially my good friend from Alaska. The not-for-profit student loan servicer in my State, the Alaska Student Loan Corporation, does an outstanding job of servicing student loans. They take a proactive and supportive role with the accounts they receive from the Department, and I want to ensure they will be able to continue to participate in this important program. I was pleased to learn that the chairman's intent in including this language was not to exclude not-for-profit servicers from competing for additional servicing accounts.

Mr. GRASSLEY. Mr. President, I would like to associate myself with the comments of the senior Senator from Washington and am pleased to know it is her intent that the use of not-for-profit servicers continues and that not-for-profit servicers will be permitted to compete on an equal basis in the future for additional accounts.

Mr. KING. Mr. President, I wish to associate myself with the comments of the senior Senator from Washington. I am pleased to know that it is her intent that the work of not-for-profit servicers advances and that they will continue to be allowed to compete for additional accounts in the future. In Maine, two not-for-profit servicers, the Finance Authority of Maine and Maine Education Services, provide essential services to Maine students through financial literacy education and the servicing of Federal student loans. Indeed, not-for-profit servicers do meaningful work across the country, and I am glad to know it is the Senate Budget Committee Chairman's intent to continue to allow these State agencies and nonprofits to play a role in servicing federal student loans.

Mr. BAUCUS. Mr. President, I would also like to associate myself with the senior Senator from Washington, my colleague from Vermont, and my colleague from Montana. Our Montana

servicer, the Student Assistance Foundation, provides vital services to Montana students by delivering financial aid education, scholarships, and grants. I am therefore pleased to know it is the intent of the chairman of the Senate Budget Committee that not-for-profit student loan servicers will continue to play a role in the servicing market and will be permitted to compete for future servicing contracts.

Mr. TESTER. Mr. President, I rise to share in this important discussion and would also like to associate myself with the comments of the senior Senator from Washington and my colleague from Montana. The Student Assistance Foundation is a strong employer in Montana, representing nearly 200 jobs, and I am pleased to know it is the chair of the Budget Committee's intent that the use of not-for-profit servicers continues. I am also pleased that not-for-profit servicers, such as the Student Assistance Foundation, will be permitted to compete in the future for additional accounts.

Ms. MURKOWSKI. Mr. President, I am pleased to know it is the intent of the chairman of the Senate Budget Committee—the chief Senate negotiator for the Bipartisan Budget Act—that nonprofit servicers will continue to play an important role in servicing Federal student loans, both now and in the future. I strongly support this intent and the vital public service role that nonprofit and State agency servicers have played in Federal student loan programs on behalf of Federal student loan borrowers and the American public. I will be one of those who will expect the Department to pay close attention to congressional intent in this matter. I also look forward to working with my colleagues on both the Senate Health, Education, Labor and Pensions Committee and the Appropriations Committee to ensure that this intent is carried out.

Ms. COLLINS. Mr. President, I would like to thank the chairman of the Senate Budget Committee, who coauthored this legislation, for clarifying that it is not the intent of the bill's authors to require that existing contracts with not-for-profit student loan servicers be canceled and that such servicers will continue to be able to compete for additional Department of Education contracts in the future. Not-for-profit servicers provide students in Maine and across the country with important financial counseling services, and I am pleased to know that they will continue to be allowed to compete to perform this work under this legislation.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Madam Chair, I yield 1 hour of my time postcloture to Senator SESSIONS.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Washington.

MORNING BUSINESS

Mrs. MURRAY. I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each, with the exception of Senator GRASSLEY for up to 20 minutes; further, that the time count postcloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New York.

COMMUNITY FIRE SAFETY ACT

Mr. SCHUMER. I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 3588, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 3588) to amend the Safe Drinking Water Act to exempt fire hydrants from the prohibition on the use of lead pipes, fittings, fixtures, solder, and flux.

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3588) was ordered to a third reading, was read the third time, and passed.

Mr. SCHUMER. To go over what happened, this is on behalf of myself and Senator TOOMEY. It is a bipartisan bill.

There was a recently released Environmental Protection Agency interpretation of a law that could cost local governments, municipalities, and taxpayers across the country millions of dollars and undermine public safety.

It is a classic case of the Federal bureaucracy and restriction harming our local communities and their budgets. No one would believe this, but it is about one of the most basic functions of government—fire hydrants.

Almost 3 years ago, Congress passed the Reduction of Lead in Drinking Water Act, legislation with an admirable goal, a goal that is spelled out right in the name, and the law is set to be implemented on January 4, 2014.

As we know, Congress intended for this law to direct the EPA to make rules that would keep our drinking water safe from coming into contact with lead-based parts. Congress did that and EPA exempted parts in bathtubs and showers that don't have direct impact on the quality of the drinking water, such as the knobs, the hot and cold knobs. Of course, the faucets would be under the law.

But at the end of October, suddenly, the EPA released a new interpretation of the law that for the first time put fire hydrants under the new standard set by law, meaning everyone needs to

buy and install new and upgraded fire hydrants that contain less lead.

It took everyone by surprise. Only a small fraction of fire hydrants are ever used for drinking water. Even when they are, lead poisoning is associated with long-term exposure, which does not occur on the occasions when someone might drink from a hydrant.

While that surprising rule was announced at the end of October, the EPA expects all new fire hydrants installed after January 4 to be of this new reduced-lead standard. No manufacturer can make fire hydrants that quickly. If the interpretation stands, cities and county water authorities would be forced to throw out hundreds of hydrants now in stock, wasting millions of dollars and passing that waste on to consumers in terms of rate hikes. At the same time, there would be no new hydrants they could install when a fire hydrant malfunctioned, when it was run over by a car in an accident or when a snowplow knocked it down.

We are pleased this legislation we have just passed—my colleague from Pennsylvania and I—will now exempt fire hydrants from the reduced lead standard, just as bathtub and shower pieces that don't have contact with the water are exempt.

Simply put, the EPA's interpretation of reduced lead standards unnecessarily imposed a huge burden on municipalities and first responders without any discernible safety benefit. We have now undone that danger.

Mr. PORTMAN. Would the Senator yield?

I yield to my colleague from Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. I wish to thank the Senator and our colleague from Pennsylvania, Mr. TOOMEY, for the work on this issue.

Municipalities all around the country, including my State of Ohio, were shocked to hear about this. I appreciate joining my colleague from New York in a letter to the EPA.

Cash-strapped cities in New York, Ohio, and other States are happy to know they are not going to have to take on this burden. It makes sense to stop, take a look at this, and be sure we are not forcing these hydrants—that are otherwise in good shape—to be repaired and replaced. It is not something that is in the budgets of these cities.

I appreciate the Senator's work on it and look forward to ensuring that this does not move forward into regulation but also that we figure out a more sensible way to deal with the issue.

Mr. SCHUMER. I thank my colleague from Ohio. We appreciate his good work. We have now saved municipalities millions of dollars, as well as ensured safety in our communities because the fire hydrants that are in stock will be able to be used.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. On the last vote, I wish to mention to my colleagues what happened and what has happened. A major bill dealing with the debt of the United States was supposed to come out of a budget conference committee and come here.

The budget conference committee failed to complete its meetings and a piece of legislation was sent to the Senate. That legislation has not been subject to amendment.

The majority leader decided there would be no amendments, and he would simply tell us that if we have amendments that will kill the bill or if we have amendments that will make us delay, we can't do it and we will not do it and we will not get an amendment.

A number of good amendments have been filed. The one we just voted on was one of the more egregious. That amendment reduces the retirement pay of the U.S. military without reducing the retirement pay of anyone else who served in government, only the military. So I moved to table the filled tree that Majority Leader REID has been using to block anybody from having amendments in the Senate on serious legislation.

I mean, this is serious legislation we didn't get to vote on. So the choice for our colleagues, when they cast their vote, was would they vote to allow an amendment to be voted on that would protect veterans, military retirees, from having their pensions reduced; or would they support the majority leader in his determination to block any amendments to the legislation? So a majority has voted. They voted to block the classical rights of Senators to have amendments and therefore to protect the leadership and the domination of this Senate in an unprecedented way by the majority leader.

He has already filled the tree more times than the previous four majority leaders combined—more than twice as often. On every bill now, it seems, he fills the tree. To get an amendment, he has to approve it or you don't get it. If he decides there are no amendments, there are no amendments. So this is contrary to the tradition of the Senate, and we have to change this. This highlights the danger of supporting that kind of process because it keeps us from fixing bad legislation and improving it.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

MAYORKAS NOMINATION

Mr. GRASSLEY. Madam President, soon we will be voting on the nomination of Mr. Mayorkas for Deputy Secretary of the Department of Homeland

Security. I have concerns about the nomination. First, I will discuss how Mr. Mayorkas has carried out the President's directive giving legal status to thousands of individuals who are in the United States unlawfully.

In 2012, Mr. Mayorkas was charged with implementing this President's directive known as DACA—DACA—Deferred Action for Childhood Arrivals. I have always questioned whether the President's directive is legal. The administration never responded to our requests for their legal basis or opinions. This administration has not been transparent about who is getting deferred action, how they are processing them, and whether those who have been denied have been processed for removal.

They may call this program Deferred Action for Childhood Arrivals, but it clearly benefits older adults, and possibly people who intentionally broke our laws. The agency didn't deny any single applicant until after the 2012 election. We still don't know how many people were actually denied. We do know, however, that people were approved despite shoddy evidence, such as an Xbox receipt and Facebook posting. They always seem to find a way to get approval.

All denials for DACA have to be run through Washington. Adjudicators on the line were given clear instruction they were not allowed to deny any applicant. Whistleblowers tell me that Mr. Mayorkas himself had to approve all denials.

Think about that. No denials were allowed unless the head of the agency personally approved the denial. What kind of message does that send to civil servants, the career employees trying to do their job under the law as the law requires, and to be very impartial. The boss has his thumb on the scales. That isn't the rule of law.

Mr. Mayorkas's message to adjudicators seems to have been that they had better get to yes or he would personally get involved. This "get to yes" philosophy came up time and again with agency whistleblowers. The Office of Inspector General looked into the situation and the inspector general confirmed what employers had said. A quarter of Immigration Service Officers interviewed felt pressured to approve questionable applicants, and 90 percent felt they didn't have sufficient time to complete the interviews of those who seek benefits. The report of the Office of Inspector General clearly showed the agency had been pervaded by this "get to yes" culture.

Unfortunately, that culture hasn't changed under Mr. Mayorkas's leadership. In fact, based on concerns I heard from whistleblowers who contacted my offices in mid-July of this year, it seems to have even gotten worse. These whistleblowers were aware that Mr. Mayorkas had been nominated to this

Homeland Security position by late June. They were also aware that since the fall of 2012, Mr. Mayorkas had been the subject of an Office of Inspector General investigation into allegations of ethical or criminal misconduct.

When Mr. Mayorkas's nomination hearing was scheduled, the whistleblowers were very surprised. They wondered why a hearing would proceed while the investigation was still open and pending, and then contacted my office to make sure Congress was told about the investigation. The existence of this investigation was news to me at that time. However, I didn't sit on the Committee on Homeland Security and Governmental Affairs. So my staff contacted the staff of the ranking member of that committee, Senator COBURN. His staff was also unaware the nominee was under investigation by the Inspector General.

It is extremely troubling that a hearing was scheduled to proceed without the ranking member of the committee knowing about the pending investigation of the nominee within the executive branch. Both my staff and the staff of Ranking Member COBURN contacted the inspector general's office. We told his office about the whistleblower allegations and asked for confirmation as to whether there was an open inquiry.

This type of procedural information is routinely disclosed by an inspector general's office to Congress, and rightly so. Further, we asked for an explanation of why that information would be withheld while the committee was considering the nomination.

Understand, the Senate has a constitutional function of providing advice and consent on these nominations. In order to do our duty, every Senator who is asked to vote on that nominee needs to have all the relevant information about that nominee, and particularly when there is a pending investigation.

To its credit, the Office of Inspector General answered our questions and confirmed there was indeed an open criminal investigation. Their written description stated that the inquiry involves "alleged conflicts of interest, misuse of position, mismanagement of the EB-5 program, and an appearance of impropriety by Mayorkas and other . . . management officials."

How was it possible that this information was withheld from staff for the ranking member of the committee considering that nomination? If not for the whistleblowers who came forward, would we have known of the investigation?

When a nominee is under investigation, the Senate has no business approving that nominee until the facts are in. Historically, committees have followed this precedent. As ranking member COBURN explained last week,

both the President and the Vice President supported this precedent when they were in the Senate.

In July 2005, one ambassadorial nominee owned a company under investigation. Then-Senator BIDEN spoke out and supported delaying the vote on that nomination because of the investigation. Eventually, the nominee's company agreed to settle the investigation against it. Then-Senator Obama's spokesman issued a statement saying that due to the fact that a settlement was reached, Senator Obama would not seek to block the nomination.

Like then-Senators Obama and BIDEN, I believe the Senate should wait for investigations to conclude or, if the executive branch is taking too long, then Congress should do its own fact-finding. But forcing Senators to vote in ignorance is not a legitimate option. In fact, it is irresponsible.

Voting to approve a nominee who is under investigation without waiting for the facts is incredibly risky. What if the investigation determines allegations are true? By rushing to approve the nominee, this body would have failed one of our key functions under the Constitution.

I pointed this out when the Senate was considering the nomination of B. Todd Jones to become permanent head of the Bureau of Alcohol, Tobacco, Firearms and Explosives. Mr. Jones was the subject of an Office of Special Counsel investigation due to allegations he retaliated against a whistleblower in the U.S. Attorney's office in Minnesota.

As Mr. Jones' nomination progressed through the Senate, the Justice Department and the whistleblower agreed to try mediation. The majority tried to claim the special counsel's case was, therefore, closed. However, I did state on the floor the special counsel's investigation would continue if mediation failed.

Nevertheless, despite the open special counsel investigation, we voted on July 31 to confirm Mr. Jones. In early September, the whistleblower's mediation with the Justice Department did, indeed, fail.

The special counsel has resumed its investigation of Mr. Jones, just as the special counsel had told the Senate that it would. So the retaliation complaint against Mr. Jones is still pending this very day. We don't know what the outcome will be because we did not take time to gather the facts, as Senators should. If we are unwilling to wait for an executive branch inquiry, then we should further gather the facts ourselves.

Last week, Ranking Member COBURN asked Chairman LEVIN of the Permanent Subcommittee on Investigations whether that committee would consider interviewing witnesses in the controversy involving Mr. Mayorkas. While he declined, Chairman LEVIN

rightly noted if the subcommittee were going to launch such an investigation, the vote on Mr. Mayorkas would need to be delayed. I completely agree. This vote should not take place until someone has been able to gather testimony and draw conclusions about these allegations.

Whistleblowers have provided my office with very troubling evidence regarding the substance of some of the allegations. Much of the evidence involves the EB-5 regional center program, which Mayorkas is responsible for managing. The evidence appears to support allegations Mr. Mayorkas and his leadership team at Citizenship and Immigration Services are susceptible to political pressure and favoritism. Our immigration system should be governed by equal application of the law, not by who has the best political connections to the director of the agency.

I have given Mayorkas a chance to defend himself and explain the evidence, which seems compelling. Back in July and August I wrote several letters to Mr. Mayorkas outlining whistleblower allegations and attaching some of the documents the whistleblowers provided. I asked how he accounted for this evidence, but he has utterly failed to reply to my letters.

It has been 4 or 5 months since I sent Mr. Mayorkas these letters. Just like his personal oversight of DACA, these documents show Mr. Mayorkas being much more directly involved in individual EB-5 cases than he has led my staff or the Homeland Security and Governmental Affairs Committee to believe. They appear to show him intervening in EB-5 decisions involving Gulf Coast Funds Management, an organization run by nobody other than Hillary Clinton's brother Anthony Rodham.

This decision benefited GreenTech Automotive, a company run by Terry McAuliffe which was receiving funding from Gulf Coast Funds Management.

This evidence about political influence and intervention is particularly troubling because of Mr. Mayorkas' prior history. In 2001 Mr. Mayorkas had a role in a group of pardons and commutations issued by President Clinton in the closing days of the second term. A 2002 House report found that then-U.S. Attorney Mayorkas inappropriately sought to influence a decision regarding whether drug trafficker Carlos Vignali's prison sentence should be commuted.

However, my concerns about the investigation pending against Mr. Mayorkas are about more than just improper political influence. Under his leadership over the last few years, the EB-5 Program has grown far beyond its original intent, which I supported. It is intended to be an avenue for foreign investors to participate in new commercial enterprises which actually create jobs in this country in exchange for a

U.S. visa. The program was created as a pilot, allowing regional centers to pool funds from investors to create new businesses and jobs. In the process, the centers had to prove they were creating the jobs they promised to create.

Skeptics questioned whether the program truly creates jobs. Whistleblowers have expressed concerns that foreign investors are not being vetted carefully enough. They say Mr. Mayorkas is more interested in approving applications quickly than making security checks more robust.

Given what we know about these security concerns inside the agency, Congress needs to reexamine this program. It should serve its purpose without compromising our national security.

Mr. Mayorkas claims he has changed the program since learning of fraud and security concerns. The only tangible change we have seen is that additional economists have been hired and adjudicators from California were moved here to Washington, DC. Yet moving the EB-5 process to Washington increased Mr. Mayorkas' control over the program, just as he has in the DACA Program.

Whistleblowers have provided me with emails from Mr. Mayorkas saying that he wants to keep fraud and national security concerns about GreenTech or the SLS Hotel in Las Vegas "close hold." As I said earlier, the rule of law isn't possible when the boss has his thumbs on the scales.

Further, the regional center program has serious national security risks that the Director hasn't addressed. He convened a working group with national security advisers but no formal product was finalized. The interagency collaborations seemed to fizzle. Whistleblowers say the working group was mere window dressing.

In the agency, employees received EB-5 applications from individuals with derogatory information about them in classified government files, but they were given little or no guidance about how to make sure that such were denied. Instead, they were pressured to approve applications as quickly as possible.

Simply put, the integrity of our immigration system is in question as long as the program continues without needed reforms which could be done this very day.

On May 15, 2012, Chairman LEAHY and I wrote to Mr. Mayorkas regarding the program and expressed our concerns about the potential for abuse of the program. We asked for his commitment to administratively reform two aspects of the program. He responded that he was interested in the reforms. Yet it has been a long 19 months and he has taken no action.

Mr. Mayorkas says he is concerned with fraud and abuse of the program, but actions speak louder than words.

Despite my recent letters with questions about fraud and security concerns, not to mention political influence, Mr. Mayorkas is either completely unwilling or unable to respond to the allegations.

I sat down with Chairman CARPER on August 1, and he agreed that I deserved answers to my questions from the nominee. Now he has pressed forward without getting answers. I am truly surprised that this majority is not interested in getting to the bottom of these allegations—in other words, something that is under investigation—the same way that Senator BIDEN and Senator Obama demanded that we do during a previous Presidency.

If this body is unwilling to await the end of an investigation or if we aren't willing to conduct our own inquiry, one day this whole nomination will come back to bite us. As I said when B. Todd Jones was confirmed, eventually a situation will embarrass the Senate and damage the reputation of the Federal Government.

If this majority is determined to ignore ongoing investigations and at the same time ram through nominees, the American people should hold the Senate accountable for not doing its constitutional job—in fact, refusing to do its constitutional job.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

ENOUGH IS ENOUGH

Mr. MURPHY. Madam President, I come to the floor for a few minutes, as I have most weeks, to mark a new number. That number is 11,584—the number of gun deaths America has experienced over the last year, since December 14 of last year. That date is burned in the memories of those of us in Connecticut and across the Nation because that was the date 26 people—20 little 6- and 7-year-olds and 6 teachers and educators who were there to protect them—died in Sandy Hook. We recognized the 1-year mark of that shooting this weekend. Almost 12,000 people have died at the hands of guns since then.

I have tried to come to the floor of the Senate in the months since to remind folks that these victims have stories and to give voice to these victims. I will share a few more today.

We were all gripped just a few days ago by news of another school shooting. Not too far from Columbine, Arapahoe saw another very troubled young man walk in with a shotgun and essentially open fire, apparently because of a grievance he had with his debate coach. Caught in the crossfire was a 17-year-old girl, Claire Davis.

Claire was described as outgoing, athletic, and an excellent student. According to reports, she loved horses and recently placed second in an equestrian

competition. Another student said Claire is “one of the nicest people I’ve met at Arapahoe” High School. Claire, 17 years old, survived, but she is still in a coma today just because she was in the wrong place at her high school—a place where everyone expects to be able to go to school in safety. She isn’t on this number yet because she survived, but her life is changed forever because of yet another school shooting.

School shootings now seem to pop up on the news on a weekly basis. But it is not just these school shootings where mass violence takes place. Now you can pick up most local papers every month and see evidence of a new mass shooting.

In Manchester, CT, on December 7 of this year, 41-year-old John Lynn shot Brittany Mills, 28, Kamesha Mills, 23, and Artara Benson, 46, before killing himself in a quadruple murder. He had a history of domestic violence. Police haven’t completely sorted out exactly what happened, but all four of them are dead, marking the eighth homicide stemming from intimate partner violence in Connecticut since January 1, 2013.

Just days before, in Alma, AR, Tim Adams, believed to be in his early fifties, before killing himself killed his 4-month-old grandson, 4-year-old granddaughter, and Michael Williams, the 31-year-old boyfriend of his daughter, in the midst of what seemed to be a pretty simple argument about his daughter’s court date that exploded into an episode of mass violence that took the lives of a 4-month-old, a 4-year-old, a 31-year-old, and then, as many of these episodes do, the life of the shooter himself.

These episodes of mass shootings are not just happening in schools, movie theaters, or places of worship; they are happening in backyards in Alma, AR, and they are happening in apartment complexes in Manchester, CT. And this body, in the 360-some-odd days since December 14, has done absolutely nothing about it. The survivors of these incidents of violence are the stories we don’t talk about.

I have come down here to tell the story today of Claire Davis, Brittany Mills, Kamesha Mills, Artara Benson, Tim Adams, Chayson Williams, Kierra Adams, and Michael Williams. They all died by gunshots. They left behind children, parents, and neighbors who are scarred for life.

Psychologists will tell you that when a shooting occurs, there are at least 10 people who experience life-altering trauma. What we know is that episodes of trauma don’t just affect you up here; they affect your entire body. We have new developing evidence which shows that children who experience multiple episodes of trauma in their lives—and they don’t have to be as grave or serious as a shooting—are physiologically affected for the rest of their lives. Peo-

ple who witness trauma and experience trauma die earlier than people who don’t, never mind have episodes related to post-traumatic stress that stay with them for the rest of their lives. So the spillover, the ripple effects of these 11,000 deaths, frankly, represents a number that can’t even fit on a chart like this.

There is no simple solution. Sometimes it seems as if the only thing we come down here and talk about is stricter gun laws. And I don’t believe there is any reason why we don’t require background checks for guns before they are purchased or we don’t just simply say that these dangerous assault weapons should stay out of the hands of people who aren’t in law enforcement or the military. But that is not the beginning and end of the conversation.

This young man, Karl Pierson, who walked into Arapahoe High School started shooting the place up because he was upset about his place on the debate team. He apparently had a history of disciplinary incidents at that school, but he clearly had some serious issues of mental illness not identified and treated. Of course, the same thing can be said of Jared Lee Loughner and Adam Lanza and this long list of mass shooters across this country. We absolutely have to put more resources into our mental health system.

I appreciate my colleagues on the other side of the aisle who have said: We are not willing to go with you when it comes to background checks or assault weapons, but we will work with you on mental health funding.

In order to do that, we actually have to put the money behind the system. We have closed down 4,000 in-patient mental health beds in this country over the last 5 years. Why? Because the Federal Government is pulling funding from the very programs that actually support increased mental health resources which can identify these individuals before they perpetrate incidents of mass violence. So there is an illusion of bipartisan support around the issue of mental health even while we have these outstanding disagreements on gun laws. Yet there really isn’t agreement because when you are fighting over the budget, when Republicans are calling for massive cuts to programs such as Medicaid or the mental health block grant, then they are undermining the very programs that actually identify and help people such as Karl Pierson or Adam Lanza.

Enough is enough. I will be down here after the holiday, and that number will be over 12,000—12,000 individuals, many of them little girls and boys like those represented on this chart: Daniel Barden and Jesse Lewis and Dylan Hockley.

Back in Newtown, out of respect for the families who are tired from 365 days of grieving, there was no big public remembrance on Saturday. There

was a small private ceremony which I had the honor of attending at St. Rose Church, where so many of the children were parishioners.

As tired as that community is, they also were bewildered, in Newtown, because they went up to the State capitol in Connecticut and got laws passed that will prevent these kinds of episodes of mass violence in the future, but they came down to Washington and, while they got a lot of meetings, they got absolutely no progress—zilch, zip, nada.

As we head into 2014, I hope the memory of these little boys and girls will not fade as we get beyond the 1-year mark of Sandy Hook. My hope is people will start paying attention to this number, creeping up to 12,500 deaths, and will recognize that while this number simply represents the number of people who have died, there are all sorts of people out there such as Claire Davis, who survived, but survived gun incidents that will cripple them for the rest of their lives, and there are, frankly, hundreds of thousands of more people who surround these incidents of violence who have their lives changed forever because of the trauma they experienced.

All of these victims, whether they were killed in the incident or were part of the collateral damage, have voices, voices that should command this place sometime soon to action.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I ask consent to speak as in morning business for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

THANKING TODD BIANCO

Mr. WHITEHOUSE. Madam President, this is my 53rd time for consecutive weeks we are in session that I have come to the floor to speak about climate change and to urge my colleagues that it is time to wake up. These speeches are not easy. A great deal of effort goes into assisting me with research and crafting of them. I am particularly grateful for the hard work of Dr. Todd Bianco in helping me to prepare them. He is the fellow sitting on the other side of the sign, looking embarrassed that I have just called him out.

Todd joined my office in September of 2012 as a Geological Society of America-U.S. Geological Survey congressional science fellow. He has contributed considerable scientific understanding and analytical rigor to our work. His ability to interpret the latest climate research has helped me to convey complex scientific concepts both accurately and in a way that is accessible and meaningful to policy-

makers and the public. You may be used to seeing him with me here on the floor for each week's speech, but he has also been effective in researching legislation and preparing for hearings in the Environment and Public Works Committee.

I say this because this week marks the end of Todd's fellowship and he will soon return home to Rhode Island with his wife Allison. Allison Bianco, by the way, is a very talented artist whose work reflects our deep human connection to the natural world. In addition to lending us Todd, Allison has also lent us some of her artwork which is hung on display in my front office. So in addition to thanking Todd for his efforts, I also want to thank Allison. Todd, like me, is an over-married human being.

I wish them both the best of luck back home, and I thank Todd for his work in the U.S. Senate to advance responsible public policy, grounded firmly in the best science.

It is time at last for Congress at least to heed that best science and act responsibly. It is time to wake up. Denying and delaying is irresponsible. In the judgment of history, it will ultimately, I believe, be shameful. Carbon pollution from the burning of fossil fuels is altering the climate. The consensus around this fact within the scientific community is overwhelming, and public awareness of this crisis is growing stronger.

Interestingly, it is growing stronger across party lines. Republicans might want to listen to this. A survey conducted for the League of Conservation Voters found that more than half of young Republican voters, 53 percent of Republicans under the age of 35—53 percent would describe a politician who denies climate change is happening as “ignorant,” “out-of-touch,” or “crazy.” Madam President, 53 percent of Republicans under 35 view that kind of climate denying as “ignorant,” “out-of-touch,” or “crazy.”

Even though a majority of young Republicans understands that denying climate change is out of touch with reality, Republicans in Congress refuse to get serious. Why? Another national survey, this one by the Pew Research Center, found that 61 percent of non-tea-party Republicans actually agree there is solid evidence the Earth is warming, with a plurality saying it is mostly because of humans. But the tea partiers are different. Seventy percent of tea partiers, contrarily, say there is “no solid evidence” the Earth is warming and 41 percent of tea partiers assert that warming is “just not happening.” Not that we don't have enough information yet, but it is “just not happening.”

Regardless of what you think is the cause, there are legion independent measurements that the Earth is warming. This is not a theory. We measure

that the temperature of the atmosphere and oceans is rising. We measure that snow, ice caps, and glaciers are melting. We measure that seas are rising. We measure that the very seasons are shifting.

It is one thing to be the party that is against science. The tea partiers would make it the party against measurement. Just as the tea partiers led the Republicans off the government shutdown cliff, just as the tea partiers tried to defeat the budget deal most Republicans supported, so the tea party wants to lead the Republican Party off the climate cliff.

Outside these walls it is different. Responsible Republican voices more and more acknowledge the threat of climate change and call for responsible solutions. Many want to correct the market failure that aids and abets the polluters' irresponsible practices.

My colleagues, Representative HENRY WAXMAN, Representative EARL BLUMENAUER, Senator BRIAN SCHATZ, and I have put forward just such a market-based proposal, a revenue-neutral fee on carbon emissions, the revenues of which would be returned back to the American people. Here, within Congress, where the polluters' money flows so abundantly, no Republican colleague has come forward to join us. But outside of Congress here are some of the responsible voices in the Republican Party: Former South Carolina Representative Bob Inglis has long urged his party to get serious on climate change. In an article in the Duke Environmental Law & Policy Forum this year, Mr. Inglis invoked the tenets of conservative economics. He wrote:

If you're a conservative, it is time to step forward and engage in the climate and energy debate because we have the answer—free enterprise. . . . Conservatives understand that we must set the correct incentives and this should include internalizing pollution and other environmental costs in our market system. We tax income but we don't tax emissions. It makes sense to conservatives to take the tax off something you want more of, income, and shift the tax to something you want less of, emissions.

That was Bob Inglis and that is exactly how you use his words “internalize pollution and other environmental costs in our market system.” You do it with a carbon fee.

Sherwood Boehlert and Wayne Gilchrest, former Republican Representatives from New York and Virginia, in a joint February 2012 op ed with Representative WAXMAN and Senator MARKEY, made the fiscal case for a carbon fee. Here is what they said:

The debate over how to reduce our nation's debt has been presented as a dilemma between cutting spending on programs Americans cherish or raising taxes on American job creators. But there is a better way: We could slash our debt by making power plants and oil refineries pay for the carbon emissions that endanger our health and environment. This policy would strengthen our economy, lessen our dependence on foreign

oil, keep our skies clean—and raise a lot of revenue. The best approach [they continue] would be to use a market mechanism such as the sale of carbon allowances or a fee on carbon pollution to lower emissions and increase revenue.

For one former Republican Member of this body, the threat of climate change has serious professional implications. As Secretary of Defense, it is Chuck Hagel's job to account for all hazards to our national security and our interests in the world. He gave this clear-eyed assessment at the Halifax International Security Forum just last month:

Climate change does not directly cause conflict, but it can significantly add to the challenges of global instability, hunger, poverty, and conflict. Food and water shortages, pandemic disease, disputes over refugees and resources, more severe natural disasters—all place additional burdens on economies, societies, and institutions around the world. . . . The effects of climate change and new energy resources are far-reaching and unpredictable . . . demanding our attention and strategic thinking.

Top advisers to former Republican Presidents have joined this chorus of Republicans speaking out on climate and urging a carbon fee. Republican Presidents listened to these men and women. Who knows, maybe Republican Members of Congress will listen to them also.

William D. Ruckelshaus, Lee M. Thomas, William K. Reilly, and Christine Todd Whitman, all headed the Environmental Protection Agency during Republican administrations. They spoke with one voice in an August New York Times op-ed. They wrote:

As administrators of the EPA under Presidents Richard M. Nixon, Ronald Reagan, George Bush and George W. Bush, we held fast to common-sense conservative principles—protecting the health of the American people, working with the best technology available, and trusting in the innovation of American business and in the market to find the best solutions for the least cost.

These former Republican officials recognize both the wisdom of properly pricing carbon and, as well, the obstinate opposition that stands in the way of progress in Congress. They continued in their article:

A market-based approach, like a carbon tax, would be the best path to reducing greenhouse gas emissions, but that is unachievable in the current political gridlock in Washington. But we must continue efforts to reduce the climate-altering pollutants that threaten our planet. The only uncertainty about our warming world is how bad the changes will get and how soon. What is most clear is that there is no time to waste.

They could even have said that it is time to wake up.

George Schultz, another prominent Republican, served as Secretary of both Labor and Treasury under President Nixon and Secretary of State under President Reagan. He, too, is calling for an end to the polluters' free ride.

In an April op-ed with Nobel economist Gary Becker that appeared in

RealClearPolitics, George Schultz appealed to our American sense of fairness writing:

Americans like to compete on a level playing field. All the players should have an equal opportunity to win based on their competitive merits, not on some artificial imbalance that gives someone or some group a special advantage. We think this idea should be applied to energy producers. They all should bear the full costs of the use of the energy they provide.

Let me repeat that:

They all should bear the full costs of the use of the energy they provide . . . Clearly, a revenue-neutral carbon tax would benefit all Americans by eliminating the need for costly energy subsidies while promoting a level playing field for energy producers.

Veterans of a much more recent Republican administration are likewise acknowledging the appeal of a carbon fee proposal.

David Frum, speechwriter to George W. Bush, wrote in a December 2012 *cnn.com* op-ed that a carbon fee could help address a number of pressing national issues. Here is what he wrote:

Take three worrying long-term challenges: climate change, the weak economic recovery, and America's chronic budget deficits. Combine them into one. And suddenly three tough problems become one attractive solution. Tax carbon. . . . The revenues from a carbon tax could be used to reduce the deficit while also extending new forms of payroll tax relief to middle-class families, thus supporting middle-class family incomes.

Gregory Mankiw, economic adviser to George W. Bush and Mitt Romney, specifically highlighted our carbon fee proposal in an August op-ed in the New York Times. Our bill, he wrote, "is more effective and less invasive than the regulatory approach that the federal government has traditionally pursued."

Speaking of us, he said:

If the Democratic sponsors conceded to using the new revenue to reduce personal and corporate income tax rates, a bipartisan compromise is possible to imagine. Among economists, the issue is largely a no-brainer.

I say to Mr. Mankiw, as one of the Democratic sponsors, we are very interested in a bipartisan compromise. We just need a Republican to come to the negotiating table and we can begin. That is what the American people want, what voters want, and it is what responsible State and local leaders want as well.

Take, for example, Jim Brainard, a five-term Republican mayor from Carmel, IN. In an Indianapolis *Star* op-ed this month, Mayor Brainard implored Democrats and Republicans alike to face up to the reality of climate change. Here is what Mayor Brainard said:

[T]his issue isn't just about saving polar bears. It's about saving our cities. . . . No matter your politics, there is overwhelming evidence of climate change and we as a nation have a moral obligation to address these issues.

For himself, he says he plans "to urge the federal government to take a

stronger leadership role in helping our cities prepare for what is certainly coming our way."

There are a lot of Republicans out there who are awake to the threat of climate change and to the win-win-benefits of pricing carbon and using the revenues to invest in tax reductions and adaptation and other ways to protect ourselves and advance our economy.

Unfortunately, in Congress, the dark, heavy hand of the polluters is helping the tea party drive the Republican party off the cliff. One day the Republican Party will pay a heavy price for this, and that day may be soon. They need to make the change.

It is the responsibility of Congress to heed the warnings of environmental calamity, to stamp out market distortions that favor polluters, and to steer this country on a prudent, reasonable path toward a proud future that is both sustainable and equitable. It is time for Congress to wake up.

I yield the floor.

The PRESIDING OFFICER (Mr. DONNELLY). The Senator from Ohio.

BUDGET AGREEMENT

Mr. PORTMAN. Mr. President, I rise to talk about the budget agreement before the Senate. We had a vote today on moving ahead to that legislation, and I supported that movement. I supported the cloture vote and will support the underlying budget agreement because it does take modest steps to reduce the deficit. It does so without raising taxes. It also relieves some of the sequester's worst impact on our national security, and it also prevents another government shutdown next month and also next year.

I also support it because it is time for us to have a budget. We have not had a budget for 4 years. It will enable us to begin the process of having appropriations bills again. In the appropriations process, of course, we have oversight over the Federal departments and agencies and we prioritize spending, which is very important. Among other things, this will give us the opportunity to root out some of the waste and fraud and actually determine what programs are working and not working to be able to use the power of the purse that Congress has, to help be sure taxpayer funds are being used efficiently and effectively.

As Members know, this agreement was the culmination of what is called a Budget Conference Committee between the House and the Senate. So it was Democrats and Republicans but also the House and Senate coming together. That has not happened in 4 years. So we have not had a budget in 4 years. We have not had a budget conference in 4 years. If you think about that, is it any wonder that during those 4 years Congress has racked up historic debts and deficits?

The deficits of the past 4 years have been the largest deficits in the history of our country, and one reason is we have not had the discipline that comes with having a budget and being sure there is some accountability for the spending. We have not made the hard choices our constituents have to make every day, how much to spend and what to spend it on. That is what a budget is supposed to do.

This budget agreement we will be voting on this week is far from perfect. There is a lot I don't like about it. In fact, I just supported the attempt to amend it on the floor of the Senate to improve it, but I do believe that with a divided Congress—Republicans in charge in the House, Democrats in charge in the Senate—it was the best we could hope for. There were no tax increases, as the Democrats wanted. We just heard from one of my colleagues about how more taxes are needed, but there were no tax increases in this budget agreement.

There is actual deficit reduction, although I will acknowledge that the deficit reduction is way too small. There is about \$22 billion in deficit reduction over 10 years compared to the existing law.

It does provide some sequester relief for the Department of Defense. The Department of Defense was facing across-the-board sequester cuts which were kind of arbitrary across-the-board cuts of about \$20 billion starting on January 15 and over the next few months.

This relief is very important to our military. We have heard from them. It is important to our readiness. It is important to our troops. It is important to Wright-Patterson Air Force Base in Ohio and other bases around the country. It is important to our war fighters who are stationed around the globe tonight and putting their lives on the line for us. So I think the sequester relief for the Department of Defense that is in the budget agreement is important.

While this might be the best 2-year budget agreement that is imaginable in a time of a divided government, such as we have with all of the dysfunction in this town, it is certainly not the comprehensive agreement the American people deserve.

Through this agreement, Congress has now accomplished the bare minimum of what the American people should be able to expect from Congress. After all, Congress does have, as I said earlier, the power of the purse, and that is in the Constitution. Every dime has to be appropriated by the Congress. We should be the ones determining how taxpayer dollars are spent, and we certainly need a budget.

There are some who took to the floor today, and will tomorrow I am sure, who will say this is a great budget agreement; this shows everyone how Washington can work and come to-

gether to fix a problem. Fair enough. We avoided a government shutdown. Yes, we are not going to gut national security, and, yes, we will have a small deficit reduction—again, about \$22 billion.

Let's be honest about the opportunity Congress missed this week with this budget agreement. When it comes to the very real budget and fiscal problems we face as a country, when it comes to the mandatory spending, which is two-thirds of the budget and is on autopilot, that is the part that is driving our country toward bankruptcy and threatening to undermine important vital programs, such as Social Security, Medicare, and Medicaid.

We have done nothing on that side of the ledger in this budget agreement. We kicked the can down the road one more time and missed the opportunity. As we all know, unless we address these fiscal problems, the day of reckoning is coming.

This is a pie chart of Federal spending that will kind of show where we are relative to 1965 when mandatory spending—again, this is the part Congress does not appropriate. It is on autopilot. It is 34 percent of the budget. Defense is 43 percent of the budget, domestic discretionary is 23 percent.

Here is where we are today: Mandatory is 66 percent of the budget. We went from 34 percent to 66 percent. Remember, this is Social Security, Medicare, Medicaid, also interest on the debt. By the way, defense spending has gone from 43 percent down to 18 percent. Yet the sequester disproportionately takes most of the savings out of defense, which is one of the reasons this budget agreement was needed.

We have seen big growth in mandatory spending. By the way, over the next 10 years, it goes from 66 percent to 76 percent. What does that mean? That means it crowds out discretionary spending—defense spending, research spending, education spending, infrastructure spending. That is what is happening.

Our deficits are going to record highs over the next couple of decades and mandatory spending is exploding and it is squeezing the other spending in our budget.

Over the next decade, the Federal Government is going to collect revenue of about \$40 trillion, spend about \$46 trillion, and run a deficit of \$6.3 trillion. Over the next 10 years, there will be another \$6.3 trillion on top of the \$17 trillion debt.

In that 10th year, by the way, 2023, the best case scenario has a projected annual deficit of nearly \$1 trillion—\$895 billion for 1 year. By the way, it assumes no wars, it assumes a decade of prosperity, and it assumes 10 years of historically low rates. It is quite a rosy scenario. If any of these factors fall through, things could be much worse, and it could be well over \$1 trillion.

This is not a problem that can be solved by just cutting discretionary spending. Over the next 10 years, Washington will spend more than \$22 trillion on these vital programs: Medicare, Medicaid, and Social Security. If we were to cut our defense budget over the next decade all the way down to zero—have no defense spending at all, zero—we could pay for just one-quarter of that cost of the \$22 trillion.

If we removed every penny of potentially identifiable waste in government—which we should do, by the way, and that is why we need to get back to appropriations—we could pay for less than 10 percent of this exploding cost on the mandatory side.

If we pulled out of Iraq and Afghanistan today and ended all bailouts and corporate welfare, reversed the tax cuts for all Americans making less than \$450,000 a year that we kept as part of the fiscal cliff agreement, repealed ObamaCare altogether—if we did all of those things, we would cover just 20 percent of the cost of those programs, this \$22 trillion.

In other words, even if we wanted to try to do it by cutting this spending, we could not do it because there is not enough money in that part of the budget. So it is not just a matter of choosing spending priorities and it is certainly not a matter of raising taxes.

Earlier my colleague talked about how we needed to raise more taxes for different things, and I understand a lot of people are saying that, but let's be honest about this: It is a bad idea at a time of a weak economy to raise taxes. Plus, over the next decade, you know what happens on taxes. Over the next decade we have been told by the Congressional Budget Office that taxes will be—as a percent of the economy, which is the way economists tell us we ought to look at it—at historically high levels.

So the economy is already weak, tax revenues are headed toward their highest sustained levels in history, and when it comes to taxes, there is an alternative, which is let's reform the Tax Code.

What we should be doing is restraining spending, reforming these vital but unsustainable programs, while also raising more revenues through growth, and economic growth can come through tax reform. That tax reform gives the economy a shot in the arm. It helps bring back the jobs. It increases revenue through growth. That is why we need both entitlement reform and tax reform.

The issue of entitlement reform is a tough one politically. A lot of Members of Congress are hesitant to touch it. It is called the third rail of American politics. That is akin to the electrified rail in the subway system, where if you touch it you are electrified. Let's start small. How about means testing of Medicare. This could be a first step in the right direction.

Under Medicare, the average two-earner couple retiring today pays \$119,000 in lifetime Medicare taxes, yet receives \$357,000 in lifetime Medicare benefits. So \$1 of taxes for \$3 of benefits. That is how Medicare works. That is for a typical family in Ohio or around the country. When we multiply this by 77 million retiring baby boomers, we can see why we have an unsustainable program, because not enough money goes in to pay for the benefits going out.

Providing \$3 in benefits under Medicare for every \$1 paid in taxes for low-income seniors is one thing. We want to be sure low-income seniors are being taken care of. For the most part, in their working years, they probably didn't earn enough income to pay large Medicare taxes, and the program is designed to see that they do receive the medical coverage they wouldn't otherwise get. But should upper income seniors—seniors who are on Medicare—receive benefits that far exceed what they pay into the system? That is what happens now. Is that fair? I don't think so, when the program is going bankrupt, when our kids and grandkids are facing massive tax increases to pay for a problem that we all foresee and yet fail to correct.

By the way, I tried in this latest budget agreement to say, on the mandatory side of the ledger, why don't we deal with means testing of Medicare. That would provide enough revenue to provide relief on sequester. We wouldn't be doing things such as TSA fees or things such as reducing the benefits for our military. It was rejected. I talked to a number of Democrats about it who said we can't touch that. We can't touch even means testing of Medicare without raising taxes. So, in essence, raising taxes on the wealthy is necessary to reduce benefits for the wealthy. That is the point we are at. That is how tough it is. That is why we need a new approach. That is why we need some leadership—in the House, in the Senate but also in the White House. We need a President willing to help us on this, to talk about it.

Have we ever heard the President talk about the fact that there is \$3 of benefits coming from Medicare for every \$1 paid in? Have we ever heard the President talk about the fact that entitlements are otherwise going to bankrupt the country? We need a little straight talk and honest dialogue about this.

If we do nothing, as we have done with this budget agreement in the Senate with regard to mandatory spending, entitlement spending, and as we have done time and time again, the Social Security disability trust fund will go bankrupt in 2016, a couple years from now. Medicare will follow in 2026—again, every year, much more being paid out than being paid in. Social Security, already in a cash deficit,

meaning there is more money coming out in terms of benefits than there are payroll taxes going in every year—but it will collapse, the trust fund will collapse in 2035. Medicaid has no trust fund, so it will not go bankrupt itself; it will just continue to grow at unsustainable levels, helping to bankrupt the country, but also, in that case, it may take the States down with it, and States will tell us it is generally their largest and fastest growing expense, Medicaid.

So these are issues we must address. On the floor of this Chamber, we often talk about the next generation. We hear speeches about protecting the elderly and ensuring every American gets the benefit of the bargain made when Social Security and Medicare came into being. I agree, but to do that we need to improve and preserve these programs, and we need to stop blaming one another for what happened because, frankly, Republicans and Democrats alike are responsible for this. We have done one thing that is truly bipartisan in the last few decades; that is, we have overspent and we have overpromised, Republicans and Democrats alike. Because we helped create this mess together, we have to work together to resolve it.

With this vote on the budget this week, another budget crisis has passed, and that is good. We are on the road to avoiding another government shutdown in January and again next year. That is the most basic job of government, and I think that is good. We have a little bit of deficit reduction, we didn't raise taxes on a weak economy, but we need to aim higher. Perhaps in the context of the debt limit debate that is coming up in a matter of only a few months, we can get more serious about the underlying problem, because it is that underlying problem that is driving our future deficits. We all know that. We all agree on that. We all know it has to be fixed. So let's do it this coming year.

We have seen how divided government can achieve something important but small. That is what happened with this budget agreement this week. In 2014, next year, let's see how divided government can achieve something big and critical to economic growth and jobs and to the future of our children and grandchildren. That is our solemn responsibility in the Congress, to ensure that we are leaving a better world to future generations. We cannot do this if we do not address this fiscal crisis.

I yield back my time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, are we in a period of morning business?

The PRESIDING OFFICER. The Senator is correct.

TRIBUTE TO KATHLEEN BIGNOTTI

Mr. REID. Mr. President, I rise today to recognize the extraordinary career of United States Capitol Police Sergeant Kathleen Bignotti, who is retiring after more than 28 years of service to the Department.

Sgt. Bignotti began her career in October 1985, when she was appointed as a U.S. Capitol Police officer and assigned to the House of Representatives Division. Less than 1 year later, she was selected to serve as a member of the First Responder Unit.

Her career with the Capitol Police included assignments to the Office of the Chief of Police, the Dignitary Protection Unit, the Senate Division, the Patrol Division, and the Library of Congress Division. Sgt. Bignotti's most highly regarded assignment came in 2003 when she was promoted to serve as Unit Commander of the USCP Mounted Unit. Her horse, Henry, will always have a special place in Sgt. Bignotti's heart.

Sgt. Bignotti represented the department with distinction in her duties that included assisting during the 1990 Goodwill Games in Seattle, WA; serving as a representative during National Police Week ceremonies; participating in the Special Olympics ceremonies and recruiting class graduations, and other special events as designated by the Chief of Police. In 1991, she received commendation as a member of the Ceremonial Unit for Honor Guard duties associated with Queen Elizabeth's visit to the Capitol.

As a former officer with the U.S. Capitol Police, I have a special appreciation for the commitment and dedication of the men and women on this force. I, along with my colleagues on both sides of the aisle, wish Sgt. Bignotti all the best in her retirement.

FOREIGN MEDICAL SCHOOL ACCOUNTABILITY FAIRNESS ACT

Mr. DURBIN. Mr. President, last week I introduced the Foreign Medical School Accountability Fairness Act. The bill seeks to fix a loophole exploited by for-profit schools to tap into the federal Treasury at the expense of students.

Under current law, a small number of medical schools in the Caribbean—about five, four of which are for profits—are exempt from meeting the same requirements to qualify for title IV funding that all other medical schools outside of the U.S. and Canada must meet. This loophole allows these schools to enroll large percentages of American students—which means access to more Federal dollars.

The biggest of these schools are St. George's, Ross, and American University of the Caribbean whose enrollments of Americans are 70 percent, 91 percent, and 86 percent respectively. Other schools are prohibited from having U.S. citizens make up more than 40 percent of enrollment.

These for profit schools have turned the idea of being a foreign school on its head—they are located outside of the United States, but have majority-American enrollments. They do not have to meet the same high standards U.S. medical schools must meet, but also do not have to meet the same requirements as schools located outside of the U.S. to access hundreds of millions of dollars of Federal funding.

Pretty sweet deal, huh?

In fact in 2012, the three schools I mentioned earlier—St. George's and the two DeVry-owned schools—took in more than \$450 million from the Federal Government from American taxpayers. That amounted to more than two-thirds of all title IV funding that went to all foreign medical schools.

To sum up—three schools, two-thirds of the Federal funding, exempt from the law.

Not only are these schools exempt from the enrollment requirement, but they don't have to meet a minimum standard of success—having 75 percent of their students pass the U.S. board exams—a requirement for any of its students to actually practice medicine in the United States. The University of Sydney—with its dozen or so American students—has to meet this standard in order to receive title IV dollars. But DeVry's Ross University, with 1,000 or more American students, does not.

It doesn't seem right to the Department of Education, which says there is no rationale for continuing the exemption. And it doesn't seem right to me, either. Especially when you consider what students are getting for this Federal investment—more debt, higher rates of attrition, and lower residency match rates than U.S. medical schools.

Translation: More debt and less chance of becoming a doctor.

In September, an article in Bloomberg by Janet Lorin entitled "Devry Lures Medical School Rejects as Taxpayers Fund Debt" shined a bright light on the poor student outcomes of these schools.

It is no secret that for profit foreign medical schools prey on students who have been rejected by traditional U.S. medical schools. They promise to fulfill the unrequited dreams for students who want to be doctors, but for one reason or another, did not make the cut in the U.S. On average, scores on the MCAT, the test required to enter medical school, of students attending these offshore for profit schools are lower than those of students who are admitted to medical schools in the U.S. In 2012, students at U.S. medical

schools scored an average of 31.2 out of 45 on the MCAT while students at the DeVry medical schools scored an average of 25.

The attrition rate at U.S. medical schools averaged 3 percent for the class beginning in 2009, while rates at for profit foreign medical schools can be up to 26 percent or higher. More than a quarter of the students at some of these schools drop out.

On average, students at for profit medical schools operating outside of the United States and Canada amass more student debt than those at medical schools in the United States. For example, in 2012, graduates of the American University of the Caribbean had a median of \$253,000 in student debt versus \$170,000 for graduates of U.S. medical schools.

To add insult to injury, these foreign trained graduates are on average less competitive candidates for coveted U.S. residency positions. In 2013, residency match rates for foreign trained graduates averaged 53 percent compared to 94 percent for graduates of medical schools in the United States. They are even less likely to land a residency position the second time around.

According to the Bloomberg article I referenced earlier, one graduate of St. George's University, Michael Uva, amassed almost \$400,000 in medical school loans, but failed to land a residency spot twice. Michael now works at a blood donation clinic earning \$30 an hour. Although he sacrificed years of his life training for it, without completing a residency he will never get to practice medicine and this \$400,000 debt will likely follow him throughout his life.

Congress has failed taxpayers and students by subsidizing these Caribbean schools with billions in Federal dollars for years without adequate accountability and oversight. This bill takes a first step at addressing that failure by ensuring these Caribbean schools must meet the same standards other schools outside of the United States and Canada must meet.

At the same time, these schools are just another example of the systemic problem we have with for profit colleges trying to make a buck off of students in this country and usually bilking Uncle Sam to do it. In fiscal year 2010, we sent \$32 billion to all for profit schools.

There are three numbers you need to remember when thinking about for profit schools:

The percentage of high school graduates that enroll in for profit schools—12 percent;

The percentage of Department of Education title IV funds that go to for-profit schools—25 percent;

The percentage of student loan defaults for profit schools are responsible for—47 percent.

I have been fighting these schools for a long time. But today I have a mes-

sage for those schools down in the sunny Caribbean who may have thought they could continue to exploit taxpayers and students without anybody noticing—we're watching.

VOTE EXPLANATION

Mr. MCCAIN. Mr. President, I regret that I was absent from the Senate yesterday and was unable to vote on the nomination of Jeh Johnson to be Secretary of the Department of Homeland Security. Had I been here, I would have voted in opposition to this nominee.

Reforming our broken immigration system is one of the Nation's top priorities. To that end, ensuring that our borders are secure and preventing illegal entry is absolutely vital. In my capacity as the senior Senator from Arizona and one of the lead advocates of comprehensively reforming our immigration system, I have a solemn obligation and a constitutional prerogative to make sure that the Department of Homeland Security, DHS, accomplishes that mission. In furtherance of that obligation and that prerogative, I—indeed Congress—must count on DHS cooperation to provide any relevant information I and this body request.

Unfortunately, in connection with the Senate's effort to craft legislation to help secure our borders, the former DHS Secretary unjustifiably refused to provide such information. The information I asked for was intended to let Congress and the American people judge for themselves if progress is being made to protect our borders from illegal entry. To date, I never received that information from this administration.

So first during his confirmation hearing and then in writing, I asked Mr. Johnson to commit to me that, if confirmed as the new DHS Secretary, he would provide me that same information. Unfortunately, on grounds that I find to be specious and unacceptable, he declined. On the basis of his response, I can only conclude that, if confirmed, the level of cooperation between DHS and me, particularly on the vitally important issue of border security—when comprehensive immigration remains such a vitally important issue—would remain business as usual, and that is unacceptable. It is unacceptable to me and to the people whose interests I am committed to representing.

For this reason, I have no choice other than to oppose Mr. Johnson's nomination.

I have known Jeh for some time. I have respect for his work while General Counsel for the Department of Defense. In particular, I applaud his efforts in the development of the Department of Defense's policy regarding the use of deadly force in connection with counterterrorist operations and other important defense and national security issues.

But what I have seen all too frequently is the inability or unwillingness of appointed officials within this administration to free themselves from the unelected, unappointed, political staff in the West Wing that put political expediency ahead of meaningful governance. I can have no tolerance for another Secretary who will act as nothing more than a road block on behalf of those with a political agenda and is either unwilling or unable to provide transparency into the actions of this department and its components.

Congress, particularly those of us who are from the border, has the right to have that information. It is our responsibility and obligation to our constituents. I have constituents in my State who every night, there are people who are crossing their border illegally. I have constituents that every day, drug smugglers are going across their property and their homes. They certainly have the right, as citizens, to know what measures need to be taken in order to control our border.

Earlier this year, the Senate passed a comprehensive immigration bill with 67 votes that included unprecedented increases in spending to help secure the border. The information we based these spending increases on came directly from leadership within the Border Patrol, and I believe it will be successful. But the American people deserve to have more than my faith in the efforts of the Border Patrol as to whether the border is made secure. Our constituents are relying on us to finally secure the border but also be good stewards of their tax dollars and to have the capabilities to ensure their money is being used wisely and if not, to make the appropriate adjustments.

When developing this legislation, we requested information from Secretary Napolitano that I believe would have helped make the legislation stronger and potentially garner more support from my Republican colleagues. This information was never provided to us, I believe, for solely political reasons but has ultimately harmed our ability to get comprehensive immigration reform legislation signed into law.

This is the source of my disappointment with Mr. Johnson: His refusal to commit to provide the information necessary would prevent Members of Congress from making reasonable and informed decisions that serve the American people. And Mr. Johnson did so under circumstances that other Members of this body have sought—and obtained—commitments of cooperation.

For example, here is what Secretary Kerry said in response to a request for answers regarding the Benghazi raid: “[H]ere’s what I say to you. After 29 years here—in my 29th, I respect the prerogatives of the United States Senate and the members of Congress. You represent the American people, you’re

the other branch of government, you have the right to know what took place. And I have an obligation commensurate with the, you know, regulations and classifications and privacy and other things that are at play here, to help you get the answers, and we’ll do that.”

And what did I get from Mr. Johnson? “If I am confirmed . . . I promise that addressing your letter will be a top and immediate priority for me.”

For years, we were told that apprehensions are down and the border is more secure. In reality, we all knew that the economy was the primary driver in reducing potential illegal border crossers. In the last 2 years, with slight improvements in the economy, we have seen a 20 percent increase in the number of apprehensions. Does that mean the border is less or more secure?

For years DHS has been telling us they are developing a border security index in a shift away from using apprehensions as the sole measure of success and to get a true measure of security along the border. We have been waiting 3 years with no sign that the index will be made public. All indications are the development of the index has been shelved.

Until Congress is provided greater information on the capabilities and deficiencies of the Department of Homeland Security’s abilities to secure the border, Congress will not be able to determine if the border is secure.

I regret that Jeh Johnson has refused to commit to providing this information to Congress, and I do not support his nomination.

TRIBUTE TO KAREN PONZURICK BROWN

Mr. CRAPO. Mr. President, today I wish to recognize the outstanding work of an invaluable member of my staff. Karen Ponzurick Brown, who is really quite young, has already reached 25 years of service on Capitol Hill, and she has chosen to retire. For 7½ years, she has worked tirelessly in a job that calls for 24/7/365 attention. I cannot thank her enough for her dedicated assistance. And I also thank her husband Paul who has shared his wife’s attention with me for these many years.

Karen came to work for me at a time when technology was rapidly changing for the position that she held. While she had never worked in this type of capacity before, her sharp mind and intuitive sense quickly assessed how to put together a system that ensured Idahoans received priority attention on my schedule. She has been instrumental in creating efficiencies and effective processes in our office and in my time. Karen is conscientious, structured and hardworking. She was accessible to anyone who needed her and was a mentor to many of our staff. Her

calm demeanor has soothed many agitated callers seeking appointments. Her sense of decorum has provided me and my staff with a greater sense of professionalism. Her ability to anticipate challenges has saved the day many times over. I have great respect for her thorough, diligent and well-thought-out approach to tackling any problem, and I will truly miss having her input on the many challenges that are encountered in our everyday workplace.

But above all her professional qualities, Karen has been a great friend and trusted advisor, and there are no words strong enough to express my gratitude for that friendship, which I hope will continue. No matter the challenges at hand, she always strives to meet and exceed expectations. Karen has been a great asset to me, my staff, Idahoans and countless others throughout her two and a half decades of committed public service. Thank you, Karen, for your dedication. Your confident and strong guidance will truly be missed, and I wish you all the best. Retirement has been a tough choice for you, but I know that you are at peace with that decision, and you are certainly young enough to enjoy it!

TRIBUTE TO VINCENT FORLENZA

Ms. MIKULSKI. Mr. President, Senator HATCH and I join together today to recognize the contributions of Vincent A. Forlenza, chairman, CEO and president of BD, in establishing and leading AdvaMedDx, an important new voice for the role of medical diagnostic tests in patient care.

BD, the leading global medical technology company, has a strong presence in both Maryland and Utah as do other companies in the medical device and diagnostics sectors. We understand firsthand the growing importance of diagnostics to power medical discoveries and transform patient care.

Mr. HATCH. The diagnostics sector spans thousands of different kinds of tests, from blood tests for cholesterol to new genetic tests that identify cancer variants and match patients to the most appropriate drugs. Diagnostic tests facilitate evidence-based medicine, improve quality of care, promote wellness, enable early detection of disease and often reduce overall health care costs.

In short, diagnostics play a critical role in the health care system and are an essential part of quality patient care. While these tests account for only about 2 percent of health care spending, they influence the large majority of the health care decisions made each and every day.

Ms. MIKULSKI. The impact of diagnostics, however, is not always well understood by patients, policymakers and, sometimes, even physicians. In 2010, Mr. Forlenza played an

instrumental role in bringing together a group of leading diagnostics manufacturers to form a new trade association, AdvaMedDx, whose core mission is to create an understanding of the role diagnostics play in the health care system and help foster patient access to innovative, safe, and effective tests. Soon after the founding of the AdvaMedDx, Mr. Forlenza assumed the role of chairman of the board of directors, a position he has held for the last 3 years.

Mr. HATCH. During Mr. Forlenza's tenure as chairman, AdvaMedDx doubled the size of its membership and established itself as a credible voice on health care policy in Washington and around the world. Under Mr. Forlenza's leadership, the diagnostic industry has worked with a range of stakeholders to pursue initiatives that aim to reform and modernize the diagnostics regulatory and payment environment in order to keep pace with innovation and the changing health care landscape. AdvaMedDx works not only with Members of Congress and key public health agencies but also with organizations ranging from patient advocacy groups to cancer research societies to the World Health Organization.

Ms. MIKULSKI. As part of its contribution to the policy dialogue, AdvaMedDx has organized Capitol Hill briefings at which leaders in the field of diagnostics have shared insights and current developments on topics including women's health, cancer diagnostics, antibiotic resistance, and infectious diseases. Just a few weeks ago, AdvaMedDx and the American Association for Cancer Research held a daylong symposium on personalized medicine and companion diagnostics, keynoted by the Commissioner of the Food and Drug Administration and the Director of the National Institutes of Health.

Mr. HATCH. AdvaMedDx also has established itself as a global leader, driving collaboration with allied associations in Europe, Canada, Brazil, Japan, and Australia.

Ms. MIKULSKI. Mr. Forlenza has been a tireless champion for the power of diagnostics to promote wellness, improve patient outcomes and advance public health. The success of AdvaMedDx in a few short years is in large measure due to this vision that he brought to the organization.

Mr. HATCH. Congratulations to Vince on his accomplishments during his tenure as AdvaMedDx chairman, and best wishes to AdvaMedDx for many future successes.

ADDITIONAL STATEMENTS

REMEMBERING DR. RAY DOLBY

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the

memory of Dr. Ray Dolby, a trailblazing engineer, entrepreneur, and pioneer in the field of sound who passed away on September 12, 2013. He was 80 years old.

Born in Portland, OR and raised in the San Francisco Bay area, Ray Dolby was a dedicated tinkerer from a young age, always curious about how things worked. As a high school student, he worked after school for the electronics company Ampex Corporation, playing a key role in developing Quadruplex, the world's first commercially successful video tape recorder, which revolutionized the world of television broadcasting.

After graduating from Stanford University with a bachelor's degree in electrical engineering, Ray began a doctoral program in physics at Cambridge University in England, receiving his doctorate in 1961. The next year, his life changed: He met the love of his life, Dagmar, who was also at Cambridge studying as a summer student, and the two married in 1966 and had two beautiful sons, Tom and David.

In search of adventure, Ray spent 2 years traversing India as a technical adviser for the United Nations, working with the Indian Government to establish a new national laboratory focusing on the development of scientific and industrial instruments. Buoyed by his research in India, Dolby returned to England in 1965 and founded Dolby Laboratories, which he moved to San Francisco in 1976.

Throughout his career, Ray Dolby pioneered many of the most significant developments in sound and audio design. Early on, he invented noise-reduction technology that eliminated the hiss that had marred earlier forms of tape recorded sound and in the 1970s introduced Dolby Stereo, which allowed movie studios to record films in multi-channel surround sound. The innovation of surround sound played a pivotal role in allowing theatergoers around the world to enjoy the sound effects in such groundbreaking movies as "Close Encounters of the Third Kind" and "Star Wars" and innumerable other popular films produced in the decades that followed. Since then, Ray Dolby and Dolby Laboratories have pioneered a multitude of technologies in noise reduction, audio and video processing, live sound, and digital cinema, and won multiple Emmys and Academy Awards for their work.

While Ray is often recognized first and foremost for his revolutionary work in the field of sound, he and his wife Dagmar are also known as leaders in San Francisco's philanthropic community. They gave generously to numerous causes and organizations, supporting everything from stem cell research to community parks to the performing arts. I extend my deepest condolences to Ray's loving wife Dagmar; his children, Tom and David, and their

spouses; and his four grandchildren. Dr. Ray Dolby will be deeply missed, but his legacy of generosity and innovation will live on in the countless lives he touched.●

REMEMBERING ELIZABETH DENEBEIM

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the memory of Elizabeth "Libby" Denebeim, a pillar of the San Francisco community, who passed away on November 15, 2013. She was 83 years old.

Libby was born and raised in the Midwest and graduated from the University of Missouri, where she met the love of her life, Robert Denebeim. After getting married, Libby went on to obtain a master's degree in education and taught elementary school in Tampa, FL, while Robert completed his service in the U.S. Air Force.

In 1956, the couple moved to the San Francisco Bay Area. Libby had always been dedicated to public service, and in San Francisco she became a leader in the community. She worked on behalf of so many agencies and organizations dedicated to improving education, mental health, the arts, and family services, including the San Francisco Board of Education; the San Francisco Mental Health Association; the Mayor's Advisory Council on Families, Children and Youth; the Mayor's Criminal Justice Council; San Francisco Head Start; and Jewish Family and Children's Services.

Libby was also a fierce advocate for the LGBT community. She fought to end the definition of homosexuality as a "mental illness" and remove it from the National Psychiatric Association's Manual of Mental Disorders. She campaigned against California Proposition 6, the Briggs Initiative, which sought to ban gays and lesbians from working in California's public schools, and also served on the San Francisco Health Department's Committee on Services for People with AIDS, the Mayor's HIV Task Force, and the NAMES Project.

Those lucky enough to know Libby recognized her as a vibrant, inspiring and generous woman who gave selflessly to her community. Through the years, she was honored by organizations ranging from the United Way to the Pacific Medical Center to the California State Legislature. Her contributions to the San Francisco Bay Area and beyond will be remembered fondly by everyone whose lives she touched. She will be deeply missed. I extend my heartfelt condolences to Libby's children, Robert, Nancy, David, William, Thomas, and Edward, and their spouses; her grandchildren, Daniel, Kathleen, Jack, Robert, Catherine, Allton, and Samuel; and her sisters-in-law, Beverley and Helene, brother-in-law Dart, their 13 children, and grandchildren.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on the Judiciary.

(The message received today is printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 11:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker pro tempore (Mr. THORNBERRY) has signed the following enrolled bill:

H.R. 3458. An act to treat payments by charitable organizations with respect to certain firefighters as exempt payments.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3212. An act to ensure compliance with the 1980 Hague Convention on the Civil Aspects of International Child Abduction by countries with which the United States enjoys reciprocal obligations, to establish procedures for the prompt return of children abducted to other countries, and for other purposes; to the Committee on Foreign Relations.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 1845. A bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. 1846. A bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3883. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Prohydrojasmon; Exemption from the Requirement of a Tolerance" (FRL No. 9398-1) received in the Office of the President

of the Senate on December 11, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3884. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flutriafol; Pesticide Tolerances" (FRL No. 9902-17) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3885. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flonicamid; Pesticide Tolerances" (FRL No. 9902-07) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3886. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Department of Defense (DoD) continuing to expand the role of women in the Navy and Marine Corps; to the Committee on Armed Services.

EC-3887. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Department of Defense (DoD) intending to assign women to the following previously closed positions: Riverine Patrol Boat, Riverine Small Craft, and Maritime Interdiction Operations; to the Committee on Armed Services.

EC-3888. A communication from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, a report entitled "High-Performance Green Building Initiative Activities"; to the Committee on Energy and Natural Resources.

EC-3889. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Small Generator Interconnection Agreements and Procedures" (Docket No. RM13-2-000) received in the Office of the President of the Senate on December 12, 2013; to the Committee on Energy and Natural Resources.

EC-3890. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to groups designated by the Secretary of State as Foreign Terrorist Organizations (OSS 2013-1888); to the Committee on Foreign Relations.

EC-3891. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; Attainment Plan for the Philadelphia-Willmington, Pennsylvania-New Jersey-Delaware Nonattainment Area for the 1997 Annual Fine Particulate Matter Standard" (FRL No. 9904-14-Region 3) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Environment and Public Works.

EC-3892. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New Mexico; Prevention of Significant Deterioration; Greenhouse Gas Plantwide Applicability Limit Permitting Revisions" (FRL No. 9903-98-Region 6) received in the Office of the President of the

Senate on December 11, 2013; to the Committee on Environment and Public Works.

EC-3893. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Michigan" (FRL No. 9904-11-Region 5) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Environment and Public Works.

EC-3894. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Philadelphia County Reasonably Available Control Technology under the 1997 8-Hour Ozone National Ambient Air Quality Standard" (FRL No. 9904-12-Region 3) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Environment and Public Works.

EC-3895. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007" (FRL No. 9904-06-Region OAR) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Environment and Public Works.

EC-3896. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Priorities List, Final Rule No. 57" (FRL No. 9903-89-OSWER) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Environment and Public Works.

EC-3897. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-174); to the Committee on Foreign Relations.

EC-3898. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-131); to the Committee on Foreign Relations.

EC-3899. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the tenth annual report for the Temporary Assistance for Needy Families Program; to the Committee on Health, Education, Labor, and Pensions.

EC-3900. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, the Administration's Performance and Accountability Report for fiscal year 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3901. A joint communication from the Chairman and the General Counsel, National Labor Relations Board, transmitting, pursuant to law, the Office of Inspector General Semiannual Report for the period of April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3902. A communication from the Chairman of the Merit Systems Protection Board, transmitting, pursuant to law, a report entitled "Clean Record Settlement Agreements and the Law"; to the Committee on Homeland Security and Governmental Affairs.

EC-3903. A communication from the Acting Chief Financial Officer, Department of Homeland Security, transmitting, pursuant to law, the fiscal year 2013 Agency Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC-3904. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Anchorage Regulations; Pacific Ocean at San Nicolas Island, CA; Restricted Anchorage Areas" ((RIN1625-AA01) (Docket No. USCG-2012-0967)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3905. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Lake Havasu City Christmas Boat Parade of Lights; Colorado River; Lake Havasu, AZ" ((RIN1625-AA00) (Docket No. USCG-2013-0917)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3906. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Reorganization of Sector Baltimore and Hampton Roads; Conforming Amendments" ((RIN1625-ZA32) (Docket No. USCG-2013-0251)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3907. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Portsmouth Naval Shipyard, Piscataqua River, Portsmouth, NH" ((RIN1625-AA11) (Docket No. USCG-2013-0956)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3908. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Upper Mississippi River between mile 0.0 and 109.9; Cairo, IL to Chester, IL" ((RIN1625-AA11) (Docket No. USCG-2013-0907)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3909. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "TWIC Not Evidence of Resident Alien Status" ((RIN1625-AC09) (Docket No. USCG-2013-0916)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3910. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Pacific Northwest Grain Handlers Association Facilities; Columbia and Willamette Rivers" ((RIN1625-AA00) (Docket No. USCG-2013-0011)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3911. A communication from the Attorney-Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone: Vessel Removal from the Oakland Estuary, Alameda, CA" ((RIN1625-AA00) (Docket No. USCG-2013-0914)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3912. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Recurring Events in Captain of the Port Boston Zone" ((RIN1625-AA00) (Docket No. USCG-2013-0060)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3913. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; HITS Triathlon Series; Colorado River; Lake Havasu, AZ" ((RIN1625-AA00) (Docket No. USCG-2013-0855)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3914. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone, Sea World Fireworks; Mission Bay, San Diego, CA" ((RIN1625-AA00) (Docket No. USCG-2013-0887)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3915. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Google's Night at Sea Fireworks Display, San Francisco Bay, Alameda, CA" ((RIN1625-AA00) (Docket No. USCG-2013-0902)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3916. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Genesee River, Rochester, NY" ((RIN1625-AA09) (Docket No. USCG-2013-0921)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3917. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Umpqua River, Reedsport, OR" ((RIN1625-AA09) (Docket No. USCG-2013-0526)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3918. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Hackensack River, Kearney and Jersey City, NJ" ((RIN1625-AA09) (Docket No. USCG-2013-0639)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3919. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled

"Drawbridge Operation Regulation; Passaic River, Kearney and Newark, NJ" ((RIN1625-AA09) (Docket No. USCG-2013-0638)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3920. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulations; Atlantic Intracoastal Waterway (AICW), Albemarle and Chesapeake Canal, Chesapeake, VA" ((RIN1625-AA09) (Docket No. USCG-2013-0900)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3921. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Albemarle Sound to Sunset Beach, Atlantic Intracoastal Waterway (AICW), Wrightsville Beach, NC" ((RIN1625-AA09) (Docket No. USCG-2013-00857)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3922. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Back Bay of Biloxi, between Biloxi and D'Iberville, MS" ((RIN1625-AA09) (Docket No. USCG-2013-0852)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3923. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; 2014 Atlantic Shark Commercial Fishing Seasons" (RIN0648-XC611) received during adjournment of the Senate in the Office of the President of the Senate on December 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3924. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Pacific Tuna Fisheries; 2013 Bigeye Tuna Longline Fishery Closure in the Eastern Pacific Ocean" (RIN0648-XC922) received during adjournment of the Senate in the Office of the President of the Senate on December 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3925. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Vessel Monitoring Systems" (RIN0648-BD24) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3926. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Halibut and Crab Prohibited Species Catch Allowances in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XC985) received during

adjournment of the Senate in the Office of the President of the Senate on December 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3927. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XC971) received during adjournment of the Senate in the Office of the President of the Senate on December 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3928. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer" (RIN0648-XC932) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3929. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Commercial Accountability Measure and Closure for South Atlantic Gag" (RIN0648-XC966) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3930. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Commerce, Science, and Transportation.

EC-3931. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species; Protective Regulations for the Gulf of Maine Distinct Population Segment of Atlantic Sturgeon" (RIN0648-AY96) received during adjournment of the Senate in the Office of the President of the Senate on December 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3932. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Special Access for Price Cap Local Exchange Carriers; AT and T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Service" (RIN3060-AJ80)(DA 13-1909) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3933. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Rates for Interstate Inmate Calling Services" (WC Docket No. 12-375)(FCC 13-113) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3934. A communication from the Associate Bureau Chief, Wireline Competition

Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund" (RIN3060-AF85)(DA 13-2115) received during adjournment of the Senate in the Office of the President of the Senate on December 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3935. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Amendments to Existing Validated End-User Authorizations in the People's Republic of China" (RIN0694-AF99) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3936. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Pacific Coast Groundfish Fishery Management Plan; Commercial, Limited Entry Pacific Coast Groundfish Fishery; Program Improvement and Enhancement" (RIN0648-BD31) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3937. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska" (RIN0648-XC918) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3938. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska" (RIN0648-XC919) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3939. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Herring Fishery; Sub-Annual Catch Limit (ACL) Harvested for Management in Area 1 A" (RIN0648-XC903) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3940. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; 2012-2013 Accountability Measure and Closure for Gulf King Mackerel in Northern Florida West Coast Subzone" (RIN0648-XC902) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3941. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pur-

suant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Resources of the South Atlantic; Trip Limit Reduction" (RIN0648-XC870) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3942. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Closure of the 2013 South Atlantic Commercial Sector for Red Snapper" (RIN0648-XC899) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3943. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Reef Fish Fishery of the Gulf of Mexico; 2013 Recreational Accountability Measure and Closure for Gray Triggerfish in the Gulf of Mexico" (RIN0648-XC669) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3944. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Monkfish Fishery; Emergency Action Extension" (RIN0648-XC79) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-3945. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Herring Fishery; Framework Adjustment 2 and Specifications" (RIN0648-BD17) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 134. A bill to arrange for the National Academy of Sciences to study the impact of violent video games and violent video programming on children (Rept. No. 113-126).

S. 269. A bill to establish uniform administrative and enforcement authorities for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes (Rept. No. 113-127).

By Mr. CARPER, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 1162. A bill to amend title 31, United States Code, to make improvements in the Government Accountability Office (Rept. No. 113-128).

EXECUTIVE REPORTS OF
COMMITTEE

The following executive reports of nominations were submitted:

By Mr. WYDEN for the Committee on Energy and Natural Resources.

*Steven Croley, of Michigan, to be General Counsel of the Department of Energy.

*Christopher Smith, of Texas, to be an Assistant Secretary of Energy (Fossil Energy).

*Esther Puakela Kia'aina, of Hawaii, to be an Assistant Secretary of the Interior.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND
JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. INHOFE:

S. 1833. A bill to amend the Internal Revenue Code of 1986 to eliminate the taxable income limit on percentage depletion for oil and natural gas produced from marginal properties; to the Committee on Finance.

By Mr. INHOFE:

S. 1834. A bill to amend the Internal Revenue Code of 1986 to permanently extend the depreciation rules for property used predominantly within an Indian reservation; to the Committee on Finance.

By Mr. MANCHIN (for himself, Mr. SCHUMER, and Mr. KIRK):

S. 1835. A bill to amend the Congressional Budget Act of 1974 to require a jobs score for each spending bill considered in Congress; to the Committee on the Budget.

By Mr. BURR (for himself, Mr. COATS, and Mr. INHOFE):

S. 1836. A bill to merge the Department of Labor, the Department of Commerce, and the Small Business Administration to establish a Department of Commerce and the Workforce, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. WARREN (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mr. LEAHY, Mr. MARKEY, Mrs. SHAHEEN, and Mr. WHITEHOUSE):

S. 1837. A bill to amend the Fair Credit Reporting Act to prohibit the use of consumer credit checks against prospective and current employees for the purposes of making adverse employment decisions; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of New Mexico (for himself, Mr. RUBIO, Mr. MENENDEZ, and Mr. HEINRICH):

S. 1838. A bill to amend the National Historic Preservation Act to make Hispanic-serving institutions eligible for technical and financial assistance for the establishment of preservation training and degree programs; to the Committee on Energy and Natural Resources.

By Mr. BEGICH (for himself and Mr. BLUNT):

S. 1839. A bill to make certain luggage and travel articles eligible for duty-free treatment under the Generalized System of Preferences, and for other purposes; to the Committee on Finance.

By Mr. KIRK (for himself and Ms. KLOBUCHAR):

S. 1840. A bill to allow the Secretary of the Treasury to rely on State examinations for certain financial institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. INHOFE:

S. 1841. A bill to mitigate the reduction in the readiness of our Armed Forces by reducing the defense sequestration cuts for fiscal years 2014 and 2015 but implementing the cuts, in their entirety, over the duration of sequestration; to the Committee on the Budget.

By Mr. PORTMAN (for himself, Mr. ALEXANDER, Mr. BAUCUS, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Mr. CHAMBLISS, Mr. COATS, Mr. CORKER, Mr. FLAKE, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. Kaine, Mr. MANCHIN, Mrs. McCASKILL, Mr. MORAN, Mr. REID, Mr. ROCKEFELLER, Mr. RUBIO, Mr. THUNE, Mr. VITTER, and Mr. WARNER):

S. 1842. A bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. UDALL of New Mexico (for himself, Mr. MORAN, and Mr. JOHANNES):

S. 1843. A bill to eliminate duplication and waste in Federal information technology acquisition and management; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. SHAHEEN (for herself, Mr. SCHATZ, Mr. WARNER, Mr. UDALL of New Mexico, Mr. REED, Ms. HIRONO, Mr. SANDERS, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. MERKLEY, Ms. WARREN, Mr. Kaine, Mr. KING, Mr. BEGICH, Mr. UDALL of Colorado, Ms. KLOBUCHAR, and Ms. LANDRIEU):

S. 1844. A bill to restore full military retirement benefits by closing corporate tax loopholes; to the Committee on Finance.

By Mr. REED (for himself and Mr. HELLER):

S. 1845. A bill to provide for the extension of certain unemployment benefits, and for other purposes; read the first time.

By Mr. MENENDEZ (for himself, Mr. BEGICH, Mr. BLUMENTHAL, Mr. BOOKER, Mr. CASEY, Mr. COCHRAN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAM, Mrs. HAGAN, Ms. HEITKAMP, Mr. HOEVEN, Mr. ISAKSON, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. MANCHIN, Mr. MARKEY, Mr. MERKLEY, Ms. MURKOWSKI, Mr. NELSON, Mr. REED, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. VITTER, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WICKER):

S. 1846. A bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes; read the first time.

By Ms. HIRONO (for herself, Mr. CHAMBLISS, and Mr. SCHATZ):

S. 1847. A bill to provide for the redesignation of the Asia-Pacific Center for Security Studies as the Daniel K. Inouye Asia-Pacific Center for Security Studies; considered and passed.

ADDITIONAL COSPONSORS

S. 313

At the request of Mr. CASEY, the names of the Senator from New Hamp-

shire (Ms. AYOTTE) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 624

At the request of Mr. BURR, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 624, a bill to amend the Child Care and Development Block Grant Act of 1990 to require criminal background checks for child care providers.

S. 641

At the request of Mr. WYDEN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 641, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 666

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 666, a bill to prohibit attendance of an animal fighting venture, and for other purposes.

S. 864

At the request of Mr. WICKER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 864, a bill to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes.

S. 870

At the request of Mr. UDALL of New Mexico, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 870, a bill to authorize the Secretary of Education to make grants to promote the education of pregnant and parenting students.

S. 895

At the request of Mrs. GILLIBRAND, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 895, a bill to improve the ability of the Food and Drug Administration to study the use of antimicrobial drugs in food-producing animals.

S. 958

At the request of Mr. UDALL of Colorado, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 958, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level, and for other purposes.

S. 1007

At the request of Mr. KING, the name of the Senator from Alaska (Mr.

BEGICH) was added as a cosponsor of S. 1007, a bill to amend the Internal Revenue Code of 1986 to include biomass heating appliances for tax credits available for energy-efficient building property and energy property.

S. 1181

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1181, a bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes.

S. 1187

At the request of Ms. STABENOW, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1187, a bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt.

S. 1291

At the request of Mr. REED, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1291, a bill to strengthen families' engagement in the education of their children.

S. 1332

At the request of Ms. COLLINS, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 1332, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 1361

At the request of Mr. MURPHY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1361, a bill to direct the Secretary of Homeland Security to accept additional documentation when considering the application for veterans status of an individual who performed service as a coastwise merchant seaman during World War II, and for other purposes.

S. 1364

At the request of Mr. WYDEN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1364, a bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services.

S. 1422

At the request of Mr. CARDIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1422, a bill to amend the Congressional Budget Act of 1974 respecting the scoring of preventive health savings.

S. 1456

At the request of Ms. AYOTTE, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1456, a bill to award the Congressional Gold Medal to Shimon Peres.

S. 1459

At the request of Mr. KIRK, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1459, a bill to amend title 49, United States Code, to prohibit the transportation of horses in interstate transportation in a motor vehicle containing 2 or more levels stacked on top of one another.

S. 1500

At the request of Mr. CORNYN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1500, a bill to declare the November 5, 2009, attack at Fort Hood, Texas, a terrorist attack, and to ensure that the victims of the attack and their families receive the same honors and benefits as those Americans who have been killed or wounded in a combat zone overseas and their families.

S. 1570

At the request of Ms. MURKOWSKI, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1570, a bill to amend the Indian Health Care Improvement Act to authorize advance appropriations for the Indian Health Service by providing 2-fiscal-year budget authority, and for other purposes.

S. 1613

At the request of Mr. KIRK, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1613, a bill to amend the Fair Credit Reporting Act to clarify Federal law with respect to reporting full-file alternative data, including positive and negative consumer credit information to consumer reporting agencies by public utility or telecommunications companies, and for other purposes.

S. 1661

At the request of Mr. CRUZ, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1661, a bill to require the Secretary of State to offer rewards of up to \$5,000,000 for information regarding the attacks on the United States diplomatic mission at Benghazi, Libya that began on September 11, 2012.

S. 1690

At the request of Mr. PORTMAN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1690, a bill to reauthorize the Second Chance Act of 2007.

S. 1697

At the request of Mr. HARKIN, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1697, a bill to support early learning.

S. 1711

At the request of Mr. BARRASSO, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1711, a bill to enable States to opt out of certain provisions of the Pa-

tient Protection and Affordable Care Act.

S. 1719

At the request of Mrs. MURRAY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1719, a bill to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

S. 1725

At the request of Mr. VITTER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1725, a bill to amend the Securities Investor Protection Act of 1970 to confirm that a customer's net equity claim is based on the customer's last statement and that certain recoveries are prohibited, to change how trustees are appointed, and for other purposes.

S. 1728

At the request of Mr. CORNYN, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 1728, a bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to improve ballot accessibility to uniformed services voters and overseas voters, and for other purposes.

S. 1747

At the request of Mr. REED, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1747, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. 1765

At the request of Mr. CORKER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1765, a bill to ensure the compliance of Iran with agreements relating to Iran's nuclear program.

S. 1767

At the request of Mr. MARKEY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1767, a bill to amend title 49, United States Code, to require gas pipeline facilities to accelerate the repair, rehabilitation, and replacement of high-risk pipelines used in commerce, and for other purposes.

S. 1768

At the request of Mr. MARKEY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1768, a bill to establish State revolving loan funds to repair or replace natural gas distribution pipelines.

S. 1779

At the request of Mr. TOOMEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1779, a bill to amend the Safe Drinking Water Act to exempt fire hydrants from the prohibition on the use of lead pipes, fittings, fixtures, solder, and flux.

S. 1797

At the request of Mr. REED, the names of the Senator from Minnesota

(Ms. KLOBUCHAR) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1797, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. 1798

At the request of Mr. WARNER, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from Montana (Mr. TESTER), the Senator from Minnesota (Mr. FRANKEN), the Senator from Louisiana (Mr. VITTER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1798, a bill to ensure that emergency services volunteers are not counted as full-time employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

S. RES. 75

At the request of Mr. KIRK, the names of the Senator from Montana (Mr. TESTER), the Senator from Mississippi (Mr. COCHRAN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 252

At the request of Mr. CRUZ, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. Res. 252, a resolution expressing the sense of the Senate on steps the Government of Iran must take before President Obama meets with the President of Iran.

S. RES. 317

At the request of Mr. SESSIONS, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 317, a resolution expressing the sense of the Senate on the continuing relationship between the United States and Georgia.

S. RES. 318

At the request of Mr. DURBIN, the names of the Senator from California (Mrs. BOXER) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. Res. 318, a resolution expressing the sense of the Senate regarding the critical need for political reform in Bangladesh, and for other purposes.

S. RES. 319

At the request of Mr. MURPHY, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. Res. 319, a resolution expressing support for the Ukrainian people in light of President Yanukovich's decision not to sign an Association Agreement with the European Union.

AMENDMENT NO. 2562

At the request of Mr. REED, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of

amendment No. 2562 intended to be proposed to H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

AMENDMENT NO. 2563

At the request of Mr. REED, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of amendment No. 2563 intended to be proposed to H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

AMENDMENT NO. 2564

At the request of Mr. REED, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of amendment No. 2564 intended to be proposed to H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

AMENDMENT NO. 2576

At the request of Ms. AYOTTE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 2576 intended to be proposed to H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INHOFE:

S. 1833. A bill to amend the Internal Revenue Code of 1986 to eliminate the taxable income limit on percentage depletion for oil and natural gas produced from marginal properties; to the Committee on Finance.

Mr. INHOFE. Mr. President, I would like to announce the reintroduction of a bill to amend the Internal Revenue Code to eliminate the taxable income limit on percentage depletion for oil and natural gas produced from marginal properties.

Since 1926 small producers and millions of royalty owners have had the option to utilize percentage depletion to both simplify their accounting methodology and to account for the decline in the value of minerals produced from a property. Percentage depletion is particularly important to America's 700,000 low-volume marginal wells. The average marginal well produces barely 2 barrels per day, yet cumulatively they account for nearly 28 percent of domestic production in the lower 48 states. Since every on-shore natural gas and oil well eventually declines into marginal production, the economic life span and corresponding production of all wells is extended by allowing the use of percentage depletion.

Until 1998, the deduction marginal producers could take from percentage depletion was limited to 100 percent of taxable income from each individual property. Many producers, however, specialize in marginally producing wells and have many properties operating simultaneously. Naturally, some

wells in a producer's portfolio are more productive than others. Some would have depletion rates greater than 100 percent of taxable income, while others would have depletion rates lower than the limit. Removing the taxable income limitation allows producers to take percentage depletion deductions on a portfolio-wide basis, which makes their entire operation more economical.

Since 1998, Congress has understood this fact and has suspended the limitation. Unfortunately, the provision has never been made permanent. It has just been extended year after year as part of the Tax Extenders Package. Since we have had this suspension on the books for more than a decade, I think it is time to give producers the predictability they need by making this common sense tax accounting provision permanent.

At a time when our unemployment rate remains over 7 percent, we need to be doing everything we can to encourage economic growth. The energy industry is a major contributor to our economy, and it has a lot of room to grow. The Congressional Research Service released a report that says the United States has the most energy potential under its soil than any other country on earth. Hiding beneath our soil are jobs, wealth, and lower deficits. We should allow this sector to grow. This is a common sense, easy way to do this, so I urge swift passage.

By Mr. INHOFE:

S. 1834. A bill to amend the Internal Revenue Code of 1986 to permanently extend the depreciation rules for property used predominantly within an Indian reservation; to the Committee on Finance.

Mr. INHOFE. Mr. President, I would like to bring to your attention a bill I am reintroducing that would make permanent the current tax provision that allows capital assets on Indian lands to be depreciated on an accelerated schedule.

For many years, the Federal tax code has provided an incentive for businesses to invest in operations on Indian reservations and lands across the country. According to the law, businesses that purchase capital equipment and use it on Indian lands will be able to depreciate it, on average, more than 40 percent faster than would otherwise be allowed.

This tax provision is important to Oklahoma because of our longstanding history and unique relationship with Indian tribes. With our sluggish economy, we need to do all we can to encourage businesses to reinvest in and expand their operations, as this will create sustainable job growth.

The accelerated depreciation schedule gives businesses the opportunity to recover investment dollars in capital assets more rapidly. This frees money

that would have been tied up in the value of their capital assets, such as buildings, equipment, and machinery and enables companies to reinvest it more quickly than was available with a slower depreciation schedule.

The Oklahoma Department of Commerce has reported that many companies attribute this provision as a key reason for relocating to and expanding within the State. One Oklahoma food processing plant manager stated that the credit was a significant factor in the company's decision to expand.

Additionally, today's announcement by Macy's, Inc. to locate a new, world-class online processing center in Tulsa was justified in part by the Indian lands tax provision. This new 1.3 million square foot facility will employ 1,100 people full time and will expand to 2,500 people during peak periods. Construction on this project will begin in 2014, and the facility will open for business in 2015. I could not be more excited by Macy's decision to expand its operations in Oklahoma. It is a testament to Oklahoma's strong, business friendly culture and capable work force.

Although the accelerated schedule is currently allowed, the law states it will expire at the end of this year. The provision has typically been renewed each year, but many business leaders have expressed concern that it is not permanent, including the executives of Macy's.

As a former businessman, I understand the problem of unpredictability and so do Oklahoma's business leaders who have expressed frustration over dramatically changing government policies ranging from environmental regulations to the tax code. This kind of environment makes it difficult for businesses to proceed with investment decisions. Businesses need stability, and this is particularly true during times of economic weakness. We in Congress should take this point seriously, and take a step in the right direction by making permanent this important tax provision.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1834

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT EXTENSION OF DEPRECIATION RULES FOR PROPERTY ON INDIAN RESERVATIONS.

(a) IN GENERAL.—Subsection (j) of section 168 of the Internal Revenue Code of 1986 is amended by striking paragraph (8).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

By Ms. WARREN (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mr.

LEAHY, Mr. MARKEY, Mrs. SHAHEEN, and Mr. WHITEHOUSE):

S. 1837. A bill to amend the Fair Credit Reporting Act to prohibit the use of consumer credit checks against prospective and current employees for the purposes of making adverse employment decisions; to the Committee on Health, Education, Labor, and Pensions.

Ms. WARREN. Mr. President, I come to the floor in support of the Equal Employment for All Act, a bill I introduced today with Senators BLUMENTHAL, BROWN, LEAHY, MARKEY, SHAHEEN, and WHITEHOUSE. This legislation would prohibit employers from requiring prospective employees to disclose their credit history as part of the job application process. It makes sure that hiring decisions are based on an individual's skill and experience—not on past financial problems. This is also about basic fairness. Let people compete for jobs on the merits, not on whether they have enough money to pay all their bills.

Many people have bad credit because they hit hard times. They got sick, their husband left or their wife died or they lost their jobs. These are tough events under any circumstances, and they often put a real financial strain on a person. That strain sometimes results in late payments or an increase in the amount of money they must borrow.

The problems of bad credit were compounded following the 2008 financial crisis. Millions of people stumbled financially when shrinking home prices left them unable to refinance or to sell a home. Depreciated savings left people with a smaller financial cushion to survive fluctuations in their income. People lost their small businesses and found themselves mired in debt. For too many people, the fallout from the 2008 crisis also damaged their credit.

Much of America, hard-working, bill-paying America, has a damaged credit rating, and the impact of that bad credit rating lasts a long time. Negative information generally remains on a credit report for 7 years and, in some cases, it lasts even longer.

Most people recognize that one consequence of bad credit is that they are going to have trouble borrowing money or they are going to pay more when they borrow. But for many people, a damaged credit rating can block access to a job. After a terrible blow—a job loss, a death in the family, a divorce, a serious medical problem—many people are scrambling to get back to work or to pick up a second job or to change jobs so they can get back on their feet financially, but they are knocked back by damaged credit. Today, highly qualified applicants with bad credit can be shut out of the job market. This is wrong.

It was once thought a credit history would provide insight into a person's

character and, today, many companies routinely require credit reports from job applicants. But research has shown that an individual's credit rating has little to no correlation with his or her ability to succeed in the workplace. A bad credit rating is far more often the result of an unexpected personal crisis or economic downturn than a reflection of someone's character or abilities.

The Equal Employment for All Act would amend the Fair Credit Reporting Act to put an end to these unfair and harmful practices. This would benefit millions of American families down on their luck, giving them a chance to rebuild their financial security. It will particularly help women, minorities, students, and seniors because these groups are disproportionately likely to be hit hard by bad credit ratings. For example, the economic fallout from a divorce often hits women's finances particularly hard. It only gets more difficult for women when they apply for good jobs for which they are fully qualified, but they are barred because employers insist on examining their credit history.

Another challenge with using credit reports during the job application process is that they are not always accurate. According to a February 2013 FTC report, 20 percent of consumers could identify at least one error in their credit reports.

Unfortunately, someone whose credit report has a significant error may have trouble learning about the mistake and, even if the mistake is identified, have trouble getting it corrected in a reasonable time.

According to the same FTC report, correcting credit report errors can be difficult to manage and the reporting agencies can be unresponsive. This means innocent job applicants are paying the price for a credit rating company's mistake.

This is only one more way the game is rigged. A rich person who loses a job, gets divorced or faces a family illness is unlikely to suffer from a drop in his credit or her credit rating. But for millions of working families, a hard personal blow translates into a hard financial blow that will show up for years in a credit report. No one should be denied the chance to compete for a job because of a credit report that bears no relationship to job performance and that can be riddled with inaccuracies.

In the aftermath of the 2008 financial crisis—a crisis that hammered middle-class families and from which millions of families are still struggling to recover—these practices should be stopped. It is time to give more families a chance to get back in the workforce and to get back on their feet.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on December 17, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on December 17, 2013, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building, to conduct a hearing entitled "Department of the Interior and Department of Energy Nominations."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on December 17, 2013, at 2:30 p.m., in room SD-406 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 17, 2013, at 4 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on December 17, 2013, at 10:30 a.m., to conduct a hearing entitled "The Navy Yard Tragedy: Examining Physical Security for Federal Facilities."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on December 17, 2013, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Protecting Small Businesses and Promoting Innovation by Limiting Patent Troll Abuse."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Com-

mittee on the Judiciary be authorized to meet during the session of the Senate on December 17, 2013, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "The Federal Arbitration Act and Access to Justice: Will Recent Supreme Court Decisions Undermine the Rights of Consumers, Workers, and Small Businesses?"

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on December 17, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AFRICAN AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 17, 2013, at 2 p.m., to hold an African Affairs subcommittee hearing entitled, "Responding to the Humanitarian, Security and Governance Crisis in the Central Africa Republic."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Trenton White of my staff be granted floor privileges for the duration of today's proceedings.

The PRESIDING OFFICER. Without objection, it is so ordered.

SAFE ACT CONFIDENTIALITY AND PRIVILEGE ENHANCEMENT ACT

Mr. REID. Mr. President, I ask unanimous consent that the Banking, Housing, and Urban Affairs Committee be discharged from further consideration of S. 947 and the Senate now proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title. The assistant legislative clerk read as follows:

A bill (S. 947) to ensure access to certain information for financial services industry regulators, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read three times and passed, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 947) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 947

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "SAFE Act Confidentiality and Privilege Enhancement Act".

SEC. 2. CONFIDENTIALITY OF INFORMATION SHARED BETWEEN STATE AND FEDERAL FINANCIAL SERVICES REGULATORS.

Section 1512(a) of the S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5111(a)) is amended by inserting "or financial services" before "industry".

DANIEL K. INOUE ASIA-PACIFIC CENTER FOR SECURITY STUDIES

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 1847.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1847) to provide for the redesignation of the Asia-Pacific Center for Security Studies as the Daniel K. Inouye Asia-Pacific Center for Security Studies.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read three times and passed, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1847) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1847

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REDESIGNATION OF THE ASIA-PACIFIC CENTER FOR SECURITY STUDIES AS THE DANIEL K. INOUE ASIA-PACIFIC CENTER FOR SECURITY STUDIES.

(a) REDESIGNATION.—The Department of Defense regional center for security studies known as the Asia-Pacific Center for Security Studies is hereby renamed the "Daniel K. Inouye Asia-Pacific Center for Security Studies".

(b) CONFORMING AMENDMENTS.—

(1) REFERENCE TO REGIONAL CENTERS FOR SECURITY STUDIES.—Subparagraph (B) of section 184(b)(2) of title 10, United States Code, is amended to read as follows:

"(B) The Daniel K. Inouye Asia-Pacific Center for Security Studies."

(2) ACCEPTANCE OF GIFTS AND DONATIONS.—Subparagraph (B) of section 2611(a)(2) of such title is amended to read as follows:

"(B) The Daniel K. Inouye Asia-Pacific Center for Security Studies."

(c) REFERENCES.—Any reference to the Department of Defense Asia-Pacific Center for Security Studies in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Daniel K. Inouye Asia-Pacific Center for Security Studies.

MEASURES READ THE FIRST
TIME—S. 1845 AND S. 1846

Mr. REID. Mr. President, I am told there are two bills at the desk and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The legislative clerk read as follows:

A bill (S. 1845) to provide for the extension of certain unemployment benefits, and for other purposes.

A bill (S. 1846) to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

Mr. REID. Mr. President, I now ask for a second reading en bloc, but I object to my own request en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be read for the second time on the next legislative day.

COURTHOUSE NAMINGS

Mr. REID. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of H.R. 2251 and that the Senate proceed to its consideration and the consideration of H.R. 185 which was received from the House and is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate proceeded to consider the bills.

Mr. REID. Mr. President, I ask unanimous consent the bills be read three times and passed en bloc, the motions

to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

EDWARD J. DEVITT UNITED
STATES COURTHOUSE AND FED-
ERAL BUILDING

The bill (H.R. 2251) to designate the United States courthouse and Federal building located at 118 South Mill Street, in Fergus Falls, Minnesota, as the "Edward J. Devitt United States Courthouse and Federal Building," was ordered to a third reading, read the third time, and passed.

PAUL BROWN UNITED STATES
COURTHOUSE

The bill (H.R. 185) to designate the United States courthouse located at 101 East Pecan Street in Sherman, Texas, as the "Paul Brown United States Courthouse," was ordered to a third reading, read the third time, and passed.

ORDERS FOR WEDNESDAY,
DECEMBER 18, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Wednesday, December 18, 2013; that following the prayer and the pledge, the Journal of proceedings be approved to date, and the time for the two leaders be re-

served for their use later in the day; that following any leader remarks, the Senate resume consideration of the motion to concur in the House message to accompany H.J. Res. 59, the bipartisan budget agreement, postcloture; further, that all time during the adjournment count postcloture on the motion to concur.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, votes are possible throughout the day tomorrow. Senators will be notified when they are scheduled.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:29 p.m., adjourned until Wednesday, December 18, 2013, at 10 a.m.

NOMINATIONS

Executive nomination received by the Senate:

PRIVACY AND CIVIL LIBERTIES OVERSIGHT
BOARD

ELISEBETH COLLINS COOK, OF VIRGINIA, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2020. (RE-APPOINTMENT)

SENATE—Wednesday, December 18, 2013

The Senate met at 10 a.m. and was called to order by the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Father, the giver of every good and perfect gift, live within us so that we will be established in faith and abounding in thanksgiving. Today, help our lawmakers to seek the things that are above, as You empower them to embrace kindness, compassion, humility, patience, and forbearance. May they give You preeminence in all things, rejoicing even in the trials they must endure for Your sake. Lord, inspire them to persevere with joy in the calling You have given them to protect freedom and to keep America strong. Enable them to bear fruits that will bless this Nation and our world.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 18, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. MARKEY thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

WORKFORCE INVESTMENT ACT OF 2013—MOTION TO PROCEED—Resumed

Mr. REID. Mr. President, I move to proceed to Calendar No. 243, S. 1356.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 243, S. 1356, a bill to amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will resume consideration of the motion to concur in the House message with respect to the bipartisan budget agreement postclosure.

Rollcall votes are possible throughout the day. We will notify Senators as soon as we know that votes will be forthcoming.

MEASURES PLACED ON THE CALENDAR—S. 1845,
S. 1846

Mr. REID. Mr. President, I am told there are two bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bills by title for the second time.

The legislative clerk read as follows.

A bill (S. 1845) to provide for the extension of certain unemployment benefits, and for other purposes.

A bill (S. 1846) to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

Mr. REID. Mr. President, I would object to any further proceedings with respect to these two bills.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar.

UNFINISHED BUSINESS

Mr. REID. Mr. President, today the Senate is debating the House-passed budget agreement which was an important step in avoiding another dangerous and costly government shutdown to our economy such as we had in October. Another shutdown caused by the Republicans would undercut the economic progress of the last 4 years. When Republicans closed the Federal Government for business in October, it cost \$2 billion in lost productivity alone. The combined cost of the shutdown and the Republican threats to force catastrophic default on the Nation's bills cost the economy 120,000

private sector jobs in the first 2 weeks of October alone—120,000 jobs.

But the agreement the Senate is considering today will help us avoid another costly shutdown. The bargain rolls back the painful and arbitrary cuts of sequester, including devastating cuts to education, medical research, infrastructure investments, and defense jobs.

This is not a perfect bargain. No compromise is ever perfect. But the Senate should pass this agreement quickly so the Appropriations Committee, under the leadership of Chairwoman MIKULSKI, can begin crafting appropriations bills.

It is unfortunate the Republicans have forced the Senate to run out the clock on this measure, even though it passed the House on an overwhelmingly bipartisan basis and has the support of the majority in the Senate. Why are we wasting time? It is time to get back to setting fiscal policy through the regular order of the budget process rather than the hostage taking which takes place so often here by my Republican colleagues. It is time for Congress to show the American people that Democrats and Republicans can compromise rather than lurching from crisis to crisis. Yet Republicans have insisted on wasting 30 hours of the Senate's time before allowing a final vote on this measure, even though they know it will pass with bipartisan support.

I read that the Republican leadership may also force the Senate to work through the weekend and next week by dragging out the consideration of several important executive nominations. That would be unfortunate. But if it happens, it happens. The Senate could wrap up work on the budget bill, pass a defense authorization legislation, and confirm these nominees by tomorrow afternoon. The only thing keeping us here is more Republican obstruction.

I was also troubled to hear the senior Senator from Kentucky say that the nominations we have considered this session and those on which I filed cloture yesterday are nonessential. Nonessential? How about the Secretary of the Department of Homeland Security? That is nonessential, the person assigned the task of protecting us from terrorist attacks is nonessential? I think that is wrong.

Does the Republican leader consider the Secretary of the Air Force or the diplomats who run the State Department nonessential? There is a long list of people who have been confirmed who are essential to running this government.

Does the Republican leader consider the judges who try criminal and civil cases in overcrowded courtrooms across the Nation nonessential? We confirmed talented and dedicated individuals to all of those essential posts last week.

Does the Republican leader consider the Chairman of the Federal Reserve who sets this Nation's monetary policy to be nonessential? We will consider Janet Yellen's nomination to lead this very important part of our government, the Federal Reserve—we will do it this week. We will also vote on a number of other nominations, including a new Director of the Internal Revenue Service. Nonessential? And the Deputy Secretary of the Department of Homeland Security.

We will consider the nomination of Brian Davis of Florida—a perfect, classic example—to fill a district court seat that has been declared a judicial emergency. His nomination has been pending for more than 650 days. Non-essential? I do not think so.

On the contrary, these are absolutely essential nominees. It is their job to carry out justice, protect our country, and safeguard the economy. It is the Senate's job to confirm them. But how long will it take the Senate to complete its job? It is up to my Republican friends.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the House message to accompany H.J. Res. 59, which the clerk will report.

The legislative clerk read as follows:

Resolved, that the House recede from its amendment to the amendment of the Senate to the resolution (H.J. Res. 59) entitled, "A joint resolution making continuing appropriations for fiscal year 2014, and for other purposes," and concur with a House amendment to the Senate amendment.

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the joint resolution, with Reid amendment No. 2547, to change the enactment date.

Reid amendment No. 2548 (to amendment No. 2547), of a perfecting nature.

Mr. VITTER. Mr. President, I ask unanimous consent to speak for 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Mr. President, obviously I will be brief. I was simply trying to engage the majority leader in a simple question. I will lay out the question here. I think it deserves an answer, not for me but for the American people. Last week I had written the majority leader noting that several press reports have stated that he has exempted much of his staff, specifically leadership staff, from ObamaCare, from the mandate of the ObamaCare statute that we and our staffs go to the exchanges for our health care. He has exempted much of his staff from that. So I laid out some specific and pertinent and important questions related to that in a letter to him dated December 10, last week. I have gotten no response. I obviously got no response this morning. In fact, he would not even yield for my question.

I think that is unfortunate. It is unfortunate not because I personally deserve an answer, it is unfortunate because this is important. I think his constituents and the American people deserve an answer. So I restated those four specific questions in my letter. They are in my letter. I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Hon. Leader HARRY REID (D-NV),
Office of the Senate Majority Leader,
The Capitol, Washington, DC.

DEAR MAJORITY LEADER REID: It has been reported that you are the only Member of top Congressional leadership—House and Senate, Democrat and Republican—who has exempted some of your staff from having to procure their health insurance through the Obamacare Exchange as clearly required by the Obamacare statute.

Millions of Americans are losing the health care plans and doctors they wanted to keep and are facing dramatic premium increases, all as Washington enjoys a special exemption. Given this, I ask you to publicly and in writing answer the four important questions below regarding your office's exemption. I will also be on the Senate floor to discuss this at approximately 4:15 pm today and invite you to join me there.

First, how did you designate each member of your staff, including your leadership staff, regarding their status as "official" (going to the Exchange) or "not official" (exempted from Exchange)? Did you delegate that designation to the Senate Disbursing Office, which would have the effect of exempting all of your leadership staff from going to the Exchange?

Second, if any of your staff is designated as "not official" (exempted from Exchange), are any of those staff members receiving official taxpayer-funded salaries, benefits, office space, office equipment, or any other taxpayer support?

Third, if any of your staff is designated as "not official" (exempted from Exchange), did any of these staff members assist you in drafting or passing Obamacare into law? If so, which staff members exactly?

Fourth, how are the above designations of yours consistent with the clear, unequivocal

statement you made on September 12: "Let's stop these really juvenile political games—the one dealing with health care for senators and House members and our staff. We are going to be part of exchanges, that's what the law says and we'll be part of that."

I look forward to your clear, written responses to these important questions. I also look forward to having fair, up-or-down votes on the Senate floor on my "Show Your Exemptions" and "No Washington Exemptions" proposals in the new year.

Sincerely,

DAVID VITTER.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Mr. President, I know we are going to be voting on the budget that was negotiated by Senator MURRAY and PAUL RYAN. Sixty-seven Senators voted for cloture on that, so we will have a vote on passage this afternoon, I think about 4:30.

But I wanted to raise an issue that has been raised previously—yesterday; that is, the process by which the Senate is operating where no amendments are being allowed either on the budget or on the Defense authorization bill, which is the next bill we will turn to by the decision of the majority leader.

I have congratulated Senator MURRAY and I congratulate Congressman RYAN for their negotiation. But I do think there is an error that has been identified that needs to be corrected in the bill and which could easily be corrected if the majority leader would reconsider his decision not to allow any amendments. This specifically has to do with the discriminatory way in which Active-Duty military pensions are being penalized in a unique way that not even Federal workers who are going to be treated differently prospectively, not even civilian Federal workers, are being treated in the same way our Active-Duty military are.

Several of my colleagues came to the floor yesterday—the Senator from New Hampshire, the Senator from South Carolina and others—and pointed out the discriminatory treatment which could easily be fixed. I do not have any doubt but that the Senate would—as we attempted to do yesterday, the Senator from Alabama offered an attempt to take down the amendment tree the majority leader has filled.

For people who do not follow the minutiae and the detail of what happens here in the Senate, the majority leader has basically blocked any opportunity to offer an amendment that would remedy this discriminatory treatment for our military servicemembers.

I have heard at least two of my colleagues on the other side of the aisle say: We can come back and do it next year.

Why do it next year if we could do it now? I believe that if the Senate was given an opportunity to make this correction—I don't blame the Senator from Washington and Congressman RYAN in their efforts to come up with a

budget to do what they did. I do blame us if we don't fix it this week when it is within our power to do so, and it is within the power of the majority leader to allow us to vote on that and to make that happen.

I don't have any doubt whatsoever that if we were able to come up with an appropriate pay-for and a substitute for this cut in military pensions, it would pass like a hot knife through butter in the House of Representatives when they reconvene.

Unfortunately, this is a product of the way the majority leader has decided to run the Senate. I have another example of that, which I wish to turn to. This has to do with an amendment that I have offered on the Defense authorization bill, which is a bill we will turn to after authorization of the budget. The Defense appropriations bill is a very important piece of legislation, and I congratulate Senator INHOFE and the House, both in the majority party and the minority party, for coming up with a pretty good bill. The problem is once again the majority leader has decided to transform the Senate into basically a railroad and to jam this bill through this week, probably by tomorrow night, without any opportunity to offer any amendments.

That is a terrible mistake. The last time in recent memory that the majority party decided to jam through a piece of legislation was ObamaCare. I remember voting on Christmas Eve—something I hope we don't repeat this year—and that was a party-line vote in the House and the Senate.

We are discovering, as ObamaCare is being implemented, that a lot of the promises that were made to the American people, such as: If you like what you have, you can keep it, and the cost of your health care will go down an average \$2,500 for a family of 4—all of those were false.

That is what happens, the kinds of mistakes that are made, when there are not bipartisan efforts to come up with compromise legislation. Instead, the majority party uses the power it has to jam things through. We make mistakes. Things aren't adequately considered.

I don't care who you are; we all can benefit from other people's ideas and suggestions, and that is the genius of the checks and balances under the Constitution and under our form of government. But the majority leader has decided to put all of that aside.

I read today in Politico that he has said he doesn't care that people are complaining about his "my way or the highway" approach. But it is not only about our rights as Senators to participate in the process—it is not only about the rights of the 26 million people that I represent in Texas, who are essentially being shut out of the process—this is about making mistakes that hurt people, mistakes that we

would not make if we had taken the time in a bipartisan way to try to address some of these concerns. This discriminatory treatment of the military pensions is one example.

Another example is when members of Al Qaeda struck our Nation on September 11, 2001, they made it clear they viewed the entire American homeland as the battlefield.

We were reminded of this again about 4 years ago when a radical jihadist, who happened to be wearing the uniform of the U.S. Army, MAJ Nidal Hasan, opened fire at a Fort Hood Army base in Killeen, TX. That shooter killed 12 American soldiers, 1 civilian, and shot and injured 30 more.

This is a terrible tragedy. I remember President Obama coming down for the memorial service where we honored the lives of these people who lost their lives in this terrible attack. But no matter how we slice it, this was a terrorist attack on American soil, not much different—except in the means by which it was carried out—than what happened on September 11, 2001.

Prior to committing this terrible terrorist attack, the Fort Hood shooter exchanged no fewer than 20 emails with a senior Al Qaeda operative, al-Awlaki, who was subsequently killed by a U.S. drone attack in Yemen by the President of the United States.

The shooter, Major Hasan, had become more radicalized over time—and this is a problem with our military that seemed to have turned a blind eye. But there is also a problem when the Federal Government calls this workplace violence and doesn't call it a terrorist attack, which it actually was. He opened fire in the name of global jihad in the hopes of defending the Islamic empire and supporting his Muslim brothers.

That is why he asked the late Mr. al-Awlaki if Islamic law justified "killing U.S. soldiers and officers," and that is why he yelled out "Allahu Akbar" before committing this massacre.

If a U.S. soldier is killed in Afghanistan by an Al Qaeda-inspired terrorist alongside the Taliban, he or she will posthumously be given a Purple Heart award and his or her family will receive the requisite benefits that go along with losing your life in service to your country.

Yet the U.S. Government has chosen to discriminate against these people who lost their lives at Fort Hood 4 years ago at the hands of a terrorist, who tragically happened to be a member of the uniformed military of the United States, MAJ Nidal Hasan, who has subsequently been convicted of these crimes.

Even though Major Hasan saw himself as an Islamic warrior serving the cause of an officially designated terrorist organization, the U.S. Government has chosen to treat this as something that it is not, which is an ordi-

nary crime or, in the Orwellian use of the phrase, workplace violence. It is an exercise in political correctness run amuck. But the government's argument is that because the Fort Hood shooter was not acting under the direct and explicit direction of a foreign terrorist group, the victims of this terrorist attack 4 years ago were not eligible for the Purple Heart awards or the benefits that they deserve.

Al Qaeda, as we know, doesn't issue business cards or staff IDs, so sometimes it is a little bit difficult to say which terrorists are "officially" part of Al Qaeda and which ones are not, but the distinction is irrelevant. The war on terrorism, as we know, has evolved considerably since September 11, 2001. Al Qaeda has evolved too. Whether it is in Iraq, Afghanistan, or now Yemen and in other places, Al Qaeda has morphed.

Several months ago, the group's top leader, al-Zawahiri, urged his followers to conduct exactly the kind of terrorist attack that occurred at Fort Hood and occurred in Boston in 2013. Zawahiri said, "These dispersed strikes can be carried out by one brother, or a small number of brothers."

Let us imagine that a radical Islamist heard these words, contacted an Al Qaeda cleric to ask about killing Americans, and then went on to slaughter a number of U.S. soldiers. It shouldn't matter where those killings took place, and it shouldn't matter whether the killer had "formal" ties with Al Qaeda or not. There really isn't any doubt about Hasan's ties to Al Qaeda or his being inspired by someone who the President of the United States put on a kill list for a drone because he knew they were recruiting and inspiring attacks against the American people.

If it is good enough for the President of the United States to order a drone attack on an American citizen in Yemen, it ought to be good enough for this body to recognize this was a terrorist attack because of Hasan's inspiration and communication with this very same terrorist. We ought to award these families the Purple Heart awards that these servicemembers are entitled to and the benefits that they deserve.

It is clear that these casualties at Fort Hood were part of America's struggle against Al Qaeda and the global war on terrorism. They were casualties of a war that continues to rage in Afghanistan and that only recently claimed an additional four American lives. It also extended to places such as Benghazi, Libya, where four Americans were killed.

Whether or not the Fort Hood shooter had Al Qaeda stamped on his forehead is irrelevant. He was unquestionably a disciple of Al Qaeda's poisonous ideology, which has fueled death and destruction around the globe and here in our homeland.

As I have indicated at the beginning, I have sponsored legislation that would make the Fort Hood victims eligible for the honors and benefits available to their fellow U.S. soldiers and troops serving in overseas combat zones. I offered a modified version of that bill as an amendment to the Defense authorization bill, which we will take up immediately following the passage of the budget legislation this afternoon.

The majority leader has refused to allow a vote on it. We may recall, before the Thanksgiving recess, we had, I believe, two amendments to the Defense authorization bill, and then the question was what other amendments might be offered. The majority leader made clear he wasn't going to allow any other amendments—except of his own choosing—thus denying the minority any opportunity to help amend and improve the Defense authorization bill, one of the most important pieces of legislation this body takes up every year.

So cloture was not invoked, and now in the waning days before the Christmas holidays, the majority leader seeks to jam through this bill that was agreed upon by basically four people behind closed doors and deny me—representing 26 million Texans—and deny those of us who care about calling a spade a spade when it comes to terrorism an opportunity to offer an amendment on the Defense authorization bill. It is a mistake, no less a mistake than denying an opportunity to fix the mistake of discriminatory treatment of our servicemembers whose pensions are being cut as a result of the budget negotiation.

Not only has the majority leader refused to allow a vote on this Purple Heart awards amendment, he has refused to allow any other amendments, both on this budget negotiation or on the Defense authorization.

As I said, the budget agreement passed by the House of Representatives would slash military retirement benefits by about \$6 billion over the next decade. I have heard on cable TV at least two Members of the other party of this body who said we need to fix that. The Senator from New Hampshire has offered legislation, I believe. I heard the Senator from Virginia, Mr. KAINE, say we could come in and fix this with a scalpel after the fact.

We don't need to wait; we could do that today. I am confident that we could reach an agreement in this body today to remove that discriminatory treatment for our active duty military contained in this underlying bill, if the majority leader would only listen, listen to his own Members, listen to the American people, and listen to those who care about our servicemembers and want to make sure that they are not treated in such an unfair and discriminatory fashion. But, instead, the majority leader has decided "it is my way or the highway."

We know these cuts will even affect combat-wounded veterans who have been medically retired.

My State is the proud home to more veterans than any other State other than California, and many of my constituents are outraged that the majority leader won't even allow us to vote on this issue.

I would tell my friends across the aisle, it is going to come up again. It came up yesterday, and it will come up again. We will be reoffering these amendments to fix this discriminatory treatment as long as we are in session, and I hope Members of both parties can put politics aside for 1 minute, come together, and address the needs of our military families and those who have worked so hard and sacrificed so much to preserve our freedom.

I yield the floor.

The PRESIDING OFFICER (Ms. HIRONO). The Senator from Maine.

Mr. KING. Madam President, I ask unanimous consent to address the Senate for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KING. Madam President, we are going to have a historic vote this afternoon—historic at least in recent history—because for the first time in 3 or 4 years we are going to pass a budget—at least I certainly hope so. It is historic because, while the process was not perfect, it is a budget that was arrived at fundamentally through negotiations, through discussions, and through compromise between the chairman of the Senate Budget Committee and the chairman of the House Budget Committee. We are finally talking to each other.

This agreement is important. This vote is important for three basic reasons. One is that the agreement maintains the momentum of deficit reduction that has been in place here since the summer of 2011 when the Budget Control Act was passed. In fact, rather than breaking the budget numbers, it actually improves them in terms of deficit reduction by some \$22 billion. And it maintains, as I said, the momentum.

One of the points that has been lost in the discussion about the budget and the budget deficit is that the Federal budget deficit has fallen faster in the last 2½ to 3 years than at any time in the past 40 or 50 years. It has fallen from almost 10 percent of GDP to under 4 percent of GDP over the past 2½ years. That is progress.

I think one of the problems we have around here is that often we don't know how to declare victory. We don't celebrate our successes. I am not prepared to declare victory in the fight for fiscal responsibility, but I am prepared to declare progress, and I think that is what we have made when we have more than trillion-dollar deficits that have been cut more than in half.

So the first reason I think this bill should be supported is that it is not a budget buster by any means; instead, it is a continuation of the momentum toward rational fiscal policies that we have been on, and I think it is something we should continue.

No. 2, this budget bill will finally get us out of the business of governing by crisis, of lurching from crisis to crisis and threats of shutdown and continuing resolutions year to year, month to month, quarter to quarter. It will provide some certainty to the Congress, to the government, and to the country about what the budget numbers are going to be.

I think it is important that people realize exactly what it is we are voting on today. Essentially, it is one number. It is what is called a top-line number. This is not the budget that embodies all the detailed decisions about where those dollars go. Those decisions will be made by the two Appropriations Committees of the two Houses between now and the middle of January. But by providing a number, those committees now know what their targets are. They know what their limits are. They know what they have to work with. It will enable them to make the kinds of decisions on priorities and spending that we should have been making all along.

By governing by continuing resolution, essentially what we are doing is using the priorities of last year and the year before and the year before that. And then, of course, the sequester on top of a continuing resolution is really a double budgetary whammy because the sequester is a cut. That is difficult enough to deal with, but it is a cut that was designed to be stupid, and it succeeded. It was designed to be so unacceptable that Congress would feel they had to find an alternative. Unfortunately, this past March that didn't happen. So the sequester, which was across-the-board cuts by account, went into place. That meant that within the military, within the Pentagon, within the Navy, within the FAA, and within the Department of Transportation, each account had to be cut. Some accounts probably could use some cutting and other accounts desperately needed the funding that was made available. This bill relieves the irrationality of the sequester while maintaining the sequester's downward pressure on spending.

Finally, and I think most importantly, what this bill we will be voting on this afternoon will do is demonstrate to the country that we can do our job.

I was talking to people in Maine yesterday, and they said: Well, why should you be puffing up your chest and pounding your chest about just doing what you ought to be doing all along?

I couldn't really argue with that, except that we haven't been doing our job. And the fact that we are now at

least inching toward doing it in the manner we are supposed to is progress—at least it is progress in recent history. I think that is one of the most important parts of this bill. I think that is the signal it sends to the country—that we can, in fact, talk to each other; we can compromise; we can make financial and fiscal arrangements around here that make sense, that are rational, that are prioritized, and we can do our job.

When I was in Maine last weekend, the most common question I got was this: Why can't those people down there talk to each other? Why can't they work things out? We do that in our town meetings, we do that in our businesses, and we do that in our families. Why can't they?

Well, in this case, they have. It wasn't a perfect process, but at least it involved bipartisan, bicameral negotiations that get us to the point where we have a budget we can vote on today. Do I like it? I don't like every piece of it. I don't like the pension hit the Senator from Texas described. That wouldn't have been in my proposal. In fact, I made a proposal at the budget conference that was quite different from this one. It wasn't accepted. That is how this place works.

My favorite philosopher, Mick Jagger, said, "You can't always get what you want, but if you try sometimes, you just might find you get what you need." What we need right now is a budget. It is something we can work from that gives us some certainty.

I believe we can fix this pension problem. In fact, I have joined with Senator SHAHEEN of New Hampshire on a bill that would replace the cuts to the military pension, dealing with some offshore tax benefits that I think is a much more sensible way to fill that \$6 billion gap. We can do that because the pension proposal doesn't take effect for 2 years—not until December 2015. So we can fix that, but we have to get this budget passed now.

To answer the question "Why can't they talk," they have talked, and I think that is important.

Now I would like to turn to a slightly different topic, but it is related to the budget. In 1997 the Congress passed something called the sustainable growth rate, which was designed to control reimbursement rates for physicians and providers under Medicare. The problem is that it has turned into a monster that reduces physician fees to the point where they won't serve Medicare patients unless it is fixed. Each year since 2002 we have fixed it year by year, but it is always temporary. It is always a patch. In fact, it has gotten its own name in the lexicon of Washington: the "doc fix." It is something we have to do. Everybody knows we have to do it. But why not fix it for good?

The Congressional Budget Office tells us that if we fix it once and for all, it would cost \$116 billion over the next 10 years. That sounds like a big number, but it happens that there is a place we can go to get that money that I think fits with it very well. In 1990, under President George H.W. Bush, the Medicaid drug program was created, and because the government was buying drugs under Medicaid in very large quantities, they sought a volume discount from the pharmaceutical companies—perfectly rational; any of us would ask for a volume discount if we were buying in large quantities—and, indeed, Medicaid-eligible beneficiaries had discounts or rebates on their drugs from 1990 to 2006.

In 2006, Part D of Medicare was passed. We provided a drug benefit to Medicare recipients. But one of the wackiest parts of that bill said that the government could no longer negotiate for volume discounts. I hear a lot of discussion around here about private enterprise and business and how we should run the government like a business. No rational business would buy any product—cars, gasoline, drugs, or anything else—in enormous quantities and not seek and gain from the sellers some kind of volume discount.

Senator ROCKEFELLER has introduced S. 740, which essentially says: Let's return Medicaid beneficiaries—not all Medicare beneficiaries but Medicaid recipients—to the status of prior to 2006, where they will get applied to their drug purchases—or the government actually gets—the same kind of rebates they got for the 16 years from 1990 to 2006. This will produce \$140 billion over the next 10 years. It will not cut expenses to recipients; it will only save the government money.

It seems to me this is a sensible way to fix the doc fix once and for all and to do something that makes sense for the taxpayers, which is to acquire for them volume discounts, volume rebates that are available today for other Medicaid recipients who aren't under Medicare and for the VA, and it puts them on the same status, these so-called dual-eligibles, people who are eligible for Medicaid and Medicare. Just this change would save \$140 billion, and it would enable us to fix the doc fix permanently. It would also contribute about \$30 billion to deficit reduction over the next 10 years.

I think we have a historic opportunity this afternoon to pass a budget—the first budget, by the way, produced by a divided Congress, where the two Houses were in different political hands, since 1986. And I think that is an achievement. It is something that a month ago I wouldn't have bet too much on, but I am very appreciative and admiring of Chairman MURRAY and Chairman RYAN for coming together and putting their ideological issues aside and coming up with an arrange-

ment, an agreement which allows us to have some certainty and which can signal to the country that we are, in fact, capable of doing the most fundamental responsibility we have, which is to pass a budget.

Madam President, I yield the floor.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. I thank my colleague from Maine for his statement and support for this effort. This is a historic moment. It has been 4 or 5 years since we have enacted and passed a budget agreement between the House and Senate. In a divided government, we have found many excuses and ways around it, but we are facing our responsibility today in the Senate. We are hoping that yesterday's procedural vote, with 67 Democrats and Republicans joining together, is an indication of the success we will find later today when this measure comes up for a final vote.

Before I go any further, I wish to salute my colleague, my friend, and my fellow leader in the Senate, Senator PATTY MURRAY of Washington.

A few years ago PATTY was given a tough assignment. She was given the assignment to chair the so-called supercommittee. I had been involved in a lot of deficit negotiations up to that point, and I thought, oh my goodness, she is walking into a minefield. Well, she did a professional job, a bipartisan effort. It didn't succeed, but she learned in the process not only more about our budget challenge but also more about the leaders in the budget process. And I think it was that painful experience with the supercommittee that set the stage for the much more successful negotiation over this budget agreement with PAUL RYAN.

PAUL RYAN is no stranger to those of us in Illinois. His congressional district borders on our State in Wisconsin. I know PAUL. I like him. I respect him. We disagree on a lot of substantive issues, but I respect him as a person of substance and a person of values who tries to solve problems. He showed, with Senator PATTY MURRAY, that Democrats and Republicans can sit down in a room together, respect one another's differences, and still come to an agreement. What a refreshing development in this town where so many times we fall flat on our face trying to come up with a solution.

I also want to commend PAUL RYAN, while I am on the subject, for his leadership on the immigration issue. It is not easy for him to step up as a conservative Republican and support comprehensive immigration reform, but he has done it. He came to Chicago and made that announcement with LUIS GUTIÉRREZ, the Congressman from the city of Chicago who is the national leader on immigration.

I only say that because if we have more of that kind of dialogue, more of that kind of agreement, we will have a

better Congress and the American people will know it. Right now we are languishing in approval ratings across the country, and a lot of it has to do with the fact that we spend too much time fighting and not enough time trying to find solutions.

This budget agreement is a solution. Is it perfect? Of course not. There are parts of this budget agreement I don't like at all. But I have come to learn that if we are going to get anything done in Washington for the good of the people of this country, we have to be prepared to accept in an agreement some things we might not agree with. We found that with comprehensive immigration reform. We will find it today with this budget agreement.

This plan isn't perfect, but it is going to enable us to avoid a shutdown of the government. Did we or did we not learn a lesson just a few months ago? We shut down the government of the United States of America for 16 days. One Senator came to the floor on the other side of the aisle speaking 21 hours in an effort to inspire others to join him in the shutdown—and, sadly, it worked. For 16 days, 800,000 Federal employees or more were sent home with the promise that eventually they would be paid, and millions of Americans were denied the basic services of our government during that government shutdown.

We managed to emerge from that with the promise that we would fund our government with a continuing resolution until the middle of January. But then the burden fell on PATTY MURRAY and PAUL RYAN and the members of that conference committee to come up with a solution, and they did. That is what is before us today.

Those who are voting no don't have an alternative. They don't have a plan. They are just angry or upset or basically opposed, but they don't have an alternative. If it means they would want another government shutdown, so be it. But thank goodness an overwhelming bipartisan majority in the House of Representatives voted for this plan. Yesterday, if I am not mistaken, we had 12 Republicans join us and all 55 Democrats, so 67 voted in favor of this bipartisan budget plan.

What is especially important to me as a member of the Appropriations Committee is not only is it avoiding another government shutdown, it is a 2-year plan. I said to Senator MURRAY when she called me with the details: That is one of the strongest arguments in favor of this I can imagine, to think now that the Appropriations Committee can sit down and do its work for the rest of this year with a budget target number.

I have a pretty substantial responsibility on the Appropriations Committee. I chair the subcommittee on defense and intelligence. In that subcommittee, our bill alone is about \$600

billion, or just a little south of that, and it embodies almost 60 percent of all discretionary spending of the Federal Government. We are going to get a chance now—and I have already sat down with Congressman FRELINGHUYSEN of New Jersey, who chairs the same subcommittee in the House—to work out a bipartisan appropriations bill for the defense of America. Is there anything more important than our national security? We have to start there, and we are going to be able to do it now in a thoughtful way because of this budget number. Those who are voting no would cast us again into the darkness—a continuing resolution.

For those who are on the outside looking in, a continuing resolution is akin to saying to a family: Listen, next year we are going to give you the checkbook ledger from last year. Keep writing the same checks for the same amount, and we are sure everything will work out. It doesn't.

Instead, because of this budget agreement we can start looking at ways to save money which will not harm our men and women in uniform and will keep America strong and create a national defense.

We are going to also work in this bill to start to repair America's fraying social safety net—in other words, protecting the most vulnerable in America—because this agreement stands for the premise that we are going to treat defense and nondefense spending and cuts equally. That was an agreement we started. It is one they honored with us.

We have made real progress in the last 4 years to cut our Federal deficit in half. We are going to cut the deficit even further under this bipartisan plan but in a much more thoughtful way. I am going to be voting yes for the budget and I urge my colleagues to do the same.

I see the Republican leader on the floor, and I know he has a very busy schedule. I do want to leave with one closing thought. There is another deficit in America beyond our shrinking budget deficit that is even more dangerous to America's future; that is, the rapidly deteriorating situation many working families are facing. We have an opportunity deficit in America. President Obama called this opportunity deficit the defining challenge of our time, and I believe he is right.

We don't begrudge anyone wealth and success in America. We celebrate it. But we also believe in fairness. We believe in the dignity of work. We believe, if you work hard and follow the rules, you ought to be able to provide for your family with the basics of life and with the dream of an even better life for the next generation. That is the promise at the heart of America's economy, and for too many families today, it feels like a broken promise. We are losing the balance between personal

wealth and our commonwealth to a winner-take-all ideology that is hurting our economy and our democracy.

Market capitalism has generated enormous wealth for America's economy. But for more than 40 years, the benefits of economic growth in America have gone increasingly to those at the top—while the middle class shrinks and the poor slip deeper into the quicksand of inescapable poverty. Think about this: in 1970, the top 1 percent of earners took home 9 percent of America's income. Today they take home nearly a quarter. The top 1 percent holds more than one-third of the Nation's overall wealth, while the bottom half of America controls less than 3 percent. The richest 400 Americans—the top one-tenth of one percent—now own more wealth than the bottom 150 million Americans combined. America is the wealthiest Nation on Earth. Corporate profits and the stock market are hitting records highs. Yet millions of workers are actually making less money today in real dollars than they did 20 years ago. We have more children growing up in poverty than in any other industrialized Nation. And our infant, maternal and child mortality rates are the highest among advanced Nations. Social mobility—the ability to work your way up the economic ladder—is now lower in the United States than it is in Europe.

What does that tell you about the American Dream? Income inequality is worse in America today than it is in Egypt, Tunisia, Yemen, the Ivory Coast, Pakistan, and Ethiopia. And then there is this: Since the official end of the Great Recession in 2009, 95 percent of all income gains in the U.S. have gone to the wealthiest 1 percent. There's a reason the YouTube chart *Wealth Inequality in America* has gotten more than 13 million views. The American people know that our economy isn't working for average working folks. It's like a bumper sticker that said, "The economy isn't broken, it's fixed." The rules have been rewritten over the last four decades to concentrate more and more wealth at the very top, at the expense of everyone else.

The United States is not alone in this; growing income and wealth inequality are global problems. But these problems are growing faster in America than in any Nation. We would do well to listen to Pope Francis, who, in his recent "apostolic exhortation"—a sort of open letter to the faithful—described trickle-down economics as a system that "has never been confirmed by the facts." It is created, in the Pope's words an "economy of exclusion and inequality" and "a globalization of indifference."

Pope Francis asks:

How can it be that it is not a news item when an elderly homeless person dies of exposure, but it is news when the stock market

loses two points? We are thrilled if the market offers us something new to purchase, in the meantime all those lives stunted for lack of opportunity seem a mere spectacle; they fail to move us.

Today everything comes under the laws of competition and the survival of the fittest, where the powerful feed upon the powerless. As a consequence, masses of people find themselves excluded and marginalized: without work, without possibilities, without any means of escape.

Economic justice must be a central concern of the Catholic Church, the Pope says. But it is not the Church's responsibility alone. The Pope writes that mere handouts are not enough. I quote:

We must work to eliminate the structural causes of poverty. It is vital, that government leaders and financial leaders take heed and broaden their horizons, working to ensure that all citizens have dignified work, education and health care. I beg the Lord to grant us more politicians who are genuinely disturbed by the state of society, the people, the lives of the poor.

Those who are unmoved by moral appeals might want to listen instead to the economic case for reducing economic inequality. America's widening income and wealth inequities have recently drawn warnings from the Federal Reserve Board, the Organization for Economic Cooperation and Development, and the IMF, the International Monetary Fund. Listen to this warning, from a recent IMF analysis. I quote:

Some dismiss inequality and focus instead on overall growth—arguing, in effect, that a rising tide lifts all boats. [But when a handful of yachts become ocean liners while the rest remain lowly canoes, something is seriously amiss.]

In countries with high levels of inequality like the United States, the IMF warns, "growth becomes more fragile," economic crises like the Great Recession become more frequent, and economic expansions are shortened by as much as one-third. Slower growth leads to fewer jobs created and even greater inequality—a vicious cycle. In fact, IMF economists found that inequality seems to have a stronger effect on growth than several other factors, including foreign investment, trade openness, and exchange rate competitiveness. Rather than being conflicting goals, the IMF economists concluded, reducing inequality and bolstering growth, in the long run, might be "two sides of the same coin." That is certainly true in an economy such as ours, in which 70 percent of the U.S. economy depends on consumer spending.

It has taken years to reach these levels of inequality in America and it may take years and sustained effort by Congress to restore broad-based growth to our economy, the kind of growth that benefits all Americans, not just the wealthiest few.

The Affordable Care Act is a powerful start. No longer will tens of millions of

Americans—most of them working people—have to worry that they are just one illness or accident away from bankruptcy. Small business owners will be able to spend less time searching for affordable health plans, and more time creating jobs.

Next, we need to restore the bottom rung on the ladder out of poverty and into the middle class by raising the federal minimum wage to \$10.10 an hour. According to a Wall Street Journal/ABC News poll, 63 percent of Americans—two-thirds of Americans—strongly favor boosting the federal minimum wage from \$7.25 to \$10.10 an hour. \$7.25 an hour, 40 hours a week, 50 weeks a year, works out to \$14,500 a year—40 percent below the poverty line. Clearly, we can't boost the American economy on poverty wages. Studies and our own history show that raising the minimum wage will create jobs—because in America, consumers are the biggest job creators.

If you want to help poor children escape poverty, one of the best investments you can make is in effective preschool. We know that. It's been proven. Yet, according to the OECD, the U.S. ranks 28th out of 38 leading economies in the proportion of four-year-olds in education. The budget before the Senate restores funding so that many of the children kicked out of Head Start classes because of sequester cuts will be able to return to school. This is still only a fraction of the children who need quality pre-school. President Obama has set universal pre-school for every child in America. That should be our goal. Because the future belongs to those who are best-educated.

Here's another staggering fact about the new economy: For reasons that include automation, globalization and the loss of good-paying manufacturing jobs, more than half of Americans will experience near-poverty for at least some part of their lives. More than half. Here's another sobering fact: According to the National Employment Law Project, about two-thirds of the American jobs lost in the Great Recession were in middle-wage occupations—the kind of jobs that don't require a safety net. But these middle-wage occupations have accounted for less than one-fourth of the job growth during the recovery. Weakening the social safety net at the same time America is losing middle-class jobs can only hurt families and our economy. We need to strengthen America's social safety net so that temporary economic setbacks don't spiral and trap families in inescapable poverty.

We need to invest in infrastructure.

And we need to restore the ability of working people to choose to join or form a union so that they can bargain collectively for fair wages and safe working conditions. Labor and management, working together, built the American middle class. Labor and

management, working together, can help to restore and grow America's middle class.

Years ago, Bobby Kennedy said that America's gross national product measures a seemingly endless variety of commercial transactions. But, he said, the gross national product does not measure many other things, such as "the health of our children."

It measures neither our wit nor our courage; neither our wisdom nor our learning; neither our compassion nor our devotion to our country; it measures everything, in short, except that which makes life worthwhile. And it tells us everything about America except why we are proud that we are Americans.

For 40 years, a series of political and economic choices has widened economic inequality in America. Those choices have hurt many families. They have made our economy less fair, less stable, and less prosperous. And they have hammered away at one of the promises that made us most proud to be Americans: the promise that if you work hard, you can make a better life for yourself and your family. This budget will help us redeem that promise and reclaim that pride. I ask my fellow Senators to vote with us for economic fairness and shared prosperity.

After we pass this budget, after we get our appropriation bills underway, we are going to come forward and—I hope in a bipartisan manner—address some of these pillars of income equality in America: an increase in the minimum wage, an opportunity to make sure through the Affordable Care Act that every family has an opportunity for health insurance in America, a press conference which I will have later today with Senators WARREN and REID on the whole student loan debt crisis facing so many families. We have reached a point now where the student loan debt in America is greater than the credit card debt. It has devastating impacts on working families across America.

These and so many others should be part of an agenda to repair the opportunity deficit, and I hope Republicans will join us in a bipartisan effort.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Madam President, I am going to proceed on my leader time.

The PRESIDING OFFICER. The leader has that right.

PIKEVILLE LISTENING SESSION

Mr. MCCONNELL. Madam President, I rise to give voice to the people of eastern Kentucky who are hurting due to this administration's war on coal.

Recently, I traveled to Pikeville, KY, in the central Appalachian coal fields to hear firsthand from coal miners, their families, those in the energy industry, and others about how their

communities are being ravaged by EPA's excessive, overly burdensome regulations on coal.

The EPA didn't want to listen to these folks. I tried to get the EPA to have a hearing in eastern Kentucky, and they refused. So I did it. I held this listening session to put a human face on the suffering that is being felt in Appalachia due in large part to this administration's war on coal. I want to share with my colleagues just a little bit of what I heard in that listening session down in Pikeville a few days ago.

This is a picture of Howard Abshire. He is a former production foreman and a fourth-generation coal miner. In the audience during his testimony was his son right behind him, right here, Griffin. He is a fifth-generation coal miner. What the father and son have in common is they are both out of work. Both the father and the son are 2 of over 5,000 Kentuckians who have lost their jobs in the war on coal—two of the casualties of the President's war on coal, Howard and Griffin, out of work.

Howard is holding up a piece of coal in his left hand. Coal mining is what the EPA wants to stamp out, but coal is also the powerful substance which powers our homes, provides light and heat and fuels the commerce of goods and services worldwide.

"This is coal," he said. "This keeps the lights on." Howard is only one of many coal miners laid off for lack of coal mining work. This is what he said:

Look in our schools. Look in our nursing homes. Look in our pharmacies. We're hurting.

We need help. We don't want to be bailed out. We want to work.

Howard doesn't want to be bailed out. He wants to work.

Seated next to Howard is Jimmy Rose. Jimmy Rose is a veteran. He fought in Iraq. He is a former coal miner. Jimmy was perhaps the most famous attendee at the listening session because he brought attention to the war on coal to a national television audience on "America's Got Talent." Jimmy is a songwriter and singer. He used his song "Coal Keeps the Lights On" in his competition in "America's Got Talent," and it spoke directly to the hardship in his community caused largely by the war on coal. This is Jimmy Rose right here, and here is what he had to say:

It's in our heritage, it's in our blood.

Addressing the Obama administration, Jimmy said:

Look at what you're doing, and who you're affecting . . . Coal mining is a way of life, just like I say in the song. Don't kill our way of life. I hope one day I can always say coal kept the lights on.

I also heard from Monty Boyd, the owner of Wayne Supply Company and Walker Machinery, mining and construction equipment distributors that serve Kentucky, Indiana, West Vir-

ginia, and Ohio. The companies employ 1,900 people and operates 25 stores.

Wayne Supply this year celebrated 100 years of operation. Yet this is what Monty had to say:

At a time when I should be excited about our future, I am full of concern and uncertainty because our future outlook is bleak due to the regulatory ambush on the coal industry by the EPA.

He went on to say:

Coal in Kentucky is more than just mining. It is the driving force that keeps our energy rates affordable, keeps our manufacturing sector competitive, and is the economic life blood of eastern Kentucky.

Monty went on:

I am disheartened to continually see the federal government and the EPA take such an anti-business stance that destroys an industry that is vital to our regional economy. The federal government appears to be choosing the winners and losers in regard to the energy sector of America.

Those are strong words from someone with a good perspective on Kentucky's coal industry.

I also heard from Anita Miller, over here in the photograph. She is a manager of safety for Apollo Fuels in my State. She has worked in the industry for more than 15 years. Here is what Anita had to say:

My son walked earlier than my daughter . . . every time she would try to stand up, he would either knock her down, or put his hand on her head so she couldn't stand. This is what is happening to the coal industry.

Anita went on to say:

Every time we try to stand up for ourselves, someone either knocks or holds us down. . . . You can't really buy anything or make plans for the future because you don't know what the future holds.

My wish is that the people who are trying so hard to destroy the coal industry would just stop for a minute and think about the hot showers they take, the lights they turn on, and that first hot cup of coffee in the morning, and remember that it came from electricity powered by coal.

I couldn't agree more with what Anita says. It is apparently too easy for EPA bureaucrats and the Obama administration to make decisions that have a huge impact on the people of eastern Kentucky. They don't think about the consequences and, I might add, without bothering to meet face to face with the people they hurt.

The EPA schedules listening sessions for its new regulations only in cities far away from coal country, both geographically and philosophically; cities including New York, Boston, Seattle, and San Francisco. They held 11 listening sessions in all, but the closest one to eastern Kentucky was in Atlanta, requiring Kentuckians to make a 14-hour round-trip drive simply to attend. So it is pretty clear from the location of all these listening sessions the EPA did not want any real input.

That is why I convened a listening session in Pikeville that resulted in the powerful testimony I have shared with my colleagues today. Since the Obama

EPA would not come to Kentucky, I brought the voices of Kentuckians to EPA. We held three panels composed of those in the coal industry, miners and their families, and local elected officials to illuminate the disruption in these communities caused in large part by the war on coal. Many of my constituents filled out comment cards and my office delivered them yesterday to the EPA, along with the hearing testimony.

I want to leave my colleagues with the comments of one Kentuckian, Justine Bradford, who is a retired teacher in Pikeville. Here is what Justine wrote:

Dear EPA, will you please tell Santa Claus all we want for Christmas this year is to be able to work.

This is Justine Bradford: Tell EPA to tell Santa all we want for Christmas this year is to be able to work.

Here in eastern Kentucky we, too, are real people. Please help us find a job. Come and walk in our shoes.

The people of eastern Kentucky believe in coal, and with good reason. The abundance of coal in America and in Kentucky in particular is a God-given resource. For decades it has powered our factories, transported our goods, and warmed our homes.

Yes, the blessings of coal come with the responsibility to use it in an environmentally friendly way. But they also come with the responsibility to see that hard-working Kentuckians who rely on coal for an honest day's work and steady pay are given every chance to earn that. And they come with the right of all Americans to take full advantage of this God-given domestic resource to produce clean, cheap, and safe energy.

These things have been true for many decades. There is no reason they should not still hold true now. Eastern Kentucky must look for some economic opportunities beyond coal, and I support that, and I know the people of the region can accomplish greatness. It is vital that we consider eastern Kentucky's future. But let me make this point: It is equally vital that we not give up on eastern Kentucky's present. As we consider eastern Kentucky's future it is important that we not give up on eastern Kentucky's present, and coal is the key to the present in eastern Kentucky.

The Obama EPA has the testimony I heard in Pikeville. Whether they want it or not, they have it. Eastern Kentucky is going to continue to push back in this war on coal. The war is not over yet, not by a long shot. This President will be gone in 3 years and the coal will still be in the ground. The people of the region are resilient and they will keep fighting.

I am very hopeful for a positive outcome in eastern Kentucky and the Appalachian region and I am going to defend them in every way I can.

NDAA

Madam President, the National Defense Authorization act is one of the essential pieces of legislation the Senate considers every year. This is legislation, obviously, that authorizes funding for our troops and the equipment and the support they need to carry out their mission. This is legislation that—along with the funding that follows in the appropriations bill—puts muscle behind America's most important strategic objectives across the globe.

Yet, under the Democratic majority, this bill has basically languished since last summer. About 6 months—6 months—have elapsed since the Armed Services Committee first reported the bill out of committee. Now, with just days to go before Christmas, after wasting valuable time ramming through political appointee after political appointee, the majority wants to rush this crucial legislation through without the debate it deserves. They want to push it through the Senate without even giving the minority the ability to offer more than a single amendment—just one.

To give some perspective, 381 amendments were proposed to this bill last year. We agreed on 142 of them. The year before that, hundreds were again proposed and many were agreed to. That is the way the Senate used to operate.

Keep in mind that all this follows right on the heels of the Democrats' "nuclear" power grab just a few weeks back. So this is what has become of the Senate under the current Democratic majority—rules and traditions of the Senate that have served us well for years are broken or ignored in the interests of a short-term power grab. Some of the most important legislation that we consider as a body is rushed through at the last minute without any real opportunity for debate or amendment.

As some have suggested, the Senate has become a lot like the House under the current Democratic leadership. From the standpoint of the minority, it is actually a lot worse. Committee chairmen have been cut out of the process. Senators who thought they would have an opportunity to legislate have been told they are basically irrelevant, and evidently so are the rules. Senate rules are now just as optional to Washington Democrats as the ObamaCare mandates they decide they do not like—the Senate rules are just as optional as the ObamaCare mandates they decide they do not like—all of which obviously makes a mockery of our institutions and our laws, and all of which suggests this is a majority that has zero confidence in its own ideas. This is a majority that cannot allow the minority to have a meaningful say when it comes to nominees. This is a majority that will not allow Members to offer amendments when it counts.

Why? Because of a fear that the minority might actually win the argument and carry the day. That is exactly what we are seeing with the NDAA. The majority leader will not allow a robust amendment process because he cannot stomach a vote on Iran sanctions. He knows the administration would lose that vote decisively, and he knows that many members of his own caucus would vote alongside the Republicans to strengthen those sanctions. So, rather than allow a Democratic vote that might embarrass the administration, the majority leader simply will not permit that vote to happen.

Here is another consequence. By denying the Senate the ability to legislate, debate, and amend the National Defense Authorization Act, the Defense Appropriations Act and additional Iran sanctions, and by refusing the Senate the ability to vote on the authorization for the use of force against Syria, the majority leader has abdicated this Chamber's constitutional role in shaping and overseeing national security policy.

Without considering these matters, the Senate has been unable to address the programs, policies, and weapons systems necessary to make the President's strategic pivot to the Asia-Pacific theater real. Are the programs in place adequate to address China's aggressive encroachment upon the territorial and navigational rights of other nations in the region? Through defense legislation have we considered the necessary tradeoffs to fund adequate force structure—have we done that? Can we execute this pivot and maintain adequate force structure in the Persian Gulf and the Mediterranean? We will not have any of that debate—no debate at all.

We have been denied the opportunity to consider additional Iran sanctions. Despite the assertions of the administration that it has worked with Congress to craft the current sanctions regime, each time sanctions have been enacted during the Obama administration these bills have basically been forced upon the President. He did not want any of them. Despite the fact that the administration concedes that sanctions have brought the Iranians to the negotiating table, it is actively working to forestall additional sanctions tied to the verification of the interim agreement.

The Senate should not be denied a vote concerning Iran. The President retains the power to veto anything we pass. What are our policies preventing the ungoverned portions of Syria from becoming a terrorist safe haven? Unfortunately, we will not be having that debate this session of Congress. What is our policy on capturing, interrogating, and detaining terrorists? And if we had a coherent policy, would it survive after we draw down our forces in Af-

ghanistan? We will not have a chance to have that debate either.

This is not simply a matter of denying the minority a voice in shaping foreign policy; it is an erosion of the responsibility of the Senate. We have given President Obama a free rein in shaping these matters, and our allies in Asia and the Arab world are now questioning our commitment to remaining forward deployed and combat ready.

More importantly, the courageous men and women who defend us every day should not have to suffer from these tactics.

Still, despite the egregious abuses we are seeing here of the legislative process, the underlying bill is an important bill. It contains the authorization needed for key military construction projects on our military bases, for multiyear procurement that is more efficient—that actually saves taxpayers money—and for the combat pay and special pay our troops deserve. It also, fortunately, extends the prohibition on bringing Guantanamo Bay prisoners into the United States, a provision that I and many other Americans strongly support. It also authorizes funding for the next generation of aircraft carriers, something central to the success of the President's pivot to the Asian theater, something I mentioned earlier.

In short, there are a lot of good things in this bill, even if the process that got us here was completely unacceptable.

Let me be clear: The bill before us would be markedly improved if Senators were allowed to offer amendments and more than just a day or two to debate them. The Democrats who run the Senate need to think hard about what they are doing. This is just about the only regular order legislation we ever consider anymore. It is one of the only chances Senators can count on to offer important amendments. Now the Senate Democratic majority is even trying to shut that down too. We do not even do Defense authorization anymore, open to amendment.

I remind my colleagues on the other side, one day they will find themselves in the minority again. One never knows how soon that might occur. They should think long and hard about what they are doing to this institution, because the Senate is bigger than any one party or presidential administration.

Mr. WHITEHOUSE. Mr. President, I rise today with my colleagues, Senator BLUNT, Senator BLUMENTHAL, and soon to be joining us Senator GRAHAM, to speak about our Cybersecurity Public Awareness Act of 2013.

It is now broadly accepted in this body that the cyber threat posed by criminals, foreign intelligence, and military services, and even terrorists, is enormous and unrelenting. But useful information about cyber attacks

and cyber risks still is not consistently available to consumers, to businesses or to policymakers.

The legislation the four of us have introduced, the Cybersecurity Public Awareness Act, is an important first step toward fixing this problem.

Senator BLUNT has earned a reputation for working with colleagues on both sides of the aisle, particularly on issues of national security. I was very glad to have the opportunity to work with him last year as part of a bipartisan group of Senators seeking a sensible middle ground on cybersecurity legislation. He has brought his keen understanding of national security issues to bear on this important problem, as well as his expertise on public and private collaboration. So I thank the good Senator from Missouri for the opportunity to work together.

Likewise, Senator GRAHAM, as my colleagues know, has a long track record of bipartisan legislative accomplishments and a passion for issues of national security. On our Judiciary Committee Subcommittee on Crime and Terrorism, where together we are the chair and ranking member, Senator GRAHAM has been a worthy partner in our work to improve America's cyber readiness, including our readiness against economic espionage and trade secret threat. I thank Senator GRAHAM for his continuing leadership and partnership as we introduce this bill to improve public awareness of the cyber threats facing our country.

I am pleased also to be joined by my colleague Senator BLUMENTHAL. We were attorneys general together. We serve on the Judiciary Committee together. We are northeasterners together. I know he brings to this Chamber a deep understanding of the tools at the disposal of law enforcement, as well as the challenges of adapting to a swiftly evolving threat.

Americans' privacy is routinely violated by criminals who steal credit card information and Social Security numbers or even spy on us through the webcams of our personal computers. Bank accounts and businesses, local governments and individuals have been emptied overnight. Sensitive government networks have been compromised. The networks that run our critical infrastructure, the basics we depend on for heat, for communications, for commerce, have been compromised, raising the prospect of a cyber attack that could bring down a portion of the electric grid or disrupt our financial system.

Even our Nation's long-term economic competitiveness is at risk. General Keith Alexander, the head of the National Security Agency and Cyber Command, has said, for example, that the theft of trade secrets through cyber hacks has put us on the losing end of the largest illicit transfer of wealth in history. Yet most Americans are still

unaware of the full extent of this threat.

Why? Cyber threat information is often classified when it is gathered by the government or is held as proprietary when collected by a company that has been attacked. As a result, Americans are left in the dark about the frequency, extent, and intensity of these attacks. Raising awareness of cyber threats is an important element of Congress's work to improve our Nation's cybersecurity.

The Cybersecurity Public Awareness Act of 2013 takes up that challenge. Building on legislation I previously introduced with Senator John Kyl, it will increase public awareness of the cyber threats against our Nation and do so in a matter that protects classified, business-sensitive, and proprietary information.

The bill addresses several different elements of the cybersecurity awareness gap. It enhances public awareness of attacks on Federal networks by requiring that the Department of Homeland Security and the Department of Defense report to Congress on cyber incidents in the ".gov" and ".mil" domains. As we work to protect the American people from cyber attacks, we must first understand the nature of attacks on our own systems and what we can do to ensure that those attacks are not successful.

The bill tasks the Department of Justice and the FBI to report to Congress on their investigations and prosecutions of cyber intrusions, computer or network compromise, or other forms of illegal hacking. Those reports also must detail the resources they devote to fighting cyber crime and any legal impediments they find that frustrate prosecutions of cyber criminals. It is not enough just to try to stop hackers when they are coming after us; we must also identify and prosecute the people responsible for cyber crimes wherever they may be.

In addition, the bill requires the Securities and Exchange Commission to report to Congress on the corporate reporting of cyber risks and cyber incidents in the financial statements of publicly traded companies. The purpose of this requirement is to make sure American businesses are adequately informing their shareholders of any material information shareholders should know relating to cybersecurity.

Last, the bill requires the Department of Homeland Security to report to Congress on the vulnerabilities to cyber threats in each critical infrastructure sector: the electric grid, the gas and oil markets, the banking sector, and others. When it comes to protecting our critical infrastructure from cyber attacks, there is no margin of error. Failure in this area could mean a blackout in a major American city or a serious disruption of the banking system on which our economy depends.

That is why we must fully understand the threats to these sectors and do what we can to stop them.

These are ways in which the Cybersecurity Public Awareness Act will help to better inform the American people about the nature of the cyber threats we face and help us in Congress make the informed decisions about how to better protect against these threats.

We have more work to do to improve our Nation's cybersecurity, but a key first step is to ensure that members of the public, businesses, shareholders, policymakers, and other cybersecurity stakeholders have an appropriate awareness of cyber vulnerabilities, threats, and opportunities. I look forward to working with Senator BLUNT, with Senator GRAHAM, and with Senator BLUMENTHAL to get this bill passed into law, and I thank them each for their helpful cooperation and their insight.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I will follow up on what Senator WHITEHOUSE has been talking about. Last year he and I tried to find the middle ground on this issue where Members of the Senate and the House would be willing to move forward together to try to deal with it. Largely, the potential damage and the potential danger of what the cyber threat means are both unknown and, if we do know about it, we don't quite understand what we could do about it or should do about it. So we are coming together here with Senator BLUMENTHAL and Senator GRAHAM to try to do what we can to have more information available as we move forward.

There is no question that cyber breaches are serious. There is no question that they are a growing threat to our country's security. In my view, there is no question that it is our greatest vulnerability and a threat we might not see coming if we don't do the right things, particularly as it might relate to the critical infrastructure outside of what the government monitors. Cyber attacks by criminals, foreign intelligence, military service, and terrorists have increased in frequency and increased in what we see as the sophistication of those attacks. These are very dangerous for our country. They are certainly potentially dangerous in terms of the financial infrastructure, the critical infrastructure, the ability to defend the country. These incursions have already resulted in billions of dollars of lost intellectual property, millions of Americans have had their identities stolen, increased vulnerability to our critical infrastructure that is now so dependent on the cyber network for it to function. Also,

of course, what happens to that infrastructure, whether it is the transportation infrastructure or the energy infrastructure or the utility infrastructure if they are compromised, and we don't know where that attack is coming from or how to meet it or how to prevent it, that is what we are trying to talk about in this legislation and trying to deal with.

As early as 2007, cyber intrusions into the U.S. Government agencies and departments resulted in the loss of data that would be equal to everything across the street in the Library of Congress. Walk through the Library of Congress. Look at everything that is there. We have lost that much government data since 2007. At the same time, reliable information about cyber attacks and about cyber risks remain largely unavailable to consumers, unavailable to businesses, and unavailable to policymakers. Threat information affecting, as my friend from Rhode Island said, ".gov" and ".mil"—the military side of what we do in the government and the nonmilitary side of what we do in the government—is largely classified. So we, frankly, don't have much information about what they are doing every day, what they are fighting every day, and what the increased threat may be.

There are other entities people may be familiar with, such as ".com," ".net," and ".org," domains that withhold information from the public because they don't want to needlessly concern their customers with using what is available or, in some cases, impact stockholders, if the stockholders knew how vulnerable a particular network might be. So I am glad we are working together to try to make this legislation, the Cybersecurity Public Awareness Act of 2013, just that.

The two key words here are "public awareness." We have looked at this long and hard to figure out where the path is that we can move forward on, not just to introduce a piece of legislation but a piece of legislation that our colleagues would respond to, a piece of legislation our colleagues will look at and say: Of course, we need to know more than we know now about this and, through us, the people we work for need to know more. This gives us a greater understanding of the number of threats and the tools available to repeal those threats without needlessly compromising any of those tools that would be available to repel threats.

This bill works to provide public awareness of the danger of cyber attacks in our government and in private sector networks. It does that by instituting new reporting requirements for Federal agencies charged with monitoring and responding to cyber threats. Specifically, the bill would require national security and law enforcement agencies, including the Department of Homeland Security, the Department of

Defense, and the Department of Justice, to submit reports to the Congress on what the attacks were on the Federal network and what the level of investigations are of cyber crime. What other obstacles are out there to appropriate public awareness of what they put on the Internet, how they put it on the Internet, how vulnerable we may be to things that happen now that manage so many of the daily aspects of our lives in the cyber world, and what we are doing about it. We want to know what the cybersecurity threats are, and we want to create an understanding so that there is a way to respond, so there is a way to share information, and so there is a way to make this work better.

This bill includes provisions to enhance awareness of threats against our critical infrastructure. As I have said before, the critical infrastructure, whether it is financial, utility infrastructure or transportation infrastructure, all are things that now are so woven into the cyber networks that the ability to suddenly manipulate, the ability to infiltrate, is all there, and we want to be sure we are looking at those threats in the right way. It is clearly complex. There is somebody out there right now thinking about things that we wouldn't want them to think about as to how they can manipulate and use these networks in dangerous ways.

It is complex, and it is critical to our national security challenges. Our response cannot and should not be to break down on partisan lines. It should not be a response that we decide we can't do anything because we can't figure out how to work together.

Again, I am pleased to be working with my colleagues on this issue. Senator BLUMENTHAL and Senator WHITEHOUSE both have backgrounds as attorneys general of their States and understand the importance of both honoring and enforcing the law and protecting us in this new area of vulnerability.

We can't prevent cybersecurity threats, but we can respond to those threats; however, in my view, we can't really respond to those threats—and in the view of I think everybody who will be speaking about this issue today—without public support. Having more information will make a difference. Understanding how big this problem is will make a difference. Working together to try to solve it is absolutely essential. I believe this is our greatest vulnerability as a society, and it is a vulnerability that will increase over time or decrease over time, and that largely is up to how we deal with it.

Again, I am glad to join my colleagues, and I look forward to hearing what Senator BLUMENTHAL has to say about this, and I appreciate the important background he brings to this debate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I am pleased and honored to join my colleagues this morning, Senators BLUNT, WHITEHOUSE, and GRAHAM. They have been leaders on issues involving national security and defense and particularly in the intelligence and cyber area.

Senator BLUNT has a long record of bipartisan leadership in this body, as well as in the House of Representatives and in government generally, in addressing issues without regard to partisan predilections or biases. He has not only led but produced results.

Senator WHITEHOUSE has tirelessly pursued this area of cybersecurity. To his great credit, he has been with the movement for making our Nation more secure and also making the public more aware about the need for action in this area.

In truth, there is a saying that ignorance is bliss, but in truth, in areas of national security, that is rarely the case. In this instance, ignorance can do great harm and it is a source of peril. Our Nation is largely ignorant about the threats posed by national security and, more importantly, about the potential responses that must be mobilized to secure our infrastructure, our critical innovative information, and many other areas where we are at risk from a diverse source of threats. It is not only foreign governments, such as China; it is teenage hackers in eastern European countries, it is terrorists around the world who mean to do us harm and put their own movements at an advantage, and it is also competitors in the private world who seek competitive advantage against our own private enterprise companies that have intellectual information and assets. As a result of these cyber attacks, intellectual property is lost, identities are stolen, and America is made less safe.

Every day, the United States is under attack—literally every minute of every day—by individuals wishing to steal sensitive information from our government, from our Department of Defense, and from corporate information systems as well as home networks of individual Internet users. The cyber threat has become almost conventional wisdom in some quarters because we know that our military and intelligence communities are certain that this threat must be met. In fact, the next Pearl Harbor will come not from the sky but from a computer network that links to essential sources of intellectual assets and information in this country and degrades or, in fact, destroys them.

Senator WHITEHOUSE and I, along with Senators GRAHAM and BLUNT, have introduced legislation that would institute new reporting requirements. These requirements apply to Federal agencies charged with reviewing and responding to cyber attacks. In effect, the Federal Government would lead by example. Leadership is important not

only for State and local governments but also for the private sector. The legislation would help us better protect our country from hackers wishing to do harm, and it is based on the simple premise that we need to know about the threats we face.

The President has taken action—and I credit him—with the Executive order he has instituted, but that Executive order leaves great gaps. The legislation introduced by Senator WHITEHOUSE and me—along with Senators GRAHAM and BLUNT—will institute new reporting requirements to us by our Federal agencies. This bill will require that information to be submitted from a variety of agencies, such as the Department of Homeland Security, the Justice Department, the FBI, and—in my view, most critically of all—the Securities and Exchange Commission.

Most Americans have very little idea about what the Securities and Exchange Commission collects by way of information, but, in fact, it is a treasure trove, a panorama and window into the workings of corporate America. Very importantly in this area, they can tell us what corporations—big and small around the country—are doing to protect themselves. It can tell shareholders what they should know. The shareholders, after all, are the owners of these companies, and they will ultimately bear the financial burden of failures by corporate America if they fail in their duties to protect their critical infrastructure.

Not only are shareholders affected but neighbors living near powerplants, as well as customers—banking customers, for example, whose critical financial information is entrusted to financial institutions. A vast variety of clients, customers, owners, and others affected by these corporations have a right to know from the Securities and Exchange Commission what is being done to protect against cyber attacks.

Senator WHITEHOUSE and Senator BLUNT have described in very powerful terms the advantages of this legislation, but let me say that equally important is what it does not do. We need to be mindful that 90 percent of our Nation's critical infrastructure—that is right, 90 percent of it—is owned by private companies, and those private entities have a responsibility to our Nation to ensure that their security standards meet the task of fending off cyber attacks.

This legislation should not be the only action Congress takes. In fact, Senator ROCKEFELLER has championed legislation that is essential, and I am proud to be a supporter of it. I supported it in the Commerce Committee, and I am very grateful to him for allowing me to partner with him in helping to move it to the floor of the Senate.

This legislation is a very strong complement and supplement to that meas-

ure. In fact, that measure would require industry-driven voluntary cybersecurity standards for critical infrastructure. It would strengthen cyber research and development. It would improve the cyber workforce through development and education. It would increase public awareness of cyber risks and cybersecurity. I think the measure approved by the Commerce Committee is vital, and this measure very appropriately complements it.

America can't fully address a threat that it doesn't fully understand, and this legislation that Senator WHITEHOUSE, Senator BLUNT, Senator GRAHAM, and I have introduced would increase public understanding of an issue critical not only to the Federal Government but to all the American people, and it would ensure that Americans know how they are safer or less safe as a result of the extraordinarily dangerous menace posed by a potential cyber attack.

I will yield the floor with a question to Senator WHITEHOUSE regarding the Executive order issued by the President and ask, in light of that Executive order, does Senator WHITEHOUSE still feel this legislation will perform a service to protect our Nation?

Mr. WHITEHOUSE. I thank Senator BLUMENTHAL for that question, and I thank him for his work in this area. For some time he, Senator GRAHAM, Senator BLUNT, and I were part of a group that tried to pull together a bipartisan compromise, a meaningful piece of cybersecurity legislation, which, unfortunately, failed at the last minute.

As a result of that failure, the President began a process by Executive order for bringing together the various private sector industries in this country whose operations qualify as critical infrastructure, and that provide the basics for your lives—the basic heat, electricity, financial services, and communications on which modern, civilized life depends. From all the reports I have heard—and I have looked at it very closely—that process is actually going very smoothly. As a result, the administration is comfortable with deferring legislative activity in that area—in the area of trying to regulate and improve the cybersecurity of our critical infrastructure.

We are holding off for the time being on that, but the area of public awareness is still wide open. Legislative authorities are required—not just Executive order authorities—in many of these areas, particularly for organizations, such as the Securities and Exchange Commission, which is largely independent of direct Presidential control, because they are independent agencies under our constitutional system.

This bill would not interfere with what is going on under the authority of the Executive order. It is something we

can do in a bipartisan way in the meantime while the Executive order process goes forward.

I believe it will be very productive because, as Senator BLUMENTHAL and Senator BLUNT have noted, we are a better country and more effective legislators in the Senate when the public knows what is going on and has had a chance to engage on an issue. For that to happen, the public needs the information, and for the public to get that information, they need to have it collected by these different agencies and presented to them. We can't expect an average American citizen to go out and try to do this research on their own if it has not been gathered anywhere.

I appreciate the question. I think what we are doing will be both very productive and consistent with what the President has done under his Executive order. I applaud him for picking up the baton after we failed in Congress. Certainly, that failure had nothing to do with the energy and determination to get something done on this issue with Senator GRAHAM, who has joined us on the floor.

I will yield the floor so Senator GRAHAM can offer his thoughts.

Mr. GRAHAM. I thank my colleague very much.

My first thought is that America is not nearly as aware as we should be about the threats of a cyber attack that could come from a terrorist organization, a nation state, or a criminal enterprise. We are a week before Christmas. We are going to be debating about how to deal with the NSA program and reforms that make it more acceptable to the American people.

I wish to lend my voice to the three Senators who have already spoken and, quite frankly, are far more knowledgeable about the technological aspects of this.

But when I look out over the next decade and I try to figure, Where are the threats against the American people coming from—well, first it is our debt problem, but we are not going to get into that today—when you look outside for foreign threats, obviously, radical Islam presents a threat to us all—just remember 9/11—but this emerging cyber threat really just scares the hell out of me. The FBI, the military, the CIA are telling us daily how the threat is growing.

The Congress could not get there, so the President had to take over by executive order. We had a couple good bipartisan proposals, legislative changes. Senator WHITEHOUSE's idea of incentivizing the private sector, creating a fort cyber where you will get rewarded, there will be no limited liability if you harden your infrastructure in the energy sector and other important financial sectors. Rewarding people for upgrading their systems to harden them against terrorist attack or criminal activity I think is a smart

way to go. It is a complicated area of the economy and a complicated potential enemy to deal with, but this legislation I think is a good starting point.

I compliment Senator WHITEHOUSE, who has been really helpful. Senator BLUNT on the Republican side has been our leading voice, along with Senator CHAMBLISS, to try to bring awareness to the body. Senator BLUMENTHAL, as a former attorney general, understands very much the threats we face from a criminal enterprise, but he has also been very good on national security.

So a week before Christmas in 2013 we are trying to raise awareness because I am afraid if we do not get our house in order against cyber attacks, sooner rather than later, we will all regret it.

Thank you for allowing me to be part of this effort.

I yield.

Mr. BLUNT. Mr. President, I want to conclude our comments—at least my comments here—by saying we all believe that greater awareness of the size of this problem and the effort that is being made every day to deal with it will create an important set of information as we move forward.

This is a piece of legislation that is really focused on providing information, not in enough detail to weaken our efforts but enough information so people know this is not a casual conversation, that the cyber threat is real, that we are responding to it all the time, and, frankly, Members of Congress need to have even more information than we have on how much intensity, how much time, how much response is being made.

I say to Senator WHITEHOUSE, thanks for bringing us together.

Mr. WHITEHOUSE. Mr. President, let me conclude for our side with the observation that in this season of peace and reconciliation, perhaps this is an issue where a little peace and reconciliation, a little zone of peace and reconciliation can emerge through all of our partisan rancor so we can go forward and do something that will indeed protect this country that we love.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I offer my own concluding remarks by saying that Senator WHITEHOUSE earlier referred to our failure. He characterized it as a failure to accomplish legislation during the last session of Congress. Senators BLUNT and GRAHAM were very instrumental in that effort, and I was proud to work with them. But that failure had consequences in alerting the executive branch and galvanizing their will to act. So I would not say it was completely without consequence or benefit.

I hope we will actually be successful during this session in passing legislation that is so important to moving the

Federal Government even further in a direction where it should be going.

Mr. WHITEHOUSE. Mr. President, if the Senator would yield for a question, I might inquire of him whether it is his view that if you actually take a look at what is being done by the administration under the executive order, it bears a considerable resemblance to the proposal we had worked on?

Mr. BLUMENTHAL. I thank Senator WHITEHOUSE for that question. I would observe, in fact, that the executive branch, very importantly, followed a number of the leading ideas Senator WHITEHOUSE and our group fashioned. Of course, we take no pride of authorship or ownership in those ideas, and many of them came from some of the best minds in the administration, who are, in fact, thinking seriously about this problem.

So I think it really has to be a partnership—not only a bipartisan partnership in the Senate and the Congress, but also a partnership between the executive and legislative branches.

I conclude with this thought: In many of the briefings we had as Senators, off the record or classified, I was struck by how horrified and at least alarmed most Americans would be if they heard some of the stories of how close America has come to the next Pearl Harbor, how close we have come to cyber catastrophe, and how vulnerable the Nation still is, despite the growing awareness in both the corporate and military sectors of our country about this threat.

So when we talk about creating awareness, we are talking literally about spreading information that is vital for Americans to know.

I will close with the thought that I hope the leaders of this country who have control over classifying information would seek ways to inform the American public about the risks and the dangers posed from cyber attack.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. I thank the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I ask if the chairperson of the Budget Committee will engage in a brief dialogue, colloquy.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, I would ask my friend, the chairperson of the Budget Committee, who has

done extremely hard work on the budget agreement, is the Senator aware that under the Simpson-Bowles plan—which was embraced by many, many Members of this body, including on this side, including on the other side, including those who have now announced their opposition to the agreement, the Ryan-Murray budget—that the Simpson-Bowles plan recommends scrapping COLAs, cost-of-living adjustments, entirely? It not just cuts them, but the Simpson-Bowles plan—I wonder if the chairperson knows—eliminates COLAs entirely for working age military retirees?

The Simpson-Bowles plan, which was so embraced and everybody thought was the greatest thing since sliced bread, said:

Defer Cost of Living Adjustment (COLA) for retirees in the current system until age 62, including for civilian and military retirees who retire well before a conventional retirement age. In place of annual increases, provide a one-time catch-up adjustment at age 62 to increase the benefit to the amount that would have been payable had full COLAS been in effect.

So basically what Simpson-Bowles recommended was scrapping the cost-of-living adjustment for working age military retirees. Please correct me if I am wrong, but the provision in the Senator's bill is a 1-percent reduction—far, far less than scrapping it entirely, as Simpson-Bowles recommended.

I would ask again, where was the outrage, to quote my old friend Bob Dole, where was the outrage when this provision in Simpson-Bowles was included, which would have scrapped it completely? It was not through the Armed Services Committee. It was the Simpson-Bowles plan, which was a commission. I would ask the distinguished chairperson.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, the Senator from Arizona is correct. The Simpson-Bowles Commission, in their report, asked for an elimination of the entire COLA, as the Senator outlined in his opening remarks today. The budget bill before us took a different approach, and I appreciate the Senator reminding all of us that is out there.

Mr. MCCAIN. Madam President, could I ask the chairperson, is it not true that what you have proposed is 1-percentage point for military retirees—to reduce the annual cost-of-living adjustment by 1 percentage point for military retirees—which means, according to House Budget Committee staff: A person who enlisted at age 18 and retired at 38 as a sergeant first class in the Army would see approximately a 6-percent overall reduction in lifetime pay because of the COLA reduction; that is, that person would receive about \$1.626 million in lifetime retirement pay instead of \$1.734 million.

So that is as compared to what Simpson-Bowles envisioned: complete elimination, as opposed to this 1-percent reduction.

I would also ask, again, to the chairperson of the Budget Committee, is it not true that this cost-of-living adjustment reduction, the 1 percent, does not kick in until 2015, the end of 2015? And is it not true that Senator LEVIN, and I, and all others, have committed to reviewing this provision, with the outlook, at least in my view, to repealing it if necessary? But also there is a commission, supported by Members on both sides of the aisle, which looks at this entire issue of cost-of-living adjustments, of retirement, of TRICARE, of all of these issues because of the increasing costs of these benefits—in the words of Secretary Gates, former Secretary of Defense, who all of us admire so much—that are “eating us alive.”

So again, the Simpson-Bowles plan, which was embraced almost unanimously on both sides of the aisle, eliminates the cost-of-living adjustments for any retirees during their working age. This plan, which is met with such outrage, is only a 1-percent reduction—by the way, I want revised as well—that they would receive \$1.626 million instead of \$1.734 million.

Finally, I would ask the distinguished chairperson, does she know of another plan, another idea, another legislative proposal that will prevent us from shutting down the government again—something I refuse to inflict on the citizens of my State? I refuse to disturb their lifestyles, to destroy their income, to shut down essential government services, the nightmare we just went through.

So I guess my question to the chairperson is, does the Senator know of another avenue between now and I believe it is January 15 when the government would be shut down again that we could pursue that would prevent another government shutdown?

Mrs. MURRAY. Madam President, the Senator from Arizona is entirely correct. There is no other legislation that can be brought before us at this time to prevent a government shutdown. As we know, the House of Representatives has gone home for the year. We know without the bipartisan agreement before us, the impacts across the country would be untenable. We have kind of been there. On top of that, if we do not have this budget agreement, the military itself will take another \$20 billion hit, so those very military personnel whom all of us passionately care about would be facing layoffs, would be facing furloughs, would be facing tremendous hardship to themselves and to their families. So, yes, the Senator from Arizona is absolutely correct.

Mr. MCCAIN. I would further ask the chairperson if she has, as I have, heard

from every single uniformed service leader of the four armed services, including the Chairman of the Joint Chiefs of Staff, that further effects of sequestration will do unsustainable damage to our national security, that the pain inflicted because of the way that sequestration acts in 2014, the really significant effects, are that we will destroy or certainly dramatically impact our ability to defend this Nation? Is that not the unanimous opinion of our uniformed service commanders to whom we give the responsibility to defend this Nation? I would ask the chairperson if she has heard from our military leadership in uniform as well on this entire proposal, particularly its effect from sequestration?

Mrs. MURRAY. Madam President, the Senator from Arizona is correct. I have heard from every single branch of our military services that the impact in 2014, a few weeks from now, would be devastating if the current sequester continues to take place. I would add to the Senator from Arizona, coming from a State where we have a number of military bases, I have heard from the families of those soldiers and airmen and sailors that they are deeply worried about their loved ones and their lives if we do not replace the sequester.

I want to personally thank the Senator for his hard work and his support behind the scenes to help us get to where we are today, because without the Senator's voice in this, it would have been extremely difficult. I carry his voice and many voices into that conference room to take some very tough choices forward so those families, all the way up to those top generals, do not have to enact the further cuts of sequestration.

Mr. MCCAIN. If I may ask the chairperson, in summary: One, there is no legislative proposal between now and January 15 that anyone sees that could pass both Houses of Congress and be signed by the President of the United States that would prevent another government shutdown on January 15. I would ask the chairman if that is true.

Second, is it not true that if we go through the sequestration again, particularly because of the nature of the sequester legislation, that there is a sharp drop in 2014, and then a sort of a restoration in following years? In other words, the worst year of the entire sequestration process would be next year, unless we soften the blow. Is it not true that nobody cares more about those who serve in the military than their uniformed leaders, and unanimously those uniformed leaders have said they support this legislation?

Is it not true that the chairman of the Senate Armed Services Committee, and the Armed Services Committee, will have an entire year, because this legislation will not take effect—this cost-of-living adjustment will not take

effect until January 15, 2015, so we have an entire year of authorization committee consideration of this particular provision?

Is it also not true that it is recognized by all members of the Armed Services Committee and the Appropriations Committee and the chairman of the Budget Committee that we have continued increases in costs and benefits forever because of our inability to fund our national security? In other words, the dramatic increase in personnel and benefit costs are such that we are not going to have money left over for the mission, the equipment, and the capabilities?

Is it also not true—I would ask again what the obvious is: The Simpson-Bowles plan, which was embraced wholeheartedly by many of us, including this Senator, by the way, said to defer cost-of-living adjustment for retirees in all—that is all cost-of-living adjustments for retirees in the current system until age 62.

Is this far more draconian, what is envisioned in Simpson-Bowles, than what is before the body today? So is it hard to understand why someone would embrace Simpson-Bowles and yet find this provision as objectionable as it is? I find the provision objectionable, but I have confidence, and I hope the budget chairperson would agree, that it deserves the review and legislating, if it needs to be fixed, because the fact is that we have to look at the entire retirement and benefits that are now present in the military—for example, TRICARE, where there has not been an increase in premiums I believe since 1985, while the cost of health care has skyrocketed.

So, again, I would ask the chairman of the Budget Committee if that is true. If it is true, then does it not deserve some consideration for those who care, as I do and I know the chairperson does, about the men and women who are serving in the military, and should we not listen to our military leadership who literally are saying they cannot defend this Nation if this sequester continues, particularly in the fashion, the meat ax fashion, with which sequestration is now impacting our Nation's defense?

Mrs. MURRAY. Madam President, I would agree with the Senator from Arizona. In fact, the often-touted and quoted Simpson-Bowles Commission report even in this debate over the last day is much more egregious in what they are seeking.

Secondly, I agree with everything he said except for one thing. The Senator from Arizona mentioned that we have 1 year to look at the commission report. It is actually 2 years before this goes into effect. Congress will have time to act. The Senate Armed Services Committee will be looking at the commission report. We will have an opportunity to look at this in its entirety

before it is implemented. I truly want to thank the Senator for speaking up for our military, because I know more than any one of us on this floor that when the Senator speaks for the military, he understands the consequences of not enacting legislation today.

Mr. MCCAIN. I thank the chairperson for her hard work. I believe most Americans are a bit surprised that there is any agreement. I believe the chairperson would agree that this is a small step. But I think the chairperson should also deserve and be accorded great credit for tough negotiating, for a good agreement that I think will achieve many things, but, most of all, prevention of the shutdown of the government again which we should not and cannot inflict on the American people.

I am sure the chairperson would have had different provisions in it if she had written it herself, just as Congressman RYAN would say the same thing. But this is the essence of what we are supposed to be doing. The option of shutting down the government is something I do not really understand, why anybody, after what we just went through, would want to have as a viable option of our failure to act.

Again, I thank the chairperson.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Washington.

Mrs. MURRAY. Madam President, I again want to thank the Senator from Arizona for his remarks. I appreciate his help and support.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNIS. If there is not an objection, I ask unanimous consent to speak for 6 to 8 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

OSHA

Mr. JOHANNIS. Madam President, I thank the Senator from Arkansas and the chair of the Budget Committee. I am here on the floor today to voice strong objection to a Federal agency that is disregarding the clear language of the law in pursuit of what has appeared time and time again to be what I describe as an antiagriculture agenda with this administration.

Let me explain. The Occupational Safety and Health Administration, which is known as OSHA, is now claiming jurisdiction, of all things, of family farms. But they are doing that in defiance of Congress. For the past 35 years, literally 35 years, Congress has included very specific language in appropriations bills. It prohibits OSHA from enforcement on small farms. Literally since 1976, the law has said very clearly: No funds appropriated for OSHA can be used for rules or regulations that apply to farming operations with 10 or fewer employees.

Clearly what Congress is trying to do is provide protection for the family farms that exist in our States across this country. Yet, lo and behold, OSHA has decided it can label certain sections of the farm something else by fiat and send in their inspectors. Let me explain what has happened in Nebraska.

OSHA targeted a family farm in rural Nebraska. They grow corn and soybeans and raise some cattle. This farm has one nonfamily employee on that farm. In other words, it is a very typical Nebraska farm, just the kind of farm Congress envisioned in creating the exemption dating back to 1976.

OSHA ignored what Congress directed. They ignored the law exempting farms and slapped this family farm with fines totaling more than \$130,000. OSHA accused the farmer of willful violations. Let me give you a couple of examples: Failure to conduct atmospheric tests in a grain bin; failure to wear OSHA-approved gear when entering the grain bin, to name a few.

You cannot make this stuff up. I kid you not. The violations I listed were \$28,000 each, with a long list of lesser violations piled on top. They threw the book at this farmer. Let me be clear that OSHA made no claim that anyone had been hurt. They claimed only that the farm failed to comply with the OSHA manual.

I am sure the farmer was stunned to find OSHA inspectors on his farm out in the middle of Nebraska, and be told he suddenly must comply with OSHA regulations, knowing the law says his farm is exempt from OSHA regulations. I suspect he was rightly confused, angry, and frustrated.

OSHA claimed it was not regulating the farming operation at all; rather, it was only regulating the nonfarming operations. Congress had not exempted the nonfarming parts of farms. Right? So what was this nonfarming activity that OSHA believes it can regulate? Grain storage. Grain storage.

I grew up on a farm. Every farm has grain storage. It has hay storage. It has silage storage. Can they regulate the farming operations relative to those items? Yes. That is right. OSHA in their wisdom says storing grain after a harvest allows them to go in and regulate this farm. I am not sure how many OSHA employees have spent much time on a farm. I suspect not very many.

But there are not too many grain farms that do not store some of their grain. An iconic part of the agricultural landscape is grain bins. They are fundamental to farming and have been since I grew up on a farm. If farmers had to sell everything at harvest, they would not make much money, because that is when prices are typically the lowest. So it is only responsible for a farmer in a part of the farming operation to have grain bins on the farm and it has been that way forever. OSHA's claim that the storage of grain

is not part of farming is absolutely incredible and it is absurd.

It is also a blatant overreach in violation of the law, the law we have been passing in Congress dating back to 1976.

Whenever I meet the farmers and ranchers in Nebraska, they often raise concern about regulatory overreach. In fact, they feel as if they are targeted by this administration. OSHA's distorted definition of farming, in order to expand its jurisdiction, serves as evidence that farmers' concerns are legitimate concerns. OSHA should never be allowed to end-run the law in this manner.

I am asking Labor Secretary Perez to rein in OSHA and send a clear signal to America's farmers that they don't have a target on their backs. OSHA must rescind its absurd guidance suggesting that grain bins, of all things, are not a part of the farming operation, and it must stop sending inspectors on to family farms in violation of the law.

I have drafted, and I am sending a letter to Secretary Perez, a letter requesting that he make these changes in compliance with the law. I am inviting all of my colleagues to join me in signing that letter.

Let me conclude by saying let's stand with our Nation's family farmers, which we have done since 1976. Let's rein in this regulatory overreach and send a message that Federal agencies must abide by the clear direction of Congress.

I thank the Senators on the floor for the courtesy, and I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. I rise to discuss the pending budget agreement.

First, I wish to praise Senator MURRAY and Congressman RYAN for their hard work. I think everyone around here and everyone around the Nation recognizes what they have done. Their efforts have allowed us to reach a bipartisan and bicameral agreement. They deserve our recognition, and we appreciate them for all their hard work. I am sure at times it seemed like endless hours of hard work, but it has definitely paid off with the big votes we have seen in the House and also in the Senate.

As anyone in this Chamber could tell us, bipartisanship is all too rare in Congress these days. I can only speak for myself, but I am tired of the gridlock, and the American people—especially those whom I talk to from Arkansas—are tired of it as well. We must work together to get work done and to keep our economy growing.

This agreement, in my view, is a positive step forward. It gives our business community and our economy the certainty it has been looking for. It also prevents the "my way or the highway" politics that have been so destructive and that have been practiced

by an irresponsible few that have seemed committed to hurt our economy. It restores resources to our national security interests, which I think is extremely important.

I appreciate what Senator McCAIN of Arizona said a few moments ago on the floor. It does all this while reducing the deficit. That being said, this agreement is not perfect, especially when it comes to the harmful budget cuts made at the expense of our men and women in uniform. I will be the first to say we need to cut our spending, but we need to do it in a responsible way. We need to cut waste, fraud, and abuse. We need to eliminate items such as unnecessary government purchasing and maintenance of real estate and buildings. We can end out-of-date and ineffective government programs, but we cannot balance the budget on the backs of our hard-working military members and their families.

As the Senator from Arizona said a few moments ago, he is hopeful—and many of us believe and agree—that we will have a chance to fix this someday soon. That is why I am here, to encourage my colleagues from both sides of the aisle to support commonsense solutions, commonsense provisions that will restore full retirement pay for our future military retirees and repeal section 403 of this agreement.

Our brave men and women in uniform have made many sacrifices for this country. When I think about their heroism and the what they have done, I think of a passage in the Book of Isaiah, when Isaiah is preparing to leave everything behind, go out, and preach the word of the Lord to the people who need to hear it.

Isaiah 6:8 states:

And I heard the voice of the Lord saying, "Whom shall I send, and who will go for us?" Then I said, "Here I am! Send me."

Here I am. Send me. That is exactly what our men and women in uniform say. They leave their families behind. They leave behind their homes, their jobs, and in many cases a wonderful life to go out and protect the freedoms we all enjoy. So singling them out is not only unfair, it is also wrong. These heroes laid their lives on the line for us, and they deserve for us to work to fix this provision so they can receive the full benefits they have earned.

The good news is, as we have heard the Senator from Arizona and the Senator from Washington say a few moments ago, we can fix this and we can move forward. That is the good news today. We have this bipartisan, bicameral budget agreement, and it does move us forward. If we can get the votes necessary today to pass it, then we can swiftly move with another bill at some point in the near future to protect and fix what I am so concerned about.

Back to the bipartisan agreement, the bicameral agreement that the

chairwoman of the Senate Budget Committee reached with the chairman of the House Budget Committee, this is a job well done. This is an effort. None of this is easy. There are always going to be decisions that are hard and difficult.

That is why balancing the budget is so hard, because there are popular provisions. We have to make tough choices, but these are tough times and we need to make these tough choices.

I join my colleagues in the hope we get a large bipartisan vote for the legislation and for the agreement Senator MURRAY and Congressman RYAN reached. I also hope we very quickly will act to fix the one provision that is causing so much heartburn.

With that, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Madam President, I ask unanimous consent to engage in a colloquy with the Senators from Georgia, who join me on the floor today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Madam President, I come today to address an unintended inclusion in the compromise deal that was worked out by the bipartisan budget conference and that was overwhelmingly passed in the House of Representatives earlier last week.

As a long-time champion myself of our Nation's veterans and military families, I want to make absolutely sure today that they know a provision included in this deal which mistakenly included disabled retirees and survivors for changes in pension growth will be addressed in short order following passage of this bill. In fact, I am going to be joining with the Senators from Georgia and others after passage of this bill to make that technical correction in a stand-alone bill.

I think all of us know our disabled veterans have made tremendous sacrifices for our Nation and deserve the peace of mind that their benefits will not be adjusted under this compromise legislation. They deserve to know also that government shutdowns and the constant crises that have unfortunately impacted wait times for our veterans' benefits, further growth in the disability backlog, and even jeopardizing their monthly checks should be a thing of the past. That is what is at the heart of this bill.

We are working to ensure the uncertainty and fear these veterans and military families faced last October is taken off the table for at least 2 years. We are working to ensure the government they fought for functions in a

way that delivers on the promise we owe all of them.

In furtherance of that effort, this technical error certainly can, should, and will be addressed, and I join with the Senators from Georgia in ensuring our disabled veterans that it absolutely will be.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. I wish to thank the Senator from Washington for all of her hard work as chairman of the Budget Committee and on this bipartisan compromise on the Budget Act. I want to thank my colleague, Senator CHAMBLISS of Georgia, for joining me to support the chairman in this effort.

I support the bipartisan Budget Act because, while I believe the reforms included in the agreement are modest, they will move America in the right direction. One of the most essential components of the deal between Senators MURRAY and RYAN is the avoidance of another devastating round of sequestration aimed squarely at the national defense capabilities of our country. This agreement will help us avoid cuts that would have caused long-lasting damage to the readiness of our military and will help us provide the best support and tools possible for our men and women in uniform.

While avoiding defense sequestration was key to gaining my support for this deal, I was concerned to learn that at the last minute disabled retirees and survivors were mistakenly included in the provision slowing the growth rate in terms of COLAs in the coming years. I believe this mistake must be corrected, and my continued support for the budget agreement is predicated on the Chairman's commitment to correcting this mistake. I publicly thank the chairman this morning for making that commitment in this colloquy.

I know from my travels through the many military installations in Georgia with Senator CHAMBLISS, and through my work on the Senate Veterans' Affairs Committee with Senator MURRAY, that both Senators share my concern, and I look forward to working with the two of them to address this most important issue.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Madam President, I am pleased to join Chairman MURRAY and Senator ISAKSON regarding our concern about the military retirement pay provisions in this budget proposal. As I mentioned yesterday on this floor, any pursuit of debt reduction should not come at the expense of our service men, women, and veterans.

As we have discovered, these cuts will not only apply to working military men and women but also to military widows and soldiers who have been medically retired from wounds received in the line of duty.

I recognize that in order to truly tackle our debt and deficit it will take

all Americans making sacrifices, including our military. What we cannot do is ask those who have been injured defending our Nation to bear a disproportionate burden.

I thank Chairman MURRAY again for the leadership she has shown, along with Chairman RYAN, on these complex and divisive budget issues, and I stand with Senator ISAKSON and Chairman MURRAY in making the necessary changes to this legislation to ensure our disabled retirees and survivors are taken care of.

I thank the Chair.

Mrs. MURRAY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHAMBLISS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Georgia is recognized.

Mr. CHAMBLISS. I thank the Chair.

(The remarks of Senators CHAMBLISS and ISAKSON pertaining to the submission of S. Res. 323 are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

Mr. ISAKSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARRASSO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Wyoming is recognized.

(The remarks of Mr. BARRASSO pertaining to the introduction of S. 1849 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BARRASSO. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COBURN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Madam President, I want to spend a few minutes talking about the bill we are going to vote on this afternoon. I am starting my 10th year in the Senate. During that period of time, my No. 1 goal in coming to the Senate was to try to right our financial ship and almost everything I have done in the Senate has been related to the fiscal consequences of our dereliction of duty as Members of Congress—of both parties. There is nothing partisan

about that statement. We have seen different Presidents and different parties control both bodies, always to the same result.

We have before us a bill today that is a purported compromise. I want to describe who it is a compromise for. It is a compromise for the politicians. It is not a compromise for the American people because what it does is increase spending and increase taxes. The net effect, even if you take all the budget gimmicks that are in this bill that are not actual savings, and even if you believe people 10 and 11 years from now will actually hold true to what this bill pretends to have us do, which is what we are not doing—something we did 2 years ago through this bill, we are still going to spend more money than we would have and we are going to charge people revenues, some \$24 billion—\$28 billion, pardon me—increased revenues which we are not calling tax increases but Americans are going to pay that so it is money that is going to come out of their pocket.

What we have before us is a bill that is a political compromise for the parties in Washington to keep us from doing what we really need to do—the hard things. I am going to go through some criticisms of this bill. It is not meant to reflect on any one individual. It will apply just as much to the Republicans as it does to the Democrats. But we have a bill that supposedly fixes things until past the next election so we do not have to face these gigantic problems of "deadlock."

The other thing I would note as I go through this is it is my contention we do not have a problem getting along. It is my contention we get along way too well. We get along way too well; otherwise, we would not have a \$17.7 trillion debt. We would not have \$124 trillion in unfunded liabilities. And we would not have debt per American in this country which is now \$57,000 per person and unfunded liabilities that are over \$1 million per household, not including that debt repayment.

How did we do that? We had to agree to do that. Both parties had to agree to do that. The President had to sign it. My contention is we get along way too well, when it comes to ruining the financial future of our country. My main criticism—I do not criticize compromise, I criticize compromise that ignores the facts of our financial situation.

I want to make a point. I put a book out yesterday. It is called the "Yearly Wastebook." I do it every year. I do it somewhat in jest but to make a very real point. I outlined over \$31 billion, what I think and I think most Democrats would agree and that the American public, 95 percent of them, would agree with this—that when running a \$700 billion deficit, maybe we should not be spending these moneys on these things which go far further in actually

solving our problems for compromise in terms of creating a solution to the long-term problems and giving the American people what they want.

We really do have a 6-percent approval rating, right? That is true. I think we have earned it. This bill, I believe, proves it because we did exactly the opposite of what the American people would like to see us do. We solved our problem as politicians but we made their problem worse. We did not fix the things that are obvious to fix.

I was on the Simpson-Bowles Commission, I was a member of the Gang of 6, I have worked in a bipartisan fashion with anybody who will work with me to try to solve the big problems in front of our country, except we as a body, and the House, really don't want to solve them because the thing put at risk when you really solve them is political careers, and as a group of politicians, the people in Washington care much more about their careers—by their actions it is proven—than they do about the long-term fiscal health of this country. That applies to both parties.

So when we have a deal brought before us that will avoid confrontation come January 15 and we have all sorts of budget gimmicks in it that are not truthful, they are not real, in the hopes that somebody will grow a backbone 9 and 10 years from now and actually keep their word to the American public—and we are demonstrating right now we can't even keep our word from 2 years ago—why would we be proud to vote for that? Does it solve a real problem? No. It puts a real problem off and actually makes the problem worse to the tune of \$68 billion. Through this bill we will borrow an additional \$68 billion, \$50 billion of it, close to, in the next year and \$20 billion some after that, and in the year after, and then hope and pray that Congresses that follow us will do what we suggested.

Everyone in this body knows that is not going to happen. So when you vote on this bill you are voting for your political career, you are voting for the Washington establishment, but you are not voting for the person out there who now has a \$57,000 debt they are servicing, and their family, \$1 million per household in this country in unfunded liabilities.

It will pass. I have no doubt it will pass. I feel like John the Baptist in the wilderness. But mark my words. If we continue to do what we are doing today, we will be remembered as the people who could have fixed the problem and didn't; who could have made the courageous decisions and chose not to; who could have stiffened their spines and said we don't care what Republican extremists or liberal extremists say, the future of our country is more important than any political career in this town. And what we have before us is just the opposite.

Why wasn't in part of this agreement some of the \$250 billion that GAO has identified as waste, fraud, duplication, and mismanagement? There is not one thing in this bill that addresses one thing that GAO has recommended to Congress over the last 3 years—not one. So we have the “Wastebook”—\$31 billion of what I would consider—and it is not partisan. There could be a difference in terms of agreement about what is important and what is not. But, again, I would say in terms of the “Wastebook,” it is: Should we be spending money now when we are borrowing money, in light of the fiscal situation that we have, on some of the things that we outlined? It is a listing of 100. It has \$31 billion worth of savings. I will outline a few of them for you.

We are going to be taking up NDAA next. None of the amendments that I offered are in the NDAA. Every one of them was structural to the Pentagon to make it more responsible and accountable to its constitutional duty, which it has not performed, of giving account to Congress on how it spent its money. For example, the Army commissioned a contract to have a warfare overseeing blimp. They spent \$297 million on that blimp. It flew for a short period of time in this country. We sold it back to the contractor for \$300,000.

I have two questions: No. 1. Whoever signed that contract and made that decision, did they get fired from the Federal Government? Did they get demoted in rank? And, No. 2, was the contract actually executed to the requirements that the military set out for it?

It is called accountability. The answer to both of those is no. There is no accountability. So we are going to have an NDAA bill come through that requires them to meet an audit. They have been required since 1992 to meet an audit. They did not do it in 2014 and they will not do it in 2017 and they won't do it in 2018, because there is no hammer on the Pentagon to make them do it. That is because all hammers have been taken out because we don't want to force them to meet their constitutional responsibility. It is too hard.

We never told them it was too hard to go to Iraq or Afghanistan. But it is too hard for them to follow their constitutional duty to report on how they spend their money. What I would put before us is, if you cannot measure what you are doing, you cannot manage what you are doing. What is obvious from the waste, fraud, and abuse, contract failures within the Pentagon, is they have no clue on what they are doing. All you have to do is take the *Dwight D. Eisenhower* carrier, the littoral combat ships, the F-35—all of those major defense programs are at risk, over budget, behind schedule. I am not talking a little bit over budget. We did not do the oversight; we have

not forced that. You will never get control of those programs until you make them be able to account for what they are doing.

My first training, my first degree, is in accounting. I understand the reason accounting is important is because it tells you where to go to manage your problems. The Pentagon cannot do that. The Pentagon ordered—at the insistence of us, by the way—some airplanes for Afghanistan. Guess what we have done. We have taken delivery here and we have sent them straight to the Arizona desert, just \$422 million worth of them. By the way, the ones that did go to Afghanistan, we are going to cut up, destroy. We are not going to send them to Africa for relief missions. We are not going to send them somewhere else. We are going to cut them into pieces, another \$200 million worth of airplanes. And by the way, since the Afghan Air Force wants the same thing America has, we have already given them two C130-Hs, and we are going to give them two more. That is another \$400 million. So what we have done through poor management is waste over \$700 million on one item.

There is nothing in this bill that corrects that. Yet this bill is going to come to the floor—the NDAA—and not one of us who actually knows what really needs to be done in terms of changing the financial picture in the Pentagon is going to have an opportunity to influence that bill—not one of us. It doesn't have to be that way. That bill came out of committee in May of last year, but we have chosen to operate that way.

Camp Leatherneck, which is in Afghanistan, is a \$34 million new camp for troops, and it sits abandoned today. It has never been occupied. Who was the general or colonel who authorized that in anticipation of our drawdown? Who executed the order to build it and then ordered that we abandon it? Is there any accountability in the Pentagon or in any other agency? Are we doing our job of holding them accountable?

The “Wastebook” is not all about the Defense Department, but I brought a couple of those up just so we could see what is going on. The “Wastebook” is about poor judgment across all the agencies. You may disagree with me about some of what is in the “Wastebook,” but the question you have to ask yourself is: At a time when we have done what we have done to the American people in terms of unfunded liabilities, in terms of individual debt—the average family now has over \$220,000 worth of debt that they have to pay back which we borrowed—should we spend money the way we spend it?

We spent \$978,000 to study romance novels. Certainly that is a priority right now in our government. Everybody would agree with that; right? Sure they would. They would agree

with it. Yet we put that contract out last year and spent money to study the background of romance novels, both on the Web and off, and why people write them. We didn't just study about them here, we studied about them everywhere.

How about \$400,000 to Yale University, by the National Science Foundation, to actually study whether people who align with the tea party have the cognitive capability in terms of science? Guess what. We spent that money and the professor got the biggest surprise of his life. Here is what the study said: People who are aligned with the tea party have far exceptional cognitive abilities when it comes to science, math, and financial aptitude. It totally surprised the professor because the whole purpose was supposed to undermine people who are constitutional conservatives. Yet we spent \$400,000 on that study.

Those are just a few of the small examples of the silliness which goes on. People say: Well, \$400,000 isn't much; \$900,000 isn't much. The State Department spent \$500 million during the last week of the fiscal year. What did they spend it on? Does anybody know? To buy brand-new crystal stemware for all the embassies throughout the world. We didn't need new stemware, but we had to spend the money, so we spent it.

Just think about that. We are responsible for that. We allowed that to happen. There is no oversight here. There is no aggressiveness in terms of controlling costs, and our default position is our agreement on this budget which doesn't address any of those problems.

The American people are going to be asking questions about why we get along so well. The political story is not that Washington spends out of conflict and partisan bickering because the facts don't lie. We get along way too well. We are going to get along so well that we are going to pass another bill that solves the problem for us, as politicians, but, in fact, actually hurts the American people.

I am not going to be a part of that, and I am going to keep yelling from the canyons and from the mountain tops until we start doing what we are supposed to do because this is not going to change.

It is my hope that some of us will wake up and start looking at some of the real facts. So \$30 billion can make a big difference. If we just eliminate the items in this “Wastebook” for next year, we would be able to take care of one-third of the sequester. There are just 100 items here. I can give you 300 items.

I can give you \$150 billion worth of stupidity every year, but we choose not to do anything about it. We choose not to do anything about it because you have to be a committee chairman in order to have an oversight committee dig into this stuff. You actually have

to do the hard work to find out where the administration is spending the money.

President Obama doesn't want money to be wasted this way. He needs our help. Yet we will not help him. We will not help the American people. Consequently, the future of our country is at risk when it should be gloriously great. It is at risk not because of the American people; it is at risk because of us. We ought to change that.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. I ask unanimous consent to speak for up to 7 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAYORKAS NOMINATION

Ms. LANDRIEU. I appreciate the courtesies of the Senator from Washington, who is on the floor managing the bill. I thank her for allowing me to make these brief remarks regarding one of the nominees of President Obama—someone we will be confirming, hopefully, in the next short period of time.

I come to the floor to give my strong and unequivocal support to Alejandro Mayorkas as the Deputy Secretary of the Department of Homeland Security. Before I speak about his many extraordinary qualifications for this job, let me say that it has been very disappointing and very concerning to me that so many high-level leadership positions in this particular Department have gone unfilled for so long.

It has been 6 months since Secretary Janet Napolitano stepped down, having given notice of her departure after serving with such distinction and contributing so much to the strengthening of that agency. All agencies of the Federal Government are important and there are advocacy groups who argue for them, but I think everyone understands the real significance of the Department of Homeland Security. It is a relatively new agency. The Department is only 10 years old, but it plays a key role in the security of our homeland. Because it is new, it is still struggling with how to coordinate and unite all of the internal parts and coordinate effectively with the Department of Defense.

It has new and emerging technological challenges that are extremely demanding. The cyber attack which is happening daily and which is a growing threat to us is a very important part of their mission.

May I remind Senators that immigration, border control, and border se-

curity are right in the middle of the mission of this Department. So if we want to have strong immigration policies and smart immigration policies and secure our borders with smart fences, we better get somebody who is experienced and smart to run the operation.

That is why I am here to support Alejandro Mayorkas, who has been the Director of U.S. Citizenship and Immigration Services for the last several years. He has received many compliments from both Republicans and Democrats in his role as our chief immigration officer. He has worked to secure the border and has made tremendous improvements with the resources, which have been quite significant, that we have provided to strengthen the border. He brings tremendous experience as having run one of the most significant agencies within the Department.

Today we have a chance to start filling the leadership vacuum at the Department of Homeland Security not only with visionary leaders such as Alejandro Mayorkas but with leaders who have practical hands-on experience running the important parts of this Department.

As I mentioned, the nominee is the current Director of U.S. Citizenship and Immigration Services, which is really how I got to meet him and to know him and to work with him in such a close fashion.

Many of my colleagues know that I have the responsibility and privilege of informally heading up our Senate adoption caucus, and I do some international travel, helping to strengthen child welfare work around the world as well as, of course, in Louisiana and here domestically in the United States. We ran into a significant problem several years ago, which we are still trying to unwind, when Guatemala closed adoptions and our own State Department was a partner in that closure. There might have been—might have been—some good reasons for closure. The problem was that in the middle of that, there were 900 American families from every State in the Union who were caught. They were not placed on any transition list nor were they given any support—virtually no support from either our State Department or from the country of Guatemala. So some of us stepped in with partners at the State Department and others to see what we could do to help.

It has been a long, hard road for many of these parents and children who have now been stuck in orphanages, in group homes. They are no longer infants. Some of them are 8 years old and have waited 6 years for their adoption to be finalized. Some of them are 15.

Amidst all of the work the nominee had to do on immigration and so many conflicting pressures, Alejandro

Mayorkas took the time to give leadership and voice and help to the powerless. That speaks a lot to me, and it should to the members of our coalition, which is very broad and completely nonpartisan, when a very important person with a lot of power steps out of that comfort zone and helps people who have no lobbyists, no power. Without his help, we would not be making the progress we are making. That is one example that proves to me he is the kind of leader we need more of, not less of, here in Washington.

I have full confidence that—based on my knowledge of his experience of running immigration and my personal knowledge of his character and his integrity and his tremendous ability in terms of diplomacy and negotiating, which I witnessed firsthand, working with many high-level government officials from outside of our own government—he has the skills to negotiate within this agency to bring everyone to a common cause, a common vision, and a common plan to move this very important Department forward.

Prior to his directorship as immigration director for the United States, he served for a good bit of time as a U.S. attorney prosecuting criminal and white-collar crime and gang violence in California. He is known very well to the two Senators from California. I think it was Senator FEINSTEIN who recommended him to that position. She has testified on his behalf and has submitted statements for the RECORD. Both Senators from California can also vouch for his almost flawless record of service.

He has already been confirmed twice by the Senate. Yet, unfortunately, there were some political concerns that are not valid that held him up. So we have moved him forward. He got a strong vote from the members of our committee who know him well and understand his high level of integrity and his proven record of service to the people of the United States.

Again, I urge my colleagues on both sides of the aisle to take a strong look at this nominee, understanding that he has been confirmed twice before. He is an outstanding, unblemished prosecutor of crime. He would be a perfect person, with his background and experience, to serve as a Deputy Secretary of the Department of Homeland Security. I, frankly, think he is one of the most qualified people whom I have seen nominated.

Today, we have a chance to start filling the leadership vacuum at the Department of Homeland Security with visionary leaders. Ali Mayorkas—the current director of the U.S. Citizenship and Immigration Services—is exactly the type of leader we need in the deputy secretary position.

Since his confirmation as head of USCIS by voice vote by the Senate in 2009, Director Mayorkas has led the effort to turn around an agency that was

widely considered to be foundering and helped build a professional and competent workforce.

Director Mayorkas brings all the right qualities for this critical position; these qualities include a pushing for collaboration and efficiency within the workplace. As a prosecutor and a former U.S. attorney for California, Mr. Mayorkas demonstrated his commitment to enforcing the law to protect U.S. citizens.

As Congress and our Nation move closer to comprehensive immigration reform, we must have the proper leadership in place in the Department of Homeland Security to ensure that the laws we pass are enacted with the same transparency and accountability that he brings to his current post. I can think of no better leader to guide DHS in this pursuit, as he will do so in a way that balances the needs of our business communities and families while keeping our border safe and secure.

Mr. Mayorkas' previous experience provides a solid foundation for his future work and an extensive knowledge of our immigration system and the overall mission of the Department of Homeland Security. As the chairman of the Homeland Security Appropriations Subcommittee, I am keenly aware how important it is to have strong management at the head of this Department and believe him to be uniquely qualified for the job.

I have every confidence in his devotion to safeguarding our Nation and his ability to effectively perform his duties in this new role. I will be proudly casting my vote in support of his nomination as Deputy Secretary of the Department of Homeland Security.

I yield the floor. I don't see any other Senator wishing to speak at this moment, so I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REED. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 1797

Mr. REED. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 259, S. 1797, a bill to extend unemployment insurance benefits for 1 year; that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Republican whip.

Mr. CORNYN. Reserving the right to object, Madam President, it is unfortunate that the Senate's schedule is com-

pletely full with pending cloture motions on controversial or completely nonurgent nominations. I ask if the Senator would consider amending his request to withdraw all of the pending cloture motions on executive nominations and that the Senate would proceed immediately to consideration of S. 1797, the unemployment insurance extension, and that the majority leader and the minority leader would be recognized to offer amendments in an alternating fashion so that these important issues can be considered this week. I ask the Senator to consider amending his request and reserve my right to object.

The PRESIDING OFFICER. Does the Senator so amend his request?

Mr. REED. Madam President, I will not amend the request. I respect the Senator's point, but I will not amend the request. I am here simply to ask for the unanimous consent as I presented it.

The PRESIDING OFFICER. Is there objection to the original request?

Mr. CORNYN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REED. Madam President, I appreciate the Senator from Texas coming here, engaging, and I appreciate the fact that he is making a point. But I am trying to make a point which I think is very compelling. Within a few days—December 28—1.3 million Americans will lose their extended Federal unemployment insurance benefits. It will be a tremendous trauma to those families, and it will be a huge impact for our economy going forward.

I have renewed my request for a full 1-year extension, and it has been objected to. I recognize that. But, I believe it is urgent we extend unemployment insurance benefits.

I also have been working closely with my Republican colleague, Senator HELLER, on a bipartisan basis to introduce a bill to extend these benefits for 3 months, giving us the opportunity to go and take a more deliberate and careful review of the program and also to provide for a mechanism to extend the benefits for a full year.

I am very pleased we are beginning to build bipartisan support for this initiative for at least 3 months. It does reflect the fact that my colleagues from all across the country are recognizing the huge impact of this loss of benefits. This is not a problem that is restricted to a particular area of the country. Nevada has the highest rate in terms of unemployment numbers. Rhode Island trails behind, but not by much. We are at over 9 percent. But you have States with high unemployment throughout the country: Michigan at 9 percent, Illinois at 8.9 percent, Kentucky at 8.4 percent, Georgia at 8.1 percent, Arizona at 8.2 percent. These are States that have significant issues with respect to unemployment and need the continu-

ation of this program to protect their families and also to provide stimulus for their local economies.

We have at this point in many of these places two unemployed workers for every available job. So this is not just a question of: "The jobs are there. Just go get it." The job is not there. Also, we recognize—I think we all recognize—the skill sets that are increasingly in demand are some of the skill sets that mature workers—people who have been working for 20 years, who have been every day of their lives going to the office or going to the mill or going to the plant are now competing with 20-year-olds who have sophisticated information technology skills and other skills in a climate where manufacturing is becoming sophisticated. Every sort of enterprise seems to be much more sophisticated and demanding a higher level of skills than years ago. So this is a very difficult time for workers out of a job, and I believe in this difficult period of time we need to extend these benefits.

There is extensive research on unemployment insurance and the labor markets that also supports the point that people who are on unemployment insurance want to go back to work. This is a very sort of pragmatic insight. In Rhode Island, for example, the average benefit is \$354 a week. For most workers, that is a fraction of what they were gaining in their job. They would love to be called back to work. They would love to find a job that fits their skills that is close to the pay they had or maybe less. But no one is getting this help and socking away a lot of money on their UI benefits.

Indeed, a recent report by the White House Council of Economic Advisers looks at the economic tradeoffs that are being faced. In their words:

In choosing the optimal unemployment insurance policy, policymakers must weigh competing costs and benefits. On the one hand, some argue that extending benefits may dull the incentives for unemployed workers to exert effort to search for another job, leading to increased unemployment—the so-called "moral hazard" effect. But on the other hand, providing benefits gives families income that can in the limit keep them from poverty but more generally can help them to finance a longer job search that might ultimately result in a job better matched with their talents, resulting in higher overall labor market productivity. . . .

These are important aspects that have to be considered. I think the consensus of many in Congress is that this program is not only necessary and essential, but it also does not significantly inhibit the willingness, the ability, the desire of people to get back to work.

Raj Chetty is a noted economist who studies these issues. He concludes:

Nearly a dozen economic studies have analyzed this question by comparing unemployment rates in states that have extended unemployment benefits with those in states

that do not These studies have uniformly found that a 10-week extension in unemployment benefits raises the average amount of time people spend out of work by at most one week. This simple, unassailable finding implies that policy makers can extend unemployment benefits to provide assistance to those out of work without substantially increasing unemployment rates.

That is the conclusion of a very well respected economist who has been looking at that issue for several years.

Once again, from the Council of Economic Advisers' report:

Finally, while economists have found only small disincentive effects of UI extensions, recent research shows that the effect of UI on job search behavior is even smaller in recessions as the moral hazard effect shrinks when jobs are scarce.

Let's get back to common sense. There are roughly two workers for every job. The benefits UI beneficiaries receive are a fraction of what they would get in the workplace. They want to get back into the workplace. The jobs are just not there. Frankly, we have not done enough. I would suggest, to put those jobs in place. We have to do more. But in the interim, we have to make sure these families have some benefits and some protection.

I am quite willing to work with my colleagues if there are changes that should be made, could be made. But we are facing this deadline. Unless we move—and I am disappointed we have not moved today—1.3 million people on December 28 lose their benefits. The checks will cease going out the following week, and our economy will take a hit next year of 200,000 jobs, about a 0.2-percent growth shrinkage in GDP. We can avoid that by moving today or moving tomorrow, certainly moving as soon as we get back, to make sure these benefits are in place.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. AYOTTE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. AYOTTE. Madam President, yesterday I came to the Senate floor to discuss two amendments I had filed to the budget agreement that would have addressed an egregious part of this agreement, which is the cuts to military retiree benefits. In particular, I think the most egregious part of it is to those who have been disabled. We have all been to Walter Reed and seen and met our brave heroes, some who have lost limbs, serving our country in Afghanistan and Iraq. Yet in this agreement we are cutting their cost-of-living increases for the retirement they earned on behalf of our country.

So yesterday I came to the floor to talk about what I think is an appalling

part of this budget agreement, but also to say, Why can't we amend the budget agreement and fix this now?

I offered two possibilities of how we could do that with two amendments I filed on this budget agreement. I am sure others could find in the trillions of dollars CBO has said we are going to spend over the next 10 years—\$47 trillion—we can find \$6 billion rather than taking it from our military retirees.

What happened yesterday on the floor was there was a motion to take down the tree so we could actually amend this budget agreement and fix provisions such as that, and it was voted down. So now we have no ability to amend this budget agreement, so I cannot bring the amendments I talked about yesterday to help our military retirees and ensure they do not get singled out in this agreement, which I think is appalling and wrong.

But I also cannot bring an amendment that I also filed that addresses an issue that is very important to the State of New Hampshire. That deals with an objection I have to a particular provision in the budget agreement that would make it easier for the Senate to pass legislation requiring online retailers to become the tax collectors for the States and the rest of the Nation—this so-called Marketplace Fairness Act that the Senate passed earlier this year.

Within this budget agreement there is what is called a reserve fund that allows the chairman of the Budget Committee to bypass certain procedural limitations that are normally allowed and procedural objections you have and all Members have to these types of legislation—budgetary objections—and these procedural objections are waived when these types of reserve funds are passed.

This provision, which I fought on the Senate floor on the Senate's budget—it did eventually get passed—is included in this agreement, even though since this body passed the Marketplace Fairness Act, the House has refused to take it up. The House has wisely found that there are major objections to this piece of legislation, which would require businesses—many of these businesses around the country that we see thriving on the Internet—to become the tax collectors for the rest of the Nation.

In fact, my State of New Hampshire does not have a sales tax. What it would require is that businesses in New Hampshire—online businesses that have written to me—it would place tremendous burdens on them. They would have to become the tax collectors for nearly 10,000 tax jurisdictions in this country, trampling on New Hampshire's choice not to have a sales tax, and also putting a tremendous burden on businesses to do the jobs of the States in becoming tax collectors for the rest of the Nation.

This legislation is bad for the economy, and I think it is bad for busi-

nesses, and particularly businesses in my home State of New Hampshire. So I object to the provision, the reserve fund, that is in this budget. I have filed an amendment that would strike that provision. But, again, no amendments are going to be heard on this budget agreement because the majority leader has filled the tree and said there will be no amendments heard, no matter the merits of the amendment, no matter how important the amendments are, including amendments I talked about that impact and help address the real egregious provision that impacts our military retirees.

This is just another example of an issue that is very important to the State of New Hampshire. Were I allowed to bring my amendment forward, I would have again expressed my opposition to this reserve fund that is within this budget, that is objectionable, that makes it easier to pass future legislation, a future version of the Marketplace Fairness Act, that will put a tremendous burden on businesses in New Hampshire. It is wrong to have online businesses become the tax collectors for the Nation.

I believe we should be allowed to amend this budget agreement, to vote on these amendments, and particularly on issues that are important to our men and women in uniform, as I have described. But not only that, this issue on the remote collection of sales taxes by online businesses throughout the country is a very important issue to the State of New Hampshire—which does not have a sales tax—but not just to the State of New Hampshire, to online businesses across the country that do not and should not have to be the tax collectors for States throughout the Nation.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BLUNT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Mr. BLUNT. Madam President, I wanted to talk about some solutions to our health care problems that have been out there for a while. Every time I hear someone say: There were no alternatives to the Affordable Care Act, there were no alternatives to what the President wanted to do—in fact, I heard the President say that multiple times last week, though it might have been multiple reportings of him saying it the same time. But there is no question he said it, that there were no ideas out there except his ideas.

That is just not accurate. We had and still have the best health care system in the world. But it was not perfect. It

does not mean it could not have been improved. It does not mean there were not ways to create greater access. For those of us who have held concerns from the very first about the proposals we are now seeing play out in front of American families and before the American people, before individuals who thought they could get insurance but did not, before individuals who had insurance that worked who are beginning to lose it—when we see that play out and hear: Well, this was the only idea out there—not the only idea at all.

At the time I was in the House of Representatives and proposed these to the House. They were not just bills we filed and did not talk about. In fact, a lot of this was covered very widely, even on occasion we had to have Republican-only hearings because the other side did not want to talk about these issues. They just wanted to talk about one way to solve these problems that I think is more and more clear may not be solving the problems nearly as well as they would have hoped for.

There are a number of proposals that could have created more access to the good health care system we had, solved problems that individuals had. Bills that I introduced, that I was either the principal sponsor or the cosponsor of, one of those would have been to allow small businesses to band together in either what you want to call small business health plans or association health plans where people who had a common purpose could come together and figure out—actually in our State we allowed people to do it, the State of Missouri, to have those associated health plans, so your small group of 5 or 10 or 15 people did not become the universe of the group you were trying to insure, but you would have true access to small business health plans.

I will be truthful. The insurance companies, for whatever reason, never liked that idea very well. But association health plans or small business health plans were one of the things—in fact, I cosponsored that bill with Congressman SAM JOHNSON, H. Res. 2607, if anybody wants to look back and see just how much we talked about this issue and how we dealt with it.

Another issue every time the President's health care plan comes up: What about coverage for young adults? I was the only person in the House, as I recall—and I have said this a number of times and have never been challenged—who actually filed a bill that said: Let's let people stay on their family insurance policies longer.

There are those out there since who have said: That expanded that too much. It was a slacker provision. It was not anything like that. It was an effort to take the most uninsured group in America—young, healthy people—and let them stay on their parents' health care.

It was an effort to get—I think the number we talked about was around 3

million—people access to policies they did not have access to at some level. In virtually every State, you could stay on your family policy until you were 21. In Missouri, I think the number was 23. The proposal I made was let's add 2 years to that and do it for the whole country. Let's say 25.

The President said in the Affordable Care Act, 26. I do not think I would have had a big fight about whether my bill that said let's let people be insured on their family policy until they are 25—if it was expanded to 26, I do not think that makes that uniquely the President's idea. That was a bill I sponsored. It would have helped young workers, college students. These are young healthy people, generally.

It would not have added much. I think it is not adding much to insurance costs for families or those who are otherwise insured. The idea that somehow we could not do that—every time this topic comes up, there is somebody who will jump up and say: Do you mean you want to take people who are now on their family policy and who are under 26 and take them off the family policy?

All we had to do to prevent that is pass one piece of legislation that may have been 40 words long—may have been 40 words long, may have been a couple of pages long. I know of all the ideas I introduced, the biggest one was 75 pages long. It was not a 2,700-page health care bill. The biggest of all the bills I introduced was 75 pages long. We could have done one or we could have done all of them. They would have worked. Some of these are on this chart right here: encourage wellness programs, reform coverage for preexisting conditions. We had high-risk pools that were working. There was a way to expand those high-risk pools so they would work better. We proposed that in legislation.

I was on the floor the other day and talked about a young man in Missouri who is 20 now who has had an illness since he was 18 months old. He gets fluid on his brain. He had his first surgery at 18 months. He went from his family policy to the high-risk pool, which worked pretty well for him for a number of years and is working right now. But on December 31 the high-risk pool goes away. He cannot get access to the doctors he has used his entire life on any policy available to him. So we have eliminated the policy he had that was serving him well and the physicians group he had his entire life. We have eliminated that by eliminating the high-risk pool.

Is that an improvement? Absolutely not. Could the high-risk pools have been expanded? Were there ways to do that? There absolutely were. Those were proposed.

Medical liability reform was one of the things we could have done and proposed. In fact, even in the last Con-

gress, I introduced in the Senate the Help Efficient, Accessible, Low-cost, Timely Healthcare Act, S. 1099. But that is very much like legislation that was available and could have become part of health care reform in 2009.

The safety net to be sure that emergency room physicians have particular protections on liability because they do not have any choice but to treat people, that is another bill I introduced this year that was very much in line with what we were talking about just a few years ago.

Insurance flexibility. In the 111th Congress I cosponsored H.R. 3824, the Expanded Health Insurance Options Act, which allowed people to buy across State lines through regional compacts, allowed States, if they wanted, to form compacts they could be part of that again would have been part of this solution.

Reform coverage for preexisting conditions. Encourage wellness programs. This is something that could make a big difference and is something we could have thought of ways and did think of ways to encourage. H. Res. 4038, the Common Sense Health Care Reform and Affordability Act that Representative CAMP and I introduced would have achieved this goal of looking for new and better ways to encourage wellness programs.

I am not done yet. But I will say, every time the President or anybody else steps up and says there were no other ideas, that is not true. There were other ideas that I believed then and believe now would work better. Every day, as the Affordable Care Act becomes more and more available to us, I am more and more convinced there were better solutions. I am absolutely offended by this constant discussion that there were no other ideas.

Prevent rescissions. We talked about legislation at the time that would have prevented canceling policies or prevented setting caps after somebody got sick. It does not take an entire government overwhelming the insurance marketplace to say here are two things you cannot do.

The Common Sense Health Care Reform and Accountability Act would have helped achieve that goal—prevent limits on coverage, encourage health savings accounts, encourage people to have a little of their money that is available to them to use for health care expenses. I tell you what I am seeing happen now. So many people are now looking at policies that have these huge deductibles. For most families, it is like not having a policy at all.

If someone has a policy similar to the one I was talking about on the floor the other day, reporting about a Missouri family where they were paying \$1,100 a month for insurance and they had a \$12,000 deductible, is that truly insurance? For most families is that truly insurance, \$24,000 out of their

pocket before their insurance paid anything?

But it meets all of the better coverage supposedly that the President says we now have. It met all of those standards. It could be made available. But it had deductibility—as many of these policies do. We are going to find all of this out quickly.

The only thing worse than the Web site not working may be the Web site working. Because when the Web site begins to work, people are going to have the facts. There is no reason to argue about the facts. The President continues to say people are going to have better coverage for less money. We are going to know in the next 90 days or so how true that is.

I am sure some people are going to find better coverage for less money. I am equally sure most people are not going to find that.

So health savings accounts; increased transparency—this is an idea which is actually in the bill, but they haven't pursued it, where you tell health care providers they have to give more information about what they charge and what their results are. This act passed 3½ years ago, almost 4 years ago, and it says in the law that they can require providers to do that, but nobody has passed that rule or regulation yet. This is something that would have helped.

Most of the time, you go to the hospital, particularly if it is something you have scheduled, you are in the car on the way to the hospital, and knowing who gets the better results—or who gets the same results for the lower price would be very helpful information for most Americans and most American families to have.

Reform tax treatment. This was another idea we talked about widely. If you buy your insurance on your own or you get your insurance at work, there needs to be equity in that tax treatment; whether you cap what you can get at work and allow that same tax credit if you buy it as an individual—there are lots of ways to do this.

The point is that there were lots of ideas out there. I am persuaded that these ideas right here, which would have cost taxpayers virtually nothing, would have had minimal impact on the cost of insurance but would have had a lot of impact on a bigger marketplace, more choices, not fewer choices, and would have been a better way to go.

There were ideas. At some point we may very well need to return to these ideas because at some point we may decide the course we are on is unworkable.

Americans shouldn't look at that and think we have to go back to the old system unimproved. There are plenty of ways to improve access to the best health care in the world. Diminishing that health care system is not one of those ways.

I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Tennessee.

Mr. ALEXANDER. Thank you, Mr. President.

I congratulate the Senator from Missouri for his comments. Sometimes I think Republican Senators especially should begin and end every speech with an answer to the question, What would the Senator do if he were in charge? And the Senator from Missouri has said that very eloquently. It is not the first time what Republicans would do has been said on this floor. He mentioned that the law was passed 3½ years ago. We counted it one time. We mentioned 173 times on this floor the Republican step-by-step proposal for a different approach to health care in this country.

We said: Don't expect Senator MCCONNELL or any other Republican to come in with a 3,000-page Republican bill in a wheelbarrow. We don't believe in that. We believe in a different direction, a different approach. We don't believe we are wise enough in Washington to write 3,000 pages of rules to govern every aspect of our health care system in America that takes 18 or 19 percent of the economy.

We live in the iPhone age, where we want to increase the personal freedom of Americans to live longer, better, safer, and healthier. We want people to be able to do these things for themselves. We want to increase choice, competition, and in that way lower costs. If we lower costs, then more people will be able to afford to buy health insurance. That is the real way to expand health insurance in America—make it more affordable; make it so people can afford it.

So I am beginning these short remarks with a salute to the Senator from Missouri for talking about what we would do if we were in charge, and I am going to end in that way as well.

For the last couple of months, we have heard countless stories from constituents who are losing the health plans they purchased on the individual market.

According to America's Health Insurance Plans, there are 19 million Americans in the individual market. The Obama administration knew in 2010 that the rules it wrote for health plans would mean that 47 to 60 percent of those policies could not be legally offered under ObamaCare by 2014. Nevertheless, the President still said, "If you like your health insurance, you can keep it."

Now we all know that wasn't true. According to news reports collected by my staff, at least 5 million Americans, including 82,000 Tennesseans, will lose their individual plans starting January 1. That is an unwelcome Christmas present for those 82,000 Tennesseans. 16,000 Tennesseans are losing their Cover Tennessee plans; these are people

who especially need help. There are also 66,000 Tennesseans who will lose their Blue Cross Blue Shield of Tennessee coverage.

I heard from a woman named Emilie, who is from Middle Tennessee. She is 39 years of age and has lupus.

She wrote:

I cannot keep my current plan because it doesn't meet the standards of coverage. This alone is a travesty. CoverTN has been a lifeline. . . . With the discontinuation of CoverTN, I am being forced to purchase a plan through the Exchange. . . . My insurance premiums alone will increase a staggering 410 percent. My out-of-pocket expense will increase by more than \$6,000 a year—that includes subsidies. Please help me understand how this is "affordable."

Unfortunately, Emilie is not the only one experiencing rate shock. Millions of Americans are losing their insurance plans. They are being forced to buy new plans, many of them with higher premiums, deductibles, and coinsurance.

According to data from the Department of Health and Human Services, Tennesseans can expect to pay up to three times more on the exchanges being set up under ObamaCare for the health insurance they now have.

In 2013, a 27-year-old man in Memphis can buy a private insurance plan for as low as \$41 a month. On the exchange, the lowest State average is \$119 a month—a 190-percent increase.

Today, a 27-year-old woman in Nashville can buy a plan for as low as \$58 a month. On the exchange, the lowest priced plan in Nashville is \$114 a month—a 97-percent increase. Even with a tax subsidy, if she made \$25,000 a year, the plan would be \$104 a month—almost twice what she could pay today if the \$58 plan was all she felt she needed.

Today, women in Nashville can choose from 30 insurance plans that cost less than the administration says insurance plans on the exchange will cost, even with the new tax subsidy.

In Nashville, 105 insurance plans offered today will not be available in the exchange.

According to HealthPocket Inc., a consumer-oriented health research firm, the average individual deductible for a bronze plan on the federally run exchange is \$5,081 a year. That is 42 percent more than the average deductible of \$3,500 for an individually purchased plan in 2013. According to Deloitte, that is 348 percent more than the \$1,135 average deductible for an employer health plan in 2013.

These are a lot of numbers, but Americans—millions of them—are getting familiar with these numbers because this has gone from being political to very personal.

According to Avalere Health, 90 percent of bronze plans require patients to pay 40 percent of the cost of their tier 3 and 4 drugs out of their own pockets, compared with 29 percent of employer-

sponsored plans that most Americans currently use. Most silver plans also require patients to pay 40 percent. For cancer patients and those with chronic illnesses, this kind of cost sharing could mean they will pay thousands of dollars out-of-pocket or go without the drugs they need to stay healthy.

Americans had to wait until the exchanges opened on October 1 to find out just how much they were going to have to pay for insurance in 2014. With such dramatic hikes in premiums and out-of-pocket expenses, it is no wonder that Americans are outraged.

Then, just before Thanksgiving, we learned that the Obama administration is delaying open enrollment for 2015 until after the midterm elections in November. The only American consumers this change will help are Democratic politicians who voted for ObamaCare because it would delay disclosure of some of the law's most insidious effects until after the election.

Senators BARRASSO, ENZI, and I introduced today the Premium Disclosure Act. We want to change the open enrollment date back to October and provide Americans notice of their premiums and cost-sharing requirements 30 days in advance so that they can plan for the future knowing their health care costs for the next year. This is a commonsense proposal that I hope my colleagues will support.

As my colleague Senator BARRASSO likes to say, what we know now about ObamaCare is just the tip of the iceberg. Much of the media attention has focused on the disastrous rollout of the Web site and the 19 million Americans in the individual market. But just below the tip of the iceberg are 160 million Americans—nearly 10 times more than have individual policies—who the Congressional Budget Office says get their insurance through the job, employer insurance.

Think about issues such as restrictive grandfathered plan rules, limits on the number of hours employees can work and be considered part time, the mandate that employers provide government-approved insurance or pay a fine, and the millions of dollars in new taxes on health plans. All of these issues will have an impact on employer-sponsored health insurance in both the public and private sector. We are already seeing that. Employers such as Sea World, Trader Joe's, The Home Depot, and other companies have publicly said they are reducing worker hours or dropping part-time employee health benefits. The chief executive officer of Ruby Tuesday, a restaurant company, told me that the cost to implement ObamaCare would be equal to the profit his company earned all of last year.

In case you think these are isolated examples, the National Association of Manufacturers says that more than three-fourths of manufacturers cited

rising health care and insurance costs as the most important business challenge. The U.S. Chamber also has a membership survey saying that 74 percent of businesses are reporting that the health care law makes it harder for their firms to hire new workers. This is at a time when jobs are supposed to be the principal concern in our country.

Many of these businesses self-insure, meaning they design and pay directly for the health plans they offer their employees. According to the Kaiser Family Foundation, more than 100 million Americans currently have employer-sponsored health plans that are self-insured.

Self-insurance is a method of providing health insurance that has worked well since its inception in 1974. It needs to be preserved. Last month Senators RUBIO, RISCH, McCONNELL, and I introduced a bill to make sure the Obama administration doesn't change that, doesn't change the rule that allows the companies to insure themselves against a medical claim that could bankrupt them. Any effort by the Obama administration to change the rule on companies that self-insure will break the President's promise to millions of Americans. It won't matter if they like their employers' health plans; they won't be able to keep them.

It is not only the private sector facing fiscal challenges because of ObamaCare. Our Nation's schools, colleges, and universities are also being hit hard. There is no shortage of examples in my State of Tennessee of local leaders dealing with the burdens of ObamaCare.

The Franklin Special School District has begun limiting substitute teachers to working 4 days a week in order to avoid paying between \$1 million and \$4.5 million more per year in health care costs.

Maury County Schools, south of Nashville, is also limiting its substitute teachers to no more than 28 hours a week for the same reason. One school board member told the local news:

Students struggle enough having one substitute teacher, but then now we're going to have to possibly split the substitute time between two substitute teachers. It just makes it hard on the students to learn.

Wilson County Board of Education wrote to tell me that ObamaCare's reinsurance fee will cost the district an additional \$165,000 in 2014 alone.

At least eight other Tennessee school districts are reportedly limiting employee work hours or entire jobs, including Clarksville, Rutherford County, Johnson City, Carter County, Washington County, Oneida Special School District, Scott County, and Stewart County.

Cumberland University in Lebanon has adopted a new policy to limit adjunct faculty to no more than three

courses each term, meaning they won't be able to offer a course even if they are the most qualified instructor available.

The impact of ObamaCare on education is by no means limited to Tennessee. Investor's Business Daily has identified well over 100 school districts and institutions of higher education nationwide that have made cuts or limited employee work hours because of ObamaCare. That number is climbing daily, again suggesting this is only the tip of the iceberg.

Remember, what we are hearing about today are individual policies. What we are going to hear about next year are employer policies being cancelled, new costs, and there are 10 times as many Americans with employer policies as individual policies. Who pays the price for this? Our children. Cash-strapped schools simply don't have the money to absorb these costs, so they are forced to make difficult choices.

For these reasons—broken promises, higher costs, fewer choices—ObamaCare was an historic mistake. It expanded a health care delivery system that already costs too much and left Americans with fewer choices.

I said at the beginning of my remarks that I would like to end in the same way, and I will do that with an answer to this question: What would we do if we were in charge? What if we elected a Republican Senate and even a Republican President in 2016? We would replace ObamaCare, not by moving backward, but by moving in a different direction.

Remember, ObamaCare's real problem was it expanded a delivery system that already costs too much. What we would do instead is go step by step to introduce new ways to increase choices, to have more competition and to lower costs. We would make Medicare solvent, so seniors can depend on it. We would give Governors more flexibility with Medicaid so they can create programs with lower costs. We would repeal the ObamaCare wellness regulation—the Senator from Missouri talked about that—and replace it with one that makes it easier, not harder, for employers to give employees lower health insurance costs if they live a healthy lifestyle. We would let small businesses pool their resources and offer low-cost insurance plans for their employees. The Congressional Budget Office says that Senator ENZI's bill would allow coverage for 750,000 more Americans at a lower cost if we did that. We would allow families to purchase insurance across State lines. If there is a policy regulated by Kentucky that fits my needs, and I want to buy it, why shouldn't I be able to do it if I can afford it? We will expand health savings accounts. We would incentivize the growth of private health insurance exchanges. That is beginning to develop all across our country, giving

more choices to employees. We would make it easier for patients to compare prices and quality of doctors and medical services. We would incentivize States to reform junk lawsuits. Those are the steps in the right direction where we would like to go.

When Irving Kristol died not long ago, James Q. Wilson wrote a tribute in *The Wall Street Journal* which struck me. He said when they began their association as neoconservatives—they were mostly Democrats—he said we were policy skeptics. He said that was mainly what our common view was. By that, I think he must have meant they did not believe Washington could, through a comprehensive piece of legislation, fix our whole health care system; that what Washington should do, particularly in this iPhone age, is to go step by step in a direction that gives more personal freedom to consumers, to Americans, so they can live longer, live healthier, live safer, and be happier.

That is what we would like to do. That is how we would like to change ObamaCare, and we would like to have that opportunity.

So unfortunately, an unwelcome Christmas present this year for 82,000 Tennesseans is that they are losing their individual policies. Even more unfortunately, an unhappy New Year is coming, in which hundreds of thousands of Tennesseans will lose their employer policies—the policies they get through their employers—because of ObamaCare. We are ready to go in a different direction and create a way for Americans to have more choices, more competition, and insurance they can purchase at a lower cost.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, first of all I want to commend my friend, the Senator from Tennessee. There is no one in this body who is more thoughtful, works harder on issues, and has shown more willingness to find common ground on a host of issues.

I also want to compliment the earlier speaker, the Senator from Missouri, who laid out a series of items that should be components of any kind of health care reform.

As somebody who is a former Governor, as is the Senator from Tennessee, I have managed a Medicaid program. As somebody who has been a private sector employer and managed private health insurance plans, I know this is a conundrum that has to be solved.

What I don't hear sometimes is folks recognizing the status quo was leading this country down a path that was unsustainable, and I look forward to working with the Senator from Tennessee, the Senator from Missouri and others to see how we can go about fix-

ing the challenges in ObamaCare. I remember when I voted for what I called a very imperfect piece of legislation, but recognized the status quo was not a place that could be maintained.

There are a couple of points I want to make, although I am here to talk about the budget. When we talk about the very attractive components of not discriminating against folks with pre-existing conditions—and I say that as somebody who has a daughter with a major preexisting condition—and when we talk about preventive care and other items that are the “nice to have” or “we like” components, those of us who have wrestled with health care—and I started the Virginia Health Care Foundation 20 years ago—realize that when you push on one end of health care it pops out someplace else. It would be great to be able to do this in segmented parts, but I believe to get the kind of reform that was necessary you have to make a more extensive program.

As someone who stands here speaking from an IT standpoint, let us acknowledge the unprecedented disaster of the rollout of the Web site. But what I don't hear from my colleagues is that beneath all these challenges there are positive points. Look at the rise of health care costs on a macro basis, back 3 years past, when Simpson-Bowles and those of us involved in the budget—which is what I am here to talk about—were engaged in this issue. You look at the decrease in the amount of health care cost increase. If you look at the slope's decline, it is hundreds of billions of dollars of savings in the projected CBO cost of Medicare and Medicaid.

Look at one of the areas that was of enormous concern, one of the broken parts of our health care system—hospital readmission rates. Those rates have dropped dramatically.

I hear the stories of folks who are upset with the implementation of ObamaCare, but I also hear the stories of folks who have never had health care and who are finding it now at rates that are more affordable than in the past or in the past they didn't even have an option of getting health care. This is going to require fixes.

Let me comment on one of the areas most talked about—this notion of the President saying if you want to keep your health care policy, you can keep it. What this Senator has tried to do, as we move past the rhetoric into how we actually try to fix this, I have worked with our State insurance commissioner to take advantage of the opportunity for plans within the Commonwealth of Virginia to extend their coverage for at least 1 additional year, and we are starting to see some progress—not as much as I would like but some progress.

Today, with a group of my colleagues, we have written the adminis-

tration to suggest that so there is not a gap in coverage, particularly for those folks above the age of 30, because of the transition, who may find themselves faced with higher costs, let's present at least a catastrophic plan under the hardship exemption and view that in a broad way. Again, this is so that folks can find, during this transition period, health care that is affordable.

As someone who believes we need to ensure the commitment of the President and others—I have stated it as well—that you can keep your health care plan, I have joined with Senator LANDRIEU for a legislative fix, if these other items don't go far enough.

As other Senators have said, there will be other issues coming up. When you are going through the reform of 17 to 18 percent of our whole economy that is connected to health care, it is going to take the willingness and good faith of people on both sides of the aisle to actually not simply relitigate the direction but to recognize how we move on from here, and I would welcome any colleagues who are willing to engage in that kind of productive dialogue, discussion, and laying out of ideas.

But this afternoon, we actually are going to be doing something that, in an otherwise fairly bleak year of accomplishments and in a Congress that may set record lows in terms of legislation passed and approval ratings, will actually end the year with something we should at least recognize as a step forward.

I remind my colleagues it was just 2 months ago we were in the midst of an unprecedented government shutdown, where millions of Americans were furloughed; where America had furloughed three Nobel prize-winning physicists who work at NASA and who were somehow deemed nonessential; where private sector folks in the tourism industry—whether in New Mexico or Virginia—were seeing a dramatic fall-off in tourism because of national parks being closed; where we were inflicting upon this economy somewhere in the neighborhood of \$30 billion to \$40 billion of unpredicted economic loss simply because we couldn't get a budget. But this afternoon it is my hope we will at last close that chapter. My hope is this afternoon we will vote on a budget agreement for 2 years. While it is not as grand or as comprehensive as I would have liked, it will perhaps demonstrate to the American people that although we have had to crawl before we could walk, walk before we could run, we have put forward a bipartisan compromise.

A great deal of the credit goes to Chairman MURRAY and Chairman RYAN. This agreement says for at least the balance of this fiscal year and for the next, we will take off the table the threat of another shutdown, of unprecedented furloughs. It says we will not

relax our focus on deficit reduction, and we will not add to the debt, but we will actually do a little more—about \$20 billion more in deficit reduction—and we will demonstrate this institution can actually put the country ahead of partisan interests.

In this compromise not everyone got what they wanted. I would have argued strongly that the big enchilada remains. How do we really take on, in a major way, that \$17 trillion debt that clicks up about \$4 billion a night? That would mean both political parties have to give on their sacred cows. It means we have to generate additional revenues through meaningful reform of a completely disastrous Tax Code, and yes, it means for folks on my side, we have to make sure the promise of Medicare and Social Security and other entitlement programs are here not just for this generation but for 20 and 30 years from now.

Some of those challenges will have to be put off for another day, and there are many in this body on both sides of the aisle who may have a chance to surprise some folks next year in laying out some specific ideas on how we can move to that bigger bargain. But we should not underestimate what we do today.

I have spent a longer time in business than I have in elective office, and what this country is yearning for, what consumers are yearning for, what business leaders are yearning for is just a little bit of predictability. We have seen growth rates go up higher than estimated. We have seen job growth coming quicker—as monthly revisions are made—and going up even higher than we thought. The single best thing we can do is to make sure we remove the cloud of further disruption caused by Washington. So what we do today with this small step—but a step we shouldn't underestimate—is to get rid of that threat for the next 2 years.

So I look forward to supporting this bipartisan agreement. As I mentioned, it rolls back the most draconian parts of sequestration. Sequestration was set up to be the most stupid option so that no rational group of people would ever agree to it. I call it stupidity on steroids. So this budget agreement gets rid of the worst brunt of that sequestration and then gives this body and our colleagues in the House the ability to actually fashion a budget for 2 years that will also allow them to allocate within these still historically lower numbers.

So I will vote for this compromise, but as with any compromise, there are particular provisions of this compromise I would not have agreed to and that I do not support. One of those provisions is a component that unfairly singles out our military families. Our military families over the last decades—plus have fought two wars. They have made unprecedented sacrifices. Often

they have been the only Americans making sacrifices through many of the years in the last decades.

Virginia is home to the Nation's largest concentration of Active-Duty and retired military personnel, and I consider it an honor to represent them here in Congress. The component of the budget compromise that singles out these military retirees for a decrease in their cost-of-living increase was not an appropriate component. But rather than saying let's flush the whole deal down, I will vote for this deal, with the idea in mind—similar to my approach to the health care bill—that we will attack this problem and fix it, and I have a fix I will propose to replace this component going forward.

I have been joined in this effort by my friend from Virginia, Senator Kaine, and former Governor Senator Shaheen, to introduce legislation which would eliminate this close to \$6 billion hit on our military retirees. Our legislation doesn't add to the debt or deficit but would replace this unfair hit to our military retirees by closing certain corporate tax loopholes, which would generate sufficient revenue to make sure our military families would not be unfairly affected.

I know in a grander bargain all things may be on the table, but in this smaller deal we should not be singling out our military families and those retirees for this undue burden.

I believe and I hope other colleagues on both sides of the aisle, as we get this budget compromise passed, will join in this effort to substitute out this \$6 billion provision for what I believe would be a much more readily acceptable \$6 billion provision in terms of change in the corporate tax law. I know the chairman of the Budget Committee from our side of the aisle would welcome this kind of substitution. Her job was to get a deal and she did that job, she got a deal, and I look forward to supporting her.

I will close with these comments. Virginians have served with honor in our military for generations. I assure our service men and women that because of this provision—which doesn't take effect until 2016—we have ample time to make this substitution.

We are being joined on the floor by Senator Shaheen, the original sponsor of this legislation, and I remain committed to working with Senator Shaheen, Senator McCain, and any Member of this body from either party, to work on this deficit reduction package, this substitution, which would relieve this burden.

I hope later this afternoon we can build on the overwhelming support this compromise budget measure received in the House, and believe a strong bipartisan vote today—actually, yesterday, when we cleared cloture—is an indication it will hopefully get the same kind of vote today.

Regardless, I believe we will pass this budget compromise and we will show this body can work, and American families can go into the holiday season without the potential threat of another government shutdown hitting them mid-January.

I again thank the chairman of our Budget Committee for the enormous amount of time she put into this effort. She had lots of folks pushing and pulling her from every direction. As someone who still aspires to be part of a grander bargain and a bigger deal, our day will come again; but in the meantime, later this afternoon we will do the people's work and make sure we do our most essential requirement, which is to present a budget which is fiscally responsible, takes down our deficit, and allows our government to move forward and our economy to grow.

I yield the floor.

Ms. COLLINS. Mr. President, I rise to speak on the bipartisan, bicameral budget agreement that is currently before the Senate.

This budget agreement, while far from perfect, will help move our economy forward, create certainty that has been sorely lacking for far too long, and save some \$23 billion over the next decade. It has been 4 years since the House and Senate have reached an agreement on a budget that sets priorities for Federal spending and revenues. While the 2-year budget agreement worked out between Senator Murray and Congressman Ryan is not what I would have written, it is a step in the right direction. It will prevent Congress from lurching from crisis to crisis, avoid most of the across-the-board, meat-ax cuts known as sequestration, and will allow the Appropriations Committee, of which I am a member, to do its job of developing bills to responsibly fund the government within agreed to limits.

Over the last 9 months since sequestration went into effect, I have met with countless Mainers, including shipyard workers, medical researchers, educators, Border Patrol agents, small business owners affected by the delayed opening and shutdown of Acadia National Park, and nonprofit organizations providing services for the low-income and the elderly. All have shared stories of their personal experiences with how the indiscriminate cuts of sequestration have affected them, their families, and those whom they serve. The sequester has had a detrimental impact on Mainers and our country and is not the right approach to reducing our enormous debt. The \$65 billion in sequestration relief provided by this agreement will help mitigate the effect on our economy moving forward and allow Congress to prioritize those programs that are most effective over those that are wasteful, duplicative, or simply no longer necessary.

The agreement will spare the Department of Defense some of the devastating sequestration cuts that Pentagon officials testified could cripple military readiness, harm our national security, and affect thousands of defense-related jobs that are vital to our economy in Maine and in the United States. It also begins to address the harmful impact of indiscriminate cuts made to vital programs such as transportation, education, and biomedical research.

It is critical that Congress continue to work to bring spending under control. Our national debt now stands at an almost incomprehensible \$17.2 trillion. This sum, along with rising interest payments, is our legacy to future generations and simply must be responsibly addressed. This agreement will save \$23 billion over the next 10 years and help prevent government shutdowns over the next 2 years.

I am, however, deeply disappointed that this agreement includes a reduction in the annual cost of living increase for some current military retirees. We must honor the service and sacrifice of the brave men and women who served our country so that they can continue to have access to the benefits they worked so hard to earn and that were promised to them. The significant changes to military retirement included in this budget single out current retirees and change the rules for them, and that is not fair.

In 2012, I was a member of the Armed Services Committee when we created the Military Retirement and Compensation Modernization Commission with the precise purpose of comprehensively examining this issue in a thorough way that protects current retirees and ensures that the military retirement system is offering the right incentives to recruit and retain the most qualified and experienced servicemembers at a time of budget constraints.

I have raised my concerns with my colleagues about the military retirement provisions in this agreement and will work to ensure that this issue is addressed before it is set to take effect in January 2016. The chairman of the Armed Services Committee has already committed to reviewing this change at the start of next year. I intend to do everything I can, in conjunction with the leadership of the Armed Services Committee, to identify a more reasonable approach to this problem that would provide the same level of savings while protecting current retirees.

The American people are weary of watching a Congress that can't work. We saw the result of this dysfunction when the government shutdown in October. That is why I worked so hard to forge a compromise that helped get Congress functioning again. We simply must avoid another shutdown and put our Nation back on a sound financial

footing. In my judgment, this agreement takes the first steps on a responsible path forward.

Ms. STABENOW. Mr. President, I would like to join several of my colleagues who have already spoken to clarify the intent of an important provision in the Bipartisan Budget Act that the Senate is currently considering.

Section 203 of the legislation is intended to prevent criminals from using information in the Death Master File, DMF—a list of recently deceased individuals that includes personal information such as Social Security numbers—to steal their identities to commit fraud.

At the same time, the provision is intended to allow those who must use the DMF for legitimate business or official purposes, such as paying life insurance proceeds, preventing fraud, and addressing unclaimed property, to continue to have access to the information they need.

Under this provision, the Secretary of Commerce is required to establish a program that will restrict public access to an individual's personal information on the DMF for a 3-year period after his or her death. The Secretary will also determine individuals certified under the program who will maintain access to the Death Master File for legitimate business or fraud prevention interests. These include State authorities, life insurance companies, and other legitimate users.

To strike this balance between stopping criminals and allowing legitimate users to perform their responsibilities, the provision intends for the Department of Commerce to follow rule-making procedures allowing for sufficient notice and comment from the public and interested parties. The provision is also intended to allow legitimate current users of the Death Master File to continue accessing DMF information until the certification program is established.

I understand that Senator NELSON, the original author of this provision, engaged in a colloquy with Chairman MURRAY and Senator CASEY, clarifying its intent. I salute Senator NELSON for his leadership in crafting a strong and well-targeted response to the important issue of identity theft.

Mr. LEVIN. Mr. President, in comparison to recent battles this Congress has fought over the budget, the legislation we consider today represents progress. Instead of government by crisis and hostage-taking, we have before us an agreement negotiated by the Senator MURRAY, a Democrat, and Congressman RYAN, a Republican, a negotiation in which neither side got all that it wanted, but both sides found acceptable middle ground. That is not a common event around here these days. Significantly, by reaching agreement, they have offered us a way to avoid a

potential government shutdown in 2014. And they have provided a way to offer some relief from the damaging impact of sequestration.

So I will support this agreement. But I will not do so without reservation. Despite what it offers, this budget agreement falls short of what I believe we need to accomplish in three significant ways.

First, while the agreement provides some modest relief, it leaves more than half of the irrational meat-ax cuts of sequestration in place over 2 years. As a result, important programs to protect and promote national security, public safety, health, transportation, education, and the environment will remain under-funded. A balanced package that included measures I have recommended to close loopholes that allow profitable corporations to avoid taxes by sending their revenue and assets to offshore tax havens would, if passed, do far more to address these problems.

Second, this agreement does not include an extension of emergency unemployment benefits for 1.3 million people. Those benefits end in less than 2 weeks. Failure to extend these benefits would mean more than 43,000 workers in my state of Michigan would lose unemployment benefits at year's end. In the first 6 months of 2014, more than 86,000 additional Michigan workers would also lose benefits if we fail to act. This is both cruel and economically self-defeating. At a time when job creation remains slower than any of us want, and when nationwide there are roughly three job seekers for every available job opening, removing the safety net that keeps families from falling into despair is unjust. And the reduced economic activity that will result will cost thousands of jobs, making our economic recovery even slower. The Republican refusal to include extended unemployment benefits in this legislation is deeply disappointing. Majority Leader REID has expressed determination to take up an unemployment benefit extension bill in January. It is essential that we do so.

Third, the agreement includes a provision that would reduce cost-of-living adjustments for working-age military retirees. This is a troubling provision because it singles out a group of veterans, and therefore I have decided the Senate Armed Services Committee will review the retirement benefit changes next year, before they take effect in 2015. This proposal is yet more evidence of the fact that the only fair solution to the sequestration problem is a balanced, comprehensive deficit-reduction agreement. The major impediment to such an agreement has been the inability of some in Congress to accept the necessity of real additional revenue, such as closing tax loopholes used by highly profitable corporations to avoid paying taxes by transferring assets and

revenue to subsidiaries in offshore tax havens.

These shortcomings in the budget legislation before us are significant, but nonetheless this legislation does offer important benefits. The sequestration relief, though smaller than many of us would like, is significant. Over the course of the last year, the Armed Services Committee has repeatedly heard from our senior military and civilian defense leaders that the rigidity and extent of the sequestration puts the security of our Nation and the lives of our troops at risk. Sequestration has also shut Head Start classrooms, labs researching cures to life-threatening diseases, and clinics providing health care to the needy and elderly, among many unwise effects.

Again, this legislation offers the only available way out of the cycle of crisis that brought us a damaging government shutdown in November. That shutdown was extraordinarily disturbing to every American who expects Government to operate without the constant threat of shutting down.

So on balance I support this legislation because of the modest positive changes it makes from the status quo, and in the hope that this is the first step toward a more comprehensive and more balanced deficit-reduction agreement to replace the rest of sequestration. This agreement likely represents as much progress as we realistically can make in the absence of a balanced, comprehensive budget agreement. Again, the major stumbling block that prevents us from reaching such an agreement is the reluctance of so many Republicans to consider additional revenue, particularly the substantial revenue available to us through closing unjustified tax loopholes. It is essential that we spend the coming weeks and months working toward a better, more balanced, fairer, more comprehensive solution.

Mr. MARKEY. Mr. President, I support the Murray-Ryan budget agreement, even though I disagree with a number of provisions included in the bill, because it includes balanced savings to roll back sequestration for the next 2 years and help restore much needed certainty to government agencies and our economy.

Sequestration is just a fancy word for cuts—mindless cuts. I strongly believe we must end the mindless, across the board cuts from sequestration which have significantly reduced funding for a number of Federal programs that are critical to Massachusetts families and businesses.

Sequestration has also significantly cut Federal spending on the research which has been critical for the development of the Massachusetts economy and will damage our economy in the long-term.

Under the Murray-Ryan agreement, sequestration under the Budget Con-

trol Act would continue. However, the size of sequestration will be rolled back and the Appropriations Committee will have the authority to make changes to existing spending rather than be required to impose an across the board cut. The agreement would set overall discretionary spending for this year at \$1.012 trillion—which is about \$46 billion less than the Senate budget level and \$45 billion above the level set in the Budget Control Act. Spending would increase only slightly next year. Unfortunately, this legislation does not eliminate sequestration from future years, in fact the agreement extends sequestration for 2 additional years (fiscal years 2022–2023).

The agreement includes dozens of specific deficit-reduction provisions, with mandatory savings and non-tax revenue totaling approximately \$85 billion. Those provisions include higher security fees for airline passengers, reduced contributions to Federal pensions, higher premiums for Federal insurance for private pensions, and savings from not completely refilling the strategic petroleum reserve.

Finally, the agreement would reduce the deficit by between \$20 and \$23 billion. It also includes a 3 month extension of the Medicare Sustainable Growth Rate, SGR.

It is unfortunate that this agreement fails to include a critical extension of unemployment insurance, which is a critical component of our ongoing recovery and a lifeline to millions of Americans seeking employment. As a result of objections raised by the minority in the Senate, unemployment insurance will terminate just a few days after the holiday season ends. This action will cut off support desperately needed by more than 1.3 million Americans including more than 30,000 in Massachusetts. The U.S. Department of Labor has found that for every \$1 of unemployment benefits spent, \$2 of economic activity are generated. Extending unemployment benefits would increase our Gross National Product by 0.2 percent and create more than 200,000 jobs in 2014 alone. These Americans need our help and deserve our best efforts to resolve this issue before we adjourn for the year.

Before the Senate adjourns for the year, I hope that the Senate can act on the Emergency Unemployment Compensation Extension Act which would reinstate and continue Federal support for unemployment insurance (UI), effective January 1, 2014, for an additional 3 months to temporarily prevent the expiration of benefits for 1.3 million Americans. I am a cosponsor of this legislation because it would allow all States to continue Federal unemployment insurance without a lapse from January 1, 2014. The bill would also allow any State whose agreement was previously terminated in 2013 to enter into a new agreement with the

Department of Labor for emergency unemployment compensation.

I have heard from a number of veterans from Massachusetts who have expressed their deep concerns about a provision in the budget agreement that would reduce the annual cost of living increase for military retirees under the age of 62. I am concerned that this provision could have a serious financial impact on these patriots and their families who fought to protect our freedom. The retirement compensation of servicemembers and Federal employees should never be reduced to lower our deficit especially while corporate tax loopholes and billions in subsidies for oil companies remain on the books.

I am proud to cosponsor the Military Retirement Restoration Act. The bill would replace the cuts to military retiree benefits from the Murray-Ryan Budget Agreement by preventing companies from avoiding U.S. taxes by abusing tax havens. I am hopeful that the Senate will be able to consider this legislation early next year. I also strongly support the review of this provision by Senate Armed Services Committee Chairman LEVIN before it takes effect in December 2015. Finally, I await a comprehensive review of the military retirement and compensation systems being conducted by the Military Retirement and Compensation Modernization Commission established by Congress which can provide a better solution than the one included in the budget agreement for military retirees.

I would also like to speak about another provision of the Bipartisan Budget Act: section 203, which limits access to the Social Security Administration's Death Master File, DMF. The DMF is a little-known but critically important piece of our Social Security system. It is the authoritative index of all deaths reported to the Social Security Administration from 1936 to the present, an index that contains over 85 million records of death. The DMF is therefore the prime tool available to formally confirm the death of an American citizen, and a variety of enterprises, from life insurers to pension funds, rely on the DMF to administer benefits and premiums.

Under section 203 of the Bipartisan Budget Act, access to the DMF will be greatly restricted. From now on, the Department of Commerce will not be allowed to disclose information in the DMF with respect to a newly deceased person for 3 years except to persons certified under a new program managed by the Commerce Department. Under this new program, which has yet to be established, certification will be given only to those persons who have either a legitimate business or fraud prevention interest and have processes in place to safeguard the information. The goal of section 203 is laudable—to prevent persons from using the DMF to engage in identity theft and fraud. Given the sensitive nature of this information, it is

good that steps are being taken to prevent the misuse of this data.

Yet, while I support the goal of this section, I am concerned about how it will be implemented. Many insurance companies and pension administrators rely on the DMF to determine when benefits should be paid to their beneficiaries. In fact, nine States actually require that insurers access the DMF prior to the payment of benefits. These companies' access to the DMF is critical to their efforts to serve consumers, and their access cannot be interrupted while the Department of Commerce creates its new access certification program. Similarly, State Treasurers and Comptrollers, and their authorized personnel, also use the DMF for important purposes and need continued access while the regulations are being developed by the Secretary of Commerce.

I therefore urge the Department of Commerce to take immediate regulatory action to ensure that insurance companies, pension plans, and State Treasurers and Comptrollers' access to the DMF is not inhibited during the initiation of the certification program and that all parties have an opportunity to obtain certification prior to losing access to the DMF. The Department of Commerce should also ensure that stakeholders, both in the industry and in the beneficiary communities, have an opportunity to provide input on any rulemakings regarding either the certification program or the access restrictions themselves.

Earlier this year, I released a report that outlined the damage to our economy caused by sequestration and proposed an alternative plan that would produce the \$1.2 trillion savings called for in the Budget Control Act without imposing the mindless, across-the-board sequestration cuts.

I strongly believe we can work together on a bipartisan effort to replace these misguided cuts of sequestration with a balanced deficit reduction plan that includes a more progressive tax code, targeted cuts to defense spending and nuclear weapons, an end to unnecessary oil subsidies, and the expansion of innovative programs in Medicare that improve the quality of healthcare for beneficiaries.

At the same time, we must make smart investments now that will create jobs and continue our country's economic recovery. We can no longer afford to make irresponsible across-the-board cuts that hurt middle class families and hurt our still-fragile economy.

Our national strategy for job growth must continue to emphasize the areas in which Massachusetts excels: an emphasis on education; investment in our high-tech, medical, and clean energy industries; and strong support for the teachers, firefighters, and police that form the backbone of our communities. This approach has resulted in the Bay State consistently having an unem-

ployment rate that is significantly lower than the rest of the Nation.

I want to work in a bipartisan effort to fix our fiscal problems and I believe working together we can reach a bipartisan agreement to fix sequestration and maintain our fiscal discipline.

Mr. BLUMENTHAL. Mr. President, I join my colleague from Connecticut to address a specific provision in the Bipartisan Budget Act. Overall, while this deal is flawed, we are heartened to see both sides coming together to put in place a workable fiscal foundation for the next 2 years. But we want to make sure to clarify what we are intending to do with a particular provision in this bill. Specifically, section 203 of the act institutes new reforms to the Social Security Death Master File, which keeps an authoritative record of deaths in this country. These important reforms include a new certification process that will ensure only those properly authorized and able to maintain the information under significant safeguards can access the information on this master file on a current basis, helping prevent identity theft and other abuses. Release of the information to all others would be delayed by 3 years after an individual's death. We would like to emphasize, though, that this provision was not intended to interrupt in any way the legitimate use of the Death Master File in the interim. I will turn to my colleague to explain why we think this is so important and how we think we can avoid this situation.

Mr. MURPHY. I thank my good friend, the senior Senator from Connecticut. Our understanding is that many States require insurers to check their policies against the master list on an ongoing basis in order to ensure they have accurate information about deceased individuals whom they insure. Furthermore, State treasurers, State comptrollers, and credit bureaus all use the Death Master File for important purposes and need continued access. We certainly do not want to halt these processes or stand in the way of compliance with State law. As such, I am pleased to join you in urging the Social Security Administration and the Commerce Department to both work closely with key stakeholders during the transition period and to use the flexibility we believe they already possess to ensure uninterrupted legitimate access to the Death Master File. State governments, too, should be flexible throughout this transition as insurers under their jurisdictions seek to comply with these new Federal provisions.

Mr. BLUMENTHAL. I echo my colleague's recommendations. Overall, so long as we manage the transition appropriately, my friend and fellow Senator from Connecticut and I believe the new system will save hundreds of millions of dollars and also protect the identities of millions of Americans.

Mr. MCCAIN. Mr. President, today I will vote in favor of the bipartisan budget compromise put forward by Senator MURRAY and Congressman RYAN.

I understand some of my colleagues are not happy with this budget deal. If any of them had been able to show me a better alternative that had the votes to pass in both the House and the Senate and prevent a government shutdown next month, then I would vote no on the measure before the Senate. Unfortunately, we did not have a better plan.

I share the concerns that many of my colleagues have with the provision that slows the growth of working-aged military retirees. This provision will not take effect until the end of 2015. I am confident that, before then, under the leadership of the chairman and ranking member of the Armed Services Committee, we will overturn this unfair provision.

My support for this budget deal centers primarily on two very important facts. First, this agreement will prevent another government shutdown; we cannot put the American people and the people in my State of Arizona through another government shutdown. And, second, the budget deal will go a long way in alleviating the devastating impact of sequestration on our military.

It is imperative that we do what is necessary to avoid sequestration if we are to expect our military to properly defend this Nation and provide for our national security. Defense Secretary Hagel has stated his support for this budget agreement, as have GEN Martin Dempsey, Chairman of the Joint Chiefs of Staff, Christine Fox, Acting Deputy Secretary of Defense, GEN Ray Odierno, Chief of Staff of the Army, and GEN Mark Welsh, Chief of Staff of the Air Force.

Mr. LEAHY. Mr. President, in what I hope is a sign of things to come, today, I expect the Senate to pass the Bipartisan Budget Act. The result of the long-awaited budget conference—one that had long been requested by Chairwoman MURRAY but never agreed to by Senate Republicans—the agreement has found some common ground and reflects a shared commitment to work for the American people—something in short supply in Congress these days.

The budget deal we are considering today is a true compromise. I believe it would be difficult to find any Member of Congress who fully embraces every aspect of this agreement. In spite of that, there is broad, bipartisan support for the bill, as evidenced by the overwhelming bipartisan vote in the House late last week and the bipartisan vote by which cloture was invoked here in the Senate. There is bipartisan support for the overall goal of ending this manufactured budget stalemate that we currently face.

The Bipartisan Budget Act will provide us with the our top-line spending levels for the remainder of this fiscal year and next and, most importantly, will prevent the full force of a second round of sequestration's indiscriminate and devastating cuts. This is welcome news for nearly every American who has seen how devastating the sequester has been for their communities and for those who have anxiously awaited a second round of deeper, more painful cuts. With agencies facing budgets that just simply could not meet their basic obligations to the public and to the Nation's priorities and with their coffers to insulate programs and prevent furloughs and layoffs exhausted, allowing the sequester to lengthen and deepen truly would have been debilitating and would have stunted our ongoing economic recovery.

While this is not the budget I would have written and while it is paid for in a number of ways with which I simply disagree, we are at a juncture at which we cannot allow the goal of perfection to bring on another body blow to the Nation and to our economy. One thing I have heard clearly from Vermonters is that we must replace the sequester. While not perfect, this deal will in fact save jobs, reduce unnecessary furloughs, and will not prioritize defense spending at the cost of our education and housing programs as so many other budget proposals have in the past.

I was proud to support a Senate budget and Senate appropriations bills that would fully replace sequestration by closing corporate tax loopholes and making responsible cuts. I am disappointed that this deal does not more closely follow the framework or provide the funding levels supported earlier by the Senate. As a senior member of the Appropriations Committee, I welcome the fact that this deal will mean that we will be able to get back to the work of passing annual appropriations bills through regular order, ending the practice of putting these budget decisions on autopilot through continuing resolutions. The annual appropriations process provides us with the opportunity to make much needed adjustments to agency priorities and budgets. This budget also allows a return to regular order while keeping the promises we have made to seniors. It protects Social Security and Medicare benefits from the harmful cuts included in the earlier Ryan Budget.

But there certainly are areas in which this deal is lacking. I had hoped any budget agreement we considered would include an extension of unemployment insurance that will end later this month for 1.3 million Americans. It is disappointing that it does not. Unemployment insurance is a vital component of our ongoing recovery and a lifeline to millions of Americans as they search for work in this challenging economy.

I hope the bipartisan spirit that is the basis of this agreement can continue into the new year, and I hope that when the Senate, early in the new year, considers legislation to restore this lifeline of unemployment insurance, Senators and Representatives will support an extension.

Unfortunately, my disappointment is not reserved only for what was not included in the deal but also for ways this budget pays to replace sequestration.

A provision included in this agreement could negatively impact not-for-profit student loan servicers around the country by removing \$3.1 billion in mandatory funding and the requirement that the Department of Education work with these organizations service direct Federal loans. The non-profit Vermont Student Assistance Corporation, VSAC, has been servicing Federal loans and chalking up high borrower satisfaction rate while doing this work. I appreciate Chairwoman MURRAY's clarification that this provision is not aimed at ending existing contracts like VSAC's, but I am concerned that the funding used to service these loans will now need to be found elsewhere. Our discretionary budget is stretched thin as it is, and this provision will arrive on the doorstep of an already overburdened Education Department.

Even though we have reduced the deficit by \$2.4 trillion since the start of fiscal year 2011, with nearly three-quarters of that deficit reduction coming from \$1.8 trillion in spending, there is ongoing pressure to find additional ways to put money toward deficit reduction. It concerns me that this budget proposal will devote \$23 billion toward deficit reduction—barely a drop in the bucket of the larger picture—by forcing those who have served in our military, future Federal employees, and airline passengers—but not the airlines—to pay for it.

Under this proposal, many Active-Duty military retirees are targeted for Federal spending cuts by a reduction to their cost-of-living adjustment until they reach age 62. This is a bait-and-switch maneuver that will cost them thousands of dollars in compensation that they were promised and have earned—many of them while bravely serving in Iraq and Afghanistan. That just doesn't sit right with me. This provision, which saves only \$6 billion, is set to be phased in over several years until full implementation in 2017. Unfortunately, these pension reforms will not be grandfathered in for military retirees, as will be done for Federal employees—the only positive component of the measure addressing Federal worker pensions in this legislation. It is my hope that the delay of its application will give Congress the time to responsibly replace the savings from these changes to military retiree compensation.

I am disappointed that the only deal that could receive bipartisan support does not ask oil companies to sacrifice their tax breaks but instead asks for sacrifices from our military retirees and hard-working Federal workforce. And instead of closing tax loopholes benefiting private jet owners and companies hiding profits overseas, we are forced to find savings through cuts to our conservation programs.

I have always believed that getting our fiscal house in order must go hand in hand with policies that promote economic growth, create jobs, and strengthen the middle class. Without this deal, sequestration would bring to a halt economic growth and threaten to undo the progress we have made. Further sequestration undoubtedly would increase furloughs and eliminate jobs. Sequestration would devastate housing programs keeping roofs over families this winter and gut programs supporting the education of our children, lifesaving technology for law enforcers, and services for crime victims. Sequestration is a blunt, harmful, and mindless instrument. The Bipartisan Budget Act, while not perfect, is the lifeline we need to prevent that bleak sequestration future from becoming a reality.

It is time for us to move beyond these manufactured budget crises and focus on the many remaining challenges that matter most to the American people.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the final 20 minutes before the cloture vote be equally divided, and that I control the final 10 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, this afternoon we will vote to pass a budget for the next 2 years. That sounds really good when we think about actually getting a budget for the next 2 years. I support this budget because I think it provides the certainty our businesses and our economy need and that our families need. It replaces some of the reckless across-the-board cuts known as sequestration, and ensures—perhaps most importantly—that we won't have another government shutdown.

The alternative—allowing this budget to fail and setting up another government shutdown—is simply unacceptable. We saw the impact the government shutdown had on our economy, on the people who depend on vital services, as well as on our national defense and our military readiness.

So while this budget is not perfect—it is not something I would have written; I am sure it is not something Senator MURRAY would have written. But the budget deal struck by Senator MURRAY, the chairman of the Budget Committee in the Senate, and Congressman PAUL RYAN, the chairman of

the Budget Committee in the House, is a product of bipartisan compromise—something we need a whole lot more of in Washington these days. It represents a small but important step forward for our government and for our economy.

While the budget we are going to vote on today is not perfect, I do believe it is a step forward. It doesn't close a single corporate loophole. It doesn't extend unemployment insurance, which I would like to have seen for people who have lost their jobs through no fault of their own. That is probably going to cost our economy about 200,000 jobs. And there are provisions included in the bill that I think are misguided and need to be fixed. But the fact is, this is a step forward also in addressing sequestration in a way I think is absolutely critical to anybody who does business with the Federal Government or with companies and families who are dependent on services and on contracts with the Federal Government.

I was at BAE Systems in Nashua, NH, on Monday. I heard from the employees there through their leadership how important it was to have a budget for 2 years to provide some certainty for the company so that they knew what programs they were working on—they do defense contracting—and they could count on, that would provide certainty for them, which is very important. Because one of the comments we have heard on the defense side of the budget is that the cuts from sequestration were having a very detrimental impact on the readiness of our military, on our men and women who are serving, and on the men and women who work for the Department of Defense.

We have seen it in New Hampshire at the Portsmouth Naval Shipyard where we saw furloughs of people at the shipyard. We saw the impact the uncertainty as a result of sequestration was having and has been having on the ability to know what they are going to be working on, and to be assured the work will be there in the future. We have seen it with our National Guard in New Hampshire, where the training they need to have to keep people current is being affected, where people were furloughed as a result of those sequestration cuts. This is legislation which will address that in a way that is critical to our national security and critical to the men and women who serve in our military.

There are provisions in the bill I think need to be fixed. I am very concerned, as so many other people in this body are, with the impact of the bill on military retirees. I am disappointed that Congressman RYAN was so committed to including this provision in the compromise bill. But one of the things I want to speak to this afternoon is an effort I am working on with a number of my colleagues here in the Senate to try and fix that provision—

to try and address the negative impacts the bill might have on military retirees' benefits, because what the bill does is include an unnecessary reduction in benefits for military retirees under the age of 62. I think there are lots of other ways we can find budgetary savings rather than cutting those retirement benefits for the men and women who have served our Nation in uniform.

The good news is that this provision does not go into effect for another 2 years, so we have time to fix this. We have already heard from the chairman of the Armed Services Committee that he is interested in trying to address this provision as we take up the Defense authorization bill in the coming year, but I am ready to get to work right now to address the provision.

Yesterday I introduced legislation, the Military Retirement Restoration Act, with 15 of my colleagues which would replace the military retiree benefit cuts by closing a tax loophole some corporations are using to avoid paying their fair share of taxes. These corporations set up shell companies in tax havens to avoid being considered an American company even though they are controlled and operated on American soil. I think most Americans would agree this kind of tax avoidance is unfair and that we should close this tax loophole rather than reducing military retiree benefits. This is just one idea. I am certainly open to other solutions. I hope we can continue the bipartisan work that began with Senator MURRAY and Congressman RYAN and that we saw again in the vote to end the filibuster on this bill—that we can continue to work in a bipartisan way to replace the cuts for military retirees' benefits and we can do it in a way that is smart, but that we can move forward to end the uncertainty, to get a budget in place for 2 years, and to make sure we address the devastating sequestration impacts we have seen since March, the automatic cuts and the impact they are having on the domestic side of the budget and on the defense side.

I see Senator MCCAIN on the floor. I know earlier on the floor he talked about hearing from every single uniformed service leader of the four armed services, including the Chairman of the Joint Chiefs, about the impact and further effects that sequestration would have on our national security. That is testimony itself of the need to move forward to get this budget deal done, and to come back and revisit the concerns we have about other provisions.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as if in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The remarks of Mr. MCCAIN pertaining to the introduction of S. 1851 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. (Mr. COONS). The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I rise today and associate myself with the remarks of my colleague Senator SHAHEEN that she delivered earlier today. She is a fierce supporter of our men and women in uniform, both when they serve our Nation and when they retire or leave the military. I am an original cosponsor of her Military Retirement Restoration Act, and I am also supportive of passing a bipartisan budget deal that prevents our government from shutting down and prevents our defense budget from being slashed.

The American people have made it crystal clear that they are tired of gridlock here in Washington, they are tired of partisan bickering, they are tired of the fact that it has led us to sequestration and the kind of crisis budgeting that has prevented us from getting our fiscal house in order.

Like every one of us, I do not support every provision in the bipartisan budget agreement, but I want to give great credit to Senator MURRAY and Congressman RYAN for their willingness to sit down together and negotiate in good faith and come up with a deal that moves our country forward. Let me make it clear that the budget compromise is not perfect, but it is far better than the alternative. Let's be clear what the alternative is: A \$20 billion sequester cut for the Department of Defense on January 15 and a much higher likelihood of a government shutdown. Our country simply cannot afford more ideological standoffs that lead nowhere. Our men and women in uniform and our national security cannot afford to see those catastrophic cuts.

Like many of my colleagues, I believe we should find an alternative to the decreases in the cost-of-living adjustments for working age military retirees. That is why I am proud to cosponsor Senator SHAHEEN's legislation which would do just that. I am committed to work with Senator LEVIN and my other colleagues on the Armed Services Committee to continue to find additional ways to protect the retirement that our retirees and their families have earned. These proposed changes do not go into effect until 2015 and that gives us some room and some time to get together to work on addressing these areas where this bipartisan budget agreement falls short.

This is an important agreement. It is important to the Defense Department and to other programs like Head Start and Meals On Wheels that affect Coloradans every day. It will mean more resources for housing and economic development programs, for roads, small

airports, and transit systems, for first responders and those who fight wildfires. The list goes on. This agreement provides predictability for the individuals and organizations, cities and businesses in Colorado that need to know what to expect from the Federal Government.

It does all of this while providing for a net reduction in the deficit, something we all know must be achieved more often. For all those reasons I support the partisan budget package and urge my colleagues to join me and continue to find ways to keep faith with our military retirees and their families. If you think about what we are doing with the bipartisan budget agreement, we are creating more certainty for our economy.

PRODUCTION TAX CREDIT

Mr. President, I want to take a few additional minutes to talk about a driving force in our economy that is creating good-paying American jobs, and that is our manufacturing sector.

The manufacturing sector right now supports about 17 million jobs in the United States. Those jobs are the backbone of a strong, thriving middle class, and they prove that it is still possible to make it in America. In Colorado, our manufacturers literally have the wind at their backs. I say that because our wind energy industry is not only a critical part of Colorado's manufacturing sector, but it is also an essential component of our made-in-America strategy for energy independence. That is why I am proud to have successfully fought to ensure that the manufacturers who power our wind energy industry have the policies they need to create jobs and thrive.

These policies support American workers, and they ensure that we are giving a leg up to all sources of American-grown energy. I have been proud to lead these efforts here in the Congress, including when I delivered 27 speeches on the Senate floor last year that culminated in the extension of the Production Tax Credit for wind.

Wind energy, which is enabled by the PTC, supports thousands of manufacturing jobs across this country, and that is because building a wind turbine takes a heck of a lot of work, involving everyone from steelworkers to electricians to computer engineers. These are good-paying middle-class jobs that help grow our economy from the middle out. These are jobs that are not only not being offshored, they cannot be offshored. They are staying here, in Colorado and across our great Nation.

To prove that point, just look at this map of wind manufacturing facilities across the United States. There are more than 550 manufacturing facilities in every region of the country, spread across 44 States involved in the wind industry.

I am making sure the Presiding Officer's state is represented and I think it is—the great State of Delaware.

Here are some of the concerns all across our country. We have ZF Wind, which is a gearbox manufacturing plant in Georgia. TPI Composites is a turbine plant in Rhode Island. We have the Molded Fiber Glass blade plant in Texas, and I have to return to Colorado, where we have Vestas in my home State. They have a tower facility, among others. This all adds up to a wind industry that supports thousands of good-paying American jobs.

This job-creating industry is taking off, and it could not have come at a better time for our manufacturing base, which, after a lot of tough years in the wake of the recession, is ready for resurgence in a big way.

A lot of other companies and sectors are outsourcing American jobs. While that has been happening, the wind industry is cutting against the grain and creating good-paying manufacturing jobs here in the United States. In fact, more than 50 new manufacturing facilities entered the wind energy market in the last 2 years alone. That is an impressive statistic. It is an accomplishment of which we should all be proud.

The success of the wind industry is having positive ripple effects on other areas of American manufacturing, and that is because the industry is not only growing, it is doing so while also increasing its use of American-made components.

This chart clearly makes my point. In 2007, 25 percent of all wind turbines included American-made parts. In 2012, as we can see, that number increased to more than 70 percent, and it is one of the main reasons for the dramatic increase of manufacturing facilities across our country that support this wind energy industry.

This is not just about the manifestations of the wind energy world that we think about in blades and towers. It is about gears, nuts, bolts, and all the other made-in-America components that are now helping to power our renewable energy future.

There are some worrying storm clouds on the horizon because despite all of this progress and despite all of the American jobs that are supported by this innovative industry, we are truly, again, at a crossroads for wind energy. The PTC, which I have championed, and others have joined me in this Chamber, has helped keep our American manufacturing sector strong, but once again it is going to expire in 20 days. Previously, I joined many of my colleagues on both sides of aisle—including Senator CHUCK GRASSLEY, the father of the PTC—to extend this tax credit. Now, with the clock ticking, we need to step up and give this industry the long-term certainty it needs to keep creating jobs and working toward true energy independence.

In our pursuit of a balanced approach to energy security, we have supported domestic energy production across the board.

I see my good friend from Oklahoma Senator COBURN is here.

We need an "all of the above" approach. If we let the wind PTC expire, we will put one of the cleanest sources of American-made energy at a competitive disadvantage relative to traditional energy sources, and that is because even if the production tax credit for wind expires, tax credits will continue for traditional sources of energy, such as oil and gas.

We have a choice to make: Will we act to preserve American manufacturing jobs and support domestically produced clean energy or will we choose to do nothing and let other countries claim our manufacturing jobs and the leadership of the new energy economy?

These are not trivial questions. Allowing the wind PTC to expire will cost thousands of American jobs and billions of dollars in investment. All we have to do is look at what happened to wind capacity installation over the past 15 years when the PTC has expired. Every time it expires or comes close to expiring, wind installation stalls and American jobs are lost. We see that pattern on this chart. In the year 2000 it opened, and in 2002, 2004, and now potentially again in 2013 it will expire.

In my home State, one cannot talk about manufacturing without talking about the wind industry. Wind manufacturing employs about 1,500 people in Colorado today and supports about 5,000 jobs statewide. As I alluded to earlier, we are home to several manufacturing jobs, including a tower facility, two blade plants, and a nacelle facility, which are all operated by the great Vestas company.

Last year, due to the lack of certainty about the PTC, no new orders were placed for wind turbines, and Vestas was forced to let go over 600 employees in Colorado alone. That hurt cities such as Pueblo and Brighton, whose local economies have significantly benefited from the manufacturing jobs the wind PTC supports.

After my effort and the effort of others to extend the PTC last year, orders started to flow again and Vestas is again hiring workers to meet the market demand. That is good for Colorado. These are jobs with good benefits.

What concerns me—and I know it concerns Vestas and other Colorado-based companies—is that these jobs can vanish if we don't act. That is what this is all about. These jobs can vanish if we don't act. So I am back here and renewing my call from last year. We should act now to extend the wind production tax credit or we risk losing this industry and the manufacturing jobs it creates to our competitors. Where are those competitors? They are in China, Europe, and elsewhere all over the globe. That is the last thing our economy needs.

The men and women employed in manufacturing facilities across the country are calling on us again in Congress to act. Let's heed their call. Let's act now. The PTC equals jobs. Let's pass it as soon as possible. Let's save these American jobs by extending the production tax credit.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

UNANIMOUS CONSENT REQUEST—S. 944

Mr. SANDERS. Mr. President, as chairman of the Committee on Veterans' Affairs, I rise today to urge Senate passage of S. 944, the Veterans Health and Benefits Improvement Act of 2013. This bipartisan legislation is the result of months of hard work by my colleagues on both sides of the aisle. This legislation was passed out of committee by voice vote. There were no objections that took place on July 24, and this legislation is paid for.

Furthermore, this legislation is supported by nearly every major veteran and military service organization in our country, including the Iraq and Afghanistan Veterans of America, the Military Officers Association of America, the American Legion, the Vietnam Veterans of America, the Association of the United States Navy, the Reserve Officers Association, the Jewish War Veterans, the Enlisted Association of the National Guard of the United States, the National Association for Uniformed Services, AMVETS, Gold Star Wives, and the National Congress of American Indians.

In fact, I think it would be a very good statement about what we are trying to do as a nation if the Senate could pass this comprehensive veterans bill before we adjourn so we can get about the business of working with our House colleagues to get important veterans legislation passed by both bodies signed into law.

I will briefly highlight some of the key provisions of this very important piece of legislation.

Again, this legislation is bipartisan; it came out of the committee unanimously; and it has the support of virtually every veterans organization.

Ranking Member BURR and I have worked together on a provision that would help servicemembers transition back into civilian life by making recently separated veterans eligible for tuition at the in-state rates. This has been a very contentious issue, but what we do is make recently separated veterans eligible for tuition at the in-state rate, which is something many of the veterans organizations and people all over this country have wanted.

Given the nature of our Armed Forces, servicemembers have little to say as to where they serve and where they reside during military service. This legislation would help our brave men and women who have sacrificed so much in the defense of our country

transition by giving them a fair shot at attaining their educational goals without incurring an additional financial burden simply because they chose to serve their country.

I know this issue was discussed a great deal in the House and it was discussed here a great deal, and we have reached resolution on this important issue.

Further, while the Pentagon, Congress, and other stakeholders continue to work to end sexual assault within the ranks—this is an enormously important issue—I want to do everything within my power as chairman of the VA to ensure that the VA is a warm and welcoming place for those survivors of military assault. That is why this legislation contains important provisions that would improve the delivery of care and benefits to veterans who experience sexual trauma while serving in the military. This was inspired by Ruth Moore, who struggled for 23 years to receive VA disability compensation.

It would expand access to VA counseling and care to members of the Guard and Reserves who experience sexual assault during inactive-duty training. It also takes a number of steps to improve the adjudication of claims based on military sexual trauma.

This legislation would give the VA additional tools to do all it can to provide victims of sexual trauma with the care and benefits they need to confront the emotional and physical consequences of these horrific acts. Maintaining the VA's world-class health care system remains a priority for this committee, and this legislation does just that.

I am pleased we were able to respond to calls from veterans to increase access to complementary and alternative medicine for the treatment of chronic pain, mental health conditions, and chronic disease. By expanding the availability of these treatment options, we can enhance the likelihood that veterans get the treatment they need in ways that work for them.

Additionally, this legislation calls for the VA to promote healthy weight in veterans by increasing their access to fitness facilities. A healthy weight is critical to combating multiple chronic diseases, including diabetes and heart disease. By managing veterans' obesity, we can both improve their overall health and reduce the costs to the health care system.

Every Member of this body knows all too well the challenges of the claims backlog. I am pleased to see that the VA is making progress on this complex issue, but much more remains to be done. This legislation supports VA's ongoing efforts and would make needed improvements to the claims system. Among a number of claims-related provisions, this bill, for the first time,

would require the Department of Veterans Affairs to publicly report on both claims processing goals and actual production. This would allow Congress and the public to closely track and measure VA's progress on this difficult issue.

This bill also addresses a number of concerns presented to the Veterans' Affairs Committee by the Gold Star Wives earlier this year by improving the benefits and services provided to surviving spouses.

The Veterans Health and Benefits Improvement Act would provide additional dependency and indemnity compensation for surviving spouses with children in order to provide financial support during the difficult period following the loss of a loved one.

This bill also expands the Marine Gunnery Sergeant John David Fry Scholarship to include surviving spouses of members of the Armed Forces who died in the line of duty.

The Veterans Health and Benefits Improvement Act contains provisions that will improve the lives of our Nation's servicemembers, veterans, and their survivors. I am proud of the bipartisan manner in which the Veterans' Affairs Committee has conducted its business to produce this important legislation. Our veterans deserve far more help from the Congress than they have received.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 258, S. 944; that the committee-reported substitute amendment be agreed to; that the bill, as amended, be read a third time and passed; that the committee-reported title amendment be agreed to; and that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. SANDERS. Well, I am disappointed that there is objection to a bill that came out of committee without objection, that was done in a bipartisan manner, that is paid for, and that has the support of virtually every veterans organization.

I hope that even though there is an objection to the unanimous consent, there would not be an objection to a rollcall vote on this bill.

Mr. COBURN. Mr. President, there will be an objection to a rollcall vote because the opportunity to amend this bill has not been made available to Members of the Senate. I have two specific concerns with the bill—I am writing my whole letter right now on this bill—and until they are addressed, I am going to hold this bill until I have an opportunity to make them known.

I yield the floor.

Mr. SANDERS. I understand the Senator's objection. I am disappointed. It

takes forever to get anything done in this body, and we have a situation now where we have seen a process develop in the Committee on Veterans' Affairs by which there has been bipartisan support. It is kind of the way things are supposed to be done. Yet because of the objection, we are going to be unable to move forward in the way I think most of the Members want.

Thank you very much. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Mr. President, what I am trying to do is this: We were told to come down here at 4 o'clock. I was glad to be able to discuss things earlier. So what I would like to talk about, with the Chair's permission, is the military retiree provision.

The PRESIDING OFFICER. The Senator may proceed.

Mr. GRAHAM. I thank the Chair.

No. 1, I wish to say to our budget chairman we had a very good discussion with Senators CHAMBLISS and ISAKSON about trying to figure out a way to fix this provision in the budget deal. I am very disappointed we can't have an amendment to fix it or amendments to do other things, but we are where we are.

So the bottom line is this has been a healthy exercise because all of us are now looking at the provision. This is a bipartisan product, so it is not about blaming Democrats or Republicans. It is a good exercise. How could a bill—this bill, as we all know, doesn't fund the government. If we pass the budget—and I am sure it will pass here eventually—it doesn't keep the government open; it sets limits on spending where we are increasing the amount we can spend on defense and nondefense, setting sequestration aside. That is a great thing. I think that is going to be good. How we pay for it is the problem.

The question is, How did this happen? The chairman of the Senate Budget Committee and the chairman in the House are great folks. The military retiree provision is a pay-for that has everybody wondering a bit and, upon a second evaluation, is probably certainly not the right thing to do.

In May of 2014, there will be a commission that was set up by the Congress to tell us how best to reform military pay and benefits, because they are unsustainable, quite frankly, in the future. But we put in that Commission report a requirement that any reform could not affect those who are in the service now; they are grandfathered. I think the reason the Congress did that is we don't want to break faith with

those who signed up for deal A. They are doing their part of the deal. They are serving. The Congress is looking for a way to make these programs more sustainable by applying it in the future, which I think we should do. About the civilian employee contribution to their retirement program, that is prospective. The one thing I was disappointed about is the money doesn't go into the retirement plan to pay for the deal.

I wish to acknowledge what Senator WARREN has been doing with every Gang of 6, 12, 8, 10, 14—just different numbers—trying to find a way. I know entitlement programs are the source of the problem for the Nation over the long term, and military retirement programs such as TRICARE we have to look at as a retirement system. That is not a problem. But we are in a hurry to basically pass a budget that generally I support. It gets us out of the situation of sequestration.

But how did this happen? How could we have picked a pay-for such as this which is, to me, unacceptable. The military retirement community, up to the age of 62, will have their COLA reduced by 1 percent. That doesn't sound like a lot, but the compounding of that goes like this: If a person is a master sergeant who retires after 20 years of service in 2015 at, say, 42, by the time that person gets to 62, the effect of this bill will cost him or her \$71,000. That is the compounding effect of money. No one has ever suggested it should be applied to people who are almost at retirement or in retirement when it comes to how we reform benefits.

My good friend Senator MCCAIN, who has earned every penny he has ever gotten in retirement and then some, mentioned the Bowles-Simpson Commission. I am a general fan of Bowles-Simpson: reform entitlements and flatten out the Tax Code and, yes, pay down some debt. I am a Republican. It would eliminate the deduction in the Tax Code and apply some of the money to the debt, not put it all in tax cuts, because when we are \$17 trillion in debt, we have to do things we would otherwise not like. I am willing to do that. But Bowles-Simpson did not, as my friend Senator MCCAIN suggests, adopt eliminating COLAs before 62 as part of their solution. They wanted to find \$70 billion over 10 years for Federal workforce entitlement reform. They created a commission, the Federal Workforce Entitlement Task Force Commission, to reevaluate civil service, military health and retirement programs. They did not say we are going to eliminate COLAs entirely for the military and civilian workers; they said, we need a commission to look are to how to find \$70 billion over the next 10 years. The examples they gave of what we might look at is use the highest 5 years of earnings to calculate the civil service pension benefits for new

retirees, defer cost-of-living adjustment is the second one, adjust the ratio of employer-employee contributions to Federal employee pension plans to equalize contributions, which saves \$4 billion. These were examples.

They wanted a commission. Guess what. So did the Congress. In 2013—this came out in 2010—the Congress said let's form a commission to look at this. The problem is the Commission hasn't reported back to us. They are not due to do so until May 2014. We did put a prohibition on the Commission's work product: You have to grandfather existing servicemembers. You can't retroactively apply any of your reforms.

So Bowles-Simpson did not say we are going to eliminate all COLAs; they said, form a commission, and that was one example of what to look at. The Congress did form a commission. The commission is not back yet. But the Congress told the Commission to grandfather people who are in the current system, but we forgot to tell ourselves that because this pay-for is retroactive in nature and applies to all retirees, past, present, and future.

The disability component, the people who drafted this assumed disability retirees would not be included. They are. The \$600 million, CBO says, of the \$6.3 billion that this provision generates in revenue to help pay for the deal—\$600 million comes from the disability retired community, and I think we all understand that is not the right thing to do. Someone who has lost a limb in Afghanistan or Iraq who is disabled, can't work, they get benefits outside of disability retirement, and they have earned those benefits. But reducing their COLAs would add thousands of dollars, tens of thousands of dollars in lost benefits. Nobody wants to do that. They thought they weren't included. They are.

Let me just say as someone who has been around the military—I am a military lawyer, so I am not a frontline military person by any means. I have tried to be the best military lawyer I can be. I have been in the military for 30 years. I love the culture, love the environment, and I try to be part of the team. The military lawyer is part of the team. The pilots who go fly and face danger, they are the heroes. The maintenance guys and the guys on the frontlines in the Army, to them goes the glory.

The bottom line is I don't think it is fair for us to consider. If you are in the MRAP that didn't get hit by the IED and you made it through your tour, you have earned your retirement just as much as anybody else, and that disabled retiree needs the money more than anybody. They get things the average military retiree doesn't because their needs are greater.

All I am doing is begging the body: Let's not pass a budget deal with a pay-for that violates our own Commission requirements, that in hindsight is

not the message we want to send to those who serve now. It is not a good way to recruit.

Let's see if we can fix this. Let's see if we can fix it before it gets into law, because once we get something into law, we all know how hard it is to take it out.

Ms. AYOTTE. Mr. President, would the Senator from South Carolina yield for a question?

Mr. GRAHAM. I do. Before I do, I wish to say that the Senator from Mississippi asked a question in our conference: Tell me what this costs our retirees. All of us on the Republican side looked at him, me included—I didn't have a clue how to answer that, and when I found out it was \$71,000, almost \$72,000 for E-7, from 42 to 62, I about fell out of my chair. Now I know how you generate \$6 billion.

As to the Senator from New Hampshire, she was the first one to take this torch up and run with it, and I have been trying to help where I can. But I will yield for a question.

Ms. AYOTTE. Mr. President, I thank the Senator from South Carolina for his leadership on this important issue. What I want to ask the Senator is this. Some have come to this floor and said: Pass this budget agreement, and we will fix this later. Does the Senator think that is a good way to solve this problem?

Mr. GRAHAM. That is a good question. The best way is to fix it before it passes, and we have until January 15. Nobody wants to shut the government down. Again, the budget deal is just about numbers. We have to actually appropriate. But I think we could. There are so many different ways. I have thrown out the idea of eliminating subsidies for people who make over \$250,000 for their Part D premiums. It is \$54 billion over 10 years. I am not asking my Democratic colleagues to go to food stamps and safety nets. I am not asking them to do that, and I am surely not going to ask the Republicans to raise taxes. There are better ways to do it.

So I could not agree more with the Senator from New Hampshire. With a little bit of effort here in the next few hours or days, we could fix this in total.

Ms. AYOTTE. Of all the people who deserve our effort, doesn't the Senator think we could stay here as long as we need to before the holidays—a little bit of inconvenience for us—to fix this? Because one thing I see from this is we are saying to our military retirees: Do not worry. Trust the politicians in Washington to fix something they voted for.

Here we are. We know the problem is here now. People yet have not had a final vote on this budget agreement. Yet they are still saying: Oh, we know the problem is there, but we are going to vote for it anyway. I do not understand this.

If you are someone who is serving our country, what kind of message does that send?

Mr. GRAHAM. In all honesty, the provision does not take effect for a year or two. But I think what the Senator is saying is so important. Why leave any doubt in people's mind? They have enough to worry about already. Life is hard for all of us. For some people life is just incredibly hard. I have lived a fortunate life. But for a military retiree who is not disabled, it matters to them.

So we should not create stress where none is needed. They have been stressed out enough. The last 10 years have been hard as hell for them—multiple deployments. Senator WARNER and all of us would go overseas. You would see the same people. I would do small Reserve tours just for a few days in Iraq and Afghanistan. I am seeing the same people in Afghanistan who I saw in Iraq in my career field of being a JAG working on detention matters. I do not think the average American—they appreciate but I do not think they really understand how hard this has been on 1 percent of the American people.

So wouldn't it be nice if they did not have to worry and we could get this issue behind us? Because here is the truth of the matter: It may come as a shock to the body, but we are not in very good standing right now. That is a bipartisan problem. Here is the concern. The main things that have been fixed that are wrong? Not a whole lot. It is hard to fix things.

Ms. AYOTTE. Right.

Mr. GRAHAM. The unraveling effect is what people worry about. If you fix it for the military retirees, what about the civilians? I am willing to look at that. But the bottom line is they fought hard. They fought long. They have earned what they got. We should not retroactively diminish their retirement. They have worried enough. Let's do not give them anything to worry about for the holidays. Let's take this one off the table.

Ms. AYOTTE. I could not agree with the Senator from South Carolina more. I heard the chairman of the Budget Committee say the fact that disabled veterans are included in this, those who have had a medical retirement—we have talked about them; we have been to Walter Reed; we have seen those who have sacrificed so much for our country and are getting a cut to their cost-of-living increase in their retirement under this agreement—that this was somehow a “technical glitch” or something.

If it is a technical glitch that we know is there, why are we going home before it is fixed? I do not understand it and even putting one shred of doubt in their minds that we stand with them, and that we know this problem exists in this bill, and that it can be fixed.

Mr. GRAHAM. Just to respond, I think this is what happens when you are trying to get something done late in the year. We are all adults. We have had months to deal with these issues. I sort of hate the fact that you are dealing with important things like the Defense authorization bill a day or 2 before everybody wants to go home for Christmas. Eventually, that leads to \$17 trillion in debt.

How do you get to \$17 trillion in debt? It takes bipartisanship.

Ms. AYOTTE. Right.

Mr. GRAHAM. No one party can get you there. This is the way you have run the place. What happens when you fill up the tree? You cannot fix things. Here is what is wrong with that. You cannot fix the things that politically are bad for you and expect the rest of us to go away quietly because we have something we want to do. So this filling of the tree process is not good for something this big, and I hope people would be responsible with their amendments.

But, again, it goes back to how did this happen? I do not believe for a moment that PATTY MURRAY or PAUL RYAN meant to hurt disabled veterans. I do not believe that. I think the whole issue was not looked at. These things are put together very quickly. I am on the Budget Committee. The Senator from New Hampshire is on the Budget Committee. The Senator from Alabama is on the Budget Committee. I had no idea. Nobody asked me if this was a good idea. I did not even get to look at it. I got to read about it in the paper.

That is what happens when you put the deals together with just a handful of people. You make mistakes, because the more eyes the better. You find yourself here talking about something, quite frankly, that we all know is wrong.

Ms. AYOTTE. Right.

Mr. GRAHAM. We need to fix it. We are creating a lot of anxiety for people who are going through enough anxiety. I hope we can rise to the occasion here at the end.

Mr. SESSIONS. Mr. President, will the Senator from South Carolina yield?

Mr. GRAHAM. Absolutely.

Mr. SESSIONS. I say to Senator GRAHAM, he has served in the House. I know the powers that be would just like to see this bill rubber stamped, passed, done with, rah, rah, rah. But if this legislation were to be amended, and this problem were fixed, doesn't the Senator think the House would have ample time to pass it before the January 15 date for the CR, or, really, they could, as we have done many times, extend the CR a week or so, if needed? But I do not really think it would be needed. I think they would pass it promptly.

Mr. GRAHAM. I think the Senator is absolutely right. We have a legislative process that could rise to the occasion

if we would use it. For 200 years we have been doing business a certain way, and the Senate is changing, all for the worse. Like I say, this is a bipartisan problem. I am not blaming PATTY MURRAY, the Democratic chairman. This got into a bill that was bipartisan. It got 330 votes, 70 percent of the Republican Conference. We all make mistakes. But how did it get there? Nobody will tell me who put this in there because they do not know.

So the Senator is right. I think our House colleagues would find the equities of the matter easy to resolve. They would come back and fix it in just no time. I think we could fix it. The offsets might be hard to find in terms of our ideological differences, but I think we could find some offsets to fix this pretty quickly. Yes, I say to Senator SESSIONS, the House would be able to do it too.

One final plea. I would hope that as we go into the holiday season the acrimony that has been created in this body about different aspects of the way we run the place—that we do not miss a chance to do the right thing. They come on a lot here. It is not like we do not get a chance to do the right thing as Republicans and Democrats. We just both do not rise to the occasion enough.

But here is a chance to do the right thing and a very necessary thing. Maybe if we rose to the occasion here, it might lead to doing more right things. I will leave here as an optimist and hope and pray we do the right thing while we still can.

I yield.

Ms. AYOTTE. Let me just say, we can do the right thing. We do not have to set our expectations so low that we cannot come together and find a pay-for that is acceptable to both sides of the aisle that says what we should say to our men and women in uniform; and that is: Thank you. Thank you. God bless you. The first responsibility of our Nation is to defend our Nation and to keep it safe. Of all the things that would keep us here—would keep us here till Christmas—I think this is one of the most important things we could do for the people who go in there first for us and ensure that we have the privilege of being on this floor, have the privilege of going home and spending the holidays with our families.

So of all the things, to say that this is not possible, I think it is very possible, and we should have the will to do it for our men and women in uniform. We should have the will to do it for those who have been disabled because of their brave service in the line of duty for this country. I would hope we would rise to the very best of this body and fix this and not go home for the holidays with any uncertainty for our military retirees or our men and women in uniform of where we stand, and we stand with them.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, when I first came to Washington, considering running for the Senate, I went to a Republican luncheon, and they asked me to say just a thing or two, not that long, and I said: I could think of no greater honor than to represent the people of Alabama in the greatest deliberative body in the history of the world. This is a great deliberative body. That is our heritage, and it is being eroded. It is not disputable that it is being eroded. It is being eroded in a way that is faster and more significant than any of us seem to understand. Like the frog in the warming water, we do not realize we are being cooked and that the freedoms of Americans are being cooked.

This bill contains another provision that constricts the ability of a minority in the Senate—it could be Democrats or Republicans or just a bipartisan group who do not represent a majority but have a concern—to have those concerns heard and dealt with, and it is very significant. I wish it were not so.

I was shocked it was in the bill. I had no idea it would be in the bill. As Senator GRAHAM just indicated, this started out as a bipartisan, bicameral conference, and Senator AYOTTE and Senator GRAHAM and Senator WICKER and I were members of the conference. We met and had a couple of public meetings where everybody talked, but no legislation, no language was laid out. The next thing we heard: The conference leaders are drafting a bill—I would say affectionately, a gang of two this time.

So this is the bill that was their product. I know they were trying to work out an important solution to America's financial problems. I know the differences between the parties are so great that it is difficult to bridge those disagreements, and we were not expecting a great solution to the long-term financial state of America—that needs to be dealt with, must be dealt with, and every year we wait makes it harder to fix that challenge we face.

But I did not expect some of the damage we have seen in the legislation. I have to talk about a certain point because it changed the rules of the Senate. I am not sure the House Members understood how significant it was. But three times I have made objections to budget violations—three times—and we contended that the bill before the Senate was spending and would spend more money than the Budget Control Act allowed to be spent. If that is so—the Budget Control Act being in law, having certain limits on spending—then the Senate would have to recognize we were busting the budget and we would have to have 60 votes, a super majority, to approve busting the budget, a pretty

good matter. It does not make any difference if there are taxes and fees used to pay for that. It still spends more than the amount of money we agreed to spend. It allowed us to contain spending.

There were three different votes in the last year or so in which the Senate was stopped from spending more than the Budget Control Act limit required because 60 Senators would not vote for it. There were not 60 who would support waiving the budget, breaking the budget, spending above the budget.

So that is the issue at stake. I am sure the spenders were deeply disappointed. They got over 50. Under this bill now, it only takes 50. They got over 50, but they did not get 60, so they were not able to continue that spending.

This agreement, this bill that is before us today, would significantly weaken the ability of Senators in this body to enforce the spending and revenue limits under our budget resolution and in future budgets.

The Ryan-Murray agreement that is before us today includes an egregious number of deficit-neutral reserve funds—57, to be exact. Operationally a reserve fund allows the chairman of the Senate Budget Committee to adjust the spending limits in a budget resolution prior to Senate consideration of a bill that busts the budget. This allows the proposed legislation to avoid most spending points of order.

A reserve fund can be a useful tool when used in the context of a true budget resolution, one that is properly negotiated in public by a conference committee rather than a backroom deal. Reserve funds can shepherd legislation with common policy goals through the House and Senate by accommodating minor differences between the budget plan and the final legislation. So that makes sense. Reserve funds are not a total fraud. Congress does not want legislation they agreed to in concept to get tripped by scoring differences. That is why reserve funds were originally created. But there is virtually nothing policywise in common between the House and Senate budget resolution that we are seeing today. They are quite different.

The House Ryan budget is a historic budget that alters the debt course of America and puts us on a sound path. The Senate budget that cleared this body, over my objection, would raise taxes \$1 trillion, but instead of using those takes revenues to pay down the debt, it would have funded \$1 trillion in more spending above the Budget Control Act limit we agreed to in August of 2011. So that is the situation. These are different budgets.

With 57 different reserve funds, the Murray-Ryan spending bill that is before us now will allow Senator REID and Chairman MURRAY to bring to the floor a practically unlimited number of

big tax-and-spend bills. It will not be subject to the 60-vote limit. Normally the minority party would be able to raise a point of order under section 302(f) of the Budget Act. The 302(f) is known as the tax-and-spend point of order, because it is the one we deploy when Congress tries to spend more money than it promised to spend, and offsets that new spending with some fee or tax increase. It is the point of order we deploy when Democrats, on these occasions I have mentioned, with some Republicans supporting it, want to grow the size of government. It takes 60 votes to get around a 302(f) point of order and it forces colleagues to go on record and say: Yes, I know my legislation will bust the budget, but we ask that we do it anyway.

What I found as we have looked at it, when you shine light on these votes, and votes on the floor of the Senate, and ask: Senator, do you really want to spend more than we agreed to spend? You just agreed in August of 2011 to the Budget Control Act. It said, we are not going to spend over this level. A bill hits the floor that spends over that level. They say: Do not worry about it, it is paid for by taxes. Do you really want to do that when it is raised as a budget point of order? Well, Senators kind of get shy and many of them back off what they might otherwise have agreed to if that issue were not raised.

As I said, there were three successive votes in which this Congress refused to bust the budget and spend more than was agreed to. It rankled some of our Members who like to spend. They did not like that. But the sheer number of reserve funds in the legislation before us, 57, would essentially take that point of order away. There are so many reserve funds in this bill that Senator REID and Chairman MURRAY can bring an endless number of tax-and-spend bills to the floor, and my colleagues and I would be unable to shine light on that and be able to have a clean vote on one question—not whether we favored the idea they want to spend money on. That was not the question. The question, when you raise a budget point of order, is: Do you believe we should break the spending limits that we agreed to? If you can fund your bill and your cause that you believe in by finding savings elsewhere in the budget, then we might support that. But we are not going to support spending more than we agreed to. That is what this budget point of order has allowed us to do on a series of occasions.

I believe it is causing a lot of people to come to me and Chairman MURRAY when they offer legislation to make sure they are within the budget. They go back and try to draft it in a way that does not violate the budget. But eliminating this budget point of order will reduce the number of people who are concerned about that. We will see less discipline, in my opinion.

In summary, the reserve fund would allow the Senate majority or a number of Senators who have got legislation on the floor to avoid this tough vote in the light of day so people can see what has occurred. Moreover, there is a little-understood danger in this legislation that goes beyond spending. It really does. This bill can allow legislation that would carry measures that are disproportionately policy heavy with very little budgetary effect. We believe, as we have analyzed the bill, that it could allow reserve funds to be used to increase the minimum wage, to change voter registration laws, to extend unemployment insurance and offset it with some tax increase somewhere, regulate greenhouse gas emissions, and more.

There is little that can be done in the Congress to stop that which could have been done previously. This will allow this to go forward in a way heretofore not done. So I urge my colleagues not to sit idly by and watch the rights of the Senate get pounded into the dirt. It is better to have their individual authorities from whatever State and whatever party they come from to be able to highlight these problems. So I will ask unanimous consent today to offer an amendment that would strike the reserve funds from this legislation that is before us.

I encourage my colleagues to support that effort. If you care about this Senate as an institution, if you care about the right of free debate and the ability to actually amend legislation, if you care about the heritage of the Senate and the importance of constraining spending, then I would urge support of my unanimous consent request.

Mr. President, I would formally ask unanimous consent to set aside the pending motion so that I may offer a motion to concur with the amendment numbered 2573 which is filed at the desk which would accomplish what I have described.

The PRESIDING OFFICER (Mr. BROWN). Is there objection?

The senior Senator from Washington State is recognized.

Mrs. MURRAY. Mr. President, reserving the right to object, I want to first note that every one of the reserve funds included in this bipartisan bill was also included and voted on as part of the Senate-passed 2014 budget resolution. None of this material is new. My colleagues have seen and voted on every one of those reserve funds.

In the 9 months since the Senate passed the budget, I cannot recall, frankly, a single time that a Member came up to me and raised an issue regarding one of those reserve funds.

I similarly would like to point out that reserve funds are not new. The Senate has actually relied on reserve funds to help it carry out its priorities under the annual budget process for nearly 30 years. The authority to in-

clude them is specifically authorized in law by section 301(b)(7) of the Congressional Budget Act.

In fact, reserve funds are so common and accepted by Republicans and Democrats alike that Senators actually filed more than 300 of them during the debate on the 2014 budget resolution.

Let me repeat that for everyone. Senators filed more than 300 reserve funds this year, including, by the way, a few from my friend, the Senator from Alabama.

So if there is anything that should be noncontroversial, it should be including some of these reserve funds that were debated and agreed to last spring.

More fundamentally, the bipartisan agreement now before the Senate will ensure that the Senate once again has a budget. That is a good thing. Having a budget and the discipline of enforceable spending levels will strengthen enforcement, not weaken it. If you do not have a budget, you do not have a spending level you can enforce, you lose discipline and the ability to raise certain points of order. We fix that actually in this agreement.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, these provisions that allow the objections to the abuse of reserve funds have been in law since 1985, 30 years almost. This has been the law that we have. I raised objections to the tax-and-spend point of order and it has been sustained on the floor of the Senate. The Senate budget resolution that Senator MURRAY referred to is the one that would increase spending \$1 trillion over what was agreed to in 2011, August of 2011, and would add \$1 trillion in taxes.

Then they changed this rule. This legislation alters that from the past. The budget resolution she referred to did pass the Senate with Democratic votes only. It was a simple majority. But this is legislation that changes the Budget Act. I feel strongly we have to absolutely understand what has happened here. The rule has been changed. Power that Senators had to block tax-and-spend legislation that breaks spending limits has been eroded significantly. It should not have been a part of any legislation that purports to be legislation that puts this Nation on a financial path of soundness. In fact, it does the opposite. It weakens the ability of Senators who want to hold this Congress to its own spending limits agreed to in law. It weakens their ability to stop breaking those spending limits. There is no doubt about that. I am really upset about it. I think it is historic.

I understand that the House maybe did not fully understand what was meant here. Maybe we can somehow revise this. But in truth we should do it

now. We should not pass this bill that contains this legislation. Had we had a normal conference committee—and I had been a member of it and other Senators had been a member of that conference committee and had a chance to talk about it, it would not have been in there. Maybe that is why they chose not to have a public, open discussion of it, because they wanted to slip this through in the dead of night, up next to Christmas. Oh, you have got to pass this bill just as it is. There can be no amendments. The government will shut down. We will all have to stay here until Christmas Eve, as we had to, to try to stop ObamaCare that they passed on Christmas Eve. So this is the kind of thing that is not healthy for America. It is not healthy for the Senate.

Reserve funds are a function of policy. There is no common policy between the House and the Senate on budget resolutions. Budget resolutions are passed by each House, but we do not have common policies there about how it is processed. Never have we adopted the volume of reserve funds that will hereafter be longstanding parts of our law.

I believe we have a time to begin our wrapup now. Let me say Senator MURRAY is a good, strong advocate. She is effective in her leadership role. I respect her and enjoy working with her. We sometimes disagree.

I wish to say, as we move to conclude this legislation, that I respect the Senator, and we move forward.

Mrs. MURRAY. Does the Senator need additional time?

Mr. SESSIONS. Yes.

Mrs. MURRAY. How much additional time?

Mr. SESSIONS. Ten minutes.

Mrs. MURRAY. It is gone.

Mr. SESSIONS. I would ask that the unanimous consent be equally divided.

Mrs. MURRAY. Mr. President, I believe the unanimous consent that was previously entered allowed me the last 10 minutes, and the Senator from Alabama the prior 10 minutes, so most of that time has been used.

The PRESIDING OFFICER. The Senator from Alabama has about 2 minutes remaining and the Senator from Washington State has 10 minutes remaining.

Mr. SESSIONS. What time is the vote?

The PRESIDING OFFICER. The time expires at 4:27 p.m.

Mr. SESSIONS. How did it get to be at 4:27 p.m. instead of 4:30?

I ask unanimous consent the vote be held at 4:30, and I will wrap up in the time remaining.

The PRESIDING OFFICER. Is there objection?

The Senator from Vermont.

Mr. LEAHY. Reserving the right to object, I will not object if I could have 1 minute now on a matter of some importance.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. I am not sure—I do not object to the President pro tempore's request for 1 minute.

Mr. SESSIONS. I would object if it is counted against my time.

Mrs. MURRAY. Maybe I can help us all out here. The Senator from Alabama has been speaking for about 25 minutes. I am pleased to give the Senator from Alabama 4 minutes, the President pro tempore 1 minute, and I will take the final minutes.

The PRESIDING OFFICER. Is there objection?

Mr. SESSIONS. Mr. President, I thought we were voting at 4:30 and there would be 5 minutes left for me.

The PRESIDING OFFICER. Postcloture time expires at 4:27.

Mr. SESSIONS. I will accept the kind and generous offer of the Senator.

The PRESIDING OFFICER. Who yields time?

Mr. SESSIONS. I was concerned about Senator LEAHY. If I would have 4 minutes, I would consent to the Senator—

The PRESIDING OFFICER. The Senator from Alabama is recognized for 4 minutes.

Mr. SESSIONS. If I would have 4 minutes—I would ask unanimous consent that the vote be delayed until I have 4 minutes and Senator LEAHY has 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alabama.

Mr. SESSIONS. The bill before us today is a perfect example of why it is dangerous to produce a deal in secret and rush it through on the floor of Congress in a panic, as we have done time and time again. This bill is a perfect example of why we need regular order, why the Senate is supposed to be a deliberative body that debates and amends legislation—there is no amendment being allowed to this legislation—and why each Senator is supposed to have a chance to have their say and offer amendments to the bill. Each Senator in this Chamber, Republican and Democrat, is being diminished if they are not allowed to have an amendment on an important piece of legislation such as this.

I was astonished to hear earlier that we have no choice but to pass this bill exactly as it is, that there is no other alternative. What about letting the Senate work its will, I suggest. Could we not find 51 Senators who could have agreed on a better way to save money than to cut retired military personnel, a cut that was used to increase spending in other areas, some of which is clearly not more significant than the cuts falling on military retired personnel?

We learn after the House has passed the bill, that also includes a cut to the pensions of wounded warriors and—I

suspect most House Members didn't realize that, as my friend from Mississippi has pointed out.

We were blocked yesterday from having a vote, and it looks as if we will continue to be blocked. We will move to final passage, and there will be no opportunity to amend this bill and the big \$500 billion Defense authorization bill that will be on the floor next immediately. Thereafter, it will be voted on tomorrow, and there will be no amendments to it.

This is unprecedented to have the Defense bill on the floor when we often have 30 or more amendments. Zero. We don't have time, we have wasted our time on all kinds of things. We had a whole week in which there were two measly votes conducted when 30 or more could have been conducted easily that week, and there wouldn't have been that many votes on the Senate bill.

I would say that I do not believe this legislation is sound legislation. I believe it does damage to the ability of this Senate to protect the Treasury of the United States of America. I think it takes us down the road to eroding the power of individual Senators to constrain spending and stay within the limits we agreed to, that we put in law. I am not happy about it. I wish I had more time to talk about it. I don't.

I appreciate the opportunity to work with Senator MURRAY. I greatly respect Congressman RYAN. But there are some problems with this legislation. We should not pass it, and there is plenty of time for the House of Representatives to respond to any changes we were to make.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator pro tempore is recognized.

Mr. LEAHY. The White House has released a report that was prepared by the President's Review Group on Intelligence and Communications Technologies. The message is very clear. The message to the NSA is now coming from every branch of government, from every corner of our Nation: NSA, you have gone too far. The bulk collection of Americans' data by the U.S. Government has to end.

The review group came to the same conclusion that I have about the utility of the section 215 phone records program, the same conclusion that Judge Leon found just the other day, calling it unconstitutional. They said the section 215 program was "not essential to preventing attacks and could readily have been obtained in a timely manner using conventional section 215 orders."

They say what many of us have been saying, that just because we can collect massive amounts of data doesn't mean we should do so.

The report states:

Although we might be safer if the government had ready access to a massive storehouse of information about every detail of

our lives, the impact of such a program on the quality of life and on individual freedom would simply be too great.

Senator LEE, I, and others have legislation to curtail this. I think for the sake of our Nation and the sake of our Constitution we should.

In October, I introduced with Senator LEE the USA FREEDOM Act—a bipartisan and bicameral bill that ends the dragnet collection of Americans' phone records and recalibrates the government's surveillance authorities. This is commonsense legislation that has broad support from legislators across the political spectrum, civil liberties groups, and technology companies such as Microsoft, Apple, Google, and Yahoo.

I welcome the report and call on the President to immediately consider implementing the recommendations that can be achieved without legislation. I have invited the members of the President's Review Group to testify before the Senate Judiciary Committee next month, and look forward to discussing their important recommendations.

The PRESIDING OFFICER. The senior Senator from the State of Washington is recognized.

Mrs. MURRAY. The American people are sick and tired of the constant crises that we have seen in Washington, DC, over the past few years. They want us to work together, they want us to solve problems, and they want us to focus on jobs, families, and broad-based economic growth. That is why I am so pleased we are now headed to a final vote on the budget agreement that Chairman RYAN and I reached that breaks through this partisanship and gridlock and shows that Congress can function when Democrats and Republicans work together to make some compromises for the good of the country.

The Bipartisan Budget Act puts jobs and economic growth first by rolling back those automatic and harmful cuts to education, medical research, infrastructure investments, and defense jobs for the next 2 years. If we didn't get a deal, we would have faced another continuing resolution that would have locked in those damaging automatic cuts or, worse, a potential government shutdown in only a few short weeks.

This bill we are about to vote on replaces almost two-thirds of the cuts for this year to the domestic discretionary investments and, importantly, it prevents the next round of defense cuts that is scheduled to hit in January.

It is not going to solve every problem the automatic cuts have caused, but it is a step in the right direction and a dramatic improvement over the status quo.

This bill builds on the \$2.5 trillion in deficit reduction we have done since 2011 with an additional \$23 billion in responsible savings across the Federal budget.

Crucially, we protected the fragile economic recovery by spreading the savings out responsibly over the next 10 years and maintained the key precedent that sequestration cannot be replaced with spending cuts alone.

This bill isn't exactly what I would have written on my own—and I am pretty sure it is not what Chairman RYAN would have written on his own—but it is what the American people have called for, a compromise. That means neither side got everything they wanted and both sides had to give a bit.

I am hopeful this deal can be a foundation for continued bipartisan work, because we do have a lot of big challenges ahead of us for our families and communities that we all represent.

As we wind this down and go to a vote in a minute, I especially wish to thank my colleague across the aisle, Chairman RYAN, for his work with me over the past 2 months. He stood with courage, an honest broker, and a tough negotiator, but in the end we were able to come to an agreement and I wish to commend him for that.

I thank ranking member CHRIS VAN HOLLEN, who worked steadfastly with us.

I thank Leader REID and all of our leadership for their support throughout this budget process as we worked to negotiate this deal and move it through the Senate.

I also particularly thank the members of the Senate Budget Committee who worked so hard to pass a budget, start a conference, and reach this bipartisan deal—Senators RON WYDEN, BILL NELSON, DEBBIE STABENOW, BERNIE SANDERS, SHELDON WHITEHOUSE, MARK WARNER, JEFF MERKLEY, CHRIS COONS, TAMMY BALDWIN, TIM KAINE, and ANGUS KING. They were great members of our Budget Committee, and I thank them for their diligent work this year, as well as all of the Republicans on our committee who worked so hard with us.

Finally, I thank all of our staffs who have spent so many hours on putting this together.

From my office, Budget Committee staff director Evan Schatz; our deputy staff director John Righter; Budget Committee communications director Eli Zupnick; my chief of staff Mike Spahn; and all of our staff members, too numerous to mention right now, but I want each and every one of them to know how much I appreciate the intense work they put into all of this. I will insert all of their names in the RECORD.

I also thank Chairman RYAN's office; Budget Committee staff director Austin Smythe; policy director Jonathan Burks; and many more who helped us be successful.

I also thank David Krone from Leader REID's office and Kris Sarri from the Office of Management and Budget.

I thank Director Doug Elmendorf, Bob Sunshine, Pete Fontaine, and all

of the staff at the Congressional Budget Office for their innumerable hard work and support.

We are at the end of the time. I urge all of our colleagues now to support this Bipartisan Budget Act of 2013. We are about to put jobs and economic growth first and, most importantly, we are going to give the American people back some certainty that they do deserve.

Has all postcloture time expired in the motion to concur with respect to H.J. Res. 59?

The PRESIDING OFFICER. It has.

Mrs. MURRAY. I ask unanimous consent that the motion to concur with an amendment be withdrawn.

The PRESIDING OFFICER. Is there objection?

Mr. SESSIONS. Reserving the right to object, I would note this is the way the process—the train that runs through this body and denies amendments to be allowed—occurs. At this point, there will be a move, in effect, to clear the tree so this can be passed. It is an unhealthy tree we are in, and I am disappointed that we are heading in this direction, but it points out the actual legislative steps that are required to get to final passage after the leader has filled the tree.

The PRESIDING OFFICER. Is there objection?

Without objection, so ordered.

Mrs. MURRAY. I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. The motion to concur with amendment No. 2457 is withdrawn.

The question is on agreeing to the motion to concur.

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The result was announced—yeas 64, nays 36, as follows:

[Rollcall Vote No. 281 Leg.]

YEAS—64

Baldwin	Hatch	Murphy
Baucus	Heinrich	Murray
Begich	Heitkamp	Nelson
Bennet	Hirono	Portman
Blumenthal	Hoeven	Pryor
Booker	Isakson	Reed
Boxer	Johnson (SD)	Reid
Brown	Johnson (WI)	Rockefeller
Cantwell	Kaine	Sanders
Cardin	King	Schatz
Carper	Klobuchar	Schumer
Casey	Landrieu	Shaheen
Chambliss	Leahy	Stabenow
Collins	Levin	Tester
Coons	Manchin	Udall (CO)
Donnelly	Markey	Udall (NM)
Durbin	McCain	Warner
Feinstein	McCaskill	Warren
Franken	Menendez	Whitehouse
Gillibrand	Merkley	Wyden
Hagan	Mikulski	
Harkin	Murkowski	

NAYS—36

Alexander	Cruz	Moran
Ayotte	Enzi	Paul
Barrasso	Fischer	Risch
Blunt	Flake	Roberts
Boozman	Graham	Rubio
Burr	Grassley	Scott
Coats	Heller	Sessions
Coburn	Inhofe	Shelby
Cochran	Johanns	Thune
Corker	Kirk	Toomey
Cornyn	Lee	Vitter
Crapo	McConnell	Wicker

The PRESIDING OFFICER (Mr. BLUMENTHAL).

The motion to concur in the House amendment to the Senate amendment to H.J. Res. 59 is agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. The pending cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 3304, the Department of Defense Authorization Act for fiscal year 2014.

Harry Reid, Carl Levin, Patty Murray, Joe Donnelly, Christopher Murphy, Christopher Coons, Jon Tester, Tom Udall, John Rockefeller, Thomas Carper, Debbie Stabenow, Joe Manchin, Angus S. King, Jr., Mazie Hirono, Martin Heinrich, Bill Nelson, Max Baucus.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask unanimous consent to waive the quorum.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The mandatory quorum has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 3304 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 71, nays 29, as follows:

[Rollcall Vote No. 282 Leg.]

YEAS—71

Alexander	Blumenthal	Burr
Ayotte	Blunt	Cantwell
Baldwin	Booker	Cardin
Baucus	Boozman	Carper
Begich	Boxer	Casey
Bennet	Brown	Coats

Cochran	Kaine	Pryor
Collins	King	Reed
Coons	Klobuchar	Reid
Donnelly	Landrieu	Rockefeller
Durbin	Leahy	Schatz
Feinstein	Levin	Schumer
Franken	Manchin	Scott
Gillibrand	Markey	Shaheen
Graham	McCain	Stabenow
Hagan	McCaskill	Tester
Harkin	Menendez	Udall (CO)
Hatch	Merkley	Udall (NM)
Heinrich	Mikulski	Warner
Heitkamp	Moran	Warren
Hirono	Murkowski	Whitehouse
Inhofe	Murphy	Wicker
Johanns	Murray	Wyden
Johnson (SD)	Nelson	

NAYS—29

Barrasso	Grassley	Risch
Chambliss	Heller	Roberts
Coburn	Hoeven	Rubio
Corker	Isakson	Sanders
Cornyn	Johnson (WI)	Sessions
Crapo	Kirk	Shelby
Cruz	Lee	Thune
Enzi	McConnell	Toomey
Fischer	Paul	Vitter
Flake	Portman	

The PRESIDING OFFICER. The yeas are 71, the nays are 29. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

The PRESIDING OFFICER. The clerk will report the measure.

The legislative clerk read as follows:

Resolved, That the House concur in the Senate amendment to the title of the bill (H.R. 3304) entitled "An Act to authorize and request the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor," and be it further

Resolved, That the House concur in the first three Senate amendments to the text of the aforementioned bill, and be it further

Resolved, That the House concur in the fourth Senate amendment to the text of the aforementioned bill, with an amendment.

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid amendment No. 2552, to change the enactment date.

Reid amendment No. 2553 (to amendment No. 2552), of a perfecting nature.

Reid motion to refer the message of the House on the bill to the Committee on Armed Services, with instructions, Reid amendment No. 2554, to change the enactment date.

Reid amendment No. 2555 (to (the instructions of the motion to refer) amendment No. 2554), of a perfecting nature.

Reid amendment No. 2556 (to amendment No. 2555), of a perfecting nature.

The PRESIDING OFFICER. Cloture having been invoked, the motion to refer falls.

The Senator from Michigan.

Mr. LEVIN. Mr. President, I am very pleased to join Senator INHOFE, the ranking Republican on our committee, in bringing to the floor the agreement

between the Armed Services Committees of the Senate and the House on the National Defense Authorization Act for Fiscal Year 2014.

The House passed this bill last week with a vote of 350 to 69, and if we pass it in the Senate, which I am optimistic now that we will, it will mark the 53rd year in a row we have enacted this bill that is so essential to the defense of our Nation and to our men and women in uniform and their families.

I wish to thank all of the members of the Armed Services Committee and our staffs. I especially want to thank our subcommittee chairs and ranking members for the hard work they have done to get us to the finish line on this bill.

Of course, I thank Senator INHOFE for the close partnership we have had in leading this committee. We have both had the benefit of a strong relationship with the chairman and ranking member of the House Armed Services Committee, BUCK McKEON and ADAM SMITH, in our endeavor.

I share the disappointment of Senators with our inability to vote on more amendments when our committee bill was brought to the Senate floor a few weeks ago. Senator INHOFE and I spent a week on the Senate floor before Thanksgiving trying to bring up more amendments and to have them debated and voted on.

We tried to reach agreement to limit consideration to defense-related amendments, but we were unable to do that. We tried to consent to vote on two sexual assault amendments, the Gillibrand amendment and the McCaskill amendment, which had been fully debated, but we could not get consent to do that. We tried to get consent to adopt a package of 39 amendments that had been cleared on both sides, but we were unable to do even that.

It then became clear, given the Senate schedule, that our only hope of enacting a defense bill this year was to negotiate a new bill with the House Armed Services Committee on the basis of two bills: one that was reported out of the Senate Armed Services Committee, and, two, the bill that was passed by the House of Representatives, and then we decided we would seek enactment of a new bill in both Houses.

That new bill passed the House without amendment. If we fail to pass the same bill, there will be no National Defense Authorization Act this year, with the result being we would deny the Department of Defense vital authorities, we would undermine congressional oversight of the military, and we would fail in our duty to provide our men and women in uniform the support they need and deserve.

The bill before us is not a Democratic bill and it is not a Republican bill. It is a bipartisan, bicameral defense bill. It is a good bill and one that deserved the

strong support it received in the House of Representatives and that I hope will receive a strong vote in the Senate tomorrow.

The bill includes hundreds of important provisions to ensure that the Department can carry out its essential national defense missions.

Here are just a few examples: Our bill extends the Department of Defense authority to pay out combat pay and hardship duty pay.

The bill extends supplemental impact aid to help local school districts educate military children.

The bill extends existing military land withdrawals at China Lake, Chocolate Mountain, and Limestone Hills that would otherwise expire, leaving the military without critical testing and training capabilities.

The bill includes a new land withdrawal, which is critical to the Marines, to expand its training area at 29 Palms.

Our bill provides needed funding for the destruction of the Syrian chemical weapons stockpile and for efforts of the Jordanian Armed Forces to secure that country's border with Syria.

Our bill enables the Department of Defense to save more than \$1 billion by authorizing a number of multiyear contracts.

Our bill includes more than 30 provisions, as our Presiding Officer well knows, to address the problem of sexual assault in the military. For example, we provide every military sexual assault survivor a special victim's counsel—a lawyer who works not for commanders, not for prosecutors or defense attorneys or a court but for the victim.

We include strong new protections for survivors, for those people who have been victims, making it a crime under the Uniform Code of Military Justice to retaliate against a servicemember who reports a sexual assault and requiring that the Department of Defense inspector general review and investigate any allegation of such retaliation.

Our bill requires that commanders who become aware of a reported sexual assault immediately forward that information to criminal investigators.

Our bill ends the ability of commanders to modify findings and convictions for sexual assaults and other serious crimes.

Our bill provides that any decision by a commander not to prosecute a sexual assault complaint undergoes an automatic review by a higher command authority, which in nearly all cases would mean a general or a flag officer.

Our bill includes the Boxer amendment to make the article 32 process more like a grand jury proceeding in which the purpose is to determine probable cause rather than the current process which is used as a discovery tool by the defense.

While this change is not limited to sexual assault cases, it will mean the victim of a sexual assault will not have to appear in person and be subjected to cross-examination by the defense.

As Senators are aware, we were unable to vote on either the Gillibrand amendment or the McCaskill amendment on the floor because of procedural objections. I hope the Senate will be able to consider and vote on both of these important initiatives early next year.

Again, relative to sexual assault, our bill does contain groundbreaking reforms that will provide much needed assistance to victims of sexual assault while also helping establish a climate in the military in which there is no tolerance for sexual assault or for retaliation against those who report it.

With regard to Guantanamo, the bill we reported out of the Armed Services Committee included both language making it possible to bring detainees to the United States for trial and a provision making it easier to transfer detainees back to their home countries. The full Senate voted to retain these provisions by a 55-to-43 vote when the committee-reported bill was on the floor.

The compromise we reached includes the House prohibition on bringing Gitmo detainees to the United States but follows the Senate language generally, which provides our military greater flexibility to transfer Gitmo detainees to third countries. As a result, our military will be able to make decisions about how long to keep detainees and under what circumstances to transfer them to third countries on the basis of a real-world evaluation of risks rather than the current law, which provides an arbitrary and extreme checklist of certification requirements.

We recently received letters from our senior military leaders urging us to enact the Defense authorization bill before we leave this year.

For example, GEN Martin Dempsey, the Chairman of the Joint Chiefs, wrote that the authorities included in this bill "are critical to the Nation's defense and urgently needed to ensure we all keep faith with the men and women, military and civilian, selflessly serving in our Armed Forces."

GEN Ray Odierno, the Army Chief of Staff, told us:

From authorities that help us prevent and respond to sexual assault, restore readiness, allow for continuous work in our industrial base, and start important military construction projects, this NDAA is critical to your Soldiers, their Families, and the numerous local communities that support our installations.

ADM Jonathan Greenert, Chief of Naval Operations, stated that pushing the bill into the next year "would mean critical authorities expire, which would exacerbate my readiness challenge and jeopardize our commitment to our service men and women."

Gen. James Amos, Commandant of the Marine Corps, wrote:

Without an NDAA, landmark legislation transforming the Uniform Code of Military Justice and improving the support provided to victims of sexual assault will be lost.

He continued:

I am also concerned about the adverse impact on logistical support for Coalition forces in Afghanistan, our ability to retrograde military equipment along the Northern Distribution Network, and the impact on Coalition Support Funds that support ground transportation of supplies and retrograde of equipment through Pakistan.

Gen. Mark Welsh, the Air Force Chief of Staff wrote:

The FY 14 NDAA contains critical authorities that enable us to protect the American people while keeping our promise to our active duty, Guard, Reserve, and civilian airmen. If this important legislation is not enacted, I worry about significant impacts to Air Force operations that could jeopardize the missions we are tasked to perform. . . . Simply put, we cannot operate effectively without your help and without the direction that the NDAA provides.

Gen. Frank Grass, the Chief of the National Guard Bureau, told us:

Failure to enact an NDAA would break faith with our Army and Air Guardsmen by not re-authorizing special pay and bonuses. Also, authorities contained in the NDAA are crucial to maintaining the training, equipment, and opportunities necessary for the National Guard to remain an operational force ready to respond to domestic and overseas contingencies.

I ask unanimous consent that these letters be printed in full in the RECORD.

CHAIRMAN OF
THE JOINT CHIEFS OF STAFF,
Washington, DC, December 9, 2013.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR MR. MAJORITY LEADER: As we enter the final weeks of December, I write to urge you to complete the National Defense Authorization Act this year. The authorities contained therein are critical to the Nation's defense and urgently needed to ensure we all keep faith with the men and women, military and civilian, selflessly serving in our Armed Forces. Allowing the Bill to slip to January adds yet more uncertainty to the force and further complicates the duty of our commanders who face shifting global threats. I also fear that delay may put the entire Bill at risk, protracting this uncertainty and impacting our global influence. For your reference, enclosed is a list summarizing expiring authorities.

I deeply appreciate congressional efforts to achieve a budget deal and subsequent appropriations. Your efforts to provide the Joint Chiefs the Time, Certainty, and Flexibility in both our budget and authorities will help ensure we keep our Nation safe from coercion.

I appreciate your continued concern for and support of our men and women in uniform.

Sincerely,

MARTIN E. DEMPSEY,
General, U.S. Army.

Enclosure.

LIST OF EXPIRING AUTHORITIES

Title	Expiration
Authority Issues:	
Afghanistan Security Forces Fund	9/30/2013
Authority for Joint Task Forces to Provide Support to Law Enforcement Agencies Conducting Counter-Terrorism Activities	9/30/2013
Authority for Reimbursement of Certain Coalition Nations for Support Provided to United States Military Operations	9/30/2013
Authority to Provide Additional Support for Counter-drug Activities of Other Countries	9/30/2013
Authority to Support Unified Counter-drug and Counter-terrorism Campaign in Colombia	9/30/2013
Commanders' Emergency Response Program in Afghanistan	9/30/2013
Authority to Establish a Program to Develop and Carry Out Infrastructure Projects in Afghanistan	9/30/2013
Logistical Support for Coalition Forces Supporting Operations in Afghanistan	9/30/2013
Pakistan Counterinsurgency Fund (DoS)	9/30/2013
Task Force on Business and Stability Operations in Afghanistan and Economic Transition Plan and Economic Strategy for Afghanistan	9/30/2013
Enhancement of Authorities Relating to DoD Regional Centers for Security Studies	9/30/2013
Authority to Support Operations and Activities of the Office of Security Cooperation in Iraq	9/30/2013
Ford Class Carrier Construction Authority	9/30/2013
North Atlantic Treaty Organization Security Investment Program	9/30/2013
Reintegration Activities in Afghanistan	12/31/2013
Military Special Pays and Bonuses • Expiring Bonus and Special Pay Authorities provided by P.L. 112-239, sections 611-615 (National Defense Authorization Act for Fiscal Year 2013) ..	12/31/2013
Travel and Transportation Allowances	12/31/2013
Authority to Waive Annual Limitation on Premium Pay and Aggregate Limitation on Pay for Federal Civilian Employees Working Overseas	12/31/2013
Non-Conventional Assisted Recovery Capabilities Support of Foreign Forces Participating in Operations to Disarm the Lord's Resistance Army ...	9/30/2013
Authority to Provide FAA War Risk Insurance to CRAF Carriers	12/31/2013
Authority to Provide Temporary Increase in Rates of Basic Allowance for Housing Under Certain Circumstances	12/31/2013
Acquisition Issues:	
New Starts, Production Increases, Multiyear Procurements	Various
80/20 Rule	N/A
General Transfer Authority & Special Transfer Authority	N/A
AP of Virginia Class	10/1/2013

UNITED STATES ARMY,
THE CHIEF OF STAFF,
December 10, 2013.

Hon. HARRY REID
Senate Majority Leader, U.S. Senate,
Washington, DC.

DEAR LEADER REID: Today, your Army has close to 70,000 Soldiers deployed around the world with nearly 40,000 of those brave men and women in combat in Afghanistan and several thousand more in hazardous duty postings such as the Persian Gulf and Horn of Africa. With many of the authorizations for their support and the support to their families set to expire later this month, I believe it is imperative that the Congress pass the National Defense Authorizations Act this December. Our Soldiers and their families require the many authorities that your bill, when passed, will provide for them to accomplish their missions overseas and here at home. For an Army still very much at war, it is vital that the Congress not allow these critical defense authorizations to lapse.

The Chairman of the Joint Chiefs of Staff has laid out the impacts of a lapse in defense authorizations on our Combatant Commanders' operations and on deployed troops. The impacts of not having a defense authorization bill passed in this calendar year will have a significant impact at home as well. From authorities that help us prevent and respond to sexual assault, restore readiness, allow for continuous work in our industrial base, and start important military construction projects, this NDAA is critical to your Soldiers, their Families, and the numerous local communities that support our installa-

tions. As a nation, we cannot afford to allow those authorities to lapse and delay the implementation of new authorities designed to make our National defense stronger and more effective.

With great respect, I urge you to find a way to work with the House in the days remaining prior to the Holiday Recess and pass the NDAA. Given these authorities, I look forward to returning to Congress in the early spring with Secretary McHugh and testifying on the Army's Posture.

Thank you for your continued support of our Army, Soldiers, Civilians, and Veterans.

Sincerely,

RAYMOND T. ODIERNO,
General, United States Army.

CHIEF OF NAVAL OPERATIONS,
December 12, 2013.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR SENATOR REID: I am writing to request the expeditious passage of the FY14 National Defense Authorization Act.

Early in my tenure as Chief of Naval Operations, I established three tenets for the Navy: "Warfighting First," "Operate Forward," and "Be Ready." In support of these three tenets, I ask that you give every consideration to completing the FY14 NDAA before the end of the year. Passage of the bill will give me the authorities needed to support our Sailors through special pays, allowances, and enlistment and retention bonuses. Sailor readiness is the foundation of Fleet readiness. Support to our Civilians, Sailors, and their Families is central to Sailor readiness. Deferring the NDAA into calendar year 2014 would mean critical authorities expire, which would exacerbate my readiness challenge and jeopardize our commitment to our service men and women.

Thank you in advance for your efforts and persistence in passing the FY14 defense authorization bill as soon as feasible.

JONATHAN W. GREENERT.

DECEMBER 9, 2013.

DEAR LEADER REID: I am writing you to express my strongest support for the passage of the National Defense Authorization Act (NDAA) prior to the end of this year. This year's NDAA contains authorities critical to our Nation's defense that enable us to protect the American people while keeping our promises to our Marines, Sailors and Civilian Marines. I believe that passage of a National Defense Authorization Act prior to the end of the current calendar year is a national security imperative.

As a member of the Joint Chiefs of Staff, I am gravely concerned that, without timely passage of the NDAA, critical authorities will expire. Without an NDAA, landmark legislation transforming the Uniform Code of Military Justice and improving the support provided to victims of sexual assault will be lost. I am also concerned about the adverse impact on logistical support for Coalition forces in Afghanistan, our ability to retrograde military equipment along the Northern Distribution Network, and the impact on Coalition Support Funds that support ground transportation of supplies and retrograde of equipment through Pakistan.

As the Commandant of the Marine Corps, I am concerned that failure to pass an NDAA will break faith with our Marines, Sailors and Civilian Marines on authorizations for their pay and benefits. Also, hard-won gains on the Twenty-nine Palms land expansion Senator Feinstein worked so hard over the

past seven years to accomplish will be threatened.

I thank you for your willingness to reach across the aisle in a timely and creative fashion in order to pass this vital piece of legislation prior to the end of the year. Your continued support for the men and women that wear our nation's uniform will add certainty to the force and simplify the duties of commanders around the globe who are providing for our common defense.

Again, thank you for all you do to support your Marines and Sailors. I remain . . .

Semper Fidelis,

JAMES F. AMOS,
General, U.S. Marine Corps,
Commandant of the Marine Corps.

DEPARTMENT OF THE AIR FORCE,
Washington, DC, December 12, 2013.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR LEADER REID: I write to urge Congress to pass the National Defense Authorization Act for Fiscal Year 2014 (FY14 NDAA) prior to the end of this calendar year. The FY14 NDAA contains critical authorities that enable us to protect the American people while keeping promises to our active duty, Guard, Reserve, and civilian Airmen. If this important legislation is not enacted, I worry about significant impacts to Air Force operations that could jeopardize the missions we are tasked to perform.

In addition to serious operational impacts, I am concerned that failure to pass an NDAA, would break faith with Airmen as authorizations for pay and benefits expire. As you know, today's Air Force faces many challenges, and we depend on the NDAA to provide policy direction on a variety of matters, ranging from sexual assault prevention and response to adjusting force structure and manpower to meet future threats, all while complying with budget constraints. Simply put, we cannot operate effectively without your help and without the direction that the NDAA provides.

Thank you for your attention to our concerns and for considering action on the FY14 NDAA before this congressional session comes to a close. We are grateful for your continued support for all of the men and women who wear our Nation's uniform.

Sincerely,

MARK A. WELSH, III,
General, USAF, Chief of Staff.

NATIONAL GUARD BUREAU,
DEFENSE PENTAGON,
Washington, DC.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR MR. MAJORITY LEADER: I write to you to urge completion of the National Defense Authorization Act (NDAA). I understand you have received similar letters from the Army and Air Force Chiefs of Staff, highlighting the impact a lapse of authorization would have on federalized National Guardsmen. As Chief of the National Guard Bureau, I want to echo these sentiments as well as point out the harmful effects on non-federalized National Guardsmen, military technicians, and their families. Specifically, failure to enact an NDAA would break faith with our Army and Air Guardsmen by not re-authorizing special pay and bonuses. Also, authorities contained in the NDAA are crucial to maintaining the training, equipment, and opportunities necessary for the National Guard to remain an operational force ready to respond to domestic and overseas contingencies.

I truly appreciate your efforts to pass an NDAA and Appropriations Bill that support and enable our military to defend our Nation and keep it safe. Thank you for your continued support of all National Guardsmen, civilians, and their families.

Sincerely,

FRANK J. GRASS,
*General, U.S. Army, Chief,
National Guard Bureau.*

Mr. LEVIN. Finally, we have managed to pass a national defense authorization bill for 52 straight years, including a number of recent years when we were unable to pass a bill in the Senate, and therefore unable to go to a traditional conference. That is not best way to proceed. I think we all acknowledge that.

Our troops, their families, and our Nation's security, deserve a defense bill, and what we are offering to the Senate is the only practical way to get a bill passed and enacted.

Again, before I yield the floor, I wish to thank Senator INHOFE and his staff who have joined so closely with myself and all of the members of the Armed Services Committee and our staff to make it possible to get, as I said before, this close to the finish line.

I am confident we are going to cross that finish line because of the hard work of our members. I want to especially point out our subcommittee chairs and the ranking members as well as all of the members of the Armed Services Committee, including Senator BLUMENTHAL, who at this moment is presiding over the Senate and has personally played such an important role in getting us to where we are.

With that, and again with my thanks to Senator INHOFE, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first, I wish to say the same thing. It sounds as though it is all rehearsed, but it is not. It is actually a reality that I have always felt I could call and talk to the chairman about things we might not have in common—although I can only remember one issue where we were on opposite sides, but we have our reasons for being on opposite sides. Unless we work those out, then between John Bonsell and Peter, it is always a joy to be able to call and know I am reaching the top and we are going to be able to come up with a decision.

I talked to a lot of the Republicans who voted against this, and I want the chairman to be aware of this. I think almost all of them who voted against it voted that way for one reason; that is, the process. They wanted to have amendments. They are entitled to amendments. I think we said that over the last 10 years we have averaged 9 days of debate on this most significant bill each year. That is an average. We have had about 100 amendments on average. So that is something both the chairman and I agree should have happened, but it just didn't happen. We

can't really blame one side more than the other.

Then, of course, when the nuclear option came, that got things pretty hostile here, and unfortunately what suffered was our bill.

I feel strongly that we have a good bill. In fact, a lot of people don't know how this process works when we cannot get a bill through the House and/or the Senate to make it a reality, and I had to go through this one year when I was on the House Armed Services Committee. Then they had the big four; that is, the chairman and the ranking member of the Senate and the chairman and the ranking member of the House, get together and put this together. That may not be the process—in fact, it is not the process we wanted—but the choice became, do we have a bill or do we not have a bill, and we have gotten down to that choice.

What I tried to do, and I failed—I am embarrassed to say I failed with many of our Republicans in explaining to them what would happen if we don't have a bill. I started writing what the chairman talked about that is in this bill, and I couldn't keep up. He was too fast. But I would like to mention a couple of things that I think perhaps were not mentioned.

Of course, we did cover Gitmo, and I look at it just a little bit differently than the chairman does. I like the restoration of the 1-year prohibition on the transferring of the detainees to the United States. That was a 12-month provision we had last time that we tried to get in, and we actually addressed this in our bill. But in this bill—the substitute bill we just voted on—I think it is very important and something I feel very strongly about.

On the sexual assault, we had both Senators McCASKILL and GILLIBRAND, and I recall both of them saying: Well, this isn't everything I wanted. But they both thought it sure was a lot better than not having a bill. So I think we have done a good job there.

I always pick out one area that shows how much this would cost. If we look at the CVN-78—75 percent finished right now, \$12 billion spent on it now—and if we didn't have this bill, I am sure we would try to do something, but work would stop, and people would be laid off. It would have then cost a lot more to wind things up and get back into it. When I say "a lot more," we are talking about millions of dollars more. So that is one of the great victories we have.

The one aspect so many of my constituents are concerned about that I think needs to be called to everyone's attention that is in this bill is the U.N. Arms Trade Treaty. I remember back when we had the bill that didn't ultimately pass, but we had an all-night session, and at 5 o'clock in the morning I passed my amendment that would preclude us from getting involved in

that treaty. This was after our Secretary of State had already signed this treaty. We had 53 votes. We had all the Republicans and six of the Democrats vote in favor of that. That didn't pass, but it is very important that we address that, not just to protect Second Amendment rights but also to protect our ability to help our allies without having to go through the United Nations. And we have that provision in here, which is very significant.

On the BRAC, BRAC is controversial. I was opposed to the last BRAC round. My feeling at that time was that we were getting the force structure down artificially low, and I didn't feel comfortable bringing down the infrastructure to meet that because I was hoping we would be able to—that is the same reason I would not want to have a BRAC round right now. We have never been in such a critical fiscal condition in supporting our military as we are today.

One thing that is certain about BRAC rounds is that we can debate about how much ultimately they will save, but everybody knows what it costs in the first 5 years, and these are the first 5 years that we really can't afford it, particularly the first year.

The last thing I would mention is something I felt more strongly about than I think most of the rest of them did, and that is how much we have spent on these drop-in fuels, the biofuels, and we have language here that would say we would not do it unless they are cost-competitive. That is a huge issue to me personally.

The last two I would like to mention—people say in my conference, a lot of them are saying: Well, what is going to happen on December 31 if we don't pass the bill? I have a long list of expirations here that I ask unanimous consent to have printed in the RECORD. I will only mention three of them. One is on the aviation officer retention bonus.

I think we all know and most of us believe that we made a mistake in April when we shut down some of our squadrons and about a third of our fighter squadrons for a period of about 3 months. General Walsh presented a very persuasive case that it costs a lot more to get them back to current, as we started to do in July, than the money that was saved during the time they were down. I think we lost a lot of aviators at that time because they were grounded, they weren't flying, and they just decided they would go into the private sector.

If we take away the aviation officer retention bonus, that is going to accelerate the lost number of people who would otherwise stay in the military. That would have gone away on the 31st of December. I don't know how many of the aviators we would lose, but I do know this: It is a \$25,000 bonus, and the difference between retraining and retraining is huge. We can retain them, if

the bonus would influence them, for \$25,000, but retraining, to get to the optimum—the first level being the F-22—is about \$7.5 million, but there is another \$9 million to get to the top proficiency. That means \$17 million as opposed to \$25,000. So I think we need to in the future always keep track of retraining and retaining.

The health care professional bonus would end on December 31. Why is that important? Because a lot of these people who are taking care of our wounded warriors—not just at the hospitals but also after they leave—have special pay to take care of our wounded warriors, those who have made the sacrifices, and that would have ended on December 31.

The reenlistment bonus for Active members would also end. I remember from my military days that when people were getting ready to leave, they looked at the bonus, and that is there to encourage them to stay. So it is not just aviators; it is the ground guys and gals too.

So we have done a lot. I really appreciate that opportunity.

The last thing I will say—and I will ask my staff to put up the picture—this is my appeal to the minority leader and the majority leader. We could play the game and extend this and be here until midnight, I guess, on Thursday night. It happens that tomorrow is my 54th wedding anniversary, and I would really like to ask both the majority and the minority if we couldn't yield back a little bit of time. We know we are going to have the votes for this. I would sure like help. Those 20 kids and grandkids are waiting for me for a big dinner on our 54th wedding anniversary tomorrow night. So have mercy, give us a break, and let's try to get this voted on and go home. And Merry Christmas to everybody.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NDAAs AUTHORIZING EXPIRING ON 31 DEC
TRAVEL AND TRANSPORTATION ALLOWANCES
MILITARY SPECIAL PAY & BONUSES PROVIDED BY
FY13 NDAA

Reenlistment bonus of active members
Healthcare Professional bonus and special
pays
Reserve forces bonus and special pays
Nuclear Officers Bonus and special pays
Assignment pay or special duty pay
Skill incentive pay or proficiency bonus
Retention incentives for critical military
skill or assigned to high priority units
Aviation officer retention bonus
Assignment incentive pay
Enlisted bonus
Accession bonus for new officers in critical
skills

Incentive bonus for conversion to military
occupational specialty to ease personnel
shortage

Incentive bonus for transfer between
armed forces

Accession bonus for officer candidates

Mr. INHOFE. I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I surely join Senator INHOFE in the plea that his time and much of the time between now and the 30-hour end point be yielded back. Somehow or other, I hope our leaders can manage that for not just Senator INHOFE's 54th wedding anniversary—I thought I was a heroic figure; my wife is more heroic than I—because we have been married 52 years.

Mr. INHOFE. Oh, you will make it.

Mr. LEVIN. She is the hero. But in any event, I surely join in that request.

Mr. President, I ask unanimous consent that a full list of our minority and majority staff who have given so much of themselves and their families be printed in the RECORD, including Peter Levine, John Bonsell, and then all of the other staff members, both the majority and minority staff.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Peter K. Levine, Staff Director; John A. Bonsell, Minority Staff Director; Daniel C. Adams, Minority Associate Counsel; Adam J. Barker, Professional Staff Member; Steven M. Barney, Minority Counsel; June M. Borawski, Printing and Documents Clerk; Leah C. Brewer, Nominations and Hearings Clerk; Joseph M. Bryan, Professional Staff Member; William S. Castle, Minority General Counsel; Jonathan D. Clark, Counsel; Samantha L. Clark, Minority Associate Counsel; Allen M. Edwards, Professional Staff Member; Jonathan S. Epstein, Counsel; Gabriella E. Fahrner, Counsel; Richard W. Fieldhouse, Professional Staff Member.

Lauren M. Gillis, Staff Assistant; Thomas W. Goffus, Professional Staff Member; Creighton Greene, Professional Staff Member; Ozge Guzelsu, Counsel; Daniel J. Harder, Staff Assistant; Alexandra M. Hathaway, Staff Assistant; Ambrose R. Hock, Professional Staff Member; Gary J. Howard, Systems Administrator; Michael J. Kuiken, Professional Staff Member; Kathleen A. Kulenkampff, Staff Assistant; Mary J. Kyle, Legislative Clerk; Anthony J. Lazarski, Professional Staff Member; Gerald J. Leeling, General Counsel; Daniel A. Lerner, Professional Staff Member; Gregory R. Lilly, Minority Clerk; Jason W. Maroney, Counsel; Thomas K. McConnell, Professional Staff Member.

Mariah K. McNamara, Special Assistant to the Staff Director; William G. P. Monahan, Counsel; Natalie M. Nicolas, Minority Staff Assistant; Lucian L. Niemeyer, Professional Staff Member; Michael J. Noblet, Professional Staff Member; Cindy Pearson, Assistant Chief Clerk and Security Manager; Roy F. Phillips, Professional Staff Member; John L. Principato, Staff Assistant; John H. Quirk V, Professional Staff Member; Robie I. Samanta Roy, Professional Staff Member; Brendan J. Sawyer, Staff Assistant; Travis E. Smith, Chief Clerk; Robert M. Soofer, Professional Staff Member; William K. Sutey, Professional Staff Member; Barry C. Walker, Security Officer.

Mr. LEVIN. Mr. President, I again thank all of the members of our committee and staff who worked—I don't know how to describe the effort that every year is put into our authorization bill. It is a round number—52,

maybe now 53 years. It is a big number. It doesn't say what each year—each month of every year—our staffs put into the annual authorization bill. It is an extraordinary effort that they make. Senator INHOFE and our colleagues and I watch them really with amazement because of what they give up to accomplish this. We are not quite there yet. We have to have a final passage vote. I hope it comes a lot earlier than late tomorrow.

ENERGY SAVINGS PERFORMANCE CONTRACTING

Mrs. SHAHEEN. Mr. President, the Department of Defense is the largest single consumer of facilities energy in the Nation and spends more than \$4 billion a year to power military installations. Energy management is very important to DoD's mission, both as a matter of conservation and the proper stewardship of funds provided by Congress.

In recent years, the Department of Defense has made significant progress in reducing energy use on military installations. In fiscal year 2012, the Department achieved a 17.7 percent reduction in energy use from the fiscal year 2003 baseline established by law in the Energy Independence and Security Act of 2007. In addition to direct investment, the Department's use of energy savings performance contracting and utility energy savings contracting has historically played an important role in the achievement of the Department's facility energy management objectives. Energy Savings Performance Contracts, commonly known as ESPCs, provide private sector financing for energy improvements at government facilities, with that investment paid back over time from the agency's utility bill savings. As part of a broad administration effort established in 2011 to improve Federal energy efficiency, the Department has committed to award \$1.2 billion in performance-based contracts by the end of 2013.

I would pose a question to my colleague, the ranking member of the full committee and a manager of the bill, Senator INHOFE, who has long been a supporter of performance contracting, about this matter and whether he believes the Department can do more.

Mr. INHOFE. Mr. President, I thank the Senator from New Hampshire, the chair of the Subcommittee on Readiness and Management Support, for her question. I am a strong supporter of energy performance contracts that provide maximum savings for the Federal Government. It is my understanding that the components of the Department of Defense have identified additional opportunities for energy conservation and energy demand management that could benefit from performance contracting. However, in order to maximize taxpayer savings, it is vital that DoD contract for those projects that provide the greatest return on investment as opposed to directing the

use of certain mandated energy sources without an assessment of relative costs over the life cycle of the project. I join with the Senator from New Hampshire to strongly encourage the Secretary of Defense and the Secretaries of the military departments to increase the use and streamline the administration of energy savings performance and utility energy savings contracting vehicles that will incorporate the most efficient and effective energy systems in order to maximize the reduction of operational costs, to conserve energy resources, and to improve the efficiency of building systems. I hope my colleague will join with me as part of our oversight responsibilities for the committee that we ensure energy performance contracts carried out by the Department of Defense meet the intent of the President's executive order of December 2011 to maximize cost reductions for the Federal Government by promoting projects to offer the greatest return on investment.

Mrs. SHAHEEN. Mr. President, I thank the Senator from Oklahoma and I look forward to working with him to improve DoD's management practices in this area.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I too wish to congratulate the Senator from Oklahoma and Kay for their 54th wedding anniversary. It is quite a landmark for an outstanding couple. I hope they get to celebrate on their day. I think that probably, if we knew the final vote on this was going to be the end of the whole process before Christmas, it probably would include time yielded back. But if there are going to be a whole bunch of things thrown in that really have relatively little importance before the end of the year, the Senator probably won't get his wish. So I am hoping we can end it with this bill.

I rise to express my disappointment that this National Defense Authorization Act on which we will soon be having a final vote is the product of another deal instead of the result of discussion, debate, and amendment process on the floor. Once again, the Senate has failed to do its job. The Senate majority leader has blocked all but two amendments to this NDAA from consideration, and those were to prevent any other amendments from happening. That is not right. That is not the way we used to do it. If we want to know what is wrong with the Senate and why people of all political persuasions are upset with Congress, that is a big part of the answer right there—no amendments allowed.

Here we are at the end of the year—this didn't have to come at the end of the year. In fact, I never remember us debating it this late in the year.

Incidentally, this is the only committee that gets a bill every year. The other committees have to fight for

some time and hopefully have a persuasive enough bill to get it. But every year I have been here, we have debated this National Defense Authorization Act, and it is important.

There are two primary things we are charged with, and one is spending for the United States and the other is national defense. And this is about the national defense. It shouldn't be crowded into 30 hours or even 1 week. There ought to be the ability to express what we think is important dealing with national defense, and we are not being allowed to do that.

This is an important bill for our country. There are a lot of important issues in it that we need to discuss. We haven't considered issues relating to our nuclear deterrent, to privacy concerns related to the National Security Administration, to detention of U.S. citizens, and the need to address sexual assault in the military, or a number of other important issues. In the past, we have spent multiple weeks on the Defense bill and considered dozens of amendments. That is what we should be doing this year too.

I understand we have come up against this December 31 deadline and how critical that is. That should not have happened. Our national security needs to be fully debated, and it needs to be debated by the whole Senate.

Every voice needs to be heard. That means every constituent out there whom we represent has to have at least an opportunity to have their interests reflected in this national bill. We all have some military in our States, and it is very important. That is how it is supposed to happen, and that is the way the Senate does its best work.

One of the things that have been holding it up, of course, are the nominations. Most of those nominations did not have urgency to them. They could have been done next year without hurting the United States at all—not the case with the National Defense Authorization Act. So we do not have priorities on what we are debating around here, and then we have limits because of the timeframe. It is not right.

One of those important issues we are skipping over is the nuclear deterrent. I offered several amendments on this issue because I believe the administration is playing a dangerous game with national security. The solution I proposed in my amendment was simple and straightforward. It would have ensured that American citizens and our allies would not be harmed by this administration's bad policy decisions—both today and for years to come—by ensuring that any further reductions in our nuclear arsenal could not be done by the administration unilaterally.

As background, here in the Senate I have the honor of representing the city of Cheyenne, WY, which is the home of F.E. Warren Air Force Base and the 90th ICBM Missile Wing. Those who

proudly serve there have an awesome responsibility and a history of doing excellent work. We have entrusted the most powerful of our weaponry to the best, to the most capable of managing these weapons in a thoroughly professional and reliable manner. Every day, the top-notch men and women who are stationed at F.E. Warren work together to maintain the world's most powerful military force, our ICBMs. Seven days a week, 24 hours a day, they stand guard to ensure our safety and our freedom. They maintain a constant vigil from which they can never stand down because their mission is that critical. In a very real sense, that is why each one of us is able to sleep well at night. Moms and dads and grandpas and grandmas all across America know that when they tuck their kids in at night, someone is on duty and will continue to be watching through the lonely hours of the night to make sure their little ones are safe and secure.

Unfortunately, there are those in the administration who take the contributions of our military for granted. They do not have the sense of history that is needed to fully appreciate why these weapons were designed and put into operation in the first place. They do not see how much they are needed today and will still be needed tomorrow to ensure our future. They do not fully appreciate the key role they have played in the past either. They seem to think that nuclear weapons are part of a bygone era, a relic of the past that has not been needed since the Cold War ended.

The adoption of such a position is dangerous because it takes our position of strength for granted. What they fail to understand is the power of this deterrent and how it has kept us safe for decades. In the past, any nation that gave even a casual thought to threatening us or trying to do us harm had to quickly shelve those plans when the realization of what they would be up against was made clear. That is, after all, the point of having these weapons. That is one of the reasons why they are necessary. They have served us well ever since they were first deployed.

The administration's views on our nuclear deterrent should not come as a surprise to any of us who have watched the development of these ideas when they were first offered for consideration. We have seen President Obama promise to do all he can to reduce our nuclear arsenal—step by step. First, he rammed the New START treaty through the Senate by promising commitments that he ultimately did not keep. One of those was the promise to modernize our nuclear force, which we are still waiting on. I voted against ratification of the New START treaty because I believe maintaining a strong nuclear force is a critical part of protecting our country. It still is.

The Obama administration has stated its intention to reduce the number

of deployed nuclear warheads to as few as 1,000, which would be 550 fewer than is allowed under that New START treaty. What is more, in the factsheet on the Nuclear Posture Review Implementation Study, it states that the President could go outside the formal treaty-making process and reduce our nuclear arsenal unilaterally. That has “bad idea” written all over it. It means the administration can still make drastic nuclear reductions even if Russia will not agree to do the same. Does that make any sense? Should we just bargain with ourselves? That is something which should give us all pause and encourage us to go on record as to what needs to be done to keep our people safe.

In case you think I am overreacting, last year President Obama was caught on an open microphone promising former Russian President Dmitry Medvedev that he would have more flexibility to negotiate on nuclear defense issues after his election. Those comments are still before us, and they do not exactly instill trust and confidence that the President will not choose to bypass Congress and act unilaterally on nuclear reductions.

All we have to do is look around the world to see why we should be concerned. Everywhere we look, nations are looking to increase, not decrease, their weaponry. In fact, as the President makes plans for reducing our own nuclear arsenal, it appears Russia and China are looking for ways to modernize and update their own arsenals.

These are dangerous weapons, and we need to be certain we do everything we can to ensure that they continue to be fully monitored. They must never be used. But it seems to me that the best way to make certain they are never used is to be certain that no one would ever dare to think of using them against us or our allies.

The concerns I have that some other country might use these weapons first are increased, not decreased, when I see the administration sending signals that they might not wait for everyone to disarm; they might do it on their own first. It would be like taking your own team off the field and allowing the other team to score at will. Relying on the good will of the opponent rarely works, and it is clearly not a good strategy.

One final point. We are not the only ones who are relying on our nuclear arsenal for our safety and security. There are other countries that rely on the United States for their national security. If we make it clear that we are dropping out of this vital source of our strength as a nation, this could encourage other countries to increase their own nuclear capability because they will suspect that they can no longer rely on us. Increasing the number of nations that have a nuclear capability is clearly something we dare not encourage.

Simply put, this is exactly what my amendment was trying to stop. It would have ensured that any further reductions in our nuclear arsenal could not be done on a unilateral basis by the President alone. Instead, any changes would have to follow the application of the treaty system, which would give the Senate an opportunity to weigh in on this matter again when a proposal in the form of a treaty is brought before us for our consideration.

Just as ridiculous, the President threatened a veto if the amendment were in the bill. Now, unfortunately, due to the majority leader's actions, we are not going to be able to debate this and other important issues like I mentioned before—the privacy issue at the National Security Agency, the NSA listening in on telephone calls; the detention of U.S. citizens; addressing sexual assault in the military; and a number of others.

For all of these reasons, I cannot support moving forward on the Defense bill. I hope that on our next Defense authorization bill we will all recognize the importance of being allowed to fully debate these issues, so we will not wait until the end of the year when there is this looming deadline regarding bonuses, so our men and women in uniform can continue to fulfill their mission of keeping our Nation safe, secure, and free, knowing what their future is.

Something as important as the Defense authorization bill must not be drafted or taken up for a vote until it has made it through the whole legislative process. The legislative process was created for a reason, and we do ourselves and our constituents and those who serve in our Armed Forces a disservice when we fail to make full use of it. The bill has not made it through each step of the process. In my opinion, that is a fatal flaw. We can do better. We need to do better. We better do better in the future.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHATZ. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHATZ. I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET

Mr. SCHATZ. The budget agreement that we passed is an important step forward for our country and for our government. I know Chairman PATTY MURRAY worked tremendously hard to get to a conference in the first place and to reach this agreement with the

House. I commend Chairman MURRAY for all of her work.

The U.S. Government has been lurching from crisis to manufactured crisis and using short-term stopgaps to fund the government. The threat of a shutdown and the lack of uncertainty has hurt our economy and has eroded the American people's confidence in our ability to solve problems.

It is our job to produce a budget and to figure out a way to work together and not shut the government down. That is what the people expect of responsible leaders in a divided government.

This budget agreement is the way to move forward. It ends the reckless threats of government shutdown and lays a clear path to end sequestration.

The sequester hit my home State of Hawaii very hard. The across-the-board arbitrary cuts from sequester have been devastating for our middle-class families and to our economy.

I wish to read a letter that I received from a professor at the University of Hawaii at Manoa in September.

He wrote:

I was contacted today, as I often am, by a student wanting to join our graduate program in the Department of Geology and Geophysics.

Unfortunately, I had to tell this student that funding for accepting new students is low right now, which may make it impossible for me to accept him as a graduate student, despite his excellent qualifications.

This exchange reminded me that one source of the problem is the budget cuts to NSF (and other science funding agencies) that are the result of sequestration. The current situation is having the following impacts, which are happening right now at research centers nationwide, including UH Manoa:

Many scientific workers are being laid off or are not being hired—this includes individuals in Honolulu.

Research groups are being forced to cut infrastructure that took decades to build.

Some scientific discoveries that could help our society are not being made.

Some bright young students are not being given opportunities to advance their scientific careers.

I think that this last point is the saddest result because it negatively impacts the hopes and dreams of many young people.

Furthermore, these students are the future of our scientific workforce—people that will be leading us toward the innovation and problem-solving that is crucial for our country's future.

This professor urged me and this Congress to do everything that we can to roll back the sequester. That is one of the many reasons why I supported the budget today.

Sequestration caused Federal workers to be furloughed or laid off throughout Hawaii. Sequestration hurt our national defense, U.S. competitiveness, and harmed education programs.

Head Start in Hawaii had to cut children from its programs this year. This early education program is critical for a young child's success later in life. Some of these kids and parents don't have other options without Head Start.

Without this budget agreement, there would have been an additional \$20 billion cut to our defense programs hitting next month. Those defense cuts are going to disproportionately hurt my home State of Hawaii. Without this budget agreement, 25,000 Federal civilian workers in Hawaii could be furloughed or laid off.

Hawaii can't afford that. I voted for this budget to prevent those cuts.

The bipartisan budget agreement finally provides relief from the sequester and a path forward to get our economy on the right track. Most importantly, the budget protects Social Security and Medicare benefits.

Although this budget is the right choice for many reasons, we know it is not perfect. I do believe we need to work together to improve parts of it.

I find it unacceptable and inexplicable that the House of Representatives left town for the holidays without extending long-term unemployment benefits, and I know we are working on making it a priority as soon as we return in January.

In addition, Senator SHAHEEN has introduced legislation—which I am proud to support and cosponsor—to protect military retirees from the cost-of-living pay adjustment. The cost-of-living pay adjustment won't take effect until January of 2015, which means that we have time to fix this issue, but we must fix this issue.

This legislation that I am cosponsoring with Senator SHAHEEN will fully pay for the change by closing a loophole that some companies are using to avoid paying U.S. taxes with offshore tax havens. This is a commonsense fix that I believe we can get bipartisan support for. We need a long-term budget, but not at the expense of our military retirees.

We can replace the money raised by closing this tax loophole that some companies are abusing. We have time to fix this issue, and we have to do so before 2015. But now is the time to move forward, to protect jobs, and to give our country some economic certainty.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

VA EXPIRING AUTHORITIES EXTENSION ACT

Mr. LEVIN. I ask unanimous consent that the Senate proceed to the consideration of H.R. 1402, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 1402) to amend title 38, United States Code, to extend certain expiring provisions of law, and further purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEVIN. I ask unanimous consent that the bill be read three times and

passed and the motion to reconsider be laid upon the table, with no intervening action or debate.

The bill (H.R. 1402) was ordered to a third reading, was read the third time, and passed.

Mr. LEVIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEVIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. LEVIN. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each and, further, that the time count postcloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL SECURITY

Mr. CHAMBLISS. Mr. President, I rise today to address the dire national security situation and the responsibility of this body to pass a national defense authorization bill this year.

Congress has passed this legislation for each of the last 51 years, always with broad bipartisan support. This year should be no different. Our service men and women are deployed around the globe in defense of our Nation. They put themselves in harm's way to further the American principles of freedom and democracy, yet we have failed to provide these men and women and our senior military leaders the fiscal certainty and legal authorities they need to complete their vital missions.

Instead, we have a Senate majority intent on fundamentally altering the way the Senate conducts business by pushing through bills without a full and open process. This is not the way the Senate was designed to function.

This year's National Defense Authorization Act was reported out of the Senate Armed Services Committee on June 20 of this year. Since that time it has been delayed time and again by the Senate majority leader as our Defense leaders struggle to implement our national security strategy. General Dempsey recently transmitted to con-

gressional leadership an itemized list of 26 authorities that will expire at the end of this year or shortly thereafter. We are not talking about legislating ancillary programs or nonessential functions, we are talking about military special pay and bonuses for deployed servicemembers, funds to transition security responsibilities to our Afghan partners, and critical counterinsurgency programs in the Middle East, as well as funding for our intelligence community.

While I support the underlying bill, I am deeply disappointed with the process that got us to this point and thus why I did not vote to invoke cloture. Frankly, I had several amendments I would like to have added to this bill addressing such issues as a technical correction giving Reservists and National Guardsmen proper credit toward retirement for time spent deployed, and an important land transfer of Camp Merrill in Georgia between the Army and the U.S. Forest Service.

I have seen many changes during my years in the Senate, but among those is a disturbing trend regarding the NDAA. We seem to be operating on the premise of fewer, faster, and later. By fewer, I mean fewer amendments. All Senators deserve the opportunity to amend this important piece of legislation. The 20-year average is 140 amendments per year. Last year we were only able to pass 106 amendments. This year we debated one.

As we have seen time and time again, the majority uses the amendment tree to shut down debate and move the bill quicker through the Senate. My colleagues and I have filed over 500 amendments to this year's NDAA. Through hard work and bipartisan support, the two Armed Services Committee staffs have striven to accommodate the concerns of the Senate. But even so, there are pressing issues that require full and deliberative debate in the Senate. These include military sexual assault, counterterrorism and detention policy, and sanctions against those regimes that would do America harm, including Iran.

By faster, I mean the bill spends less time on the Senate floor. The 20-year average is over 9 days, with a maximum of 19 days for the fiscal year 2008 bill. The 1 day we spent on this bill in November is insufficient time to debate the critical security issues confronting our Nation.

The Senate majority has gone to great lengths to keep the bill off the floor. When they could no longer avoid it, they have compressed the timeline for consideration or recommitted it to the Armed Services Committee. This is unprecedented and it is totally unacceptable.

By later, I mean a lack of urgency to take up the bill after committee action. Looking back over the last 40

years, the Senate has gone from passing the NDAA consistently before August to later and later in the year. Last year, it was December. This year we are running up against the end of the year.

I am deeply disappointed at the recent turn of events in the Senate. Under the guise of streamlining the legislative process, the Senate majority has effectively blocked critical legislative priorities such as the National Defense Authorization Act. I urge my Senate colleagues on both sides of the aisle to work together to discharge the fundamental duties our constituents, servicemembers, and veterans demand of us. We should dispose of the fewer, faster, and later mentality and return Congress to regular order.

Leadership matters. No one knows this better than our men and women in uniform. The Constitution of the United States tasks us with providing for the common defense. I fear we have failed in our constitutional obligation, and this failure is a failure of leadership, plain and simple.

With that being said, I want to pay a particular compliment to Chairman LEVIN as well as to Ranking Member INHOFE for their leadership, which has not failed the country nor has it failed this body. They got together and produced a bill that came out of our committee in due course after a full and open debate on many critical issues, with the understanding we would have the opportunity on the floor of the Senate to file amendments, debate those amendments, and have up-or-down votes.

Chairman LEVIN has been more than accommodating throughout the process, before and after the time the bill came out of the Armed Services Committee. Likewise, Senator INHOFE has been more than accommodating in making sure Members on this side of the aisle had free and open access to the debate process. They have provided the kind of leadership we expect.

Unfortunately, the majority leader has made a decision to cram this down the throats of the Senate, and from a national security standpoint that is simply not the way this body is designed to work or should work.

I will support the passage of this bill, because I think the end product, amazingly enough, has turned out to be a pretty good product. Could it have been better? You bet. Could the process have been better? Without question. I just wish we had had the opportunity to debate the serious issues that are on the minds of a number of Members of the Senate when it comes to national security, and that we had had the opportunity to present amendments that would have made this strong bill even stronger and to provide our men and women in uniform and the leadership at the Pentagon with the tools they need to be sure we remain the world's

strongest military power and that we are able to not only defend America and Americans but to provide for freedom and democracy around the world.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFFORDABLE CARE ACT

Mr. WHITEHOUSE. Mr. President, I wish to engage for perhaps the next 20 or so minutes with Senator CANTWELL, who is arriving shortly. I will begin with some remarks and ask unanimous consent for us to engage in a colloquy.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I am here today to talk about the health care problem in the country, because I think the fixation of this body on the health care Web site has taken our eye off the fact we have a very significant and fundamental health care problem.

This graph represents how much we spend on health care as a country. It begins back here in 1960. I was 5 years old in 1960. So this is a lifetime: 50-some years, \$27.4 billion. That is what we spent on health care. Now here we are. This is up to 2011, and \$2.7 trillion is what we spend on health care. It is 100 times as much in 50 years. Granted, there are more Americans but not 100 times as many.

This has been an explosive cost growth curve. When we were trying to pass the health care bill, that is what we were looking at for costs. It is a big competitive problem for our country.

This is a really interesting graph. I wish every time anybody talked about health care they would take 1 minute and look at this graph. I will explain briefly what it is.

This column is the up access and measures life expectancy in years, country by country, 65 to 85, where countries fall in terms of their average life expectancy for their population, for their citizens. This along the bottom is the cost, the health spending per capita per person in that country. So if you measure it all out, what you see is a great raft of countries all through here: Japan, Great Britain, Netherlands, Switzerland, Norway, Italy, Greece. There is a whole large group of countries right here, and all of them have a life expectancy 80 or older and they all spend between \$6,000 and \$2,000 per person on their country's health care. Essentially the entire modernized, civilized world is in that zone, from here to here.

Guess where the United States of America is. Boom. Here. We are below

them all in life expectancy. We are trailing the pack of modern industrialized nations in our life expectancy. We are competing with Chile and the Czech Republic. But Japan, Greece, Great Britain, France, Germany, Luxembourg, all manage with their health care systems to achieve longer lifespans for their people. And we are doing it at a cost of about \$8,500 per person per year.

To give a comparison, here are Switzerland and Norway. They are the other two most expensive countries in the world per capita on health care spending, and they are at about \$5,700 per year. If we could bring our per capita health care spending in this country down to the most expensive countries in the world, if we could compete head to head with the most expensive countries in the world, we would save more than \$1 trillion a year.

This is an interesting graph because it shows basically all the modern industrialized nations here, and it shows us here as a way outlier. It is a big deal for us to be an outlier here, because it means we blow about \$1 trillion a year in wasteful and unnecessary health care which could be building infrastructure, solving problems, reducing the deficit, and could be doing other work. Instead, we spend it on a health care system which doesn't produce good health care results—at least not measured by life expectancy, which is a pretty good proxy.

There is a huge \$1 trillion a year cost to our society in being that bad of an outlier. The cost is also measured in lost lives and lost years of life, because we are averaging 77 years and these countries are averaging 82 years of life.

We have a real problem on our hands, and obsessing about a Web site is a complete distraction from getting after this problem—5 years off every human's life in this country and \$1 trillion a year. That is worth paying attention to.

The health care changes we brought are actually making a difference. Here are some interesting graphs. Each one is a projection done by the nonpartisan Congressional Budget Office of what health care costs are going to look like in the future, and what you see is a progression. They did this graph in August of 2010. This was where they projected health care spending would go when they projected in August of 2010 for this period, from 2014 onward to the next decade. A year later they went back and they projected again, and they projected actually costs would be lower. Then they came back in August of 2012 and they did another projection, and their projection showed that these anticipated costs went down again, every year, lower and lower.

Here is the big one. In May of this year, the Congressional Budget Office went back and redid its projections for Medicare and Medicaid spending from

2014 to 2023. Look how far below what they had projected 1 year ago, 2 years ago, and 3 years ago the current projection. That is a saving of about \$1.2 trillion in that decade.

That is a long way from \$1 trillion a year we could be saving if we just got back to where we were on this graph, if we got back from here to where Switzerland and Norway, the most expensive countries in the world, are. That is \$1 trillion over 1 year. This is \$1.2 trillion over 10 years, but it is still a big change and it is still moving in the right direction. So we shouldn't be too quick to condemn ObamaCare when that kind of savings is already being projected.

The last slide I will show before I go to Senator CANTWELL, who has been good enough to join us, is this one. Why might it be that those costs went down so far in May of 2013? Why might it be that graph of projected costs keeps going down? It is because of changes in what is going on in the health care system.

This is one good example. This shows the hospital readmission rate from January of 2007 until August of 2013. This is how often somebody was discharged from the hospital, went home, and then within 30 days had to come back and be readmitted.

That could potentially be for a completely new reason, but usually it is because the discharge planning wasn't done well enough and there was a bad handoff between the hospital and the primary care physician or the nursing home. What we found is you could make that transition much better for patients. When you do, guess what. They don't get sent back to the hospital. When they don't get sent back to the hospital, you save money.

That is just one way the kind of huge \$1.2 trillion over 10-year savings CBO has already projected could be taking place, but this is clearly a part of it. It is improving the quality of care so people aren't going back into the hospital, aren't going to the emergency room, and you avoid that cost at all by having handled the patient better, by having given them better treatment and better care.

It is pretty astounding. In 2007, right through here until the end of 2011, it was a pretty steady readmission rate. Then when we changed the signal to the hospitals and cut their payment for readmissions, boom, down it fell. That represents a very significant savings in the system. And in the personal lives of those people and their families not having to go back to the hospital, that is a pretty big plus too.

It was Senator CANTWELL's idea that we should come down today and talk a little bit about the delivery system reform side of the health care discussion. I got started a little bit before she could get here, but my wonderful colleague now has arrived, so let me yield

the floor to her. I will put this graph back because I want to leave this here for whenever the camera swings my way. I want people to see this graph. It is inexcusable that all of these competitive industrialized nations of ours should be able to deliver universal high-quality health care for what would be a \$1 trillion a year savings if we could simply match them, and they produce a longer life expectancy for their people and we are stuck competing for life expectancy with Chile and the Czech Republic. Come on. We can do a lot better than that, and that should be the ball we have our eye on rather than obsessing about the ObamaCare Web site.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I come to the floor to join my colleague from Rhode Island. I applaud him for his diligence, making sure this debate happened today, and for his leadership on this issue. It might sound kind of wonky to say there is a group of Senators that have a caucus called the Delivery System Reform Caucus, but we wear that banner with pride because we know that there are savings in our health care delivery system. We want to make sure that they are delivered for the American people.

While some want to talk about cutting people off of service or raising certain ages, we are focused on the fact that there are hundreds of billions of dollars of savings in the delivery system and that it is our job to improve upon them. I like to say to my office team: There is a reason why Ma Bell doesn't exist anymore. The challenge is I have so many young people, and some of them don't remember Ma Bell. But the issue is the delivery system for telecommunications changed, and look at what it unleashed—a lot of great technology.

Yes, change, but with ways to drive down costs and deliver better access. That is what we are talking about here with the health care system. My colleague from Rhode Island has had a group for more than a year that has been talking about these delivery system reforms. We are going to come out on a more frequent basis and try to have a dialog with our colleagues about why it is so important.

We have taken a small but very important step led by our senior Senator from Washington Senator MURRAY on the budget. But there is so much more we can do if we can include these delivery system reforms. So I thank Senator WHITEHOUSE, the Senator from Rhode Island, for his leadership.

I want to talk about one area today, the area of long-term care services. I authored a provision in the Affordable Care Act called the Balancing Incentive Payments Program. While that sounds in and of itself like a wonky

title, Balancing Incentive Payments Program, this program is really there to promote home and community-based care over nursing home care. If you ask any senior they will say of course they would like to receive health care services in their home or in their community. No, they do not want to go to a nursing home. But the discussion has been limited on how much cheaper it is and how much better the care could be for delivery in the home as opposed to nursing home care.

According to a survey by AARP, over 90 percent of seniors age 50 or over desire to remain in their home as long as possible. We know that home and community-based care is 70 percent cheaper than nursing home care—70 percent cheaper. So for us in Washington State we thought about this long ago, and we decided that we were going to implement a system to reform our State and put more community-based care in our State and pull Medicaid patients away from nursing home care. We did that. We successfully made that transition. This chart shows you what I was just referring to, that home-based care can be as little as \$1,200 a person versus the same person getting care in an institutional facility at \$6,000.

We made the transition in Washington State to be predominantly a home and community-based care State. We did that with our own State dollars, our own program, and it was a transition that took place over many years. We are kind of the antithesis of what the Federal system is. It is still more weighted on a State by State basis towards nursing home care. That means people are going into nursing home care, and we are footing the bill for more expensive care at \$6,000 per person when we could have services in the community that would allow them to stay in their home and get more efficient care. So in 2009, the long-term care budget overall for Medicaid accounted for 32 percent of the Medicaid expenditures or \$360 billion a year. You can see that this is a very expensive area for us at the Federal level. If we could do anything to help change those numbers, we would be delivering an improvement to the system.

When we first made this transition from 1995 to 2008, the State of Washington saved \$243 million from this investment. But more important, even, than the money—in an article in 2010, the Spokesman Review in Spokane ran a story called "Dying to live at home," the family of Nancy and Paul Dunham, a couple of more than 60 years, said they wanted to age at home. Because of the Medicaid funding for in-home services, they were able to stay. Mr. Dunham was able to stay in his home until the age of 83.

I am sure many of my colleagues know people who are getting on in years who prefer to stay at home. But the Balancing Incentives Program,

which was in the Affordable Care Act, was the first Federal effort that we had that tried to assist States to move away from nursing home care and move towards community-based care. We put some incentives in the program. Here are the States so far that have taken up the Federal Government in the Affordable Care Act on this incentive program: New Hampshire, Maryland, Iowa, Mississippi, Missouri, Georgia, Texas, Indiana, Connecticut, Arkansas, New York, New Jersey, Louisiana, Ohio, Maine, and Illinois.

It is a diverse group of States, I might add. Some States, probably, where Governors said they did not want to support the Affordable Care Act yet are taking advantage of this provision. Some States probably are forerunners of delivery system reform and have done lots of delivery system reform and want to do more. It is a mix of States. I think we have a lot of great examples in those States and what we can do to transition away from institutional care to home and community-based care.

The program authorizes grants to States to increase access to their non-institutional long-term care services, and it supports including structural changes that help streamline the system—conflict-free case management, core standardization of assessment instruments, single entry-point systems so it is not confusing, so that the system is very streamlined. States have until September of 2015 to increase their long-term care services in the community and support expenditures of these noninstitutional-based care facilities.

We are very excited that it has had a robust uptake by these States. I am encouraged that there has been so much interest shown in changing the political orientation, if you will, of States, to how do you deal with long-term care. We know everybody is living longer. We know as baby boomers retire, it is going to be a bubble to our health care delivery system. But this is an excellent idea, a way for us to deliver better care.

What does it do? As I said in the first chart, \$1,200 versus \$6,000 in nursing home care. It reduces costs. Reducing those costs has to be a key focus for us.

These Medicaid recipients are people who maybe even start on Medicare but because of the extreme cost of health care at the end of life, end up spending it out, end up on Medicaid, end up being a Federal responsibility. If we can reduce those costs by driving more community-based care, it is a win-win situation.

The second thing it does is it helps improve quality. If people can stay at home and get access to the delivery system by these new requirements, making sure it is case managed and has the single point of entry and standardization of the home care system, it

helps us to be efficient about the quality of care that is being delivered. Again, when you have a community-based setting, either in the home or where care is delivered through the home, there are lots of ways for us to have checks and balances on the system.

I have talked to many people who are in the nursing home industry. They will say we like the idea that we are only going to take the sickest patients. We like the idea we are only going to serve people who really need to be there as opposed to some people who may not be ready for those facilities but end up there anyway just because there are not the community efforts to support it.

Besides reducing costs and improving quality, we save money. That is why we are here today, to talk about these important ideas that save money. This is a simple one, but it is already in place. It has already started. There are many States taking us up on this offer, but it is critical that we understand and score these costs because they can show how we can save billions of dollars in our health care delivery system.

I know my colleagues, some of them on the other side of the aisle—well, all of them on the other side of the aisle—didn't support the Affordable Care Act. Take a second look at what your States are doing. Your States are supporting the legislation, at least through one provision. I think when you check, you will see that one provision is going to save your State money. It is going to give your citizens better choice in their quality of care. It is going to help us reduce our Federal costs and expenditures as well, and that is what delivery system reform is all about.

Mr. WHITEHOUSE. Will the Senator yield for a question?

Ms. CANTWELL. Yes, I will.

Mr. WHITEHOUSE. Isn't it the heart of what the Senator said just a moment ago that there is an area that actually touches on a lot of health care—it is a big area—where you can do two things at once? You can save significant money for taxpayers and insurance ratepayers, and at the same time you can improve the quality of care that people receive.

So often in legislative matters it is a zero sum game. One wins so the other has to lose exactly by the same amount. This is not like that. This is a win-win situation. So there really should be energetic efforts to pursue these win-win opportunities.

Ms. CANTWELL. I thank the Senator from Rhode Island for that question. I think his charts pointed to the fact that he was articulating, the fact that everybody is arguing about the Web site. As somebody who has been involved in a software company that wrote code, what happened is very unfortunate, but writing code and fixing

it is a straightforward task that can be achieved. It is a little less difficult than cleaning up oil in the gulf or something of larger environmental impact.

To me, we will get that fixed. In the meantime, there are a lot of things that have to happen, that need to change in our delivery system that are about saving costs, delivering better quality care, that we know are proven, successful answers to this question. We need to get more than just these States to take us up on this offer. We need to get CBO to actually give us a score on how much money this has the potential of saving, and then we have to figure out a way to incentivize all other States to implement this as soon as possible.

When you think about our senior population, this is what they want. They want to stay at home as long as possible. It is so much cheaper per Medicaid beneficiary to do this.

This is what we have to achieve. We hope by coming out here and educating people about the various aspects of the Affordable Care Act, the things in the delivery system reform that are on the agenda to improve access and help save costs, that this will start taking hold and we will get more people talking about these solutions. This is absolutely the direction we need to go.

Mr. WHITEHOUSE. If I could ask the Senator another question in response to what she just said, not only is it a win-win, being lower cost and better quality care, but I believe the Senator said that there is actually a third win here. There is the win of lower cost, there is the win of better quality care, but for seniors there is a huge win of maintaining your independence and being able to stay at home. It is hard to put a price on that, but if you are facing the choice of having to leave your home and having to go to a more restrictive health care setting, being able to stay at home is a very big plus.

Really, it is not win-win, it is win-win-win.

Ms. CANTWELL. Mr. President, I thank the Senator from Rhode Island. He is correct. There are the individuals who win. The State in this case saves Medicaid dollars, and the Federal Government saves dollars as well. But to the individual, if you ask them, this is their choice. They want to stay at home. Nobody says they want to go into nursing care.

We appreciate the nursing home care delivery aspect of health care. They deal with some of the most complex patients. But they do not need to deal with people who do not need to be there. We have to have a delivery system that helps support community-based care for long-term care. I hope that we will get more support for these ideas and that we will help figure out a way to get a score for them as well. I think that part of the misery in this

whole issue of health care savings is figuring out ways to do things that are not so complex in what they are doing. Moving from nursing home care to community-based care, \$1,200 versus \$6,000, that is not the hard part of the equation. What is hard is to get CBO to guesstimate how much population would be affected.

We do know this. If you take the number of seniors to be affected as the baby boomer population reaches that retirement age, if you think they are going to be supported primarily by nursing home care—I think I am correct that our State has now made the shift so the majority of our people who are on Medicaid are taken care of by long-term care services in the community if they are seeking those services, versus the Federal numbers which are just the opposite. The majority of people seeking those Medicaid long-term care dollars, the average of those States is more towards nursing home care. We need to flip that. The Senator is right, it would be a win-win-win situation for all of us.

I thank the Senator from Rhode Island for his leadership on this issue.

Mr. WHITEHOUSE. Mr. President, in responding to what Senator CANTWELL just said about the Congressional Budget Office, it indeed has been frustrating and bedeviling to run up against their inability to project these savings in a way that would allow us to—what we call in Washington—score them and get budget credit for them. But even though they have that difficulty, there are some very serious organizations that project that very significant savings of the kind I have mentioned—the \$1 trillion savings—are possible.

Some years ago the President's own Council of Economic Advisers estimated that we could do savings of \$700 billion without affecting the quality of care in any way for the worse.

The National Institute of Medicine has made several regular projections. The most recent one is \$750 billion a year. The Institute of Medicine is pretty serious folks, and they are entitled to respect when they say we can have those kinds of savings.

RAND Corporation—a lot of people know a lot about it—is a very expert organization. They have done two things. They looked at what we can save in health care, and then they looked at what we can save in health care plus an additional bit for dealing with waste and fraud. They gave ranges for the two. The midpoint of the range for savings is about \$730 billion. If we add their suggestions on waste and fraud, the midpoint of their range goes to about \$910 billion a year.

The Lewin Group, which is another respected think tank that looks at health care issues, wrote a piece some time ago with George Bush's former Treasury Secretary, and they said it was \$1 trillion.

So is it \$700 billion a year? Is it \$750 billion a year? Is it somewhere between \$730 and \$910 billion a year depending on how you score the waste and fraud? Is it \$1 trillion a year? Either way, I will take it. Those are big numbers, and wherever it falls in that range, we should be energetically fighting for it.

I will close with the request I always make in these speeches—and this is a request to the President and to his administration—and that is to inspire us and set a bold national target. Sure, CBO, OMB, and our actuarial and accounting organizations cannot predict what these savings are going to be, but, by gosh, the President can direct his administration to target a savings goal and to go after it. I think if the President were to set a hard date and dollar target for delivery system savings—a couple of years out so we have a chance to do that—that would make a big difference.

The example that I use is of President Kennedy. Back in 1961, when it looked as if we were losing the space race to the Soviet Union, President Kennedy declared that within 10 years—he put a date on it—he would put a man on the Moon and bring him back safely. He had a hard target, something specific so you would know if it was or wasn't achieved. The message was clear, the mission that was outlined was clear, and the result was a vast mobilization of private and public resources to achieve that purpose.

It is not enough to talk about bending the health care cost curve. That catchphrase should be jettisoned and discarded. We should have a hard date and dollar figure, and that should be a target the entire administration aims toward.

Had President Kennedy given that speech back in 1961 and declared as his purpose to bend the curve of space exploration, I very much doubt we would have put that man on the Moon within 10 years. It was his exercise of Presidential leadership and challenge—ahead of what the scientists knew could be done but with confidence and faith in our ability to achieve big things—that put the executive branch of government into focus so we could achieve exactly what he had directed. We can do the same with health care. We should do the same with health care. There is no downside to it because this is a win-win area, as I discussed with Senator CANTWELL.

On that note, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HEINRICH). Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, I asked my colleague from Rhode Island to stay on the floor for a couple of minutes because I wanted to thank him for the erudite and eloquent explanation he has just given for why our focus should be so aggressively and unrelentingly on the tremendous opportunities for saving health care costs and raising health care quality at the same time. I am very proud to have joined him and other colleagues in a task force that is seeking common-sense solutions to lower the costs of health care and at the same time increase its efficiency and quality. The two go together.

The phenomenon he just discussed of reducing readmissions to hospitals once patients are discharged also means that the quality of those discharges, the rehabilitation plans and hand-offs to primary physicians, and the suffering and pain for those patients is reduced, and that is just a microcosm of one example of how this goal can be accomplished.

We are late in this year, and we have no real time remaining before the end of this year to do the kinds of reforms legislatively that will help advance this ball. But the attention we need to devote to this issue is clearly beyond this year and beyond the next year.

We are making progress, and the graphs show it, but there is so much progress to be made in extending lifespans and quality of life as well as reducing the cost of health care.

We need to make sure we seize this historic moment to show the rest of the world that we can do better and we will do better in providing health care delivery. The cause of health care delivery reform is one that cries out for a focused effort involving both branches of our government, executive and legislative, and both parties, as well as both Houses of this legislature.

The kind of focus given by Senators CANTWELL and WHITEHOUSE so penetratingly and powerfully today is the kind of focus we should maintain. I hope in the days or months ahead we will devote more attention by coming to the floor, doing events in our States, and making sure the administration is aware of our concern in meetings. I look forward to continuing that effort in the time ahead.

Again, I thank my colleague Senator WHITEHOUSE, as well as others, such as Senator SCHUMER and my colleague from Connecticut Senator MURPHY, as well as Senator CANTWELL, for their devoted efforts. I am very proud to be working with them.

I see my colleagues are on the Senate floor. It is late in the day, and I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I would point out that the distinguished Senator from Delaware was on his way to

speak and has graciously offered to defer for moment or two while I make my brief remarks.

U.S. DELEGATION TO THE SOCHI OLYMPICS

Mr. WICKER. Mr. President, I rise this evening to speak briefly about the delegation chosen by President Obama to represent the United States at the opening and closing ceremonies of the 2014 Olympic Winter Games in Sochi, Russia. I would also like to offer a few suggested additions to the delegation.

As Members know, Janet Napolitano, former Secretary of Homeland Security, will lead the U.S. delegation to the opening ceremonies on February 7. Our Deputy Secretary of State, William Burns, will lead our delegation to the closing ceremonies on February 23. Our two delegations will include tennis legend Billy Jean King, gold medalist figure skater Brian Boitano, gold medalist figure skater Bonnie Blair, silver medalist hockey player Caitlin Cahow, and Olympic gold medalist speed skater Eric Heiden. These individuals are American sports figures who should be lauded for their contributions. I am confident they will represent us well.

May I suggest with all seriousness that this delegation could well be expanded. Some have asked what message the President might be trying to send to Russia in choosing this delegation. White House Press Secretary Jay Carney asserted this morning that “in the selection of the delegation, we are sending the message that the United States is a diverse place.” Whether we are sending a message or simply pointing to our diversity, I submit our official delegation would be enhanced by adding the following: an American citizen of Russian parentage, perhaps a Russian orphan adopted and raised to adulthood by loving parents in the United States would be a good addition to this delegation or a Syrian American who has fled the barbaric and treacherous rule of Bashar al-Assad in Syria. In addition, an Iranian-American exile from the oppressive and murderous regime in Iran might make an outstanding addition to this delegation. I would also suggest that LTG Keith Alexander, the Director of the National Security Agency in this administration, would be an appropriate representative also of the United States of America.

So whether it is messaging that is taking place or simply diversity, I strongly suggest this outstanding delegation could be improved by these individuals and perhaps others.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

THE BUDGET

Mr. CARPER. Mr. President, I wish to speak tonight on two subjects. The first is the budget resolution, the bipartisan, bicameral budget resolution conference report we approved today. This is the first time in a number of years we have actually been able to debate and find some consensus on a bipartisan blueprint for spending for the balance of this fiscal year. I commend Senator MURRAY and Congressman RYAN for their work and for their leadership and their willingness to find the middle.

My wife and I celebrate our 28th anniversary in about 2 weeks. Actually, it is a few minutes after midnight on New Year's Day. One of the things I love to do when I talk to people who have been married a lot longer than we have is to ask them the secret for being married a long time. I have heard all kinds of answers—hilarious answers, some very poignant answers. The best answer I ever heard is the answer of the two Cs. The first time someone said that to me I said: What are they? They said: Communicate and compromise. Communicate and compromise. As it turns out, that is not just the secret for a long marriage between two people, but it is also the secret for a vibrant democracy. If we are to continue to thrive as a nation and to meet our responsibilities, it will be by doing what our leaders on the Budget Committees have done; that is, communicated at great length with one another, developed a sense of trust with one another, an understanding of the other's views, and being willing to compromise and find their way to the middle.

Everyone here could fault some aspect of the agreement that was struck. I can, and I know others can. But I wish to commend them and thank them for the effort that went into getting this one.

The Presiding Officer has heard me say once or twice in the last year or so that there are three key ingredients to making real progress, major progress, on deficit reduction, and one of those is entitlement reform which saves the programs for future generations, saves money, and does not savage old people or poor people. The second is tax reform, which helps us lower some of the corporate rates a bit as well as generates revenues for deficit reduction. The third element is the notion of looking at everything we do in Federal Government—everything we do—and answer this question: How can we get a better result for less money or the same amount of money?

As we approach the next budget resolution next spring and the next opportunity to revisit these issues of spending, including domestic spending, defense spending, entitlement spending, and revenues, my hope is that we will be able to make even greater progress by focusing also on those three critical

elements. So that is one of the things I wanted to speak about.

MAYORKAS NOMINATION

The other issue I wish to speak about actually is a person; that is, a fellow named Alejandro Mayorkas. He has been nominated by the President to serve as the Deputy Secretary of the Department of Homeland Security. He was nominated some 8 months ago.

As the Presiding Officer may recall, I have the privilege of chairing the committee of jurisdiction over Homeland Security, the Committee on Homeland and Government Affairs, and we are responsible for working with the administration. We are also responsible, as are a lot of other folks in this country and outside of it, to help protect our Nation's security both at home and abroad. At the same time we strive on our committee to make sure Federal agencies work better, work smarter, and more efficiently with the resources we entrust to them. We are an oversight committee.

During my years in public service, I have learned that the most important ingredient in enabling organizations to work well is leadership. That is the case both in government and in the private sector, in organizations large and small. Part of our shared responsibility is ensuring that we have effective leaders in place across our Federal Government. It is every Senator's constitutional role to provide advice and consent on the President's nominees in a thorough and timely manner as part of the Senate's confirmation process. While we in Congress hope to soon wrap up our 2013 session, it is going to be with far less to show than many of us would have liked, but at least the Senate will have had an opportunity to fill some key leadership positions across the Federal Government and to confirm a number of judges in many courts where they need a judge or two.

One of the roles that needs to be filled, again, is that of Deputy Secretary of the Department of Homeland Security. This Department, as we know, plays a critical role in protecting our Nation and its citizens from harm. Whether the threat relates to terrorism from abroad, to home-grown extremists, to cyber attacks or natural disaster, this Department and the folks who work there are on the frontline for us.

Because of the Department's significant role in the security of our country, I have been very concerned—very concerned—for many months about the high number of senior level vacancies at the Department of Homeland Security. In fact, the Department has been without a Senate-confirmed Deputy Secretary since April and without a Senate-confirmed Secretary since I think late last summer.

Earlier this week, we took an important step to address this problem by voting to confirm Jeh Johnson, a good

man, as the next Secretary of the Department of Homeland Security with an overwhelming bipartisan vote. I wish to thank our Republican colleagues for joining us in that vote. That is good news. But we should not stop there. We need to ensure that Secretary Johnson has a Senate-confirmed leadership team in place and that certainly includes Alejandro Mayorkas as his Deputy.

I wish to take a few minutes, if I could, to speak in strong support of the nomination of Director Mayorkas' nomination and explain why I am convinced he is one of the leaders we urgently need at the Department of Homeland Security. As of this week, more than 8 months have passed since former Deputy Secretary Jane Holl Lute stepped down from her post at DHS, and nearly 6 months have passed since the President has nominated this man, currently the Director of U.S. Citizenship and Immigration Services, for that post. It is time to put in place Senate-confirmed leadership in this very important Deputy Secretary position.

The former Deputy Secretary—the last Senate-confirmed Deputy Secretary for this Department—was a woman named Jane Holl Lute, a very impressive leader in her own right and widely respected not just by members of the committee but by many of our colleagues, Democrats and Republicans, in the Senate for her leadership, management skills, expertise, and for her candor. She helped DHS make strides in many areas; for example, in narrowing the operational and management issues identified as high risk by the Government Accountability Office. Ever since the Department of Homeland Security was created, it has been on the high-risk list every other year by GAO. They put it out at the beginning of every Congress, and one of the leaders, if you will, in terms of getting a lot of mentions on the high-risk list, is the Department of Homeland Security.

One of the criticisms of the Department for the last 10 years is they never passed a financial audit. They are supposed to, under a law passed roughly 20 years ago, and little by little every Federal agency, except the Department of Defense, has become auditable and then finally achieved a clean audit. Last week we learned the Department of Homeland Security, within 10 years or so, finally has achieved that goal.

Why is that important? Because what we cannot measure, we cannot manage. This is a big Department, spread out across the country. There are 22 disparate agencies, with hundreds of thousands of employees, and they need to be well managed.

One of Jane Holl Lute's accomplishments, along with Janet Napolitano, the former Secretary, was to make them auditable and to get them a clean

audit. I think it is safe to say that the Department needs somebody with the same kind of commitment and willingness to tackle problems head-on that Jane Holl Lute brought to the job.

Similarly, Director Mayorkas understands and is well prepared to tackle these management challenges and is committed to continuing these reform efforts needed to move the Department forward.

Director Mayorkas has a distinguished record of leadership in public service. In fact, he has been confirmed by the Senate not once but twice—first as the U.S. attorney for the Central District of California, the youngest U.S. attorney in the country at the time, and again in his current capacity as the leader of the U.S. Citizenship and Immigration Services. He has also served as a partner in a major U.S. law firm, O'Melveny & Myers.

Director Mayorkas has a long and distinguished record in law enforcement. As an assistant U.S. attorney, he aggressively prosecuted drug traffickers, human smugglers, and violent criminals. As U.S. attorney, Mr. Mayorkas led the largest Federal judicial system in the United States and was appointed by then-U.S. Attorney General Janet Reno to serve on her advisory committee on ethics and government. Moreover, while a partner at O'Melveny & Myers, he served as chair of the firm's Values Committee and he was a recipient of the firm's annual Values Award.

Since his confirmation by voice vote by the Senate in 2009, Director Mayorkas has served as Director of U.S. Citizenship and Immigration Services. He has skillfully led the largest immigration system in the world. In this capacity, Director Mayorkas has been responsible for an 18,000-member workforce that maintains more than 200 offices worldwide and is supported by a \$3 billion budget.

Director Mayorkas has led the effort to turn around an agency that was widely considered to be foundering. He has helped to put it on the path to professionalism and competence. His first action after being confirmed several years ago was to order a top-to-bottom review of the agency to identify its strengths and to identify its weaknesses.

When the review concluded, Director Mayorkas became concerned that Citizenship and Immigration Services was prioritizing speed over security when it came to processing visa applications. In order to make sure that national security concerns were getting the proper attention, he created an entirely new directorate responsible for policing visa issuance, reporting directly to him. This ensured that national security professionals would have a seat at the management table and a voice in all major decisions.

Director Mayorkas has proven that he is an exceptional manager during

his time at U.S. Citizenship and Immigration Services. Let me give a couple concrete examples of how he has made the agency more effective.

He dramatically improved what I believe is one of the most important programs in all of DHS; that is, E-Verify. This is a voluntary program that allows employers to check whether prospective employees are eligible to work in the United States. I was pleasantly surprised to learn that under Director Mayorkas' leadership, the number of employers using E-Verify tripled—from 156,000 employers in 2009 to almost half a million today. The number of people processed by E-Verify also increased from nearly 9 million to over 20 million people. That is remarkable improvement in this important program.

His implementation last year of the President's Deferred Action for Childhood Arrivals Program—a hugely complicated and challenging undertaking that brought hundreds of thousands of people out of the shadows—has also been widely praised.

Within 60 days, Director Mayorkas managed to implement a program that processed hundreds of thousands of people while ensuring that the appropriate security checks were performed. I think it is a stunning achievement.

Here is something else I found interesting. Just yesterday, the Partnership for Public Service issued its rankings of the best places to work in the Federal Government in 2013—just yesterday. On the one hand, I was dismayed to find out that the Department of Homeland Security ranked last on their list of Cabinet Departments. However, U.S. Citizenship and Immigration Services, led by Ali Mayorkas, was one of the highest ranked components within the Department of Homeland Security, coming in, I think, at 76 out of some 300 Federal agencies. And after Alejandro Mayorkas took over in 2009, employee satisfaction with senior leadership did not drop; it increased by over 20 percent. We need more of that kind of proven and committed leadership at DHS.

Everything I have learned about Director Mayorkas over the past year—and I have learned a lot—has led me to conclude that he is an exceptional candidate to be the next Deputy Secretary at this Department.

But don't just take my word for it. Director Mayorkas has received glowing accolades from a number of our colleagues who have worked closely with him.

I might also say that he has been strongly endorsed by every single former Secretary of this Department, every one of them, two appointed by George W. Bush and one by our current President. They have all endorsed him.

He has also been endorsed by a number of our colleagues—MARY LANDRIEU, who knows him well, who is a valued member of our committee; DIANNE

FEINSTEIN from California, who recommended Director Mayorkas for his positions—both as U.S. attorney out there to President Clinton and to President Obama for his current leadership position.

We have also received dozens of letters from a distinguished, bipartisan group of individuals and organizations asking us to move forward with this nomination. I want to take a minute or two, if I could, right now to share with our colleagues what some of these distinguished people have been saying about Director Alejandro Mayorkas.

Among those writing on his behalf are many individuals whom a lot of us deeply respect. I mentioned Jane Holl Lute, the previous Deputy Secretary; and Richard Skinner, the last Senate-confirmed Department of Homeland Security inspector general, who was nominated by former President George W. Bush.

I particularly value what Jane Holl Lute has to say given that she has an unparalleled perspective on what it takes to be an effective Deputy Secretary. She was one herself, and she was terrific. Here is what she said about Director Mayorkas:

As I have come to know Ali, I can tell you that he asks no more of others than he does of himself, and, in leading by example, sets a standard of excellence for all who consider themselves committed to public service. In my view, Homeland Security could be in no better hands.

That is Jane Holl Lute.

In one of two support letters—not one but two support letters—Richard Skinner, the last Senate-confirmed inspector general of the Department of Homeland Security—again, a Bush appointee—he sent two letters to our committee, including one earlier this month, and in it he said this of Ali Mayorkas:

During my tenure as Inspector General, Mr. Mayorkas demonstrated that he possessed the intellectual wherewithal to make objective and often times very tough decisions on complex, multifaceted issues, and a genuine commitment to the mission, vision, and core values of the U.S. Department of Homeland Security. He is a strong leader who will be able to bring together diverse interests in collaborative efforts.

That is the last Senate-confirmed inspector general for this Department.

The list of supporters for Director Mayorkas also includes other senior officials in the George W. Bush administration, such as Kenneth Wainstein, who was President Bush's Homeland Security Advisor. Here is what Mr. Wainstein had to say:

Ali has consistently shown an exceptional ability to mobilize, manage, and lead people and organizations . . . as USCIS Director, he has effectively led a large and complex organization during a time of continuing change and challenge. His marked success in that difficult role is a strong predictor of his performance in the Deputy Secretary position.

Again, that is what Mr. Wainstein had to say. I could not agree more.

Those from the law enforcement community also laud Director Mayorkas. For example, we received strong letters of support from the people charged with securing our borders during the George W. Bush administration: Robert Bonner, Ralph Basham, and Jason Ahern—all of whom served as Commissioner of Customs and Border Protection within the Department of Homeland Security.

Mr. Bonner wrote:

It is not merely his willingness to serve the public good that impels me to write this letter of support for his nomination, it is rather my firm belief that Ali has the experience, skills, talents, and plain old good judgment to be an effective Deputy Secretary, perhaps the best DHS has ever had.

Having succeeded Jane Holl Lute, that is saying a mouthful.

Mr. Basham also wrote:

Mr. Mayorkas has already served the Department well and honorably in the role of Director of U.S. Citizenship and Immigration Services. I also believe Mr. Mayorkas to be a public servant of integrity with a clear and distinguished track record of leadership.

Mr. Ahern, also one of the past Commissioners of this Department, said these words:

It is my strong opinion that Director Mayorkas' experience and leadership will be invaluable as DHS continues the work of protecting the homeland against threats of all kinds. As the Department of Homeland Security continues to mature, Alejandro Mayorkas is the right leader to continue that development and also meet the many critical mission challenges faced every day.

Think about it. The three most senior border security officials who served under George W. Bush all agree that Director Ali Mayorkas would make an outstanding Deputy Secretary. They have worked with him in many cases. They know him. They have seen him up close and in person. They have watched him lead.

But it is not only former DHS officials who feel that way. Chuck Canterbury, the national president of the Fraternal Order of Police, said that Director Mayorkas' "professionalism, leadership skills and integrity make him an ideal candidate for this post."

All of these individuals who have worked closely with Director Mayorkas have spoken highly of him. They cite his integrity, his commitment to excellence, and his tenacity.

I will close with this. At his confirmation hearing Director Mayorkas said that his goal in life has always been to bring honor to his parents. His parents brought him to this country as a refugee from Cuba when he was 1 year old, he and his brothers. They worked hard every day to give him and his brothers the opportunity to go to school and make a better life for themselves. Like his parents, Alejandro Mayorkas has worked hard all of his life. He has worked hard and he has worked hard in part to make them proud.

I believe he has brought great honor to them and to this country and, if confirmed, would continue to do so as Deputy Secretary of the Department of Homeland Security.

I urge all of my colleagues to support his nomination.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. I wish to say a word about the statement made by my colleague from Delaware.

Senator CARPER and I came to Congress together over 30 years ago in the House of Representatives. He left for a short interlude to become Governor of the State, and then I recall making a telephone call to him 1 day saying would you consider joining me again in the Senate, and he was kind enough to do so. The people of Delaware were wise enough to elect him. I have known TOM CARPER for a long time. He is an honorable man, a man of integrity.

This is a controversial nomination on the other side of the aisle. There are some who question the integrity of Mr. Mayorkas and his fitness to be chosen for this position. I have met him. He makes a positive impression and a very strong case that he should continue in public service. But what I respect most is my colleague, Senator TOM CARPER, chairman of this committee, has gone to extraordinary lengths to investigate every allegation, to answer every question, and to be there to work with the other side of the aisle to try to resolve any problems that they have with this nomination. Sadly, he has not been successful. There are still some on the other side who will oppose him.

I spoke to Senator REID, the majority leader, earlier this week, and said: If TOM CARPER believes that Ali Mayorkas is an honorable man based on his investigation, I trust TOM CARPER. I don't believe he would ever mislead the American people, the people of Delaware, or the Senate. We should confirm this man. The allegations that have been made against him have not been substantiated and, frankly, should not ruin what is an extraordinary public career and an opportunity for him to continue to serve this Nation that he loves.

I thank TOM CARPER for his leadership, for his integrity, and his commitment to fairness to make sure that this man is treated fairly by the Senate.

TRIBUTE TO DR. RUSSELL DOHNER

Mr. DURBIN. Mr. President, many times in life we are in a doctor's office, and many times in life it is a tense, worrisome moment when we are waiting for that doctor to make a diagnosis or to tell us what we need to know about ourselves or someone we love. There are great doctors, and we hope that we are in the room with one at that moment. There are great doctors

who are extraordinary surgeons and great researchers, but there are also great doctors who are caring, healing professionals who are there when we need them the most.

I wish to tell a brief story about one of them from my home State of Illinois, an exceptional man. Dr. Russell Dohner is a family doctor who retired quietly in October at the age of 88. He had been a practicing family practitioner in Rushville, IL, a small farming community in central Illinois, for 58 years. Dr. Dohner is the only doctor many families in Rushville have ever known, but the longevity of his career is only one small reason they love him.

For many families in Rushville and the neighboring towns, Dr. Dohner was a one-man solution to the problem of unaffordable health care. When he started practicing medicine in 1955, he charged the going rate around town for an office visit: \$2. In 1970, with an apology, he had to raise his fee. His fee for an office visit was raised to \$5, and that is where it stayed for 43 years. If families couldn't pay, Dr. Dohner would quietly signal to his office manager: No charge this time. He never, ever accepted medical insurance payments—said it wasn't worth the bother.

In 58 years as Rushville's family doctor, Dr. Dohner never—never—took a vacation. He worked 7 days a week. He started each day at the 25-bed hospital, Culbertson Memorial, where he checked on every single patient at the hospital.

At 10 a.m. he was in his office—a red brick storefront on the town square—to see his patients. There were no appointments. Dr. Dohner saw people in the order they arrived. Years back, he used to see 50 patients a day. His rule was if you were in his office by 5 p.m., he would see you, even if it meant working late into the night. The local pharmacy down the block stayed open until Dr. Dohner called to say he had seen his last patient.

But that wasn't the end of Dr. Dohner's day. After he saw his last patient in the office, he headed back to his hospital. That was his home away from home, as he called it. He ate dinner and went back to the hospital to check on his patients.

He made house calls for patients who were too sick or frail to get to his office. He visited his patients in nursing homes.

He took off a half day each week, Thursday afternoon. First he went to the local Rotary lunch and then, back in the day, he might even consider going fishing. The only time anyone in Rushville can remember Dr. Dohner leaving town was for a medical conference.

A few years back he had quadruple bypass surgery himself. The day he came home from the hospital, he went to work for a few hours.

Garry Moreland is a co-owner of the pharmacy down the street from Dr.

Dohner, and he said: "Healing is more than a dedication or a commitment, it's a calling."

Tim Ward, director of the foundation for Culbertson Memorial Hospital, said of Dr. Russell Dohner: "He's the closest thing we have to a saint."

Dr. Dohner's staff was just as dedicated as he was. His sister Clarice, who died in April, helped him set up his practice in 1955. She helped him buy his first car so he could make house calls and she managed his office for more than 40 years.

Edith Moore, his office assistant, died last July at the age of 85, working right up to the day of her death.

Rose Busby, one of Dr. Dohner's two nurses, retired about a year ago in her late eighties.

Nurse Florence Bottorff worked for Dr. Dohner for 50 years until he closed his office. She finally quit her nursing career at age 90.

Russell Dohner grew up on a farm just north of Rushville, outside the little town of Vermont, IL. He says he inherited his work ethic from his parents, who taught their seven kids the importance of working hard and taking care of others.

He was inspired to become a doctor by the town doctor who treated him for seizures when he was a child. After he served in the Army in World War II, he went to Western Illinois University on the GI bill and then, in the early 1950s, Northwestern University in Chicago, where he went to medical school.

He thought he was going to stay in Chicago and be a cardiologist. Instead, he became the heart of a small town. The long-time family doctor in Rushville was retiring and persuaded the newly minted Dr. Dohner to come home for just a year or two to fill the void. Well, the years stretched into decades and Doc Dohner found he just couldn't leave. There was always somebody who needed a helping hand.

The decision to stay in a small town cost him his marriage, but that was all right. Dr. Dohner said his patients were his family.

Similar to George Bailey in "It's a Wonderful Life," it seems Dr. Dohner has touched and enriched the lives of almost everyone in this small town. He estimates he has delivered 3,500 babies, more than the entire current population of the city of Rushville. Among those he brought into the world are Rushville's mayor and half of the staff at the local hospital. He once climbed down into a coal mine to help rescue four men.

Lynn Stambaugh is the CEO at Culbertson Memorial Hospital. Her younger sister suffered seizures as a baby. She remembers Doc Dohner coming to their house and sitting beside her sister's crib all night long to make sure she was going to be OK.

Carolyn Ambrosius recalled for a local reporter that her mom became

pregnant at the age of 41, and a doctor in Springfield told her that either she was going to survive or the baby would survive but not both of them. She went home to Rushville in tears, and then she met with Doc Dohner. She remembers the Doc told her mother: God's going to take care of us, and I am going to help. Doc Dohner came to the house every day to check on Carolyn's mom and often stayed to have dinner with the family. Today, Carolyn Ambrosius's baby brother is a healthy middle-aged man.

Family doctors such as Doc Dohner are a disappearing breed. Only 2 percent of all medical students in a recent study expressed interest in practicing primary care as a general internist. Most medical students choose a more lucrative specialty field. In the United States, we are now short approximately 9,000 primary care doctors. The situation is not getting any better. In the next 15 years we are going to face a shortage of more than 65,000 primary care doctors.

Stephanie LeMaster is one of that special 2 percent, though. Stephanie grew up in Rushville. As a little girl, she wanted to be a nurse like her mom and her grandmother. At her mother's suggestion, she interviewed Doc Dohner for a fourth grade—fourth grade—school project. Listening to him talk about his love of doctoring, she changed her plans. Stephanie LeMaster is now a second-year medical student at Southern Illinois University. She says:

They tell me I should be the next Dr. Dohner, but I'm not sure I can live up to him. He's the only one like him.

Dr. Dohner has been recognized by State and national organizations as one of the best country doctors in America. He has been profiled in People magazine, featured on the "Today Show," and he was the grand marshal for the Illinois State Fair parade this year. In September, the town of Rushville unveiled a bronze statue of Dr. Dohner in the town's Central Park. It is about 200 feet from his old office. The statue depicts Dr. Donor seated on a park bench with a child listening to his heart through a stethoscope.

Besides doctoring and a little bit of fishing and the Rotary Club meeting, Doc Dohner also loves trees. Rushville mayor Curt Lunt estimates the doctor has donated thousands of trees to the town over the years.

It has been said you have to have faith in the future to plant a tree. The trees of Rushville symbolize not just Doc Dohner's faith in the future but also his love for that community that became his family.

Retirement is taking some adjustment for Doc Dohner. The last time he took a full day off he was in the Army in World War II. He refused to let the folks of Rushville hold any kind of retirement reception for him or run a

story about him in the local newspaper. He said plenty of people retire every day and nobody makes any fuss over it. But few people touch a town as deeply as Dr. Dohner—Dr. Russell Dohner. He touched Rushville and the other small farm towns around it in such an amazing way.

You can be sure this holiday season, as they have for so many years, there are many people who count among their blessings that great Dr. Dohner, who served Rushville, IL, and America for so many decades.

RENEWABLE FUEL STANDARD

Mr. DURBIN. Mr. President, today, I, along with several other Senators, will be meeting with EPA Administrator McCarthy concerning a proposal from EPA to waive the renewable fuel standard, or RFS. If the proposed rule is made final, it would undermine one of the biggest policy tools we have to support energy independence, to lower greenhouse gas emissions, and stabilize our rural economy.

The renewable fuel standard was created in 2002 to drive growth in the biofuels industry. Why is that so important? When biofuels are contributing to our domestic fuel supply, we use less petroleum-based energy. Gasoline blended with ethanol burns more cleanly, so cars are generating less greenhouse gas; And with a steady, predictable market for biofuels, there is now a healthy biofuels industry that supports hundreds of thousands of jobs.

Each year the Environmental Protection Agency sets volume standards for renewable fuels that requires refiners to blend certain levels of biofuels into the fuel supply. RFS levels have been steadily increasing by law since Congress updated the renewable fuels effort in 2007.

The renewable fuel standard has worked well. The United States needs to be less reliant on other countries for its energy. Growth in the use of biofuels—particularly corn-based ethanol—is one of the few, meaningful steps we have taken. And it is working. Last year, we used 13.3 billion gallons of ethanol to displace 465 million barrels of oil. That is 12 percent of the total U.S. crude oil imports.

Not only do biofuels play an important role in energy independence, they have the added benefits of being good for the environment. The renewable fuel standard promotes the adoption of biofuels explicitly because they reduce greenhouse gas emission.

Many of my colleagues may know that in Illinois we grow a lot of corn. Not surprisingly, we also happen to be one of the largest producers of corn-based ethanol—the biofuel most often cited as not being as “green” as other biofuels. But even ethanol is required to reduce greenhouse gas emissions by 20 percent.

A recent study by Argonne National Lab found that, on average, ethanol reduces greenhouse gas emissions by 24 percent. In 2012, ethanol reduced emissions from cars and trucks by 33.4 million tons. That is the equivalent of taking 5.2 million cars off the road.

But it is not just ethanol. Advanced biofuels reduce greenhouse gas emissions even further. They are required to reduce greenhouse gas emissions by at least 50 percent. That is why groups like the American Lung Association have supported the development and use of biofuels. And while many advanced biofuels are just beginning to come online, others—like biodiesel—are getting closer to really hitting their stride.

An added benefit of growth of biofuels in States like Illinois is the effect it has had on our rural economy. The use of biofuels has helped create an additional market for crops, but it also has created an emerging industry in rural communities. There are now 14 ethanol plants and 5 biodiesel plants operating in Illinois. Steady biofuels production in Illinois means new jobs in communities that were having trouble economically even before the recession. Those 14 ethanol plants have led to 5,400 direct jobs in Illinois and payroll exceeding \$250 million.

EPA issued a draft rule last month that would waive the statutory RFS levels for 2014 below levels even required in 2012. By waiving the standard as proposed, the rule not only threatens the current biofuels industry, but it will significantly slow or stop more advanced biofuels coming to the market. In effect, what EPA has proposed would stop any new growth in the industry.

Today, most gasoline is blended with 10 percent ethanol, more commonly referenced as E-10. Some think of this level as a “blend wall” because to increase the blend ratio, we need more investment in infrastructure like gas pumps that deliver it. But if we get stuck at E-10, that effectively shuts down for many biofuels. Corn-based ethanol already is produced at levels to completely saturate the market at E-10, leaving little room for growth advanced cellulosic ethanol.

Part of the reason for creating the RFS was to help create incentives to push past barriers like the blend wall. EPA has already approved a pathway to doing just that in the form of E-15. But instead of using RFS to help push through infrastructure hurdles to biofuel growth, EPA’s proposal would enshrine this market barrier as the true ceiling for much of our biofuels growth.

And EPA’s proposed rule is already reverberating through the market. Investments in biofuels, particularly advanced biofuels, are already starting to slow, based on the proposed rule. I heard from a company in Illinois that

had recently announced new investments in their plant. They are now rethinking their expansion plans. That means if EPA’s proposed waiver is adopted, we may never realize the full benefits of RFS that Congress intended. We will freeze our progress on reducing greenhouse gas emission. We will limit a tool in securing our energy independence. And we will stymie the growth of an industry that is playing an important role in rural economies.

That is why I am working with like-minded Senators on both sides of the aisle to urge the EPA to reconsider this rule before it is finalized. We have come too far to take this giant step backward. Biofuels are an important part of our energy future and the right path for our country.

TRIBUTE TO COLONEL RICHARD D. ROOT

Mr. LEVIN. Mr. President, our men and women in uniform sacrifice much to keep our Nation strong and free. They are well-trained, extraordinarily capable and are some of our country’s best and brightest. One of them is a man I want to help recognize today as he retires from the U.S. Army.

COL Richard D. Root, from Hartford, MI, has served our country in uniform for a quarter of a century and I am delighted to congratulate him on a long and distinguished military career. In 2007, Colonel Root came to the Senate as the Deputy for the Army’s Senate liaison office. He was then selected as the Director of legislative affairs for GEN John Allen, the commander, International Security Assistance Force, ISAF, during the critical period in Afghanistan from 2011 to 2013. In this capacity, Colonel Root escorted over 70 congressional delegations visiting Afghanistan and Pakistan. During these congressional delegations, Colonel Root masterfully balanced both the interests of Senators with the priorities of his commander to ensure that Members of Congress received a clear and accurate picture of the strategic military and political situation in Afghanistan.

Prior to his service with congressional liaison, Colonel Root performed with great distinction in all of his assignments throughout his extraordinary career, including command of the 3rd Battalion, 320th Field Artillery Regiment “Red Knights” during Operation Iraqi Freedom from 2005 to 2006. Additionally, he served as an executive officer for the 4th Infantry Division Artillery and a variety of other tactical and operational assignments from platoon to brigade while deployed for the invasion of Iraq in 2003 and for Operation Desert Storm/Desert Shield in 1991.

In his final assignment as the executive officer to the chief of army legislative liaison, Colonel Root worked tirelessly to expand relationships between the Army and the 113th Congress.

Our military personnel do not shoulder the stress and sacrifice of military service alone, and Colonel Root is no exception. His wife, Diann, and his daughter, Lexi, have stood proudly by his side, sacrificing time with their husband and father while he fulfilled his military commitments. To them also, we offer a truly heartfelt thanks.

As he retires, Colonel Root leaves behind an impressive record of military service and his counsel, professionalism and expertise will surely be missed by the Army and Congress alike. We offer him our sincere thanks for his service to our Nation and the example he has set for those under his command and colleagues with whom he served. I know my colleagues join me in wishing Colonel Root and his family all the best as they begin this next exciting chapter in their lives.

ITALIAN HALL TRAGEDY IN CALUMET, MICHIGAN

Mr. LEVIN. Mr. President, a century ago on December 24, 1913, hundreds of miners and their families had gathered for a Christmas Eve celebration in the small Upper Peninsula town of Calumet, MI. Their community was under tremendous stress; the miners of what is known to this day as "Copper Country" had been on strike for 5 months. But they had come for a brief holiday respite from the trials and struggles of those difficult days.

What began as a joyful day ended in tears and wails and inconsolable grief. While no one will know for certain what sparked the families' rush to the doors at the bottom of the stairs leading from the hall, most believe that someone yelled "Fire!" even though there was none. What resulted in the rush to the exit is almost unimaginable: 59 children and 14 adults were dead, having been trampled or suffocated.

This dreadful disaster has forever brought back painful memories on December 24, Christmas Eve, for the community of Calumet, MI. On the centennial anniversary of this event, the anguish is still real. The sadness is only overshadowed by the senselessness of the event.

The families celebrating in the Italian Hall were hard-working immigrants, struggling through the labor strike to fight for better wages, hours and working conditions. They came to Copper country for the promise of work, even though mining was difficult and dangerous. This area was home to the largest known deposits of pure elemental copper in the world, drawing hundreds of thousands of people from around the world. It was here that the

lives of immigrants shaped our nation, with their successes and their struggles.

So many reminders of the copper mining heyday remain in the quaint town. From the historic architecture to the Yooper accents; from the variety of ethnic foods to the hard living work ethic that exists today, the Copper Country communities are reminded every day of their heritage. The historic buildings, landscapes and museum collections of the area are protected and preserved by the Keweenaw National Historical Park, working collaboratively with local and State governments, historic organizations and private property owners. The park brings to life the multi-faceted story of copper mining history including its social, ethnic, commercial and technological dimensions. However, no artifact can compete with the feeling that Christmas Eve presents to the Village of Calumet every year when it is reminded of the Italian Hall tragedy.

On this centennial, we remember those who perished, and celebrate their lives and the heritage they have left for us.

HONORING OUR ARMED FORCES

CAPTAIN REID NISHIZUKA

Mr. SCHATZ. Mr. President, today I wish to honor the memory of one Hawaii's fallen sons, Air Force Capt. Reid Nishizuka of Kailua.

I was deeply saddened to learn of Captain Nishizuka's death after an MC-12 aircraft carrying him and three of his fellow airmen crashed outside Kandahar Airfield in Afghanistan on April 27, 2013.

Captain Nishizuka heard the call to military service early in his life. While attending Kailua High School, he served as the commander of his Junior ROTC class before he joined the ROTC at the University of Notre Dame.

Through his training as a reserve officer, Captain Nishizuka cultivated the skills and experience that prepared him to commission as a Second Lieutenant in the U.S. Air Force.

With a passion for flying and a spirit of service to a cause greater than himself, Captain Nishizuka embodied the commitment and character that make our military great.

His family and friends will remember his gentle and unconditional love and support.

I hope his family finds solace in knowing that Captain Nishizuka's service exceeded all measures of honor, courage, and devotion to his country.

America will not forget his sacrifice, nor will we ever repay the great debt we owe his family for allowing their son to give his life in service to his Nation.

I stand today before the Senate on behalf of a grateful nation to recognize and remember Capt. Reid K. Nishizuka.

I ask for a moment of silence in honor of Captain Nishizuka's memory as a son, a brother, a friend, and an airman.

TRIBUTE TO MARILYN JONES

Mr. WARNER. Mr. President, today I wish to recognize Marilyn Jones, who has served as a valued member of my staff and the staff of my friend and predecessor, Senator John Warner.

Though she was born in North Carolina, Marilyn has a long history of service to the people of the Commonwealth of Virginia. She is a remarkably compassionate woman who often worked tirelessly with our most vulnerable populations—our senior citizens and veterans. There are many extraordinary stories about constituents whose lives she has touched. One in particular stands out to me: Last year, we were contacted by the wife of a veteran whose husband was hospitalized at a private hospital because of an emergency. Unfortunately, he passed away the next day and the Department of Veterans Affairs refused to pay for his care. Marilyn successfully worked with the private hospital to make sure that the veteran's care in his final hours would not become a financial burden to his widow.

Marilyn joined Senator John Warner in 1981 as a correspondence management specialist and rose to the position of caseworker. When Senator John Warner retired, Marilyn joined my staff to continue helping the people of Virginia. Because of her diligent work, she was promoted first to constituent services representative and then constituent services director. Marilyn has also been a dedicated member of her community in Richmond. She attended Virginia Union University and is an active member of her church, New Jerusalem International Christian Ministries, where she has been known to knit items for fellow church members. She has one beloved daughter, Shannan Hester.

After over 30 years of working for the people of the Commonwealth of Virginia, Marilyn Jones is retiring. Marilyn, thank you for dedicating your career to public service and best of luck in the future.

ADDITIONAL STATEMENTS

REMEMBERING JAMES VON DER HEYDT

• Mr. BEGICH. Mr. President, I wish to pay tribute to James von der Heydt. In his over half a century of service, James von der Heydt built a lasting legacy with distinguished service in all three branches of government. Coming to Alaska in 1943 originally to work on the construction of the ALCAN Highway, James demonstrated the versatility for which Alaskans are famous. By 1945, he was a deputy U.S.

Marshall in Nome. Seeking to give more to his new home State, James left Alaska in 1948 to attend law school. When he returned, he served as the U.S. Commissioner at Nome and then as the United States attorney for Alaska. He served in the Alaska Territorial Legislature in the 1957 session and then became one of the first superior court judges when Alaska became State in 1959. In 1966, President Johnson appointed him to serve as a judge in the U.S. District Court for Alaska where he continued to shape the interpretation of Federal laws in Alaska for the next three decades. We will all miss his love of Alaska, wisdom, and compassion.●

AEROJET ROCKETDYNE'S CAMDEN PRODUCTION FACILITY

● Mr. PRYOR. Mr. President, today, I wish to recognize the dedicated employees at Aerojet Rocketdyne's production facility in Camden, AR. The employees, nearly 525 strong, recently achieved the milestone shipment of their 2,000th PAC-3 solid rocket motor and 400,000th PAC-3 attitude control motor to Lockheed Martin and the U.S. Army.

Aerojet Rocketdyne is recognized around the globe as an aerospace and defense leader proudly serving the missile, space propulsion, and armaments markets. Since 1998, the PAC-3 SRM and ACM rocket motors manufactured in Camden have been a noteworthy component of Aerojet Rocketdyne's industry-leading tactical propulsion portfolio.

The PAC-3 missile is a high-velocity interceptor, and it is the world's most advanced, capable, and powerful terminal air defense missile when deployed in a Patriot battery. It is capable of defeating the entire threat of tactical ballistic missiles, cruise missiles, and aircraft. The solid rocket motors produced in Camden are a vital component to the PAC-3 rocket receiving 100 percent effective rate during Operation Iraqi Freedom.

I am proud to recognize the dedicated and hard-working employees of Aerojet Rocketdyne for their outstanding achievement. This milestone is a reflection of their continued dedication to ensuring our men and women in uniform have the resources they need to carry out their missions effectively and efficiently. With this accomplishment and their future endeavors, the employees of Aerojet Rocketdyne in Camden, AR have earned our most sincere appreciation for a job well done.●

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1845. A bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. 1846. A bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3946. A communication from the Secretary of Homeland Security, transmitting, pursuant to law, a report relative to U.S. Coast Guard Antidifficiency Act Violation No. BHS-10-03; to the Committee on Appropriations.

EC-3947. A communication from the Secretary of Homeland Security, transmitting, pursuant to law, a report relative to U.S. Coast Guard Antidifficiency Act Violation No. BHS-11-01; to the Committee on Appropriations.

EC-3948. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Truth in Lending (Regulation Z)" (12 CFR Part 1026) received in the Office of the President of the Senate on December 17, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3949. A communication from the Assistant Secretary of Energy (Energy Efficiency and Renewable Energy), transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Test Procedures for Electric Motors" received in the Office of the President of the Senate on December 17, 2013; to the Committee on Energy and Natural Resources.

EC-3950. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "The Children's Health Insurance Program Reauthorization Act (CHIPRA) Mandated Evaluation of Express Lane Eligibility: Final Findings"; to the Committee on Finance.

EC-3951. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Members of a Family for Purpose of Filing CBP Family Declaration" (RIN1515-AD76) received in the Office of the President of the Senate on December 16, 2013; to the Committee on Finance.

EC-3952. A joint communication from the Chairwoman, Federal Trade Commission, and the Assistant Attorney General, Antitrust Division, transmitting, pursuant to law, a report entitled "Report to Congress The Pandemic and All-Hazards Preparedness Act Usage of the Act's Antitrust Laws Exemption; to the Committee on Health, Education, Labor, and Pensions.

EC-3953. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Patient Protection and Affordable Care Act; Maximizing January 1, 2014 Coverage Opportunities" (RIN0938-AS17) received in the Office of the President of the Senate on December 16, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-3954. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the

Arms Export Control Act (DDTC 13-138); to the Committee on Foreign Relations.

EC-3955. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-139); to the Committee on Foreign Relations.

EC-3956. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to the Department of Defense (DoD) Agency Financial Report (AFR) for fiscal year 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3957. A communication from the Secretary of the Department of Agriculture, transmitting, pursuant to law, the Semi-annual Report of the Inspector General for the period from April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3958. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the Performance and Accountability Report for the Office of Government Ethics for fiscal year 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3959. A communication from the Secretary of Labor, transmitting, pursuant to law, the fiscal year 2013 Agency Financial Report for the Department of Labor; to the Committee on Homeland Security and Governmental Affairs.

EC-3960. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Changes to Implement the Patent Law Treaty; Correction" (RIN0651-AC85) received in the Office of the President of the Senate on December 16, 2013; to the Committee on the Judiciary.

EC-3961. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Secondary Service Connection for Diagnosable Illnesses Associated With Traumatic Brain Injury" (RIN2900-AN89) received in the Office of the President of the Senate on December 16, 2013; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment and with an amended preamble:

S. Res. 75. A resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 288. A resolution supporting enhanced maritime security in the Gulf of Guinea and encouraging increased cooperation between the United States and West and Central African countries to fight armed robbery at sea, piracy, and other maritime threats.

S. Res. 312. A resolution calling on the government of Iran to fulfill their promises of assistance in this case of Robert Levinson, one of the longest held United States civilians in our Nation's history.

S. Res. 314. A resolution commemorating and supporting the goals of World AIDS Day.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and an amendment to the title and with a preamble:

S. Res. 318. A resolution expressing the sense of the Senate regarding the critical need for political reform in Bangladesh, and for other purposes.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 319. A resolution expressing support for the Ukrainian people in light of President Yanukovich's decision not to sign an Association Agreement with the European Union.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment:

S. 653. A bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 1857. An original bill to reform assistance to Egypt, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. MENENDEZ for the Committee on Foreign Relations.

*Dana J. Hyde, of Maryland, to be Chief Executive Officer, Millennium Challenge Corporation.

*Mark E. Lopes, of Arizona, to be United States Executive Director of the Inter-American Development Bank for a term of three years.

*Keith Michael Harper, of Maryland, for the rank of Ambassador during his tenure of service as United States Representative to the UN Human Rights Council.

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

*France A. Cordova, of New Mexico, to be Director of the National Science Foundation for a term of six years.

*David Weil, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor.

*Steven Joel Anthony, of the District of Columbia, to be a Member of the Railroad Retirement Board for a term expiring August 28, 2018.

By Ms. CANTWELL for the Committee on Indian Affairs.

*Vincent G. Logan, of New York, to be Special Trustee, Office of Special Trustee for American Indians, Department of the Interior.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ROBERTS (for himself, Mr. INHOFE, Mr. GRASSLEY, Mr. RUBIO, Mr. ENZI, Mr. WICKER, Mr. JOHANNES, Mr. HATCH, Mr. RISCH, Mr. BARRASSO,

Mr. COATS, Mrs. FISCHER, Mr. PAUL, Mr. COCHRAN, Mr. BOOZMAN, Mr. THUNE, Mr. LEE, and Mr. MORAN):

S. 1848. A bill to amend section 1303(b)(3) of Public Law 111-148 concerning the notice requirements regarding the extent of health plan coverage of abortion and abortion premium surcharges; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ALEXANDER (for himself, Mr. BARRASSO, Mr. ENZI, Mr. INHOFE, and Mr. ISAKSON):

S. 1849. A bill to amend the Patient Protection and Affordable Care Act to provide for a fixed annual open enrollment period; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself, Ms. COLLINS, and Mr. KING):

S. 1850. A bill to reform and modernize domestic refugee resettlement programs, and for other purposes; to the Committee on the Judiciary.

By Mr. MCCAIN:

S. 1851. A bill to provide for incentives to encourage health insurance coverage, and for other purposes; to the Committee on Finance.

By Mr. PAUL (for himself and Mr. MCCONNELL):

S. 1852. A bill to provide for the establishment of free market enterprise zones in order to help facilitate the creation of new jobs, entrepreneurial opportunities, enhanced and renewed educational opportunities, and increased community involvement in bankrupt or economically distressed areas; to the Committee on Finance.

By Mr. BOOZMAN (for himself, Mr. MANCHIN, Mr. CRAPO, Mr. VITTER, Mr. SESSIONS, and Mr. WICKER):

S. 1853. A bill to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CRAPO (for himself and Mr. RISCH):

S. 1854. A bill to amend title 23, United States Code, with respect to the operation of longer combination vehicles on the Interstate System in Idaho, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CARDIN (for himself and Mr. ROBERTS):

S. 1855. A bill to amend the Internal Revenue Code of 1986 to make permanent the reduced recognition period for built-in gains for S corporations; to the Committee on Finance.

By Mr. PRYOR (for himself and Mrs. HAGAN):

S. 1856. A bill to repeal section 403 of the Bipartisan Budget Act of 2013, relating to an annual adjustment of retired pay for members of the Armed Forces under the age of 62; to the Committee on Armed Services.

By Mr. MENENDEZ:

S. 1857. An original bill to reform assistance to Egypt, and for other purposes; from the Committee on Foreign Relations; placed on the calendar.

By Mr. BEGICH:

S. 1858. A bill to require the Federal Communications Commission to suspend and revise portions of the Report and Order and Further Notice of Proposed Rulemaking that revised Universal Service Fund distribution to rural carriers, to encourage renewed investment by rural rate-of-return carriers in deployment of broadband infrastructure in

rural areas, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CHAMBLISS (for himself, Mr. ISAKSON, Ms. MURKOWSKI, Mr. MCCAIN, Mr. HOEVEN, Mr. JOHNSON of Wisconsin, Ms. COLLINS, Mr. BLUNT, and Mr. PORTMAN):

S. Res. 323. A resolution expressing the sense of the Senate on maintaining the current annual adjustment in retired pay for members of the Armed Forces under the age of 62; to the Committee on Armed Services.

By Mr. ROCKEFELLER (for himself, Mrs. BOXER, and Mrs. FEINSTEIN):

S. Res. 324. A resolution expressing the sense of the Senate with respect to the tragic shooting at Los Angeles International Airport on November 1, 2013, of employees of the Transportation Security Administration; considered and agreed to.

ADDITIONAL COSPONSORS

S. 398

At the request of Ms. COLLINS, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 398, a bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes.

S. 401

At the request of Mr. CARPER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 401, a bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind.

S. 583

At the request of Mr. PAUL, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 583, a bill to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and preborn human person.

S. 666

At the request of Mr. BLUMENTHAL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 666, a bill to prohibit attendance of an animal fighting venture, and for other purposes.

S. 775

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 775, a bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for the installation and maintenance of mechanical insulation property.

S. 896

At the request of Mr. BEGICH, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 896, a bill to amend title II of

the Social Security Act to repeal the Government pension offset and wind-fall elimination provisions.

S. 929

At the request of Mr. CORNYN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 929, a bill to impose sanctions on individuals who are complicit in human rights abuses committed against nationals of Vietnam or their family members, and for other purposes.

S. 1108

At the request of Ms. HIRONO, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1108, a bill to reauthorize the impact aid program under the Elementary and Secondary Education Act of 1965.

S. 1116

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1116, a bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes.

S. 1254

At the request of Mr. NELSON, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1254, a bill to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998, and for other purposes.

S. 1302

At the request of Mr. HARKIN, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 1302, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide for cooperative and small employer charity pension plans.

S. 1341

At the request of Mr. TESTER, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1341, a bill to modify the Forest Service Recreation Residence Program as the program applies to units of the National Forest System derived from the public domain by implementing a simple, equitable, and predictable procedure for determining cabin user fees, and for other purposes.

S. 1349

At the request of Mr. MORAN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 1349, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1352

At the request of Ms. CANTWELL, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1352, a bill to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes.

S. 1391

At the request of Mr. HARKIN, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 1391, a bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal employment discrimination and retaliation claims, and for other purposes.

S. 1410

At the request of Mr. DURBIN, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 1410, a bill to focus limited Federal resources on the most serious offenders.

S. 1417

At the request of Mrs. HAGAN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1417, a bill to amend the Public Health Service Act to reauthorize programs under part A of title XI of such Act.

S. 1500

At the request of Mr. CORNYN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1500, a bill to declare the November 5, 2009, attack at Fort Hood, Texas, a terrorist attack, and to ensure that the victims of the attack and their families receive the same honors and benefits as those Americans who have been killed or wounded in a combat zone overseas and their families.

S. 1507

At the request of Mr. MORAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1507, a bill to amend the Internal Revenue Code of 1986 to clarify the treatment of general welfare benefits provided by Indian tribes.

At the request of Ms. HEITKAMP, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1507, *supra*.

S. 1614

At the request of Ms. KLOBUCHAR, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1614, a bill to require Certificates of Citizenship and other Federal documents to reflect name and date of birth determinations made by a State court and for other purposes.

S. 1642

At the request of Ms. LANDRIEU, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1642, a bill to permit the continuation of certain health plans.

S. 1649

At the request of Mr. BOOZMAN, the name of the Senator from Louisiana

(Mr. VITTER) was added as a cosponsor of S. 1649, a bill to promote freedom and democracy in Vietnam.

S. 1677

At the request of Mr. UDALL of New Mexico, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1677, a bill to establish centers of excellence for innovative stormwater control infrastructure, and for other purposes.

S. 1719

At the request of Mrs. MURRAY, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 1719, a bill to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

At the request of Mr. JOHANNES, his name was added as a cosponsor of S. 1719, *supra*.

S. 1765

At the request of Mr. CORKER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1765, a bill to ensure the compliance of Iran with agreements relating to Iran's nuclear program.

S. 1798

At the request of Mr. WARNER, the names of the Senator from North Carolina (Mrs. HAGAN), the Senator from Colorado (Mr. BENNET) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 1798, a bill to ensure that emergency services volunteers are not counted as full-time employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

S. 1824

At the request of Mr. ENZI, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 1824, a bill to amend the Safe Drinking Water Act to exempt certain lead pipes, fittings, fixtures, solder, and flux that contain brass.

S. 1837

At the request of Ms. WARREN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1837, a bill to amend the Fair Credit Reporting Act to prohibit the use of consumer credit checks against prospective and current employees for the purposes of making adverse employment decisions.

S. 1844

At the request of Mrs. SHAHEEN, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 1844, a bill to restore full military retirement benefits by closing corporate tax loopholes.

S. 1845

At the request of Mr. REED, the names of the Senator from Vermont

(Mr. LEAHY), the Senator from Iowa (Mr. HARKIN), the Senator from Connecticut (Mr. MURPHY), the Senator from Vermont (Mr. SANDERS), the Senator from Michigan (Ms. STABENOW), the Senator from Massachusetts (Mr. MARKEY), the Senator from Illinois (Mr. DURBIN), the Senator from Washington (Mrs. MURRAY), the Senator from Minnesota (Mr. FRANKEN), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1845, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. 1847

At the request of Ms. HIRONO, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1847, a bill to provide for the redesignation of the Asia-Pacific Center for Security Studies as the Daniel K. Inouye Asia-Pacific Center for Security Studies.

S. RES. 314

At the request of Mr. COONS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 314, a resolution commemorating and supporting the goals of World AIDS Day.

S. RES. 318

At the request of Mr. DURBIN, the names of the Senator from Virginia (Mr. Kaine), the Senator from Missouri (Mr. BLUNT) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. Res. 318, a resolution expressing the sense of the Senate regarding the critical need for political reform in Bangladesh, and for other purposes.

S. RES. 319

At the request of Mr. MURPHY, the names of the Senator from Idaho (Mr. Risch) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. Res. 319, a resolution expressing support for the Ukrainian people in light of President Yanukovich's decision not to sign an Association Agreement with the European Union.

AMENDMENT NO. 2569

At the request of Mr. ENZI, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of amendment No. 2569 intended to be proposed to H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

AMENDMENT NO. 2572

At the request of Mr. SESSIONS, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of amendment No. 2572 intended to be proposed to H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

AMENDMENT NO. 2574

At the request of Mr. WICKER, the name of the Senator from Alaska (Ms.

MURKOWSKI) was added as a cosponsor of amendment No. 2574 intended to be proposed to H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ALEXANDER (for himself, Mr. BARRASSO, Mr. ENZI, Mr. INHOFE, and Mr. ISAKSON):

S. 1849. A bill to amend the Patient Protection and Affordable Care Act to provide for a fixed annual open enrollment period; to the Committee on Health, Education, Labor, and Pensions.

Mr. BARRASSO. Mr. President, I come to the floor, as I have frequently since the health care law was passed, as a doctor who has practiced medicine in Wyoming for a quarter of a century, taking care of people, providing low-cost blood screenings through the Wyoming Health Fair, of which I was the medical director. I was back in Wyoming last week talking to folks about their health care and their concerns.

With the end of the year rapidly approaching, Americans are gathering with family and friends to celebrate the holidays, to count their blessings. But from what I heard last weekend in Wyoming and on a telephone townhall meeting Monday night, very few people are thankful for the President's health care law.

I met yesterday with the Wyoming insurance commissioner. Fewer than 1,000 people have been able to sign up, but thousands have had their insurance canceled under the law. So many more people are suffering because of the law than people who are potentially able to benefit. This law was forced down the throats of the American people, supported unanimously by the Democrats in this body. It is continuing to disrupt people's lives and to cause them very real harm.

After a year of false starts and failures, what we have seen is that the President's health care law is nothing more than a collection of deception, delays, and disappointments. If you look at the headlines, the biggest disappointment was the launch of the healthcare.gov Web site in October. It was a total disaster. But it really is just the tip of the iceberg. The Web site failures are what people have seen across the country. That is the most visible, and it has obviously been the cause of concerns and jokes by the late-night comedians. But the real damage is going to start on January 1—damage to people's lives.

This was just about a computer screen. Below this tip of the iceberg is what people are actually noticing at home. They are paying higher premiums, and I am hearing that around the State of Wyoming; canceled cov-

erage—thousands in Wyoming but over 5 million, I understand by last count, across the country. And we don't even know how many have been canceled in the States of Illinois, Texas, and Ohio. But we know that more than 5 million people have lost their coverage. People are finding out they can't keep their doctor. We are seeing that with seniors on Medicare, and we are seeing that with children who are going for cancer care. We are finding that people are having a harder time finding a doctor or even having to make choices as they go to the Web site: Well, do I want to keep my doctor or do I want to keep the hospital that I go to or do I want to keep the drug coverage I have? And many people are finding they can't find any plan that will let them keep everything they have now—in spite of the President's promise.

We are hearing more and more stories about fraud and identity theft across the country related to the health care Web site, including a Senate staff member who was signing up. It asked for his bank number and PIN number, and he called the helpline. He had to wait a long period of time to get through, as has been the experience for many Americans, and they said: No, that is not the regular Web site. That must be some kind of a scam trying to fraudulently take your information.

People are seeing higher copays and deductibles. The average deductible now is over \$5,000 for people in bronze plans.

That is what is continuing to happen with this health care law.

October was just about the Web site. January is going to be about real people, their lives and their ability to get affordable quality care from the doctors they know and trust.

The Obama administration made a lot of promises about this law. The administration has known for months—I believe the administration has known for years that many of the promises were not true. They knew people would lose their doctors, and they knew millions of people would lose their health insurance plans. But instead of leveling with the American people, the White House chose to mislead them.

It continues to mislead them today on one important issue after another, and the people have seen through it. Washington Post, Tuesday, December 17, just yesterday: "Obama's approval ratings plummet. Poll results worrisome for Democrats looking to the midterm elections." A respected group, politifact.com, whose role is sorting out the truth in politics, has come up with their lie of the year, and they attribute their lie of the year for 2013 to President Obama: "If you like your health care plan, you can keep it." That is the lie of the year to the American people. So it is no surprise, then, that the President's approval ratings continue to plummet.

I looked at a decision this administration made very recently, a decision to delay next year's open enrollment season until after the midterm elections. To me, this is a blatant political move—a blatant political move that they snuck out the announcement just days before Thanksgiving.

So what kind of announcement is the administration going to try to sneak out now, just before Christmas? Well, the enrollment period for insurance coverage in 2015 was set to begin October 15, 2014, and then end in December. Now it won't begin until November 15. Why in the world would they need to delay it for a month? Enrollment in the government health insurance exchange has been a disaster, but the administration says it has fixed all the problems. So why do they want to delay it for a month? What is the difference between October 15 and November 15? I believe it is because the administration is in a panic mode, and it will do anything it can to hide the cost of the health care law on the American people—hide the skyrocketing costs. What they have done is they have moved it from a couple of weeks before the election until a couple of weeks after election day 2014.

The American people don't need more lies. What they need from their President is for the President to come clean about the terrible effects of the law. The fact is that many Americans can't keep their coverage, can't keep their doctors, and they can't afford this law.

The Associated Press put out a poll the other day. The headline was "Health Law Seen as Eroding Coverage." The health care is eroding coverage. According to the poll, 69 percent of people say their premiums will be going up and 59 percent say their deductibles and copayments will be increasing. People can't afford those kinds of price increases—this whole redistribution of assets and wealth on the American people. People were told by this President that their health care costs were going to go down. Instead, they are seeing them go up.

The Obama administration doesn't want people learning about their next increases right before the 2014 election, so they are trying to hide the truth. That is why today Senator ALEXANDER, Senator ENZI, and I plan to introduce a bill to give the American people the transparency they deserve when they are making important health care decisions for their families. We are calling this bill the Premium Disclosure Act, and it will do a couple of things.

First, the bill sets the exchange's opening date of October 15, 2014, in statute so that Democrats can't change it to meet their political goals around an election.

Second, the bill says the Obama administration has to make premiums and cost-sharing requirements public 30 days before the open enrollment be-

gins, so people will have this important information in mid-September, making it easier for families to budget and to plan.

The Department of Health and Human Services has previously said it did not have this authority. That is why they said we need to wait until October 1 to find out what premiums would be this year. This bill would specifically give the administration the authority, so they will have no more excuses for hiding health insurance cost increases from the American people.

Americans wanted a few very simple things from health care reform. They wanted better access to care. Washington Democrats gave them less access. They wanted lower costs, but Washington Democrats gave them higher costs. They wanted help. Washington Democrats have caused them harm.

This bill will help add some transparency and shed light on things the Obama administration does not want the American people to see. The President's health care law has been a failure. It cannot be fixed just by delaying one more part or by sending out the spin doctors one more time or by having one more press conference. I hope when we return after the New Year that President Obama and Democrats in Congress will be ready to sit down with Republicans to talk about real bipartisan solutions that put patients and families first.

By Mr. MCCAIN:

S. 1851. A bill to provide for incentives to encourage health insurance coverage, and for other purposes; to the Committee on Finance.

Mr. MCCAIN. Mr. President, I am introducing the Empowering Patients First Act, companion legislation to H.R. 2300, introduced in the House of Representatives by Congressman TOM PRICE. I thank Congressman PRICE for all the hard work he did on this legislation. I am very grateful for that.

I believe this legislation would give patients, families, and doctors the power to make medical decisions, and not Washington.

Specifically, this legislation would enable everyone to purchase health insurance through deductions, credits, or advanceable credits; equalize tax treatment of employer-sponsored plans and plans purchased by individuals by letting individuals buy health insurance with pre-tax dollars; let small business owners band together across State lines through association health plans, known as AHPs, and take advantage of the increased purchasing power which larger businesses are able to take advantage of through increased bargaining power, volume discounts, and administrative efficiencies. It would let consumers buy insurance across State lines, and let individuals own

their insurance like a 401(k) plan so they can take it with them across State lines if they change jobs.

I don't think there is any doubt in the majority of Americans' minds—and poll after poll indicates—that ObamaCare is a failure. The American people do not believe in it. And it isn't just the problems with the rollout of the Web site—it is all of the aspects of it which have become so complex and so difficult.

Basically, it is as some of us who fought it day after day here on the floor said: an experiment in social engineering, where young people who are healthy are going to pay for the health care of those who are older and sicker—a redistribution of wealth that then-Senator Obama favored and stated when he was running for President.

That is not the way to address health care needs in America. It has not bent the health care curve down. It has not allowed people, if they want to keep their insurance, to be able to keep it. I noticed that was voted as the biggest lie of the year by one of the periodicals here. And it is a failure.

We on the other side of this issue are also required to come up with alternatives, because we vowed to repeal and replace ObamaCare, not just repeal it. I believe that what Congressman PRICE has introduced, and what I am introducing today as a companion bill, is a step in that direction.

It is time that we on this side of the aisle came up with our agenda for health care in America because we know that the inflation associated with health care costs is unsustainable, that there are millions of Americans who do not have health care, and there is a particular problem for those with preexisting conditions.

We need to repeal this horrendous mistake—which, by the way, was done on strictly party line votes, the first entitlement program ever enacted that was done without a single bipartisan vote on it. As many of us predicted back in 2009 when this legislation was passed, it was doomed to failure. Time after time, amendment after amendment, as we attempted to repeal it for 25 days, I believe it was, of floor consideration back in 2009, it was voted down on a party line basis.

They sowed the wind and are now reaping the whirlwind. We need to repeal the Affordable Care Act, and we need to replace it because health care in America is still not satisfactory, nor have we fulfilled the needs and the obligations we have to all of our citizens.

The problems with the Affordable Care Act are well known: A failed Web site rollout that has hindered enrollment and the purchase of mandated coverage. As of December 17, only an estimated 440,835 people have enrolled for a health plan. That is 6.2 percent of the enrollment goal of 7 million by March 31, 2014.

There is a destructive tax on medical devices that will discourage innovation and encourage these businesses to move offshore. We have already seen medical device manufacturers leaving the United States of America as they said they would if they were taxed to the point where they could not be competitive with medical devices that were manufactured in foreign countries.

There is disappointment for Americans who are happy with their current coverage and want to keep their coverage. It is estimated that 10 million Americans will have their health plans terminated due to ObamaCare.

According to a December 17 Washington Post-ABC poll, only 19 percent of Americans believe ObamaCare is improving the country's health care system. Only 8 percent believe ObamaCare is improving their insurance coverage. Only 5 percent of Americans believe their health care costs are decreasing as a result of ObamaCare, and 47 percent of Americans believe the President's health care law is increasing the cost of their health care.

It is clear that ObamaCare is not working for the American people, and they have little faith in the administration's efforts to fix our broken health care system.

This legislation I am introducing today makes the purchase of health care financially feasible for all Americans—from deductions to advanceable, refundable credits so that everyone has an economic incentive to purchase coverage they want for themselves and their families, not what the government forces them to buy. In addition, it allows greater choices in portability, so that every health policy is owned by the patient, regardless of who pays. This means the coverage would go with the person if they change or lose their job. It gives employers more flexibility in the benefits offered and provides many more coverage options for people with preexisting conditions so that no one is priced out of the market, regardless of health status.

It addresses increasing costs by clamping down on abusive lawsuits, ends the practice of defensive medicine, gains significant savings from health care efficiencies—sifting out waste, fraud, and abuse—and bringing our Nation's budget under control.

Finally, it establishes doctor-led quality measures, ensuring that patients receive quality care defined by people who know medicine, not by government. It encourages healthier lifestyles by giving employers and health policies more flexibility to offer discounts for healthy habits through wellness and prevention programs.

If enacted, this legislation would save trillions of dollars. Douglas Holtz-Eakin, who is the former director of the Congressional Budget Office and one of the most credible people in this town, estimates this legislation would

save American tax payers \$2.37 trillion in its first decade alone. According to the analysis of Mr. Holtz-Eakin, compared to current law this legislation would produce smaller premium increases on average, yielding lower premiums than current law—nearly 19 percent for single policies and up to 15 percent for family policies; increase patient access to physicians; produce a 10-percent increase in medical productivity; and increase the number of insured individuals by 29 percent.

Americans are looking for an alternative to ObamaCare. This legislation is a step in the right direction and will provide Americans an alternative that empowers patients, families, and doctors to make the medical decisions, not those in Washington, DC.

I find of interest in the Wall Street Journal an opinion piece entitled "ObamaCare's Troubles Are Only Beginning," by Michael Boskin, a very well respected economist. It says:

Be prepared for eligibility, payment and information protection debacles—and longer waits for care.

He says:

The shocks—economic and political—will get much worse next year and beyond. Here's why: The "sticker shock" that many buyers of new, ACA-compliant health plans have experienced—with premiums 30% higher, or more, than their previous coverage—has only begun. The costs borne by individuals will be even more obvious next year as more people start having to pay higher deductibles and copays.

If, as many predict, too few healthy young people sign up for insurance that is overpriced in order to subsidize older, sicker people, the insurance market will unravel in a "death spiral" of ever-higher premiums and fewer signups. The government, through taxpayer-funded "risk corridors," is on the hook for billions of dollars of potential insurance-company losses. This will be about as politically popular as bank bailouts.

The "I can't keep my doctor" shock will also hit more and more people in coming months. To keep prices to consumers as low as possible—given cost pressures generated by the government's rules, controls and coverage mandates—insurance companies in many cases are offering plans that have very restrictive networks, with lower-cost providers that exclude some of the best physicians and hospitals.

Finally, there is an article entitled "Second wave of health care plan cancellations looms." It goes on to say:

An analysis by the American Enterprise Institute, a conservative think tank, shows the administration anticipates half to two-thirds of small businesses would have policies canceled or be compelled to send workers into the ObamaCare exchanges. They predict up to 100 million small and large business policies could be canceled next year.

I ask unanimous consent these articles be printed in the RECORD.

It is time for us to begin to consider alternatives and recognize that this legislation needs to be repaired and replaced.

I yield the floor.

[Dec. 15, 2013]

OBAMACARE'S TROUBLES ARE ONLY BEGINNING
BE PREPARED FOR ELIGIBILITY, PAYMENT AND
INFORMATION PROTECTION DEBACLES—AND
LONGER WAITS FOR CARE.

(By Michael J. Boskin)

The White House is claiming that the Healthcare.gov website is mostly fixed, that the millions of Americans whose health plans were canceled thanks to government rules may be able to keep them for another year, and that in any event these people will get better plans through ObamaCare exchanges. Whatever the truth of these assertions, those who expect better days ahead for the Affordable Care Act are in for a rude awakening. The shocks—economic and political—will get much worse next year and beyond. Here's why:

The "sticker shock" that many buyers of new, ACA-compliant health plans have experienced—with premiums 30% higher, or more, than their previous coverage—has only begun. The costs borne by individuals will be even more obvious next year as more people start having to pay higher deductibles and copays.

If, as many predict, too few healthy young people sign up for insurance that is overpriced in order to subsidize older, sicker people, the insurance market will unravel in a "death spiral" of ever-higher premiums and fewer signups. The government, through taxpayer-funded "risk corridors," is on the hook for billions of dollars of potential insurance-company losses. This will be about as politically popular as bank bailouts.

The "I can't keep my doctor" shock will also hit more and more people in coming months. To keep prices to consumers as low as possible—given cost pressures generated by the government's rules, controls and coverage mandates—insurance companies in many cases are offering plans that have very restrictive networks, with lower-cost providers that exclude some of the best physicians and hospitals.

Next year, millions must choose among unfamiliar physicians and hospitals, or paying more for preferred providers who are not part of their insurance network. Some health outcomes will deteriorate from a less familiar doctor-patient relationship.

More IT failures are likely. People looking for health plans on ObamaCare exchanges may be able to fill out their applications with more ease. But the far more complex back-office side of the website—where the information in their application is checked against government databases to determine the premium subsidies and prices they will be charged, and where the applications are forwarded to insurance companies—is still under construction. Be prepared for eligibility, coverage gap, billing, claims, insurer payment and patient information-protection debacles.

The next shock will come when the scores of millions outside the individual market—people who are covered by employers, in union plans, or on Medicare and Medicaid—experience the downsides of ObamaCare. There will be longer waits for hospital visits, doctors' appointments and specialist treatment, as more people crowd fewer providers.

Those with means can respond to the government-driven waiting lines by making side payments to providers or seeking care through doctors who do not participate in insurance plans. But this will be difficult for most people.

Next, the Congressional Budget Office's estimated 25% expansion of Medicaid under

ObamaCare will exert pressure on state Medicaid spending (although the pressure will be delayed for a few years by federal subsidies). This pressure on state budgets means less money on education and transportation, and higher state taxes.

The “Cadillac tax” on health plans to help pay for ObamaCare starts four years from this Jan. 1. It will fall heavily on unions whose plans are expensive due to generous health benefits.

In the nearer term, a political iceberg looms next year. Insurance companies usually submit proposed pricing to regulators in the summer, and the open enrollment period begins in the fall for plans starting Jan. 1. Businesses of all sizes that currently provide health care will have to offer ObamaCare’s expensive, mandated benefits, or drop their plans and—except the smallest firms—pay a fine. Tens of millions of Americans with employer-provided health plans risk paying more for less, and losing their policies and doctors to more restrictive networks. The administration is desperately trying to delay employer-plan problems beyond the 2014 election to avoid this shock.

Meanwhile, ObamaCare will lead to more part-time workers in some industries, as hours are cut back to conform to arbitrary definitions in the law of what constitutes full-time employment. Many small businesses will be cautious about hiring more than 50 full-time employees, which would subject them to the law’s employer insurance mandate.

On the supply side, medicine will become a far less attractive career for talented young people. More doctors will restrict practice or retire early rather than accept lower incomes and work conditions they did not anticipate. Already, many practices are closed to Medicaid recipients, some also to Medicare. The pace of innovation in drugs, medical devices and delivery is expected to slow significantly, as higher taxes and even rationing set in.

The repeated assertions by the law’s supporters that nobody but the rich would be worse off was based on a beyond-implausible claim that one could expand by millions the number of people with health insurance, lower health-care costs without rationing, and improve quality. The reality is that any squeezing of insurance-company profits, or reduction in uncompensated emergency-room care amounts to a tiny fraction of the trillions of dollars extracted from those people overpaying for insurance, or redistributed from taxpayers.

The Affordable Care Act’s disastrous debut sent the president’s approval ratings into a tailspin and congressional Democrats in competitive districts fleeing for cover. If the law’s continuing unpopularity enables Republicans to regain the Senate in 2014, the president will be forced to veto repeated attempts to repeal the law or to negotiate major changes.

The risk of a complete repeal if a Republican takes the White House in 2016 will put enormous pressure on Democratic candidates—and on Republicans—to articulate a compelling alternative to the cost and coverage problems that beset health care. A good start would be sliding-scale subsidies to help people buy a low-cost catastrophic plan, purchasable across state lines, equalized tax treatment of those buying insurance on their own with those on employer plans, and expanded high-risk pools.

[From FoxNews, Nov. 20, 2013]

SECOND WAVE OF HEALTH PLAN CANCELLATIONS LOOMS

A new and independent analysis of ObamaCare warns of a ticking time bomb, predicting a second wave of 50 million to 100 million insurance policy cancellations next fall—right before the mid-term elections.

The next round of cancellations and premium hikes is expected to hit employees, particularly of small businesses. While the administration has tried to downplay the cancellation notices hitting policyholders on the individual market by noting they represent a relatively small fraction of the population, the swath of people who will be affected by the shakeup in employer-sponsored coverage will be much broader.

An analysis by the American Enterprise Institute, a conservative think tank, shows the administration anticipates half to two-thirds of small businesses would have policies canceled or be compelled to send workers onto the ObamaCare exchanges. They predict up to 100 million small and large business policies could be canceled next year.

“The impact I’m mostly worried about is on small young, entrepreneurial firms that will suddenly face much higher health insurance premiums if they want to offer health insurance to their employees,” said AEI resident scholar Stan Veuger. “I think for a lot of other businesses . . . they can just send their employees to the exchanges or offer them a fixed subsidy every month to buy health insurance themselves.”

Under the health care law, businesses with fewer than 50 workers do not have to provide health coverage. But if they do, the policies will still have to meet the benefit standards set by ObamaCare.

As reported by AEI’s Scott Gottlieb, some businesses got around this by renewing their policies before the end of 2013. But the relief is temporary, and they are expected to have to offer in-compliance plans for 2015. According to Gottlieb, that means beginning in October 2014 the cancellation notices will start to go out.

Then, businesses will have to either find a new plan—which could be considerably more expensive—or send workers onto the ObamaCare exchanges.

For workers, their experience could mirror that of the 5 million or so on the individual market who already received cancellation notices because their plans did not meet new standards under the Affordable Care Act.

President Obama announced last week that insurance companies could offer out-of-compliance plans for another year. But that only means the cancellation notices will resume late next year.

Obama met Wednesday with state insurance commissioners about the change. In a statement afterward, National Association of Insurance Commissioners President Jim Donelon voiced concern with the change but said: “We will work with the insurance companies in our states to implement changes that make sense while following our mandate of consumer protection.”

The business community has already been hit with another side effect from ObamaCare. Because the law will require businesses with more than 50 full-time workers to offer health coverage, there are reports that companies are shifting employees to part-time status to avoid hitting the threshold.

Though the administration describes these accounts as anecdotal—and has already delayed the employer mandate by a year—studies suggest otherwise.

The International Franchise Association and the U.S. Chamber of Commerce have studied the impact and say the president’s health care law has resulted in higher costs and fewer full-time positions.

A survey showed 31 percent of franchise businesses, and 12 percent of non-franchise businesses, have already reduced worker hours. It also showed 27 percent of franchise businesses, and 12 percent of non-franchise businesses, have replaced full-time workers with part-time employees.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 323—EXPRESSING THE SENSE OF THE SENATE ON MAINTAINING THE CURRENT ANNUAL ADJUSTMENT IN RETIRED PAY FOR MEMBERS OF THE ARMED FORCES UNDER THE AGE OF 62

Mr. CHAMBLISS (for himself, Mr. ISAKSON, Ms. MURKOWSKI, Mr. MCCAIN, Mr. HOEVEN, Mr. JOHNSON of Wisconsin, Ms. COLLINS, Mr. BLUNT, and Mr. PORTMAN) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 323

Whereas is the responsibility of Congress to get the fiscal house of government in order, and all government spending should be examined to achieve that goal;

Whereas HJ Res. 59 (113th Congress), a bipartisan budget proposal, is a first step in this direction, though it fails to address broader government spending issues;

Whereas retirees from the Armed Forces, both those who served a full career and those medically retired and their survivors, have provided great service and sacrificed much for our country;

Whereas HJ Res. 59 (113th Congress) disproportionately targets these military retirees in the name of fiscal responsibility; and

Whereas, while the decisions regarding future spending cuts may be difficult and painful, the solution should require contributions from all Americans: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) retirees from the Armed Forces should not unfairly bear the burden of excessive government spending;

(2) military retirees earned the benefits they were promised upon entering military, and it is the duty of the Senate to protect them; and

(3) the Senate should seek alternatives to the provisions of section 403 of the Bipartisan Budget Act of 2103 (introduced as HJ Res. 59 (113th Congress)) before the effective date of that section and the amendments made by that section.

Mr. CHAMBLISS. Mr. President, I rise today to submit a sense of the Senate resolution to address the issue of military retirement pay in this budget proposal.

It is the responsibility of Congress to get our fiscal house in order and that all government spending should be examined to achieve that goal. However, this budget proposal disproportionately targets the retirees of the U.S. Armed Forces in the name of fiscal responsibility.

We, as a body, acknowledge military retirees, both those who served full careers and those who have medically retired and their survivors. They have provided great service and sacrificed much for our country. Making decisions regarding future spending cuts would be difficult and painful, but the solution should require contributions from all Americans, not just our servicemembers who have sacrificed so much.

Therefore, I, along with Senator ISAKSON—and I am pleased to say Senator MURKOWSKI and Senator MCCAIN—have joined in offering a sense of the Senate resolution that military retirees should not unfairly bear the burden of our excessive government spending.

Our military retirees earned the benefits they were promised upon entering the military, and it is our duty to protect them.

Mr. ISAKSON. Mr. President, I am pleased to join Senator CHAMBLISS in this sense-of-the-Senate resolution. It is absolutely important that we not disproportionately burden those who have served us and who have saved us, and our veterans have done both. As we deal with the difficult decisions in the years ahead on getting our debt and our deficit in order, it is important that we all share part of the burden, that we all put our shoulder to the yoke and we make sure we don't disproportionately put it on our veterans or on any segment of our society. We are all in this together. But, most importantly, we are all here today because of the sacrifice of our men and women in harm's way, and we cannot single them out for disproportionate savings in terms of the budget and the deficit.

I commend Senator CHAMBLISS on his leadership, and I am happy to join him in this resolution.

SENATE RESOLUTION 324—EX- PRESSING THE SENSE OF THE SENATE WITH RESPECT TO THE TRAGIC SHOOTING AT LOS AN- GELES INTERNATIONAL AIRPORT ON NOVEMBER 1, 2013, OF EM- PLOYEES OF THE TRANSPOR- TATION SECURITY ADMINISTRA- TION

Mr. ROCKEFELLER (for himself, Mrs. BOXER, and Mrs. FEINSTEIN) submitted the following resolution; which was considered and agreed to:

S. RES. 324

Whereas on November 1, 2013, a gunman entered Terminal 3 of the Los Angeles International Airport and opened fire at a security checkpoint, targeting the Transportation Security Officers who are charged with protecting our aviation system and the people of the United States;

Whereas Gerardo Hernandez, a 39-year-old resident of Porter Ranch, California, a beloved husband and father of two, lost his life in the shooting and tragically became the first Transportation Security Officer to be killed in the performance of his duties;

Whereas James Speer and Tony Grigsby, dedicated Transportation Security Officers and colleagues of the deceased officer, were wounded in the attack;

Whereas a member of the traveling public, Brian Ludmer, a 29-year-old high school teacher from Lake Forest, Illinois, was also injured; and

Whereas Transportation Security Officers, law enforcement personnel, first responders, and medical professionals acted courageously to subdue the gunman, secure the airport, help move passengers out of harm's way, and treat victims of the attack:

Now, therefore, be it

Resolved, That the Senate—

(1) strongly condemns the senseless and appalling act of violence carried out at Los Angeles International Airport on November 1, 2013;

(2) offers its deepest condolences to the family, friends, and loved ones of Gerardo Hernandez;

(3) honors the dedicated public service of Gerardo Hernandez, James Speer, and Tony Grigsby;

(4) sends its hope for a quick recovery to the other victims of the horrific attack; and

(5) remains committed to preventing similar tragedies from happening again.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2600. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table.

SA 2601. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 3304, supra; which was ordered to lie on the table.

SA 2602. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3304, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2600. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. ____ REPEAL OF ANNUAL ADJUSTMENT OF RETIRED PAY FOR MEMBERS OF THE ARMED FORCES UNDER THE AGE OF 62.

(a) REPEAL.—Effective immediately after the enactment of the Bipartisan Budget Act of 2013, section 403 of the Bipartisan Budget Act of 2013 is repealed.

(b) SOCIAL SECURITY NUMBER REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.—

(1) IN GENERAL.—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(5) IDENTIFICATION REQUIREMENT WITH RESPECT TO TAXPAYER.—

“(A) IN GENERAL.—Paragraph (1) shall not apply to any taxpayer for any taxable year unless the taxpayer includes the taxpayer's Social Security number on the return of tax for such taxable year.

“(B) JOINT RETURNS.—In the case of a joint return, the requirement of subparagraph (A) shall be treated as met if the Social Security number of either spouse is included on such return.

“(C) LIMITATION.—Subparagraph (A) shall not apply to the extent the tentative minimum tax (as defined in section 55(b)(1)(A)) exceeds the credit allowed under section 32.”.

(2) OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.—Subparagraph (I) of section 6213(g)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

“(I) an omission of a correct Social Security number required under section 24(d)(5) (relating to refundable portion of child tax credit), or a correct TIN under section 24(e) (relating to child tax credit), to be included on a return.”.

(3) CONFORMING AMENDMENT.—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended by inserting “WITH RESPECT TO QUALIFYING CHILDREN” after “IDENTIFICATION REQUIREMENT” in the heading thereof.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after the date of the enactment of this Act.

SA 2601. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. ____ REPEAL OF ANNUAL ADJUSTMENT OF RETIRED PAY FOR MEMBERS OF THE ARMED FORCES UNDER THE AGE OF 62.

(a) REPEAL.—Effective immediately after the enactment of the Bipartisan Budget Act of 2013, section 403 of the Bipartisan Budget Act of 2013 is repealed.

(b) STANDARD UTILITY ALLOWANCES BASED ON THE RECEIPT OF ENERGY ASSISTANCE PAYMENTS.—

(1) STANDARD UTILITY ALLOWANCE.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(A) in subsection (e)(6)(C), by striking clause (iv); and

(B) in subsection (k), by striking paragraph (4) and inserting the following:

“(4) THIRD PARTY ENERGY ASSISTANCE PAYMENTS.—For purposes of subsection (d)(1), a payment made under a State law (other than a law referred to in paragraph (2)(G)) to provide energy assistance to a household shall be considered money payable directly to the household.”.

(2) CONFORMING AMENDMENTS.—Section 2605(f)(2) of the Low-Income Home Energy

Assistance Act of 1981 (42 U.S.C. 8624(f)(2)) is amended—

(A) in the matter preceding subparagraph (A), by striking “and for purposes of determining any excess shelter expense deduction under section 5(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e))”; and

(B) in subparagraph (A), by inserting before the semicolon at the end the following: “, except that such payments or allowances shall not be considered to be expended for purposes of determining any excess shelter expense deduction under section 5(e)(6) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6))”.

SA 2602. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3304, to authorize the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to authorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . MEDALS FOR MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE WHO WERE KILLED OR WOUNDED IN AN ATTACK PERPETRATED BY A HOMEGROWN VIOLENT EXTREMIST WHO WAS INSPIRED OR MOTIVATED BY A FOREIGN TERRORIST ORGANIZATION.

(a) PURPLE HEART.—

(1) AWARD.—

(A) IN GENERAL.—Chapter 57 of title 10, United States Code, is amended by inserting after section 1129 the following new section:

“§ 1129a. Purple Heart: members killed or wounded in attacks of homegrown violent extremists motivated or inspired by foreign terrorist organizations

“(a) IN GENERAL.—For purposes of the award of the Purple Heart, the Secretary concerned shall treat a member of the armed forces described in subsection (b) in the same manner as a member who is killed or wounded as a result of an international terrorist attack against the United States.

“(b) COVERED MEMBERS.—A member described in this subsection is a member on active duty who was killed or wounded in an attack perpetrated by a homegrown violent extremist who was inspired or motivated to engage in violent action by a foreign terrorist organization in circumstances where the death or wound is the result of an attack targeted on the member due to such member's status as a member of the armed forces, unless the death or wound is the result of willful misconduct of the member.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘foreign terrorist organization’ means an entity designated as a foreign terrorist organization by the Secretary of State pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

“(2) The term ‘homegrown violent extremist’ shall have the meaning given that term by the Secretary of Defense in regulations prescribed for purposes of this section.”.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 57 of such title is amended by inserting after the item relating to section 1129 the following new item:

“1129a. Purple Heart: members killed or wounded in attacks of homegrown violent extremists motivated or inspired by foreign terrorist organizations.”.

(2) RETROACTIVE EFFECTIVE DATE AND APPLICATION.—

(A) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as of September 11, 2001.

(B) REVIEW OF CERTAIN PREVIOUS INCIDENTS.—The Secretaries concerned shall undertake a review of each death or wounding of a member of the Armed Forces that occurred between September 11, 2001, and the date of the enactment of this Act under circumstances that could qualify as being the result of the attack of a homegrown violent extremist as described in section 1129a of title 10, United States Code (as added by paragraph (1)), to determine whether the death or wounding qualifies as a death or wounding resulting from a homegrown violent extremist attack motivated or inspired by a foreign terrorist organization for purposes of the award of the Purple Heart pursuant to such section (as so added).

(C) ACTIONS FOLLOWING REVIEW.—If the death or wounding of a member of the Armed Forces reviewed under subparagraph (B) is determined to qualify as a death or wounding resulting from a homegrown violent extremist attack motivated or inspired by a foreign terrorist organization as described in section 1129a of title 10, United States Code (as so added), the Secretary concerned shall take appropriate action under such section to award the Purple Heart to the member.

(D) SECRETARY CONCERNED DEFINED.—In this paragraph, the term “Secretary concerned” has the meaning given that term in section 101(a)(9) of title 10, United States Code.

(b) SECRETARY OF DEFENSE MEDAL FOR THE DEFENSE OF FREEDOM.—

(1) REVIEW OF THE NOVEMBER 5, 2009 ATTACK AT FORT HOOD, TEXAS.—If the Secretary concerned determines, after a review under subsection (a)(2)(B) regarding the attack that occurred at Fort Hood, Texas, on November 5, 2009, that the death or wounding of any member of the Armed Forces in that attack qualified as a death or wounding resulting from a homegrown violent extremist attack motivated or inspired by a foreign terrorist organization as described in section 1129a of title 10, United States Code (as added by subsection (a)), the Secretary of Defense shall make a determination as to whether the death or wounding of any civilian employee of the Department of Defense or civilian contractor in the same attack meets the eligibility criteria for the award of the Secretary of Defense Medal for the Defense of Freedom.

(2) AWARD.—If the Secretary of Defense determines under paragraph (1) that the death or wounding of any civilian employee of the Department of Defense or civilian contractor in the attack that occurred at Fort Hood, Texas, on November 5, 2009, meets the eligibility criteria for the award of the Secretary of Defense Medal for the Defense of Freedom, the Secretary shall take appropriate action to award the Secretary of Defense Medal for the Defense of Freedom to the employee or contractor.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Com-

mittee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on December 18, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building, to conduct a hearing entitled, “What Information Do Data Brokers Have On Consumers, and How Do They Use It?” The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 18, 2013, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on December 18, 2013, in room SD-430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on December 18, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on December 18, 2013, at 2 p.m. in room 428A of the Russell Senate Office Building to conduct a roundtable entitled “SBIR/STTR: Measuring the Effectiveness of the Reauthorization Act and Maximizing Research Dollars to America's Small Businesses.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EAST ASIA AND PACIFIC

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 18, 2013, at 10 a.m., to hold an East Asia and Pacific subcommittee hearing entitled “Rebalance to Asia IV: Economic Engagement in the Asia-Pacific Region.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SOCIAL SECURITY, PENSIONS, AND FAMILY POLICY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Social Security, Pensions, and Family Policy of the Committee on Finance be authorized to

meet during the session of the Senate on December 18, 2013, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled "The Role of Social Security, Defined Benefits, and Private Retirement Accounts in the face of the Retirement Crisis."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AGING

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on December 18, 2013, to conduct a hearing entitled "the Future of Long-Term Care Policy: Continuing the Conversation."

The Committee will meet in room 562 of the Dirksen Senate Office Building beginning at 2:15 pm.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. KING. Mr. President, I ask unanimous consent that Deanna Wilbur be granted the privilege of the floor for the purpose of being here during these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that MAJ Bobby J. Cox, my defense fellow, be granted the privilege of the floor for the remainder of the week.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I ask unanimous consent that Whitney Reitz, a State Department fellow in the office of Senator LANDRIEU, be granted floor privileges for the remainder of the 113th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPORTING THE GOALS AND IDEALS OF AMERICAN DIABETES MONTH

Mr. DURBIN. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 316 and the Senate then proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 316) supporting the goals and ideals of American Diabetes Month.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to,

and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 316) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of December 10, 2013, under "Submitted Resolutions.")

RESPECTING THE TRAGIC SHOOTING AT LOS ANGELES INTERNATIONAL AIRPORT

Mr. DURBIN. I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 324 submitted earlier today by Senator ROCKEFELLER.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 324) expressing the sense of the Senate with respect to the tragic shooting at Los Angeles International Airport on November 1, 2013, of employees of the Transportation Security Administration.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 324) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the chairman of the Committee on Commerce, Science, and Transportation, and pursuant to Title 46, Section 1295 b(h), of the U.S. Code, appoints the following Senators to the Board of Visitors of the U.S. Merchant Marine Academy: The Senator from West Virginia (Mr. ROCKEFELLER), ex officio, as Chairman of the Committee on Commerce, Science, and Transportation and the Senator from Virginia (Mr. WARNER), from the Committee on Commerce, Science, and Transportation.

The Chair, on behalf of the Vice President, pursuant to 14 U.S.C. 194(a), as amended by Public Law 101-595, and upon the recommendation of the Chairman of the Committee on Commerce, Science and Transportation, appoints the following Senators to the Board of Visitors of the U.S. Coast Guard Acad-

emy: The Senator from West Virginia (Mr. ROCKEFELLER), ex officio, as Chairman of the Committee on Commerce, Science and Transportation; and the Senator from Washington (Ms. CANTWELL), Committee on Commerce, Science, and Transportation.

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 9355(a), reappoints and appoints the following Senators to the Board of Visitors of the U.S. Air Force Academy: The Senator from Colorado (Mr. BENNET), designee of the Chairman of the Committee on Armed Services, and the Senator from New Mexico (Mr. UDALL), from the Committee on Appropriations.

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 4355(a), appoints and reappoints the following Senators to the Board of Visitors of the U.S. Military Academy: the Senator from New York (Mrs. GILLIBRAND), designee of the Chairman of the Committee on Armed Services, and the Senator from Louisiana (Ms. LANDRIEU), from the Committee on Appropriations.

The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 6968(a), reappoints the following Senators to the Board of Visitors of the U.S. Naval Academy: The Senator from Maryland (Ms. MIKULSKI), from the Committee on Appropriations, and the Senator from Maryland (Mr. CARDIN), At Large.

The Chair, on behalf of the President pro tempore, pursuant to provisions of Public Law 106-79, appoints the following Senator to the Dwight D. Eisenhower Memorial Commission: The Honorable JOE MANCHIN III of West Virginia vice the Honorable Daniel K. Inouye of Hawaii.

ORDERS FOR THURSDAY, DECEMBER 19, 2013

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, December 19, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate resume consideration of the motion to concur in the House message to accompany H.R. 3304, the National Defense Authorization Act; further, that all time during adjournment count postcloture on the motion to concur.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

the Senate, I ask that it adjourn under the previous order.

Mr. DURBIN. Rollcall votes are possible throughout the day. Senators will be notified when they are scheduled.

Mr. DURBIN. Mr. President, if there is no further business to come before

There being no objection, the Senate, at 7:50 p.m., adjourned until Thursday, December 19, 2013, at 10 a.m.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and

any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, December 19, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 7

2:30 p.m.

Committee on the Judiciary
Subcommittee on the Constitution, Civil
Rights and Human Rights
To hold hearings to examine the Syrian
refugee crisis.

SD-226

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HOUSE OF REPRESENTATIVES—Thursday, December 19, 2013

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. HARRIS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
December 19, 2013.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

Reverend Andrew Walton, Capitol Hill Presbyterian Church, Washington, D.C., offered the following prayer:

In the name, spirit, and way of all faith traditions of our Nation and world, we pray that the light, peace, hope, compassion, and joy of the season may be ours today.

As the Members and staff of this Congress complete their work at hand and return to communities and families for rest, respite, and celebration, may their lives be enriched and renewed. May those who stay behind to keep the embers of government aglow also be blessed with slower pace and lighter workload.

May the many people of our land for whom holidays are not so merry or bright be comforted in loss, healed in sickness, and sustained in their needs through the compassion, generosity, and love of fellow brothers and sisters guided by divine spirit.

May grace and blessings be upon our Nation and the entire planet as we celebrate this season of peace and seek to serve and live that same peace each and every day.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 6(a) of House Resolution 438, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by Speaker pro tempore Thornberry on Tuesday, December 17, 2013:

H.R. 3458, to treat payments by charitable organizations with respect to certain firefighters as exempt payments.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 19, 2013.

Hon. JOHN A. BOEHNER,
Speaker, U.S. Capitol, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 19, 2013 at 9:28 a.m.:

That the Senate passed without amendment H.R. 1402.

Appointments:

Dwight D. Eisenhower Memorial Commission.

Board of Visitors of the U.S. Naval Academy.

Board of Visitors of the U.S. Military Academy.

Board of Visitors of the U.S. Coast Guard Academy.

Board of Visitors of the U.S. Air Force Academy.

Board of Visitors of the U.S. Merchant Marine Academy.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 18, 2013.

Hon. JOHN A. BOEHNER,
Speaker, U.S. Capitol, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following mes-

sage from the Secretary of the Senate on December 18, 2013 at 11:02 a.m.:

That the Senate passed without amendment H.R. 3588.

That the Senate passed without amendment H.R. 185.

That the Senate passed without amendment H.R. 2251.

That the Senate passed S. 1847.

That the Senate passed S. 947.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 17, 2013.

Hon. JOHN A. BOEHNER,
Speaker, U.S. Capitol, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 17, 2013 at 12:17 p.m.:

Appointments:

United States-China Economic Security Review Commission.

WITH BEST WISHES, I AM

Sincerely,

KAREN L. HAAS.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 947. An act to ensure access to certain information for financial services industry regulators, and for other purposes; to the Committee on Financial Services.

S. 1847. An act to provide for the redesignation of the Asia-Pacific Center for Security Studies as the Daniel K. Inouye Asia-Pacific Center for Security Studies; to the Committee on Armed Services.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore, Mr. THORNBERRY, on Tuesday, December 17, 2013:

H.R. 3458. An act to treat payments by charitable organizations with respect to certain firefighters as exempt payments.

Karen L. Haas, Clerk of the House, further reported and found truly enrolled bills of the House of the following titles, which were thereupon

signed by the Speaker on Wednesday, December 18, 2013:

H.R. 185. An act to designate the United States courthouse located at 101 East Pecan Street in Sherman, Texas, as the “Paul Brown United States Courthouse”.

H.R. 2251. An act to designate the United States courthouse and Federal building located at 118 South Mill Street, in Fergus Falls, Minnesota, as the “Edward J. Devitt United States Courthouse and Federal Building”.

H.R. 3588. An act to amend the Safe Drinking Water Act to exempt fire hydrants from the prohibition on the use of lead pipes, fittings, fixtures, solder, and flux.

A BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 17, 2013, she presented to the President of the United States, for his approval, the following bill:

H.R. 3458. To treat payments by charitable organizations with respect to certain firefighters as exempt payments.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 6(b) of House Resolution 438, the House stands adjourned until 10 a.m. on Monday, December 23, 2013.

Thereupon (at 11 o'clock and 5 minutes a.m.), under its previous order, the House adjourned until Monday, December 23, 2013, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4198. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter regarding positions related to the rescinded 1994 Direct Ground Combat Definition and Assignment Rule; to the Committee on Armed Services.

4199. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter regarding positions related to the rescinded 1994 Direct Ground Combat Definition and Assignment Rule; to the Committee on Armed Services.

4200. A letter from the Deputy Secretary, Department of Defense, transmitting a letter regarding the enforcement of 38 U.S.C. sections 101(3) and 101(31); to the Committee on Armed Services.

4201. A letter from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Amendments to the 2013 Mortgage Rules Under the Equal Credit Opportunity Act (Regulation B), Real Estate Settlement Procedures Act (Regulation X), and the Truth in Lending Act (Regulation Z) [Docket No.: CFPB-2013-0018] (RIN: 3170-AA37) received December 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4202. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule —

Energy Conservation Program: Test Procedures for Electric Motors [Docket No.: EERE-2012-BT-TP-0043] (RIN: 1904-AC89) received December 17, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4203. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Patient Protection and Affordable Care Act; Maximizing January 1, 2014 Coverage Opportunities [CMS-9945-IFC] (RIN: RIN-0938-AS17) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4204. A letter from the Secretary, Department of Health and Human Services, transmitting the first annual report as required by the FDA Food Safety Moderation Act; to the Committee on Energy and Commerce.

4205. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flutriafof; Pesticide Tolerances [EPA-HQ-OPP-2013-0295; FRL-9902-17] received December 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4206. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Prohydrojasmon; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2012-0832; FRL-9398-1] received December 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4207. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List, Final Rule No. 57 [EPA-HQ-SFUND-2008-0574; EPA-HQ-SFUND-2012-0069; EPA-HQ-SFUND-2013-0196, 0197, 0198, 0201, 0202, 0203, 0204, and 0207; FRL-9903-89-OSWER] received December 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4208. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007 [EPA-HQ-OAR-2007-0011; FRL-9904-06-OAR] (RIN: 2060-AS03) received December 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4209. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of a proposed lease with the Government of the United Arab Emirates (Transmittal No. 01-14) pursuant to Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4210. A letter from the Assistant Secretary, Department of Defense, transmitting a letter regarding U.S.-origin munitions remaining from testing during World War II; to the Committee on Foreign Affairs.

4211. A letter from the Assistant Secretary, Department of Defense, transmitting a letter regarding U.S.-origin munitions remaining from testing during World War II; to the Committee on Foreign Affairs.

4212. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a six-month periodic report on the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994, and continued by the President each year, most recently on November 7, 2013; to the Committee on Foreign Affairs.

4213. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting a report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

4214. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a Memorandum of Justification for a Drawdown under section 506(a)(1) of the Foreign Assistance Act of 1961, as amended to the African Union-Led International Support Mission in the Central African Republic; to the Committee on Foreign Affairs.

4215. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Belarus that was declared in Executive Order 13405 of June 16, 2006; to the Committee on Foreign Affairs.

4216. A letter from the Secretary, Department of the Interior, transmitting the Department's semiannual report from the office of the Inspector General for the period April 1, 2013 through September 30, 2013, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

4217. A letter from the Acting Chief Financial Officer, Department of Homeland Security, transmitting the Department's annual financial report for fiscal year 2013; to the Committee on Oversight and Government Reform.

4218. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4219. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4220. A letter from the Secretary, Department of Labor, transmitting the Department's Fiscal Year 2013 Agency Financial Report; to the Committee on Oversight and Government Reform.

4221. A letter from the Secretary, Department of the Treasury, transmitting the Department's semiannual reports from the Treasury Inspector General and the Treasury Inspector General for Tax Administration; to the Committee on Oversight and Government Reform.

4222. A letter from the Chief Operating Officer/Acting Executive Director, Election Assistance Commission, transmitting Semiannual Report of the Inspector General for the period April 1, 2013 through September 30, 2013; to the Committee on Oversight and Government Reform.

4223. A letter from the Chairman, Farm Credit System Insurance Corporation, transmitting the Corporation's consolidated report addressing the Federal Managers' Financial Integrity Act and the Inspector General Act Amendments of 1978, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

4224. A letter from the Deputy Director, Congressional Affairs, Federal Election Commission, transmitting the Commission's

semiannual report from the office of the Inspector General for the period April 1, 2013 through September 30, 2013; to the Committee on Oversight and Government Reform.

4225. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Electronic Retirement Processing (RIN: 3206-AM45) received December 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

4226. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period October 1, 2013 through December 31, 2013 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a Public Law 88-454; (H. Doc. No. 113—77); to the Committee on House Administration and ordered to be printed.

4227. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Species; Protective Regulations for the Gulf of Maine Distinct Population Segment of Atlantic Sturgeon [Docket No.: 100813359-3908-02] (RIN: 0648-AY96) received December 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4228. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Monkfish Fisheries Management Plan; Reallocation of 2013 Monkfish Research Set-Aside Days-at-Sea [Docket No.: 041229366-5088-02] (RIN: 0648-XC884) received December 17, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4229. A letter from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting the Department's final rule — Changes to Implement the Patent Law Treaty; Correction [Docket No.: PTO-P-2013-0007] (RIN: 0651-AC85) received December 17, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4230. A letter from the Attorney General, Department of Justice, transmitting the Department's decision not to contest liability in *Barker et al. v. United States*, No. 12-826C (CFC); to the Committee on the Judiciary.

4231. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Anchorage Regulations: Pacific Ocean at San Nicolas Island, Calif.; Restricted Anchorage Areas [Docket No.: USCG-2012-0967] (RIN: 1625-AA01) received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4232. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Google's Night at Sea Fireworks Display, San Francisco Bay, Alameda, CA [Docket No.: USCG-2013-0902] (RIN: 1625-AA00) received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4233. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Albermarle Sound to Sunset Beach, Atlantic Intracoastal Waterway (AICW), Wrightsville Beach, NC [Docket No.: USCG-2013-0857] re-

ceived December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4234. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Back Bay of Biloxi, between Biloxi and D'Iberville, MS [Docket No.: USCG-2013-0852] received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4235. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Atlantic Intracoastal Waterway (AICW), Albermarle and Chesapeake Canal, Chesapeake, VA [Docket No.: USCG-2013-0900] received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4236. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Seaworld Fireworks; Mission Bay, San Diego, CA [Docket No.: USCG-2013-0887] (RIN: 1625-AA00) received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4237. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; HTS Triathlon Series; Colorado River; Lake Havasu, AZ [Docket No.: USCG-2013-0855] (RIN: 1625-AA00) received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4238. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Recurring Events in Captain of the Port Boston Zone [Docket No.: USCG-2013-0060] (RIN: 1625-AA00) received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4239. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Vessel Removal from the Oakland Estuary, Alameda, CA [Docket No.: USCG-2013-0914] (RIN: 1625-AA00) received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4240. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Pacific Northwest Grain Handlers Association Facilities; Columbia and Willamette Rivers [Docket Number: USCG-2013-0011] (RIN: 1625-AA00) received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4241. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Upper Mississippi River between mile 0.0 and 109.9; Cairo, IL to Chester, IL [Docket Number: USCG-2013-0907] (RIN: 1625-AA11) received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4242. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Implementation of the Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Sea-

farers, 1978, and Changes to National Endorsements [Docket No.: USCG-2004-17914] (RIN: 1625-AA16) received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4243. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Passaic River, Kearney and Newark, NJ [Docket No.: USCG-2013-0638] (RIN: 1625-AA09) received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4244. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — TWIC Not Evidence of Resident Alien Status [Docket No.: USCG-2013-0916] (RIN: 1625-AC09) received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4245. A letter from the Deputy Assistant Chief Counsel for Safety, Department of Transportation, transmitting the Department's final rule — Passenger Train Emergency Systems II [Docket No.: FRA-2009-0119, Notice No. 2] (RIN: 2130-AC22) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4246. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 03931; Amdt. No. 510] received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4247. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Battle Mountain, NV [Docket FAA No.: FAA-2013-0530; Airspace Docket No.: 13-AWP-9] received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4248. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30928; Amdt. No. 3563] received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4249. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30927; Amdt. No. 3562] received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4250. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Turboshift Engines [Docket No.: FAA-2012-0940; Directorate Identifier 2012-NE-26-AD; Amendment 39-17654; AD 2012-22-22] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4251. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0426; Directorate Identifier 2011-NM-087-AD; Amendment 39-17659; AD 2013-23-04] (RIN: 2120-AA64)

received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4252. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Model [Docket No.: FAA-2013-0630; Directorate Identifier 2012-NM-213-AD; Amendment 39-17660; AD 2013-23-05] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4253. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; EADS CASA (Type Certificate Previously Held by Construcciones Aeronauticas, S.A.) Airplanes [Docket No.: FAA-2013-0870; Directorate Identifier 2013-NM-166-AD; Amendment 39-17657; AD 2013-23-02] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4254. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; AQUILA — Aviation by Excellence AG Airplanes [Docket No.: FAA-2013-0963; Directorate Identifier 2013-CE-034-AD; Amendment 39-17663; AD 2013-23-08] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4255. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2013-0871; Directorate Identifier 2013-NM-187-AD; Amendment 39-17658; AD 2013-23-03] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4256. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DASSAULT AVIATION Airplanes [Docket No.: FAA-2013-0626; Directorate Identifier 2012-NM-180-AD; Amendment 39-17642; AD 2013-22-10] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4257. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2013-0212; Directorate Identifier 2012-NM-116-AD; Amendment 39-17509; AD 2013-14-04] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4258. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2013-0329; Directorate Identifier 2012-NM-032-AD; Amendment 39-17596; AD 2013-19-14] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4259. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; AERMACCHI S.p.A. Airplanes [Docket No.: FAA-2013-0939; Directorate Identifier 2013-CE-043-AD; Amendment 39-17655; AD 2013-22-23] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5

U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4260. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2013-0418; Directorate Identifier 2012-NM-200-AD; Amendment 39-17668; AD 2013-23-13] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4261. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2013-0523; Directorate Identifier 2012-SW-091-AD; Amendment 39-17664; AD 2013-23-09] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4262. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Erickson Air-Crane Incorporated Helicopters (Type Certificate previously held by Sikorsky Aircraft Corporation) [Docket No.: FAA-2013-0556; Directorate Identifier 2007-SW-30-AD; Amendment 39-17662; AD 2013-23-07] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4263. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30929; Amdt. No. 3564] received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4264. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30930; Amdt. No. 3565] received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4265. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-1069; Directorate Identifier 2012-NM-044-AD; Amendment 39-17692; AD 2013-24-15] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4266. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; XtremeAir GmbH Airplanes [Docket No.: FAA-2013-0998; Directorate Identifier 2013-CE-047-AD; Amendment 39-17674; AD 2013-23-19] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4267. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Turbofan Engines [Docket No.: FAA-2013-0397; Directorate Identifier 2013-NE-15-AD; Amendment 39-17656; AD 2013-23-01] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4268. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2013-0487; Directorate Identifier 2010-SW-056-AD; Amendment 39-17666; AD 2013-23-11] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4269. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; AQUILA-Aviation by Excellence AG Airplanes [Docket No.: FAA-2013-0963; Directorate Identifier 2013-CE-034-AD; Amendment 39-17663; AD 2013-23-08] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4270. A letter from the Attorney Advisor, Department of Transportation, transmitting the Department's final rule — Reorganization of Sector Baltimore and Hampton Roads; Conforming Amendments [Docket No.: USCG-2013-0251] (RIN: 1625-ZA32) received December 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4271. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2013-0334; Directorate Identifier 2013-NM-027-AD; Amendment 39-17671; AD 2013-23-16] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4272. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2013-0461; Directorate Identifier 2012-NM-169-AD; Amendment 39-17670; AD 2013-23-15] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4273. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of VOR Federal Airway V-45, North Carolina [Docket No. FAA-2013-0991; Airspace Docket No. 13-ASO-4] (RIN: 2120-AA66) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4274. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2013-0693; Directorate Identifier 2013-NM-059-AD; Amendment 39-17661; AD 2013-23-06] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4275. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of VOR Federal Airway V-374, Northeastern United States [Docket No.: FAA-2013-0989; Airspace Docket No. 13-AEA-17] (RIN: 2120-AA66) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4276. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2013-0354; Directorate Identifier 2011-SW-072-AD; Amendment 39-17665; AD 2013-23-10] (RIN: 2120-AA64)

received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4277. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2013-0673; Directorate Identifier 2013-NM-057-AD; Amendment 39-17681; AD 2013-24-07] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4278. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-1229; Directorate Identifier 2012-NM-135-AD; Amendment 39-17684; AD 2013-24-10] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4279. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2013-0499; Directorate Identifier 2013-NE-20-AD; Amendment 39-17673; AD 2013-23-18] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4280. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2013-0475; Directorate Identifier 2013-NE-18-AD; Amendment 39-17669; AD 2013-23-14] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4281. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes [Docket No.: FAA-2012-1313; Directorate Identifier 2012-NM-080-AD; Amendment 39-17651; AD 2013-22-19] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4282. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Diamond Aircraft Industries GmbH Airplanes [Docket No.: FAA-2013-0812; Directorate Identifier 2013-CE-023-AD; Amendment 39-17689; AD 2013-24-14] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4283. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class D Airspace and Class E Airspace; Laguna AAF, AZ [Docket No.: FAA-2013-0659; Airspace Docket No. 13-AWP-12] received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4284. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Umatilla, FL [Docket No.: FAA-2013-0002; Airspace Docket No. 12-ASO-46] received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4285. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Estab-

lishment of Class E Airspace; McConellsburg, PA [Docket No.: FAA-2013-0558; Airspace Docket No. 13-AEA-10] received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4286. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2013-0420; Directorate Identifier 2011-NM-241-AD; Amendment 39-17685; AD 2013-24-11] (RIN: 2120-AA64) received December 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4287. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Aliceville, AL [Docket No.: FAA-2013-0431; Airspace Docket No. 13-ASO-7] received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4288. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Star, NC [Docket No.: FAA-2013-0440; Airspace Docket No. 13-ASO-10] received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4289. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Magee, MS [Docket No.: FAA-2013-0430; Airspace Docket No. 13-ASO-8] received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4290. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace, and Establishment of Class E Airspace; Salisbury, MD. [Docket No.: FAA-2013-0449; Airspace Docket No. 13-AEA-8] received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4291. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Danville, VA [Docket No.: FAA-2013-0469; Airspace Docket No. 13-AEA-9] received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4292. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Olean, NY [Docket No.: FAA-2013-0681; Airspace Docket No. 13-AEA-15] received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4293. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2013-0029; Directorate Identifier 2013-NE-01-AD; Amendment 39-17599; AD 2013-19-17] (RIN: 2120-AA64) received December 17, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4294. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule —

Amendment of Class E Airspace; Tazewell, TN [Docket No.: FAA-2013-0513; Airspace Docket No. 13-ASO-13] received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4295. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2013-0976; Directorate Identifier 2013-NM-198-AD; Amendment 39-17686; AD 2013-24-12] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4296. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2013-0700; Directorate Identifier 2013-NM-102-AD; Amendment 39-17676; AD 2013-24-02] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4297. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2013-0698; Directorate Identifier 2012-NM-136-AD; Amendment 39-17682; AD 2013-24-08] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4298. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2013-0096; Directorate Identifier 2012-NM-143-AD; Amendment 39-17566; AD 2013-17-02] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4299. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2013-0880; Directorate Identifier 2013-NE-28-AD; Amendment 39-17667; AD 2013-23-12] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4300. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2013-0750; Directorate Identifier 2013-NE-25-AD; Amendment 39-17672; AD 2013-23-17] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4301. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Thielert Aircraft Engines GmbH Reciprocating Engines [Docket No.: FAA-2013-0561; Directorate Identifier 2013-NE-23-AD; Amendment 39-17680; AD 2013-24-06] (RIN: 2120-AA64) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4302. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting MRGO Ecosystems Restoration Plan Feasibility Study; (H. Doc. No. 113—78); to the Committee on Transportation and Infrastructure and ordered to be printed.

4303. A letter from the Director of Regulation Policy and Management, Office of the

General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Authorization for Non-VA Medical Services (RIN: 2900-AO46) received December 9, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4304. A letter from the Deputy Director, Regulation Policy Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Secondary Service Connection for Diagnosable Illnesses Associated With Traumatic Brain Injury (RIN: 2900-AN89) received December 17, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4305. A letter from the Secretary, Department of Health and Human Services, transmitting the tenth annual report on the Temporary Assistance for Needy Families (TANF) program; to the Committee on Ways and Means.

4306. A letter from the Chief, Trade and Comm'l Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Members of a Family for Purpose of Filing CBP Family Declaration [CBP Dec. 13-19] [USCBP-2012-0008] (RIN: 1515-AD76) received December 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4307. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 2014 Standard Mileage Rates [Notice 2013-08] received December 17, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4308. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Section 3504 Agent Employment Tax Liability [TD 9649] (RIN: 1545-BI21) received December 17, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4309. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — In-Plan Rollovers to Designated Roth Accounts in Retirement Plans [Notice 2013-74] received December 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4310. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 2013 Cumulative List of Changes in Plan Qualifications Requirements [Notice 2013-84] received December 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4311. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2013-85] received December 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4312. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Administrative, Procedural, and Miscellaneous (Rev. Proc. 2013-39) received December 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4313. A letter from the Assistant Secretary, Legislative Affairs, Department of the Treasury, transmitting a report concerning the operations and status of the Government Securities Investment Fund (G-Fund) of the Federal Employees Retirement System during the debt issuance suspension period, pursuant to 5 U.S.C. 83481(1); jointly to the Com-

mittees on Ways and Means and Oversight and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 3628. A bill to eliminate certain unnecessary reporting requirements and consolidate or modify others, and for other purposes (Rept. 113-299). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. First Annual Report of the Activities of the Committee on Veterans' Affairs During the One Hundred Thirteenth Congress (Rept. 113-300). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LANKFORD:

H.R. 3787. A bill to repeal the annual adjustment of retired pay and retainer pay amounts for retired members of the Armed Forces under age 62, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Veterans' Affairs, House Administration, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FITZPATRICK (for himself, Mr.

BROOKS of Alabama, Mr. WESTMORELAND, Mr. BENISHEK, Mr. DAINES, Mr. HALL, Mr. ISSA, Mr. ADERHOLT, Mr. YOH, Mr. WILSON of South Carolina, Mr. RODNEY DAVIS of Illinois, Mr. HUDSON, Mr. COTTON, Mr. RICE of South Carolina, Mr. BILIRAKIS, Mr. JOHNSON of Ohio, Mr. HUIZENGA of Michigan, Mr. LANCE, Mr. MCCAUL, Mr. BARLETTA, Mr. ROTHFUS, Mr. WOMACK, Mr. GRIFFIN of Arkansas, Mr. SESSIONS, Mr. GUTHRIE, Mr. WILLIAMS, Mr. RENACCI, Mr. CRAMER, Mr. MCKINLEY, Mr. DESANTIS, Mr. WALDEN, Mr. DUNCAN of South Carolina, Mr. POSEY, Mr. WHITFIELD, Mr. JONES, Mrs. ROBY, Mr. POE of Texas, Mr. FLORES, Mr. KELLY of Pennsylvania, Mr. THOMPSON of Pennsylvania, Mr. MURPHY of Pennsylvania, Mr. SHUSTER, Mr. BARROW of Georgia, Mr. MICA, Mr. PERRY, and Mr. ROGERS of Alabama):

H.R. 3788. A bill to repeal the reductions in military retirement benefits made by the Bipartisan Budget Act of 2013 and to require inclusion of the taxpayer's social security number to claim the refundable portion of the child tax credit; to the Committee on Ways and Means, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of Florida (for himself, Mr. BARBER, Mr. BARLETTA, Mr.

BENISHEK, Mr. BILIRAKIS, Mr. BISHOP of Utah, Ms. BORDALLO, Mr. BOUTSTANY, Mr. BRIDENSTINE, Mr. BUCHANAN, Mr. BUCSHON, Mrs. BUSTOS, Mrs. CAPPS, Mr. COFFMAN, Mr. COLE, Mr. CONAWAY, Mr. COOK, Mr. COURTNEY, Mr. CRAMER, Mr. CRENSHAW, Mr. CULBERSON, Mr. RODNEY DAVIS of Illinois, Mr. DENT, Mr. DESANTIS, Mr. DIAZ-BALART, Ms. DUCKWORTH, Mr. DUNCAN of South Carolina, Mr. ENYART, Mr. FARENTHOLD, Mr. FINCHER, Mr. FITZPATRICK, Mr. FORBES, Mr. FORTENBERRY, Ms. FOX, Ms. FRANKEL of Florida, Mr. FRANKS of Arizona, Mr. GALLEG, Mr. GARCIA, Mr. GIBBS, Mr. GIBSON, Mr. GRAYSON, Mr. AL GREEN of Texas, Mr. GRIFFIN of Arkansas, Mr. GRIMM, Ms. HANABUSA, Mr. HIGGINS, Mr. HINOJOSA, Mr. HONDA, Mr. HUIZENGA of Michigan, Mr. HULTGREN, Mr. HUNTER, Ms. JENKINS, Mr. JOHNSON of Ohio, Mr. JONES, Mr. KELLY of Pennsylvania, Mr. KINZINGER of Illinois, Mrs. KIRKPATRICK, Ms. KUSTER, Mr. LAMBORN, Mr. LANCE, Mr. LANKFORD, Mr. LARSON of Connecticut, Mr. LOBIONDO, Mr. LOEBSACK, Mr. SEAN PATRICK MALONEY of New York, Mr. MARINO, Mr. MASSIE, Mr. MCCARTHY of California, Mr. MCCAUL, Mr. MCKINLEY, Mrs. MCMORRIS RODGERS, Mr. MEEHAN, Mr. MURPHY of Florida, Mr. MURPHY of Pennsylvania, Mr. NEUGEBAUER, Mrs. NOEM, Mr. O'ROURKE, Mr. OWENS, Mr. PALAZZO, Mr. PEARCE, Ms. PINGREE of Maine, Mr. POSEY, Mr. RAHALL, Mr. RICE of South Carolina, Mr. RIGELL, Mr. ROE of Tennessee, Mr. ROONEY, Ms. ROULETTE, Mr. ROSS, Mr. ROTHFUS, Mr. RUNYAN, Mr. RUPPERSBERGER, Mr. AUSTIN SCOTT of Georgia, Mr. SESSIONS, Ms. SEWELL of Alabama, Ms. SHEA-PORTER, Mr. SIMPSON, Ms. SINEMA, Mr. SMITH of Texas, Mr. SOUTHERLAND, Mr. STIVERS, Mr. TAKANO, Mr. TERRY, Mr. THOMPSON of Pennsylvania, Ms. TITUS, Mr. TURNER, Mr. VALADAO, Mr. VELA, Mr. WALBERG, Mrs. WALORSKI, Mr. WALZ, Mr. WESTMORELAND, Mr. WILLIAMS, Mr. WILSON of South Carolina, Mr. WITTMAN, Mr. YODER, Mr. YOH, Mr. MICA, Mr. CARTER, Mr. GENE GREEN of Texas, and Mr. PERRY):

H.R. 3789. A bill to amend title 10, United States Code, to exempt the retired pay of certain disabled veterans from the reduced adjustment of retired pay and retainer pay amounts for retired members of the Armed Forces under age 62, to prevent any adverse impact of the reduced adjustment on annuities under the Survivor Benefit Plan based on retired or retainer pay, and for other purposes; to the Committee on Armed Services.

By Mr. MILLER of Florida (for himself, Mr. BARBER, Mr. BENISHEK, Mr. BILIRAKIS, Mr. BISHOP of Utah, Mr. BOUTSTANY, Mr. BUCHANAN, Mrs. BUSTOS, Mrs. CAPPS, Mr. COFFMAN, Mr. COLE, Mr. CRAMER, Mr. CRENSHAW, Mr. DESANTIS, Mr. DIAZ-BALART, Mr. DUNCAN of South Carolina, Mr. ENYART, Mr. FARENTHOLD, Mr. FINCHER, Mr. FORBES, Ms. FRANKEL of Florida, Mr. FRANKS of Arizona, Mr. GALLEG, Mr. GARCIA, Mr. GIBBS, Mr. GIBSON, Mr. GRAYSON, Mr. GRIFFIN of Arkansas, Mr. GRIMM, Ms. HANABUSA, Mr. HINOJOSA, Mr. HONDA, Mr. HUIZENGA of Michigan, Mr. HUNTER,

Mr. JOHNSON of Ohio, Mr. JONES, Mr. KEATING, Mr. KING of New York, Mrs. KIRKPATRICK, Mr. LANCE, Mr. LANKFORD, Mr. LOBIONDO, Mr. LOEBSACK, Mr. SEAN PATRICK MALONEY of New York, Mr. MASSIE, Mr. MCCAUL, Mr. MCKINLEY, Mrs. MCMORRIS RODGERS, Mr. MEEHAN, Mr. MICA, Mr. MURPHY of Florida, Mr. MURPHY of Pennsylvania, Mr. NEUGEBAUER, Mr. O'ROURKE, Mr. OWENS, Mr. PALAZZO, Mr. PEARCE, Ms. PINGREE of Maine, Mr. POSEY, Mr. RAHALL, Mr. RIGELL, Mr. ROGERS of Alabama, Ms. ROS-LEHTINEN, Mr. ROSS, Mr. RUIZ, Mr. RUNYAN, Mr. AUSTIN SCOTT of Georgia, Ms. SHEA-PORTER, Mr. SIMPSON, Ms. SINEMA, Mr. SOUTHERLAND, Mr. STIVERS, Mr. TAKANO, Mr. TERRY, Ms. TITUS, Mr. TURNER, Mr. VALADAO, Mr. VELA, Mr. WALBERG, Mr. WALZ, Mr. WILSON of South Carolina, Mr. WITTMAN, Mr. YODER, Mr. YOHO, Mr. COOK, Mr. CARTER, Mr. GENE GREEN of Texas, and Mr. PERRY):

H.R. 3790. A bill to repeal the annual adjustment of retired pay and retainer pay amounts for retired members of the Armed Forces under age 62; to the Committee on Armed Services.

By Mr. FATTAH:

H.R. 3791. A bill to amend the Internal Revenue Code of 1986 to provide an above-the-line deduction for health insurance premiums; to the Committee on Ways and Means.

By Mr. WITTMAN (for himself and Mr. RIGELL):

H.R. 3792. A bill to repeal the reduction in the annual percentage increases of retired pay and retainer pay amounts for retired members of the Armed Forces under age 62; to the Committee on Armed Services.

By Mr. MAFFEI (for himself, Mr. CASTRO of Texas, Ms. SHEA-PORTER, Mr. SEAN PATRICK MALONEY of New York, Mr. RYAN of Ohio, Mr. COURTNEY, Mr. LOEBSACK, Mr. DEFazio, Ms. PINGREE of Maine, Mr. HECK of Washington, Mr. DOGGETT, Mr. LANGEVIN, Mr. BARBER, Ms. GABBARD, Mr. BUTTERFIELD, Ms. WILSON of Florida, Mr. MICHAUD, Ms. KUSTER, Mr. VELA, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Mr. KILDEE, Ms. HANABUSA, Mr. PETERS of Michigan, Ms. BORDALLO, Mr. O'ROURKE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. GRAYSON, Mr. GARAMENDI, Mr. PERLMUTTER, Mrs. BUSTOS, Ms. CASTOR of Florida, Ms. SCHWARTZ, Ms. EDWARDS, Mr. TONKO, Mr. BRALEY of Iowa, and Mr. LARSON of Connecticut):

H.R. 3793. A bill to restore full military retirement benefits by closing corporate tax loopholes; to the Committee on Ways and Means, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS:

H.R. 3794. A bill to repeal the annual adjustment of retired pay and retainer pay amounts for retired members of the Armed Forces under age 62, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS:

H.R. 3795. A bill to require notifications by the Secretary of Health and Human Services to Congress and to individuals of breaches of personally identifiable information of such individuals maintained, submitted to, or submitted by a system maintained by Exchanges under the Patient Protection and Affordable Care Act, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. BLACK (for herself and Mr. NEAL):

H.R. 3796. A bill to amend title XVIII of the Social Security Act to provide for bundled payments for certain episodes of care surrounding a hospitalization, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESJARLAIS:

H.R. 3797. A bill to repeal an annual adjustment of retired pay and retainer pay amounts for retired members of the Armed Forces under age 62, and for other purposes; to the Committee on Armed Services.

By Mr. DESJARLAIS:

H.R. 3798. A bill to repeal an annual adjustment of retired pay and retainer pay amounts for retired members of the Armed Forces under age 62, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIBSON:

H.R. 3799. A bill to amend title XVIII of the Social Security Act to provide for coverage of qualified acupuncturist services under part B of the Medicare Program, and to amend title 5, United States Code, to provide for coverage of such services under the Federal Employees Health Benefits Program; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HANABUSA:

H.R. 3800. A bill to name the Department of Veterans Affairs outpatient clinic in Ewa Plain, Oahu, Hawaii, as the "Daniel Kahikina Akaka Department of Veterans Affairs Outpatient Clinic"; to the Committee on Veterans' Affairs.

By Mr. ISSA:

H.R. 3801. A bill to repeal the reductions in military retirement benefits made by the Bipartisan Budget Act of 2013 and to authorize the United States Postal Service to implement a modified Saturday delivery schedule; to the Committee on Armed Services, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LYNCH (for himself, Mr. KEATING, Mr. NEAL, Mr. MCGOVERN, Mr. CAPUANO, Mr. TIERNEY, Ms. TSONGAS, Mr. KENNEDY, and Ms. CLARK of Massachusetts):

H.R. 3802. A bill to extend the legislative authority of the Adams Memorial Founda-

tion to establish a commemorative work in honor of former President John Adams and his legacy, and for other purposes; to the Committee on Natural Resources.

By Mr. YOHO:

H.R. 3803. A bill to repeal the Affordable Care Act unless the initial enrollment target for Exchanges has been met, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, House Administration, Rules, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMBORN (for himself, Mr. ADERHOLT, Mr. BENTIVOLIO, Mrs. BLACK, Mrs. BLACKBURN, Mr. BROWN of Georgia, Mrs. CAPITO, Mr. COLE, Mr. CONAWAY, Mr. FARENTHOLD, Mr. FINCHER, Mr. FLEMING, Mr. FLORES, Mr. FORBES, Mr. GINGREY of Georgia, Mr. GRIFFITH of Virginia, Mr. GOODLATTE, Mr. HARRIS, Mr. HENSARLING, Mrs. HARTZLER, Mr. HUELSKAMP, Mr. KELLY of Pennsylvania, Mr. MCINTYRE, Mr. NEUGEBAUER, Mr. PITTS, Mr. POSEY, Mr. SOUTHERLAND, Mr. WALBERG, Mr. WENSTRUP, Mr. WESTMORELAND, Mr. BRIDENSTINE, Mr. LANKFORD, Mr. JONES, Mr. RAHALL, Mr. PEARCE, Mr. JORDAN, and Mr. MILLER of Florida):

H. Res. 448. A resolution expressing the sense of the House of Representatives that the symbols and traditions of Christmas should be protected for use by those who celebrate Christmas; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

164. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 227 urging the Congress to adopt House Concurrent Resolution 50; to the Committee on Natural Resources.

165. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 456 urging the Congress to establish a special committee to investigate and report on the National Security Agency's Surveillance program; to the Committee on Rules.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LANKFORD:

H.R. 3787.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill rests is found in Article 1, Section 8, Clause 1, "The Congress shall have Power to . . . provide for the common Defence and general Welfare of the United States".

By Mr. FITZPATRICK:

H.R. 3788.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1
Article I, Section 8, Clause 12
By Mr. MILLER of Florida:
H.R. 3789.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.
By Mr. MILLER of Florida:
H.R. 3790.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.
By Mr. FATTAH:
H.R. 3791.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I Section 8 Clause 3 of the United States Constitution, which states the United States Congress shall have power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes".

By Mr. WITTMAN:
H.R. 3792.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Article I, Section 8, Clause 14 of the Constitution of the United States.

By Mr. MAFFEI:
H.R. 3793.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 and Clause 18 of Section 8, of Article 1 of the United States Constitution.

By Mr. BILIRAKIS:
H.R. 3794.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8 of the United States Constitution (Clauses 12, 13, 14, 16, and 17) which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to exercise authority over all places purchased for the erection of forts, magazines, dock-yards, and other needful buildings.

By Mr. BILIRAKIS:
H.R. 3795.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1
By Mrs. BLACK:

H.R. 3796.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States.

By Mr. DESJARLAIS:
H.R. 3797.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. DESJARLAIS:
H.R. 3798.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1:

"The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States . . ."

By Mr. GIBSON:

H.R. 3799.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article 1.

By Ms. HANABUSA:

H.R. 3800.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. ISSA:

H.R. 3801.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8
To establish Post Offices and Post Roads.

By Mr. LYNCH:

H.R. 3802.

Congress has the power to enact this legislation pursuant to the following:

Article 1 section 8 Clause 3 of the United States Constitution.

By Mr. YOHO:

H.R. 3803.

Congress has the power to enact this legislation pursuant to the following:

The repeal of this provision is consistent with the powers that are reserved to the States and the people as expressed in Amendment X to the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 40: Mr. LEWIS.
H.R. 139: Ms. NORTON.
H.R. 183: Mr. PRICE of North Carolina.
H.R. 184: Mr. RODNEY DAVIS of Illinois, Mr. DIAZ-BALART, and Ms. NORTON.
H.R. 411: Mr. CROWLEY.
H.R. 460: Mr. FRELINGHUYSEN.
H.R. 482: Mr. HINOJOSA.
H.R. 503: Mr. ANDREWS.
H.R. 543: Mr. LANCE.
H.R. 565: Mr. CARTWRIGHT.
H.R. 647: Mrs. NEGRETE MCLEOD.
H.R. 688: Mr. MCNERNEY.
H.R. 718: Mr. WALBERG.
H.R. 721: Ms. BONAMICI and Mr. MURPHY of Pennsylvania.
H.R. 724: Ms. ESTY.
H.R. 808: Mr. GEORGE MILLER of California.
H.R. 860: Mr. WELCH.
H.R. 1008: Mr. AL GREEN of Texas.
H.R. 1091: Mr. THOMPSON of Pennsylvania.
H.R. 1146: Mr. LEWIS.
H.R. 1150: Ms. BONAMICI.
H.R. 1176: Mr. CRAMER.
H.R. 1441: Mr. CRAMER.
H.R. 1508: Mrs. CAROLYN B. MALONEY of New York and Mr. LEWIS.
H.R. 1666: Mr. GARAMENDI.
H.R. 1692: Mrs. NEGRETE MCLEOD.
H.R. 1726: Mr. LANGEVIN and Mr. BARLETTA.
H.R. 1750: Mr. HURT, Mr. CARTER, Mr. DUFFY, and Mr. SMITH of Texas.
H.R. 1763: Mr. SCHNEIDER.
H.R. 1869: Mr. WHITFIELD.
H.R. 2066: Mrs. BEATTY and Mr. HUDSON.
H.R. 2178: Mr. REICHERT.

H.R. 2224: Ms. PINGREE of Maine, Mr. LOWENTHAL, Mrs. BACHMANN, Mr. GRIJALVA, Ms. CLARKE of New York, Mr. ENGEL, and Ms. BONAMICI.

H.R. 2237: Mr. SCHNEIDER.

H.R. 2288: Mr. TIERNEY.

H.R. 2302: Mrs. NEGRETE MCLEOD, Ms. DEGETTE, and Mr. LEWIS.

H.R. 2499: Mr. HIGGINS, Ms. DEGETTE, and Mr. MICHAUD.

H.R. 2529: Mrs. CAPPS.

H. R. 2560: Mr. HUFFMAN, Ms. BONAMICI, Ms. MENG, Mr. HONDA, and Mr. SCHNEIDER.

H.R. 2575: Mr. SHIMKUS.

H.R. 2591: Mr. HULTGREN.

H.R. 2643: Mr. REED, Mr. PETERS of California, and Mr. QUIGLEY.

H.R. 2791: Mr. MURPHY of Pennsylvania.

H.R. 2851: Mr. BERA of California, Mr. MORAN, Ms. KELLY of Illinois, Mr. POCAN, Mr. MCGOVERN, Mr. SWALWELL of California, and Mr. KENNEDY.

H.R. 2856: Mrs. BEATTY.

H.R. 2866: Mrs. MILLER of Michigan.

H.R. 2918: Ms. SEWELL of Alabama, Mrs. BUSTOS, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H. R. 2957: Mr. CONNOLLY, Mr. PETERS of California, and Mr. DEFazio.

H.R. 2989: Mrs. NEGRETE MCLEOD.

H.R. 2994: Mr. FORBES, Mr. CONNOLLY, Mr. NUGENT, and Mr. HUFFMAN.

H.R. 2996: Mr. NOLAN, Mr. CICILLINE, Mr. MCGOVERN, Ms. ESTY, and Ms. KELLY of Illinois.

H.R. 3022: Mrs. DAVIS of California and Mr. GARAMENDI.

H.R. 3036: Ms. GRANGER.

H.R. 3043: Mr. JOHNSON of Ohio.

H.R. 3086: Mr. TAKANO, Mr. ROSS, Mr. SMITH of Texas, Ms. FOXX, Mr. COLE, Mr. HARRIS, Mr. VEASEY, Mr. HASTINGS of Florida, and Ms. MOORE.

H.R. 3133: Mr. WILSON of South Carolina and Mr. SAM JOHNSON of Texas.

H.R. 3303: Mr. HANNA.

H.R. 3326: Mr. LAMALFA.

H.R. 3338: Mr. HECK of Nevada.

H.R. 3361: Mrs. CAPPS and Ms. DELAURO.

H.R. 3367: Mr. MAFFEI, Mr. GARCIA, Mr. HANNA, and Mr. CHABOT.

H.R. 3382: Ms. SCHAKOWSKY.

H.R. 3388: Ms. FRANKEL of Florida.

H.R. 3398: Mr. VAN HOLLEN, Mr. ROSS, Ms. FRANKEL of Florida, Ms. BASS, Mr. MORAN, Mr. ROSKAM, and Mr. BLUMENAUER.

H.R. 3408: Mrs. ROBY and Mr. HUDSON.

H. R. 3413: Mr. PAULSEN.

H.R. 3416: Mr. HALL.

H.R. 3441: Mr. HOLT.

H.R. 3461: Mr. HUFFMAN, Ms. BONAMICI, Ms. SHEA-PORTER, Mrs. CAPPS, Mr. SCHNEIDER, Mr. BLUMENAUER, and Mr. KEATING.

H.R. 3464: Mr. BILIRAKIS and Mr. SOUTHERLAND.

H.R. 3465: Mr. HASTINGS of Florida, Mr. MORAN, and Ms. SCHAKOWSKY.

H.R. 3494: Ms. NORTON.

H.R. 3518: Ms. BROWNLEY of California, Ms. LEE of California, Mr. TAKANO, Mrs. NAPOLITANO, Ms. LINDA T. SANCHEZ of California, and Mr. VARGAS.

H.R. 3528: Mr. BILIRAKIS.

H.R. 3556: Mr. BLUMENAUER.

H.R. 3571: Mr. LARSEN of Washington, Mr. DOGGETT, Mr. LOWENTHAL, Mr. CICILLINE, and Mr. WELCH.

H.R. 3578: Mr. DENT and Mr. WESTMORELAND.

H.R. 3589: Mr. BURGESS.

H.R. 3590: Mr. DAINES.

H.R. 3599: Ms. ESTY and Mr. FARENTHOLD.

H.R. 3641: Mr. WESTMORELAND and Mr. GOODLATTE.

H.R. 3676: Mr. LOBIONDO, Mr. CAPUANO, Mr. CRAWFORD, Mr. BISHOP of New York, Mr. SCHOCK, Mr. SOUTHERLAND, and Mr. ELLISON.

H.R. 3685: Mr. VALADAO, Mr. HUELSKAMP, Mr. CARNEY, Mr. HURT, Ms. SCHWARTZ, and Mr. RAHALL.

H.R. 3715: Ms. SCHAKOWSKY.

H.R. 3717: Mr. ROE of Tennessee.

H.R. 3727: Mr. WESTMORELAND.

H.R. 3731: Mr. ROE of Tennessee.

H.R. 3745: Mr. GARCIA, Mr. SCHNEIDER, Mr. PETERS of Michigan, Mr. RUIZ, and Mr. WALZ.

H.R. 3770: Mr. LUETKEMEYER and Mr. FITZPATRICK.

H.R. 3774: Ms. SLAUGHTER, Mr. BLUMENAUER, Ms. CLARKE of New York, Mr. ELLISON, Ms. CASTOR of Florida, Mr. GRIJALVA, Ms. DEGETTE, and Ms. NORTON.

H.R. 3782: Mr. BEN RAY LUJÁN of New Mexico.

H.J. Res. 50: Mr. CARTER, Mr. LONG, Mr. CALVERT, Mr. SCHOCK, and Mr. HULTGREN.

H. Res. 414: Ms. CHU.

H. Res. 417: Mr. JONES, Mr. FORBES, and Mr. TONKO.

H. Res. 418: Mr. WELCH, Mr. ROYCE, and Mr. PRICE of North Carolina.

H. Res. 447: Mr. LARSON of Connecticut and Mr. HIGGINS.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the Clerk's desk and referred as follows:

60. The SPEAKER presented a petition of the Cabinet Secretary-Designate of New Mexico, relative to a letter supporting H.R. 2728; to the Committee on Natural Resources.

61. Also, a petition of the Governor of Pennsylvania, relative to a letter expressing support for federal funding of the nation's transportation infrastructure and network; to the Committee on Transportation and Infrastructure.

62. Also, a petition of Brooklyn Community Board 15, New York, relative to a letter supporting H.R. 2887; to the Committee on Transportation and Infrastructure.

63. Also, a petition of the Town of Seymour, Connecticut, relative to a resolution urging the Congress to restore the presumption of a service connection for Agent Orange exposure to United States Veterans; to the Committee on Veterans' Affairs.

64. Also, a petition of the Commissioner, Oregon Bureau of Labor and Industries, relative to a letter urging passage of the Em-

ployment Non-Discrimination Act; jointly to the Committees on Education and the Workforce, House Administration, Oversight and Government Reform, and the Judiciary.

65. Also, a petition of the Interstate Oil and Gas Compact Commission, Oklahoma, relative to Resolution 13.077 supporting the Congress to pass legislation recognizing state jurisdiction for the regulation of hydraulic fracturing; jointly to the Committees on Energy and Commerce, Agriculture, Transportation and Infrastructure, and Natural Resources.

66. Also, a petition of Interstate Oil and Gas Compact Commission, Oklahoma, relative to Resolution 13.078 urging that FracFocus shall provide for the reporting of all chemicals that were intentionally added and used for the purpose of creating a hydraulic fracturing treatment; jointly to the Committees on Natural Resources, Energy and Commerce, Transportation and Infrastructure, and Agriculture.

SENATE—Thursday, December 19, 2013

The Senate met at 10 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who has made us children of promise, thank You for bringing joy to our world. We are grateful for the freedom You have given us to enjoy. May we use this gift to live steadfast in liberty, refusing to be entangled in the chains that would shackle us with addictions and miseries.

During this season of cheer, give our Senators and their loved ones the gifts of love, joy, peace, patience, kindness, goodness, faithfulness, and self control. May they fulfill Your command to love their neighbors as they love themselves. Bless also the families and loved ones of our support staffs.

O God, let there be peace on earth. Let it begin with us. We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 19, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. SCHATZ thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

WORKFORCE INVESTMENT ACT OF 2013—MOTION TO PROCEED—Resumed

Mr. REID. Mr. President, I move to proceed to S. 1356.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 243, S. 1356, a bill to amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will resume consideration of the national defense authorization bill. Rollcall votes are possible throughout the day. We will do our best to notify Senators ahead of time as to when votes will occur.

DEFENSE AUTHORIZATION

Mr. REID. Mr. President, for more than 50 years consecutively; that is, 50 years in a row every year, the United States has passed the National Defense Authorization Act. This year is not going to be an exception. This tradition indicates the respect and gratitude with which Members of this institution regard the members of our military.

The work to get to this point has been extremely difficult. We have had the usual good work by one of the finest Senators ever, the senior Senator from Michigan, and also the cooperation and hard work of the ranking member of the committee, the senior Senator from the State of Oklahoma. It has been with some difficulty.

The Senator from Oklahoma has had physical problems and the tragic loss of his son in an unfortunate airplane accident. These two men have continued to move forward with this legislation. It is important to mention their counterparts in the House. This is an important piece of legislation that we are going to vote on.

Today, the Senate will continue debate on this critical measure which safeguards our Nation and ensures our troops have the resources and training they need. This bill includes a pay raise for members of the Armed Forces and reauthorizes dozens of special pay raises and bonuses, such as the bonus payment for servicemembers who are stationed overseas.

This legislation also supports military families who support the mission of our fighting men and women. Also, yesterday, we passed the Ryan-Murray budget—very important—because, among other things, it did away with the sequester, which would have been—if that second year would have kicked in, it would have been a \$23 billion hit to the United States military. That is gone.

This year the National Defense Authorization Act also includes robust new provisions to combat sexual assault in the military and guarantee that the perpetrators are punished.

With cooperation, the Senate could easily pass this bill today. We could have done it last evening. With cooperation, the Senate could also consider a number of pending nominations today and Friday. Without cooperation from our Republican colleagues, Senators should expect late night and weekend votes.

NOMINATIONS

Mr. REID. Mr. President, after we complete work on the Defense authorization bill, this body will consider several essential nominations, including the new Federal Reserve Chair—so important, as we learned yesterday from the announcement of Chairman Ben Bernanke how terribly important that institution is. He is leaving. We need someone to replace him.

We also are going to approve a Deputy Secretary of Homeland Security, a new Director of the Internal Revenue Service. We will also consider a nomination that has been pending for 2 years—more than 2 years actually—the nomination of Brian Davis of Florida to fill a judicial seat that has been declared an emergency, as well as a handful of other nominations.

All those nominees are qualified and dedicated public servants. I have not heard a single word about these nominations being flawed in any way. Those nominees have broad bipartisan support. Their positions safeguard the economy, thus ensuring our national security. I am disappointed that Republican Senators have suggested that those nominees are nonessential or unimportant. I heard one Senator say: Just do them next year. Another said: Yes, they are nonessential. They are really unimportant. Why don't we do them next year?

Everyone should understand, the Senate will not wait until the new year to consider these nominations. These are critical nominations. If that means working through the weekend, next

week, so be it. The Senate will finish its work before we leave for the holidays. It is our constitutional duty. Public servants who set our Nation's monetary policy and guard against terrorism and deliver us justice do not hold nonessential positions.

Is Janet Yellen, to be chosen as Federal Reserve Chair, nonessential? It is shallow to even suggest this. Brain Davis. I have already talked about this good man who has waited 2 years to become a Federal trial judge in Florida, that has too many criminal cases, too many civil cases, and it has been declared a judicial emergency. I suggest it is very shallow to suggest this nomination is unimportant and not essential.

Alejandro Mayorkas to be the No. 2 person at the Department of Homeland Security is vitally important, as has been laid out in detail by the chairman of the committee TOM CARPER. How shallow to think this important nominee is nonessential.

How about this one? John Koskinen to be Commissioner of the Internal Revenue Service. With all that is going on in this country with ObamaCare, with all that is happening, we need someone to direct the Internal Revenue Service. To suggest this is not a critical position is really very shallow.

With all of the Republican obstruction and delay we have seen over the last 2 weeks, is it any wonder Democrats changed the rules last month? Of course not. The American people want Congress to work, not obstruct. Even under these new rules, Republicans are wasting weeks on matters that could be resolved in mere hours. As always, there is an easy and a hard way that we legislators can take. One is to move; the other is to obstruct. So far, my Republican colleagues have obstructed, and they continue to do so. The choice to obstruct is theirs. Their obstruction has become a bad habit of theirs. For the good of the country, their obstruction, these bad habits, need to go away.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 3304, which the clerk will report.

The legislative clerk read as follows:

Resolved, that the House concur in the Senate amendment to the title of the bill (H.R. 3304) entitled "An Act to authorize and request the President to award the Medal of Honor to Bennie G. Adkins and Donald P. Sloat of the United States Army for acts of valor during the Vietnam Conflict and to au-

thorize the award of the Medal of Honor to certain other veterans who were previously recommended for award of the Medal of Honor," and be it further

Resolved, that the House concur in the first three Senate amendments to the text of the aforementioned bill, and be it further

Resolved, that the House concur in the fourth Senate amendment to the text of the aforementioned bill, with an amendment.

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid amendment No. 2552, to change the enactment date.

Reid amendment No. 2553 (to amendment No. 2552), of a perfecting nature.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 1859

Mr. REID. I ask unanimous consent the Senate proceed to S. 1859, submitted earlier today, a bill that includes the following provisions: an extension of the provision to exclude mortgage debt forgiveness from taxable income; deductions for State and local sales taxes, qualified tuition expenses for students, and classroom expenses that teachers pay for out of their own pockets; a commuter benefit that helps workers who take mass transit to their jobs every day; the new markets tax credit and the low-income housing credit; tax benefits to encourage investment in our Nation's infrastructure, such as the short line rail tax credit; provisions that encourage the development of renewable energy technology, including the production tax credit for wind, as well as credits to promote biofuels, alternative fuel vehicles, and energy-efficient buildings; and tax incentives for small and large businesses, including section 179 expensing, bonus depreciation, and the R&D credit.

I further ask that the bill be read a third time and passed and the motions to reconsider be made and laid on the table, with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. McCONNELL. Reserving the right to object, it is unfortunate the Senate's schedule is completely full with pending cloture motions on controversial or completely nonurgent nominations.

If these nomination were deferred, we could consider this timely and important legislation today.

I, therefore, ask unanimous consent that the pending cloture motions on executive nominations be withdrawn;

that following disposition of the Defense bill, the Senate proceed to immediate consideration of H.R. 2668, a House-passed revenue measure; that the text of S. 1859 be the first amendment in order; and that the majority and minority sides then be recognized to offer amendments in an alternating fashion so these important issues could be considered this week.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. Reserving the right to object, I would refer to the statement I gave earlier today, and I object.

The ACTING PRESIDENT pro tempore. The objection is heard to the modification. Is there objection to the original request?

Mr. McCONNELL. I object.

The ACTING PRESIDENT pro tempore. The objection is heard.

The Senator from Utah.

Mr. HATCH. I wish to briefly comment on the absurdity of what just transpired on the Senate floor. My friends on the other side have been the longest serving majority since 1980. We are enduring, some would say, the 7th consecutive year of their majority. Yet if someone were to take a close look at the strategy and tactics of the Senate Democratic leadership, they would think the roles were reversed.

Democrats are the majority. They have even enhanced their majority by breaking the rules of the Senate to give themselves more power. Indeed, they have not been a bit reluctant to overreach.

Part and parcel of having a majority in the Senate is control over the Senate's schedule and committees. Yet still we see what we saw today from my friends on the other side of the aisle.

Under the Senate rules, tax policy matters, including the tax extenders, are referred to the Senate Finance Committee. Trade adjustment assistance, which was also included in this bill, also falls under the jurisdiction of the Finance Committee.

The Finance Committee processed tax extenders in a bipartisan fashion last year and that legislation was eventually enacted into law. The committee has also been able, though without as much bipartisan support, to deal with the TAA in the recent past.

Yet now what do my friends want to do? They want to ignore the Senate rules, the expertise and proper role of the Finance Committee, and pass a complicated set of policies on the floor without discussion or debate. With regard to tax extenders, Finance Committee staff from both parties have, in only the past few days, started the process of developing tax extenders legislation.

To put it bluntly, the majority leader's partisan actions today make a sham of that deliberative, methodical, and constructive bipartisan effort.

Why are they afraid of going through regular order? They are the majority. Including my friend, the chairman, there are 13 Democrats on the Finance Committee and only 11 Republicans.

What are they afraid of? Don't they set the committee agenda? Don't they have the votes?

Political stunts, such as unanimous consent requests that are designed only to draw objections from the other side, may be good political fun for the proponents, they might even provide some good campaign fodder, but they don't solve any problems.

It is amazing to see this kind of activity from the Senate majority party when it controls the agenda both on the floor and in the committees. We might expect these kinds of actions from a frustrated minority party that feels shut out of its role in committees and on the floor, but here we have a role reversal.

I am currently a member of the minority party in the Senate, defending regular order, Senate customs, and the role of the committee system. I will reiterate my challenge to my friends in the Senate Democratic leadership: Why are you so afraid of regular order? Why not process this legislation in a careful, methodical, and transparent manner?

Being in the majority means being accountable. Today my friends on the other side of the aisle tried, once again, to avoid accountability in order to blame their own failings on Republicans. As the saying goes: That dog just won't hunt.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. McCONNELL. If I may, before the Senator from Utah leaves the floor, he correctly stated the state of the Senate today. It is not the same body it was only a few years ago in the way we are being treated. It is a very discouraging development, as we approach the end of the year, to see the way the Senate deteriorated under the current leadership.

I thank the senior Senator from Utah for pointing out that it was not too long ago that the two parties actually functioned on issues such as the majority leader was trying to ram through today without any committee consideration.

Mr. HATCH. The distinguished minority leader expresses it very well. I am appalled. I have only been here 37 years, but I have never seen the rules violated as they have been—frankly, violated in a way that is destructive to the Senate, not helpful or constructive to the Senate. This is just another illustration. Our side is getting very sick of it.

Mr. McCONNELL. I thank my friend from Utah.

STIFLING DISSENT

Earlier this year the Internal Revenue Service admitted responsibility

for an incredible abuse of power. In the midst of an election season, it targeted and harassed Americans for the supposed crime of thinking differently. An agency with access to some of the most personal information of every tax-paying American betrayed their trust. In doing so, it showed the lengths to which this administration will go to stifle those who dissent from its policies. All of this was and remains a complete outrage.

It is the kind of thing we might expect from a banana republic or a third-world dictatorship, not the world's leading democracy. The worst part is we still don't know everything that happened or if it is still going on. That is because the bipartisan investigation into all of this still hasn't concluded.

It is unclear to me how seriously the White House is taking this investigation. In many ways it seems to have treated the scandal more as a public relations problem to get past than a serious problem to solve and now, get this, they expect the elected representatives of the people to roll over and rubberstamp a new Presidential nominee to head the IRS. They want Congress to forget what happened and simply move on. They expect us to clear the way tomorrow and let them ram through the President's new pick to run the IRS. The American people deserve answers about how and why this targeting happened. They deserve justice too.

I will not be supporting any nominee to lead this agency until the American people get the answers they deserve. Of course, the Democrats in charge of the Senate changed the rules a few weeks back in order to ensure they could get their way on nominees, no matter what the American people think. It is the same kind of attitude we have seen on the Defense bill, where the majority leader prevented other Members from offering amendments. They will do what they want, even if it means breaking the rules.

If John Koskinen does find himself confirmed tomorrow, I want him to know a few things. First, he should understand I don't hold any animus toward him personally. Under different circumstances, I might well have been able to support him. We had a good conversation when we met recently to discuss his nomination, but he is also someone I will be keeping a close watch on, as will the other members of my conference, as will the American people, because big challenges lie ahead for the next IRS Commissioner, no matter who he or she may be.

We expect the next IRS Commissioner to cooperate fully with the ongoing investigation into this scandal. We expect whoever is eventually confirmed to hold those who broke or bent the rules fully accountable. We expect the next Commissioner to fairly implement the laws he or she is charged with executing.

To his credit, the nominee has assured me he agrees with me on a topic I feel very strongly about—that the IRS should stay out of regulating political speech. Let me say that again. The IRS should stay out of regulating political speech. He told me himself he agreed with that, and I was pleased to hear it.

Were he to become Commissioner, I would expect him to oppose the extremely misguided proposed IRS rule that aims to overturn more than 50 years of settled law and practice by unfairly targeting the speech of those who criticize the administration while leaving its supporters untouched.

This proposed rule, which will redefine what social welfare means in order to target certain groups that seek to educate the public, would end up penalizing Federal, State, and local organizations for the supposed crime of providing information, much of it non-partisan or bipartisan. The goal is clear: to make it easier to push through the backdoor what congressional Democrats have been unable to pass through the front door, discriminatory policies that seek to silence those who dare to oppose them. It is just the latest in a long and troubling pattern of Chicago-style tactics under this administration, and it is exactly the kind of political meddling the next Commissioner needs to ensure never happens again.

Let us not forget, the IRS should be a boring place, an impartial agency of tax collectors, not the vanguard of the left.

The next Commissioner needs to see to it that the organization finally returns to its mission, and he or she needs to root out those who would have the IRS target Americans for the way they think.

Lastly, as I have told the nominee, I am deeply concerned about the IRS role in implementing ObamaCare. The fact is that ObamaCare represents a dramatic expansion of the use of the Tax Code to pick winners and losers. It gives the agency broad new responsibilities for enforcing ObamaCare's most onerous mandates and to hand out nearly \$1 trillion in taxpayer subsidies. And in order to do all this, it will need to know who has insurance, penalize those who don't, and determine who is eligible for subsidies and how much they ought to receive—something the agency has a very troubled history in doing with other programs. If they get any of that wrong, they will need to come back and repossess subsidies after the fact.

In my view, the IRS doesn't have any business snooping even further into the lives of our constituents, especially at a time when it is already under a cloud of scandal. It is just one of the many reasons I opposed ObamaCare in the first place and why I continue to oppose it.

If the nominee is to become Commissioner, then at a minimum I expect him to hold the agency to the highest standards—the highest standards—when it comes to protecting the privacy of the people we all represent. I expect him to provide regular transparent updates to Congress on the status of implementation and to let us know of any problems as soon as they arise. The last thing we need is for the IRS to compound the pain it and ObamaCare have already inflicted upon the American people by allowing fraud and further mistreatment to happen under its watch. The IRS has done a lot to lose the trust of the American people. It will need to do a lot more to regain it.

Following the advice I just laid out will put the IRS on a better path. If this nominee ends up becoming the next Commissioner, that advice will form the criteria upon which his performance will be judged.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from New Jersey.

TAX EXTENDERS ACT OF 2013

Mr. MENENDEZ. Mr. President, I come to the floor to call attention to a critical provision in the Tax Extenders Act, which I wish had received consent because it is important for creating prosperity and economic opportunity in our country and giving certainty to businesses in order to achieve that goal. That Tax Extenders Act provides our Nation's most innovative businesses with some certainty as they plan their investments for next year.

Every year the Congress extends a very popular law that provides a tax credit to businesses for certain research expenses. This credit is important for a number of reasons. It creates jobs, it encourages more research, and it bolsters U.S. competitiveness.

Unfortunately, despite the efforts of a number of us here in the Congress—notably, the distinguished chairman of the Finance Committee—this credit is temporary and has been extended on what has been an annual basis. That is unfortunate because the lack of long-term certainty prevents businesses from fully relying on the credit when making their global investment decisions.

I know the Presiding Officer understands this very well, as the State of New Jersey has some of the leading innovative companies in the world that very often rely on the research and development tax credit to make those millions and sometimes billions of dollars' worth of investment in order to produce the next lifesaving or life-enhancing drugs or the next technology breakthrough.

In the meantime, at the very least, we can ensure the credit is extended. If we can't make it permanent, it should be extended in a timely fashion to give

businesses confidence in putting more investment in research in the United States in 2014. This bill would extend the research and development tax credit for another year, and I sincerely hope we will be able to get this done very soon in order to maximize the credit's effectiveness and unlock that investment which creates economic opportunity and jobs and growth in our economy.

I yield for my colleague the senior Senator from Ohio to discuss another important provision in this bill.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. I thank the Presiding Officer and the Senator from New Jersey, and I ask unanimous consent that the Senator from Washington be allowed to speak following my comments on the extenders.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I am here to join my colleagues in asking for unanimous consent—which we will do formally later on—to pass the Tax Extenders Act of 2013.

The bill will do a number of important extensions, including—particularly important for my State—extending the health care tax credit or the HCTC. It is important that we extend it for workers and retirees who lose their jobs and benefits due to no fault of their own.

Extending the HCTC preserves a program that people in my home State of Ohio—such as Delphi salaried retirees, who worked hard and played by the rules—know, understand, and trust. These tax credits are set to expire in just 2 weeks, at the end of the year.

While affordable health insurance will be available on the health exchanges, one of the most important aspects of the Affordable Care Act—ObamaCare—extending the HCTC ensures that retirees who have already faced a number of transitions can keep insurance that is familiar to them while they learn about new options.

Extending the tax credit for 1 year is fiscally responsible. We could and should do more. We should improve the HCTC and make it permanent, as I proposed in legislation I introduced along with Senators ROCKEFELLER, STABENOW, HIRONO, and DONNELLY. But in the meantime, we could and should at the very least maintain this critical tax credit for a population that needs it desperately. That is what this bill does. That is why the Senate should move it soon by unanimous consent.

I would like to take a moment to emphasize how important the Tax Extenders Act of 2013 is on a number of other issues besides the HCTC and credits my friends have discussed.

Among other important measures, we should also move to extend the new markets tax credit and the low-income housing tax credit. These programs are

oversubscribed and are able to help revitalize communities by leveraging tens of billions of dollars in private investments. They are among the best programs we have for economic development in Ohio and across the country. I strongly support that extension.

Finally, I would like to associate myself with Senator STABENOW in calling for unanimous consent to pass the Tax Extenders Act of 2013 in order to extend mortgage debt relief. Without this critical extension, homeowners who make modifications to their mortgage or receive loan forgiveness could face a crippling tax bill. Imagine that. After you have done a loan modification, you are taxed on whatever money you save. Imagine getting that tax bill. That is why the mortgage debt relief extender is so very important.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I wish to thank Leader REID, Chairman BAUCUS, Senator SCHUMER, Senator STABENOW, Senator WYDEN, Senator BROWN, and Senator MENENDEZ for coming to the floor to talk about this important issue of tax extenders and why we need to get them done now.

In the State of Washington taxpayers are opening the morning newspaper and finding the Seattle Times editorial entitled "Congress should extend the sales-tax deduction." The Seattle Times has been following this issue for years and knows that taxpayers are waiting to find out whether we can continue to deduct our sales tax from our Federal income tax obligation. As Washington is a State that doesn't have an income tax, we want parity with other States and we want to be able to deduct our sales tax as one of those taxes from our Federal tax obligations.

Every year millions of Washingtonians have to wait to find out whether that particular tax provision is going to be extended. I want to make it permanent, and I hope when we do tax reform we will be able to do so. But in the meantime we have to give certainty to the taxpayers in Washington State that as far as these important tax policies are concerned, Congress can act and get things done.

Mr. President, I ask unanimous consent to have printed in the RECORD that particular Seattle Times editorial.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Seattle Times, Dec. 18, 2013]

EDITORIAL: CONGRESS SHOULD EXTEND THE SALES-TAX DEDUCTION

Congress needs to end its magical thinking and pass a permanent federal income tax deduction for state and local sales tax.

Year after year, Washington state taxpayers are forced to play Congress' aggravating game of fantasy role-playing. Alas,

there are no elixirs or elves, although there are a few ogres.

In this game, Congress pretends it will magically transform into a body capable of passing a comprehensive tax bill. Such a bill would almost assuredly include a permanent federal income-tax deduction for state and local sales taxes, on par with the existing permanent deduction for state income taxes. This matters because some states, such as Washington, have the former, but not the latter.

Instead, every year since 2004, Congress has passed a temporary extension of the sales-tax deduction. Next year, fantastical thinking goes, will be the big fix for the tax code.

Washington's delegation, led for years by U.S. Sen. MARIA CANTWELL, has tried to pop this absurdity. So too this year, with Rep. DOC HASTINGS, R-Pasco, hammering away. President Obama is on board, recommending a permanent sales-tax deduction. But the U.S. House left town on Friday for the year without so much as another temporary extension, effectively ending the deduction beginning in 2014.

This is big money for Washington state. An analysis by the Pew Charitable Trusts released this week shows Washington is the state most dependent on the sales-tax deduction, with 29 percent of filers in the Evergreen State claiming it. The top seven states all have limited or no state income taxes. Filers who claim the deduction typically save about \$500 off their tax bill.

The fantasy game will likely resume on Jan. 6: Congress could pass a retroactive exemption, allowing deductions for the full 2014 calendar year. They could even pretend it had never expired, and, with a sprinkle of pixie dust, wipe clean the memory that the 113th U.S. Congress was the least productive in the history of the country, passing just 56 bills as of Friday.

Congress should end this game. Pass a permanent sales-tax deduction.

Ms. CANTWELL. At New Year's, as the ball drops in Times Square, a number of other tax provisions are going to expire, and the lapse of these important tax provisions makes it harder for Americans to invest in clean energy, to hire veterans, to pay for public transportation, and to build low-income housing.

As my colleague Senator BROWN was discussing, the Tax Extenders Act of 2013 is about providing predictability and certainty to citizens and to American businesses about tax benefits and investments.

On January 1 the commuter tax benefit will expire. That will mean an increase in household expenses for 2.7 million public transit commuters. In King County, which is the county Seattle is in, more than 1,600 employers use the commuter tax benefit to enable employees to get to and from work.

If you have ever been in the Puget Sound area, you know that transportation and traffic are big issues for us. So, obviously, trying to defer some of that traffic congestion by getting people into commuter transportation is a key part of our strategy. But if we take away the certainty and predictability of tax deductions with regard to commuting, we are going to make our transportation problems worse.

On New Year's Day the tax benefits for those employees who take public transit will be cut nearly in half, from \$245 to \$130 per month. We need to extend this benefit as a matter of tax fairness.

Transportation is the second largest expense in an American household. American families should be able to choose whether they want to drive or take public transit, and they shouldn't be punished because they are taking a bus or ferry or train.

Across Washington State we have seen firsthand how the other tax extenders help to actually create an environment of certainty and predictability for jobs and job creation. These are bipartisan principles we can all get behind.

Of particular importance to me, as I said, is the State and local sales tax deduction, which affects many people in our State. Individuals living in other States with a State income tax are not faced with these same challenges. Alaska, Florida, Nevada, South Dakota, Tennessee, Texas, and Wyoming are all in the same boat, and I am sure these citizens would want to have the sales tax deduction certainty and predictability. As a result, an average of \$640 in deductions is real money back into people's pockets when they itemize those various tax benefits.

We hope this won't continue to be a burden placed on Washington State. We need these tax extenders now.

Additionally, there are other credits, such as the new market tax credit, which is a great program for encouraging investment in challenging areas of our country; the biodiesel tax credit; and the veterans work opportunity tax credit, which is a tax credit to encourage employers to hire veterans. We have had many of these events around Washington State, talking to employers who have successfully used this tax credit. There is also the low-income housing tax credit. I am sure the Presiding Officer probably has projects all over his State that have benefited from the low-income housing tax credit. This is a great incentive to get more affordable housing built in hard-to-serve areas and challenging areas because of high cost. I have already mentioned the commuter tax benefit. All of these are tied to job creation.

Instead of giving predictability and certainty on tax credits, here we are not getting our job done. We should get this done as soon as possible. It is time for Congress to extend these important provisions and to make plans accordingly.

I hope the IRS could be given the predictability and certainty as well in the new year about these provisions so that we are not delaying or affecting the tax season at the end of next year.

The time to act is now, and I hope my colleagues will help us get these measures—which are usually renewed

in a bipartisan fashion—done as soon as possible.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, first I thank my friend and colleague from Washington for her passionate advocacy, and I join with her and other colleagues today in supporting the unanimous consent request to pass immediately the Tax Extenders Act. There is no reason not to get this done, as colleagues have said—absolutely none.

We are in a situation where there are critical tax policies that will directly affect families. Middle-class families across the country are going to be hit by a number of different policies. Small businesses, large businesses, and a number of different entities will be affected if we don't get this passed.

I would like to specifically talk about an urgent priority I have been offering, which we have been able to shepherd through a number of different times, which needs to get done as a part of this package or by itself, however we want to do it. We need to make sure struggling homeowners across the country—and in terms of all of the economy as well—are able to continue using tax policy to protect them from not only being hit with a mortgage problem that puts them underwater and struggling to keep their homes but an extra tax bill on top of it that makes absolutely no sense.

Let me explain that. At the end of the year, a law I offered back in 2007 to protect homeowners against unforeseen and unfair tax bills is set to expire. Before this law, when a portion of a distressed homeowner's mortgage was canceled—either in a loan workout with a bank, a short sale, or even a foreclosure in some instances—the IRS treated the canceled debt as taxable income. Think about that: You are already struggling with your home. You could lose your home. Or maybe you are able to refinance in some way, work with the bank, get a short sale, and then on top of that get a tax bill for whatever the value was of what you were able to work out. It makes absolutely no sense. It is, frankly, outrageous.

The IRS was telling homeowners that money they had already lost on their home was income, so we have essentially been correcting that since 2007 through a tax change. The IRS before that was taxing families on what is considered phantom income at the worst possible time for the family.

With the onslaught of the housing crisis, Congress recognized how critical it was to protect struggling homeowners from paying this kind of tax on mortgage debt relief. In 2007, we provided tax relief for homeowners by excluding mortgage forgiveness from their income for tax purposes. It made

sense then, it makes sense now. It expires at the end of the year.

We came together on a bipartisan basis. We said to millions of working families, middle-class families struggling to keep a roof over their head for their families that: If you are struggling with an underwater mortgage, the IRS shouldn't kick you while you are down. You can seek relief without having to worry about incurring a massive tax bill.

This provision has aided millions of families and helped enable the housing market to begin to recover. However, in too many areas of the country and for far too many homeowners, the housing crisis is far from over. Nearly 6.5 million homeowners are still underwater in their mortgages. They owe more than their homes are worth. That includes 250,000 hard-working families in Michigan. Nearly 13 percent of homeowners nationally are underwater. Again, 18 percent are in Michigan—above the national average.

It is critical that we extend this provision, and it is very important it be done before the end of the year. It needs to be done ahead of time so homeowners know what the IRS rules are going to be in 2014, as they are literally making decisions today, tomorrow, the next day, over Christmas. They need to know. If we don't act, homeowners who are offered relief from their lenders or are thinking about a short sale won't know if they will be hit with a major tax bill as a result, and that will affect decisions being made.

On average, underwater homeowners owe \$53,000 more on their mortgage than the market value of their homes. In some cases, of course, it is much more. For a typical middle-class family, that could mean a tax bill of more than \$13,000. Merry Christmas. It is a \$13,000 tax bill you shouldn't be paying as you are trying to figure out how to protect your home. Who would want to take that risk?

Brokers and housing counselors in Michigan have been asking me what they should be telling homeowners, and we need to act right now so we can tell them they don't have to worry about this.

This is not just about fairness for homeowners. This is about keeping the housing recovery alive. The last thing we want to do is to tax people into foreclosure, where they feel their only option is default and walking away from their home.

As we have seen in so many communities, foreclosures and vacant properties destabilize neighborhoods. I can walk from community to community in Michigan and show where that has happened. They push home values down. We can't let that happen at a time when the housing market and the economy are finally recovering. We all have a stake in extending this important tax protection for families.

I ask unanimous consent to have printed in the RECORD a letter from the National Association of Realtors, and one from over 200 housing consumer and community organizations urging us to act now.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION
OF REALTORS,

Washington, DC, September 27, 2013.

DEAR SENATOR: On behalf of the more than one million members of the National Association of REALTORS®. I urge you to cosponsor S. 1187." This bipartisan legislation, introduced by Senators Stabenow and Heller, would extend the current law provisions that allow tax relief for homeowners when lenders forgive some portion of mortgage debt they owe. First enacted in 2007, this critical provision has helped millions of financially distressed American families. Unfortunately, the provision is temporary and is currently set to expire at the end of this year. Securing this extension is among our highest priorities for 2013.

Today's housing market is finally beginning to recover from a devastating multi-year decline. However, this recovery is uneven, and there are still too many homeowners who find themselves in foreclosure, contemplating a short sale, or attempting to have an existing loan restructured. Our estimates show about 9.6 million homeowners whose homes are still worth less than what they owe on them. This means that about 20 percent of all homeowners with mortgages in the U.S. are "under water." In addition, the Mortgage Bankers Association estimates there are still 1.45 million homes in the process of foreclosure. This is down from the peak of just over 2 million, but way above the average of about 430,000 from the pre-housing crisis period of between 2000 and 2006. It is clear that timely enactment of this bill is critical to the ongoing recovery of the housing market.

If S. 1187 is not enacted, hundreds of thousands of American families starting next January will have to pay income tax on "phantom income." They will owe tax on money they've already lost and will be required to pay that tax at a time of dire hardship, when they are least likely to have the means to pay it. Moreover, if the mortgage debt forgiveness provision is allowed to expire, many distressed homeowners may decide to take a pass on opportunities for short sales, opting instead for continued default until foreclosure or simply to walk away from the property. Either way, this would destabilize the communities where such homes are located, as foreclosed and vacant houses drive down values in the surrounding neighborhood.

We hope you will join Senators Stabenow and Heller to cosponsor S. 1187. Please contact Seth Hanlon with Senator Stabenow (seth.hanlon@stabenow.senate.gov or 4-4822) or Scott Riplinger with Senator Heller (scott.riplinger@heller.senate.gov or 4-6244) to be added.

Sincerely,

GARY THOMAS,
2013 President.

—
AMERICANS FOR FINANCIAL REFORM,
Washington, DC, December 6, 2013.

DEAR SENATOR, We write to urge you to support S. 1187, the Mortgage Forgiveness Tax Relief Act.

Extending the qualified principal residence indebtedness exclusion (QPRI) is of critical

importance as we work to resolve the housing crisis. More than six years after the mortgage market imploded, we have still not returned to pre-2008 foreclosure levels. In the next year, many more homeowners will receive loan modifications with principal reduction under HAMP, the National Mortgage Settlement, or through private, proprietary modifications. The recent settlement with JP Morgan Chase, which requires a minimum of \$1.5 billion in principal reductions, further ups the ante. Homeowners who need a principal reduction on their mortgage in order to avoid foreclosure should not face a tax bill. The imposition of tax in these circumstances undermines national housing policy.

The extension of QPRI will allow many homeowners to remain in their homes, paying on their mortgages, restoring some small measure of financial stability to their lives and to their communities. Extension of QPRI has received uncommonly wide bipartisan support across the entire spectrum of stakeholders.

We would ask that you go further, as well. QPRI has never reached the majority of homeowners who need principal reductions because QPRI is, as a practical matter, only available to homeowners receiving reductions on their purchase money mortgage. Homeowners who refinanced and received cash-out, or who paid off medical bills or student loans, or who took out a home equity loan to address deferred maintenance on their homes, cannot use QPRI to avoid paying income tax, even though they will have no additional income with which to pay the increased taxes and even if they remain deeply underwater after the loan modification. For example, under the terms of a recent principal reduction modification offered a Connecticut homeowner, the homeowner would, after the modification, owe nearly \$250,000 more than the house is worth and face an increase in their annual taxes of over \$10,000 a year, for three years, on a total annual income of only \$71,000. In order to protect homeowners who need principal reductions from adverse tax consequences and to promote tax equity, QPRI should be expanded to include all residential mortgage debt forgiven due to a decrease in the value of the home or the homeowner's financial condition.

The Mortgage Debt Forgiveness Tax Relief Act expires on December 31, 2013. Principal reduction modifications entered into after this date, including those authorized by the recent settlement with JP Morgan Chase, will result in additional tax consequences for homeowners. Without an extension, far fewer modifications will be done and the modifications done will be less sustainable, with wide-reaching consequences for homeowners, the communities they live in, and our national economy. The settlements with some of the large financial institutions which are finally providing modifications with principal reductions for qualified homeowners should not end up penalizing the homeowners who have waited so long for assistance.

An extension of the Mortgage Debt Forgiveness Tax Relief Act cannot wait for a more global tax reform bill; it should be enacted swiftly.

Sincerely,

NATIONAL SIGNATORIES.

Ms. STABENOW. Mr. President, this is a bipartisan initiative which I have introduced with Senator HELLER and 18 other bipartisan cosponsors. To my knowledge, it is not controversial.

There is no excuse not to act before we leave, and I urge colleagues to do so.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I thank my colleague from Michigan for her heartfelt words. I couldn't agree with her more. I thank the majority leader and my colleagues from Ohio and New Jersey as well for recognizing the importance of this package of tax relief.

The Tax Extenders Act of 2013 would extend tax relief which business and middle-class families in my home State of New York and across the country depend on. They are noncontroversial. They have received bipartisan support in the past. And because of the great uncertainty over our economy, doing this quickly and not saying we will do it 3 months after they expire makes a great deal of sense. I know my colleagues on the other side of the aisle have objected to all of these. I hope they will reconsider, because for the good of the economy—which is just beginning to pick up a little bit—we need to do these extenders.

I am going to talk about four of them, but one is particularly critical because it doesn't work very well retroactively. The others do. That is why I urge my colleagues to reconsider and will ask for a separate UC before we leave here on this particular one because it has particular need right now, and that is the mass transit commuter tax benefit.

There are about 700,000 commuters in the New York metropolitan area, including from the Presiding Officer's home State, who take advantage of this current incentive. The commuter benefit currently covers up to \$245 a month from a person's income to pay for their mass transit commute to and from work. So whether you take the subway, bus, train, or drive to work and park, the benefit provides significant savings.

The tradition, unfortunately, in this Senate and in this Congress was to treat mass transit as a second-class citizen, because the benefit traditionally had been significantly greater for those who drive and park than for those who take mass transit, and we have had serious problems.

First, until we changed it a few years back, the mass transit was half the benefit of parking and driving. Second, it was not indexed for inflation the way the parking benefit was. So if we let this provision expire, the mass transit benefit will revert to \$130 a month, while those who drive and park will actually get an increase to \$250 for 2014 because of inflation.

We cannot let these transit benefits for mass transit users get left behind. To do them is a win-win. It is a win, of course, for those who use mass transit—and we have so many in the New York area. It is also a win for drivers,

because every person who is encouraged to use mass transit by this benefit will actually take a car off the road, remove some degree of congestion, and allow drivers to move more quickly. And, of course, it is a win for our environment, because mass transit is a far more effective way environmentally of moving things along.

So when the leader a few minutes ago requested the Senate pass the tax extenders act, I was disappointed it was blocked, and particularly disappointed that this benefit was blocked, because while we can do it retroactively, it is harder to implement than the others that are done retroactively, because most of them take effect when you pay your taxes in 2015, whereas this one takes effect month by month.

The proposal we are asking for is exactly the same as was included in the bipartisan negotiated tax extenders package considered by the Senate Finance Committee and passed by the Senate on a bipartisan basis for one additional year, through 2014. I hope we will consider it now, not retroactively later next year as we did last year. Employers need to plan whether they will provide the benefit. Commuters need to elect to take it. And as I said, it is done on a monthly basis. You can do it retroactively, but it is much harder.

I know we have lots of problems here between the parties, but we should not hold the mass transit commuters of America hostage. We should not make them second-class citizens. Their deduction is every bit as important, every bit as justifiable, as for those who drive and park. I hope my colleagues, before we adjourn this year for the Christmas holiday, would in the Christmas spirit extend this benefit.

Now I wish to talk about a few other credits which are also part of the package being blocked right now. One is the new market tax credit. Individuals and businesses across my State are counting on the new market tax credit. The new market credit program was created to stimulate private-sector investment in economically distressed communities. It has done exactly that. I have seen it work in Buffalo, Rochester, Syracuse, and the capital district in New York.

Over the first decade of the program, \$20 billion in new market tax credit investment leveraged an additional \$25 billion in capital from other sources to finance economic development in communities where financing might be difficult to come by.

The program is a proven job creator. Between 2003 and 2010, new market tax credit investments created over 500,000 jobs across the country. Again, it has always had bipartisan support. It is sort of a no-brainer. It should be continued.

I will now talk about the short line rail tax credit. It is a little like the new market tax credit in that it is a

tax credit which encourages private investment and jobs.

We have short lines all across the country. They connect the main trunk lines on rail to the more isolated regions. But in those somewhat isolated regions are factories. We have opportunities for tourism, say, in the Adirondacks, and the short line rail tax credit helps maintain and renovate the short line rail system.

Rail is very prosperous these days. The big carriers can maintain the trunk lines very well. But it is harder to maintain the short line, and Congress in its wisdom decided to give a tax break for those. If you are unfamiliar, the short line rails are a web of tracks all over the country connecting local businesses and manufacturers to interstate rail systems. The unheralded links that bring raw materials into our businesses and connect them with other cities and supply chains must be maintained. Over 50 percent of rail track in my home State is short line rails. Approximately 550 short line railroads provide 50,000 miles of track in the country, and the credit is extremely useful in my State, financing hundreds of thousands of dollars of rail infrastructure investment annually. It is used all across the country. We have 42 bipartisan cosponsors in the Senate for this legislation. So I hope we will consider this one and pass it.

Finally, the IRA rollover. The IRA rollover provision is also set to expire, affecting so many retirees. They need to know whether it will be extended in order to plan their charitable giving in the coming year. If it isn't extended, many taxpayers over 70½ years of age will be surprised with a tax bill when they transfer funds from their IRA to their favorite charity in 2014. So this is important and, again, is one that truly is in the Christmas spirit.

In conclusion, businesses, families, retirees will pay the price if all of these valuable tax relief provisions, and many of the others mentioned by Senator REID, are not extended by the end of the year. I would hope, in the same spirit of comity that we passed the budget, we could come together and pass these extenders. They have always had bipartisan support. They are, after all, tax reductions. I know my colleagues on the other side of the aisle believe in tax reductions. To delay them and do them retroactively would be doing a disservice to our economy and to the millions of Americans who are working or seeking work in our country today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, before he leaves the floor, I commend my colleague from New York for a very fine statement. He and I sit next to each other on the Finance Committee, and we are going to be working very closely together on these issues.

I have long felt that the best choice in terms of looking at these tax issues is comprehensive tax reform. The reality is the Tax Code in America is a dysfunctional mess. It is 100 years old at this point. I think it is pretty fair to say it looks its age every year.

When it comes to energy—and clearly a lot of Senators on both sides of the aisle have done a lot of work on this—my preference would be Congress would simplify the various energy provisions, replace the dozens of separate incentives for each energy technology with fewer technology-neutral, performance-based incentives that bring us to a more level playing field in the energy area—a more level playing field, and one where there would be certainty for those who are going to do the innovation—those in New Jersey, Oregon, and elsewhere, who have those kinds of breakthrough innovative ideas and who are telling us that they badly need to get off this roller coaster of extenders and have some real predictability for the important innovative work that needs to be done.

Those kinds of incentives should take into account important policy goals of domestic energy security and reducing this country's carbon footprint, while getting the Tax Code more out of the way and letting the free market decide which technologies break through and ultimately succeed. It is my view that what Chairman BAUCUS released yesterday—and he consulted with us extensively—certainly has some promising ideas in that regard.

With respect to where this debate is now, I think it is important to be clear about the challenge. It looks more and more like the other body has in effect decided to, if not slow walk tax reform, certainly take its time. Last month the news in Washington was full of headlines about various discussions among the House leaders. You got the sense—I will let them speak for themselves—on tax reform issues they apparently were going to take their foot off the gas. It does not seem the other body is poised to move forward any time soon on comprehensive tax reform. Because there is little indication the other body is going to move on this, my view is letting the incentives for the renewable energy resources—in particular solar and wind and other renewables and energy efficiency—in effect get thrown overboard, in effect sacrificed on this altar of inaction, would be a huge mistake. If we do that, we are talking about putting at risk thousands and thousands of American jobs in industries that are critical to our country's energy, environmental and economic security.

My view is that having these employers and having these innovative, cutting-edge technologies fall off the cliff would be a mistake. That is why it is critical Congress address and extend these key energy tax benefits as soon as possible.

Until the Congress takes the prudent step of broad-based reform of our tax system, the American people should not be left hanging. We ought to minimize the roller coaster of uncertainty that has been a drag on growth in recent years. Passing the Tax Extenders Act of 2013 and extending these important expiring provisions delivers a measure of confidence and continuity, and it builds a bridge between the current tax system and where all Members of Congress ought to hope we end up; that is, with a modern, progrowth Tax Code, worthy of the American economy and ready for the 21st century.

I have been interested in the subject for a number of years. I can briefly recount some of the history. Rahm Emanuel, now mayor of Chicago, and I introduced the first comprehensive reform effort when he was still in the other body. We were not even able to get a Republican to join us in that effort.

Then Senator Judd Gregg, our former colleague from New Hampshire who sat across from me on a sofa every week for 2 years—and I were able to come together with a tax reform proposal, much of which I continue to believe is valid. Then our current colleague Senator DAN COATS was willing to work with myself and Senator BEGICH and others and he made important contributions. We very much need to have a modern progrowth, pro-entrepreneurial Tax Code that is up to the challenges of the 21st century. That is my first choice.

That is not what is in front of us today. Clearly, when the House made the decision to pull back for various reasons, we were faced with the question of whether we were just going to sit by and, as a result of inaction, see these important renewable energy industries and the jobs they represent sacrificed. I hope the Congress, on a bipartisan basis, will say that is not acceptable and pass the Tax Extenders Act of 2013 on a bipartisan basis.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PORTMAN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS ACT

Mr. PORTMAN. Mr. President, I rise, along with my colleague from New Hampshire Senator SHAHEEN to talk about the Energy Savings and Industrial Competitiveness Act. This is one of those pieces of legislation we ought to pass around here. It is bipartisan. It is good for the country. It is part of an energy plan for America that can help bring the jobs back, help fix our trade

deficit, help make our manufacturers more competitive, help save taxpayers money, and actually help to clean the environment. That all sounds pretty good, doesn't it, and it does so without a single mandate. It does so without any new spending. It is fully offset, and, in fact, I would make the strong argument it is going to save taxpayers a lot of money. Why? Because putting energy efficiencies in place in the Federal Government, the biggest energy user in the world, we are going to see a lot of savings to U.S. taxpayers.

Over the last several months we have been working to clear a few last few hurdles that stand in the way of passing this legislation. I am pleased to say from what I am hearing from the other side of the aisle—Senator SHAHEEN can talk more about this—it looks as though we are going to have a good shot to move this early next year.

Before we leave for the holidays, I wanted to have a chance to talk about it a little bit. I know Senator SHAHEEN did, I know Senator WYDEN, who is here with us, the chairman, and Senator MURKOWSKI, the ranking member on energy, are all highly supportive of this legislation. After all, it got out of the Energy and Natural Resources Committee with a strong bipartisan vote, 19 to 3. This doesn't often happen with regard to energy policy around this place. This is one of those things where Republicans and Democrats alike can come together to do something good for our country.

It is also important we do it now because it gives the economy a shot in the arm at a time we need it. There is a lot of talk in this place about an "all of the above" energy strategy. To me, this fits perfectly with that. On this side of the aisle we talk a little more about the production side. In other words, we ought to be using more of the energy in the ground in America right now and I think we should. We should be producing more energy. At the same time, the energy we produce we should use more efficiently, and it has all those benefits we talked about earlier if we do that.

We still import a lot of oil. In combination with China it contributes to our trade deficit. In fact, the entire trade deficit one could say is due to energy imports and trade with China alone. By doing away with some of those energy imports, because we are using energy we have more efficiently here, we are going to see lower trade deficits.

The bill creates jobs and that is why it is supported by over 260 trade associations and companies, including the U.S. Chamber of Commerce, National Association of Manufacturers, and others. But it is also good for the environment, which is why the coalition also includes the Alliance to Save Energy, the Sierra Club, and others—again, a big reason this passed the Energy and

Natural Resources Committee with a bipartisan vote of 19 to 3.

Simply put, the legislation the senior Senator from New Hampshire and I have worked on for 2½ years makes good environmental sense, makes good energy sense, makes good economic sense. It makes sense to help move this economy forward.

I visited with businesses and job creators all over my State of Ohio. They tell me the same thing. Energy efficiency is critical to their ability to compete. Think about it. We do live in a global economy. We live in an economy where we are competing in Ohio not just with Indiana but with India. As a result, we have to look at our cost of doing business, and one cost of doing business of course is labor. We don't want to compete with developing countries on labor rates. We want our labor rates to be good. We want benefits to be good.

Another aspect we could look at, of course, is the quality of our goods. We don't want to cut corners on the quality of the manufactured product we produce in this country. In fact, we want to make sure we produce the best in the world. But energy is an area where we can cut costs. By making our manufacturers more competitive by reducing their costs, we are going to be able to compete globally, add more jobs in the country, and again be able to help on our trade deficit. That is why this legislation is so important, because what the Federal Government can do is help the private sector take advantage of the best research that is out there, the best practices that are out there, so our companies can reduce their costs putting those savings toward expanding companies' plants and equipment, hiring more workers.

The proposals contained in this bill are very commonsense reforms needed for a long time. Again, there are no mandates on the private sector, none. In fact, many of our proposals come as a direct result of conversations we had with people in the private sector as to what they actually want and need. That is how we put this together.

It is also about how the Federal Government can become more energy efficient. We talked earlier about the fact that the Federal Government is the largest user of energy in the world. Think about that. Our bill basically says to the Federal Government: Why don't you start practicing what you preach. There is a lot of talk about green energy, green technology, and so on at the Federal Government level. But actually, it turns out the Federal Government itself is inefficient. We have lots of studies that show that.

More importantly, we have ideas to make the Federal Government more efficient and less wasteful. It directs the Department of Energy to issue recommendations that employ energy efficiency on everything from computer

hardware to operational and maintenance processes, energy efficiency software, and power management tools. It also takes the commonsense step of allowing the General Services Administration to update building designs to meet efficiency standards that have been developed since those designs were finalized. They cannot do that now. And that makes no sense.

The Federal Government has been looking for places to tighten its belt. Energy efficiency is a very good place to start. It will save taxpayer money and help the environment in the process.

All this adds up to a piece of legislation that Americans across the political spectrum should be able to support, again fully offset, no mandates, and requires the Federal Government to become more efficient. All this makes sense.

What will the impact be? There is a recent study of our legislation that says that by 2025, the Shaheen-Portman legislation is estimated to aid in the creation of 136,000 new jobs while saving consumers \$13.7 billion a year in reduced energy costs by the year 2030. It is the equivalent of taking millions of homes off the grid. It is the equivalent of the entire energy use of the State of Oklahoma, for instance, if we just put some of these commonsense efficiency standards in place.

This legislation is not everything everybody wanted. Some of the environmental groups would like to have gone further, and some of the business groups would probably like to see some other things to help them. But this is legislation that is sensible. It will make a difference. It is bipartisan. It can pass in the Senate significantly, and it can also be legislation that will be mirrored in the House of Representatives and passed.

There is a bicameral interest. A number of House Democrats and Republicans are on board. They are interested in our moving this legislation in part so they can then move legislation in the House and we can get it to the President's desk for his signature.

The Secretary of Energy has made energy efficiency one of his new priorities. So this is something we should and can do.

We all often lament the fact that there is not much bipartisanship around this place and not much is getting done; and it is true. It is true. The budget agreement was good this week. We had to do something. It is far from perfect, as I have said, even though in the end I voted for it because I think we need to move forward on this issue and have a budget for the first time in 4 years. But this is an example of bipartisan legislation that is positive and that can help move the country forward.

Any true, all-of-the-above energy strategy has to include not just pro-

ducing more energy but using it more efficiently. Produce more, use less. That is good for jobs, good for taxpayers, and good for the environment.

Mr. President, I yield the floor, and I hope we will hear from the Senator from New Hampshire who has been my partner in this effort for the past 2½ years.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am really pleased to be here on the floor today with, as the Senator from Ohio put it so well, my partner Senator PORTMAN in developing this energy efficiency legislation—the Energy Savings and Industrial Competitiveness Act, also known as Shaheen-Portman. It is a long name, but as the Senator from Ohio pointed out, it really goes a long way to address some of the energy challenges we face in this country. It is a win-win-win.

We heard a discussion earlier today about the importance of renewable energy as a way to create jobs. This is one of the most important things about our legislation. It does promote job creation. As the American Council for an Energy Efficient Economy said, 136,000 new jobs will be created by 2025 if we pass this legislation. By 2030, it would net an annual savings of almost \$14 billion—\$13.7 billion for consumers—and it would lower CO₂ emissions and other air pollutants by the equivalent of taking 22 million cars off the road.

So as Senator PORTMAN said so well, this is a win for job creation, it is a win for the environment, it is a win for national security, and it is a win for saving costs.

Senator PORTMAN talked about the importance of continuing bipartisan efforts as we saw this week with passing a budget. As did Senator PORTMAN, I supported that budget as well, despite some of the misgivings I had about it, but I think it was important to work together to move forward on addressing the issues we face in this country. That is exactly what the Energy Savings and Industrial Competitiveness Act would do. It is a bill that will create jobs, lower pollution, and save taxpayer money.

We had a great opportunity to pass this legislation back in September. Unfortunately, we saw some people come to the floor and object because of non-relevant amendments. But we have an opportunity to come back to it in the new year to try to pass it again. I am hoping we can do that.

One reason we are on the floor today is to talk about that second opportunity we are going to have. Senator PORTMAN and I have been working on some of the bipartisan amendments offered for the bill, and we are hopeful some of our colleagues who support those bipartisan amendments, who have authored them, will come on

board with this legislation and help us get this passed in the new year.

As Senator PORTMAN said, to date, this legislation has more than 260 endorsements from groups that include business, the environment, think tanks, and trade associations. Supporters include everybody from the U.S. Chamber of Commerce, the National Association of Manufacturers, the Natural Resources Defense Council, and the International Union of Painters and Allied Trades. I think any time we can get the Sierra Club and the American Chemistry Council supporting a piece of legislation, we know we have a good bill that can attract a lot of support. That is where we are in this legislation.

As we know, passage of the bill was delayed by a small group of Senators back in September. But I think there still remains a real interest in debating energy efficiency policy on the floor of the Senate. We have also heard from the House that both Representatives FRED UPTON, chair of the House Energy and Commerce Committee, and ED WHITFIELD, chair of the relevant subcommittee with jurisdiction over energy efficiency, have expressed interest in Shaheen-Portman and have said they will move energy efficiency legislation if the Senate passes a bill.

Since the bill was taken off the floor, Senator PORTMAN and I have continued to work with Chairman WYDEN. He was here a few minutes ago and plans to come back, hopefully, to speak to the legislation. We have been working with Ranking Member MURKOWSKI to incorporate some of those relevant bipartisan amendments that have been cleared by the committee, which I talked about a few minutes ago. If we can do that—if we can include those amendments—it would make the legislation even better, and it would secure additional support necessary to ensure passage. It would allow us, I hope, assuming the leadership agrees, to bring this bill back to the floor.

I am confident we can pass this legislation if we can get it back to the floor. It has bipartisan, bicameral support. It is exactly the kind of smart, affordable energy and jobs bill Congress needs to pass and the President needs to sign in order to spur private sector growth, in order to save on costs of energy, and in order to address some of the environmental issues we are facing.

So I thank Senator PORTMAN, as well as Chairman WYDEN and Ranking Member MURKOWSKI, for all of their help in working with us to promote this legislation and advance the bill. I really look forward to working with those 260 groups, which also include the Alliance to Save Energy—and it is important to recognize them for their support—to be able to bring this bill back, to get it through, and for the first time since 2007 to get some energy policy done in the Senate.

So I thank the Chair. Thanks to my colleague, Senator PORTMAN, we will be back after January.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

DAVIS NOMINATION

Mr. NELSON. Mr. President, I know we are awaiting the arrival of Senator JOHNSON.

I wish to take a moment to express my appreciation to the majority leader for including in the items we will be handling before we adjourn for Christmas the confirmation of Judge Brian Davis to the U.S. District Court for the Middle District of Florida.

Judge Davis has been waiting for 2 years. This is a good example of how things have gone very slowly for a very deserving judge. He has been waiting for 658 days. He has the support of Senator RUBIO and myself. The American Bar Association has found him to be unanimously well qualified to serve on the Federal district court, and it is the ABA's highest rating.

Judge Davis is a native Floridian who grew up African American in segregated Jacksonville, FL, and despite those circumstances was accepted to Princeton for his college education. He returned later to the University of Florida Law School and then became a top prosecutor in Jacksonville and 20 years ago went on the bench as a State circuit judge. He has an impeccable record. He is, in a huge bipartisan way, embraced by the lawyers who have practiced in front of him. Yet it has taken 658 days.

I thank the majority leader and I thank the Senate. I thank Senator GRASSLEY, who initially had concerns, but when he looked at the record he had an open mind, and then he saw the character, the quality, the excellence of Judge Davis.

There are 37 judicial emergencies around the country, and two of them are in the Middle District of Florida where Judge Davis is, and three of them are in the Southern District of Florida. The courts are overburdened, and we need to fill these vacancies.

So I thank the Senate in advance for giving this good man, this excellent jurist, the opportunity to serve in a greater capacity, to serve his country. I want my colleagues to know this is a great Christmas present for me, but it is nothing compared to the Christmas present it is going to be for Judge Brian Davis and his family.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

YELLEN NOMINATION

Mr. JOHNSON of South Dakota. Mr. President, I rise to speak in support of Dr. Janet Yellen to be chair of the Board of Governors of the Federal Reserve System.

As we continue to recover from the worst economic crisis since the Great

Depression, we need a strong and thoughtful chairman of the Federal Reserve. We need a chair who has learned from our economic successes and mistakes over the past several decades. We need a chair who understands how monetary policy affects the everyday lives of Americans seeking employment or saving for retirement, and we need a chair who understands the importance of implementing Wall Street reform to promote financial stability. Dr. Yellen has all of these qualities, and she is ideally suited to be the next Fed chair.

Dr. Yellen's experience is unmatched. She currently serves as a member and vice chair of the Board of Governors. She previously served as a member of the Board of Governors in the 1990s. She was chair of President Clinton's Council of Economic Advisors, and she served 6 years as president of the San Francisco Fed.

Dr. Yellen also has an impressive academic record. She is a professor at Berkeley's Haas School of Business and was previously a professor at Harvard University, as well as a faculty member at the London School of Economics. Dr. Yellen graduated summa cum laude from Brown University and received her Ph.D. in economics from Yale.

Dr. Yellen has written numerous research papers on the labor market, unemployment, monetary policy, and the economy. Her expertise in these areas, including her understanding of the relationship between Fed policy and the labor market, would be valuable as we chart the course back to full employment.

But my colleagues do not have to take my word for it. Dr. Yellen's economic expertise is borne out by the facts. The New York Times recently noted that she was "the first Fed official, in 2005, to describe the rise in housing prices as a bubble that might damage the economy." She was also the first, in 2008, to say that "the economy had fallen into a recession."

The Wall Street Journal recently analyzed 700 predictions made between 2009 and 2012 in speeches and congressional testimony by 14 Federal Reserve policymakers and found Dr. Yellen was the most accurate.

At her confirmation hearing, Dr. Yellen displayed her impressive understanding of our complex 21st-century economy. She showed that she understands the complexities of Fed policymaking, and that—although abstract to many—monetary policy has ripple effects that affect the everyday lives of workers, savers, small businesses, and job seekers.

Dr. Yellen has proven through her extensive and impressive record in public service and academia that she is most qualified to be the next Chair of the Federal Reserve. We need her expertise at the helm of the Fed as our Nation

continues to recover from the great recession, completes Wall Street reform rulemakings, and continues to enhance the stability of our financial sector. I am excited to cast my vote to confirm her as the first woman to serve as Chair of the Federal Reserve, and I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, before my colleague leaves the floor, I thank him for his leadership of the banking committee in the Senate for now several years and his commitment to try to find the right regulatory framework for the largest banks in our country as well as our community banks. I think the chairman has had a lot of challenges, as we all have, and I thank him, and for his strong advocacy of this particular nominee and for his help on so many issues, one of which I am going to speak about now with my colleagues from Florida and New York.

NATIONAL FLOOD INSURANCE PROGRAM

Mr. President, many of us on both sides of the aisle, from all parts of the country, have been working very hard for the last year—and some of us even longer than that—to try to present good, solid information to the Senate and to Congress about how important the National Flood Insurance Program is in many different dimensions, first of all for those who live along the coast, which is 60 percent of our population in the United States, and those who live on inland waterways, whether it is in the Presiding Officer's State of New Jersey or in States such as Pennsylvania, New Mexico, North Dakota—not near any ocean—or whether it is in States such as Florida or Louisiana that do sit, in Florida's case, on the Atlantic, and in our case the Gulf of Mexico.

This is a very important issue because our businesses and our families have to have a system of very strong levees, smart building codes, and ways of building and expanding our communities with a good flood insurance safety net, if you will, or security net, along with levees that do not break as they did in New Orleans in 52 places and three-quarters of a great international city of half a million people in a region of almost 1.2 million virtually went underwater. We have to do better than that because we are the greatest Nation in the world, we are the greatest economy, and this is an important issue for the Nation.

Some of us in places such as these spend a lot of time thinking about levee infrastructure, flood protection, all of the different pieces. It is not just one piece. Insurance is a very important piece, as my colleague from Florida will explain in a minute. He was a former insurance commissioner and knows this as well as anyone in this body. But flood insurance is one piece

for Americans, some of whom live in low-lying areas, some in flood-prone areas, but they have been there a long time—like 300 years in our case. They did not just move down here in the 1980s. We have been here since the 1780s and the 1680s. So we have been here a long time as a country. We have built up a protection, if you will, of good, solid affordable flood insurance over the last 40 years. We have been building levees a long time. Thank goodness we are building more of them and building them better because our people need them and we could all use more of those. I try to provide funding for that every chance I can as a member of that Appropriations Committee.

Contrary to some of our critics, we are promoting very good policies in this country about smart growth, how to build stronger, higher, more resiliently. We are not blind to the challenges. But we have right now before this body a flood insurance bill that will fix the most pernicious parts of a "reform bill" that was passed 2 years ago called Biggert-Waters with all the best intentions, but it had disastrous—disastrous—consequences for people in New Jersey, Florida, New York, Louisiana, and Texas.

There are 5 million policies.

I want to put up one chart, and then I am going to turn it over to the Senators who want to join me. But because critics say this is just a Louisiana issue or this is just a Florida issue or this is really not about anything other than coastal States, let me put that to rest. That is not factual. It is a damaging myth. You can see here on this chart that all of the flood maps in effect are in purple. These are Mardi Gras colors in honor of our season coming up after Christmas. But these are the flood maps in purple that exist as of July 12. These are proposed flood maps in green and new flood maps in yellow. Literally, there will not be a State in the Union—not one State in the Union; not one—that is exempt from the requirements of Biggert-Waters to produce new flood maps, some of which have not been produced for decades, putting communities that have never been in a flood zone, in a flood zone and then having these pernicious pieces of Biggert-Waters say: OK, you have never flooded, you have never been in a flood zone, but let me tell you, when you put your house up for sale, your rates are going to go up 10 percent. It is like stealing, taking—whatever word you want to call it—the equity right out of someone's home. It is unconscionable, and it must be fixed now—not a year from now but now. These rates have gone up in October, in January.

So I am here to say a couple of things. This is a national issue, No. 1. No. 2, we are very proud of putting together a great coalition. The leaders of this coalition are Senator MENENDEZ

from New Jersey, the Presiding Officer's senior Senator, who has worked so hard; and our Republican leader, for whom everyone has a lot of respect, is JOHNNY ISAKSON from Georgia, who is recognized as an expert in the real estate markets of this country. It is his expertise. We should listen to him when he says real estate markets are going to take a terrible hit if we cannot fix this.

The final point is that this is not just to help homeowners and businesses; it is also to save the program because, as CHUCK SCHUMER, the Senator from New York, has said many times, if we do not fix this, not only will people not be able to afford the insurance but because they cannot, the program will collapse under its own weight of inaccessibility and unaffordability, and then the taxpayers are going to pick up a bigger tab.

We could not make any clearer, stronger arguments. A coalition has come together. We have 60 votes.

I see my colleagues from Florida and New York. I do not know what their schedules are in terms of time. The Senator from Florida is well-versed. Again, as through the Chair, the Senator from Florida served, before being a Senator, as an insurance commissioner. I would like for him to add a word because our goal today is to acknowledge that, unfortunately, because of the difficulties we are having on process, we are not able to get a vote, it looks like, before we leave, but we are under the understanding—and I want to ask the Senator—that Leader REID has agreed to call this bill up for a vote, for a cloture vote, in which we have accepted the 60-vote threshold. We believe we actually have more than 60 votes. We just need to get it up when we come back in early January.

Through the Chair, is that the Senator's understanding?

Mr. NELSON. Mr. President, it is my understanding. But in the newfound felicity and spirit of the season, wouldn't you think that since the real estate market along the coast has dried up—why? Because if you cannot get flood insurance because you cannot afford it, you cannot get a mortgage. If you cannot get a mortgage, there are a lot of folks who cannot buy a house. By the way, those who need to sell their houses cannot get the buyers. So what happens to the real estate market in places such as the Tampa Bay region of Florida, as chronicled by the Tampa Bay Times—an example that a homeowner's present flood insurance premium is \$4,000; under the new bill, \$44,000. That is unaffordable.

What we are merely asking for is that FEMA do an affordability study while this is delayed for a few years to determine what is the affordability.

If this is supposed to be actuarially sound, then that came as a result of huge losses to the program because of

an unusual thing—not a hurricane called Katrina but because the waters rose, it put pressure on the dikes and it breached the levees, and that flooded the bowl called New Orleans, and that caused lots of economic loss, and they are figuring all of that in the flood insurance premiums. And oh, by the way, 40 percent of all those flood insurance policies are in my State of Florida.

Before we hear from the Senator from New York, I want to say this: Floods come from many sources. Obviously, floods come from hurricanes. People used to think hurricanes were Florida's problem. Well, now we know, because of the experience on the gulf coast, they can do an awful lot of damage in many different ways.

But oh, by the way, people up in the Northeast suddenly realized hurricanes are a problem. Why? Because the ocean temperature is rising, and when the water gets warmer, the frequency of the storms is more and the ferocity of the storms is greater. Thus, in a time when it is normally cool water, cold air temperature, all of a sudden we have a major storm that comes to a part of the country that is completely unprepared, and now not only do you have all the damage from the water and the wind—and think what happened all the way up into New England, all the way up into Vermont. You heard about all those rivers that suddenly completely overran and inundated that little town with a lot of water, and they are calling this a thousand-year storm.

But the 1,000-year storm happened a year ago. I am not here to speak about climate change, on which I certainly think we better get our heads out of the sand. I am here to talk about an immediate problem for the people all up and down the coasts of the United States; that is, the affordability of flood insurance. Why would not our colleagues give us a little Christmas present since we have over 60 votes in the Senate, and let's give some hope to those homeowners back home who now cannot afford flood insurance.

I want to hear from the Senator from New York who has been a leader, and his State has suffered. Fortunately, it is going to take folks like him and the great Senator from Louisiana to keep beating this drum to bring some relief to our people who are desperate.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I want to echo the outstanding words of my colleagues from both Florida and Louisiana. They echo the views of many. Everyone says the public is exasperated with the Congress. Our approval ratings are low. They are. Why? It is simply because when huge problems occur that affect ordinary people, we seem paralyzed. What is happening with flood insurance embodies what I am talking about. Average home-

owners who purchased flood insurance through the years for \$800, \$1,000, are now being hit with bills of \$4,000, \$5,000, \$6,000. If you are rich, that is nothing. But the vast majority of people who have flood insurance, whether they live on the oceans in my State or the State of the Senator from Florida or on the gulf of the State of the Senator from Louisiana or on the bodies of water such as the Mississippi or Missouri Rivers, are not wealthy people. You tell them all of a sudden out of the clear blue they have to pay \$4,000, \$5,000, \$6,000 for flood insurance, they do not know what to do. It is a crisis for them. They say to us: Congress, fix this.

This is what we are supposed to do. So in their wisdom, the Senator from New Jersey, the Senator from Louisiana, the Senator from Georgia, the Senator from Florida, myself, many others have come up with a proposal that says: We know flood insurance is broken, but we do not want to see it broken on the backs of average homeowners. We have a plan that will delay these increases until 2017, while FEMA studies affordability, and while Congress reexamines this issue.

There was an affordability study in Biggert-Waters. Somehow FEMA ignored it. We are not letting that happen. So that is why we have to act here. There are three types of people who are in danger. The first are those who know or are about to know they are going to be hit. They have flood insurance already and their costs are going to go way up. The vast majority are middle-class people.

The second are those who will be told: Your insurance will not go up, but when you sell your home it is going to go way up. Any bureaucrat who tells us, well, that does not affect the average person—it affects the value of their home immediately. But it also says they cannot sell their home. In my area, if flood insurance is going to be \$8,000 or \$10,000 or even \$20,000 a year, who is going to buy the home, except at a greatly reduced value?

But, my colleagues, there is a third group. They do not know who they are. FEMA is changing flood maps throughout the country. They will get to your State, unless maybe Utah or a State such as that does not have any flood insurance. I do not know. But the vast majority of our States that either bound the Great Lakes, the Pacific Ocean, the Atlantic Ocean, the gulf, the great rivers—the Mississippi, the Missouri, the Ohio, the Platte—are all going to be affected.

A year from now your constituents are going to come to you and say: Stop this. This will affect the overwhelming majority of States and Senators, even if they do not know it now. So our solution is not an ideological solution, it is not a solution that picks one side or the other. It says: Put a moratorium on this until we can figure it out in the

right way that does not put the burden of flood insurance solely on the backs of people who cannot afford it—average folks.

In my State—my good friend from Florida mentioned it—we have people who have struggled to fix their homes from Sandy, spending tens, even hundreds of thousands of dollars. Then all of a sudden they are hit with a huge flood insurance bill. They are already in debt.

That is not fair. Just when they move back finally into their homes, FEMA comes in and tells them in a year or two they cannot afford to live in those homes they fixed. That is intolerable.

The bottom line is simple. We have a good piece of legislation. We would hope we could pass it by unanimous consent, as my colleagues from Florida and Louisiana said, as a nice Christmas—not present, because it is not a present. These are people who deserve to have this. But it is a nice Christmas thought. But if not, we will come back in January. That is my expectation. That is what the leader has told us. We are willing to go through a cloture vote and bring this legislation to the floor. We expect and hope that we will get the same kind of bipartisan support that has helped us put this bill together with Senators from every part of the country.

I would say to homeowners: It is my hope and prayer and indeed expectation, although around here expectations sometimes are not met, that we will have this bill on the floor and then passed so that homeowners, millions of homeowners across America, can breathe a sigh of relief; they can stay in their homes, and flood insurance will be amended in the right way.

Ms. LANDRIEU. Will the Senator yield for a question?

Mr. SCHUMER. I would be happy to yield for a question.

Ms. LANDRIEU. Through the Chair, could the Senator explain a little bit more clearly for so many people who are listening to what we are saying this morning, because the Senator has been around here a while in leadership. When the leader, HARRY REID, rule XIV's a piece of legislation, how sure are we that we are going to get what is required and can we be—I have been saying I am very confident this vote will occur sometime in a week or two when we get back. What is the Senator's understanding?

Mr. SCHUMER. My understanding is just that, that in the—even possibly in the first week when we get back, that the leader, having rule XIV'd it, which means he can bring it to the floor right away, can put it on the floor and, of course, then people can demand—those opposed—that we invoke cloture so we can proceed to the bill and then vote on the bill. But if we have 60 votes, we will be able to meet that cloture barrier. So it is my understanding the

plan is to actually do it as soon in January as the first week we get back, which I believe is January 6. If we cannot do it then, we will be pushing very hard to do it shortly thereafter.

Ms. LANDRIEU. Is the Senator aware of a comparable effort going on in the House? The Senator has been at a couple of news conferences with us. Could the Senator maybe speak for a minute to explain, does he think there is pretty good support building in the House of Representatives from the Senator's delegation in New York as well as other delegations the Senator might be aware of?

Mr. SCHUMER. I thank my colleague for that question. Exactly. This is affecting so many people in so many parts of the country. It does not affect just Democrats or Republicans, conservatives or moderates, Independents or liberals. The support is building daily. Senators and Congress Members are getting calls from their constituents pleading with them to do something.

So it is my view, it is my understanding that the House is undertaking a very similar piece of legislation. I would expect it would pass the House, where they do not even need the 60-vote majority. I know in my delegation it has bipartisan support. As I understand it, in most delegations it has bipartisan support.

Ms. LANDRIEU. To the Senator from Florida, through the Chair, what is the Senator's understanding of the Florida delegation? The Senator has one of the largest States in the Union and has one of the largest delegations. Is it something that the Senator is sensing people are becoming more and more aware of, not just from the coastal counties but throughout all parts of Florida?

Mr. NELSON. Mr. President, in response to the Senator, the Florida delegation is clearly united in recognizing that if you cannot sell your home because you cannot get a mortgage, because the bank requires flood insurance, and you cannot afford the flood insurance, the real estate market starts to dry up. In a State such as Florida, the real estate market is one of the main economic engines that fuel the ability of people to have work and to be able to support their families. As a result, we are seeing in places along the coast with—taking examples: That was a tenfold increase from 4,000 to 44,000, a flood insurance premium, told by the Tampa Bay Times. It is not only ridiculous, it is stunning to the point that people cannot believe something is facing them in their personal lives with their homes that could be so easily taken care of if we could get the approvals to get the legislation we already have 60 votes or more for. They cannot believe people are opposing bringing up this legislation to fix what is so obviously in need of fixing.

Ms. LANDRIEU. I thank the Senator from Florida. I would ask unanimous

consent if we want to extend our colloquy, but I think I am going to wrap up with a few remarks for about 5 minutes.

I see the Senator from Texas on the floor and he may want to speak. But let me put a couple of startling facts in the RECORD.

There are over 450 counties, parishes, and boroughs which are located directly on open oceans, the Great Lakes, major estuaries, or coastal flood plains. We know from our geography that there are over 3,144 counties—parishes in our case, boroughs in some—in the country. But this is the important fact here. In 2010, these coastal counties contributed more than \$8.3 trillion, which is 55 percent of the national economy. I want to underscore that and highlight its importance. We have 3,100 counties. But there is a subset of those counties which is mostly affected by this particular issue, flood control and flood protection, that produces 55 percent of the GDP for this country.

So, yes, this is a homeowner's issue, it is a middle-class issue, it is: They are suffering, let's relieve the pain. But it is also: We better wake up and realize the economic impact this is going to have on the entire country if this is not fixed. This is not about millionaires on a beach. It is about the future of the economic strength of America.

I cannot be more emphatic about that. It is not overstating our challenge. This is not about millionaires. It is about the middle class. It is about the middle class who need affordable insurance so they can live where they need to work—let me say that again: Live where they need to work—not rest where they need to vacation. There is a big myth here that flood insurance is about resting on vacation.

Flood insurance is about working hard where you need to work to keep this economy moving forward. Nothing could be more clear than in the State of Louisiana, but this is true in Texas, this is true in New Jersey, this is true in many places, in California, in our country.

People live near the water to harvest seafood, to produce domestic energy, to manufacture and transport the goods necessary to keep this economy moving.

If we shut down these communities because of a capricious law such as this that was not well thought through, that was not fully debated the way it should have been throughout this Congress, we are jeopardizing the dreams of not only these particular homeowners and business owners, but—and people will hear this from me—we are jeopardizing the future of the economy in the United States.

We cannot let this get any further than it has gone or we will start feeling the ramifications. Again, this is not flood insurance for people resting on vacation. This is flood insurance for

people working every day because they need to live where they work to do the jobs our economy requires.

I showed this flood map graph a few minutes ago, which is where all of the flood maps are going to be. No State is exempt, not one—clustered in some areas, more than others, but not one State is exempt. Heads up to Oregon, Washington, California, Pennsylvania, Michigan, of course, the east coast, the gulf coast, and everywhere in between.

But this is where levees are. I know a lot about levees. Unfortunately, I have to know a lot about them because we have a lot of them. They break too often and breach too often. I am trying to figure out ways to build them higher and better with nickels and dimes and trying to piece them together. I was surprised there are levees in other parts of the country that I was not aware of. This is a big issue, flood protection, particularly with our sea levels rising, the weather patterns getting more erratic, flash floods happening in deserts.

Colorado is not even around an ocean. How could we have millionaires on a beach when there is no beach? I mean, there are millionaires in Colorado, but there is no ocean. This visual some critics have painted is so wrong. It is so distorted.

What Colorado does have—and look at Arizona—they have these flash floods, important flood controls for people who even live in dry parts of our country. We have to fix this.

The great news is we have a bill that is broadly supported by both Republicans and Democrats. I am sorry there is seemingly one objection from the other side, a Republican Senator from Idaho. Many colleagues are talking with him about lifting his objections. If he has suggestions for amendments, we are flexible, we are open to hear any reasonable suggestions.

We have more than 60 votes. Around here, in the old days, when we had 60 votes, we could do a lot.

Unfortunately, there are some people who think we have to have 100 votes to do anything, and that is a big problem. It is a big problem for our democracy because that is not the way it was structured to be.

However, we are going to continue to work. I thank the coalition. I wish to read a couple of things into the RECORD, and I will turn the floor over in a minute.

I have on my Web site—and I have encouraged Senators to have "My Home My Story." There are literally hundreds every day that come into my office with a picture of the house and their individual stories. I think it is worth reading one or two into the RECORD briefly.

This is from the New Orleans area where there are 303,000 policies. This particular story is from Jefferson Parish, a suburb of New Orleans, which has

the most insurance policies of any parish of our State.

Richard of Metairie writes:

My wife and I purchased it as our first and so far only house in the fall of 1997.

We put down roots, befriended our neighbors, hosted family gatherings, and celebrated the birth of our daughter.

If the rate increases we're hearing about go forward, you will have succeeded in doing what Katrina didn't; break the back of Southeast Louisiana.

Homes will be unsellable, businesses will shutter, banks will fail from the doubtless tens of thousands of defaults that will occur as people simply walk away from their now worthless homes.

I don't know how much clearer we could be, and this is not an exaggeration. The data shows it. The coalition has proved it. We are building tremendous support, and I can only hope we vote as soon as possible within the first week of coming back.

Wendy of Metairie, another person from Jefferson Parish, says:

I built my house 3 feet above required base flood elevation in 1998.

Now with elimination of grandfathering, I will be paying \$28,000 per year for flood insurance.

Why should we be penalized for building our houses in compliance?

That is a very good question, and I don't have an answer for her other than to say we hear you and we are changing the law. It was poorly designed, it can be fixed, and it should be fixed.

Finally, from Baton Rouge, which is our capital city now, because so many people were literally flooded out of New Orleans in the southeastern part of the State. Baton Rouge is now the largest city, almost 500,000 people.

Ken writes:

My wife and I live on Social Security and a small annuity from my work.

We have lived in this house for 37 years.

All our bills take almost all the income.

We constantly look at our finances to see if there is anything else we can cut or reduce.

An increase in flood insurance may increase my house note beyond our capacity to pay for it.

Brian of Baton Rouge writes:

My house was built in 1969 before there were flood maps.

I accepted a job in TN, I thought my house would sell.

I have a neighbor who wants to buy my house, but they have withdrawn their offer since they found out how much flood insurance will be.

Flood insurance rate hikes on this single property affects 3 families; my family, the family I want to buy from, and the family that wants to buy my house.

I wish to underscore this and then I will end. I wish everyone to get a picture of the 5 million people caught in this web. We think: Well, we have a lot of people in America with 350 million. This is 5 million. Let's say 2 per house. That is only 10 million. This is a very small number compared to 350. Maybe we don't need to pay attention to the 10 million people.

But every home has a buyer and a seller. Most every home has a bank. Most every home has a worker or two or sometimes three in that house. It is affecting so many businesses. If this gentleman can't get his finances straight, he will leave his job in Tennessee. The business in Tennessee that is not anywhere near an ocean will be affected.

I know I sound a little bit like a broken record, and I don't mean to, but this is serious for the whole country.

I wish to end by thanking HARRY REID for understanding, for hearing us amidst all of the yelling and screaming that is going on around here about this and that. He has been able to focus and understand that this is an important bill for the country. He has agreed to use his power—which he has only; only the leader has this power—to pull the bill from the calendar. He has promised us he will do that the first week we get back, and then it is our job to deliver the 60 votes to pass it. If we don't get 60 votes, the bill will fail and it will be a terrible shame.

I don't think this bill will fail because I know how important this issue is for every single Member of this Senate. I know they are hearing from their middle-class homeowners, lower income homeowners, businesses, bankers, and realtors. All I can say is we are going to have to work over the holidays—unfortunately, we would like to rest but no rest for the weary—and we are going to have to work hard to convince many people so we have a successful vote when we get back.

I have hundreds of personal requests I received. I know Senator VITTER has received the same. I thank him for his help as well. Again, this is a Democrat and Republican working together to get the job done.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Republican whip.

Mr. CORNYN. As we all learned in civics class in high school, the purpose of the Senate was to ensure that every State in the Nation had at least two votes on important matters that might affect not only the country generally but also our States. Some of us represent small States and some of us represent large States.

I am privileged to represent one that has 26 million people in it, and we are growing by roughly 1,000 or more people a day. They are moving to Texas because that is where the jobs are. Our economy is prospering relative to the rest of the country because, as I like to tell my friends in this Chamber from time to time, we still believe in the free enterprise system in Texas and the private sector that creates jobs, opportunities, and where people can move to pursue their American dream.

Regardless of which party we come from or which part of the country we come from or who controls this Cham-

ber, the Senate has historically recognized two fundamental rights; the right to debate legislation and the right to offer amendments to legislation.

When those rights are denied, our constituents—particularly of those of us who are serving in the minority—are essentially severed. They lose their voice. They lose their opportunity to have their views represented in the amendment process, the shaping of legislation that could be improved or not.

We know that when the minority voice is quashed—as this majority leader has done time and time again—and when minority rights are trampled, the Senate becomes a very different place indeed. We have become a place where mistakes get made, where purely partisan legislation is passed. The most obvious current example is ObamaCare, which was jammed through this body on a party-line vote in the House and in the Senate.

People are finding out that if they like what they have, they can't keep it. Families of four will not see their premiums go down by \$2,500. That is the kind of thing that happens when the majority succumbs to the temptation to jam things through without giving the back-and-forth opportunity, the deliberation that national legislation—legislation that will affect all 300-plus million Americans—should have.

When the majority leader denies those rights and those opportunities or those sorts of checks, balances, and the natural correction that comes from building consensus in the Senate and instead resorts to a partisan power play, mistakes get made and people get hurt.

Since the majority leader has taken that role, Senator REID, the senior Senator from Nevada, has filled the amendment tree more than 70 times.

For those who get bored at the concept of Senate procedure and how the Senate's rules actually work, I wish to say what that means is effectively the majority leader has denied the opportunity to offer any amendments to legislation by "filling the amendment tree." That is the way he actually accomplishes that.

By comparison to this majority leader who has done it more than 70 times since he has been majority leader, the previous majority leader, Senator Bill Frist of Tennessee, did it 12 times in 4 years. Before him, majority leader Tom Daschle only did it once in 1½ years. Majority leader Trent Lott of Mississippi did it 10 times in his 5-year tenure as majority leader of the Senate. Majority leader George Mitchell did it only three times in 6 years and majority leader Robert C. Byrd did it only three times in 2 years.

In other words, this used to be an extraordinarily rare use of the tool that the majority leader has to block amendments to legislation. Majority leader Bob Dole did it seven times in 3½ years, about once every 6 months.

By contrast, Majority Leader REID has done it 70 times. What recourse does the minority have when they are blocked out of the legislative process on the Senate floor? The only tool we have available to us is to block cloture because it still takes 60 votes to get to a final passage of legislation. But when the minority exercises its rights, then we are called obstructionists. Because the majority leader has blocked any amendments and denied us an opportunity to have a choice in shaping legislation, the only recourse we have is to say that 41 Republicans will stick together and block the legislation, and, hopefully, set up a negotiation. But what happens more often than not is it is a politically posturing exercise and the majority leader will pull the bill down and rail against the minority as obstructionists. Well, this is a manufactured crisis.

This place did not always work the way it does now. Last month this resulted in an unprecedented power grab by our friends across the aisle when they violated the Senate rules in order to further weaken the rights of the minority and to help President Obama turn the second most important court in the Nation into a liberal rubberstamp. I am talking about the D.C. Circuit Court of Appeals. Notwithstanding the fact this court has the lightest caseload of any of the circuit courts, the intermediary appellate courts in the Nation, it literally doesn't have enough work to do, while there are other judicial emergencies both at the district court and at the appeals court level that need additional judges—but because this court is the one that reviews many of the administrative regulations issued by the Department of Labor, the Environmental Protection Agency—in other words, they are the ones that will do the review of ObamaCare regulations or Dodd-Frank regulations—the President and his allies saw this as an essential way to stack the court in a way that will rubberstamp his agenda.

So what happened is the majority leader decided to further erode or basically deny the minority any right in the process for executive nominations and judicial nominations and said: You know what. With 51 Democratic votes, we can do anything we want—anything—when it comes to nominations.

By using the so-called nuclear option, as it has been called, the majority leader and his allies went against the advice of some pretty wise Members who have been in the Senate for a long time, and I am thinking particularly about the Senator from Michigan, Senator LEVIN, who has served for six terms in the Senate and who is going to be retiring at the end of this next term.

Prior to that vote, Senator LEVIN warned his fellow Democrats not to take up the nuclear option, to leave it

on the table and to walk away, because he said pursuing the nuclear option in this manner removes an important check on majority overreach, which is central to our system of government. It is the checks and balances that are so important that Senator LEVIN was talking about.

I know most people get bored when talking about the process by which things happen here or don't happen or the Senate rules, but they happen to be pretty important to our democracy and demonstrating respect for minority rights. And when minority rights aren't respected, we make some pretty bad mistakes, and I am thinking about two of them right now.

We are currently debating the Defense authorization bill, which is a very important piece of legislation, because this is the authorization given to our national security agencies, particularly the Department of Defense, to be able to function and to keep our country safe. Yet once again, the majority leader is refusing any amendments to this underlying piece of legislation, including an amendment which would address the military pension cuts that were part of the recent budget agreement that passed yesterday.

It was amazing to hear the mock horror of people in this Chamber when they found out that our Active-Duty military were being discriminated against and punished by the budget agreement that was passed yesterday to the tune of roughly \$6 billion over 10 years. In other words, among everybody else in the Federal Government, they were singled out for worse treatment and were not grandfathered in to the pension reforms that were part of this deal for other Federal Government employees.

This is one of the things that happens when things get jammed through: Mistakes are made and people get hurt. In this instance, the people who happen to get hurt are those who wear the uniform of the U.S. military and who have served with great hardship in places such as Afghanistan and Iraq. Some of these people have suffered the wounds of war—lost a leg, lost an arm, suffered traumatic brain injury or post-traumatic stress syndrome. What is the majority leader's answer to our attempt to fix that mistake in that legislation? You are out of luck. And not just those of us who are trying to fix it, he is telling those wounded warriors: You are out of luck.

So when power plays take place in the Senate, when minority rights are denied and an opportunity to amend and improve and fix mistakes in legislation because of this power play by the majority leader, and the majority party that supports him, people get hurt. These pension cuts will impact veterans across the country. As I said, they will even impact combat wounded veterans who have been medically re-

tired. This is a provision my colleague from Washington State, the Senate Budget Committee chair, called a technical error.

As I said, not surprisingly, Members of both parties have come to the floor since this was highlighted and they have called either for rescinding those cuts to the pension benefits of our Active-Duty members or those who have been medically retired or they have proposed to come up with alternative measures to reduce the deficit by a commensurate amount. At the very least, the military retirees who have already sacrificed so much for our country should have been exempted. Well, they weren't.

I am encouraged there has been some talk across the aisle about acknowledging the problem and the mistake. Yet instead of taking action today or yesterday, when we passed the budget deal that discriminated against other Active-Duty military, we were told: Just wait until next month; we will take care of it then.

It sort of reminds me of why the most feared words in the English language are sometimes said to be: Don't worry, we are from the government. We are here to help.

These wounded warriors need more than our rhetoric. They need our action. And they are the ones who are being punished by the strong-arm tactics of the majority leader and the majority party. Why should they have to wait? We know things don't always happen on schedule around here. There is time as the world knows it, and then there is Senate time, and those are very different things.

Shouldn't we do everything possible now, today, to make sure these folks have peace of mind, particularly during this season of the year? If it was a technical error to include military retirees in the pension cuts, why are we not fixing the problem today? There is no good reason. There is zero good reason.

These kinds of strong-arm tactics need to be called out. Because while some people seem to think these are technical rules of the Senate and they are bored by them—the press doesn't want to write any stories about them—what I am here to say is that people get hurt by hyper partisanship and strong-arm tactics in the Senate. People get hurt.

Let me tell you about some other folks who are being shown disrespect as a result of the strong-arm tactics by the majority leader. I have introduced legislation that would allow for medals to be awarded to members of the armed services and civilian employees of the Department of Defense who were killed or wounded in an attack perpetrated by a home-grown violent extremist who was inspired or motivated by a foreign terrorist organization.

Of course, what I am talking about is what happened about 4 years ago at

Fort Hood, TX, when MAJ Nidal Hasan, who had been radicalized by a Muslim cleric the President subsequently put on his kill list, and who was killed in a drone attack in Yemen—Anwar al-Awlaqi. Nidal Hasan had communicated with al-Awlaqi more than 20 different times by email, and over the years he had shown increasing tendencies to blame the United States for what was happening in the Middle East. He basically ended up declaring war against his own country, even while wearing the uniform of the U.S. Army. Hasan killed 12 people in Fort Hood, TX—Killeen, TX—while standing up and yelling “allahu Akbar,” the cry often used by suicide bombers and other terrorists in the Middle East and elsewhere.

Clearly, this was not a case of workplace violence. That is what the government called it: workplace violence. This was a terrorist attack, pure and simple; no more, no less than what happened that killed 3,000 Americans on September 11, 2001. And we know what the U.S. Government did in 2001, quite appropriately, in my view. The Secretary of Defense exercised his discretion to award Purple Hearts and the appropriate and commensurate benefits that go along with being casualties of war. That was war being declared against the United States. And the U.S. Congress issued an authorization for the use of military force, recognizing it as an act of war.

But when I tried to offer this amendment to recognize the loss of life in the line of duty of 11 military members and a Department of Defense contractor being awarded the Medal for the Defense of Freedom, which is sort of the civilian equivalent to a Purple Heart, when we sought to make sure the 30 other people who were shot but who survived would also be recognized and given the appropriate benefits, what was the response of the majority leader of the Senate? Well, about the same as it was for those military pensioners—the people who are wearing the uniform today and are hoping to accrue a retirement they can live on when they leave the military service. The majority leader's response to both the victims at Fort Hood and to Active-Duty military with regard to their pensions that are now being cut back as a result of the vote yesterday, was exactly the same: Tough luck. Tough luck. I don't care.

As I said earlier, while people may not care about the Senate rules and the traditions of the Senate, while they may not recognize this power grab that resulted in an unprecedented trampling of minority rights in the Senate, when these sorts of partisan power grabs happen, people get hurt.

The ones most people feel today are the broken promises of ObamaCare, which passed on a party-line vote in the Congress.

Mistakes get made. People get hurt. But today the people who are getting hurt the worst are the people we ought to be most concerned about—those who lost their lives in the line of duty in the war on terror, those who have been injured and survived those wounds, and those who keep us safe by fighting our Nation's wars. These are the people being hurt today.

I will support the underlying Defense authorization bill, but I did vote against closing off debate yesterday because I felt the denial of the opportunity to offer amendments and the opportunity to vote on important corrections to the bill, which I described a moment ago, was a terrible mistake. But those cries for rationality and reason were simply ignored.

I will vote for the underlying Defense authorization bill because it does contain some good work, but I am absolutely outraged on behalf of the people I represent in my State, some of whom I have described, by the majority leader's refusal to allow consideration of any amendments to the bill and his blatant disregard for the rights of my constituents.

I close by reminding the majority leader what he himself said—words out of his own mouth—7 years ago shortly before his party took control of the Chamber. And it is amazing to me to see how people change around here when they get in the majority. Sometimes they forget they will not always be in the majority. I have been here in the majority, and I have been here in the minority. I can tell you that I enjoy being in the majority more. But we need to respect minority rights in the Senate because eventually, if you serve here long enough, you will find yourself in the minority, and what goes around comes around.

But here is what the majority leader said before his party took control of this Chamber:

As majority leader, I intend to run the Senate with respect for the rules and for the minority rights the rules protect. . . . The Senate was established to make sure that minorities are protected. Majorities can always protect themselves, but minorities cannot. That is what the Senate is all about.

Back in 2006 I found those words inspiring. Today they are a bad joke.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Madam President, I ask unanimous consent that the Senate recess from 12:45 p.m. until 2:15 p.m. and that the time in recess count postcloture; further, that the time from 2:15 p.m. until 2:35 p.m. be controlled by the majority leader or his designee and the time from 2:35 p.m. until 3:15 p.m. be controlled by the Republican leader or his designee.

THE PRESIDING OFFICER. Without objection, it is so ordered.

EXTENDED BENEFITS PROGRAM

Mr. MERKLEY. Madam President, my voice is a little weaker than usual

thanks to a winter cold, but I nevertheless come to the floor today because there is an issue on which it is important not to remain silent; that is, just a few days from today more than 1 million people across America are going to lose their unemployment benefits. Those benefits are a bridge to the next job. Those benefits are the foundation for a family during a rough time while searching for that next job. Those benefits ensure the stability of the family and provide a solid foundation for the children during those weeks and months. But instead of maintaining this important bridge for more than 1 million American families, we are going to allow it to be dismantled on December 28 of this year, 3 days after Christmas.

This chart gives a little bit of a feeling for how unemployment is working. We have the total number of those searching for work in Oregon who cannot find a job. We can see how it grew dramatically in 2008 when the economy collapsed and how it has gradually improved. Yet unemployment remains quite high in Oregon—not as high as it was but still quite high—and it remains quite high across this Nation.

We have a structure in place where every State provides 26 weeks of unemployment, and then, depending on the unemployment level in different States, States take advantage of a Federal program for emergency unemployment, which works a little bit like this: If the State's unemployment rate is below 6 percent, the State is eligible for 14 additional weeks of unemployment for families, so the total goes from 26 weeks to 40 weeks. If the State's unemployment rate is between 6 percent and 7 percent, the State is eligible for 28 weeks, for a total of 54 weeks—still less than 1 year of unemployment insurance. If it is between 7 percent and 9 percent, as it is in Oregon, the total goes to 37 additional weeks, which means, with the 26 underlying weeks with the State, 63 weeks. If the unemployment rate is over 9 percent, then the amount is 10 weeks more, for a total of 73.

On December 28, just days from today, there will be about 17,000 Oregonians who will be completely cut off from their unemployment—not tapered, not a few at a time; all of those who have more than 26 weeks right now will instantly be cut off. So that is 17,000 families or, at an average of 3 individuals per family, 50,000 Oregonians who are going to get from the Republicans in this Chamber a big lump of coal in their stocking.

Their argument is that we shouldn't keep this program in place because those folks should just go out and get jobs. I would remind them that this program was set up under a Republican administration, and it was set up to balance the fact that in States where jobs are more readily available, the

number of weeks of provided unemployment assistance is fewer, and in States with higher levels of unemployment, where it is virtually impossible to find a job because there are so many applicants for any one job, then the number of unemployment weeks is greater.

This was a bipartisan plan, and this plan was implemented when the national unemployment rate was 5.6 percent. The unemployment rate today is 7.3 percent. The bipartisan emergency unemployment program that provided more than 26 weeks was implemented when there were 137.3 million Americans working—more Americans who were working than today.

So what was good enough under a Republican administration, under bipartisan support—that created a careful balance between unemployment; that is, the challenge of getting a job, and the bridge to the next job—if it worked then, why not now? Why throw 17,000 families in Oregon out in the cold? I hear silence in this Chamber. I don't hear a reply. Why is it justified to terminate this program when unemployment is still high?

Some of my colleagues want to keep all the special tax breaks for the oil companies and all the special tax breaks for the coal companies. But what do they want to give to the families who are looking for work in high-unemployment areas, where it is virtually impossible to find a job? They want to give them a lump of coal. It is wrong.

Moreover, not only does this program help those families directly, but it helps the entire economy improve gradually because those benefits are immediately spent by these families. These benefits help families get through a hard time. They help them pay the mortgage, which solidifies not just this family but by preventing foreclosures solidifies the street and the community from the impacts of foreclosure, of empty homes. It has guarded the family between getting to the next job and ending up homeless.

I call upon my colleagues to come to this Chamber and pass immediately the extension of this carefully balanced program which not only directly benefits families who are doing the hard work of finding the next job but provides a solid foundation for our economy. This is no time to try to deflate our economy and throw more people out of work, but that is what happens when we cut this program.

I encourage my colleagues to think carefully about the fact that this program was neither a Democratic program nor a Republican program. Think carefully about the fact that it was developed during a Republican administration, that it was designed to carefully pull itself back in as employment improved. But what isn't right is for it to be cut off completely in this period of ongoing high unemployment.

While the average in Oregon is between 7 percent and 8 percent unemployment, we have communities with far greater than 10 percent or 12 percent unemployment. So many families are wanting that next job. There is nothing better than a job in terms of any type of social program. It creates a sense of self-worth, it creates a sense of structure, and it creates a sense of satisfaction. The families in Oregon want jobs and they are applying, but there are not enough jobs to go around.

That brings me to my next point. This Chamber should be considering program after program to invest in infrastructure and invest in manufacturing to create jobs. But there are those here who have sought to paralyze this Chamber in every possible way, to prevent any improvements, in terms of trying to sustain partisan campaign warfare rather than problem solving. This is an abdication of responsibility as a Senator. The responsibility is to be here working hard to solve the problems for families across this Nation, not continuing the partisan politics of the last campaign.

The American people see this partisan campaigning, and they do not like it. They want to see problem solving. They want to see us coming together to fix things.

A few moments ago the colleague from Texas was on this floor. He was saying some things that were extraordinarily misleading. He said, basically, that all of the paralyzing strategies that his party has employed stem from a lack of amendments. We have seen those paralyzing tactics in every possible responsibility that this body has. We have seen them on executive nominees. There are no amendments on executive nominees. You either approve them or you do not. We have seen this paralyzing strategy on judicial nominees, but there is no tree—the tree he referred to, the amendment tree—on judicial nominees. We have seen this on conference committees, unparalleled blockade of letting the House and Senate meet together to resolve differences in their bills.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MERKLEY. Madam President, I know we are closing down this body, according to the unanimous consent agreement. I am thankful for the opportunity to address this important issue, about the fact that it is wrong to put lumps of coal into stockings of working Americans rather than extending the emergency unemployment insurance provisions.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:45 p.m., recessed until 2:15 p.m. when called to

order by the Presiding Officer (Ms. HEITKAMP).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014—Continued

UNANIMOUS CONSENT REQUEST—S. 1845

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Madam President, last week I had the opportunity to see Charles Dickens' classic "A Christmas Carol." As my colleagues know, this is a morality tale that highlights the plight of the poor, the less fortunate, and the unemployed. In fact, when Charles Dickens began to work on "A Christmas Carol," he was so upset with the plight of youth and children working in the mines in England, he started out to write about that in a novel that evolved into a tale about Christmas, "A Christmas Carol."

As I watched "A Christmas Carol" with my wife in Ford's Theater about a week ago, I was struck by the following line from the spirit of Jacob Marley. Here is what he said:

Mankind was my business. The common welfare was my business; charity, mercy, forbearance, benevolence, was all my business. The dealings of my trade were but a drop of water in the comprehensive ocean of my business.

With that line, Dickens was advocating for those less fortunate and voicing his support for economic equality. Those words are most appropriate today at this time of year.

I come to the floor today with my friend, the Senator from Rhode Island JACK REED to share our concerns about the weak labor market, those who have been unemployed for so long, and its impact on the Nation's 11 million unemployed. Senator REED and I are especially concerned about those who have been without work for an extended period of time.

It has been 4 years since the end of the great recession, and while the Nation's economy has been slow to recover, steadily adding jobs, a large section of society is still out of work. Of the Nation's 11 million unemployed, a little over 4 million of our friends and neighbors are considered long-term unemployed. That means they have been without work for 6 months or more.

Most people who find themselves out of work are eligible to receive assistance from their State for 26 weeks, as they look for a new job. But, for far too many, finding a new job in a sluggish economy has been extremely difficult. When State aid is exhausted, Federal emergency unemployment insurance kicks in and helps families to help make ends meet. However, that safety net is now about to expire. It is about to expire in just a couple of weeks.

In fact, in less than 2 weeks, Federal emergency unemployment insurance will run out. On December 28, 1.3 million people will lose their unemployment benefits. These are people who

are obviously hurting. If they don't have a job, they would love to find a job, and if they have a job, they are trying to make ends meet. They are understandably discouraged, unsuccessful at finding work.

We cannot cast them aside. We need to provide out-of-work Americans the security they need while they continue to look for jobs. We need to help them look for work—clearly—and put food on the table for their families.

Extending the jobless aid to the long-time out-of-work must be a priority for this Congress. With the House already in recess, we will not be able to extend emergency unemployment benefits before the end of the year. But it is my hope that when Congress returns, we can retroactively extend benefits.

At the same time, when we return next month, we need to explore long-term unemployment solutions. We need to jump-start policies that will grow our economy more rapidly and create new jobs. It has to be a dual track: Benefits for those unemployed but also assistance to find ways for more people to get jobs.

We all care deeply about this. I know no one who cares more deeply than my good friend from Rhode Island JACK REED. He has been working diligently, looking at every possible solution to try to find a way to make sure unemployment benefits are extended.

That is why we are working together. This issue is under the jurisdiction of the Finance Committee, but JACK has worked very hard to ensure these Americans are not cast aside. Senator REED and I will do all we can to try to find a solution.

I tip my hat especially to the Senator from Rhode Island for all he has done. He is a tireless advocate for a solution for those unemployed. Together, we will try, as Dickens said, to make the common welfare our business.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, first let me thank Chairman BAUCUS for his very kind words, but also salute the President of the United States for his wisdom in announcing that he intends to appoint the Senator from Montana to be our next ambassador to the People's Republic of China. I can't think of anyone whose integrity, intelligence, commitment to the Nation, and patriotism would so well serve and be so beneficial to this country as continuing in his public efforts after his days in the Senate in the embassy in Beijing.

I also thank the chairman because he has been an articulate and effective advocate for unemployment compensation benefits for hard-working Americans who are without work through no fault of their own. This economy has suffered a drastic contraction, beginning in 2007, 2008, and 2009. We are see-

ing some improvements. During this period, the chairman has been the key actor, the key force driving for extended benefits.

Chairman BAUCUS has been the driving force as well in the context of trying to reform the program. He has implemented efforts such as work sharing, a proposal I brought to him, that is a smart way to do business. It basically allows a company to retain their workers for part of the week and let them collect benefits for the rest of the week, so they keep the workforce together. In Rhode Island, it has been extremely beneficial. It is now a nationwide program because of Chairman BAUCUS.

He is working very hard—as he indicated, we are working together—to ensure that we do not see this cliff where 1.3 million Americans lose their benefits on December 28.

Yesterday, I came to the floor to discuss some of the economics behind the logic of extending these benefits. I believe the extensive amount of economic research supports the very common-sense notion that I think the vast majority of our colleagues share: That Americans want to work. They are in an environment, however, where jobs are scarce. There are two workers for every job, and in some parts of the country that ratio is even much worse.

However, I hear other colleagues say: That might be true, but we have to fix this program because we have abuse and we have fraud. The chairman, in his efforts, has always demonstrated that we are committed to rooting out any type of fraud or abuse. In 2012, for example, we strengthened the requirement that one has to search for work to qualify for unemployment compensation. We also improved program integrity by having beneficiaries show up more frequently for in-person assessments to help them find a job quicker and ensure they receive the right benefit amount based on their past work history.

So we want the program to be efficient. We do not want the program to be subject to abuse. That means that more people can benefit correctly and not abuse the system. So I am sure the chairman and I are quite willing—I know I am, and I know he is too—to work hard if we need reforms. But we can't do that in 10 days. We can't do that. We need some time.

So I have joined together with Senator HELLER to suggest a 3-month extension. That will allow us—and this is a bipartisan effort, and I thank the Senator from Nevada—to keep people from falling off the edge, literally.

The average benefit in Rhode Island is about \$350 a week. There are very few people who are going to give up a job to collect about \$350 a week. By the way, that money is going right from the check to the local grocery store, to pay for heat or to pay for rent. That is

why CBO has estimated that if we don't extend unemployment benefits, we will see a situation in which we lose approximately 200,000 jobs next year which we could have otherwise had, and that we will see our economic GDP growth shrink by about 0.2 percent, because the demand generated by unemployment checks going out in the mail will be lost. It is one of those programs that provides about \$1.70, \$1.60, for every dollar we invest. So this is about good economics, not just, as Senator BAUCUS said so eloquently, about our commitment to something beyond ourselves, to the welfare and the good faith of our neighbors in the spirit of Christmas, the true spirit of this holiday.

The other thing, too, is if we look at this argument: Well, we are not going to extend the program because of abuse—we can look at a lot of programs; we can look at the crop insurance program, for example. I don't hear many people saying: Oh, let's cut out that crop insurance program because of abuse. Just recently, this year, the Department of Justice prosecuted a very large, significant case of widespread tobacco crop fraud spanning 6 years. A Federal district judge brought to justice an insurance agent and a farmer. Prison time was ordered, more than \$8 million of restitution had to be paid, but no one is standing up and saying: Let's cut crop insurance because of this case.

Let's get realistic. We need to extend these benefits, and we need to do it promptly because the 28th is just upon us.

Shortly, I will make a unanimous consent request, but before that, I wish to recognize my colleague, Senator STABENOW. Then, I ask that at 2:30, if she could yield the floor back to me so that I may make my request.

With that, I yield to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, Federal emergency unemployment benefits are going to expire on December 28 unless we do something to stop it.

Right now, there are 11 million Americans out of work through no fault of their own.

They are trying to find work, and they rely on unemployment insurance to help them keep food on the table and keep a roof over their heads and their families' heads, while they search for a new job.

And now, over 1 million people who are trying to find work stand to lose their unemployment insurance on December 28 because Congress has not acted.

Let me repeat that: Just 3 days after Christmas, 1 million people will lose a critical source of income while they look for work because of us.

Letting Federal unemployment insurance expire would be devastating for families all across the country.

I have heard from many of my constituents in Michigan on just how bad this will be, and how it will affect their families.

There are stories throughout Michigan and across our country.

It is astounding that Congress would even consider letting this expire, given that unemployment rates in many States are higher today than they were in 2008 when we passed this law.

In June of 2008, when the President signed this law, the national unemployment rate was under 6 percent. Today, it is 7 percent.

Even though we are seeing a number of great things happening in Michigan, we are still struggling to create enough jobs for everyone who needs one.

And because of that, Michigan just moved back into a position where, as a State with a high percentage of people out of work, Federal emergency unemployment benefits have been extended to 36 weeks.

This means that people in Michigan who are trying to find a job get a few more weeks to find something before they lose this critical lifeline.

But not if we let it expire.

The story is the same in many States across the country.

Today, 46 out of the 50 states, including Michigan, have higher unemployment rates than they did when this law went into effect.

While we are seeing some positive signs in the economic numbers, there are still almost 11 million Americans out of work.

That is far too many. There are three people who are looking for work for every 1 job available.

And if we don't act, if we don't extend this critical lifeline, then over 43,000 people in Michigan—and over 1 million longterm unemployed people across the country—will face an uncertain future.

We are six days from Christmas; six days from our children waking up and running to the Christmas tree to see what Santa brought them.

And the question facing thousands of families in Michigan—facing Regina in Holland and Stephen in Dearborn—and over a million men and women across the country, is: Will there be anything under the tree on Christmas morning?

Will there be a house to sleep in on Christmas Eve?

Will there be food on the table tonight, or tomorrow night, or on Christmas night?

These are people who are out of work through no fault of their own.

People who have lost their jobs are already on the ropes.

They have already seen cuts to unemployment insurance that have made it harder to make ends meet.

And now Congress is threatening to pull the rug out from under them.

These are people who want to work, who are trying to work, and just need

help getting by while they find a new job. Giving them the benefits they earned isn't a "disservice"—it is a lifeline.

This is what little money families have to get by—and they spend it at the grocery store and to pay their bills.

Without this help, they could lose their homes to foreclosure.

At such a critical time in our economic recovery, we cannot afford another wave of foreclosures.

It is also important to note that this is unemployment insurance—people earned it by working, and in order to qualify for this assistance, you must be actively looking for a job every week.

Letting the Federal emergency unemployment benefits expire would hurt these families and would send a ripple effect through the economy.

Congress should be helping to create jobs, not pulling the rug out from under people looking for jobs.

There is no reason for this to happen. We can pass a bill to extend this critical help.

In the past, both parties have always worked together to continue emergency unemployment insurance when the economy is struggling.

This is not the time to pull the rug out from people looking for work.

I urge my colleagues to come together in a bipartisan way to extend unemployment insurance so our families—and the economy—do not suffer.

Again, I thank Senator REED who has been such a champion on this issue. I have been proud to partner with him on behalf of over a million people who are trying to find work and will lose their unemployment benefits three days after Christmas, on December 28. I can't think of anything more devastating to families trying to put food on the table and a roof over their heads.

I also thank Senator BAUCUS for his leadership on this issue and congratulate him on his new opportunity for the future.

Specifically, let me read letters that I think tell it all from people in Michigan.

Regina from Holland writes:

I am begging you to extend unemployment insurance. I have been unemployed since June. I am almost done with my first tier of unemployment. I have been trying to find work. I am 59 years old, and that does not help in finding a job.

Madam President, let me say we have way too many women—we have way too many people who are in their 50s and in their 60s trying to find work and having a very difficult time for a number of reasons.

She goes on to say:

If you don't pass extensions, my family will only have my husband's Social Security check coming in, and we'll lose our home. I am really scared we will not have this money coming in after December 28th, and I don't know what we will do.

I also heard from Stephen in Dearborn who wrote me and said:

This December 28 deadline directly affects me and my family. I have been unemployed for 6 months. I have been struggling to keep things afloat for my wife and my two young children.

If these benefits cease at the end of the month, it will put us even closer to losing everything my wife and I have worked very hard for.

The reality is, even though the economy is getting better, we still have three people looking for every one job that is available. At one time it was five people, so we have made some progress. But the truth is we still have a situation where way too many people in Michigan and across the country—in fact, almost 11 million people are out of work, and we have three people fighting for every one job that is available.

We also still have challenges as it relates to matching up the jobs with the skills that people have. Not that people don't have skills, but they are different than the jobs that are available. People going back to school, they want to work. We all want the dignity of financial independence and work. But too many people are struggling in an economy they did not create, a global economy they did not create.

If we do not act—if we do not support Senator REED's motion—over 43,000 people in Michigan, over 1 million long-term unemployed people across the country will find themselves in a devastating situation right after Christmas. It makes no sense. I urge my colleagues to join together and do what we have done with Republican Presidents, Democratic Presidents, what we have done on a bipartisan basis over the years; and that is to make sure we have a lifeline for people who are needing temporary help while they look for work.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 265, S. 1845, the Emergency Unemployment Compensation Extension Act; the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. Madam President, it is unfortunate that the Senate schedule is chock-full of pending cloture motions that are controversial or completely nonurgent nominations. So I would ask the Senator to amend his consent request to say that the pending cloture motions on executive nominations be withdrawn and that following the disposition of the Defense bill, the Senate proceed to consideration of S. 1845, the unemployment insurance extension, and that the majority leader and the minority leader be

recognized to offer amendments in an alternating fashion so these important issues can be considered this week. I ask for that amended consent request.

The PRESIDING OFFICER. Does the Senator so modify his request?

Mr. REED. I do not modify my request. I would insist on my request since it is the only practical means of getting the measure passed.

The PRESIDING OFFICER. Is there objection to the request?

Mr. CORNYN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REED. Madam President, I believe I have a few minutes left—2 minutes. So before Senator MCCAIN takes the floor, let me make a few more points that I think are critical.

Last month, the economy did add jobs—203,000 jobs. But what we are seeing is the average length of unemployment is increasing. People are still out of work now an average of 36 weeks. That is more than 20 weeks longer than prerecession levels, and it is longer than the 26 weeks of State unemployment insurance.

That is why we are here asking for benefits. People now are averaging a much longer time without finding work. This is not a situation where they fall within the State program. They have to have these Federal benefits, because it is harder and harder to find work.

I would also suggest, too, that if you look at it another way, in 2008, when President Bush started this emergency unemployment compensation program, it took the average jobless American 5.6 months to find employment. Now, with the increased long-term unemployment, it takes about 9 months.

So again, this is a reason why these long-term extended benefits are absolutely necessary. I would hope our colleagues would join myself and Senator HELLER and Chairman BAUCUS and Senator STABENOW and others and continue to move aggressively forward and see if we can, in fact, extend the benefits so that many Americans can continue to have some assistance and some sustenance as they continue to look for work.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I just watched again what is going on here on the floor of the Senate. Again there is a unanimous consent request to pass a major piece of legislation without an amendment, without debate, without the ability of those on this side of the aisle to even have an amendment considered and voted on, again completely shutting out this side of the aisle from the ability in any way to effect legislation.

So now I am sure those on the other side of the aisle are going to go out and say: Oh, the Republicans, look at them,

they will not even agree to an extension of unemployment insurance.

Won't you let us have an amendment? Won't you let us at least have debate and vote on an amendment? There are some of us who think this program can be improved to help those who are unemployed. But, no, the way the Senate runs today it is either take it or leave it.

I will tell the Chair and I will tell my colleagues on the other side of the aisle, we are getting sick and tired of it. We are getting sick and tired of the dictatorial way the U.S. Senate is being run.

The Senator from South Carolina and I are on the floor to talk about, among other things, the National Defense Authorization Act, the bill that has to do with this Nation's defense. Are we going to be able to have a single amendment? No. The bill has been out of the Senate Armed Services Committee since May.

So we are not going to address the issue of sexual assaults, protecting individual rights in light of revelations in NSA data collection. I would say to my colleagues, the President had a commission that just made some recommendations. Would it not be appropriate to take those commission recommendations, debate them here on the floor of the Senate, and amend the bill so that some of these recommendations by this commission could be enacted into law?

Do we believe that the issue of surveillance, of NSA data collection, is not an issue that should be debated on the floor of the U.S. Senate? We would be doing that—we would be debating, we would be amending, we would be making it better, we would be protecting the privacy of Americans' lives—if on this floor we were amending and debating the Defense authorization bill. But we are not. We are not.

Are we going to talk about this incredible issue which has permeated so much debate, both in and outside of the Congress of the United States, of sexual assaults in the military? No. Nope. We are not going to allow an amendment on the other side of the aisle by the Senator from New York, who has made it her major legislative effort. We are not going to hear from this side of the aisle, where the Senator from Missouri has made it her major issue. No, we are not going to debate it. We are not going to amend it.

What about the issue of detainees? The Senator from South Carolina and I are not in complete agreement. I had looked forward to a debate with him about how we dispose of the situation of detainees, each one of whom is costing a million and a half dollars per year for their incarceration.

But, no, we are not going to do any of that today or tomorrow or next week or next month or maybe even next year if the majority leader of the Senate

continues to run the Senate in such a way that we cannot even have debate and discussion.

I will tell my colleagues on the other side of the aisle, this is bad for the U.S. Senate, but it is worse for the American people. We have an obligation to the American people to debate issues, to vote on them, to pass legislation that we think is the best outcome. There would be votes I would lose, there would be votes I would win, but we are not going to have any votes.

The galling thing about it is that the Defense bill passed through the Senate Armed Services Committee in May. So we went to June, July, August, September, October, November, and here we are finally maybe going out for the year and we are going to have an up-or-down vote—an up-or-down vote—on the Defense authorization bill. That is shameful. That is a perversion of everything that the U.S. Senate was designed for by our Founding Fathers, and there is no doubt about it.

I came to the floor with my friend from South Carolina to talk about Iran sanctions. But have no doubt—have no doubt—I tell my colleagues on the other side of the aisle, you are doing a great disservice to the American people, to the men and women who are serving this Nation, by not even fully debating and amending and voting on those amendments on this bill. You are doing a disservice to the men and women who are serving this Nation.

So you should not be proud of this process we are going through. Some time today or tomorrow, depending on how many hours go by, we will have a vote, and I will vote to pass the bill. I will vote that way because I cannot do this to the American people, to the men and women who are serving. There are too many provisions in it that address bonuses, special duty, incentive pay, military construction, security—all kinds of issues that are obtained in this bill. So we cannot turn it down, but we cannot make it a bill that the American people should be proud of. In fact, we should be embarrassed at the process we are engaged in.

Frankly, I know the American people are not too interested or aware of the arcane promises of the U.S. Senate, but steps were taken early and not that long ago that have changed the entire U.S. Senate, and it has changed it for the worse.

I can assure my colleagues on the other side of the aisle that it will be very difficult—very, very difficult—for us to work with our colleagues on the other side of the aisle on most any issue when we are being deprived of the fundamental rights of a U.S. Senator, and that is the right to propose an amendment, debate, and have a vote, if that U.S. Senator wishes it.

No longer are 45 Members on this side of the aisle allowed what should be our right—not a privilege, our right—to

amend this legislation in order to make it better and make it a better and more effective way to defend this Nation.

I have been around this body for a long time. This may be one of the lowest points I have seen, particularly in light of the fact that the Defense authorization bill for 51 years has been brought to the floor of the Senate, it has been debated, it has been amended, sometimes for as long as 3 weeks, and now what are we going to do? Sometime tonight or tomorrow, at some hour, we are going to have the privilege of voting yea or nay on a bill that is vital to our Nation's security. Disgraceful.

I see my colleague from South Carolina on the floor, and I ask unanimous consent to engage in a colloquy with the Senator from South Carolina.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRAN SANCTIONS

Mr. MCCAIN. Madam President, I am sure my colleague and friend saw the article in the Wall Street Journal this morning that says "France Doubts Iran Ready for Nuclear Pact. Foreign Minister Laurent Fabius Questions Whether Tehran Is Willing to Abandon the Ability to Build an Atomic Bomb."

Really, in the first paragraph of this story—I would ask my colleague—is the fundamental problem. There are many issues concerning the Iranians lie, cheat for years and years about their continued progress toward the acquisition of a nuclear weapon. But I would ask my friend from South Carolina, isn't it really about the most important—let me put it this way: The most important aspect of this whole issue of these negotiations is the right to enrich? In other words, will the Iranians—haven't we already given over to them the right to continue to have the centrifugal spin and the enrichment process continue so that at some point, sooner or later, they may be only the turn of a wrench away from a nuclear weapon?

Mr. GRAHAM. Senator MCCAIN is absolutely right. The interim deal does not dismantle the centrifuges. They are spinning as we talk. They disconnect, not dismantle, some advanced centrifuges that have been installed.

What people need to realize is that the Iranians, over the last decade—particularly the last 3 years—have developed a very mature enrichment program: 18,000 centrifuges. They do not need 20-percent enriched uranium anymore for these new centrifuges to get to 90 percent, which would produce a uranium-based bomb; they can do it with a 3½-percent stockpile.

So I guess this is the basic question for us as a nation and the world at large: Do you believe the Iranians when they say that they are not trying to develop a nuclear weapon, that they are only trying to develop peaceful nuclear

power? Do you believe them when they make that claim given the reality of their enrichment program, their lying, and their cheating? If their goal is to enrich not for peaceful nuclear power purposes but to make a bomb, how do you get them to change their goal?

I think what Senator MCCAIN is pointing out is very important. The interim deal, like it or not, has legitimized enrichment in Iran. How do you go from not dismantling the plutonium reactor—complete dismantling, shutting down and dismantling the centrifuges—and turning the stockpile over to the international community after the interim deal—how do you go from there to the end game? We are so far away from an acceptable outcome.

I hope people understand what the French are saying. The French are telling us they do not believe that the Iranian negotiators and the Iranian regime are serious about abandoning an enrichment program that could break out and produce a nuclear weapon.

I appreciate Senator MCCAIN's leadership on these issues. Syria, Iran—you name it, he has been there.

I would like to ask this question to Senator MCCAIN: Does the Senator believe the Iranians when they say they are not trying to acquire a nuclear weapon? From the U.S.-Israel point of view, what would happen to our nations if they had that capability?

Mr. MCCAIN. May I say to my friend that one of the things that would happen right away—I think it is well known; it is not a secret—is that many nations in the region would then quickly acquire nuclear weapons. The wealthiest ones might just buy one from Pakistan. That is not a secret.

But could I ask my colleague this: So therefore we now have a period of 6 months which originally was stated as the end goal, that an agreement would be made and finalized and would be ready to be put into effect. But then we hear: Well, maybe it is going take more than 6 months.

One, haven't we seen that movie before—extended and protected negotiations, and then the centrifuges, as the Senator from South Carolina mentioned, continue to spin.

Also, wouldn't it be appropriate for the Congress to say to the administration—and, more importantly, to the Iranians—that after 6 months, my friends, the screws are going to tighten because if they cannot get an agreement in 6 months, then it would be appropriate for there to be additional pressures that would then hopefully be incentives for them to reach a final agreement rather than the status quo, which most of us believe is not satisfactory under this 6-month period.

Should there not be some sanctions that would kick in after a 6-month period, and then the Iranians would know that if they do not reach an agreement, then the sanctions will be more severe?

Perhaps my colleague can explain to me why the Secretary of State and the administration seem to be so opposed to us putting more pressure on the whole process to be finalized. Six months seems to be a reasonable length of time to get that done.

Mr. GRAHAM. Well, the Senator is right. This interim agreement has not been implemented yet. They have 6 months to reach a final agreement but also an additional 6 months beyond that—a year, basically—to drag out these negotiations.

The Senator asked the ultimate question. Does the Senator not believe sanctions are the only reason the Iranians are at the table?

I compliment the administration for putting together an international regime to take the sanctions that Congress has passed—over their objections, I might add—to really inflict pain on the Iranian regime—unfortunately, the people too. But that is the only reason they are at the table.

But here is the analysis, as I understand it. People in the administration believe there is a moderate element and a hard-line element. Iran is telling the United States and the P5+1: If you threaten us with any more sanctions, we will walk away. We are not going to negotiate with a gun to our heads.

Now, these are the people who have been using a lot of guns and have put a lot of guns to people's heads and actually pulled the trigger, killed hundreds of soldiers in Iraq, and have created chaos and mayhem in Syria. They are one of the biggest supporters of state terrorism. But that is an odd thing for them to say, when I believe the only reason they are at the table to begin with is because of sanctions.

So my belief is that new sanctions tied to the end game—and this is what we have been working on in a bipartisan fashion. It is not just keeping the sanctions alive for the next year; it is tying their relief to an outcome that we all want.

I want a peaceful resolution of the Iranian nuclear program. If they want a peaceful nuclear power program, they can have it; just control the fuel cycle. That has been my position.

If they want an enrichment capability that has to be monitored by the U.N. and it is robust and the only reason they will not break out to get a nuclear weapon is because of U.N. inspectors, that is North Korea.

The movie the Senator talked about is the movie called North Korea, where you would impose sanctions, you would relieve them, you would give them money, you would give them food, you would reinstate sanctions, and you would have U.N. inspectors to control the progress. The program was never dismantled.

Don't repeat the mistakes in Iran that were repeated in North Korea. Dismantle this program before it is too late.

To the administration, we are trying to help, not hurt. I do not believe there is a moderate element when it comes to the Iranian nuclear power program. I think that is a facade. The new President is a charming fellow on television, but he was a nuclear negotiator in 2004 and 2005 for the Iranian regime and openly bragged about how much advancement they made during his time negotiating toward an enrichment program that could produce a bomb.

So this idea that there are hard-liners and moderates when it comes to the Iranian nuclear program is a miscalculation. So we are working on bipartisan sanctions, to continue them, and they can only be relieved when we dismantle the enrichment program, when we dismantle the plutonium reactor, the heavy water reactor that has nothing to do with producing nuclear power for peaceful purposes, and remove the stockpile as the U.N. has recommended. The U.N. resolutions are in force today, are on the books today. This agreement is to the left of the U.N.

So the reason we are pushing sanctions in a bipartisan fashion is we want to avoid a conflict. The Iranian nuclear program has to be stopped one way or the other—through diplomacy and sanctions or through force, unless—that is the option. I cannot imagine a world with Ayatollahs with nukes. It would create a nuclear arms race. The Senator just got back from Saudi Arabia. Sunni Arab nations would want their own nuclear weapon, and we would be on the road to Armageddon. Israel—my God, how could they sit on the sideline and watch a nuclear weapon be produced by people who threaten every day to wipe them off the map?

We are hoping we can produce sanctions that would enable and enhance the administration's opportunity to get a peaceful resolution. Sanctions and diplomacy end the program in a peaceful way. This is our last chance. If we get this wrong, history will judge us poorly. They are trying to get a nuclear weapon. They are hellbent. The only thing that will stop them is pressure.

I want to ask the Senator a question. Why are Japanese banks and other business entities rushing to do business with Iran when the interim deal—relief and sanctions—do you believe that the international community is of the mindset that the sanctions are breaking down, that they are trying to jump ahead of each other to do business with Iran, and that if Congress passed a new round of sanctions, it would stop that breakout? Do you think that makes sense?

Mr. MCCAIN. Well, I think it might. I think this whole perception of the United States around the world, of our weakness, whether it be manifested in the Middle East with recent—I am sure my friend from South Carolina saw the

comments of the former high-ranking member of the Saudi Government. The Japanese are now starting to go their own way because they believe the American pivot is not reality. There are manifestations of this perception of American weakness all over the world. So I am not sure they believe we are serious here or most anyplace else.

The Senator from South Carolina raises an excellent point. I seem to remember that during the days of the Cold War we used to look at the reviewing stand on the May Day Parade, and we would point out one guy and say: Well, he is a moderate. He is a soft-liner. Well, he is a hard-liner. You know, we hope that—fill in the blank—is going to really have a beneficial effect and that the Russians are going to change and blah, blah, blah. There was always this belief about hard-liners and soft-liners. We know now from history that was never the case.

So now we look at Iran. Oh, there are the hard-liners and the soft-liners. Doesn't that ignore the fundamental fact that there is one man who governs Iran and makes all the decisions? That guy is the Ayatollah. Now that Ahmadinejad, the hard-liner—and Rouhani, by the way, as the Senator from South Carolina mentioned, bragged and bragged about how he deceived the Americans and the other countries when he was the negotiator for Iran. Now he is the moderate. Now he is the good guy. So all this is fraud.

But I guess the other point that I think really needs to be made that we forget is this: In Syria and in Iran—this administration, this President, and this Secretary of State look at these countries as an arms control issue. They look at Syria as an arms control issue while from helicopters they are dropping bombs that are killing and massacring women and children, while they are committing the most atrocious acts—on the one hand, the Secretary of State and his friend Sergei Lavrov are removing chemical weapons from Syria while planeloads of weapons from Russia fly into Damascus, and they kill people. I am not sure whether a mother in Syria can discriminate whether that child was killed by a chemical weapon or by a conventional weapon.

So here we have the Iranians committing acts of terror all over the world, sending the Iranian Revolutionary Guard into Syria, training Bashar Assad's troops in Iran and sending them back, sending in supply after supply of weapons to kill Syrians, plots to kill even the Saudi Arabia Ambassador here in Washington, DC. Yemen has tried to smuggle in a whole boatload of weapons from Iran. The list goes on and on of their Persian ambitions throughout the Arab world and the world, but, by golly, we trust them to sit down and negotiate with us seriously on the issue of nuclear weapons.

This is the most narrow view of Iran that has ever happened in history.

So I do not see how we can judge Iranian seriousness about really wanting to rein in and eliminate their progress toward nuclear weapons without considering their behavior throughout the world, particularly in the Middle East, which is one of aggression, terror, and outright murder of people and destabilizing the entire region to the Iranian advantage.

Mr. GRAHAM. Well, I think the point Senator MCCAIN is making is dead-on. Is it not true that our government has designated the Iranian regime—their government—as one of the largest state sponsors of terrorism in the world? Is that correct?

Mr. MCCAIN. True.

Mr. GRAHAM. Now, here is the question. It is a good question. If they had a nuclear weapon, would they be likely to end such activity or would they be more effective in expanding it?

Mr. MCCAIN. May I interrupt? I forgot one aspect of Iranian behavior that is the most egregious: their sponsorship of Hezbollah. There are 5,000 Hezbollah from Lebanon, sponsored by Iran, who are killing Syrians as we speak at the bidding of the Ayatollah and maybe Rouhani, who is supposed to be a moderate.

Mr. GRAHAM. I think what the Senator has just described—the litany of chaos and mayhem spread by the Iranian regime that he knows probably better than anyone because he spent so much time there—it is Hezbollah but also Hamas. They are all in. The people who create the biggest upheaval for Israel are all in for their buddy Assad, the butcher of Damascus. Without Iran's support, one of the most evil people on the planet would not have a chance.

Doesn't the Senator believe we are in a proxy war between us and the Iranians in Syria? That if we don't—and our actions towards whether we are going to use force or we are not going to use force, with Assad winning—that our policies toward Syria are affecting the regime's belief about what we may do about their nuclear program?

One thing that might reset our resolve as a nation is for the Congress to impose additional sanctions so the Ayatollahs will not be confused about our lack of will in Syria when it comes to their nuclear program. The bottom line is, after our debacle in Syria, doesn't the Senator think we have a problem with the Iranian regime of taking us seriously?

The international community is now breaking the sanctions. If new sanctions were imposed in a bipartisan way, that is the best way to reset the debate.

Mr. MCCAIN. I would also point out, one, if we are looking for one bright spot, that we see countries in the gulf and the Middle East aligning with

Israel in a way that we have never seen before. Shouldn't we listen to the Prime Minister of Israel, which is the first target of Iran? It is the country about which the Iranians said, and have not renounced, that it is their commitment to "wiping Israel off the map." Does the Senator think that maybe relations between ourselves and Israel are at the lowest ebb?

Does the Senator think it is an accident when now the Saudis and leaders of other countries are outspoken in their derision of the United States for a lack of leadership in the Middle East?

Finally, isn't it interesting that the Russians, for the first time since 1973, when Anwar Sadat threw them out of Egypt, are now major players in the Middle East?

Mr. GRAHAM. I think the whole Middle East is going in the wrong direction at warp speed. Congress has some obligation to speak up, to do something about it, and to try to help the administration when we can.

No. 1, a new round of sanctions, if we could muster bipartisan support, would send a great message to the Iranians: We don't see you the same as we do Syria.

There was a lot of confusion and differences in the body about what to do in Syria.

The Senator has been right for 3 years on this whole topic, but we are where we are. So a new round of sanctions, bipartisanly passed, would tell the Iranians that the American Congress and people look at them differently than the problem in Syria.

It would also be a statement in the international community: We are resolved to get this program dismantled by using sanctions. We are not backing off, so stop this breakout.

Finally to our friends, to the Israelis, to the Sunni Arab States, wouldn't it be welcome news to be tougher on Iran and to have the Congress reinforce the message to the Iranians that we are going to keep in place sanctions until they dismantle their program? Wouldn't that be some welcome news in a region that is absolutely desperate for some good news from America?

Mr. MCCAIN. I think so.

I thank my colleagues for their forbearance. I agree with the Senator from South Carolina.

I think it is imperative for the Congress and our role in the U.S. Government that these sanctions be enacted. The administration has plenty of time to negotiate, but we want to be prepared for failure. There is no reason not to make those preparations.

I began our conversation with the comments of the foreign minister of France. That concern is shared by many of our friends and allies both in and out of the region.

I note the presence of the Senator from Mississippi on the floor. I am sure he has some very important words that will be translated into English.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Mississippi.

Mr. WICKER. It would be inconceivable for the senior Senator from Arizona to say anything which I would find offensive or insulting, and I take no offense from his remarks.

I wish to be recognized. We are in morning debate; are we in debate on the pending question?

The PRESIDING OFFICER. We are postcloture and the Senator is recognized.

Mr. WICKER. I understand that soon Senator LEVIN will come to the floor, and perhaps there will be an exchange between Senator CORNYN and Senator LEVIN about a matter that may be coming to a vote sometime in the next half hour, and that would be the motion to table the filling of the tree.

I wish to speak for a moment or two about that. I think sometimes we talk about these things in shorthand within the Senate, and perhaps our constituents don't know what we are referring to when we say the majority leader has come in and filled the tree.

I know most Members understand this, but what that means is the majority leader comes in and he offers all of the amendments that could possibly be ordered at one particular time and, therefore, doesn't give anyone else the opportunity to offer amendments. That has really been a problem for us on the minority side.

We have that situation now, and perhaps the motion that will soon be made by Senator CORNYN will take care of that.

But on this important Defense bill, which has been brought to the floor in a shorthand manner, the majority leader has filled the tree, and there are five amendments offered.

One of the amendments, amendment No. 2555 by Senator REID of Nevada, simply does this: Strike the words "3 days" and put "4 days."

That is all the amendment does.

Another amendment: Strike the words "4 days" and insert "5 days."

That is all the amendment does.

There is another amendment that says: The act shall be effective 3 days after enactment.

There is another amendment that helps fill the tree: Change the word "request" to "requested."

In other words, not substantive amendments, but amendments designed to simply fill up the parliamentary tree and prohibit Members on our side or other Members from offering a substantive motion that might affect the defense policy of the United States of America.

I would simply point this out and reiterate what Senator CORNYN said earlier today. Since becoming majority leader, our current majority leader, Senator REID of Nevada, has filled the tree 79 times—in other words, offered

all the amendments, prohibiting us from even getting a vote, getting a debate, on an idea that we might have.

By contrast, his 6 predecessors combined filled the tree only 49 times; in other words 79 times by this majority leader and 40 times by the other Democratic and Republican majority leaders.

Senate majority leader Bill Frist filled the tree 15 times during his 4 years. Democratic leader Tom Daschle filled the tree only once during his 1½ years.

Trent Lott was majority leader, and he did it 11 times in 5 years. George Mitchell from Maine, a very distinguished majority leader, filled the tree 3 times in 6 years; and Bob Dole, when he was majority leader, filled the tree 7 times in 3½ years.

The point I am making—and then I will sit down—is that this majority leader, in an unprecedented manner, has filled the tree over and over. Why? To prevent other Senators from having an opportunity, as representatives of the 50 States, to offer ideas to improve bills and to get them on record on important issues.

I would hope that we could have a parliamentary motion in just a few moments to allow this tree to be taken down and to allow the elected representatives of the 50 States to come before the President of the Senate and before the American people and offer different ideas.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. In a moment I will offer an amendment, and I know the distinguished chairman of the Armed Services Committee is here, but I wish to lay 5 minutes of groundwork.

The majority leader was down here earlier today talking about all the "necessary votes" that we have to have before everyone leaves town before the holidays. Of course, he was talking about a series of votes on nominees that he himself has set up since he is, in essence, the traffic cop for the Senate, and he gets to set the agenda unilaterally.

We know that while the majority leader has set up this series of votes on nominations—none of which are urgent and couldn't be done in January, and all of which are controversial—the majority leader is refusing to allow any vote on restoring pension benefits to the men and women of the U.S. Armed Services.

As we have talked about repeatedly over the last couple of days, the recent budget deal cuts their pension benefits by some \$6 billion over 10 years, and we have learned that this agreement slashes the pension benefits of some of our wounded warriors, people who are medically retired.

Senator MURRAY from Washington, the distinguished chairman of the Senate Budget Committee, has called this

a technical error—a technical error. She said it needs to be fixed, but we will do this next year.

Merry Christmas to our wounded warriors whose pensions, by virtue of the legislation that passed yesterday, have now been cut.

What makes matters worse is they have been discriminated against. No other Federal employee's pension benefits were cut, only those uniformed military members' pensions.

She calls it a technical error. I called it a mistake that needs to be fixed—not next month, not next year, but right now, today.

Why is it that the majority leader won't let us fix this right now. Why is it that he is blocking a vote on the relevant amendment? Why does he want to keep our veterans and our active duty military, including our wounded warriors, in limbo during the Christmas holidays?

Does he have a good reason for it? Is it really more important to confirm some mid-level appointees than to make sure that our wounded combat veterans get the pensions that they have earned?

Is it really more important for the Democrats to jam us with non-essential, nonurgent nominees than to take care of the people who sacrificed so much for their country?

One last question. Is it really more important to approve all of these nominees than to honor the men and women who lost their lives in a homegrown terrorist attack at Fort Hood, Texas, some 4 years ago at the hands of MAJ Nidal Hasan, a radicalized major in the U.S. Army who shouted the words "Allahu Akbar" before he proceeded to mow down 13 people, costing them their lives, and to injure 30 more soldiers and uniformed military who were injured that day.

The majority seems to think of this group of nonurgent, and controversial mid-level nominees that we have to get this done. That is why he is jamming this through and not allowing us to amend this legislation with a fix to the military pension or to allow us to honor the victims at Fort Hood with the recognition and the benefits that they so richly deserve.

Unfortunately, like so much around here lately, it is politics all the time, even if that means sleighting our wounded warriors and refusing to honor 13 brave Americans who were killed by a terrorist attack at a U.S. Army base.

I ask unanimous consent to set aside the pending motion so that I may offer a motion to concur with amendment No. 2602, which is filed at the desk.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Objection.

The PRESIDING OFFICER. Objection is heard.

The Senator from Michigan.

Mr. LEVIN. Madam President, I wonder if the good Senator from Texas would consent to my being allowed to speak for 5 minutes prior to the motion to table, which I understand is going to be forthcoming?

Mr. CORNYN. Responding to the distinguished Senator through the Chair, I would be happy for him to take whatever time he wishes to make comments now. Since he has made the objection, this would be a good time to do so, if he wishes.

Mr. LEVIN. I very much appreciate the courtesy of the Senator from Texas.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Let me try in 5 minutes to encapsulate what is in the bill and why we are where we are.

The bill includes numerous provisions, as the Presiding Officer knows, to sustain the compensation and quality of life of our service men and women and their families—the quality of life they deserve as they face the hardships that are imposed by continuing military operations around the world.

In just a few of these provisions are 30 types of bonuses and special pay, \$25 million for supplemental impact aid to local education agencies with military dependent children, money to assist the Department of Defense in assisting veterans in their transition to civilian life, provisions for the Special Operations Command at \$9 billion, \$1 billion for counter-IED efforts, a provision to require the Department of Defense to streamline the Department of Defense management headquarters at all levels by changing or reducing the size of staffs and eliminating tiers of management, cutting functions that provide little or no added value, and a new land withdrawal provision that the Marine Corps has been working so hard on at 29 Palms, CA. This is the No. 1 legislative priority of the Marine Corps. The Commandant explained to us that the Marine Corps has spent 6 years analyzing and preparing for this expansion so the Corps can meet its minimum training criteria.

As General Dempsey, the Chairman of the Joint Chiefs of Staff, told us a few weeks ago, the authorities in this Defense bill "are critical to the Nation's defense and are urgently needed to ensure we keep faith with the men and women, military and civilians, selflessly serving in our armed forces."

Relative to the question of amendments which has been raised, we tried when this bill came to the floor to get consent to have amendments relate to the Defense authorization bill and we were unable to get that consent. We tried to get consent to adopt almost 40 cleared amendments as a managers' package. We could not get consent to do that. We asked to lock in 13 additional amendments for votes on both

sides of the aisle, but equally divided, without prejudice as to further amendments that could be brought up but, again, there was objection.

Now, at this point, here is where we are. With the House of Representatives having left for the year, the only way we are going to get a defense bill enacted is by passing the bill before us as it stands. If it is amended, the bill would have to go back to the House of Representatives and the result would be we would get nothing enacted, killing both amendments as well as the bill itself. It would put the Defense authorization bill in limbo.

We have never done that. We have faced situations similar to this 2 years of the prior 5. We have always managed to pass a National Defense Authorization Act for 51 straight years. We followed the process in 2 of those last 5 years, which is not dissimilar to this process which we are following this year.

Does that make this the best way to proceed? No. It is not the best way to proceed. But that is not the choice we face. Our troops and their families and our Nation's security deserve a defense bill. The bill before us is right for our troops, for their families, for our Nation's security, and it was produced in a bipartisan manner. Senator INHOFE, my ranking member, is here, and I think he will attest to the fact that we adopted dozens of amendments in our committee work on a bipartisan basis.

This bill deserves a strong bipartisan vote of the Senate today, but to do that the motion to table, which I understand is about to be made, needs to be defeated.

I yield the floor.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. LEVIN. I will be happy to yield.

Mr. MCCAIN. First, I want to thank Senator LEVIN and the Senator from Oklahoma for their leadership and hard work on this legislation, and I congratulate them on the great work they have done.

But could I ask the Senator from Michigan, is this the first time in 51 years that a defense authorization bill will be voted on without debate or any amendment?

Mr. LEVIN. There was debate and amendment on this bill the week before Thanksgiving. So it would not be—

Mr. MCCAIN. Excuse me, without extended debate and addressing the issues of sexual assault, NSA, detainees. Have any of those issues been addressed by debate and amendment on the floor of the Senate?

Mr. LEVIN. Well, the sexual assault amendments which were pending, as my good friend from Arizona knows, were debated. There are about 20-plus sexual assault amendments that are in the bill so it makes major advances in that area.

In terms of the two amendments that I think the Senator is referring to—the amendments of Senator MCCASKILL and Senator GILLIBRAND—there was about a day-long debate on those, and there was an effort to vote on them. I think everybody wanted to vote on those two amendments, but there was objection to it.

In terms of what I believe the Senator is driving at, there was a time—I think it was in 2011 or 2012—when a Defense authorization bill was, in fact, adopted by unanimous consent. I think there was no debate on the bill that was finally adopted.

Having said that, I happen to agree this is not the ideal way to adopt a defense bill. I have said that over and over. And I have pointed out the way in which we tried to at least get some amendments adopted, including about 30 that had been agreed to and had been cleared, but we couldn't even get those added.

Now, with Senator INHOFE's help, we were able to get much of the material in those amendments that were worked out between us and the House leaders so that they are in this bill; not all of the amendments that had been cleared but many of them. But I happen to agree with my friends, this is not the ideal way to proceed. But we are now where we are, and if we simply reopen this bill and do not adopt it the way it is, it then has to go back to the House of Representatives, and then there would not be a defense bill, with all of the then-problems that would be created for our troops and their families. So this is the best we can do, but it is not ideal.

Mr. MCCAIN. Could I finally say to the Senator, I have never seen a process like this before. Maybe there have been some parallels, No. 1, No. 2, here we are on December 19 of 2013 and we passed a bill through the committee in May. So here we are, many months later, taking up a bill because the majority's priorities were obviously not to bring up the Defense authorization bill until it was so late we are forced into this cramped procedure.

There is no doubt—and I thank the Senator and my distinguished chairman—that we haven't debated this bill. We haven't debated NSA. We haven't debated this issue of sexual assaults, with two different opinions here, the sanctions, the detainee issue—all of those issues.

I remember in the markup we said we will wait. It is so important, we will wait and amend this on the floor. So I don't think we have done the men and women who are serving in the military anything but a gross disservice by, in December, having a bill rammed through the Senate, and that is because of a lack of priorities on the part of leadership. We could have taken this bill to the floor of the Senate in June and we didn't. What a shame.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, I know the distinguished ranking member of the Armed Services Committee is here. I would be glad to yield to him, if I can retain the right to the floor. I think he has a few comments he wanted to make in response to the chairman. If I can do that, I would ask unanimous consent to do so.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oklahoma.

Mr. INHOFE. Madam President, let me make a couple of comments here. Oddly enough, I agree with everything the Senator from Arizona said, and the Senator from Texas. It is true. The process was terrible.

I have been here—well, I guess between the House committee and this committee—for 22 years, and I don't think I have ever seen anything like it. But the effort was there to have a bill early on. I know, in working very closely with the chairman—and I have never had an opportunity to work that closely with someone in developing a bill, but we did—that it was his desire to have a bill, and it is still his desire to have a bill. The problem is we went through the option that everyone finds so offensive, and I find so offensive, and it has changed the Senate. The evidence of that is what happened in this bill.

We had people who wanted to have amendments. So what I did, I went on a Thursday—I recall that—to a Republican lunch, and I went there with 25 amendments and I said: Would you all agree to cut your amendment requests, which were over 100, down to 25? If I can take that and show it to the other side, I will see if that is acceptable. They agreed to that.

I want to repeat that. The Republicans agreed to actually 25 amendments. So I went to the other side and I could not get an agreement on the other side. So that effort was there.

As far as the amendments are concerned, the chairman has said several times that we considered these amendments. We did. To be specific, 79 amendments were put in this bill, of which over half were Republican amendments. So we tried our best to put everything in there, and it got down to the point of do we want a bill or do we not want a bill. So I want to emphasize this is not on the merits of the bill.

The bill is a good bill. My colleagues have heard us more than they want to hear us talk about what all is in this bill. It is a good bill. I think it might be better than the bill we passed out, and maybe even the House bill. But nonetheless, it is down to that or nothing. And it is for that reason I think we have to have the bill.

But I agree we have to keep talking about how bad the process was to make

sure that it never happens again. We, as the minority, are entitled to have our amendments, the same as the other side, when they become a minority, are going to be entitled to have their amendments.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, to clarify, I believe the Defense authorization bill will pass this evening. That is not in any doubt. The problem is this isn't just about the process, this isn't just about minority rights in the Senate, but this is about people getting hurt. And the people I am talking about are our Active-Duty military whose pensions have been cut by the vote we cast yesterday passing the budget deal. All we want to do is fix that.

There is bipartisan consensus this was a big mistake, and we could pass that, if the majority leader would allow us, today; it would pass through the House, as I said yesterday, like a hot knife through butter. Everyone agrees this was a mistake, and that is what the process is supposed to do, to fix this kind of error before it happens; and now that it has happened, to remedy it through an amendment. But this is exactly what the majority leader is denying us the opportunity to do and why this is so important.

I mention again, so it not be forgotten, the 12 Americans who were killed at Fort Hood some 4 years ago by a domestic terrorist attack, along with 30 others whose lives were changed forever when they were shot by MAJ Nidal Hasan, who had become radicalized by the same cleric whom President Obama targeted on his kill list with a drone attack in Yemen, and appropriately so. He was an agent of al-Qaida. To now call this workplace violence and not to give us a chance to recognize the loss of lives in an act of war and to make sure these patriots get the benefits they are entitled to is just wrong.

So this is not just about the process, it is not just about minority rights, it is about real people getting hurt and our ability to fix that today. That is being denied as a result of this process.

I would conclude by saying the distinguished Senator from Arizona is exactly right. The average number of amendments since 1996 on the national defense authorization bill is 138 amendments—138 amendments. The average number of recorded votes, 11½. The average number of days we are on the bill is 8.8. So this is a big, important, profoundly significant piece of legislation, yet it is being jammed through here in about 24 hours without any opportunity to offer amendments.

Madam President, parliamentary inquiry. Is it correct that no Senator is permitted to offer an amendment to the House-passed Defense bill while the

majority leader's motion to concur with a further amendment is pending?

The PRESIDING OFFICER. The Senator is correct.

Mr. CORNYN. Further parliamentary inquiry, Madam President. If a motion to table the Reid amendment to concur with a further amendment is successful, would there be an opportunity to offer my amendment, No. 2602, the Fort Hood Purple Heart bill?

The PRESIDING OFFICER. The Senator is correct.

MOTION TO TABLE THE MOTION TO CONCUR

Mr. CORNYN. Madam President, in order to offer that amendment and others that I believe would be in order and should be allowed to be offered, I move to table the pending Reid motion to concur with a further amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 45, nays 55, as follows:

[Rollcall Vote No. 283 Leg.]

YEAS—45

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker

NAYS—55

Baldwin	Harkin	Nelson
Baucus	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Booker	Kaine	Sanders
Boxer	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Manchin	Udall (CO)
Coons	Markey	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murphy	
Hagan	Murray	

The motion was rejected.

Mrs. BOXER. I move to reconsider the vote, and I move to lay that motion on the table.

The motion was agreed to.

Mrs. BOXER. I note the absence of a quorum.

The PRESIDING OFFICER (Mr. COONS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRANKEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRANKEN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ECONOMIC RECOVERY

Mr. FRANKEN. Mr. President, I rise to speak about some of the important work we can be doing to help strengthen our economic recovery and to get more Minnesotans and more Americans across the country into jobs.

During the government shutdown in October, I came to the floor to talk about how the shutdown was preventing us from doing the work that people sent us here to do. Every day we spent on the shutdown was a day we weren't working together to create jobs and to rebuild the middle class. The budget deal we passed this week is far from perfect, but it is my hope it will enable us to stop lurching from crisis to crisis and focus on the work we were sent to do.

This agreement means businesses will have the stability and certainty they need to create jobs and strengthen our economy, and it allows us to focus on educating our kids, creating a 21st century workforce, and putting people back to work.

As I said, this budget deal is far from perfect; it is a compromise and, as with any compromise, it has elements I like, elements I don't like, and elements others like and don't like that may be different. In addition to providing some budgetary certainty for the next 2 years, the budget deal undoes some of the extreme across-the-board cuts of the sequester that will enable us to make more of the critical investments we need to make in education, research and development, and infrastructure. We will make those investments while replacing the irrational cuts of the sequester with more responsible debt and deficit reduction. In fact, the bill ultimately reduces the debt by about \$20 billion more than under the previous budget that included the full sequester.

At the same time, I am very troubled by the fact that the bill pays for undoing some of the extreme, across-the-board cuts of the sequester in part by reducing some military pensions. That was something pushed for by the lead Republican negotiator, and I am not happy about it. I believe there are cuts we can make to defense spending, but cutting military pensions is not one of them. That is why I am cosponsoring a bill authored by Senator JEANNE SHAHEEN of New Hampshire that would replace those cuts to military pensions by closing an indefensible and wasteful corporate tax loophole, and I hope we can get that done before the cut to military pensions goes into effect.

I am also very troubled that the budget deal does not include an exten-

sion of critical emergency unemployment insurance. Extending this unemployment insurance is one of the things we need to be doing for the economy. Too many Americans remain unemployed, and those who have been unemployed the longest are facing the expiration of their unemployment insurance when they need it the most. There are 65,000 workers in Minnesota and millions throughout our country who may need this extended unemployment insurance in 2014. These folks are struggling. They are struggling to find jobs and to support their families.

Not extending unemployment insurance will also put the brakes on our economic recovery. In 2011, the CBO wrote that aid to the unemployed is among the policies with "the largest effects on output and employment per dollar of budgetary cost." Without an extension the Council of Economic Advisers estimates the economy will generate 240,000 fewer jobs by the end of 2014. That is why I have been working to continue the extension of unemployment insurance and I will keep pushing for the Senate to take up and pass an extension when we return in the new year.

Another thing we should do to strengthen the economy and help working Americans is to raise the minimum wage. We established a minimum wage because we believed that no one should work full-time, contributing to society, and live in poverty. Americans value work. We work more hours on average than citizens in other developed countries. The minimum wage is supposed to help guarantee that if a person works hard and plays by the rules, they at least will have a roof over their head and be able to put food on the table.

This year marks 75 years with a Federal minimum wage. However, today, because the minimum wage is too low, it is not doing what it is supposed to do. Today, a minimum wage worker making \$7.25 an hour or about \$15,000 per year falls below the poverty line, even though they work 40 hours a week, 52 weeks a year. Inflation has eroded the value of the minimum wage. If the minimum wage had simply kept pace with inflation since 1968—not raised in real terms but just kept pace with inflation—it would be at \$10.75 an hour today. That is a wage that would at least keep a family of three above the poverty line.

What has happened to the minimum wage is part of a larger trend for American workers. Over the past 50 years, American workers have increased their productivity by 135 percent—a 135-percent increase. But the value of their wages has not changed, and the real value of the minimum wage has dropped by 33 percent over that same time. Over just the past few years, costs have climbed. Americans are paying more for electricity, rent, auto repair, food, childcare, and many other

things. Yet most wages for workers have stagnated and the minimum wage has fallen.

That is why I think one of the most important ways we can boost our economy and help workers and families is to increase the minimum wage. Americans agree. Americans strongly favor boosting the Federal minimum wage to \$10.10 an hour. In a recent survey, 63 percent supported raising the minimum wage to \$10.10 from the current \$7.25 rate. Moreover, the support for increasing the minimum wage is broad-based: The rich, the poor, Republicans and Democrats all believe we should raise the minimum wage.

Increasing the minimum wage will be good for Minnesota, and there is a parallel effort at the State level to increase the State minimum wage. If we increase the Federal minimum wage to \$10.10, it will affect 462,000 Minnesota workers over 3 years. That is 18 percent of Minnesota's workforce. It will increase our State's GDP by \$400 million. That is something we must fight for.

Extending unemployment benefits and increasing the minimum wage are crucial things we can be doing to support the American value that if you work hard, you should be able to support yourself and your family.

There is more we can be doing. I am part of the Manufacturing Jobs for America initiative that several of my colleagues in the Senate, and headed by the Presiding Officer, have undertaken. As part of that initiative, I wish to speak about an issue I have spoken about on the floor before—an issue I hear about from manufacturers all over Minnesota—the skills gap. What is the skills gap? Recent studies have shown that between one-third and one-half of manufacturers in my State of Minnesota have at least one job they can't fill because they can't find a worker with the right skills to fill that job. That is the skills gap in Minnesota, but it is not just Minnesota. This is a nationwide phenomenon. As I roam this floor to talk to my colleagues, every one of them knows of this phenomenon in their State. A 2011 survey by Deloitte found that there were 600,000 manufacturing jobs nationwide that were unfilled because of a skills shortage.

It is not just manufacturers either. There is a skills gap in information technology, in health care, and in other sectors that have jobs sitting there waiting for skilled workers to fill them. There are more than 3 million jobs in this country that could be filled today if there were workers who had the right skills. With too many Americans unemployed, we have to find a way to fill those jobs.

The thing is we know how to solve this problem. We are taking steps to solve it in communities in Minnesota and around the country through partnerships between businesses and com-

munity and technical colleges that are training up workers and getting them into high-demand jobs right away.

Let me talk briefly about an innovative program to bridge the skills gap in Minnesota. I recently visited the Right Skills Now Program at the Dunwoody College of Technology in Minneapolis and the South Central Community and Technical College in Mankato. Those two institutions are working on this together.

At South Central I sat with about 8 to 10 manufacturers who had helped fund and design their program that gives workers the skills they need to operate a computer numerical control, or CNC, machine. They told me that between 8 or 10 of them they had more than 50 job openings they could fill that instant. At Dunwoody, their current placement rate from the Right Skills Now Program is 91 percent. You will have a hard time finding a more effective program.

Dunwoody likes to emphasize that its students often come into the program after having just been laid off or that they are the long-term unemployed we hear about. After going through the program, they are placing 91 percent of them into good jobs in a growing industry here in this country.

They told me about a student who had a successful career as a massage therapist. He was doing just fine until he began to experience pain from pre-arthritis symptoms. That spells trouble for a massage therapist. So he researched technical programs and joined Right Skills Now, and after going through the program he relaunched his career as a machinist.

Careers are different from what they were a generation ago. Very few people stay working in one job for one company for their entire life anymore. Whether it is because of changing life circumstances such as the massage therapist turned machinist, or because of new technologies, most workers have many different jobs over the course of their working life now, and those jobs require many different skills. We need a workforce development system that is agile enough to keep up with those changing demands.

That is essential not just so workers will be able to get the different skills they need over the course of their working lives; it is also going to be one of the keys to the United States remaining globally competitive. If our workers cannot adapt to the new industries that are constantly forming, we will lose those jobs to our global competitors. There is no better way to anticipate and to react to these changes than to connect businesses directly with our schools to get workers exactly what they need.

This is also about college affordability. I have talked before about Erick Ajax, the CEO of EJ Ajax and Sons, a metal stamping and sheet

metal fabrication company in Fridley, MN, that was founded by Erick's grandfather in 1945. Erick and other manufacturers partnered with Hennepin Technical College in Hennepin County to set up M-Powered, a fast-track training program to get workers what they need for entry-level advanced manufacturing jobs.

Erick gave me an example of one of his workers that I found exciting. This is what excites me, and not because it is extraordinary; it is because it is something we can duplicate over and over in this country. When he hires employees from these business-technical college partnerships, the way he looks at it is that they are on a career ladder that would otherwise not be available. He told me about one such hire, who was really good at his job. So Erick sent him back to school to get his associate's degree. The guy came back to work, continued to be a star, and a few years later Erick paid for him to go to the University of Minnesota, where he got his bachelor's degree. The guy is now head of quality control for EJ Ajax, an incredibly high-skilled job at an advanced manufacturing company.

Now, understand, this guy graduated from college with no debt—zero debt—with a great job. When I think about college affordability, I think about that story.

As I have said, we have a skills gap problem in manufacturing and other industries, and we have these partnerships that are successfully working to close that gap. So where do we come here in Congress? Well, I have gone around to Minnesota's community and technical colleges and talked to businesses, I have had roundtables, and I have talked to national experts in our State and from around the country, and the fact is we are not doing this fast enough. Sometimes these partnerships could do a lot more, train up a lot more people, with some extra funding—maybe to buy a really sophisticated machine or to hire an instructor with very specialized skills.

So what I am proposing is a competitive grant program in a bill called the Community College to Career Fund Act. Under this program, businesses and community colleges would apply for grants based on how many jobs their partnership would create, what the value of those jobs would be to those hired, to their company, to the community, and how much skin do the businesses have in the game or maybe how much the community colleges and the businesses and the State have in the game.

We have millions of open jobs that cannot be filled because of a skills shortage, and we know these partnerships are the most direct way to fill those jobs. We know that existing partnerships are not doing enough and cannot do enough, and they need more resources in order to truly meet the need

that exists. So that is exactly what my bill would address.

As we move forward with this budget deal, let's build on the progress it represents and set our sights a little higher. Let's support working families and help people who are struggling to find a job in today's slowly recovering economy. Let's help students and young people who have been held back by slow job growth get a foothold in the economy. Let's support partnerships between businesses and community and technical colleges to fill the jobs that are out there. Let's make this coming year the year that Congress works for Americans and puts Americans back to work.

Thank you.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Mr. President, first let me commend my colleague from Minnesota and tell him that I proudly cosponsor his legislation. I have had visits throughout my State with community colleges and have watched this work, where they literally bring employers and future employees together at a community college—an affordable community college—they get the very best training, really focused on the job opening, and when it is finished, they go right to work and they make a good salary.

I tell you, I think this is the future. This is an excellent idea. I was happy to support it. I have shamelessly stolen it and said it was my idea in a few places, but I will confess to the Senator on the floor—

Mr. FRANKEN. It is an honor for me to acknowledge that the Senator has stolen my idea.

Mr. DURBIN. I want to tell him that I am going to admit this on the floor and give him credit but be happy to join him in this effort.

Mr. FRANKEN. I thank the Senator. And in Illinois the Senator is free to say it is his idea.

Mr. DURBIN. I thank the Senator very much.

THE DREAM ACT

Mr. President, maybe we will be in session 24 hours, 48 hours, 72 hours, and then we are finished, the year 2013 comes to a close. The unfortunate thing from where I am standing is we have missed an opportunity. About 6 months ago, we passed a comprehensive immigration reform bill. It had been 25 years in the making.

We know our immigration system is broken. We know it is unfair. We know people are suffering because of it. And we know we can do better. So we came together and 68 of us voted on the floor of the Senate, about 6 months ago, to pass comprehensive immigration reform.

I worked on that bill with seven colleagues—four Democrats, four Republicans. We came up with a good bill, not a bill I agree with in all of its spe-

cifics, but one that I think is a good, fair compromise.

We sent it to the House of Representatives. They have done nothing—nothing. They made some statements—some encouraging, some discouraging. The fact is, they never called this bill.

Mr. President, 2014 is another opportunity for the House of Representatives to rise to this challenge, and I hope they will.

There are many parts of that bill that are so essential—strengthening our border, a very important issue to all Americans, particularly on the other side of the aisle; a pathway to citizenship, just a matter of simple, elemental justice, which is a passion on our side of the aisle. We brought those two concepts together to make the bill work.

But included in those concepts is an idea which I introduced into legislation about 13 years ago. It was called the DREAM Act. It basically said if you came to the United States as a child, were brought here in undocumented status or overstayed a visa and were here undocumented, finished high school, had no serious criminal background, we would give you a chance, a chance to earn your way to citizenship—legality and citizenship.

Last week, I visited a group on the Mall who were fighting for immigration reform. Since the middle of November, these immigration, faith, and labor leaders have been fasting, urging the House of Representatives to take up this responsibility and pass the immigration bill.

Their commitment to fighting for immigration reform has inspired people all across this Nation to join the movement and to tell stories about families torn apart by the broken immigration law in America.

We cannot ignore the injustice of this system and the suffering that millions of people in our own country are living with.

I want to urge Speaker BOEHNER to move forward on immigration reform in 2014. I understand there is a small, very vocal, very negative minority of his caucus that refuses to support any change in immigration law. But that is nothing new. In our Nation of immigrants, there has always been that force at work. In the time of Abraham Lincoln's Presidency, they even had a political party. It was the Know-Nothing Party. They opposed immigrants. They opposed Catholics. They were virtually against everything. Lincoln campaigned against them, and eventually they disappeared from the American political scene. But their sentiments can always be found at every point in our history.

The one part of this immigration bill, as I mentioned earlier, that is near and dear to me is the DREAM Act. I fought to pass it for 12 years. There were times when we called the DREAM Act

on the floor of the U.S. Senate, and I would look up in the gallery and it would be filled with young people, men and women wearing graduation gowns and mortar boards, to remind people that they were undocumented, officially unwelcome in America, and yet their heart was here and their lives have been spent here and they were just asking for a chance to be part of our future. Some heartbreaking moments when the amendment was defeated on the floor of the Senate and I met with them; some encouraging moments when the comprehensive bill passed and included the strongest DREAM Act language that we have ever written.

For most of their lives, these young people have been trapped in the shadows, fearing they could be deported at any moment and facing obstacles to developing their talents in this country. Isn't it ironic that we have invested so much already in their lives—educating them, giving them an opportunity to thrive in this Nation—and then, right at that moment when they are ready to go to college or go into a job—we tell them: Leave. We do not want you. That is not right. It is not fair. It does not make any sense.

Last year, President Obama did something that was significant. He announced his administration would grant temporary legal status to these immigrant students who grew up in the United States. This historic program is known as DACA. DACA stands for Deferred Action for Childhood Arrivals. It gave the DREAMers a chance to come out of the shadows and be part of America. In the last year, more than 567,000 people have applied for this DACA status; 460,000 have received it.

Later today or tomorrow, the Senate will vote on the nomination of Alejandro Mayorkas to be Deputy Secretary of the Department of Homeland Security, which I will support.

As Director of U.S. Citizenship and Immigration Services, Mr. Mayorkas has been charged with implementing DACA, the President's Executive order. It was a complicated job, but Mr. Mayorkas did it in an outstanding way.

Earlier this week my colleague and friend Senator GRASSLEY of Iowa spoke on the floor about Mr. Mayorkas and the DACA program. I wish to take a moment to respond to some of the things he said in the CONGRESSIONAL RECORD.

Senator GRASSLEY initially questioned the legality of this DACA program. I want to be clear. DACA is entirely appropriate and legal. Throughout our history, our government has decided which persons should be prosecuted and which ones would not be prosecuted based on law enforcement priority and available resources. Past administrations of both political parties have stopped deportations of low-priority cases. Courts have long recognized their authority to do that.

In a decision last year striking down Arizona's immigration laws, the Court reaffirmed that the Federal Government has broad authority over who is going to be deported. Republican-appointed Justice Anthony Kennedy, who wrote the opinion, said: "A principle feature of the removal system is the broad discretion exercised by immigration officials."

The President's action is not just legal, it is smart. It is realistic. Today there are millions of undocumented immigrants in the United States. The government has to set priorities. Those with criminal records, serious criminal records, should leave. They should be deported—no excuses. Under the Obama administration's policy, that is a high priority. That is the way it should be.

Senator GRASSLEY also claimed on the floor that the immigration service has not released adequate information about the DACA program. I disagree with my colleague and friend. USCIS has been transparent about this process, publishing data on its Web site showing the number of applicants who applied and those who have been accepted and rejected.

For the past few years I have come to the floor of the Senate regularly to tell real-life stories of those DREAMers. I have done it over 50 times. We actually had a reunion of the DREAMers I have spoken of on the floor of the Senate. I want to take some time today to update the story of one of those DREAMers.

This is a photograph of two brothers, Carlos and Rafael. They are siblings who were brought to the United States by their parents when they were kids. Carlos grew up in suburban Chicago, graduated from Palatine High School, where he was an honors student. In high school Carlos was captain of the tennis team, a member of the varsity swim team. He volunteered with Palatine's Physically Challenged Program, where every day he helped feed lunch to special needs students.

Listen to what one of Carlos's high school teachers said about him:

Carlos is the kind of person we want among us because he makes the community better. This is the kind of kid you want as a student, the kind of kid you want as a neighbor, the kind of kid you want as a friend to your child and, most germane to his present circumstance, the kind of person you want as an American.

It is good news. Last week Carlos graduated from Loyola University in Chicago, majoring in education. His lifelong dream was to be a teacher. It almost did not come true. You see, last year Carlos and his brother Rafael were placed in deportation proceedings. They were going to be expelled from the United States. I asked the Obama administration to reconsider. They decided to suspend the deportation. That was the right thing to do. After graduating from Loyola University, Carlos

was offered a teaching position starting in just a few weeks. Carlos will be teaching at Schurz High School, a Chicago public school on the northwest side. In addition to his teaching duties, Carlos will also be helping with the school's DREAMers organization and the tennis team, a sport he knew well from high school.

There is no question that we need the best and brightest to teach in our schools. We need people like Carlos who are committed to the next generation of tomorrow's leaders.

Teach for America knows that great teachers can come from all walks of life, from graduating seniors in our Nation's most elite colleges, to former investment bankers and veterans. Last week Teach for America announced that it plans to actively recruit DREAMers who have received DACA deferment, so more DREAMers like Carlos will be able to give back to the country they know. They will be in classrooms not only teaching the important subjects, but with their very lives they will be teaching the next generation of Americans what immigration has always meant to this country.

I ask my colleagues who stand on the floor critical of the administration's deportation policies, would America be better off if Carlos had been deported last year? Would Chicago be better off if this bright, idealistic young teacher was not headed to the classrooms in a few weeks to try to help educate the next generation of leaders in this country? Of course not.

To hear Carlos's story is to realize the benefits immigration reform will bring to America. Imagine what is going to happen when 11 million undocumented immigrants have the opportunity to step out of the shadows, like these DREAMers, and contribute fully to America. Imagine what it will mean to them to no longer live in fear of a knock on the door, to be able to declare who they are, where they live, who is in their family, to be able to work without any fear, to be able to travel, to go back to important family events in other countries and return to the United States.

Legalization will unleash the earning potential of millions of people. They will be able to pursue jobs that match their skills instead of working in the underground economy.

It is the right thing to do. It will make America stronger. I am confident that wiser voices will prevail in the House of Representatives.

Just the other day I had a conference call with Catholic bishops. They have made this a special effort on their part to support comprehensive immigration reform. They were from all over the United States. In addition to their prayers, I asked them to reach out to their congregations, tell stories like Carlos's story and Rafael's story, and

tell people this is really very fundamental and basic when it comes to issues of justice.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. President, I have come to the floor I cannot tell you how many times to talk about an industry in America—the for-profit college and university industry. I have talked about the basics. Most people could not tell you what for-profit colleges are or which ones are for-profit. Well, the major colleges—I will start at the top with the Apollo Group, the University of Phoenix, and DeVry out of Illinois is second. Kaplan, which was owned by the Washington Post, is third. There are a lot of other ones.

What is interesting about these colleges and universities is they could not exist without generous subsidies from the Federal Government. Here is what happens. They lure students into enrolling in their schools. The students, often because they are low income, qualify for Pell grants and student loans. The Pell grants and student loans flow from the government through the student into the for-profit schools.

It turns out there is a 90-10 rule. Imagine this. These for-profit schools cannot take more than 90 percent of their revenue from the Federal Government—90 percent. They are 10 percent away from being a total Federal agency. But they make amazing amounts of money, huge amounts of money. They pay their CEOs millions of dollar because this is a very lucrative undertaking.

But there are three things you should remember about for-profit schools—three numbers. You will know what the challenge is if you remember these three numbers:

Twelve. Twelve percent of all the graduates of high school go to for-profit schools.

Twenty-five. Twenty-five percent of all the Federal aid for education goes to these schools.

Forty-seven. Forty-seven percent of all the student loan defaults are with students who have enrolled in these for-profit schools.

So 12 percent of the students, 25 percent of the Federal aid for education, and 47 percent of the student loan defaults.

Why are these students defaulting? There are several reasons. One reason is that the diplomas from these schools are not worth much. I will tell a few stories in a moment. The other reason is that once the school enrolls these students and brings in their student loans, they really do not care that much as to whether they finish. It is not that important to them. The money has already flowed to the school. A third reason, of course, is that many of these students finish school, and with their questionable or worthless diplomas, they cannot find

jobs. What happens then? They cannot make their student loan payments.

I will tell some specific stories when I talk about one of these for-profit school operations. It is called Corinthian Colleges, which is a publicly traded corporation that owns for-profit schools in the United States and Canada. It is now in the spotlight for engaging in manipulative marketing and deceptive job-placement practices.

Earlier this week, a Huffington Post article called attention to these abuses. It was entitled "How a For-Profit College Created Fake Jobs to Get Taxpayer Money." The headline says the whole story. The article reports that Corinthian has been encouraging the manipulation of job-placement rates to entice students to sign up for programs and to avoid the scrutiny of the government and the accreditors.

Corinthian College subsidiaries—Everest College is one of them—have been criticized in the past for having high dropout rates and some of the highest 3-year loan default rates in America even while its tuition rates are higher than community colleges or even flagship State schools for an equivalent degree. In spite of the bad press, Corinthian Colleges—such as Everest—have managed to come out on top, increasing enrollment, increasing profit margins, and increasing payments for their executives. It would appear these gains were at least in part due to the manipulative marketing practices and a corporate culture of deceit toward its students.

According to this article, Eric Parmis enrolled in Everest College's heating, ventilation, and air-conditioning repair program in the summer of 2011. Eric had been laid off from his job. He was attracted to Everest because of the promise from its advertisements and recruiters that their HVAC program would lead to a good job and a decent living. So Eric picked up his family—his wife and two sons—and he moved from Ohio to Georgia to enroll in this Corinthian school, the Everest College program. He was a good student. Eric received all A's, only missing one class on the day his 7-year-old son was diagnosed with leukemia. After completing the 9-month program, Eric Parmis was left with a \$17,000 student loan debt and could not find a job.

What Eric did not know was Everest College was paying more than a dozen local employers what they called an on-boarding allowance of \$2,000 a head to secure 30 days of employment for their graduates. These were not real jobs; these were jobs which Corinthian Colleges—Everest College—were frankly bankrolling so it looked as if their graduates were going to work. The money was purportedly a fee to help pay for things such as training and uniforms. In reality, by paying companies to take graduates for temporary jobs,

the Everest College was able to boost its official job-placement rate unrealistically. This helped Everest College continue to fly under the radar of its accreditors.

However, Corinthian paid companies for jobs without considering the long-term effects on students. The fact that they would sign them up for 30 days and then turn them loose really did not mean that much to Corinthian; they just had to show that they went to work at some point.

Well, after he graduated Eric had to beg the school's career service counselor to even set up interviews. Even then, he would arrive at interviews supposedly set up for him, and the potential employers would tell him they had never heard of Everest College. Remember, Eric Parmis was on the hook for \$17,000 in student loans for this course he took.

Finally, Eric was set up by career services to work in a contract position with ADG Enterprises laying electrical wires. After less than 2 months on the job, he was laid off and cut off from career services from Everest. Everest had used him to get \$17,000 in student loans and turned him loose without a job, without a future.

In fact, managers discouraged career counselors at Everest from re-placing people who had already been placed in a job. They were instead encouraged to send graduates to companies with high turnover rates, to provide temporary positions just so they could show that their graduates went to work even if it was just for a few days. The school had effectively placed Eric in a short-term internship program. Once it was over, there was no incentive for them to keep him. They turned him loose to vacate a space for another graduate and another \$2,000 check. Then Everest would shuffle another graduate into the same position to artificially maintain that they were placing students in jobs. This was fraud—not just a fraud on the public, not just a fraud on the students, but a fraud on American taxpayers by Corinthian Colleges.

Eric lost out on the deal—a \$17,000 debt for a training degree he could not use. To get a Georgia HVAC contractor license, he needed to have significant work experience and references, and no one would hire him because they did not take his degree from Everest—part of the Corinthian College system—seriously.

The practice of paying employers to hire graduates from this Everest campus ended in 2011, but it was not the only Corinthian school engaging in these practices. The California attorney general recently filed suit against Corinthian for using fraudulent marketing, paying companies to temporarily hire graduates, and using other tactics to meet accreditation standards and job-placement rates. These other tactics included paying temporary

agencies to hire graduates for temporary positions while basically counting a 1-day volunteer event for dental assistant graduates as a job placement and, worse yet, "placing" graduates at nonexistent businesses they created as part of a class project to design business cards.

It was a big game for Corinthian, and they got paid off handsomely by Federal taxpayers and these unsuspecting students.

Corinthian has also outright misrepresented job placement rates to students by advertising numbers substantially higher than their actual rates. These deceptive practices give the illusion that this is a successful undertaking. Go to Everest and get a job. It turns out that it is a charade.

In addition to manipulation of job placement rates, recruiters for Corinthian colleges and schools withhold pertinent information from students to get them to enroll.

Lindsay Ryan, another student at Everest College who contacted my office, studied criminal justice online and was 12 weeks away from graduation when she learned that Everest was not regionally accredited and that she wouldn't be able to find a job in her field in the State of Illinois.

One would think that a college offering courses to people in Illinois would have some obligation to tell them whether or not a degree or certificate from that school could lead to a job in that State?

In Lindsay's case it didn't.

Do you know what Everest College suggested to Lindsay after she had been duped into this so-called education? They suggested she move to Florida where she might be able to use an Everest College degree. That wasn't an option for Lindsay and her family.

Now she sits, unemployed, supporting three children, her husband, and a \$24,000 student loan debt to this Corinthian college, Everest College, for a worthless degree.

Over the past decade Corinthian colleges have received from the Federal Government nearly \$10 billion in student aid—\$10 billion. That makes up more than 80 percent of the total revenue of this college. These schools, these for-profit schools, are sucking on the Federal Treasury to come up with billions of dollars to get rich at the expense of taxpayers and these poor exploited students.

Corinthian grew during our recession, reaching a peak enrollment of 93,000 students, doubling revenue up to \$1.7 billion in 2011. This is in part due to a persuasive but deceptive marketing plan promising a better career to people such as Eric and Lindsay who were looking for a way out during difficult times.

Toya Smith, a former Everest career counselor who was interviewed by Huffington Post, recognized that for-profit

schools burden students with large debts, a questionable degree, and poor job prospects—while the company was profiting on Federal dollars.

She said: “You’re selling a dream to a student that you know, in reality, they are not ever going to realize.”

Did I mention Toya was a former counselor at Everest? She told the truth.

How many more times will Corinthian end up in the news for deplorable stories such as these? I have asked the CEO of Corinthian to explain these practices. His name is Massimino. He was paid more than \$3 million in total compensation the last year that was reported by this corporation. I have asked him not to engage in this conduct again.

I have also written to Everest College’s national accreditors, the Accrediting Council for Independent Colleges and Schools and the Accrediting Commission of Career Schools and Colleges, asking what steps they are going to take to sanction Everest for these egregious abuses of the public trust.

Finally, I have asked the Secretary of Education, Arne Duncan, to look into these allegations and to use whatever authorities the Department may have to hold Everest and its parent company, Corinthian, accountable.

If no authorities exist, I have asked him to work with me in Congress to give the Department the ability to respond more aggressively to abuses such as the ones I have outlined for Corinthian.

It is time to put an end to the corporate culture of deception and data manipulation that pervades the for-profit school industry. They are wasting taxpayers’ dollars. They are abusing students and their families. We in Congress are not doing what we should.

We have to protect these students and their families. We have to protect America’s taxpayers from for-profit schools that are taking advantage of the law.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ISAKSON. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ISAKSON. I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO PAUL YATES

Mr. ISAKSON. Merry Christmas to the Presiding Officer and to all those who might be watching C-SPAN.

We are getting close to the big holiday, and it is a time when I come to the well to pay tribute to a great news-

man in Georgia who is retiring after 40 years in television on the Georgia beat: Paul Yates, with WAGA-TV, Fox 5, in Atlanta. He has served for 35 consecutive years at the same station.

In fact, when I ran for Governor in Georgia in 1990 he covered that race. He has covered all of my Senate races, and he covered all of my legislative races. When we were in the legislature and in session, he covered every day of the Georgia legislature and has for over three decades.

He has made a tremendous contribution to our State and the level, quality, and respect for the very best that journalism can expect. As Paul Yates retires from his service after years of service to the people of Georgia at WAGA-TV, and as one who he has covered—both good and bad—I wish to pay tribute to a great journalist, a great friend, and a man who has done a great service to the people of my State of Georgia.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MARKEY). Without objection, it is so ordered.

Mr. CARDIN. Mr. President, let me first comment about the National Defense Authorization Act. It is an important bill for us to pass, and I wish to thank Senator LEVIN and Senator INHOFE for the manner in which they worked on this legislation, bringing it together in the committee. It was a bipartisan bill. As it came to the floor it maintained that focus on helping our troops and helping preserve our national security. As we were starting to consider amendments, I think some cooperation was there. Unfortunately, we lost track of being able to consider amendments in a somewhat normal course.

But the bill before us represents a bipartisan effort to make sure we provide the men and women who are defending our Nation the tools they need in order to carry out their mission, and we give them the support they deserve for serving their country. So this bill is a critically important bill, and I am glad that with the earlier vote, we are on track to send this to the President for his signature before the end of the year. It is very important. The bill provides many important provisions for the health care of our troops, many important provisions for their compensation, and it is important we get that done before January 1.

The bill also provides the tools they need and the direction they need in terms of foreign policy in our military.

I wish to thank the committee. Several of the suggestions I made during

the committee process were incorporated in the bill that came to the floor. I have the honor of chairing the East Asian and Pacific Affairs Subcommittee of the Senate Foreign Relations Committee and serving with the distinguished Presiding Officer who also serves on that subcommittee. In that capacity we worked with the committee to deal with some of the issues in that region, provisions dealing with the health care of our military personnel and many of the other issues. I am glad to see the committee did incorporate some of the concerns that had been expressed.

Two specific amendments I had noted during the amendment process have been incorporated in the bill that is before us. One deals with health care and the other deals with parity between our civilian workforce for the Department of Defense and our contract workforce. I appreciate that those two amendments have been incorporated into the bill we have before us.

Similar to many of my colleagues who have come to the floor, I am disappointed. On any bill that comes forward that is a bipartisan bill there are compromises and there will always be disappointments about not being exactly everything you want it to be.

That is understandable. What is very disappointing is that we didn’t have a chance to offer many amendments that are not controversial. The only way an amendment could get on after it came through the committee was through a clearing process, and I think there are many other amendments that could have gotten into this bill that would have been important, but I will look for other opportunities.

I had three amendments that I will mention now that I will look for other opportunities to advance. One comes directly out of the subcommittee I chair, and that deals with maritime security issues in the China seas. That is a powder keg, where China most recently took steps in regard to airspace that only made that situation even more tense. The maintaining of maritime security is critically important to the United States. It is the major shipping lane for commerce not only in that region but globally, and it is an area that could bring about unfortunate conflicts between many countries in that region which could mushroom into active situations. So maritime security is a very important issue, and the United States has taken a very active position on that to say: Look. These matters have to be talked about directly by the countries involved in a peaceful manner, not in an intimidating manner. The amendment I offered would have furthered the Senate in supporting that position.

I was also disappointed not to be able to offer an amendment which dealt with the accountability particularly of Assad in Syria but also of those who

have committed war crimes in Syria. The Presiding Officer knows of the testimony we have had in regard to the gross violation of human rights by government officials in Syria and the numbers of people who have been killed and have suffered as a result.

The War Crimes Tribunal at The Hague should have the ability to deal with these types of issues, and the amendment I offered asked that the United States work for full accountability for those who have violated international standards in regard to war crimes.

A third amendment I had offered that did not get in because of reasons I just mentioned was an effort that many are working on to form a partnership between the United States and Vietnam in regard to education programs—higher education. We have a way to do that. Senator MCCAIN was very helpful to me in trying to advance this, and we will look for another opportunity to get that done because I think it is critically important.

Many of us understand we have to improve the relationship between the United States and Vietnam, but Vietnam needs to deal with its human rights violations. It needs to deal with its good governance. One way we can help this is by dealing with institutions that promote democracy, and that is, of course, higher education.

So while I am looking forward, with regard to all those areas, to finding other vehicles where we can deal with the issues we were not able to deal with through the amendment process, I would ask our colleagues to get this bill to the President so he can sign it before the end of this year.

THANKING ELISE MELLINGER

Mr. President, I would also like to make a few comments about Elise Mellinger. As I mentioned earlier, Elise is a Pearson Foreign Service officer fellow. Let me explain what that means. She is an experienced member of the Department of State's Foreign Service. She served in India, Indonesia, and Singapore. She is a person who has served our country for many years, and she is a career diplomat at the State Department.

For the past year, she has been assigned to my Senate office and has acted as a valuable member of my staff. That helps our career diplomats understand the congressional process better, but it also gives us the opportunity to have an experienced individual who truly understands the workings of diplomacy to be in our offices and help us carry out our responsibilities.

In Elise's case, that was particularly helpful to me because at the beginning of this year I took on the new responsibility as the chair of the East Asian and Pacific Affairs Subcommittee. Throughout my career in Congress, I have spent a lot of time in Europe. I

have chaired the U.S. Helsinki Commission, and I have traveled extensively to Europe, but it was a new venture for me to chair the East Asian and Pacific Affairs Subcommittee. Elise Mellinger brought me the expertise so we could—the Senate and the Committee on Senate Foreign Relations—carry out our responsibility in regard to congressional oversight and initiatives in regard to that region of the world.

As a result of her hard work, we were able to have numerous hearings in 2013 on the rebalance to the Asia initiative President Obama brought forward, and to talk about many of the issues in that region of the world, from the maritime security issues I have already talked about to environmental issues, to dealing with North Korea, a huge problem with not only their nuclearizing the Korean Peninsula, which is unacceptable, but the human rights violations in that country and how the people are being treated as far as economic growth, and the list goes on and on.

Vietnam is a major country of interest. We have been able to be involved in that. We had a hearing on the typhoon in the Philippines that Elise Mellinger was critically important in helping us put together in a matter of days so we could become knowledgeable as to what was happening with one of our allies in that region—the Philippines—and what we could do and what the international community and the private sector could do in order to help the people of the Philippines. I traveled to that region, and Elise Mellinger was extremely important in preparing me for that trip.

So I just wanted to share with my colleagues this program we have, where we have executive employees, career diplomats who come and work in our offices so we can work together and advance foreign policy in the United States. There should not be a difference between the executive and legislative branches in regard to our objective with foreign policy. Of course, we have oversight; of course, we have separation of powers; and for the entire year Elise Mellinger was in my office she was a 100-percent loyal person among our staff to carry out that responsibility. As I said to her earlier, I hope it does not affect her career when she goes back to the State Department, and I know it will not.

I was very fortunate, indeed the Senate and I believe the American people were very fortunate, that Elise spent the year in service to her country through the Senate. She will be leaving very shortly, at the end of this month. So I wish to thank her, her family, her husband, Elliott Wu and her daughter, Eitana Wu for sharing Elise Mellinger with us. We wish her well. We are going to miss her. She is going on to return to the Canadian desk within the State

Department before she accepts her next mission that will most likely be outside the United States.

On behalf of all my colleagues in the Senate, I want to express my thanks and appreciation to Elise Mellinger.

With that, I yield the floor.

THE PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, this week the Senate is considering a couple of fairly big items. We had a vote earlier this week on a budget proposal to fund the government for the next couple of years, and we also are going to be voting on a defense authorization bill that is very important to America's national security interests.

As we brought this legislation to the floor, there has been something conspicuously and noticeably absent; that is, open debate—something that used to be taken for granted in the Senate, a right that was accorded to Senators.

The nice thing about getting to the Senate, when you come from the House of Representatives, is that when you get to the Senate, one person can actually have the opportunity to get amendments voted on and have those amendments debated. In the House of Representatives, those of us who have served there, know there is a rules committee, and the rules committee decides what comes to the floor, what amendments are made in order, and how much time is allowed for debate on each amendment. It is a very structured process.

What the Founders conceived for the Senate was something different. They wanted us to have an opportunity to openly debate the big issues of the day. And there are no bigger issues, I would argue, than the budget proposal which will fund the government for the next 2 years and spend literally billions and trillions of dollars of the American people's tax money; and the Defense authorization bill, which will authorize in this case over half a trillion dollars of spending of the American taxpayers' money.

So these are big, consequential pieces of legislation brought to the floor of the Senate but not open to the debate, not open to the amendment process.

We just heard the Senator from Maryland talk about amendments which, if he had the chance to offer, he would have offered. That applies to a lot of us.

The Defense bill, when it comes to the floor here, will have probably gone through a fairly good vetting process. I served on the Armed Services Committee for 6 years. I think they did then and do now a good job of prioritizing when they come to the floor. But we have to remember, there are only probably 25 or so members of the Armed Services Committee, which means there are 75 Senators who haven't had an opportunity to have their voices heard on such a big piece of legislation.

The same thing with the budget. The budget conference really consisted of a couple people. In fact, I am told by conferees who were members of the Budget Committee and were supposed to be members of that conference, they really didn't vote on it. There was no vote on it when it left the conference. It was negotiated by a couple of people and brought to the floor to be voted on—something that is pretty darned important to the future of this country but not open to amendment, no opportunity for Senators here to have the opportunity to improve upon. Perhaps we could improve upon it; maybe we couldn't. But we at least should have had the opportunity to bring issues to the forefront that rightly should be debated when we are talking about something like a 2-year budget and a defense bill which spends enormous amounts of the American people's tax dollars.

So no debate. Shut down here in the Senate by the majority leader. Why? I guess because it is really critically important we get to some of these nominations that need to be voted on—voted on before the Christmas holiday. Why? Well, because, Lord knows, we couldn't vote on them next year. I guess we can vote on them next year. Now that the majority has broken the rules here in the Senate, changed the rules, they can approve those with 51 votes.

So I don't know what the big sense of urgency is on these nominations that would prevent us from having a full and open debate on something as consequential as the Defense authorization bill or the budget just being voted on here in the Senate. I don't know why these nominations would take precedence over that.

It seems to me that if there was any sense of urgency attached to this, most Members on both sides I think would acknowledge that we need to do that. But clearly these are all nominees who could be voted on next year, and now approved with 51 votes, thanks to the majority breaking the rules in the Senate and making it possible to approve nominees with 51 votes.

So the very notion, as the majority leader came out here and said repeatedly now, that we would be here next week on one of the most important Christian holidays of the year voting on nominees that can be voted on a week later after the first of the year when Congress comes back into session—it seems to me to be really sort of stunning in terms of its audacity.

I think the American people would conclude the same thing; that we would take a defense authorization bill, that we would take a huge budget bill and actually sort of just try and sweep them under the carpet, fill the tree so we don't have an opportunity to debate amendments or vote on amendments, but then have to rush to get

these nominations through, nominations which can be considered early next year and approved now with a 51-vote majority.

So think about that. We have had these threats here on the floor. The majority leader has come to the floor and said: We are going to be here Christmas Eve because we have got to do these nominations. Yet we don't have any time to do the important work, such as having a chance to debate and vote on amendments to bills such as the Defense authorization bill.

So that is where we are. Again, I think it is pretty stunning that this is what the Senate has deteriorated into. And it is regrettable. But hopefully—hopefully—at some point people will come to their senses that: Yes, this is an important week next week for a lot of people around this country; that perhaps being able to do the nominations a week later, after the first of the year, when they can be approved with 51 votes, that might make sense and might be a reasonable approach to take with all this.

I hope most Members here, like most Americans, next week at least have an opportunity to celebrate the Christmas holiday with their families. And as they do, a lot of Americans will use that opportunity to reflect upon the past year. In many cases that will mean life changes which occurred in the last year. For many Americans it might be a marriage in the family, it might be a graduation, events that we celebrate. It might be something we look on with reflection and mourn the loss of a loved one. But this is a time when normally people around this country reflect on significant changes in their lives in the last year and start thinking in anticipation about what the next year might bring.

Some things people can't control in their lives. Some changes people don't like and they can do nothing to control. And as they start thinking about last year and start thinking about next year, for a lot of people it is going to be the impact that ObamaCare is going to have on their lives. People are thinking about the fact that they have these skyrocketing premiums that are now coupled with these outrageous deductibles. The sticker shock is forcing millions of Americans to pay more for health care.

President Obama promised the American people:

ObamaCare will cut costs and make coverage more affordable for families and small businesses.

Well, the reality is that family premiums have already skyrocketed since ObamaCare became law. American approval of this law is now in the tank.

According to a recent CBS/New York Times poll:

Most uninsured (57 percent) think the cost of their health care will increase, and just 23 percent expect the quality to get better.

Think about that. Fifty-seven percent of the people who have no insurance—people who are uninsured—think the cost of their health care is going to increase. And a majority in that same poll are opposed to the health care plan. Those are people who don't have health care insurance today, and a majority of them are opposed to this plan.

For many Americans, the holiday season is going to be filled with angst and uncertainty as they look at facing a coverage gap on January 1. More than 10,000 Iowans were told by healthcare.gov that they should qualify for Federal health coverage, but Federal officials have not yet sent complete information on those people to State administrators, who are supposed to then review the applications and enroll people in the program.

My colleague from Iowa Senator GRASSLEY is on the floor. Constituents he represents are going to be filled with a lot of uncertainty as they face the future. According to the Des Moines Register, Percy Smith of Des Moines is concerned about a coverage gap:

I'm losing my optimism, because we're getting close to January, and I don't know if I'm going to be covered or not.

But this problem will affect more than Iowans. According to the Washington Post:

Those facing a potential coverage gap include an estimated 15 million people.

The law's insurance cancellations mixed with the Web site's problems might leave some people who have coverage now uninsured in the new year. These are Obamacare's biggest losers.

Today, George Will has an article in the Washington Post that explores this administration's abuse of executive discretion. The article effectively summarizes the exact abuses of executive power that my colleagues and I have been vocally opposed to.

Under this administration, if they don't like what the law says, even if they wrote that law, they simply ignore it. Example after example exists of how this President believes he is above the law. Look no further than their delay of the employer mandate or their rewrite of the laws governing the work requirements as a condition of receiving welfare. As Mr. Will says in his article:

In 1998, the Supreme Court held that "there is no provision in the Constitution that authorizes the president to enact, to amend, or to repeal statutes."

Yet, as Mr. Will further points out, this President often claims:

... he can't wait for our system of separated powers to ratify his policy preferences.

Unfortunately, that is not how our country was founded and not what our forefathers established in our system of governance.

As the Federalist Paper No. 47, authored by James Madison, says:

The accumulation of all powers, legislative, executive, and judiciary, in the same

hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny.

The American people are wising up to this abuse of power, and I believe this President must respect the rule of law, despite his clear self-interest to act otherwise.

I believe it is only a matter of time before the President continues to abuse executive discretion to correct problems with his law. Instead of being forthcoming with the American people and Congress and explaining why parts of this law won't work, he relies on his administrative agencies to issue 11-hour blog posts or leaks to the media to announce delays in portions of his signature law.

Another way this administration is trying to fix problems is to put the burden of fixing problems on others. Last month the President tried to fix the problem of cancelled plans by kicking the can to State insurance regulators to determine whether, in 48 days from the date of his announcement in November, they can change their State insurance regulation policies quickly enough to permit plans to continue to offer those plans available in 2013 and 2014. He expected State insurance commissioners to bail him out to allow Americans to keep the plans they were promised they could keep. He is also expecting insurance companies to bail the administration out of problems as well.

The insurance industry will now extend the deadline until January 10 for Americans to pay for coverage that starts on New Year's Day. This doesn't fix the problem of coverage gaps, but it is a convenient talking point for the administration.

While 2013 was filled with one unbroken ObamaCare promise after another, the President's inability to follow through on making coverage more affordable for families and small businesses was one of the biggest. In a rare moment of candor, Secretary Sebelius was forced to admit:

[t]here are some individuals who may be looking at increases [in health care costs].

A recent Associated Press/GfK poll confirms that more than "some" individuals will be facing sticker shock thanks to ObamaCare: Sixty-nine percent say their premiums will be going up, while 59 percent say annual deductibles or copayments are increasing.

A separate poll by the Washington Post and ABC found that just 5 percent of Americans believe that ObamaCare will actually reduce their health care costs.

The reality for many Americans is that dramatically higher premiums, deductibles, and copayments mean they are going to have less money in their wallets to spend on rent, pay for college, or to invest in a small business.

As a result, 67 percent of respondents in a recent Fox News poll say ObamaCare should be delayed and 53 percent of respondents would vote to repeal the law.

This holiday season Democrats should give the American people what they were promised all along: lower costs, while keeping the doctor and plan they have and like.

As we begin 2014, this President and administration should commit to abandoning their power grabs and complete disregard for the rule of law. This law was passed, hurriedly rushed through here on a partisan vote. Not a single Republican Senator here voted for it. We are now seeing the effects of that: one-party rule, one party running roughshod over the other to try to get something enacted into law—which now, as the American people are finding out, they are the ones impacted.

We are seeing all the adverse, harmful impacts which come with it: higher premiums, cancelled coverage, lower take-home pay, higher deductibles, and a less promising future for the American people. We can and we should do better.

I hope that as Americans this Christmas season reflect on the past and think to the future, we will resolve to do what is necessary to give them a brighter future by putting in place policies which will grow the economy, create jobs, increase the take-home pay of middle-class Americans, rather than give them another gut punch which makes it that much harder for them to provide for themselves and their families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I rise for two purposes. No. 1, to discuss the National Defense Authorization Act and the fact that we cannot offer amendments to it and the process that has deteriorated in the Senate for deliberation. Second, I will speak very shortly about the nomination of Mayorkas, one of the first nominees we will be voting on this week.

The Senate is poised to vote on a final National Defense Authorization Act after considering only two amendments. The Senate has not been functioning like it should for some time, and the way that the National Defense Authorization Act has been handled is one example. I have served in the majority and the minority, with Democratic Presidents and Republican Presidents. So I have seen it operate from every perspective. What is unique about the Senate is that the rules as well as the traditions force Senators to work together. That leads Senators to understand where the other side is coming from, resulting in mutual respect and scrutiny.

I hear from a lot of Iowans who are upset at the tone they hear in Wash-

ington and the lack of bipartisanship. I have often said that the Senate functions best when no party has more than about 55 seats. If you have much more than that, there is less of a tendency to want to work in a bipartisan fashion. That was true for most of my time in the Senate but not now. Despite a current margin of just 5 seats in the Senate, there has been very little bipartisan cooperation. I suppose some Democratic Senators really believe it when they say that this is all Republicans' fault. I think anyone who remembers how the Senate used to operate and has paid attention to how the current majority leadership has been running things in fact knows better.

In fairness, quite a few Members of the Senate do not remember how the Senate is supposed to operate because it has been dysfunctional ever since they were elected. Some Senators previously served in the House of Representatives, where the majority party controls everything that happens. In the House of Representatives, the Rules Committee sets out the terms of debate for each bill. If you want to offer an amendment in the House you have to go, hat in hand, to the Rules Committee and say: Mother, may I. If the House leadership does not like your amendment, frankly, you are out of luck.

If that sounds familiar, that is because it is how the current Senate leadership has been running things lately here in the Senate. We have seen an absolutely unprecedented use—or I should say abuse—of cloture motions paired with a tactic called filling the tree to block amendments from being considered.

That not only affects the minority party, but Democratic Senators are affected as well. I would say to my colleagues on the other side of the aisle: How many times have you had an amendment you wanted to offer, that was important to your State, but you could not do it because amendments were blocked? The Senate majority leader has effectively become a one-man version of the House Rules Committee, dictating what amendments will be debated and which ones will never see the light of day. This strips the ability of individual Senators to effectively represent their States, regardless of party.

It also virtually guarantees that any legislation the Senate votes on will be more partisan in nature. I would ask my colleagues across the aisle: Isn't your first responsibility to the people of your State, not to party leadership? Are you really content to cede to your party leader the trust and responsibility placed in you by the voters of your State? How much longer can you go along with this proposition?

The people of Iowa sent me to the Senate to represent them, not simply vote up or down on a purely partisan

agenda dictated by the majority leader. Everyone complains about the lack of bipartisanship these days, but there is no opportunity for individual Senators to work across the aisle when legislation is drafted on a partisan basis and amendments are blocked. Bipartisanship requires giving individual Senators a voice regardless of party. When Senators are only allowed to vote on items that are preapproved by the majority leader, those Senators lose the ability to effectively represent their State and, in the end, become mere tools of party leadership. It is no wonder Americans are so cynical about government right now.

In the last decade, when I was chairman of the Finance Committee and Republicans controlled the Senate, we wanted to actually get things done. In order for that to happen, we knew that we had to accommodate the minority. We had to have patience, humility, and respect for the minority—attributes that do not exist on the other side anymore. We had some major bipartisan accomplishments, from the largest tax cut in history to a Medicare prescription drug program to numerous trade agreements. Those kinds of major bills do not happen anymore.

The Senate rules provide that any Senator may offer an amendment regardless of party affiliation. Each Senator represents hundreds of thousands or millions of Americans, and each has an individual right to offer amendments for consideration. The principle here is not about political parties having their say but duly elected Senators participating in the legislative process, as imagined by the Constitution. Again, as part of our duty to represent the citizens of our respective States, each Senator has an individual right to offer amendments. This right cannot be outsourced to party leadership.

The longstanding tradition of the Senate is that Members of the minority party, as well as rank-and-file Members of the majority party have an opportunity to offer amendments for a vote in the Senate. That has historically been the case with the annual National Defense Authorization Act, the very bill that we are debating now. But not this year. It typically takes a couple of weeks to consider the National Defense Authorization Act. This year the majority party leadership chose to wait until a week before the scheduled Thanksgiving recess to bring it up, leaving little time for the customary open debate and amendment process.

Once the Defense bill was brought up, rather than promptly starting to process amendments, the majority leader immediately blocked amendments so that he could control what came up for a vote. Obviously, the Senate ground to a halt, wasting time that we did not have when we could have been considering amendments from both sides of the aisle.

This process, as everyone here in the Senate knows, is called filling the tree, where the majority leader offers blocker amendments that block any other Senator from offering their own amendment unless the majority leader agreed to set aside his blocker amendment so other amendments can be offered.

Filling the tree does not appear anywhere in the Senate rules. It is based upon combining two precedents, the precedent that the majority leader has the first right of recognition by the Presiding Officer and the precedent that only one first-degree and one second-degree amendment can be pending at any one time. Basically, the majority leader abuses his prerogative to cut in line and offer an amendment that does nothing more than simply change the enacting date by 1 day, for instance. That then blocks any other Senator from exercising his right to offer an amendment.

This so-called filling-the-tree tactic used to be relatively rare, but it has become routine under current leadership. This way the Democratic leadership can prevent other Senators from offering amendments that they do not want to have to vote on. Then, with amendments blocked, the majority leader makes a motion to bring debate to a close. Around here that is called cloture. When cloture is invoked, it sets up a limited time before a final vote must take place. By keeping amendments blocked while running out the clock, the majority leader can force a final vote on a bill without having to consider any amendments other than amendments that the majority leader might approve.

It should not be a surprise to anyone that Members of the minority party who wish to offer amendments will vote against a motion to end debate until their amendments have been considered. When Republicans vote against the Democratic leader's motion to end debate, we are accused of launching a filibuster. In other words, unless we give up our right to participate fully in the legislative process, the other side says that we are filibustering.

Does that really count as a filibuster? No. The nonpartisan Congressional Research Service answers this question, and has a very helpful report on cloture motions and filibusters that make this point very clear. The CRS report is entitled, "Cloture Attempts on Nominations: Data and Historical Development," by Richard S. Beth. It contained an entire section called "Cloture Motions Do Not Correspond With Filibusters." It starts out:

Although cloture affords the Senate a means for overcoming a filibuster, it is erroneous to assume that cases in which cloture was sought are always the same as those in which a filibuster occurs. Filibusters may occur without cloture being sought, and cloture may be sought when no filibuster is taking place. The reason is, cloture is sought by

supporters of matters, whereas filibusters are conducted by its opponents.

It then goes on to explain various scenarios to illustrate this point. Several Members of the majority have made a point of trying to confuse cloture motions with filibusters. We hear constantly that there have been an unprecedented number of Republican filibusters. They often point to a chart that purports to tally the number of filibusters and say that this is evidence of abuse of the Senate rules by the minority. The number they quote is the number of cloture motions, not the number of filibusters. It is true that there have been a record number of cloture motions, and I also agree that the number amounts to an egregious abuse of Senate rules, but, again, there is a very significant difference: Cloture motions do not correspond with filibusters. Cloture motions are filed by the majority party leadership, not by the minority party. This abuse of cloture is a major cause of the Senate's current dysfunction.

Again, this abuse of cloture, often combined with the blocking of amendment also prevents all Senators from doing what they were sent here to do, not just Members of the minority party.

It has gotten even worse. Even where the majority leader has decided he is going to be open to amendments, he has created out of whole cloth new restrictions to limit Senators' rights. First, he normally only opens the amendment process if there is an agreement to limit amendments. This is usually only a handful or so. Then he has magically determined that only germane or relevant amendments can be considered.

Of course, nowhere do the Senate rules require this, other than postcloture. Senators elected in the last few years appear to be ignorant of that fact. You will hear some Senators here argue against an amendment saying it is nongermane or nonrelevant. They have totally fallen for the creative rulemaking of the majority leader, thus giving up one of their rights as a Senator with which to represent their State. I cannot count on how many nongermane or nonrelevant amendments I had to allow votes on when I processed bills when Republicans were in the majority. They were usually tough political votes, but we took them because we wanted to get things done. We wanted the Senate to function.

You do not see that nowadays. The current majority leader avoids tough votes at all costs and that is why we don't get much done around here. The American people sent us here to represent them. That means voting, not avoiding tough votes.

We sometimes hear this is a question of majority rule versus minority obstruction. Again, that ignores that

each Senator is elected to represent their State, not simply to be an agent of the other party. While the majority of Senators may be from one party, they represent very different States, and the agenda of the majority leader will not always be consistent with the interest of their States.

When one individual, the Senate majority leader, controls what comes up for a vote, that is not majority rule. In fact, there are policies that have majority support in the Senate that have been denied a vote.

What happened during Senate debate on the budget resolution this year seems to prove that point. The special rules of the budget resolution limit debate so it can't be filibustered but allow for an unlimited number of amendments.

A Republican amendment to support repealing the tax on lifesaving medical devices in President Obama's health care law passed by an overwhelming 79-to-20 vote, with more than half of the Democrats voting with the Republicans rather than with their party leader.

A Republican amendment supported the approval of the Keystone XL Pipeline to bring oil from Canada and passed 62 to 37.

Those are two examples, because votes such as these that split the Democrats and hand a win to the Republicans are exactly what the majority leader has been trying to avoid by blocking amendments.

That is why the Senate didn't take up a budget resolution for more than 3 years. Still, the budget resolution isn't a law, so unless legislation on those issues is allowed to come up for a vote, nothing will happen despite the support of the vast majority of the Senate as demonstrated by those two rollcall votes I just mentioned.

As a case in point, now we are on the National Defense Authorization Act, and one of the amendments the majority leader blocked would have imposed sanctions on the Iranian regime. Everyone knew this amendment enjoyed broad bipartisan support and would have passed easily had a vote been allowed to take place. It had majority support. But the Senate was not allowed to work its will.

Why? The Iran sanctions amendment was blocked because the President opposed it and it would have been a tough vote that divided the majority party. Is that a valid reason for shutting down the traditional open amendment process for the Defense bill? I don't think so.

Until we put an end to the abuse of cloture and the blocking of amendments, the Senate cannot function properly and the American people will continue to lack representation that they are entitled to.

MAYORKAS NOMINATION

As I said, I have a few short remarks on the Mayorkas nomination. I spoke

at great length on this yesterday and I won't speak at great length today, but I have concern with Mr. Mayorkas' nomination, so I have additional information today for my colleagues.

Today the Office of Inspector General for the Department of Homeland Security released an embargoed version of its audit of the EB-5 immigrant investor visa program. The report states that the U.S. Citizenship and Immigration Service has difficulty ensuring the integrity of the program and does not always ensure that regional centers meet all eligibility requirements.

Specifically, the report said:

U.S. Citizenship and Immigration Service did not always enforce its own regulations and procedures to assist with managing the regional center program.

Another quote:

Until improvements are made, U.S. Citizenship and Immigration Service is unable to prevent fraud and national security threats . . .

Another quote:

[I]t cannot report the results of the program accurately or ensure the EB-5 program is benefiting the U.S. economy and creating jobs for U.S. citizens as created by Congress.

We understand Mr. Mayorkas is in charge of these programs. The IG said the agency needed to improve coordination and rely on the expertise of other agencies.

The IG had several recommendations for the U.S. Citizenship and Immigration Service that, frankly, should have been in place before now, if the Director was doing his job. In his comments on the draft report, Mr. Mayorkas claimed that he was already addressing the issues the inspector general raised. He said his agency had "dramatically enhanced collaboration with key government partners," meaning he was co-operating with the FBI.

He also wrote that when his agency has concerns with EB-5 cases, it doesn't decide the cases until it has "fully coordinated its approach with enforcement and intelligence partners."

I have seen examples of this so-called coordination that Mr. Mayorkas talks about. But, again, his words don't comport with the actual practice.

When Homeland Security's law enforcement database, TECS, has a hit on someone applying for a regional center, the Citizenship and Immigration Service sends an email to the law enforcement agency that put the record in. But the problem is that the Citizenship and Immigration Service isn't waiting for law enforcement to make an investigation. In fact, information has come to my attention that CIS employees are told to move forward if law enforcement doesn't respond within 5 days. That is just 5 days to find out what sensitive security or fraud information caused that person to be flagged. If law enforcement doesn't get back to the Citizenship and Immigration Service

soon enough, then that agency goes ahead and the person's application is approved.

That is not coordination. That coordination is a sham. That should be simply unacceptable to any of us who are concerned about the national security of our country. It is not the sort of way to run a program with national security vulnerabilities. Everybody should wait until law enforcement responds. We need to know who is coming into this country and not, and particularly when they are involved in a program where you buy your way into the country by buying a visa because you are supposed to be investing in this country and creating jobs in this country. But for some people who may want to get into this country for ulterior motives, they may violate our national security; they don't care about creating jobs. But if it gets them inside the country, they get here. So we have to know whether they are a threat to our national security.

The only reason the Citizenship and Immigration Service even does check on regional centers at all is because of a push within that agency that Mr. Mayorkas and his management resisted. Now they are trying to take credit for it.

More important is what his agency has not done. They refused to kick out regional centers that invite national security problems. Mr. Mayorkas claims he doesn't have statutory authority, but the inspector general audit recommended that Mr. Mayorkas should make clear on his own that fraud and national security concerns are a reason for regional centers to be kicked out of the program.

The bottom line is Mr. Mayorkas has not taken the steps that were within his power to guard against security vulnerabilities in the EB-5 program. The inspector general's audit report concludes:

Currently, U.S. Citizenship and Immigration Service cannot administer and manage the EB-5 regional centers program effectively.

Mr. Mayorkas has had ample notice of these problems for years. He has failed to take adequate action.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. HAGAN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNEMPLOYMENT BENEFITS

Mrs. HAGAN. Mr. President, at the end of this year, 1.3 million Americans will be cut off from their Federal unemployment benefits. At the hardest time of the year, 1.3 million people will lose the lifeline they have relied on to support their families while they struggle to find jobs in this challenging economic climate.

Unfortunately, for 170,000 North Carolinians, this has already been a reality. Earlier this year, the North Carolina General Assembly slashed unemployment benefits, making North Carolina the only State in the Nation to actually stop receiving Federal emergency unemployment insurance—the only State in the Nation. This irresponsible and cold-hearted action by the general assembly has been devastating to the thousands of individuals and families across my State who are already struggling to make ends meet.

Sydney Houston is one of 170,000 jobless North Carolinians who would have received Federal unemployment benefits were it not for this new State law. A month after the law was enacted and Sydney no longer had her benefits, she told a North Carolina TV station that she was ironing her clothes in preparation for a job interview when her electricity was cut off because she couldn't pay her bills. "It's been excruciating," she said, adding that she feared her landlord knocking on her door to evict her at any moment.

People have to understand that these extended Federal unemployment insurance benefits help these families pay for their rent, pay for their food, and pay for their electricity, just as in Sydney's case.

I also received a letter from Sherrie Harmon, another North Carolina woman. Let me tell my colleagues what she said. Her letter stated:

I have lived in North Carolina my entire life and I've felt proud of my State. This has changed drastically.

Sherrie was laid off from her job at a law firm and her husband Rick lost his job a month later. Sherrie was drawing unemployment while searching for work and attending classes at Central Piedmont Community College in Charlotte. She was in her third semester of school when she found out that her unemployment would end.

She said:

We are at risk of losing everything we've worked for in the 24 years we've been married. I am completely lost.

We have heard so many stories such as these from Sydneys and Sherries across North Carolina.

What is more, North Carolina tax dollars are going to unemployed workers in every other State across the Nation except for North Carolina. Our citizens are paying their Federal taxpayer dollars for Federal unemployment benefits to 49 other States, even though our citizens cannot rely on the same safety net. This is not only unfair, it is hurting my State, which continues to have one of the highest unemployment rates in the country at 8 percent, with some of the rural counties in North Carolina as high as 14.5 percent.

As the Senate considers an extension of the emergency insurance program, I believe it is crucial to right the wrong

that has been done to North Carolinians through no fault of their own. For this reason, I come to the floor today to express my thanks to my colleagues, especially Majority Leader REID, Senator MAX BAUCUS, and Senator JACK REED, for working with me to ensure that North Carolina's needs will be addressed as we work to extend unemployment insurance benefits into 2014.

I also urge my colleagues not to leave their constituents to the same fate as the citizens of my State, and to swiftly pass the Emergency Unemployment Compensation Extension Act. This bipartisan legislation, introduced by Senators JACK REED and DEAN HELLER, would extend Federal unemployment insurance benefits, and it would restore North Carolina's eligibility to participate in the program.

We must continue to work on bipartisan policies that will boost job creation and get Americans back into our workforce. We need educational institutions, local employers, and job training centers to join forces to ensure that unemployed workers are being trained for the job opportunities that are available right now.

I have a bill called the America Works Act that would do just that. It would close the skills gap that has been plaguing our country and it would take the guessing game out of hiring. The America Works Act would ensure that community colleges and job training programs develop curricula that will lead to portable, industry-recognized credentials that will help train our unemployed workers so they would be outstanding applicants for jobs that are available in their local communities right now.

In the meantime, as the unemployed struggle to get by while they look for jobs, we should not cut them off from the safety net that has served as their last lifeline for taking care of their families and putting food on the table. We should make certain that the unemployed in North Carolina have that same opportunity once again in spite of the action taken by the North Carolina General Assembly.

I am glad to be joining my colleagues in pushing to extend the unemployment insurance for both North Carolinians and people across our country. There is no reason to wait any longer to pass this critical legislation.

I yield the floor.

The PRESIDING OFFICER (Mrs. GILLIBRAND). The Senator from Vermont.

Mr. SANDERS. Madam President, I take this opportunity to thank Senators LEVIN and INHOFE and the Committee on Armed Services for their very hard work on the Department of Defense authorization bill. Unfortunately, I must vote against it, and I want to take this opportunity to explain why I am voting no and to ex-

press my very serious concerns about our Nation's bloated military budget, particularly in light of the many unmet needs we face as a nation.

At a time when the United States has a \$17.2 trillion national debt and when we spend almost as much on defense as the rest of the world combined, the time is long overdue for us to take a hard look at the waste, at the cost overruns, and at the financial mismanagement that have plagued the Department of Defense for decades.

As a point of comparison, the International Institute for Strategic Studies estimates total global military spending in 2012 at \$1.583 trillion. The U.S. portion of that spending is over 40 percent—\$645 billion. In other words, the United States is spending almost as much as the rest of the world combined on defense. We are spending about \$645 billion. China spends \$102 billion. The United Kingdom spends \$64 billion. Russia spends \$59 billion. Other countries spend less.

According to the Washington Post:

Since 2001, the base defense budget has soared from \$287 billion to \$530 billion—and that's before accounting for the primary costs of the Iraq and Afghanistan wars.

In addition to the trillions spent on the war in Iraq and what seems to be a never-ending war in Afghanistan, the Department of Defense consistently engages in wasteful, inefficient, and often fraudulent spending.

At my request several years ago the Department of Defense issued a report detailing the breadth of fraud that exists within the Pentagon—the simple issue of massive fraud. The report showed that the Pentagon paid over \$573 billion during the past 10 years to more than 300 contractors involved in civil fraud cases that resulted in judgments of more than \$1 million—\$398 billion of which was awarded after settlement or judgment for fraud. When awards to parent companies are counted, the Pentagon paid more than \$1.1 trillion during the past 10 years just to the 37 top companies engaged in fraud. The bottom line is that almost every major defense contractor in this country has in one way or another been involved in fraudulent dealings with the taxpayers of this country and the Department of Defense.

Further, above and beyond fraud, the waste at the Pentagon is rampant, and we can go on for many hours just documenting the waste, but let me give just a few—a few—of the kinds of waste that the Pentagon regularly engages in. These are just a very few examples.

In July 2013 the Pentagon decided to build a 64,000-square-foot command headquarters for the U.S. military in Afghanistan that will not be utilized or even occupied. Even though the \$34 million project was deemed unwanted by military commanders 3 years ago, the military still moved ahead with construction. That is one example.

Another example. According to a report released by the Department of Defense inspector general this year, the Pentagon has been paying contractor Boeing more than \$3,357 for a piece of hardware they could have purchased from their own hardware store, the Defense Logistics Agency, for \$15.42. It seems to me it would be a pretty good deal to get a product for \$15 that you are paying over \$3,000 for, but that is the way the Pentagon runs.

Furthermore, another issue, the July 2013 Special Inspector General for Afghanistan Reconstruction report includes the purchase of over \$771 million worth of aircraft that the Afghans will be unable to operate and maintain. The Afghan Special Mission Wing has only one-quarter of the personnel needed to maintain and operate the fleet, and there are no existing DOD plans to reach full strength. The Pentagon is moving forward with purchases. Most of that money—\$553 million—has been awarded to a Russian company that also sells weapons to Syria.

These are just a few examples. Needless to say, there are many more.

A recent article in *Mother Jones* has some interesting numbers about our military spending. According to the article, 70 percent of the value of the Federal Government's \$1.8 trillion in property, land, and equipment belongs to the Pentagon. The American people will no doubt be interested in understanding that the Pentagon operates more than 170 golf courses worldwide.

At a time when we now spend almost as much as the rest of the world combined on defense, we can make judicious cuts in our Armed Forces without compromising our military capability. I think everybody in the Congress believes and understands that we need a strong defense—no debate about that—but we do not need a defense budget that is bloated, that is wasteful, and that has in it many areas of fraud.

In this respect, I hope my Republican colleagues and, in fact, all of my colleagues remember what former President Dwight Eisenhower, a good Republican, said on April 16, 1953, just as he was leaving office. What he said then was profound, and it is as true today as when he said it 60 years ago. This is what he said:

Every gun that is made, every warship launched, every rocket signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and are not clothed. This world in arms is not spending money alone. It is spending the sweat of its laborers, the genius of its scientists, the hopes of its children. . . . This is not a way of life at all, in any true sense. Under the cloud of threatening war, it is humanity hanging from a cross of iron.

I would ask all of my colleagues to remember what Eisenhower said and understand that today, when we have this bloated and huge military budget, there are people who are talking about massive cuts in food stamps, massive

cuts in education, massive cuts in affordable housing, cuts in Social Security, cuts in Medicare, cuts in Medicaid. I would argue very strongly that before we cut from the elderly and the children and the sick and the poor, maybe we take a hard look at this bloated military budget.

That is my view, but let me mention what the Cato Institute has to say—not BERNIE SANDERS but the Cato Institute, one of the most conservative organizations in this country. Here is what the Cato Institute said on May 3, 2013. By the way, as I think most people know, my views are as far apart as possible from the Cato Institute on most issues. This is what the Cato Institute said. Some of my conservative Republican friends might want to pay attention to this quote:

U.S. military spending is far too excessive for legitimate defense needs. . . . After sequestration we will still spend more [on defense], against much less severe threats, than at the peak of the Cold War. . . . The U.S. now accounts for 44 percent of all global military spending. Put another way, the U.S. spends nearly as much on the military as the rest of the world combined. . . . Twenty percent of the U.S. federal budget is devoted to military spending, while the average—

And this is an important point made by Cato—

for our NATO allies is a mere 3.6 percent. Five percent of U.S. annual GDP is allocated to the military, but for the NATO countries, Japan and China, it is well below 2 percent. . . . Today the amount Washington spends on the military each year is \$2,300 a person in the U.S. The comparable obligation for the average NATO country is \$503 a person. For China it is less than \$200 a person.

That is not BERNIE SANDERS; that is the Cato Institute.

The situation is so absurd that the Pentagon is unable to even account for how it spends its money. Earlier this year the Government Accountability Office cited its inability—that is, the GAO's ability—to audit the Pentagon. They wrote that they were unable to do a comprehensive financial analysis due to "serious financial management problems at the Department of Defense that made its financial statements unauditable." That is from the Government Accountability Office. So we are voting for a budget that the GAO says they cannot even audit—for the most expensive agency in government.

Let me now quote from an article that appeared in the *Washington Post* on August 29, 2013. The defense budget—a purposefully opaque document—includes what is known as the black budget. The information I am providing here comes from the *Washington Post*—\$52.6 billion that funds the CIA, NSA, and other secret intelligence agencies. The CIA, NSA, and National Reconnaissance Office receive more than 68 percent of the black budget, with the NSA receiving \$10.8 billion annually. At a time when the NSA has been engaging in what I consider to be

unconstitutional activities—the widespread collection of American citizens' data—I think we can find the ability to make some cuts in what they are doing.

I support a strong defense for our country and a robust National Guard and Reserve that can meet our domestic and foreign challenges. The National Guard provides a well-trained, disciplined, and operationally ready force for a fraction of the cost that Active-Duty soldiers require. The Reserve Forces do not require nearly the same level of overhead in terms of full-time employment and infrastructure costs. So as we move forward trying to develop how we have a cost-effective defense, I think we should put a great deal of emphasis on our National Guard and on the Reserve.

Let me conclude by saying in America today our middle class is struggling. We have more people living in poverty than at any time in the history of our country. Real unemployment is over 13 percent; youth unemployment, 20 percent; African-American youth unemployment, close to 40 percent.

We have an infrastructure which is crumbling. We have large numbers of young people graduating from college deeply in debt. We have others who cannot even afford to go to college because of the high cost of college. In other words, this country faces monumental problems. On top of that, we have a \$17.2 trillion national debt.

It would seem to me that it is important we get our priorities straight. One of the priorities we should be getting straight is that we cannot give the Department of Defense all they want. It is time to take a very hard look at that budget in a way we have not done up to this point.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, I ask unanimous consent that the Senator from Massachusetts be recognized for 5 minutes and that I follow with my comments until I complete them.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts.

Mr. MARKEY. I thank the Senator from Oklahoma.

This final couple of days that we are going to be in session are very important because they are the days preceding the expiration of the wind energy tax break. It expires on December 31. There are energy efficiency tax breaks that expire on December 31.

This is unfortunate, because these are industries that are rapidly growing. But let's take note here. If you are the oil industry or other older fossil fuel industries, your tax breaks are not expiring on December 31. For the wind industry, for the renewable energy industry, we have to come back out here every year and try to get those tax

breaks renewed. Each year as we reach this December 31 date, we talk about a Congress adjourning without completing it, sending total corporate unpredictability out into the marketplace, knowing that we need to have a robust, competitive marketplace.

Honestly, Adam Smith is spinning in his grave as he watches a Senate adjourn without continuing the tax breaks for wind, as the tax breaks for all of its competitive industries continue on year after year. They are permanent tax breaks. Actually, Adam Smith is spinning in his grave so rapidly that he would qualify for a permanent tax break, because he would be generating so much energy, wondering how can you have such inconsistency? How can you have one source of energy have to come in almost like a mendicant each year begging, and then having the year expire, after having added 13,000 megawatts of new electricity to the grid last year, knowing that the entire nuclear industry only added 100,000 in 60 years?

Here we are again. Those tax breaks are going to expire. We are going to leave here. We could not get unanimous consent in order to take them up here today to extend those tax breaks. Once again, the energy sources of the future, the innovative new energy sources, pay the price. They are not allowed to be given permanent status or, as we leave here, any status at all as of the end of this year.

Young people in our country, the green energy generation, looked and they asked: Well, why can't we have our era's energy technologies given permanent tax breaks or at least year to year before you go home? Why can't you have that kind of a debate out there? Why is there a debate at all, to be honest with you, given the fact that there is \$7 billion a year that is going to be given to the oil industry, a permanent tax break?

We are not looking for that for wind. We are looking at much smaller amounts of tax benefits. So from my perspective, I look at the warming planet, I look at the Chinese and others who are targeting wind sources. I was in China in 2009. We rode by a wind factory with wind turbines, hundreds of them. They were all, in a lot of ways, pointing right at the American economy, in the same way that those Cuban missiles were pointing at our country in 1962—pointing right at us, a threat to us. But in the 21st century, it is a threat to our economy because we are not investing in these new technologies in the way we continue to invest in the old.

The least it could be and should be is a level playing field. Let's see who wins. Let's let capitalism work. Let's have this true Darwinian paranoia-inducing capitalism that allows for winners to be selected based upon the same kind of tax breaks for everyone.

If that is the case, I think everyone would be happy. But that is not the way it is going to be this year. That is not the way it is most years.

Permanent tax breaks for the older technologies, and the kind of halting, questioning, capitalism-killing, corporate-questioning tax breaks for the nascent but growing and vibrant new technologies that the Chinese and the Germans and the Danes and others see as their job-creating sectors in their economy.

I thank the Senator from Oklahoma for this opportunity.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

MAYORKAS NOMINATION

Mr. COBURN. Madam President, to comment on my colleague from Massachusetts, he is correct that the tax credits for wind energy are expiring, but he is incorrect in his ascertainment that all tax credits are the same. The tax credits in the oil and gas industry are deferred tax payments, and the \$7 billion they collect this year, in terms of deferred payments, in terms of intangible drilling costs, will, in fact, be made up for with \$7 billion of payments from 10 years ago. So the net is zero, whereas the wind industry has a tax credit which the American consumer subsidizes to the tune of a significant amount, the value of the electricity that we get there. So it is viable—if we were to put the wind energy tax credit the same as we have in the oil and gas industry, I would happily support it, where it was a delayed capture of later revenues flowing back to the Treasury. But that is not what we want. We want to give a refundable tax credit directly to wind energy. It is not the same. The apples are not the same.

I came to the floor this evening regrettably having to come and make this statement I am making. In the last month we have seen a lot of things happen in the Senate, which have led to other things happening in the Senate. I do not think anybody is happy about it. But today, the leader is taking the unprecedented step—I say that underlining the word unprecedented—of having the Senate vote on a nominee who is currently under active investigation.

I have no premonitions or knowledge about the specific facts of that investigation. But what I do know, in checking with the Senate historian, the Senate library, and from the history of the Senate, is that it has never been done before. It has never been done. So my reason in coming to the floor is, No. 1, to defend my position and what should be the position of the Senate, and to make the case to my colleagues that we are doing a disservice both to this nominee and to the position he will fill.

By all letters of recommendation, Alejandro Mayorkas is an honorable

man. President Obama is nominating him to be Deputy Secretary at the Department of Homeland Security. Under the new Senate rules, the minority has essentially no right to stop the majority from forcing through a nominee who possibly, just possibly, may be unfit for office on the basis of this investigation. Nobody is saying he is. They are not saying no. They are saying wait. This is, in fact, the very act the Republicans were afraid of when Leader REID facilitated the change in the Senate rules by breaking the Senate rules.

The Senate is going to cast this vote without knowledge, full knowledge, of advice and consent on his fitness for his position. We can do nothing to stop that. We realize that.

The precedent we are talking about is historic. Holding this vote in light of an active investigation into serious relevant allegations of misconduct by any nominee appears to be virtually without any precedent in this body. We searched extensively for any precedent, for the decision to hold a vote on this nomination.

The Congressional Research Service studied this. It has never happened before. Never. In fact, they discovered the opposite. The Senate has established a history and followed a practice that should lead us to postpone consideration of any nominee under investigation. Here are some examples they found.

In January of 2005, President George Bush nominated Ken Tomlinson to be Chairman of the Broadcasting Board of Governors. An active inspector general's investigation into allegations of unethical behavior by Mr. Tomlinson led the Senate panel to delay action on the nomination for over 18 months. He was never confirmed.

Later that same year, President Bush nominated Roland Arnall to the post of U.S. Ambassador to The Netherlands. At the time Mr. Arnall's firm was being investigated by regulators in 30 States for predatory lending. Then-Foreign Relations Committee chairman Republican Senator Richard Lugar consented to a request by Democrats that October to delay voting on the nominee because of the investigations. Senator JOSEPH BIDEN spoke out in favor of the delay, as did Senator Paul Sarbanes, who cited longstanding precedent for delaying a vote until the nominee was "clear." Mr. Arnall was eventually voted out of committee, after Republicans concluded the investigation did not target the nominee personally, but he was not confirmed by the full Senate until the following February, 7 months after he was nominated, when his company agreed to end the investigations by settling the cases against him.

My friend President Obama, who nominated Mr. Mayorkas, was a member of the Foreign Relations Committee at that time. Then he seemed to

agree that nominees facing investigations should not receive a vote. A 2006 LA Times story on Mr. Arnall's confirmation quoted then-Senator Obama's spokesman as saying: Because a settlement has been reached, Senator Obama will not seek to block his nomination.

A vote on another Bush nominee, Lester Crawford, was delayed for 2 months in 2005 while the inspector general of the Food and Drug Administration probed claims, allegations, that Mr. Crawford had an affair with a co-worker and gave her preferential treatment. Once again, the OIG's review was complete. The OIG concluded that the allegations could not be substantiated, and the HELP Committee voted to confirm him.

In 2004, the Senate Banking Committee did not schedule a vote on Alphonso Jackson to serve as Chairman of the Department of Housing and Urban Development until the HUD inspector general determined Mr. Jackson had not violated the Department's workplace violence policies as subordinates had alleged.

All of this advises us strongly to delay a vote on Mr. Mayorkas until the OIG investigation into his alleged actions is concluded. I would suggest that we should learn from history and not move forward with this nomination. If it was true for the Senate then, and if it was true for Senator BIDEN, if it was true for Senator Obama, if it was true for their colleagues and many Senators who maintain this precedent until today, it should be true for us now.

Last week, when Mr. Mayorkas was considered by the Homeland Security and Governmental Affairs Committee, my chairman justified moving forward with the nomination by asserting that the DHS OIG had not identified any criminal wrongdoing by Mr. Mayorkas. At present, the DHS OIG is only considering allegations of conflicts of interest, misuse of position, mismanagement, and appearance of impropriety. In none of those situations I identified were the nominees under criminal investigation. Yet the Senate delayed its vote until each investigation was finished. Since the DHS OIG has not completed its investigation, we do not know if there will ultimately be any criminal findings. I doubt that there will.

We do know, based on the precedent that I cited, an investigation into any potential wrongdoing, whether criminal or not, is enough for the Senate to delay a vote on an important nominee, or at least it used to be.

Of course, the Senate recently changed. The majority leader exercised the so-called nuclear option, changing the rules by breaking the rules, granting my colleagues the new power to push administration nominees through the confirmation process with a simple majority.

The leader is attempting to use this new power to push through scores of nominees in the last few days this session. But scrutiny and judgment should not be diminished in a partisan rush to get one's way. Forget the rest of the nominees; this is one where an open investigation is currently underway. With this nominee before us, Mr. Mayorkas might do well to wait for all the facts.

As we all know, the DHS OIG is also currently under investigation. This office is reviewing the leader who recently resigned. They are reviewing allegations of conflict of interest, misuse of position, mismanagement of EB-5 investor visa program, and an appearance of impropriety. They are all serious concerns. I hope they aren't true, but right now we don't have all of the facts.

While I understand OIG is not currently aware of any criminal activity, since the investigation is still open and several interviews remain, that could possibly change.

As I understand, however, the OIG plans to complete its investigation and release its findings in a few short months. Until then, we won't know what is only an allegation and what will be proven by evidence and facts.

Most concerning to me is the fact that the White House failed to alert me or the committee chairman to the fact that Mr. Mayorkas was under investigation, which they had an obligation to do. In fact, the letter from White House counsel conveniently doesn't confirm or deny whether the President was aware Mr. Mayorkas was even under investigation. It is unclear to me why Chairman CARPER wasn't troubled by the White House being less than honest with him about a nominee he was expected to fast track for nomination.

I have spoken to a number of whistleblowers within DHS who have concerns about Mr. Mayorkas' fitness for position. These whistleblowers have made serious allegations about how Mr. Mayorkas has overseen and influenced the EB-5 program. They are only allegations, but they do raise questions. They raise questions about his allegiance to DHS's core mission to prevent terrorism and enhance security.

A number of the allegations extend well beyond the EB-5 program and raise concerns about the fitness for the No. 2 position in DHS. They include the following: attempts by Mr. Mayorkas to obstruct the investigations by Congress; allegations of preventing program integrity measures requested by the Federal Bureau of Investigation; intimidation of employees who questioned agency policies; susceptibility to political influence; failing to properly enforce program integrity mechanisms, resulting in potential threats to national security.

Whistleblowers who spoke to the Wall Street Journal said that Mr.

Mayorkas fast-tracked approvals of certain EB-5 applications over objections regarding the suspicious source of funds to rebuild the casino in Las Vegas which, in fact, was noted in a recent article by the Washington Times.

I ask unanimous consent to have printed in the RECORD the article by the Wall Street Journal.

There being no objection, the material was ordered to be printed in the RECORD as follows:

[From the Washington Times, Dec. 10, 2013]
VEGAS RULES: HARRY REID PUSHED FEDS TO CHANGE RULING FOR CASINO'S BIG-MONEY FOREIGNERS

(By John Solomon and David Sherfinski)

The Obama administration overruled career Homeland Security officials and expedited visa applications for about two dozen foreign investors for a politically connected Las Vegas casino hotel after repeated pressure from Senate Majority Leader Harry Reid and his staff, according to internal government documents obtained by The Washington Times.

The move to overturn what is normally a non-appealable visa decision came despite concerns about "suspicious financial activity" involving some of the visa applicants from Asia, and it ultimately benefited several companies whose executives have donated heavily in recent years to Democrats, the documents show. It also ensnared Mr. Obama's current nominee to be the No. 2 Homeland Security official, Alejandro "Ali" Mayorkas, whose appointment is to be reviewed by the Senate on Wednesday.

The intervention from Mr. Reid's staff was so intense at one point a year ago that a U.S. Citizenship and Immigration Services (USCIS) official reported that it prompted a phone shouting match, turning a normally bureaucratic review process inside the Homeland Security Department into a politically charged drama that worried career officials.

"This one is going to be a major headache for us all because Sen. Reid's office/staff is pushing hard and I just had a long yelling match on the phone," USCIS Legislative Affairs official Miguel "Mike" Rodriguez warned in a Dec. 5, 2012, email to Homeland Security Department officials.

The emails, obtained by The Times from government officials concerned that the EB-5 investor visa program has become too politicized, detail how the SLS Hotel, formerly known as the Sahara Casino, tried to jump to the head of the line for its request for about two dozen visas for Asian investors willing to help it fund a major renovation of the storied property on the Las Vegas Strip.

Despite early pressure from Mr. Reid's staff, career officials inside the Department of Homeland Security initially turned down the SLS Hotel on the grounds that it failed to meet the criteria for expedited review. The decision dated Dec. 17, 2012, stated flatly that "there is no appeal or reconsideration of this decision."

But that simply prompted Mr. Reid to personally reach out to the top official at USCIS, Alejandro "Ali" Mayorkas, setting into motion a process that consumed top political officials inside the Homeland Security and Commerce departments and ultimately resulted in a ruling that granted expedited status to the hotel over the objections of career officials.

"Ali had a call with Sen. Reid on these 1-526 cases on Tuesday of this week," Mr.-

Rodriguez wrote top officials on Jan. 11. "While no guarantees were made on the call, Ali did promise the Senator that USCIS would take a 'fresh look' at the expedited request."

Government officials did a lot more than give a fresh look—forwarding from Mr. Reid's office the names of people involved with the hotel project that could help the federal agency change its mind on the expedited status request. Mr. Reid's staff repeatedly made the case that the hotel would lose its potential funding for its renovation if Homeland Security's USCIS didn't expedite the visas.

"As you can imagine this project is pretty important to Southern Nevada. It will probably be the only 'new' property opening up on the Strip for some time, and if their \$300 million senior lending facility from JP Morgan Chase expires because these visas aren't processed expeditiously, it will be a huge setback for the project and the 8,600 jobs associated with it," Michael Vannozzi, then a top aide to Mr. Reid, wrote Homeland Security officials at one point.

The hotel needed the foreign investors' visas to be approved so that their money could be brought into the country and paired with the JP Morgan financing to underwrite the renovation of the hotel, the documents stated.

Within a few short weeks of Mr. Reid's personal intervention, the decision not to expedite the visas was reversed, allowing the hotel to secure major funding from JP Morgan Chase.

"Applications approved for expedited processing move to the front of the processing queue but otherwise go through the same robust eligibility and security review utilized for all EB-5 decisions," the spokesman said.

A spokeswoman for Mr. Reid said the senator "has supported and will support the SLS Las Vegas in any way he can."

"Sen. Reid believes it is his job to do all he can to promote economic growth and development in the state, and he makes no apologies for helping to bring jobs to Nevada," spokeswoman Kristen Orthman said.

Hotel officials did not respond to a request for comment.

The emergence of the documents comes at a sensitive time for the Obama administration and Mr. Mayorkas, whose nomination to be deputy secretary of DHS is being considered Wednesday by a Senate committee.

Mr. Mayorkas and his agency are already under investigation for visa application decisions made involving an electric car company associated with Terry McAuliffe, a longtime Democratic fundraiser and now the governor-elect of Virginia.

Officials say the EB-5 program, created by Congress in 1990, is designed to attract investors willing to risk capital in ventures that will create jobs in the United States. Would-be entrepreneurs who invest at least \$500,000 in a new U.S. business can apply.

The citizenship services agency says the goal of the program is to "stimulate the U.S. economy through job creation and capital investment by foreign investors."

Almost all foreign investments in the EB-5 program are channeled through special companies called "regional centers." Once their business plan is approved by immigration officials, the companies bundle investments into qualifying new businesses. Investors then can apply for an EB-5 visa, and, if approved, can claim a conditional green card immediately upon entry to the United States. After two years, the conditions are removed if the investment has created the jobs or looks likely to.

The emails referencing Mr. Reid's intervention could increase concerns that the worker visa program has been exploited by political pressures.

"It's not one party's monopoly, but it's kind of inherently worrisome," said David North, a policy analyst at the Center for Immigration Studies, a group that advocates for less immigration into the U.S. "There certainly are political pressures to cut short the review process."

Executives for the two main companies involved in the hotel project have donated more than \$127,000 to political causes over the last three elections, mostly to Democrats, Federal Election Commission records show.

Sen. Dean Heller, Nevada Republican, wrote a letter on the matter to USCIS California Service Center on December 19, 2012.

"I strongly encourage you to consider this request and the impact the project will have on Nevada's economy," he wrote, under the assumption that the petitions were still being processed. "Time is of the essence and advancing Nevada's economy would be strongly supported by this project."

Mr. Heller's office said there were no subsequent conversations with USCIS or DHS.

According to the plan, the project is estimated to create 8,600 jobs.

Peter Joseph, executive director of the Association to Invest in the USA (IIUSA), a membership organization representing 107 federally designated EB-5 Regional Centers across the country, pointed out that USCIS is dealing with a backlog of about 7,000 applications—proof that they're employing careful scrutiny.

"Based on the backlog, they clearly take it seriously, and rightfully so," he said. "I think that the data tells the story—that this is a program that is being administered carefully with the appropriate in-house expertise."

DHS declined to say which specific cases had been expedited. It is not clear whether the applications flagged for security reasons were ultimately approved, but USCIS said in a statement that the agency "takes seriously our responsibility to safeguard national security and public safety while deciding requests for immigration benefits."

"USCIS subjects all benefit requests to a background check process which includes coordinating with law enforcement agencies where applicable," the statement reads. "USCIS does not proceed to a final decision regarding any benefit requests until concerns identified during the background check process are sufficiently resolved."

The Las Vegas Review-Journal reported in February that SBE Entertainment was indeed able to secure the last piece of the \$415 million in financing that they were seeking.

SBE Chief Executive Officer Sam Nazarian said the money raised through the EB-5 funding was "far above" what had been expected and would allow SBE to pay down its senior note on the property, the paper reported. The terms of the project required \$115 million in EB-5 capital.

The project was apparently struggling to secure that last bit of funding. Adam Horowitz of Lever Capital Partners wrote to the managing director of Stockbridge Real Estate Funds, which was working on the project, on January 24 saying they had reached out to more than 70 national and international investors/lenders, and all but one said their lack of knowledge of the EB-5 program would prevent them from providing capital for the project.

"Brevet Capital, a New York City based private equity fund, was the one lender that

showed interest since they had been spending time working on such projects," Mr. Horowitz wrote. "Their one hurdle was that there needed to be at least one (1) I-526 petition approval. Since that approval has not been granted they have currently withdrawn from discussions."

Mr. COBURN. I understand that some of my colleagues on the other side are frustrated that whistleblowers have not come forward to speak to them. To be clear, I have communicated this request to the whistleblowers and have invited those whistleblowers who have spoken to come to my office to speak to the majority, twice. But they have told me that they have the fear they will face retribution if their identities become known and that they will lose their jobs. Putting myself in their shoes, I can't blame them. I cannot provide them with protection.

They have also heard Members of this Senate dismiss their serious allegations. For example, the Senator from Delaware referred to the whistleblower allegations as rumor and innuendo. If you were an official who had come forward with serious concerns about improper behavior, potentially putting your livelihood at risk, would you feel comfortable speaking with somebody who has already dismissed your allegations as rumor and innuendo?

So we will leave it to the inspector general's office to consider whistleblower allegations and all of the evidence to determine whether any inappropriate or criminal activity took place. Again, we will know that judgment in a short 2 months.

However, we do have other information that raises serious concerns about this nomination. The committee's business meeting last week to consider Mr. Mayorkas is a perfect example of why the Senate should wait for the OIG's investigation to be completed. At that meeting the chairman gave a lengthy opening statement that made a number of concerning and inaccurate statements which served to denigrate the 650 employees at the Office of Inspector General at Homeland Security.

The office deserves some criticism, that is for sure, as our Subcommittee on Financial and Contracting Oversight has determined. Rather than rely on their insights, he came up with some of his own. There are actual misstatements of fact, and they only serve to further obscure a complicated and difficult situation.

For example, the chairman claimed that 3 days before the confirmation hearing on July 25, information about the OIG investigation was leaked to Congress and the media in a highly irregular manner.

As he knows, and his own committee record should indicate, the existence of the investigation was not leaked to Congress in a highly irregular manner, it was emailed to his staff, as well as mine, as an official communication by the DHS OIG congressional liaison office. If there was anything irregular

about the situation, it was that the White House had not already confirmed there was an investigation ongoing. We had a right to that information, and it had been improperly kept from us.

In the face of the White House's inappropriate omission, the OIG chose to inform us. I am sure it was a hard choice, but I believe it was the right one. If they had not done so, we would not have known of the investigation of the sort which the Senate, in normal times, would have given great weight to and not moved forward on.

As DHS often tells us: If you see something, say something.

The chairman also repeatedly faulted the OIG for refraining from interviewing Mr. Mayorkas until the end of its investigation. This appears to be a criticism borne from a lack of experience and knowledge of the investigative process.

Quoting:

To my amazement, Director Mayorkas has never been contacted about this EB-5 investigation.

Later he said:

I cannot understand why they [OIG] have not talked to Mr. Mayorkas.

It is common practice to investigate the central figure in an investigation closer to the end of an investigation after evidence has been reviewed and collected. There are many reasons for this practice. One is that you do not know what to ask the subject until you have gathered all the information you can about his or her alleged misconduct. Another is that it minimizes the impact of the investigation on the subject, which can be an understandable concern when investigating a busy top official such as our present nominee. Early meetings can result in having to hold several interviews with the same official, asking questions about topics or allegations which could eventually be dismissed without their testimony by not identifying exculpatory evidence beforehand.

While the scheduling for this interview was upsetting to the chairman, it should not be to Mr. Mayorkas. He is a seasoned prosecutor and familiar with the process of the investigations, and he knows what to expect.

The chairman also claimed at the committee vote that the OIG has repeatedly given him deadlines and had missed them. The chairman inferred that we could not trust their word on when this investigation could be completed.

Specifically he said: "I was . . . informed that the investigation was likely to conclude in October."

Later he claimed: "We have no guarantee this investigation will simply not drag on and on . . . it has already slipped several times."

Later he added:

Each time we get an estimated timeline for completion, the date slips. First we were told October, then perhaps December. And as

of last week, the IG said there were at least several months of work remaining.

None of this is true. According to my office records of the conversations with the inspector general, we have no record or recollection that the inspector general ever promised a date certain of completion in October. Neither do we have any record indicating the IG suggested December. Unless the IG communicated to the chairman these deadlines in the private conversations which he arranged without my knowledge or involvement, these statements appear to be simply false.

I would also say I cannot imagine the chairman or staff would engage in a private conversation with the inspector general regarding a sensitive investigation into a political official. Such conversation would be a breach not only of our practices but could raise ethical concerns of exerting undue influence upon an official proceeding.

I urge him to correct the RECORD or show us in detail the conversations where the IG made these points and promises.

The chairman also stated this fact, and news outlets erroneously reported this inaccurate claim, that the investigation was being handled by only one investigator and two assistants.

His quote was: "We learned that there is one investigator assigned," he claimed, "one investigator and two research assistants."

This is not true. The OIG has told our staff the case has a lead investigator—and that is true, an absolute common practice for investigations and most investigative and sensitive endeavors—but they were further told that the OIG had a rotating team of investigators, experts, research assistants, and staff help on various aspects of the investigation. This is a common practice, assigning leads to individual investigations but sharing a larger pool of assistant investigative resources. It is followed, to a great extent, by our own Permanent Subcommittee on Investigations. I don't understand why the chairman's characterization would stray so far from the facts established in conversations involving both our staffs or from common sense.

I am also disappointed that it characterized the investigation as having a "lack of progress," which was "unacceptable" and "unfair, not just to Mr. Mayorkas but to a Department full of people who need leadership, and to a nation that is counting on the Department to help protect them."

The truth is it is not uncommon for investigations of senior officials to last a year or longer and is not a matter which should be rushed by anyone, certainly not the chairman of the authorizing committee.

This is the kind of rhetoric which causes concern in some quarters that the chairman and others are applying inappropriate pressure on an agency's

internal processes and deliberation. Political pressure is simply not helpful to anyone. In fact, it can actually hinder the investigation and weaken public acceptance for the findings, particularly if they exonerate Mr. Mayorkas. People may allege, as they have already, that the Office of Inspector General waters down and weakens its finding in response to political pressures such as this.

If the OIG investigation results in a clean bill of health for Mr. Mayorkas, how many Americans, how many DHS employees, will wonder if the chairman's repeated disparaging remarks were indicative of a political pressure applied which improperly swayed the results? No one is served by his comments. What is more, they are not a reflection of the shared concern he voiced with me in our joint correspondence to the inspector general. I simply do not understand why he would intervene in such a vocal, public way, which could cast doubt and suspicion on the results of the investigation.

The other thing about this vote is it is unfair to Mr. Mayorkas. I have talked a lot about process and the need to know the findings of the DHS OIG report before we vote on Mr. Mayorkas. But no one seems to understand just how unfair this vote is to the nominee. By pushing his nomination through both the committee and the full Senate, Senator CARPER and Leader REID have denied Mr. Mayorkas a chance to win bipartisan support.

I have only voted against one nominee who has come through our committee, only 1 out of 20. I would like to be able to vote for Mr. Mayorkas if, in fact, OIG shows him a clean bill. The reason it is sad that he can't win bipartisan support is that under the new Senate rules it is possible for my colleagues to confirm him without a single Republican vote. When they do that, they will be delivering to the Department a nominee who arrives with only his party's support, and he will be trailed by a cloud of doubt and discontent.

The allegations against Mr. Mayorkas relate mainly to his management of the EB-5 immigrant visa program in his role as Director of the U.S. Citizenship and Immigration Services. As I understand it, the investigation into Mr. Mayorkas began in an unconventional way by one person speaking out after their heavily documented concerns were dismissed. To me, this only adds validity to the allegations.

In the course of its investigation, the DHS OIG discovered other allegations of impropriety, including conflicts of interest, misuse of position, mismanagement, and the appearance of impropriety. Those allegations could speak to a candidate's fitness for public service, especially if he is not fully cleared to help lead the Department of Homeland Security. It is wholly unreasonable to ask Senators to endorse the

nominee's fitness for service until those questions are answered.

In an attempt to discredit the investigation, some people have cited the problems plaguing leadership in the DHS OIG office, the inspector general in particular. In fact, the Financial and Contracting Oversight Subcommittee of the Committee on Homeland Security and Governmental Affairs is currently conducting and will release soon their bipartisan investigation into a number of allegations.

While I agree those allegations surrounding OIG leadership are troubling, the problems of one person do not invalidate the work done by an office of over 650 people. OIG work in every agency should be taken seriously.

In January of this year, Senator CARPER joined me and members of the Homeland Security and Governmental Affairs Committee in sending a letter to President Obama urging him to fill the vacant inspector general positions at a number of key agencies, including DHS. In that letter, we said, "Inspectors general are an essential component of government oversight." We do a disservice to that statement when we preclude the opportunity to, at a minimum, review the work done by the DHS OIG, draw our own conclusions, and then vote accordingly without all the facts before us.

Even more concerning, by denigrating the open DHS OIG investigation, the Senate is sending a message to other OIGs that their investigations don't matter. Obviously, that is incredibly significant given our dependence on these watchdogs to oversee the huge government agencies and bureaucracies created by this body. We must respect and support the work done by inspectors general. In my opinion, the damage being done to the DHS OIG and the respect of IGs throughout the government by holding this vote is far worse than any damage done by the office's current leadership.

The results of this investigation are not the only unknown regarding Mr. Mayorkas's service as Director of U.S. Citizenship and Immigration Services. Despite a number of concerns regarding national security and criminal vulnerabilities in the EB-5 program, we know the program expanded drastically under the nominee's hand and we have not yet seen evidence that he pursued significant regulatory changes to address the weaknesses that were known.

Two months ago I personally asked DHS and other agencies for an answer on how the administration is dealing with the concerns, and I have received no response as of yet. These include an October 18 letter in which I requested information from Acting Secretary Rand Beers on EB-5 national security concerns identified by the agency itself in a draft report. I received no response.

The same day, I also asked Acting ICE Director John Sandweg for the

same information. I received no response.

I also requested information from National Security Adviser Susan Rice regarding known national security concerns created by the EB-5 program. To date, I have received no response.

Just last month, on November 1, Senator GRASSLEY and I requested information from Acting Secretary Beers on how the agency is addressing the known national security concerns with EB-5. Again, silence. No response.

I ask unanimous consent to have printed in the RECORD these letters requesting information.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Washington, DC, October 18, 2013.

Acting Secretary RAND BEERS,
U.S. Department of Homeland Security,
Washington, DC.

DEAR ACTING SECRETARY BEERS: I write to request certain information related to the EB-5 "investor visa" program operated by the Department of Homeland Security's U.S. Citizenship and Immigration Services (USCIS).

It is my understanding the Secretary's office issued a tasking to U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) titled "Request for Information Implications of ICE Case Against Procurement Agent." I understand the tasking requested ICE identify any gaps in procedure and information in the EB-5 program and recommend mitigating steps. In response, ICE allegedly counted several vulnerabilities, all relating to criminal and/or national security threats.

I would like to learn more about any program vulnerabilities identified by the ICE assessment.

Please provide my office with the following documents and information:

1. A copy of the tasking referenced above;
2. A copy of the ICE/HSI response referenced above;
3. An explanation of what issues and concerns led to the issuance of the tasking;
4. An explanation of how the ICE/HSI response was received, including the date of receipt, whether a briefing occurred, and if any follow up information was requested; and
5. An explanation of subsequent actions, if any, taken by or on behalf of the Secretary following the receipt of the ICE/HSI response.

Further, I also ask you provide your assessment of the national security and fraud vulnerabilities in the EB-5 program, if any, and how you plan to address them.

I appreciate your urgent attention to this matter. I request your response by October 31, 2013. Should you have any questions, please contact Keith Ashdown on my committee staff.

Thank you for your consideration and assistance.

Sincerely,

TOM A. COBURN, M.D.,
U.S. Senator.

Washington, DC, October 18, 2013.

Acting Director JOHN SANDWEG,
U.S. Immigration and Customs Enforcement,
Washington, DC.

DEAR DIRECTOR SANDWEG: I write to request certain information related to the EB-5 "investor visa" program operated by the Department of Homeland Security's U.S.

Citizenship and Immigration Services (USCIS).

It has recently come to my attention that the Secretary's office may have concerns regarding the EB-5 program, which it communicated to U.S. Immigration and Customs Enforcement (ICE) and Homeland Security Investigations (HSI) several months ago by allegedly issuing a tasking titled "Request for Information Implications of ICE Case Against Procurement Agent."

I understand the tasking requested ICE to identify gaps in procedure and information in the EB-5 program and recommend mitigating steps. In response, ICE allegedly counted several vulnerabilities, all relating to criminal and/or national security threats.

Please provide my office with the following documents and information:

1. A copy of ICE/HSI's response to the tasking; and
2. A copy of any other reviews or requests for information that ICE or HSI conducted of the EB-5 program after this tasking.

In addition, I ask that you arrange for the appropriate officials at ICE or HSI to provide a briefing to my staff about the ICE/HSI review of the EB-5 program.

I appreciate your urgent attention to this matter. I request your response by October 31, 2013. Should you have any questions, please contact Keith Ashdown on my committee staff.

Thank you in advance for your consideration.

Sincerely,

TOM A. COBURN, M.D.,
U.S. Senator.

Washington, DC, October 18, 2013.

Hon. SUSAN RICE,
National Security Advisor, The White House,
Washington, DC.

DEAR MS. RICE: I am writing to request your assistance in understanding potential criminal and national security weaknesses in the EB-5 "investor visas" program operated by U.S. Citizenship and Immigration Services.

My office obtained a copy of a document entitled, "Forensic Assessment of Financial Flows Relating to EB-5 Regional Centers," which appears to have been prepared at the request of National Security Staff (NSS). This document, marked draft, focuses on financial issues associated with the program. It references an additional review: "Vulnerabilities relating to possible infiltration by terrorist groups or foreign operatives are also before the NSS and are being addressed separately by the interagency."

I am writing to request information about these assessments and any actions taken in response to their findings.

Please provide my office with the following documents and information:

A briefing from the appropriate officials on the National Security Council staff who can speak to the process of these interagency assessments, their findings, and any actions that were taken to address any vulnerabilities;

Any direction provided to DHS or USCIS to address potential vulnerabilities identified in either assessment;

A copy of the final forensic assessment;

A copy of any document or memorandum summarizing the findings of the NSS or interagency "relating to possible infiltration or foreign operatives";

A summary of any steps the National Security Council took to inform Congress of potential vulnerabilities identified through these interagency reviews.

I appreciate your urgent attention to this matter. I request your response by October 31, 2013. Should you have any questions, please contact Keith Ashdown on my committee staff.

Thank you for your consideration and assistance.

Sincerely,

TOM A. COBURN, M.D.,
U.S. Senator.

—
U.S. SENATE,
Washington, DC, November 1, 2013.

Hon. RAND BEERS,
Acting Secretary, Department of Homeland Security, Washington, DC.

DEAR ACTING SECRETARY BEERS: We write today regarding the EB-5 immigrant investor program operated by U.S. Citizenship and Immigration Services (USCIS). We have significant concerns about the fraud and national security vulnerabilities of this program. Further information is critical to Congress's understanding of the program, especially at a time when permanent reauthorization of the program is under consideration by Congress.

It is our understanding that the Department's Office of Intelligence and Analysis has conducted a review of security issues related to the program within the last year or two. Therefore, we respectfully request the following:

1) Please make a copy of the Office of Intelligence and Analysis review available to us and our staff to review. A classified setting is available through Senate Security, if necessary.

Additionally, please provide the following information:

2) In an unclassified manner, please provide the number of immigrant investor petitions USCIS has approved for individuals who had a (b)(10) designation in the Treasury Enforcement Communications System (TECS), or had immediate family members with such a designation, at the time of the approval. For each instance, please describe in detail the reason for the (b)(10) designation.

3) In an unclassified manner, please provide the number of immigrant investor petitions USCIS has approved for individuals who have ever had a (b)(10) designation in TECS, or had immediate family members with such a designation, but did not at the time of approval. For each instance, please describe in detail the reason for the (b)(10) designation.

4) In an unclassified manner, please provide the number of immigrant investor petitions USCIS has approved for individuals who had a NIC/T designation in TECS, or had immediate family members with such a designation, at the time of the approval. For each instance, please describe in detail the reason for the NIC/T designation.

5) In an unclassified manner, please provide the number of immigrant investor petitions USCIS has approved for individuals who have ever had a NIC/T designation in TECS, or had immediate family members with such a designation, but did not at the time of approval. For each instance, please describe in detail the reason for the NIC/T designation.

6) In an unclassified manner, please provide the number of immigrant investor petitions USCIS has approved for individuals who had a CIQ designation in TECS, or had immediate family members with such a designation, at the time of the approval. For each instance, please describe in detail the reason for the CIQ designation.

7) In an unclassified manner, please provide the number of immigrant investor petitions USCIS has approved for individuals who have ever had a CIQ designation in TECS, or had immediate family members with such a designation, but did not at the time of approval. For each instance, please describe in detail the reason for the CIQ designation.

8) In an unclassified manner, please provide the number of immigrant investor petitions USCIS has approved despite the applicant or any immediate family members having connections to any entity engaged in a transaction subjected to review by the Committee on Foreign Investment in the United States (CFIUS). For each instance, please describe in detail the background, and if known, the outcome, of the CFIUS review.

9) In an unclassified manner, please provide the number of immigrant investor petitions USCIS has approved despite derogatory Financial Crimes Enforcement Network (FinCEN) data involving the applicant or any immediate family members. For each instance, please describe in detail the derogatory FinCEN data.

10) In an unclassified manner, please provide the number of immigrant investor petitions USCIS has approved despite any derogatory information relating to fraud or national security involving the applicant or any immediate family members. For each instance, please describe in detail the derogatory information.

11) In an unclassified manner, please provide the number of immigrant investor petitions USCIS has ultimately approved after another agency expressed concern about the investor or any immediate family members involving fraud or national security issues, but the other agency was unwilling to disclose or declassify information such that the petition could be denied. For each instance, please describe in detail the concerns as expressed to USCIS.

12) What guidance does USCIS follow with regard to using classified information in immigration proceedings or adjudications? Please provide a copy of any training, memos, or other written guidance on this issue.

13) In an unclassified manner, please provide the number of regional center applications USCIS has approved despite the presence of derogatory information on the applicant or associated parties from TECS, FinCEN, CFIUS, or any other source. For each instance, please describe in detail the concerns as expressed to USCIS.

14) Without regard to pending legislation, what authority does USCIS currently have to deny regional center applications or terminate their status based on fraud or national security concerns?

15) What regulations has USCIS developed or proposed with regard to denying regional center applications or terminating their status based on fraud or national security concerns? Please provide a copy of any such regulations.

16) Without regard to pending legislation, what authority does USCIS currently have to deny immigrant investor petitions based on fraud or national security concerns?

17) What regulations has USCIS developed or proposed with regard to denying immigrant investor petitions for fraud or national security concerns? Please provide a copy of any such regulations.

Given the seriousness of the potential security implications of any vulnerability in the EB-5 visa program, we would appreciate your urgent assistance and a response by no

later than November 19th. If you have any questions regarding this letter, please contact Tristan Leavitt of Ranking Member Grassley's staff or Keith Ashdown of Ranking Member Coburn's staff.

Sincerely,

CHARLES E. GRASSLEY,
Ranking Member,
Committee on the Judiciary, U.S. Senate.

TOM A. COBURN, M.D.,
Ranking Member,
Committee on Homeland Security and Governmental Affairs, U.S. Senate.

Mr. COBURN. Given that we are considering promoting Director Mayorkas to be second-in-command at DHS, it is appropriate that we consider how he managed this program and whether he addressed criminal and national security concerns, including exploitation of the EB-5 regional center program by terrorists, spies, and other threatening actors. These weaknesses were apparently the subject of repeated examinations by the administration.

I have repeatedly pressed the administration for more information regarding the weaknesses in the EB-5 program under Director Mayorkas and what actions it has taken to remedy those weaknesses. The chairman has declined to join in this inquiry. Why is that? Why would the chairman decline to join in finding out the truth? I have not received documents or any of the information I have requested.

At the same time there is no public record of steps Director Mayorkas has taken to address EB-5 concerns. For example, to date, USCIS has failed to promulgate any regulations shutting down regional centers being exploited by criminals or terrorists. This raises serious concerns with me.

When Congress created the EB-5 program in 1990, the goal was to stimulate the U.S. economy through job creation and capital investment by foreign investors. To that end, the original program—called the basic immigrant investor program—required immigrant investors to invest \$1 million in a commercial enterprise that would create or preserve at least 10 jobs. The investor was initially granted conditional permanent residency, but after 2 years and proving the creation of 10 jobs, they were eligible to become a permanent resident.

In 1992 Congress authorized a second EB-5 pilot program allowing immigrants to pool investments through DHS-approved regional centers. In seeking approval from DHS, the regional center submits a proposal to DHS detailing how it plans to promote economic growth in that region. By investing in a regional center, immigrant investors can take advantage of relaxed job standards to measure both direct and indirect job creation. While direct jobs are actual identifiable jobs for qualified employees, indirect jobs are considered those created collaterally by the investment.

While the regional center program was set to expire at the end of 2012, last September it was reauthorized for 3 more years. Despite known national security concerns, no changes were made to the program by the Judiciary Committee.

In total, over 25,000 people are currently in the United States through the EB-5 program. Since its inception, the EB-5 program has been plagued with wide-ranging problems. Mr. Mayorkas took over this program in 2009. There has been a notable expansion of the program since he took it over. It now sees \$3.3 billion passed from foreign investors in exchange for visas to reside in our country. Yet the serious security weaknesses have persisted, as well as alarm among senior officials. These problems include the agency failing to determine if the program is meeting its basic goal of creating 10 jobs per investment and defrauding would-be immigrants with breaches of national security with suspected terrorists using the program to enter the United States.

In 2012 the national security staff coordinated a review of the EB-5 regional center program by five agencies focused on vulnerabilities relating to the financial flows and securities offerings that routinely accompany the investment component of the EB-5 program. That draft report raised major concerns with the investments being made by EB-5 investors. For example, the investigation found one regional center filed false documentation in an attempt to support the creation of jobs. The same report also noted investments being made to a business that never existed and could never exist, headed by an individual using a pseudonym due to a criminal record of importing counterfeit products into this country.

The draft review noted the high risk that EB-5 program participants may attempt to use the program as a tool or a channel for money laundering, tax evasion, or other illicit financial activity. This type of activity was aided by the fact that known criminals are not statutorily prohibited from owning, managing, or recruiting regional centers. We just reauthorized that.

This national security staff draft review also references another interagency review looking at the national security threats associated with the EB-5 program, stating that the vulnerabilities relating to possible infiltration by terrorist groups or foreign operatives are also before the NSS and are being addressed by the interagency task force.

Understanding we have only seen a draft of the national security staff's forensic audit and have not seen information about the interagency review of possible infiltration by terrorist groups or foreign operatives, I wrote to Susan Rice, the National Security Adviser, on

October 18 requesting that information. She has not addressed any concerns. She has not answered our letter.

The Department of Homeland Security also conducted its own internal assessment of the EB-5 regional center program, examining criminal and national security vulnerabilities. In response to an apparent tasking from DHS Secretary, ICE prepared a review of the program. Here are the vulnerabilities they noted and identified: export of sensitive technology, economic espionage; use by foreign government agents, espionage; use by terrorists; investment fraud by regional centers; investment fraud by investors in this country; fraud conspiracies by investors and regional centers; illicit finance and money laundering.

The agency's own draft analysis makes clear that the EB-5 regional center program can be exploited by terrorists, criminals, and foreign operatives. Further, it identified regional centers as a means for facilitating espionage at the highest levels by foreign governments. To that end, the review by ICE proposed that the regional center program be sunset—be done away with—because there can be no safeguards that can be put in place that will ensure the integrity of the regional center model.

As I stated before, I sought more information about DHS and ICE's internal review of the EB-5 program. I wrote to Acting Secretary Beers on October 18 requesting information about the findings of this review and what actions were taken in response. I have not yet received a response to my inquiry.

Recently, we received a draft DHS OIG EB-5 regional center audit. It is my understanding that we are soon to get this final report. In the draft, it includes the following statement: USCIS—under Secretary Mayorkas—fails to ensure regional centers meet all program requirements. USCIS—under the nominee, Mr. Mayorkas—inconsistently applies program regulations and policies. USCIS doesn't always properly document decisions and responses, giving the appearance the program is vulnerable to inappropriate influence.

This is all under the guise of a nominee whom we will vote on late tonight.

Since the program is so poorly run by USCIS, the draft DHS OIG determined USCIS is limited in its ability to prevent fraud or national security threats that could harm the United States, nor could the agency see where the EB-5 program was improving the U.S. economy and creating jobs for U.S. citizens, as intended by Congress. This draft report also outlines a number of recommended actions for the Director.

Last week Senator CARPER asserted it was Congress's fault that the EB-5 program was susceptible to fraud and national security threats because it

hadn't provided the proper statutory authority and that new statutory authority which was included in S. 744, the immigration bill, would have solved the problem. But the draft DHS OIG report makes clear that under its existing authority, the agency has the ability to issue regulations to deny and even terminate regional centers identified as fraudulent or national security risks but has failed to do so.

They also recommended that the Director provide USCIS with the authority to deny and terminate EB-5 regional center participants at any phase of the process when known connections to national security or fraud risks are identified; that they should make explicit that fraud and national security concerns can constitute a cause for revocation; that he should give USCIS the authority to verify that foreign funds were invested in companies that create U.S. jobs and to ensure requirements for the EB-5 regional center program are applied consistently to all participants. None of these recommendations request any additional congressional authority; therefore, it is at least arguable that the action could have been taken by Director Mayorkas to prevent national security vulnerabilities in the EB-5 program. That hasn't happened.

The draft report also recommends that other corrective action should be taken by Director Mayorkas as well.

Since USCIS failed to properly apply its existing EB-5 policies and procedures, DHS OIG recommended developing a memorandum of understanding with the Departments of Commerce, Labor, and the SEC “to provide expertise and involvement in the adjudication of applications and petitions for the EB-5 regional center program.”

A third recommendation in the draft report related to the failure of the agency to maintain any metric as to whether the program was actually achieving its intended purpose. The DHS OIG asserted that Director Mayorkas should “conduct comprehensive reviews to determine how EB-5 funds have actually stimulated growth in the U.S. economy in accordance with the intent of the program.” That hasn't been done.

Finally, the draft report directs Mr. Mayorkas to “ensure quality assurance steps to promote program integrity and ensure that Regional Centers comply with the Code of Federal Regulations.” The implication there is that they don't.

All of these recommendations raise serious concerns about the way Director Mayorkas was overseeing the EB-5 program and, in turn, should be considered as a qualifying factor to determining his fitness to be second in command in charge at the Department of Homeland Security.

To summarize, we know the national security staff and the Department of

Homeland Security conducted reviews of the investor visa programs Mr. Mayorkas has been overseeing since 2009. These reviews found that the program created a danger to national security—including the threat of exploitation by spies, criminals, and other national security threats. I and others have asked for more information about the potential national security vulnerabilities in the EB-5 regional center program, and we have received no answers.

What we do know is that Director Mayorkas dramatically expanded a program that the administration and even DHS itself apparently believes to be a threat to national security. And according to a draft report by the inspector general, he did not take all of the actions which he should have taken and which were at his disposal to fix these vulnerabilities and to make sure this visa program wasn't bringing spies, terrorists, or other terror threats into the country.

Finally, I would say this vote is not fair to the Department of Homeland Security. DHS is the agency we trust to secure our borders, make our skies safe, and to help our Nation protect us from terrorism. We know the Department has faced many challenges and has often struggled to execute its responsibilities over the past 10 years since its inception. And DHS has some of the lowest morale in the government.

This week the Senate voted with strong bipartisan support to approve Jeh Johnson's nomination to be Secretary of the DHS. I was proud to support his nomination. He is the kind of leader DHS needs to help it address its many challenges and to fulfill its mission of making our Nation safe. He needs a strong second-in-command in whom he and all employees can have full confidence.

It is this body's job to vet those leaders and ensure they are beyond reproach. With the cloud of this investigation and with many of our unanswered questions about Director Mayorkas's tenure as the Director of USCIS, we do not have full confidence that he should be second in command at DHS.

By voting on him now, this body is sending the wrong message to all DHS employees. Right now, we cannot—let me repeat—we cannot determine whether Mr. Mayorkas is fit or unfit for this important position.

Finally, I would say this vote is not fair to the American people in confirming a nominee for such an important position who has not been properly vetted. The American public depends on us to fulfill our constitutional mandate to properly advise the President on certain executive branch nominees. Here, we are not doing that. We are not doing that. In fact, we are voting to install a nominee who could be

seen as unfit to serve in the No. 2 position at DHS. Now, he may be fit, but this agency is tasked with protecting our country from terrorists. It is our responsibility to guarantee to the American public that the leaders at DHS are beyond reproach.

In this vote, Leader REID is not only ignoring the rights of the minority but the longstanding precedent of the Senate. He is ignoring history, and he is inviting us all to do the same. But history has a difficult way of teaching its lessons. It was long the purpose of the Senate's procedures to remember these lessons so the country does not have to suffer such lessons again and again.

My final comments are these: Those who are going to vote for Mr. Mayorkas do so at the risk of not knowing what the investigation shows. They also do so at the risk of obviating the oath they swore when they came to this body: to fairly and appropriately evaluate their decisions about advice and consent.

My hope is that Mr. Mayorkas is cleared. But, unfortunately, he won't have my vote and that of several of my colleagues because we don't have the information with which to make that judgment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I will first acknowledge that at 11:15 tonight we are going to be voting on the National Defense Authorization Act. It is a must-pass bill, one which has passed prior to December 31 every year for the last 53 years. So it is very significant, and I think people are tired of hearing about it because they recognize the significance and the fact that it has to be done. So I am not going to say anything about that.

I originally came down to talk about the problems we are having in my State of Oklahoma. I have a long list of people from all throughout the State who have talked about their insurance being cancelled, the increase in the deductibles and the cost of insurance, and about the crisis we are facing in the State of Oklahoma with ObamaCare.

Madam President, I will mention one thing which has been overlooked in this debate and which I have mentioned once before but a lot of people have not recognized, and this has come from the leaders on the Democrat side, including the President of the United States; that is, the ultimate goal of ObamaCare would be a single-payer system. A single-payer system is socialized medicine.

It is kind of interesting. I remember when we had Hillary health care back in the early 1990s, and we asked the question, if it doesn't work in Denmark, it doesn't work in Sweden, it doesn't work in Canada, it doesn't work in the U.K., why would it work

here? They never said it, but they were thinking: If I were running it, it would work here. So that is the ultimate goal.

I will share a personal experience, and then I will yield to the rest of the Members who wish to talk about their States.

I had a personal experience 2 months ago. I went in for a colonoscopy, just a routine thing. After checking me and going through, they said: I have good news and bad news.

I said: All right. What is it?

The good news is your colon is fine. The bad news is you are about to die because you have 100 percent obstruction in two valves, 90 percent in two arteries and 75 percent in the other arteries.

So I had as an emergency four bypasses at that moment.

I say that because if I had been in the U.K., at my age there would be a mandatory 6-month waiting period, and I wouldn't be standing here today. If I had been in Canada, it is like 2 years. And I have heard our good friends, the doctors who are Members of the Senate, such as Senator BARRASSO, talking about what is happening in these other countries.

A few minutes ago I was visiting with Jackie Davidson, who is scheduled for open heart surgery on Monday. I was talking about, quite frankly, how it was much easier than I thought it was going to be. And the same thing happened with my wife.

But the point is that if you are in these countries, at a certain age it doesn't work. You are denied the opportunity to have surgery. So that needs to be in the back of our minds as we talk about the current problems we are having with ObamaCare and what the ultimate goal is.

Lastly, I will say I have been contacted by two of my good friends who are members of Parliament in the U.K., and they asked me this question: Why is it you and your country are now trying to adopt something that we are trying to get away from over here in the U.K.?

So let's keep in mind there is one big overriding problem that, if we cave in now, we will be reaching.

With that, I yield to my colleagues who wish to speak.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Madam President, a number of my colleagues have come down here, and we have done so on a number of occasions because most of us are getting emails and phone calls and letters in our offices of real-world, real-life experiences that people are having with ObamaCare. It is a reminder that the things we do here have real-world impacts across the country.

As someone who represents the State of South Dakota, I came down here and shared a number of stories of constituents of mine who have been adversely

impacted in the form of higher premiums, canceled coverages, higher deductibles—all doing great economic harm to the people in our respective States.

I will quickly share a note I received from a constituent in Rapid City, SD.

As my Congressional representative, you need to know how ObamaCare is harming my life and health care. My insurance company cancelled my policy. I am currently paying over \$800 a month for a family of 4. To upgrade my policy I will be over \$900 a month. If I sign up for ObamaCare, I would be paying over \$2500 a month. I cannot think of any way this is considered affordable health care!

This is just another of many examples that I have from my State of South Dakota and that my colleagues have to point out how this is flawed and the economic harm it is doing to the American people and why it is so important that we here in the Senate take steps to change it and do it soon, before it is too late.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON of Wisconsin. Madam President, like the Senator from South Dakota, our office continues to get emails and phone calls and contacts from our constituents.

Tonight I would like to read an email received from David and Shannon McKichan. They write:

I am trying to contact you with very little left to do. My wife and I as of today received a notice that our health policy is going up from \$389.00 per month to \$1177.00 per month.

That is a more than 200 percent increase.

This is for the same level we have, which is an HSA policy, 5000.00 max out of pocket per year. This policy works for us as we are both self-employed small business owners. We have been hammered during the economic downturn and this is the straw that breaks the camel's back. We feel that our government is attacking us and we have nowhere to turn. We are both in our mid 50's and if things stay the same will be without health insurance. I have always provided for my own needs but this is making things impossible.

Please advise what we are to do. Please fight for us and know we do not have a voice without you. I was a city council representative for 15 years and always fought for the working man but I now know that it is becoming a losing battle.

This is just one example. Last week we were on the floor, and I read a number of emails saying the same things:

You need to understand how cheated we feel.

This is not right.

I cannot afford this.

Why are we being forced to change to a plan that has benefits we don't need?

Please help.

Sir, I'm begging for your help.

I'm feeling very upset & stressed.

This is unfair and hurting working families.

This law is hurting us, be our voice.

We need your help.

I guess we are the collateral damage?

Why are they trying to destroy us in the process?

We are scared.

We are hearing the voice of the American people. We are hearing the voice of Wisconsinites. The Senate must hear the voice of the American people and act. The sooner the better. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, like my colleagues, and as I have done several times before, I come to the floor to share the voice of one of many Iowans who have contacted me over the sticker shock that they are experiencing under the Affordable Care Act. This time I quote a constituent from Sioux County, IA, northwest Iowa. That constituent writes:

I am a pastor in rural Iowa and early this past summer, trusting naively in the integrity of our President's repeated promise that "If you like your health insurance you can keep it. Period[.]" I made a change in my policy, moving to a higher deductible to save the church money. Now I have been informed that because of that change, my policy is no longer grandfathered and therefore I will be forced out of it in a year and compelled to purchase a much more expensive (un)Affordable Care Act-compliant policy.

I am young, male, healthy, and will not qualify for any subsidy. In effect, because of legislation Democrats supported, my government is kicking me off from health coverage that I carefully researched, chose and like a lot—and is forcing me to buy coverage that I do not need at a price I scarcely can afford.

And the Government has the audacity to resort to Orwellian doublespeak and call such a draconian policy the "Affordable Care Act."

Please convey to your Democratic colleagues that I grew up on a dairy farm and now pastor a church of farmers. I am the epitome of middle class America that they claim to champion.

This bill is unjust. It is based on lies to Americans like myself. It hurts real people, including the church I serve.

I have done my job. I have shared this constituent's message with my colleagues as he asked me to do. I hope they were listening.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I join my colleagues here on the floor to hear them tell stories that we are hearing from our constituents at home. I saw the newspaper from the State of the Presiding Officer, the New York Times, front-page story, "Uninsured Skeptical of Health Care Law in Poll."

This whole law was passed to try to deal with issues of the uninsured. This article on the front page of today's New York Times says 53 percent of the uninsured disapprove of the law.

Then they go through some of the numbers and it looks as though for the same number of people who think they will be helped, an equal number of people who are uninsured think they will actually be hurt by this law.

Another headline, Wall Street Journal, "Errors Continue to Plague Health

Site." But the health care Web site is just the tip of the iceberg. Sure, there have been Web site failures, but the thing that is hurting Americans all around the country is the higher premiums the Senator from Iowa talked about, the canceled coverage the Senator from Iowa talked about, people who cannot keep their doctor in spite of the President's promise, fraud and identity theft, and higher copays and deductibles which we now know are actually going to be higher, after the law has been passed, specifically for the bronze policies, than they were all last year until the law came into effect.

I would like to share a letter from a woman in Carbon County, WY, who writes about the harmful effect of the health care law for her life and for her health care.

She says:

I currently have health insurance through my husband's employer, but the reality is that the current health insurance that we have may not be available much longer. This is scary to me, since I recently did some insurance shopping for my mother.

She said her mother is 63 years old and in good health. She said:

I was only able to get two quotes. The cheapest quote was for \$756 a month with a \$6,000 deductible.

So we see higher premiums and we see higher copays and deductibles.

The prescription deductible for that particular plan was \$500, and then the copay for prescriptions was still around \$35. The other quote seemed like a better plan and had better co-pay on prescriptions, but that premium was \$985 a month. And that is also with a \$6,000 deductible. What the heck. Who can afford these kind of premiums? That is more than most mortgage payments.

Yet the President of the United States said if you like your coverage, you can keep your coverage; if you like your doctor, you can keep your doctor.

I went on national TV, talked with Bill Clinton a few days before the Web site was opened, and he said it will be easier to use than Amazon, cheaper than your cell phone bill, and if you like your doctor, you can keep your doctor.

It is fascinating, the President was so clueless about his own law, and here we are today, people suffering all around the country, and the President doing nothing about it.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, I came to the floor last week, and for 45 minutes I pulled this file out of my desk. It was my notes that I talked about in 2009 about the Affordable Care Act before it became law. I talked about the increases that were projected in premiums and deductibles. I talked about the networks that were changed, the doctors that would not be available.

I was not a prophet. I was reporting what people such as the Chief Actuary at CMS were saying at the time. Hospitals were going to close, doctors were

not going to take patients under the new plan. More important, the premiums and deductibles were going to become unaffordable, not affordable. I am tonight going to read a letter from Donna Hulcher from Clemmons, NC, right in the middle of the State.

We own a small automotive repair shop and have had continuous health insurance coverage our entire life, either through our company or for the past several years on the individual market. We learned that our high deductible plan with an HSA was not grandfathered into the Affordable Care Act about 4 months ago. Of course at that time, no pricing was available. We were paying 679.00 per month, and felt that we were protected from catastrophic sickness/injury, and we liked the flexibility the HSA provided in meeting our other expenses like dental and optical. We checked with Blue Cross once the cost for the new silver plans they are mapping us to was available, and it is going to cost 1379 per month. What a shock to the system and I am not at all sure it has as much coverage as what we are losing. I am pretty much a deer in the headlights, not knowing where we are going to turn, afraid to get onto the ACA website and give my information because I don't trust its security. It is totally foreign to me to apply for government subsidies for something we have always paid for and never depended on the government to help us. This goes against everything we believe in as being hard working, independent people. There are problems with health care and with costs, no doubt but this is not making it more affordable and from what I am hearing, doctors are retiring early or not taking this new policy. I feel like I am spinning the wheels of my brain trying to find out what is the right way to go. This has pulled the rug from under our family!

We are now within 3 days of what was the cutoff. We have now extended the enrollment period to the end of March. But insurers are required, April 1 to April 27 of 2014, to submit their pricing for 2015. I have heard the folks talk about this is only about 8 percent of the American people that this applies to in 2014. In 2015 it is all of the American people. It is big business, it is small business.

You know what is going to happen when they price this product with no experience of the risk pool this year. Prices are going to go up. Deductibles are going to go up. If you think it is unaffordable this year, wait until you see what hits the 90 percent of the American people in 2015.

It is time for us to change this. It is time for us to fix it. It is time for us to get an affordable health care policy in place in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Madam President, as a result of ObamaCare, millions will be forced to use money that they would have used to pay rent, help their children attend college, or invest in a business. Instead, they are going to have to use that money to pay for higher premiums and skyrocketing deductibles. Here is one such example from Huntsville, AR, which is in a congressional

district which I used to represent when I was in the House. This constituent writes about how he and his family must have to take drastic steps to be able to afford the cost of ObamaCare, not the least of which includes returning to work after retiring last year. The email reads:

I have never before contacted a Senator until today. Sir, I am outraged about the ObamaCare issue and the Affordable Care Act. Because of recent developments over the affordable health care act, and the obvious problematic issues related to its operation, policy and implementation, we are selling two of our vehicles to save money.

This is due to the direct impact of this legislation and due to the broken promises of President Barack Obama that have been repeated over and over to us for 3 years.

We are also canceling our cable TV, and will save about \$1,500 per year. We are cutting back on Internet, switching to save another \$1,000 per year. We are Christmas shopping in January. Our purchase of a new vehicle is now delayed for another 3 years. Our planned vacation trips for 2014 and beyond are being pared back.

This is the No. 1 issue I am hearing from Arkansans, the high cost, in some cases the unaffordable cost, of ObamaCare.

It is interesting, as we hear other Members of the Senate come and read the same types of emails, the same types of letters that they are getting, they all have the same thing—they are put in positions that are simply untenable. They simply do not have the money to afford the so-called new insurance that they needed as their old insurance was dropped from them.

We need health care reform, but ObamaCare certainly is not the answer. We need to transition the employer-based private insurance market toward one that allows for flexibility, choice, portability, and fairness. Let's allow small business owners to pool together to purchase group insurance, introduce portability into the market. These are things that we need to do, and continue—some of these things are actually in the Affordable Care Act. Yet the reality is we can do that without \$1 trillion of increased taxes, and rapidly, because of the way that the business community is responding, making us a nation of part-time employees.

We need to allow individuals to purchase insurance across State lines. We need to expand health savings accounts and flexible savings accounts. These are free market reforms that would drive down costs.

The problem that we had prior to introducing the Affordable Care Act was affordability. What has happened is, instead of driving down costs, we have driven up costs dramatically because of the way the bill was structured.

We also need medical malpractice reform. I am an optometrist by training. I can tell you in the course of taking care of patients that there are people all over the country who have to do things that are above and beyond,

sometimes, the things they believe they need to do in order to protect themselves. As a result, there are no ifs, ands, or buts, that definitely drives costs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I had not anticipated coming to the floor tonight to talk about health care in this country, but I feel compelled to do so after listening to a number of our colleagues share with us letters and messages from folks whose lives have been adversely affected apparently because of changes made in the coverage of their health care through the Affordable Care Act.

I regret any of the consequences that have been shared with us here this evening. My hope is that we will find ways over the next coming weeks and months to address the kinds of concerns that have been raised.

I just wish I heard some of that concern in past years as we prepared to take up the Affordable Care Act. As a member of the Finance Committee, I wish I heard those kinds of concerns about the tens of millions of people in this country who really don't have any health care coverage tonight—some 40 million. For a lot of them, this health care is a chance for them to go to the emergency room of a hospital. When they get really sick, they can be admitted to the hospital and get the care they need. Without health care coverage, it is hugely expensive ultimately for the rest of us because we pay for it. Where is the outcry on behalf of those tens of millions of people?

Where was the outcry 4 years ago when we had several million people who signed up for the Medicare prescription drug program and found that when their purchases of prescription medicines reached a certain level—\$3,000 or \$4,000 a year—instead of Medicare paying 75 percent of the cost for their medicines beyond that in a year, Medicare paid nothing, which is known as the doughnut hole? A lot of people fell into it—a lot of older people fell into it—and they could not afford the medicines they needed to stay well or stay out of the hospital. Where was the outcry on behalf of fixing that problem?

Where was the outcry on behalf of the millions of young people who were dropped off of their parents' health insurance plans when they aged out at 22? Where was the outcry in those cases?

We have had Republican and Democratic Presidents who have had a chance for years—for decades to do something about the fact that we spend twice as much money for health care as the rest of the world but don't necessarily get better results and don't cover everybody. Frankly, I didn't hear a lot of outcry from our friends on the

other side of the aisle during all those years.

As much as we feel for the people whose stories they shared with us here tonight, I wish that same sympathy and empathy had been extended to some of the people who now don't fall into that doughnut hole when their prescription drugs exceed a certain amount during a year.

Now we have people who are 22, 23, 24, 25 years old who don't age off of their parents' health care coverage. They are covered until their 26th birthday.

We will add to the number of people who have health care coverage. Somewhere between 5 and 10 million people will have health care coverage either because they are able to qualify under the Medicaid Program or because they will get coverage through one of our State exchanges across this Nation.

Is the Affordable Care Act perfect? No. Are there problems with it? Sure. Anything that is this big and this difficult to do, there will be problems. I think the implementation of the start-up in October and November was totally unacceptable. We are trying to work our way through it and provide the kind of access and explanation for this coverage that people deserve, and eventually we will get this right.

The outcry we now hear attributed to the implementation of the Affordable Care Act reminds me a lot of the outcry we heard—I want to say 2006 and 2007—when we were beginning to implement the Medicare prescription drug program. To put it bluntly, it was a mess. People were confused by it. The information technology didn't work. The headlines in the newspaper looked a lot like the headlines in October and November and even now. But a year or two later, guess what. We fixed the program with everything but the doughnut hole. And now we fixed the doughnut hole—it started about 4 years ago—through the Affordable Care Act. People don't fall off that cliff anymore the way they used to.

So rather than simply criticizing the provisions of the Affordable Care Act that are troublesome or problematic, why don't we fix them? That is what we did with the prescription drug program, Part D under Medicare, and that is what we should do here.

I did not come here tonight to respond to our colleagues. I just felt somebody needed to say something, and I am pleased I had that opportunity.

MAYORKAS NOMINATION

Madam President, I rise tonight to speak again in strong support of the nomination of Alejandro Mayorkas to serve as the Deputy Secretary of the Department of Homeland Security. I spoke yesterday about Director Mayorkas' impeccable credentials and experience that has prepared him for this important position. My colleague from Louisiana Senator LANDRIEU did the same yesterday.

Today I would like to address some of the concerns about Director Mayorkas that have been raised by our friends on the other side of the aisle and seek to set the record straight.

I understand that some of our Republican colleagues believe we cannot move forward with consideration of Director Mayorkas' nomination until the Office of Inspector General finishes its investigation that it began—get this—in September of 2012. There was an investigation as to his management of the complex EB-5 program some 15 months ago.

Well, I must say I disagree with my Republican colleagues. I think we have waited long enough, and let me explain why.

As I said before, the Department of Homeland Security has been without a Deputy Secretary since April of this year—8 full months—and 6 months have passed since Director Mayorkas was nominated. For many of those months, we did not have a Senate-confirmed Secretary of the Department of Homeland Security.

Three days before Mr. Mayorkas' confirmation hearing in July, information about the OIG investigation was leaked to Congress and the media in a highly irregular manner. The information that was leaked indicated that in September of 2012, the Office of Inspector General for the Department of Homeland Security had received allegations about conflicts of interest, misuse of position, and an appearance of impropriety by Director Mayorkas and other agency officials. We also now know that the OIG did not actually begin investigating these allegations for almost 1 year after receiving them.

Importantly, the OIG confirmed that this was not in any way a criminal investigation. Let me say that again because some of our friends on the other side of the aisle seem to be confused about this. The OIG confirmed in July of this year and reconfirmed in December of this year, earlier this month, that this is not and never has been a criminal investigation.

To my amazement, Director Mayorkas has never been contacted nor interviewed by the OIG about this investigation. There was no phone call, no letter, no email. There was nothing in 15 months. Director Mayorkas only learned of this investigation after its existence had been leaked to the Congress in July, just days before our committee hearing on his nomination. Even then, Director Mayorkas ably and vigorously disputed the allegations in his interviews with committee members who would meet with him and staff who would meet with him as well at his confirmation meeting in July.

Unfortunately, rather than question the nominee about this matter and give him a chance to refute these anonymous allegations, Republican members of our committee boycotted his

confirmation hearing and have refused to meet with Director Mayorkas to give him an opportunity to respond to these allegations from people whose names and faces we don't even know.

Senator GRASSLEY said this week that Director Mayorkas has been given a chance to defend himself and has "utterly failed" to respond to Senator GRASSLEY's letters. On the contrary. Director Mayorkas did, in fact, respond to Senator GRASSLEY's letters this past August 20. In fact, he would have gladly spoken with Senator GRASSLEY or any other Senator, Democratic or Republican, about the allegations face to face. That is the way we do things in Delaware. I can't imagine it is not the way we do things in other States.

I am perplexed that an even better option—speaking to Director Mayorkas himself—was not taken advantage of by Senator GRASSLEY. In fact, I offered to fly to Iowa with Director Mayorkas in August to meet with Senator GRASSLEY face to face so that Senator GRASSLEY could have his questions answered face to face, but, sadly, Senator GRASSLEY declined.

So I think the record shows that Director Mayorkas has been eager to meet with Senators on both sides of the aisle to answer their questions—not to duck them but to answer them. But our colleagues on the other side of the aisle have been unwilling to give him what seems to me should be a common courtesy.

Again, we are not talking about a criminal investigation. We are talking about the mismanagement of a program and allegations brought by people whom, again, my staff has never been able to interview.

Getting back to the OIG investigation, of course, in a perfect world, I would prefer that it be completed before moving forward. At one point, I thought it would be.

First, let me make it clear to all that there is nothing improper about the chairman of a committee asking for an update on the status of a pending investigation. There is nothing improper about that. Accordingly, in July Dr. COBURN joined me in inquiring about the status of this investigation. I was told it would be completed in October. Again, this investigation started a year earlier—in September of 2012.

In October of this year, I inquired again about the status and was told it would be completed in December.

On December 2 a bipartisan group of committee staff participated in a telephone call with the head of investigations at the Office of Inspector General at the Department of Homeland Security to receive a status update. They were told it would likely take 2 or 3 more months to complete the investigation. In fact, every time we have spoken with the IG staff, we have been told they are just 2 or 3 months away from completing an investigation that began some 15 months ago.

I respect that the OIG must do its job, but we have to do our job too, and the President has to do his job. We cannot wait another 2 months—every other month—especially for a position as critical as this one.

Lest we forget, the Department of Homeland Security is charged with helping to protect our Nation and its citizens from all kinds of attacks, foreign and domestic—terrorists from abroad, homegrown terrorists from within—securing our borders, our aircraft, you name it. They respond to all kinds of natural disasters whether they happen to be hurricanes or tornadoes. There is a lot going on. It is a busy and tough neighborhood to run and manage, and we need confirmed leadership.

I thank our Democrat and Republican colleagues for their vote earlier this week on behalf of Jeh Johnson to become Secretary of the Department. He needs a team, and he needs a team that includes Alejandro Mayorkas.

During the call I mentioned a little bit ago with the bipartisan committee staff in December of this month and trying to find out the status of the investigation, the OIG confirmed that to date they found no evidence of criminal wrongdoing by anybody at DHS, including Director Mayorkas. That is right, no evidence, none, nada.

Given that the investigation appears to be months away from conclusion and that its completion date has already slipped several times and given the confirmation by the OIG that there is no evidence of criminal wrongdoing, I believe it is time to move forward. In fact, it is past time to move forward.

The allegations that have been made public cluster around Director Mayorkas' administration of the EB-5 visa program. It is an extremely complicated program that provides foreign investors an opportunity to immigrate to the United States in exchange for significant investments in job-creating enterprises right here in America. The Department of Homeland Security OIG just completed an audit of this program, as a matter of fact, but I will get to that in a little bit.

The primary complaint about Director Mayorkas concerns an EB-5 related application by Gulf Coast Funds Management, the regional center which has ties to Virginia Governor-elect Terry McAuliffe.

Anonymous sources have reportedly alleged that Director Mayorkas improperly intervened to help change a draft legal decision so it would come out in favor of Chairman McAuliffe's former company, Greentech Automotive.

First of all, I think it is important for everybody to understand upfront that Greentech Automotive did not get what they wanted. Let me say that again. The final decision in this case did not come out in Greentech Automotive's favor, from the agency run by Director Mayorkas.

Second, it is important to note that the author of the Greentech decision, the former head of the Administrative Appeals Office at the U.S. Citizenship and Immigration Services, Mr. Perry Rhew, told my staff last week that he strongly disputed the allegation that Director Mayorkas had inappropriately influenced his decision.

Many of the other allegations that have been made public about the Director's management of the EB-5 program contend that applications appear to have been processed without regard to security concerns. However, in reviewing the leaked emails that were attached to these accusations, Director Mayorkas actually says the exact opposite.

I found this disconnect between the allegations and the emails presented as evidence so striking that I am going to read exactly—I want my colleagues to hear exactly what Director Mayorkas said in this email to support his contention on January 30 of this year concerning his application for a regional center in Las Vegas. This is what he said:

We will take the time needed to resolve the security issue and we will not act until we have achieved resolution. I agree that we need to run enhanced security and integrity checks.

This email directly refutes the claim that Director Mayorkas was pushing to expedite applications despite the security concerns raised by his subordinates.

In another email attached to one of the letters making accusations against Director Mayorkas, he forwards a question about Mr. McAuliffe's company to subordinates and he notes—this is how he does it: He says—Mr. Mayorkas' words:

I want to make sure that we are providing customer service consistent with our standards, but that we are not providing any preferential treatment.

I would ask: Are these the actions of someone who is trying to exert improper influence or subvert security checks? I think any fair-minded person would agree the answer is no. No. Even our committee's ranking member, my friend, Dr. COBURN, indicated that the allegations against Mr. Mayorkas, although serious, are most likely not grounded in reality. I don't want to mince his words, so I will quote him directly. In reference to the allegations against Mr. Mayorkas, Dr. COBURN said in a committee meeting—again, this is a quote: "I doubt they are true, but we do not have the facts."

I agree with Dr. COBURN. We don't have any facts pointing to any sort of wrongdoing by Director Mayorkas at all, as best I can tell. None of the anonymous sources or so-called whistleblowers have presented information to the majority regarding their concerns, something I think is unprecedented in these types of circumstances for our

committee. We have been unable to question those bringing these anonymous concerns on the majority side, and our Republican friends on the committee—and maybe largely in the Senate—have refused to talk to the accused, and he has not been accused of any criminal wrongdoing. That doesn't add up to me. Maybe it does to some people. That just doesn't add up. We don't get to talk to the people who raised these concerns and our Republican friends won't talk to the accused who has not been accused of any criminal wrongdoing.

On the one hand, we have over 30 people from both sides of the aisle who are well-known and hugely respected citizens who have gone on the record with glowing support for Director Mayorkas. On the other hand, not one person—not one—has stepped forward publicly opposing Director Mayorkas.

Some of the people who have written in strong support of Director Mayorkas include the last Deputy Secretary of the Department of Homeland Security, Jane Holl Lute; the last Senate-confirmed inspector general of the Department of Homeland Security, Richard Skinner, who is a Bush appointee; and the three most senior border security officials in the George W. Bush administration, Robert Bonner, Al Ralph Basham, and Jason Ayhern.

The fact is that Director Mayorkas has been proactively addressing national security and fraud concerns in the EB-5 program for years. Soon after being confirmed, he took a number of administrative and operational steps to address national security concerns. Where he lacked the administrative authority to improve the EB-5 program, he repeatedly appealed to Congress for the legislative authority he needed.

Unfortunately, Congress dealt Director Mayorkas and his entire agency a bad hand when we authorized the EB-5 program in 2012. We failed—we failed—to give the agency any of the legal authorities that Director Mayorkas and his team at CIS had specifically requested in order to enable them—and they just requested in 2012, made a request—in order to enable them to address the national security and fraud vulnerabilities they could not address on their own. It said: Congress, we would like to do this. We need the authority; please give it to us. They started asking for that in June of 2012.

Earlier this year, during the Judiciary Committee's debate on S. 744, the immigration reform bill, Senator LEAHY introduced an amendment that made virtually all the national security fixes that Director Mayorkas had requested. While the comprehensive immigration reform bill passed the Senate with strong bipartisan support, it is unfortunately stalled in the House.

Fortunately, Senate Committee Chairman PATRICK LEAHY is working

on a stand-alone bill to address these national security and fraud concerns, much of what Director Mayorkas and his team asked for in June a year ago. I urge all of my colleagues concerned about security issues in the program to join me as a cosponsor of that bill.

It strikes me as grossly unfair to punish Director Mayorkas for the inability of Congress to address the vulnerabilities in the EB-5 program that Director Mayorkas and his team brought to our attention and asked us to fix over a year and a half ago. In essence, those of us in Congress failed to do our job. Yet Director Mayorkas is taking the fall for our failure. How is that fair? I will tell my colleagues: It is not.

I mentioned previously that the OIG completed an EB-5 audit, and although that report has not been publicly released yet, some of my colleagues have been discussing the OIG's findings earlier today. In light of that, I think this is a good time to get some facts straight because this audit, remarkably, misses some key facts.

First of all, the report says the EB-5 program is vulnerable to fraud and national security risks and that the legislation that created the program makes it difficult to fully address those risks. That is something that has been well-known by Congress and the administration long before this report and long before Director Mayorkas took over the U.S. Citizenship and Immigration Services in August of 2009. The emails I just discussed demonstrate that Director Mayorkas did not take national security and fraud matters lightly. In fact, a review of the legislative history of the last year and a half might suggest that we take them lightly.

Despite the widespread knowledge about the national security and fraud vulnerabilities in the EB-5 program—and all visa programs, for that matter—CIS did not and does not have the authority that it asked Congress for in order to adequately police regional centers and the EB-5 program. I find it incredible that the OIG audit report makes no mention of Director Mayorkas' efforts to get Congress to pass legislation to address this problem since June of 2012.

In the absence of being granted those authorities by Congress, Director Mayorkas took it on himself to implement other reforms. Yet many of these reforms took place before or during this audit—and yet, incredibly, those reforms are not even mentioned in the audit report.

One of his first actions as the Director was to elevate the Fraud Detection and National Security Office to a director reporting directly to Mr. Mayorkas. This ensured that national security professionals had a seat at the management table and a voice in all major decisions.

He expanded reporting requirements and security checks for regional cen-

ters, which led CIS to increase the number of national security investigations in the EB-5 program by more than 50 percent in the last 4 years.

He increased EB-5 staffing from 9 people in 2009 to more than 80 today, and hired senior economists and national security officers to work side by side with immigration specialists.

He positively engaged other agencies such as the Securities and Exchange Commission, the FBI, and the Treasury Department to help police the program. In fact, Senator GRASSLEY himself noted this week that Director Mayorkas convened a national security staff working group to examine the problem last year.

The actions I have described are not the actions taken by someone who does not care about national security.

The audit report says the EB-5 adjudication process is ambiguous. CIS has recognized there was a need for a consolidated adjudication manual and they published one in May of this year—one more fact that was not even mentioned in the audit report.

The audit report says the program is fraught with the perception of outside influence. There is no denying the fact that this program gets a lot of attention, including from us—from Congress. In fact, the USCIS receives 1,500 queries about the EB-5 program each year from Congress, from Senators, from U.S. Representatives—1,500. As it turns out, almost half of our Senate colleagues on both sides of the aisle have inquired about the EB-5 program since 2009. That is an enormous amount of interest from Congress in this one program. In many cases—most cases—that interest was provided or demonstrated to CIS on behalf of our constituents, from States from one corner of America to the other.

But let me be clear: The fact that this program garners a lot of attention from a lot of Members of Congress and a number of high-level officials from all parties about the frequency and status of pending applications does not mean that the Citizenship and Immigration Services adjudicators are swayed by the attention. Perception is not always reality. Contrary to what some have suggested or assumed, the OIG reported that all the files they reviewed in their audit—including the ones associated with Terry McAuliffe's company—appear to support the final decision.

Let me say that again. The OIG audit concluded that the evidence it reviewed in these cases supported the final decision.

Based on the evidence we have before us, I believe it is clear that Director Mayorkas has taken strong steps to improve the EB-5 program. These are the actions of a dedicated, thoughtful, and committed public servant. They are the actions of a leader who is willing to make tough but necessary deci-

sions in order to shake things up and improve a program that needed improving. That is exactly the kind of leadership we need at the Department of Homeland Security. I think we need it across the Federal Government.

I also believe we need leaders who are committed to doing what they believe in their heart is the right thing to do. At his confirmation hearing in July, I specifically asked Director Mayorkas about the allegations raised by some of these anonymous sources. Director Mayorkas testified before this committee under oath that he has never put his finger on the scale of justice, and I have seen no evidence since then that would lead me to question his veracity.

I do not believe that we can allow rumors spread by anonymous sources to rule the day.

Some of our colleagues have been very critical of DHS shortcomings and they are quick to point out its failures. However, one of the major reasons the Department fails to live up to expectations more than they and the rest of us might like is because their top leadership ranks have been riddled with vacancies for much of this year, and the same is true of many other agencies. Again, it is not fair to criticize the agency on the one hand and yet seem content on the other to leave them without Senate-confirmed leadership for months on end. We can't have it both ways. We have some responsibility here as well.

It is time to stop playing political games. It is time to vote to confirm Ali Mayorkas for the Deputy Secretary position at DHS.

There is something else that came to my attention today that I thought was interesting. It is not from an anonymous source. It is not rumor or innuendo. It is actually a report from the Partnership for Public Service. One of the things they do at the partnership is issue, I think maybe on an annual basis, the rankings of the best places to work in the Federal Government in 2013 and, as it turns out, also maybe the worst, because they do a ranking from top to bottom.

I was dismayed to find out this week that the Department of Homeland Security ranked last—ranked last—on their list of Cabinet Departments in terms of employee morale—last. It is not the first year. It has happened for a number of years in a row. However, although the Department ranked last among all the Departments, the U.S. Citizenship and Immigration Services, led by Director Mayorkas, was one of the highest ranked components within DHS, coming in at, I think out of 300 Federal agencies, No. 76, which, if my math is good, that puts them in maybe the top 25 percent of all agencies.

After Mr. Mayorkas took over in 2009, employee satisfaction with senior leadership there increased by over 20

percent. It has increased by over 20 percent since he took over in 2009.

Every now and then, in driving on my way to the train station in Wilmington to catch a train to come down here to start our day, I listen to the news. Usually I arrive at 7 o'clock. About a year ago I heard a report on NPR of an international study that was done involving thousands of people across the country. In the international study, they asked the same question of thousands of people from all walks of life with different kinds of jobs in different locations. The question that was asked of each of those thousands of people was, what is it about your job that you like? What is it about your job that you like the most? Not surprisingly, those people who were asked the question had different responses. Some people said they liked getting paid. Some people said they liked getting a pension. Some people said they liked having a vacation or having health care. Some people said they liked the environment in which they worked. Some people said they liked the folks they work with. But do you know what most people said? Most people said the thing they like most about their job is they felt the work they were doing was important and they felt they were making progress. Think about that. The reason most people cite for liking their job, the work they do, is because they know it is important and they feel they are making progress.

It is ironic to me—if you rely on the anonymous sources the majority side has not been permitted to talk with, it is ironic to me that in a department where morale has been low and a problem and a concern for years, at this agency that Mr. Mayorkas has led now for 4 years, employee morale is, by comparison, fairly high. He does not get any credit for that. But if employees really do care that the work they are doing is important and they are making progress, maybe that belief is reflected in these numbers. Maybe that is reflected in these numbers on behalf of the leadership that Mr. Mayorkas has provided for Citizenship and Immigration Services.

Let me close, if I could. My friend from Kansas has arrived.

There are a couple things I want us to keep in mind. This is one that is hard for me to understand. People whom we do not know, whom we on the majority side have not talked to and have not had an opportunity to hear from to hear their story—it is maybe unprecedented for that opportunity to be denied the majority or for the majority to deny that to the minority in a case like this. We have been denied that opportunity.

I think the person who is maybe best able to provide or to rebut or to respond to concerns that have been raised by these anonymous folks whom we have not been able to talk to is Mr.

Mayorkas himself, but our Republican colleagues have refused to talk to him. Even though there is no evidence of criminal wrongdoing, they refuse to talk to him to give him a chance to rebut or to respond to the accusations from anonymous sources we have never heard from. That one just blows my mind.

If the shoe were on the other foot, if Democrats were in the minority and Republicans were in the majority, if I were the ranking member on the minority side and we had a Republican President who nominated somebody for office and the chairman of our committee asked me as the ranking minority member to meet with someone whom the Republican President had nominated, I would meet with them in a heartbeat. I would want to hear that person's story. That is what I would want to hear.

If the anonymous sources were talking just to us, I would encourage them to talk to the other side as well.

By the way, the one person we did talk to—and we got this person, Mr. Rhew—I think we got his name out of a statement given by Senator GRASSLEY on the floor. We talked to him. He set the record straight. He set the record straight. I have already cited that in my comments. But we have never had the chance to talk to any other, I think, half a dozen or so sources.

The other thing I would say is that there is nothing inappropriate about the staff of a committee chairman inquiring of an OIG about the pace and the resources provided to conduct an investigation. This is just not any Department that has lacked Senate-confirmed leadership from us; this is the Department of Homeland Security. Americans have a lot riding on that Department doing their job well. They need senior leadership, and they have not had the kind they need.

But despite the repeated efforts to get the OIG to expedite their efforts, begun in September 2012—a joint letter from Dr. COBURN and me to the OIG in July of this year; 2 months later, get a response that, oh, maybe we will have something in October. Two months later, it is December, and bipartisan staff—Democratic, Republican; majority, minority—have a chance to be briefed by the OIG, and rather than say, well, this investigation we started 15 months ago is done, is ready to wrap up, they say, a couple more months, maybe 2 or 3 more months.

Are we supposed to continue to wait? We have the leadership we need at the Department of Homeland Security. At some point you just say: Enough already.

What we have learned is that in terms of full-time people working on this—I think there are about 650 full-time equivalent people at the Office of Inspector General at DHS, about 650,

and as I understand it, 3 full-time people—1 investigator and 2 research assistants—have been devoted to this investigation. No wonder it is taking 15 months.

I would ask us to keep in mind our failure—our failure—to act on the recommendations made to Congress for reforms in the EB-5 program to address national security concerns and to address concerns about fraud.

Mr. Mayorkas did the right thing. He and his staff pulled together a long list of changes they need, legislative changes they need so they would be authorized to address his concern. We dropped the ball. We did not include those changes when we reauthorized the EB-5 program for 3 more years—a straight reauthorization. We did not make any reforms. We did not make any changes despite the fact that he had suggested them months before we acted.

Finally, those changes ended up in the immigration bill. We passed it here. Most Democrats voted for it, some Republicans. It is over in the House. It is languishing and not moving. If we are really concerned about giving this agency, CIS, the tools they need, the authority they need to address these security concerns, fraud concerns, why don't we join Senator LEAHY in the legislation he is going to introduce that largely is taken from the immigration reform bill? When he introduces it, let's cosponsor that bill.

Finally, if we are going to accept as gospel criticism about the way a person has run a particular agency—and not of a criminal nature but criticisms about the way it has been run—why not give that person a chance to defend himself? Why not give him a chance to say: Well, there is another side to this story or maybe there is not, but at least give him that opportunity.

Lastly, the morale at the Department of Homeland Security—they do some great work, important work, the Department of Homeland Security. And they do a lot better work. I will mention a couple things, if I can.

Remember the response of FEMA, which is part of the Department of Homeland Security? Remember their response to Katrina? It was deplorable. How about the response of FEMA to Hurricane Sandy? All around—for the most part, all around kudos were won.

How about TSA? TSA has been a whipping boy for a lot of folks. All of us who have the opportunity to fly commercially, we have seen TSA make changes. They have taken criticism they have taken to heart. Among other things, they have created the Trusted Traveler Program so a lot of people do not have to take off their shoes or their belts or do all kinds of things to get through a security check. The TSA has done a number of things. Some of the technology they are using is not intrusive, as it was before. Security is actually strong.

For 10 years, our friends at GAO, the Government Accountability Office, have, every 2 years, on their high-risk list at the beginning of every Congress, cited that the Department of Homeland Security needs to be able to earn a clean financial audit of its books. They said: 10 years; that is enough time.

Well, it turns out the Department of Defense, which has been around for, gosh, about 70 years—over 60 years—is still not auditable. The Department of Defense is not auditable, much less to have a clean audit.

Last week the Department of Homeland Security, for the first time in their existence, received a clean financial audit. They did it in 10 years. DOD, also a big operation—it is 60 years and counting, and they are not even audited yet.

So for those who want to constantly criticize the Department of Homeland Security, I would just say that the people who work there work hard. They have tough jobs. They need our help. One of the things they need our help in doing is securing the kind of leadership they have not had, and that is Senate-confirmed leadership.

We have had some very good people who have been acting as the Secretary, acting as the Deputy Secretary, but, friends, it is not the same. They need leadership that is going to be there with not just the blessing of the President but the blessing of this body and that is going to be there today, tomorrow, next month, next year, and provide the leadership that is needed.

The most important element I have ever seen in my time in the Navy—23 years Active and Reserve—my time as Governor, my time here in the Senate, the most important element I have ever seen in any organization to determine whether it is going to be successful is leadership. Show me a school with a great principal, I will show you a school that is on the way up. I do not care how ineffective the teachers might be, I will show you a school that is on its way up. Show me a business with a strong leader, and the same thing is true. Show me a body like this or a military unit, leadership is always the key. And it is the key at the Department of Homeland Security.

If the improvement that I have noted, that I mentioned here just a minute ago, is to continue and actually be strengthened, they need Senate-confirmed leadership. We will have the opportunity in a couple of hours to give Jeh Johnson, the newly confirmed Secretary of Homeland Security, a key player in the leadership team that he is trying to build at that Department. He deserves our support, and so do the people at that Department. And if they get it, they will provide the support we need in this country to be safer in the days ahead.

With that, Madam President, I thank you for allowing me to give this statement.

I see my friend from Kansas on the floor. I thank him for his patience, and I am happy to yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

HONORING OUR ARMED FORCES

FALLEN FORT RILEY SOLDIERS

Mr. MORAN. Madam President, CWO2 Joshua B. Silverman, age 35, Scottsdale, AZ; SGT Peter C. Bohler, age 29, Willow Spring, NC; SPC Terry K.D. Gordon, age 22, Shubuta, MS; SFC Omar W. Forde, age 28, Marietta, GA; CWO2 Randy L. Billings, age 34, Heavener, OK; SSG Jesse L. Williams, age 30, Elkhart, IN are names of soldiers who lost their lives this past week. They lost their lives in a helicopter incident in Afghanistan, and five of those soldiers were from my home State based at Fort Riley, KS—the Big Red One.

Our Nation is forever indebted to these young men for their service and their sacrifice. This evening I ask the Senate to pay tribute to these six soldiers who, in serving their country, lost their lives. If we here in Washington, DC, need a reminder about our responsibilities, we need only look to our service men and women who, for no partisan reason—nothing to do with Republicans or Democrats—volunteer to serve their country, and recognize there are things much more important than even life itself.

These soldiers were committed to preserving the freedoms and liberties guaranteed Americans by our Constitution, and they sacrificed their lives every day to make certain Americans have the opportunity to pursue the American dream.

I once heard a hymn that has stayed with me ever since the first time I heard it. It was sung at the funeral service of President Reagan. It is called “Mansions of the Lord.” It was performed by the U.S. Armed Forces Chorus at the National Cathedral here in Washington. The words of that hymn are these:

To fallen soldiers let us sing
Where no rockets fly nor bullets wing
Our broken brothers let us bring
To the mansions of the Lord
No more bleeding, no more fight
No prayers pleading through the night
Just divine embrace, eternal light
In the mansions of the Lord
Where no mothers cry and no children weep
We will stand and guard though the angels sleep
Through the ages safely keep
The mansions of the Lord

We honor these six soldiers who this week were welcomed into the mansions of the Lord.

I am grateful for the blessings these brave men afforded us with their service to our country, and we thank God for giving us these heroes. We remain committed to preserving this Nation for the sake of the next generation by honoring that sacrifice.

We Americans are indebted to every member of our military. We are indebted to do nothing less than to preserving America's freedom and to make certain it remains the bright shining star for the world.

I would ask God to bless these service men and women, to bless our veterans, to bless our country.

This coming week, in a few short days, families will gather around dining room tables across our Nation to celebrate the holidays. In the instance of these six families, there will be an empty chair at the Christmas table. For those of us who are Christians, we celebrate Christmas as the arrival of the Prince of Peace, and I would ask that we have peace in our land, peace in our world, and no more wars. And I would ask that these families find peace knowing that their son, their husband, their father, sacrificed for something more important than life itself—they sacrificed for others. May they find peace in knowing what worthy lives their loved ones lived.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, there has been considerable controversy in recent days over a provision in the recently passed spending package that became known as the Bipartisan Budget Act which cuts pensions for military members, including wounded warriors.

There was bipartisan agreement. People on both sides of the aisle believe that it ought to be fixed, that it was an error and should not go forward, and that there were better ways to find the money—if you have to have money to spend somewhere else—than taking it from military retirees.

But Majority Leader REID and every single Member of his conference save one stood together to block an effort which I proposed to restore the pensions for the military and also find better offsets. They blocked us from making any alteration to this spending package that was before the Senate, including my amendment to close an egregious tax welfare loophole—a tax credit, a payment directly from the United States of America to illegal aliens—that could pay for these cuts itself. Indeed, the inspector general of President Obama's Treasury Department has said this loophole needs to be closed and would save a substantial sum of money. It is an open gate, allowing massive fraud and illegality.

So we simply wanted to close that loophole. We asked to pay for this new spending by closing this loophole that the Treasury Department asked us to close instead of reducing the retirement benefits by as much as \$70,000 for a sergeant who served to age 42 in the U.S. military.

How can this blockade be defended? How did it happen? Why would we be in

such a position? Is there any Member in the majority who would really defend the practice we are now undertaking where legislation that clearly needs an amendment to fix a problem in it is not allowed to have amendments, and the legislation is rammed through the Senate?

This has been the pattern around here for far too long. The majority leader is eroding the Senate's historic role as the great Chamber where the issues are debated and changes and amendments are voted on, and he is being enabled and supported by his conference.

Consistently, time and again, when objections are made to try to stop this practice and get amendments and votes on important bills, his conference has stood with him. In other words, his conference is saying: We choose to stand with Majority Leader REID and his procedural actions which block other colleagues; we choose to stand against even our own Members having amendments and against the right of individual Americans to have their Senator be held accountable—to stand up and be able to offer amendments to legislation to improve it. And if you don't do that, you are accountable for voting for the final bill—which is imperfect and should be fixed.

That is the way the voters hold us accountable. They need to be able to see us vote and look at our voting records and decide whether we are serving their interests, some Wall Street interest, some special interest, or some political group instead of the national interest. That is what this whole system is about.

Now we have before us the Defense bill that is so important for America. I serve on the Armed Services Committee. I have been on that committee for nearly 17 years. We moved this bill out with a big majority. I voted for it in committee, although I expressed great concern about its budgetary problems that needed to be fixed. Unfortunately these problems have not been fixed. But I wanted to see the bill move forward, and I tried to be cooperative.

The bill moved to the floor. The budget problem hasn't been fixed, and there are other problems with the legislation that need to be refined. The bill before us, the Defense bill, spends approximately \$500 billion—for the largest single agency in the U.S. Government. Are we to accept that it should pass in this body without a single person having a single idea that ought to be made a part of that bill? Can it not be made better?

The majority admits it is not a perfect piece of legislation. We certainly know that. The American system is designed so that when an imperfect bill moves forward, a Senator can offer an amendment. Maybe it is not a good amendment. Maybe it will be voted

down. Maybe it is a good amendment and will be accepted. But no more, not with what is happening here today.

What is happening here today is when Republicans want to offer an amendment, Senator REID basically says no. He doesn't want any amendments. He then uses a device called "filling the tree"—because he gets to be recognized first—filling it with a series of amendments, leaving no place, then, for any other Member of the Senate to call up an amendment. And the majority leader won't remove the amendments from the tree unless he decides he wants to.

On this Defense bill, we had two votes on amendments when the bill was up for an entire week. We could have easily had 30 or 40 votes that week had we chosen to do so. So only two votes were held, and none now, and we are moving to final passage. The tree is filled, and we have not been able to force even a single vote to fix matters.

Senator CORNYN offered an amendment this afternoon. He filed a motion to table some of the amendments Senator REID had placed on the tree, and it was voted down by the supporters of Senator REID on the other side of the aisle. We have been talking about this for a long time. This is contrary to the history of the Senate.

Senator CORNYN laid out how year after year for 51 years we moved a defense bill through the Senate, and there have been multiple amendments nearly every time but this one. It is unthinkable that the great Senate of the United States would not allow amendments to a bill as significant as a defense bill.

So what does the majority leader do after he fills the tree? Republicans said: Wait a minute, Senator REID. There were no amendments allowed on the bill. We have amendments.

He said: Oh, you are being obstructionist. I am going to file for cloture. I am going to file a motion to shut off debate, and we are not going to have any amendments.

And then if the Republicans resist and say, we are not going to vote to end debate because we haven't had any amendments, he says, you are obstructionist.

This is the pattern that has been going on. He files cloture virtually immediately with the filing of the bill, and he claims that is a filibuster by the Republicans. So by filing cloture immediately, he contends that Republicans are filibustering a bill; he counts up these filibusters and says: There are too many filibusters in the Senate. You are obstructing the business of the Senate. In truth, Majority Leader REID is the one who is obstructing the Senate. He is the one who is blocking debate and amendments.

If you ask a schoolchild somewhere in America, if you ask a senior citizen, a World War II veteran who loves this

country and has studied the great principles of America, you say there is a piece of legislation on the floor of the Senate and there is something in it that is wrong—they want to cut benefits for wounded warriors, veterans who served and have been wounded in combat and disabled—and you do not want that to happen, what would you do?

Why, they would all answer, you would file an amendment to the bill to fix this problem.

But not in the Senate today. That is the classical understanding of the way this body ought to operate. That is what James Madison, I am sure, conceived and the way it has worked for so many years. But not any longer. This bipartisan Budget Act is just like the Defense bill—no amendments. No matter how important the bill is, no matter how many problems there are in it, no amendments.

Oh, you want to go back to that old Senate where people could actually debate and have amendments and offer changes and improve it? No longer. That is obstructionist. That is delaying tactics. We won't have it anymore. You are slowing us down. It is unacceptable.

When I vote not to end debate on this Defense bill that is before us, I am not voting to not have a defense bill. That is so obviously wrong it is hard to believe you have to explain it. But we are not voting to do that. We are voting to maintain the classical principle of the Senate where individual Senators from whatever State there is can come to the floor and make a contribution to the country. They were elected by their people. There are almost 5 million Alabamians who elected me. Do I not get to offer an amendment to the Defense bill of the United States? It diminishes my role. It diminishes the role of every single Senator. So I am asking my colleagues on the other side of the aisle who have been lemming-like, I call it, defending this abuse of power, to begin to consider what this may mean to them and whether this is the right way the Senate should operate.

There will be some tough votes. We will all have to take tough votes. Probably most people can explain their votes if they know what they are doing. Maybe some cannot and they will be voted out and sent home. So be it. If you cannot defend your vote and you are not casting good votes on bills and you cannot respond effectively as to why you voted for or against a certain amendment, then you ought to be sent home. We are not entitled to these jobs. We have to be elected to them.

I am concerned about it. I believe it goes even beyond the significance of this important Defense bill. I think it goes beyond this grave error in which we are reducing the pay of military retirees when we are not reducing other retirees' pay.

This is not a belt-tightening across the board. It seems to me to be a targeting of one group of Americans, perhaps those who served more than any other group.

Majority Leader REID continues to complain that the trains are not running on time, not running with enough ruthless efficiency to suit his ideas. So he then uses a filling-the-tree tactic. But that is not all. Although President Obama has had judge after judge after judge confirmed, and Cabinet people and sub-Cabinet people confirmed in large numbers, the Senate refused to approve one appointment recently and refused to fill three Federal judgeships at the U.S. Court of Appeals for the District of Columbia Circuit because they were not needed. The average caseload for those judges was 149. Of the 8 judges who are there now, there are authorized 11 judges. So the 8 judges there now have 149 cases per judge, whereas my circuit, the 11th Circuit, sitting in Atlanta, has over 700 cases per judge. The national average is around 350 cases per judge.

We do not need to fill three judgeships for which the caseload is not there. The caseload for the D.C. Circuit is almost half that of the next lowest circuit in the country. So we do not need these judges. The caseload continues to decline. So the Senate refused to give cloture, refused to confirm those judges. So in an act of pique or calculation or deliberateness, the majority leader altered the rule of the Senate about how we ought to conduct business here. He did so by breaking the rules of the Senate.

This is what happened. U.S. Senate rule XXII says in order to bring debate to a close, three-fifths of the Senators duly sworn would need to vote to end the debate. There were not sufficient votes to end the debate on the DC judges because they were not needed. This irritated the majority leader. So he petitioned to the Presiding Officer and the Parliamentarian and he asserted that it only takes 51 Senators to vote to end debate. But rule XXII explicitly says it takes three-fifths, 60 Senators, to end debate. It goes on to say, except when you change the rules of the Senate, and that takes two-thirds, 67. So it takes 67 votes to change the rules of the Senate and 60 votes to end debate.

What did Senator REID do? He asked the Parliamentarian to say it only took 51. The Presiding Officer, the President pro tempore of the Senate, Senator LEAHY, our longest serving Member, and the Parliamentarian said no, Senator REID, the rule is it takes 60 votes to shut off debate.

So what did Senator REID do? He used the ability to appeal the ruling of the Chair and he asked his colleagues to overrule the ruling of the Chair, which by any plain reading of the rules of the Senate would be without dispute

requiring 60 votes to shut off debate, but he wanted it to be 51 and his colleagues supported him. His colleagues supported him, they supported him and he overruled the Chair, his own Parliamentarian whom he selected and the Presiding Officer that he put in the Chair. They voted to change the rules of the Senate. It is in plain language—with 51 votes, not 67.

This is dangerous, colleagues. This is the kind of thing you see in Third World republics or would-be republics. This is the kind of lawlessness that will endanger the American system of government at its most fundamental basis. It is endangering us. The President says whatever he wants to—you can keep your doctor, the President says your plan is going to save you \$2,000 a year, the President says all these things and he gets his bill passed and none of it is true.

I don't see any Members on the floor who voted for this bill, ObamaCare, down here apologizing to the American people, saying I am sorry, the bill I voted for did not do any of the things I promised you it would do and I am willing to have an amendment process on the floor to fix it. No, we are not going to get a vote on ObamaCare. They are going to block that too. If any attempt is ever made, he will fill the tree and block that vote. So we are not able to bring it to the Senate floor and require Senators to vote on serious issues involving health care for millions of Americans because Senator REID doesn't believe in it and he is backed by his colleagues.

I guess the President probably says, oh, don't let them vote on ObamaCare, they might change some of it. You know, they are finding out what is in it. We don't want them to actually think they have enough muscle to actually pass a law to fix it or change it or alter it. That would be terrible. Who do they think they are? Do they think this is a democracy or something?

That is where we are. This is huge and significant. We have to confront what is happening. It is very important that we cool down and we get some sort of work going on, but I am not confident at all on that. This effort should result in a retreat from this breaking the rules to change the rules, this nuclear option.

The reason a nuclear option was called that is because once you do that, it blows up the entire Senate. Senator LEVIN explained the problem very succinctly, one of two Democrats who voted against Senator REID's attempt to execute the nuclear option and to change the rules of the Senate. He said if a majority can change the rules of the Senate, there are no rules. It is simply what the majority says. There are no standards, there are no rules, there are no procedures. If we can change them whenever we are frustrated by a majority vote in the Sen-

ate, there are no rules, there are no protections. That is so true.

That is why what has happened here is so significant. I believe this late-night work and this process to consider nominations is healthy, because it requires us to go through a painful period of introspection as to what is happening to us and how we ought to conduct this great Senate.

This afternoon we did not have the support for Senator CORNYN's resolution. Yesterday, when I made the motion to clear a place off of the tree so my amendment could be heard and voted on, my colleagues, a majority of them, voted no. Only one broke with Senator REID, actually; one Democrat did. Every Republican voted to allow amendments to go forward, allow my amendment to be heard. The rights of all the Senators in this body to defend their State, to defend equal representation, was undermined.

The two Independents in our Senate, delightful individuals for sure who caucus with the Democrats and vote with the Democrats, maybe sometime they will be willing to prove that the letter "I", independent, means something and maybe they will help us stand and defend the heritage of the Senate. We need to make this thing change. We cannot continue to aggregate more and more power into the majority leader where no longer—where the right to demand 60 votes to shut off debate could be further eroded, where we will continue to see bill after bill brought up with no amendments being allowed.

They say oh, well, we are at the end of a year. We must do that. We do not have time. But the Defense bill has been on the floor since June. That is awful. There have been huge amounts of time for us to bring it to the floor. It has been out of committee since June and it should long ago have been brought up and, in fact, it could have been voted on last week with full amendments and we would already be through with that and be gone today.

The Armed Services bill, the Defense bill is an important bill. I am very disappointed we are at a period of impasse, very disappointed that I cannot support going forward with it to final passage because there is no ability to amend it and fix some of the obvious flaws that are in it. It is outside the budget spending limits we agreed to.

The Bipartisan Budget Act was also rammed through the Senate with no ability to offer amendments. This legislation will not allow us to prevent the cut of veterans retirement pay and disabled wounded warriors retirement and benefit pay.

It is a disappointment for me to be in this position. I have tried to be supportive of the Defense bill every year. I worked in committee to do so. I believe last year we got a unanimous vote, Republicans and Democrats, quite a number of times in the committee. A lot of

that is due to Senator LEVIN and Senator INHOFE's leadership. This time we have a problem, and it is not going well, and I am deeply disappointed. I believe we can do better, we must do better, and I will not be able to vote to support this bill tonight.

I thank the Chair and yield the floor.

Mr. BOOZMAN. Mr. President, I appreciate the efforts and concerns of my colleagues in the Senate and the House who are unwavering in their support for our military retirees. We need to correct this grave injustice that was made and continue our promise to the men and women who serve our Nation by restoring their retirement benefits. We need to cut spending and put our country on the path to fiscal responsibility, but it should not come at the expense of our nation's military retirees. I could never support a budget deal that contained this provision. That is why I opposed the deal that was approved by the Senate this week. I will work with my colleagues to make sure our servicemembers receive the benefits they earned. I am confident that we can find a solution to this error before any retirees are impacted by a reduction in their future retirement pay.

Ms. HEITKAMP. Mr. President, I rise today with strong concerns over how the National Defense Authorization Act of 2014, H.R. 3304, approaches the critical issue of intelligence, surveillance and reconnaissance, ISR, and specifically the approach to the Global Hawk system. I support H.R. 3304, but I will continue to work with administration officials, our Nation's military leaders, and my colleagues to make sure our Nation makes the right investments in ISR that protect our Nation and our servicemembers.

Since I joined the Senate in January 2013, I have spoken with several key Department of Defense leaders who have emphasized the importance of sufficient ISR capabilities to keep our troops safe and protect U.S. interests. The Global Hawk family of platforms plays a key role in providing that ISR capability and answering the call of combatant commanders with unmatched range, endurance, and cost-per-ISR-hour.

The Fiscal Year 2013 National Defense Authorization Act prohibited the retirement of the Global Hawk through the end of the Fiscal Year and directed the Air Force to maintain the operational capability of each system to support operational requirements of the combatant commands. The original House version of the Fiscal Year 2014 NDAA extended this retirement prohibition on Global Hawk through the end of 2016. This smart provision would allow the still-fielding Global Hawk fleet to continue to support operations around the globe and allow Congress and the Department to gather additional information about our Nation's future ISR needs. Such information

would allow the best possible decision about the Global Hawk.

Unfortunately, H.R. 3304 only extends the prohibition on Global Hawk retirement through the end of Fiscal Year 2014. This decision could allow DOD to follow through on previous efforts to prematurely cancel the Block 30 version of the Global Hawk, which represents the largest group of Global Hawk platforms. DOD's own findings show that the Block 30 Global Hawk represents a more efficient platform for high-altitude ISR needs than platforms which perform the same missions, such as the U-2.

It doesn't seem wise to allow the potential termination of the largest part of the Global Hawk program before Congress fully understand the capabilities and abilities of this system and how it can fit into larger DOD plans.

I strongly support many of the provisions in H.R. 3304, such as its improvement in how the military approaches its sexual assault epidemic, and amendments I worked on to protect our ICBM forces and ensure our Nation moves forward in an effective way regarding unmanned aerial system integration in the national air space and the use of Reserve component units for cyber missions. However, I will continue to work with my colleagues to improve the DOD's approach to ISR and ensure our military retains the ISR it needs to keep our citizens and servicemembers safe.

Mrs. BOXER. Mr. President, I am so pleased that the National Defense Authorization Act includes important reforms to article 32 of the Uniform Code of Military Justice, UCMJ, which are based on an amendment I authored with Senator GRAHAM.

I thank Senator GRAHAM for working with me on this issue. I also thank Chairman LEVIN and Ranking Member INHOFE for working so closely with us. Without their support, these critical reforms would not have been incorporated into this bill.

These reforms will help end the abusive and invasive questioning of sexual assault victims during pretrial article 32 proceedings.

Article 32 proceedings are the military's equivalent of preliminary hearings in the civilian criminal justice system. However, article 32 proceedings have become their own trials where the defense counsel can harass and intimidate sexual assault victims and ask questions that would never be permitted in civilian courts. No victim should ever have to endure this type of abuse.

Our military justice system should encourage sexual assault victims to report these crimes and pursue justice by prosecuting perpetrators. Tragically, the article 32 process does just the opposite.

Roger Canaff—a former prosecutor who has worked with the military as a

legal consultant on sexual assault cases—says that article 32 proceedings are so difficult for victims that “a lot of cases die there as a result.” In fact, the military's own statistics show that nearly 30 percent of sexual assault victims who originally agree to help prosecute their alleged offenders change their minds before trial.

The National Defense Authorization Act addresses this serious problem by bringing article 32 proceedings more in line with how preliminary hearings are conducted in the civilian criminal justice system.

Specifically, the bill limits the scope of article 32 proceedings to the question of probable cause. This will help ensure that article 32 proceedings do not turn into fishing expeditions that serve only to discredit and humiliate victims.

It also requires article 32 proceedings to be presided over by an impartial military lawyer except in extraordinary circumstances.

In addition, the bill requires all article 32 proceedings to be recorded—putting in place a uniform standard across all of the services. It also gives victims access to the recording.

Furthermore, it prevents victims from being forced to testify in article 32 proceedings. Instead, alternative forms of testimony, including sworn statements, could be used. This will ensure that victims are not revictimized during article 32 proceedings.

These commonsense reforms will help ensure that victims of sexual assault are not put on trial simply for making the courageous decision to pursue justice. And this change has broad support from survivors, military leaders and military law experts.

Karalen Morthole—who was raped by a master sergeant at a bar on the grounds of the Marine barracks in Washington, DC—supports reforming the article 32 process: “People always say, ‘This is why so many people don't come forward.’ I agree. The process should be changed so survivors of rape feel confident rather than discouraged when trying to pursue justice.”

MG Vaughn Ary—the staff judge advocate to the commandant of the Marine Corps—agrees that “there is room for change in article 32.”

In addition, Eugene Fidell—a professor of military justice at Yale Law School and a former Coast Guard judge advocate—has said that article 32 proceedings have “become bloated” and “should be replaced by a simple probable cause hearing.”

I am so pleased that there is a clear consensus on the need to reform the article 32 process to better protect victims of sexual assault. This is an important step forward in addressing the epidemic of sexual assault in our military.

But let me be clear. There is only one fundamental change that will give sexual assault survivors the confidence to

report these heinous crimes knowing that justice will be served—the bipartisan Military Justice Improvement Act.

I am deeply disappointed that this important bill was not included in the National Defense Authorization Act because until vicious crimes like sexual assault are handled outside the chain of command, we will not have truly fixed our broken military justice system.

That is why I look forward to proudly casting my vote in support of Senator GILLIBRAND's bill in January, and I urge my colleagues to do the same.

Mr. LEAHY. Mr. President, the compromise Fiscal Year 2014 National Defense Authorization Act is an important authorization bill that I intend to support. This will be the second legislative matter considered by the Senate this week that reflects the kind of compromise too often missing from our deliberations in Congress. It does not meet the needs of every Senator, but it marks a step in the right direction and will allow the Department of Defense to move forward key programs in the coming year.

I understand the frustration of some Senators who were keen to offer amendments to this authorization bill. In fact, two measures I introduced during the Senate's consideration were not included in the compromise. These provisions would have extended protections for human rights by aiding international efforts to prosecute war criminals and compensating innocent civilians who fall victim to combat operations. Both provisions have significant support, and I remain committed to continuing to work to see them enacted in the new year. But despite the best efforts of Chairman LEVIN and Ranking Member INHOFE, the amendment process in the Senate was derailed by irrelevant proposals, which prevented provisions like these from receiving consideration. Nonetheless, I will support this compromise.

The bill before the Senate authorizes the activities of the Department of Defense, the single largest U.S. Government entity. As a result, manufacturers and service providers across the United States will keep Americans employed making and doing things for the Department. It means that the U.S. Armed Forces can take the steps needed to address threats to our security. Most importantly, it means the members of the Armed Forces and their families can count on having the equipment and support they need while selflessly serving to keep us safe.

The Defense authorization bill before us also contains important changes that will help the administration transfer more individuals out of the detention facility at Guantanamo Bay. It includes a provision that relaxes the current onerous certification requirements that must be satisfied before

transferring detainees to third countries. These requirements have proven to be unnecessary and counterproductive.

Regrettably, the compromise bill retains two limitations that were included in the House-passed version of the authorization. The legislation extends the current prohibition on constructing facilities in the United States to house Guantanamo detainees and also extends the ban on transferring detainees to the United States for detention or trial. I strongly believe that the executive branch must have all options available in handling terrorism cases, particularly the ability to prosecute terrorists in Federal criminal courts. That is why I voted against an amendment by Senator AYOTTE during the Senate floor debate in November that included these same restrictions.

Although I would have preferred the more favorable detention-related provisions contained in the underlying Senate bill, this compromise represents an improvement over existing law.

Reforms to the military justice system in this compromise also accomplish an improvement of the status quo. This bill includes roughly two dozen changes to the Uniform Code of Military Justice and Department of Defense policy that enhance victims' rights and protections and amend the investigative and prosecutorial process. Among the measures included in the bill is the removal of a commander's ability to overturn jury convictions, and a secondary review of any decision made not to prosecute, whether made by the convening authority or the staff judge advocate. Additionally, the 5-year statute of limitations on trial by court-martial for additional offenses involving sex-related crimes is eliminated, and those accused of certain sex-related offenses are required to receive dishonorable discharges or dismissals if convicted.

These important accountability measures will be supported by the removal of the "good soldier" defense for the accused, and victims will further be protected by changes that prevent them from being forced to testify at article 32 proceedings and at trial. Though more can be done, these and other provisions adopted represent a significant improvement and merit the Senate's support.

There are many other provisions in this bill that are worthy of highlighting, but as cochair of the Senate National Guard Caucus, I am most pleased that this bill does not compromise on supporting the National Guard. As an essential part of U.S. security at home and abroad, the National Guard is an integral part of the Armed Forces today and will remain so in the future. Among the many provisions that demonstrate the strong commitment to the National Guard felt by

Members of Congress in both Chambers, two are most important. First, the authorization effectively ends the process of "off-ramping," wherein a National Guard unit scheduled to deploy is replaced at the last minute by an Active unit, preserving both certainty and operational readiness for our National Guard personnel and families.

Second, it requires congressional budget justification documents to specifically enumerate funding levels for embedded mental health providers in National Guard and Reserve units. For too many years, men and women in the Guard and Reserves have come home from war to inadequate mental health resources. The Congress took the important step of embedding mental health providers in units, but resources disproportionately moved towards the large, Active military bases, while our hometown heroes at small drill centers around the country went without. With specific enumeration, we can take a better look at resource allocation and we in the Congress can make sure members of the Guard and Reserve get similar access to their Active counterparts.

The authorization before the Senate is the result of compromise. The Senate will close this session of Congress on the heels of two bipartisan votes that passed a 2-year budget and this important authorization bill. I hope that this bodes well for further cooperation and compromise in the new year.

Mr. BLUMENTHAL. Mr. President, I support the compromise National Defense Authorization Act for Fiscal Year 2014 (NDAA). Though this bill has shortcomings, it will be good for our country and for Connecticut, and it will allow us to keep faith with the brave men and women who serve and sacrifice each day in our military.

As a member of the Senate Armed Services Committee, I have the privilege and the important responsibility to honor our men and women in uniform by providing for them while they are training, when they are deployed, and if they are wounded. I voted for the NDAA in committee this year, and I will vote for it on the Senate floor because I know that it will support our servicemembers throughout their time in uniform and beyond. This bill funds the training and equipment our troops need to go into battle. It funds the critical weapons systems that they need to protect our Nation. And it provides for them after they return home—albeit less robustly than it should—through medical care and opportunities to build skill sets for civilian careers.

This bill is good for Connecticut as it supports both our Connecticut National Guard and Reserve and our State's hard-working defense manufacturers. Specifically, it funds two submarines a year. The NDAA maintains

robust funding for the Ohio Replacement Program, the *Virginia* Class Submarine, the Heavy Lift Replacement Helicopter Program, and the Joint Strike Fighter. It funds advanced procurement for the Army's UH-60 Blackhawk M Model that will be used by the Connecticut National Guard, and it rightly does not authorize a costly and unnecessary round of base realignments and closures.

The NDAA will strengthen our commitment to eliminating the scourge of sexual assault from our military. It includes provisions from my bill to provide victims of an offense under the Uniform Code of Military Justice with the same rights to counsel and other protection afforded victims in civilian courts. It rightly eliminates the ability of a commander to dismiss a court martial or reduce a sentence, and it establishes minimum sentencing guidelines in cases of sexual assault. The bill also strengthens rights for victims of sexual assault at pretrial article 32 proceedings and ensures that they will have counsel present when interviewed.

I have been very concerned with properly providing for those wounded warriors who suffer the so-called signature wounds of these recent wars: post-traumatic stress and traumatic brain injury. Just this year, I was saddened by the loss of Connecticut veterans who fought long battles with these illnesses. Though I believe that more efforts are needed, the NDAA will help to provide improved outreach on suicide prevention to Reservists in Connecticut and across the country to hopefully reach additional wounded warriors in need of help.

I have also been very concerned with the lack of interoperability between Department of Defense and VA medical records. Right now, when someone separates from the military, the VA has no complete, automatic access to veterans' service-related medical records, even though the Department of Defense has those records. Defects in interoperability have contributed to the unconscionable backlog of veterans' claims. I have worked with Senator NELSON on a bill to mandate interoperable medical records between the Department of Defense and the VA, and I am pleased that provisions on this subject are in the NDAA. These provisions require the SecDef and the Secretary of VA to ensure the Departments' electronic health record systems are interoperable with integrated display of data, or a single electronic health record, and that each is compliant with national standards.

Additionally, I am pleased that the NDAA includes provision-enhancing mechanisms to correlate skills and training for military occupational specialties with skills and training required for civilian certifications and licenses or IT credentialing. By prioritizing training and certification,

not only do we ensure that our military personnel have the appropriate skills to carry out their duties, but we also ensure that our veterans have a path to translate these skills to civilian life and find work that fits their skills once they leave the service.

Finally, this bill strengthens our commitment to ensuring that we do not contract with the enemy. It includes provisions I championed giving combatant commanders greater authority to terminate or void a contract with anyone supporting our enemies, and it prohibits funding to enter into contracts with Rosoboronexport—a Russian company financing Assad's cruel war against the Syrian people.

Overall, I am pleased to support this bill to keep our country safe and our military strong. I look forward to voting for this bill and to continuing to work with my colleagues in a bipartisan manner to support our national defense.

Ms. MIKULSKI. Mr. President, I rise to call, as so many others have done, for justice. The scourge of sexual assault still pervades in our military. Our outrage is palpable, but change is possible.

I recently read a heart wrenching story in the *Baltimore Sun* about Brian Lewis. Thirteen years ago, after 3 years of service in the Navy, Brian was assaulted by a higher ranking shipmate. His attacker went unpunished, while Brian bore shame, depression, and even accusations from his fellow shipmates.

Brian is not alone. He joins thousands of men and women who have suffered silently at the hands of a fellow soldier, sailor, or marine. This is a compelling national problem. When you join the military and you face the enemy, you shouldn't have to fear the enemy within.

Victims of sexual assault have long been redlined and sidelined at the hands of a justice system that fails to be objective or effective. It is time to put a stop to this now.

Despite lasting trauma, prejudice, and overwhelming obstacles, these men and women have endured. Their courage in the face of suffering is admirable, but it should not be necessary.

That is why I support the new Defense bill for fiscal year 2014. It includes over 30 provisions to address sexual assault. It strengthens the justice system. It provides counsel and support for victims. Most importantly, it provides a serious deterrent for those who dare take advantage of our most patriotic Americans.

For 25 years, I have fought to resolve this issue. I thank those who have stood beside me, including, most recently a bipartisan alliance of women Senators. We have made some progress, but we still have far to go.

There are 26,000 reasons why we rise today. Twenty-six thousand sexual assaults have occurred in our U.S. mili-

tary this year. Many of these acts of violence are unreported, unprosecuted, and unpunished. We cannot let this continue, not on our watch.

It is our moral duty to speak for the voiceless, to vouch for the powerless, to fight for the helpless. The men and women of our military may know how to wage war, but they should have to battle through redtape when it comes to their pursuit of justice.

Mr. REED. Mr. President, I rise today in support of the National Defense Authorization Act for Fiscal Year 2014. I commend the work of my colleagues on the Armed Services Committee, especially the chairman, Senator LEVIN, on reaching an agreement with the House to complete this important legislation. For 51 consecutive years, the Senate has passed a defense authorization bill, and I hope we will be able to soon send the bill before us to President Obama for his signature. We owe it to our servicemembers to pass a law that will support them and enable the DOD to execute this year's budget efficiently and effectively.

We made tough decisions in putting together this bill—especially in these difficult economic times. But this bill will allow DOD to combat current threats, plan for future threats, and provide for the welfare of our brave servicemembers. While it is disappointing that we did not have sufficient time to debate amendments, this is a good compromise bill and it is critical that we pass it.

I would like to point out a few of the highlights of this bill:

It authorizes a 1-percent across-the-board pay raise and reauthorizes over 30 types of bonuses and special pays for our men and women in uniform; includes 36 key provisions to strengthen sexual assault prevention and response programs; extends authorities to continue several "train and equip" programs to assist foreign militaries in counterterrorism and counternarcotics missions; and authorizes \$6.2 billion for the Afghanistan Security Forces Fund to further build the capacity of the Afghan army and police so those forces can take over security throughout Afghanistan by December 2014.

This year I once again had the honor of serving as the chairman of the Seapower Subcommittee, alongside Senator MCCAIN, the ranking member. Working together, our subcommittee focused on the needs of the Navy, Marine Corps, and strategic mobility forces. We put particular emphasis on supporting marine and naval forces engaged in combat operations, improving efficiencies, and applying the savings to higher priority programs. Specifically, the bill includes the required funding for two *Virginia*-class submarines and provides an additional \$100 million to support buying the 10th DDG-51 under the current multiyear

procurement program. The bill also approves the funding for other major programs, including the DDG-1000 destroyer, the Aircraft Carrier Replacement Program, the Littoral Combat Ship, LCS, and the P-8 maritime patrol aircraft. I am particularly pleased about the funding for the *Virginia*-class submarines and the DDG-1000, which so many Rhode Islanders help to build.

Working together with Senator McCAIN, this bill increases accountability for taxpayers' dollars spent on several major Navy programs. For example, the bill includes language to increase the CVN-78 cost cap, while excluding certain urgent and unforeseen testing costs from that cap. In addition, we require quarterly reports on the program manager's estimate for CVN-79, and we freeze the payment of fees whenever the program manager's estimate of total program costs exceeds the cost cap.

In this bill, we also require the CNO to submit a report identifying the current littoral combat ship, LCS, concept of operations and the expected survivability of each sea frame; we require the GAO to review the LCS program; and we limit future procurements of the LCS until the Navy produces certain reports and the Joint Requirements Oversight Council makes certain certifications about the LCS program.

The bill also amends the language of the annual 30-year shipbuilding report to require the disclosure of ship prices assumed in the plan and a risk assessment whenever the number of ships in the plan falls below the Navy's requirements.

I offer my thanks to Senator McCAIN and the other members of the Seapower Subcommittee for their diligence in the subcommittee's work this year.

We have a good bill before the Senate, and I urge all of my colleagues to support it.

Mr. REID. Mr. President, I ask unanimous consent that if cloture is invoked on Executive Calendar No. 456, Alejandro Mayorkas, to be Deputy Secretary of Homeland Security, all but 1 hour of postcloture time be yielded back, and that when the Senate convenes on Friday, December 20, the Senate resume consideration of the Mayorkas nomination, with the remaining hour of debate equally divided between Senators CARPER and COBURN, or their designees, and that following the use or yielding back of time, the Senate proceed to a vote on the Mayorkas nomination; further, that the Senate then proceed to a cloture vote on Executive Calendar No. 459, John Koskinen, the Internal Revenue Service, as under the regular order; that if cloture is invoked, all postcloture time be yielded back and the Senate proceed to a vote on confirmation; further, that the Senate then proceed to a cloture vote on Executive Calendar No. 382, Brian Davis, to

be a Federal district judge, as under the regular order, and that if cloture is invoked, all postcloture time be yielded back and the Senate proceed to a vote on confirmation; the motions to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; further, that the Senate then proceed to the cloture vote on Executive Calendar No. 452, Janet Yellen, Federal Reserve, as under the regular order, and if cloture is invoked on the Yellen nomination, all postcloture time be yielded back and the Senate proceed to a vote on confirmation on Monday, January 6, at a time to be determined by the majority leader, in consultation with the Republican leader; further, that cloture on Executive Calendar Nos. 455, 445, 371, 457, 356, and 189 be withdrawn; further, that following the cloture vote on the Mayorkas nomination, the Senate proceed to a period of morning business for debate only, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER (Mr. HEINRICH). Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, for the information of all Senators, there will be two rollcall votes tonight at 11:15 p.m. on the motion to concur in the House message to accompany H.R. 3304, the National Defense Authorization Act, and cloture on the Mayorkas nomination. If cloture is invoked there will be a series of six rollcall votes tomorrow beginning at about 10 a.m.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business until 10 p.m. and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

FIRST SESSION OF THE 113TH CONGRESS REFLECTIONS

Mr. LEAHY. Mr. President, as the first session of the 113th Congress comes to a close, it is appropriate to reflect on some of the accomplishments of the year, while acknowledging that so much more could have been done had Republicans in both the Senate and the House cooperated. We have passed some commonsense, good-government legislation. As chairman of the Senate Judiciary Committee, I am proud of the work of the Senate Judiciary Committee this year. While there remains much work to be done, these accomplishments illustrate what we as a Congress are capable of when we set aside partisan politics and put the good of the American people first.

My first legislative priority at the beginning of this Congress was to com-

plete our work to improve and reinvigorate the Violence Against Women Act, VAWA. Vermont has been a national leader in addressing domestic and sexual violence. In Vermont, VAWA funding has helped the National Network Against Domestic and Sexual Violence provide services for more than 7,000 adults and nearly 1,400 children in 2011 alone. The Burlington-based Women Helping Battered Women and Middlebury-based WomenSafe have supported thousands of children and adults by offering emergency shelter, transitional housing, counseling, and legal assistance. These dedicated service providers help victims recover from unspeakable trauma and abuse, but the need for VAWA remains. Three women are killed every day by abusive husbands or boyfriends. In Vermont, 51 percent of all homicides are related to domestic violence. After months of work, the Senate came together in the best tradition of the institution to reauthorize VAWA with a strong bipartisan vote. This bill, which I drafted with Senator MIKE CRAPO, a conservative Republican from Idaho, proved that when we put people before politics there is much we can accomplish. Our bill was written with the input of survivors and the advocates who work with them every day, law enforcement personnel, judges, and State and local leaders. It was drafted to meet the real needs of real victims. Although it faced early resistance, none of the commonsense changes it included should have been controversial. Eventually, the House listened to the experts in the field and followed the Senate's example and passed this inclusive, lifesaving legislation. At a time when we face gridlock and stonewalling on even the most compelling issues, I was heartened to see that we could find a way to cut through all of that to help victims of violence.

I am proud of this new law. As a result of its passage, for the first time, VAWA guarantees that all victims can receive needed services, regardless of their sexual orientation or gender identity. The Leahy-Crapo Violence Against Women Reauthorization Act strengthens protections for vulnerable immigrant victims. It ensures that colleges and universities will do more to protect students from domestic and sexual violence. Our reauthorization also took important new steps to combat the appalling epidemic of domestic violence on tribal lands and to ensure that no perpetrators of this terrible crime are above the law. I was happy to work with Representative TOM COLE, a Republican from Oklahoma, to preserve this provision in our bill. I thank him for his leadership.

To help support the important work of Vermont's domestic and sexual violence advocates, I included all-State minimum funding allocations in the VAWA reauthorization, and amended

the definition of rural State to ensure that Vermont continues to be eligible for grants under the Rural Grant Program, despite the increased population in Chittenden County. So far in 2013, Vermont has received \$4.5 million in VAWA grants for victim services and violence prevention.

The bill that the President signed also included the Trafficking Victims Protection Reauthorization Act, TVPRA, which strengthens effective programs to help us take on the scourge of human trafficking, both here at home and around the world. It is unacceptable that 150 years after the Emancipation Proclamation, the evils of sex trafficking and labor trafficking, forms of modern-day slavery, still exist. It has been needlessly difficult, but I am glad that the Senate adopted my amendment to add the Trafficking Victims Protection Act to our Violence Against Women Reauthorization Act to address the horrors of human trafficking.

My work across party lines did not end with passage of VAWA and TVPRA. It continued on a number of other smaller, yet nonetheless important, pieces of legislation.

As chairman of the Senate Judiciary Committee and the Appropriations Committee's Subcommittee on State Department and Foreign Operations, I worked with Senators SHAHEEN and MCCAIN to obtain a continuation of the Iraqi Special Immigrant Visa, SIV, Program, H.R. 3233. Congress created the program in 2008 to afford some of the tens of thousands of Iraqis who served alongside U.S. troops the opportunity to seek safety and a new beginning in the United States. It was set to expire at the end of October despite the fact that after 5 years fewer than 6,000 of the 25,000 available visas had been distributed to those Iraqis who risked their lives to be our translators and our guides. They were a critical resource to our troops, helping them navigate complex cultural, political, and geographic terrain. Letting the program expire would have meant leaving many well-deserving Iraqi allies in danger and undermining American credibility for decades to come.

Although our initial efforts this fall to include the extension in the continuing resolution were blocked, we were able to work together to honor our commitment and renew this critical program by passing bipartisan legislation at the final hour. Among the many lessons of the Vietnam War is that we must not abandon those who risked their lives to help us.

Over the summer, I also worked with Representatives KLINE and MILLER on the House Education and Workforce Committee, and with Ranking Member GRASSLEY to pass the Missing Children's Assistance Reauthorization Act of 2013, H.R. 3092. This important measure ensures that the National Center

for Missing and Exploited Children, NCMEC, can continue its critical and lifesaving work on behalf of some of the most vulnerable children in our communities. Congress has now renewed its obligation to support vital efforts to locate missing children and to protect all children from being victimized by predators.

The National Center for Missing and Exploited Children was first launched nearly three decades ago. In that time, NCMEC has helped law enforcement in the recovery of more than 188,000 missing children through the use of a 24-hour hotline, a national child pornography tipline, and a cyber tipline, as well as the circulation of millions of photographs used to help track and identify missing children. The bill passed by Congress in September extends the program another five years.

The U.S. Parole Commission is an important public safety entity responsible for granting or denying parole for Federal and District of Columbia prisoners sentenced before parole was abolished. It also has jurisdiction over more recent DC offenders who are on supervised release from prison. The Commission's charter was set to expire in October, and what should have been a straightforward and noncontroversial extension, turned into a drawn-out struggle to override the objections of a single Republican Senator. Those objections meant that passage was only secured on the eve of the Commission's expiration, unnecessarily placing public safety at risk.

The objection was particularly troubling given that Congress has consistently recognized the importance of the Commission, reauthorizing it on six prior occasions. Beginning in August, I worked closely with members of the House Judiciary Committee to find bipartisan, bicameral agreement. They understood the urgency and consequences of inaction and passed the U.S. Parole Commission Extension Act of 2013 in September, H.R. 3190. Unfortunately, that same sense of urgency was not felt in the Senate and opposition delayed passage until the final deadline. Although reason ultimately prevailed, unnecessary partisan opposition cost us time and threatened public safety. It is not the way to legislate.

I also worked to clear a straightforward extension of the Supreme Court Police's authority to protect Justices, their staff, and official guests when they are away from Supreme Court grounds, H.R. 2922. I worked with my counterparts in the House for months to move this extension. Last month, the House voted by an overwhelming majority of 399 to 3 to pass this bipartisan bill, which extends this important authority through 2019. Congress has provided this authority since the 1980s to ensure the continued safety of our Supreme Court Justices and their employees. Threats to the safety

of Supreme Court Justices are a threat to our democracy. In light of recent attacks on Justices off the grounds of the Supreme Court, it was all the more imperative that we pass this extension without delay.

Most recently, I worked with Senators MORAN and KING to move forward the Veterinary Medicine Mobility Act. This legislation, which will enable veterinarians to cross State lines to treat animals, particularly livestock, when the need arises, will dramatically improve the ability of veterinarians to do their jobs effectively. I have heard from many Vermonters about just how important this legislation is to them. The bill was referred to the Judiciary Committee, and in my role as chairman, I moved to discharge it from committee so that it could progress to the full Senate as quickly as possible. I am optimistic that it will pass the full Senate yet this year.

Unfortunately, the passage and enactment of bipartisan legislation has become more the exception than the rule. If this unprecedented obstruction continues, we will end up passing 46 percent fewer laws than we did last year. That is 46 percent less progress made for the American people and the Nation. It is therefore not surprising that the American public holds the Congress in such low esteem.

As the elected representatives of the American people, we bear a special responsibility to find ways to work together to find real solutions to our Nation's problems. Yet Congress is gripped by the paralysis of partisan politics. We are not the first Congress to face a divided government where Republicans control one House and Democrats the other. For example, during the 99th Congress, when the Republicans controlled the Senate and the Democrats the House, Congress passed 687 bills, which were enacted into law. It is disappointing how our progress pales in comparison. To match that level of productivity this Congress, we would have to pass over 600 bills next year. If we stay on track, we will have accomplished 81 percent less legislatively than the divided 99th Congress. To be clear, we have passed into law 19 percent of what the 99th Congress was able to pass. That is not a shining record of accomplishment, and we can and should do better.

It is my hope that both parties can set aside petty politics and get down to business for the American people. We do not agree on everything, but just as the Senate found common ground earlier this year on historic legislation to reform our broken immigration system, we must find a way to work together. The status quo is unacceptable and serves a small and extreme minority, not the common interests of a majority of Americans. Let's make the sacrifices and compromises necessary

to push forward legislation that improves our economy and the lives of our constituents.

Look no further for such an opportunity than the Border Security, Economic Opportunity, and Immigration Modernization Act, a bill a bipartisan group of Senators supported and that the House has failed to consider.

This comprehensive bill contains measures that are important to many Vermonters and to the Nation. I added a provision that takes an important step toward restoring privacy rights to millions of people who live near the northern border by injecting some oversight into the decisionmaking process for operating Federal checkpoints and entering private land without a warrant far from the border. The bill contains significant measures to assist dairy farmers and other Vermont growers who have long relied on foreign workers and who will need them in the future. It contains a youth jobs program proposed by Senator SANDERS to help young people gain employment. It contains a measure I proposed to make sure that no Canadian citizen traveling to Vermont to see a family member will be charged a fee for crossing our shared border. It contains an improvement to the visas used by non-profit arts organizations like the Vermont Symphony Orchestra who invite talented foreign artists to perform in America. It contains measures to improve the lives and futures of refugees and asylum seekers who call Vermont home. It contains improvements to the H-2B Program to help small businesses. And it contains a measure to ensure that the job-creating EB-5 Program will be made permanent so that the State of Vermont can continue the great work that is being done with it to improve Vermont communities. This is a bill that will help Vermont families and businesses alike.

The immigration reform legislation was cosponsored by four Senate Republicans and marked the first time in 7 years that the Senate was able to pass a bipartisan comprehensive immigration reform bill. There are some provisions in this bill I am not comfortable with, and there are provisions that I believe are noticeably absent. However, we came together as a Chamber to pass the best possible bill in the spirit of compromise and an effort to make lasting, positive change. Unfortunately that progress was stalled by the House Republican leadership, which has inexplicably vowed not to allow a vote on the Senate's bipartisan legislation.

When the Speaker of the House says as he did last week that the Senate should pass more bills, I respond by challenging the leadership of the House of Representatives to take up bipartisan Senate-passed bills. The list of such bills that have been stalled by the obstructionism of House Republicans continues to grow.

Senator GRASSLEY and I worked hard as chair and ranking member of the Senate Judiciary Committee to draft a bipartisan bill to protect whistleblowers. This legislation, which is identical to our legislation from last Congress, will provide important protections to employees who come forward and disclose to law enforcement price fixing and other criminal antitrust behavior that harm consumers. This legislation is a continuation of the long partnership that I have had with Senator GRASSLEY on whistleblower issues.

Congress should encourage employees with information about criminal antitrust activity, such as price fixing, to report that information by offering meaningful protection to those who blow the whistle rather than leaving them vulnerable to reprisals. Throughout our history, whistleblowers have been instrumental in alerting the public, Congress, and law enforcement to wrongdoing in a variety of areas. These individuals take risks in stepping forward, and many times their actions result in important reforms and have even saved lives.

The legislation is based on recommendations from the Government Accountability Office, which interviewed key stakeholders in the antitrust community and found widespread support for antiretaliation protection in criminal antitrust cases. The provisions in this bill are modeled on the whistleblower protections that Senator GRASSLEY and I authored as part of the Sarbanes-Oxley Act and are narrowly tailored to ensure that whistleblowers are not provided with an economic incentive to bring forth false claims.

Antitrust laws protect consumers and serve to promote our free enterprise system. Our bipartisan bill will help to ensure that criminal violations of these laws do not go unreported. I urge the House to act quickly to pass this important bipartisan legislation.

Last month, the Senate passed the bipartisan Employment Non-Discrimination Act of 2013. That vote was 20 years in the making, and it was long overdue for Congress to extend these protections to all American workers. Years from now we will look back on this remedy as another historic milestone on our Nation's path toward more perfect union—a quest to realize more completely the motto engraved in Vermont marble above the Supreme Court building that declares "Equal Justice Under Law."

All Americans deserve civil rights protections under our Constitution, which, in addition to the First Amendment, also ensure due process and equal protection. In previous legislative debates like the one before us today, Congress has protected and bolstered these rights by passing legislation to fill gaps in our Federal laws. This includes passing legislation to protect the practice of religion without

discrimination, to prevent pay discrimination based on sex, and to serve openly in the military. By passing the Employment Non-Discrimination Act, the Senate took another significant step forward in removing discrimination from our laws and ensuring the equal treatment of lesbian, gay, bisexual, and transgender Americans. I urge the House to advance this remedy to injustice, which is already the law in 29 States.

Similarly, I urge all Senators to allow passage of several common sense bills that were reported by the Senate Judiciary Committee and which enjoy strong bipartisan support but remain stalled due to the ideological objections of one or two Senators.

For example, this is now the second time in two Congresses that the Judiciary Committee has reported the Bulletproof Vest Partnership Grant Act reauthorization with strong bipartisan support. In the 111th Congress, we held a hearing to examine a series of recommendations from the Government Accountability Office. I worked with Senator GRASSLEY to incorporate many of those recommendations into the reauthorization. Yet our progress is needlessly stalled.

Statistics show that the Bulletproof Vest Partnership Program has been saving lives for years. The Judiciary Committee most recently reported this legislation on a bipartisan vote in August, and it has since been approved by all Democratic Senators but remains stalled on the Republican side. Over 15 years ago, I worked with Senator Ben Nighthorse-Campbell to create this partnership to support State and local law enforcement jurisdictions in the purchase of lifesaving bulletproof vests. Since that time, over 13,000 jurisdictions have participated in this program and more than 1,084,081 vests have been distributed to law enforcement because of this partnership.

Last year, Chief Michael Schirling of the Burlington Police Department in Vermont testified before the Judiciary Committee on the importance of the bulletproof vest partnership to law enforcement in Vermont and across the country. This year alone, 31 Vermont jurisdictions received a total over \$73,000 to aid in the procurement of 271 bulletproof vests. That is 271 more Vermont law enforcement officers who will have a better chance of survival if they are shot in the line of duty.

A few of my friends on the other side of the aisle argue that it is not the place or function of the Federal Government to spend Federal dollars on first responders in communities across the country. I urge them to put the safety of our most dedicated law enforcement officers and first responders over politics and ideology. Law enforcement officers risk their lives every day to ensure our safety, and I believe it is our duty to support them.

Based on data collected by the Department of Justice, in just 2012, bullet-proof vests saved the lives of at least 33 law enforcement officers in 20 States, which is an increase of almost 14 percent over 2011 levels.

The obstruction of this program's reauthorization should end. I hope those who are determined to continue their opposition will explain those objections to law enforcement officers across the country who put their lives at risk day in and day out. Congress has consistently pursued policies that support our State and local law enforcement officers and first responders. They are the frontlines of our national defense and indispensable to their communities. I urge all Senators to stand with America's law enforcement officers and support this legislation.

In April, the Judiciary Committee favorably reported bipartisan legislation that I authored with Republican Senator MIKE LEE to update ECPA and to bring this law fully into the digital age. Our bipartisan bill updates ECPA to require that the government obtain a search warrant—based upon probable cause—before obtaining the content of our emails and other electronic communications. The commonsense reforms in our bill carefully balance the interests and needs of consumers, the law enforcement community, and our Nation's thriving technology sector. The bill enjoys the support of a diverse coalition of more than 100 privacy, civil liberties, civil rights, and technology organizations from across the political spectrum, including the American-Civil Liberties Union, the Heritage Foundation, the Center for Democracy and Technology and Americans for Tax Reform. The bill is also the product of careful consultation with many Government and private sector stakeholders, including the Departments of Justice, Commerce, and State, local law enforcement, and members of the technology and privacy communities. I remain disappointed that a single Republican Senator has objected to the unanimous consent request to pass this bipartisan bill, which overwhelmingly passed the Judiciary Committee.

The privacy reforms in this bill are too important to delay. Like Senator LEE and me, all of the bill's supporters understand that protecting our digital privacy rights is not a democratic ideal, nor a Republican ideal, but an American ideal that all of us should embrace. I hope that all Senators will join me in supporting the Electronic Communications Privacy Act Amendments Act and that the Senate will pass this bill without delay.

Earlier this year, during consideration of legislation to prevent gun violence, the committee passed a bipartisan bill to help curb the straw purchasing of firearms and the interstate trafficking of firearms. Senator COL-

LINS, who shares my goal of giving law enforcement officials better tools to combat the straw purchasing and firearms trafficking that puts guns into the hands of drug cartels and other criminals, joined me in this effort.

There is no doubt that straw purchasing and gun trafficking contributes significantly to the proliferation of guns in our communities across America and also across the southern border in Mexico. Under current law, there is no criminal statute specifically prohibiting straw purchasing. To convict criminals, prosecutors must rely on laws that prohibit an individual from making false statements in connection with the purchase of a firearm. The penalties for such "paperwork violations" are often too low or do not serve as effective tools for law enforcement to put criminals behind bars. My bill would have changed that.

This bill would have established a new Federal criminal offense for straw purchasing or conspiring to straw purchase a firearm from another person. My legislation would have also criminalized smuggling firearms out of the United States and also would strengthen existing law regarding the transfer of firearms to prohibited persons. This legislation was strongly supported by law enforcement groups from across the country. I was greatly disappointed when this legislation did not receive the votes to pass the Senate, including from a Senator who had voted in favor of it in the Committee. Despite the best efforts by Senator COLLINS and me to find consensus with stakeholders and senators, too few Republicans were willing to join our important effort to meaningfully combat the serious public safety risks that straw purchasing and firearms trafficking pose.

The committee also passed several bills to prevent gun violence and protect law enforcement officers, including Senator BOXER's bipartisan School and Campus Safety Enhancements Act of 2013, Senator FRANKEN's bipartisan Justice and Mental Health Collaboration, and Senator CARDIN's bipartisan National Blue Alert Act. Each of these bills was carefully crafted and enjoy bipartisan support. I urge the Senate to consider these important legislative proposals early in the next session.

In early November, the Judiciary Committee reported by an overwhelming bipartisan majority the Leahy-Cornyn Justice for All Reauthorization Act which would reauthorize legislation first passed in 2004, when the House and Senate had Republican majorities, and it was signed into law by President George W. Bush. The Justice for All Reauthorization Act strengthens and reauthorizes key programs to make the criminal justice system work better and more fairly. And it does so in a fiscally responsible way, reducing overall authorizations

by nearly 25 percent. This is a strong example of what we can accomplish when we work together.

Whether it is on the complex issues of protecting victims of domestic violence or in crafting a comprehensive immigration reform bill, we have demonstrated that we can work across the aisle to develop and pass practical legislative solutions. Just recently, in fact, we saw similar progress made by Senator MURRAY and Congressman RYAN as they put aside their considerably different views to formulate a budget deal. Likewise, the House and Senate are in the process of conferring a farm bill that we hope will be satisfactory to all parties. I hope that we can continue this trend of bipartisan cooperation as we consider legislation in the coming year, as there are tremendously important bills to be considered.

For example, the Committee will continue its work on surveillance oversight and reform. For decades I have consistently fought to curtail the sweeping powers contained in the USA PATRIOT Act and FISA Amendments Act, while also bolstering privacy protections and strengthening oversight. With the recent revelations of sweeping government surveillance programs that threaten personal privacy and threaten the economic health of American technology companies, we are at a watershed moment in this important debate. That is why I joined with Congressman SENSENBRENNER in October to introduce the USA FREEDOM Act, a bill to end the dragnet collection of Americans' phone records and recalibrate the government's surveillance authorities. All three branches of government have now called into serious question the effectiveness of these authorities. I will continue pressing the administration to rein in these powers and work with Democrats and Republicans to pass the meaningful reforms that are in the USA FREEDOM Act.

Regarding the problem of patent trolls, we have significant work to do on several issues under the Judiciary Committee's jurisdiction. It is my hope that we will be able to work in a bipartisan way to address issues like abusive conduct by patent trolls who are targeting small businesses. I have heard from a growing number of main street businesses in Vermont and across the country that have received aggressive demand letters and been threatened with lawsuits when they are simply the innocent user of an allegedly infringing product. I have introduced bipartisan legislation with Senator LEE to tackle this problem, and I look forward to the Judiciary Committee's continued focus on this important issue next year.

In the wake of this past June's Supreme Court decision striking down the coverage formula for Section 5 of the Voting Rights Act, I have been working with Congressman SENSENBRENNER

and other House Democrats to introduce a bipartisan and bicameral response to the Court's ruling and to restore this vital protection to the Voting Rights Act, and will continue to push for this legislation next year.

Finally, I will remain focused on a number of important criminal justice issues, with sentencing reform legislation as a top priority. As a former prosecutor, I understand that criminals must be held accountable, and that long sentences are sometimes necessary to keep violent criminals off the street and deter those who would commit violent crime. I have come to believe, however, that mandatory minimum sentences do more harm than good. I chaired a hearing on reevaluating the effectiveness of federal mandatory minimum sentences on September 18, 2013, and have been working with both Democrats and Republicans on sentencing reform proposals.

In the coming year, I also plan to reintroduce my forensics reform bill, and will also take up the Second Chance Reauthorization Act, which I was proud to reintroduce earlier this year along with Senator PORTMAN. Since its enactment in 2008, the Second Chance Act has reduced prison costs and improved public safety by giving Federal, State, and local governments additional tools to help inmates more successfully reintegrate into their communities upon release and avoid re-offending. Offenders can escape the cycle of recidivism when they have the job training and skills necessary to successfully reenter society. So far in 2013, the Vermont Department of Corrections has received over \$800,000 to implement a two-phase adult reentry demonstration program and a comprehensive statewide adult recidivism reeducation planning program. The reauthorization bill improves and consolidates the programs authorized by the Second Chance Act and reauthorizes the bill through 2018. The reauthorization bill improves and consolidates the programs authorized by the Second Chance Act, and reauthorizes the bill through 2018.

There are far too many young Vermonters who do not have a roof over their head each night. While organizations like the Spectrum Youth and Family Services and the Vermont Coalition for Runaway and Homeless Youth do their best to provide emergency shelter, services, and housing for youth who are homeless or marginally housed, the need far outweighs their capacity. Next year I plan to introduce legislation to reauthorize the Runaway and Homeless Youth Act, RHYA, which expired at the end of September. RHYA funds outreach services and helps provide shelter for children and young adults who find themselves homeless. I look forward to reauthorizing and improving vital RHYA grant programs to help children in our most vulnerable

communities. This reauthorization will also bolster training and resources to ensure our grantees are well equipped to meet the needs of young victims.

In addition to our legislative work, the Judiciary Committee will also continue its work to consider judicial and executive nominations. During this past year, unfortunately, the same obstruction that plagued the Senate during the first-term of the Obama administration continued to delay the rate of confirmations to appointments on the Federal bench and the Executive Branch.

The 113th Congress began with a high level of vacancies on the Federal judiciary. As of January 2013, there were 77 vacancies in the Federal judiciary, and of these, the Administrative Office of the U.S. Courts determined 27 to be "judicial emergencies." Over 2013, the number of vacancies steadily climbed to around 90. While we were able to confirm a total of 46 judicial nominees this year, including 11 circuit court and 31 district court nominees, we were unable to keep pace with new vacancies. By December of this year, there were a total of 88 judicial vacancies, 35 of which are judicial emergency vacancies. In stark contrast, at the end of the fifth year of the Bush administration, there were only 49 judicial vacancies, including 16 judicial emergency vacancies.

This year, the Senate voted to confirm two high-level nominees to key law enforcement positions at the U.S. Department of Justice: James Comey, Jr. to be the Director of the Federal Bureau of Investigation; and B. Todd Jones to be the Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives. It was unfortunate that the majority leader was required to file cloture on both of these nominations before we could get to a confirmation vote. In stark contrast with the treatment of previous FBI Director nominees, who were all confirmed by the full Senate within a day or two of being reported by the Judiciary Committee, James Comey is the first FBI Director nominee in Senate history to be filibustered. He was ultimately confirmed overwhelmingly by a vote of 93 to 1. Two days later, the Senate confirmed B. Todd Jones by a vote of 53 to 42, making him the first confirmed head of the ATF since that position became Senate-confirmable in 2006.

The consideration of nominations is one of the most important functions of the Judiciary Committee. I am hopeful that we will not see the same sort of obstructionism and dilatory tactics that we encountered during 2013.

In the coming year, we must redouble our efforts to work past our differences to find bipartisan, commonsense solutions to our Nation's problems; I know that that is what Vermonters expect of me. We have seen so far in this Congress an unprecedented level of grid-

lock, partisanship, and political brinksmanship, which culminated in a costly and unnecessary Republican government shutdown in October. We can and must do better, and I hope that we can put the obstructionism of this past year behind us. The American people expect and deserve better. We owe it to our constituents to work together to pass commonsense bipartisan compromise legislation, and we have already seen that we can do just that. I look forward to working with my colleagues on both sides of the aisle to build upon the progress we have made and find meaningful solutions to the many challenges we face as a country.

VERMONT'S GRANITE INDUSTRY

Mr. LEAHY. Mr. President, I would like to take a few moments to talk about a unique Vermont asset that recently gained national attention: the granite industry. Due largely to its versatility, high quality and immense quantity, granite proved integral to the early economic development of my home State and continues to play a vital role today.

The people of Barre, VT, have been mining granite since the 1800s, when it was learned that the unusually high quality of the stone found in the town's hillsides was in high demand. This discovery had local and global implications. Granite from the Rock of Ages quarry in Barre was supplied to help construct columns in the Vermont State House that still stand today. Additionally, the art of stone carving that the granite industry created attracted skilled immigrants to Vermont from throughout Europe and Canada. In fact, both my grandfathers were stone carvers in Vermont.

With its museum, tours, and even a sandblasting experience, the Rock of Ages quarry has expanded its offerings to serve as an educational and historical site, attracting visitors from around the world. Recently, the Timberland Boot Company visited the quarry for a photo shoot. They became so enamored by the community and its people that they ended up highlighting the area in a new line of footwear, noting that it was influenced by "a 150-year-old granite industry that transformed the tiny New England town into an international destination for commerce and art."

I am very proud of the people of Barre for embracing and preserving the important history and culture the granite industry brought to Vermont. The recognition that the Timberland Boot Company gave to Rock of Ages is well deserved.

I ask that an article printed in The Barre-Montpelier Times Argus on November 26, 2013, "Marketers find Barre history just the right fit," be printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Barre-Montpelier Times Argus, Nov. 26, 2013]

MARKETERS FIND BARRE HISTORY JUST THE RIGHT FIT

If you don't think the local granite industry has a story still worth telling, try selling that to the folks at The Timberland Boot Co., who turned what was supposed to be a routine photo shoot at Rock of Ages last year into a multimedia campaign that is very Barre.

"It's pretty impressive," Rock of Ages spokeswoman Amanda Pittsley said of the newly launched digital campaign for Timberland's high-end heritage collection.

"Originally, they were just looking for a rugged place to go with their new line of boots," Pittsley recalled. "They were just hoping to use a panoramic of the top of the quarry as an intro to this 'mine' of products as far as their industrial boot."

The photo shoot a year ago turned Quarry Hill into boot hill for a day and a half.

"We literally spent all day carrying around boots," she recalled of Rock of Ages' attempt to accommodate a photographer and a creative director interested in making the most out of a texture-rich setting that includes everything from the frequently photographed quarry with its towering derricks to rough-cut granite blocks and weathered railroad tracks.

"They wanted different textures to show behind the boots," she said. "We were just going to be the granite backdrop."

Or so Pittsley thought until she recently visited <http://abington.timberland.com> and learned the photo shoot had "morphed into an entire product line" that makes up Timberland's latest Abington Collection—a nod to the company's first incarnation as The Abington Shoe Co.

"The Abington Fall '13 Collection was influenced by the people of Barre, Vt., and a 150 year old granite industry that transformed the tiny New England town into an international destination for commerce and art."

So says the slick website, which announces a product line that features several styles of boots and a shoe "designed with the Italian sculptor in mind."

The site features a collection of historic Barre photographs to go along with the marketing shots that were taken last year, a couple of timelines, and a few video cameos featuring Italian-born granite sculptor Giuliano Cecchinelli.

"Shop the collection that Barre inspired," it concludes.

Pittsley was impressed.

"You would have thought we went to them," she said.

According to Pittsley, it isn't unusual for Rock of Ages to field photo requests from fashion editors and companies like Lenovo interested in using the quarry as a backdrop, but the company rarely gets to see the end result.

"We're just a site," she said.

Pittsley said she never imagined the sort of spread Timberland came up with when the photographer and creative director headed into Barre to see what they might find at the Vermont Granite Museum and the Vermont History Center.

What they found, Pittsley surmised, was a story ready to be told.

"I think they were just overwhelmed with how much information there was," she said.

Though they can be purchased online, the boots said to be inspired by the people and the industry that put Barre on the map are available at only two Vermont locations, according to the website: Maven on Cherry Street in Burlington and Manchester Footwear on Main Street in Manchester.

DETROIT DIESEL

Mr. LEVIN. Mr. President, 2013 marks a significant milestone for a dynamic company based in Detroit, MI. It is the 75th anniversary of the founding of Detroit Diesel. Detroit enjoys a rich automotive heritage and has been a hub of innovation and manufacturing for generations. Many companies throughout the State have contributed to this impressive legacy. One of those companies is Detroit Diesel, and I am proud to recognize this innovative company here today.

Founded in 1938, Detroit Diesel has emerged as a leader in the heavy-truck engine industry and an important contributor to Michigan's economy. What began as a company focused on producing engines for the Allied Forces in World War II has expanded through the years to include an array of products used in a number of sectors. Detroit Diesel has a well-earned reputation for quality, has championed a number of technological breakthroughs in the manufacturing industry and is a committed community partner. These accomplishments are a tribute to the many hard-working people that make their success possible year after year. And I have witnessed firsthand some of the cutting edge technologies Detroit Diesel has pioneered.

Demand Performance is Detroit Diesel's hallmark, and they have achieved this in their product development and in the community. With a workforce of more than 2,000 in the city of Detroit, Detroit Diesel is a wonderful example of what is possible through cooperation and economic opportunities. This is evident in the announcement last fall of a \$120 million capital investment by Detroit Diesel. This investment brings greater hope and new possibilities for the company and the city. It is also evident in their commitment to the community through their many charitable activities focused on helping families, protecting and improving the environment, and assisting various educational endeavors.

During its 75 years of existence, Detroit Diesel has made a significant contribution to Michigan's economy. As a lifelong Detroit resident, I am keenly aware of how business development helps to create and sustain jobs, to stabilize neighborhoods and to build the middle class. I commend Detroit Diesel for their entrepreneurial spirit and for their high quality products. I wish them the best as they continue to forge ahead, create jobs and innovate.

NATIONAL PEDIATRIC RESEARCH NETWORK ACT

Mr. WICKER. Mr. President, I wish to celebrate the passage of the National Pediatric Research Network Act, a bipartisan piece of legislation that was signed into law last month.

I wish to thank my colleague, Senator SHERROD BROWN, for his leadership on this issue. I was pleased to work with him on this important initiative in the previous two Congresses.

The National Pediatric Research Network Act expands and enhances our Nation's commitment to pediatric research by providing the infrastructure that is needed to advance the field for decades to come. To do so, the law includes training and support for early-career investigators and authorizes the National Institutes of Health to select a number of competitive pediatric research consortia. Each consortium, comprised of multiple institutions, will focus on specific, high-impact pediatric research, including basic, translational, and clinical investigations.

In addition, the law specifically states that a subset of the consortia must focus primarily on pediatric rare diseases. Participating institutions are encouraged to coordinate with multi-site clinical trials of pediatric patient populations. This will provide needed support for the families of children suffering from rare diseases, such as Duchenne muscular dystrophy, the most common fatal genetic disorder diagnosed in childhood, and spinal muscular atrophy, the leading genetic killer of children under the age of 2.

The National Pediatric Research Network Act's collaborative approach allows us to rethink and improve the way pediatric research is conducted. Shared resources among pediatric institutions help maximize the government's return on investment and avoid duplication. Rather than allocating additional funds at the taxpayers' expense, the law seeks to accelerate treatments for pediatric diseases by emphasizing collaboration and the efficient use of limited Federal resources.

I wish to thank the many families and organizations in Mississippi and across the country that helped build the bipartisan support necessary for passage of this bill, including Children's Healthcare of Mississippi, FightSMA, Parent Project Muscular Dystrophy, the Coalition for Pediatric Medical Research, Children's Hospital Association, National Organization for Rare Disorders, National Down Syndrome Society, the Federation of Pediatric Organizations, and the Kakkis EveryLife Foundation.

Simply put, this law will result in an improved and coordinated NIH pediatric research investment. This effort will help children across our Nation overcome numerous devastating diseases and conditions. I look forward to

working with my colleagues to ensure the timely and effective implementation of this law, and I will continue to fight for the health and well-being of our children.

REMEMBERING U.S. ARMY SPECIALIST DANIEL ECKSTEIN

Mrs. SHAHEEN. Mr. President, I rise with a heavy heart to memorialize the promising life and service of U.S. Army SPC Daniel Eckstein, who died on December 10 at the young age of 22. Specialist Eckstein was a member of the 3rd Special Forces Group, serving as an unmanned aerial vehicle mechanic at Fort Bragg in North Carolina.

Daniel was born in Lowell, MA on January 5, 1991, to Hans and Sharon (Green) Eckstein, and spent the first 6 years of his life there. In 1997, Daniel moved to Nashua, NH, where he remained for his formative years until his graduation from Nashua High School North as a member of the class of 2009. During high school, Daniel eagerly competed as a member of the Nashua North Titans baseball team. He was also a passionate New England Patriots and Boston sports fan.

Daniel enlisted in the Army in 2011, and following basic training he went on to successfully complete both Army Airborne School and the Warrior Leader Course. A testament to Daniel's drive for excellence as a soldier, he was awarded the Army Commendation Medal, the Army Achievement Medal, the Army Good Conduct Medal and the National Defense Service Medal.

Daniel loved his family, and was a proud father to his young son Brayden. It is my hope that during this extremely difficult time, Daniel's family and friends will find comfort in knowing that Americans everywhere appreciate deeply his vow to sacrifice his life in the defense of our country so that the rest of us may continue to live in peace and freedom.

Along with his parents Hans and Sharon, Daniel is survived by his wife, Kristina Eckstein, whom he married on January 9, 2011; his son, Brayden Daniel Eckstein; his sister, Amy Eckstein of North Carolina; his stepfather, Edward McLaughlin of Lowell, MA; his maternal grandmother, Barbara Green of Nashua; his grandparents, Peter and Elaine Beaton of Nashua; his father-in-law and mother-in-law, Michael and Darlene Burton and their daughter Summyr of Nashua; also aunts, uncles and cousins. This patriot will be missed by all.

I ask my colleagues and all Americans to join me in honoring the life and service of this brave young American, Daniel Eckstein.

ADDITIONAL STATEMENTS

REMEMBERING WILLIAM SCRANTON

• Mr. CASEY. Mr. President, today I wish to remember and honor former Pennsylvania Governor William W. Scranton who passed away July 28, 2013. In both his public and his private life, Governor Scranton was always working to serve Pennsylvania and the Nation.

Bill Scranton was a descendent of colonists who came over on the Mayflower and his family founded Scranton, PA. He served in the Army Air Corps during World War II and was an assistant to Secretaries of State John Foster Dulles and Christian Herter during the Eisenhower administration.

In 1960, Bill was elected to Congress and was dubbed a "Kennedy Republican" for his support of the President's programs, including the Peace Corps, urban renewal projects and the minimum wage. He would only serve 2 years in the House of Representatives, before he was elected Governor of Pennsylvania in 1962.

As Governor, he signed into law legislation creating the State community college system, the State Board of Education, and the Pennsylvania Higher Education Assistance Agency, PHEAA. During his four years in office, unemployment went down and wages went up. Limited to one term, he left elected office in 1967, but that did not end his public service.

Under President Nixon, Governor Scranton served as a special envoy to the Middle East and after the Kent State University shooting in Ohio in 1970, President Nixon again called on him to serve, appointing him the Chairman of the President's Commission on Campus Unrest. President Ford also reached out to Governor Scranton to serve, appointing him Ambassador to the United Nations where he prioritized human rights.

After leaving the United Nations, Bill Scranton retired. Throughout his life he was known as a man of integrity who said and did what he thought was right. In 2000, he received the Pennsylvania Historical and Museum Commission's Founders Award, which is given to a living person who represents the ideals of William Penn in individual rights, religious tolerance, representative government, public support of education, and free enterprise. Bill remained devoted to the city that bears his family name. He worked with various civic and charitable organizations and continued to advocate for economic development and job creation projects. His son, William W. Scranton III, followed him into public service as Lieutenant Governor of Pennsylvania from 1979 to 1987.

My thoughts are with his family and we thank him for his life of service to our Commonwealth and our country.●

REMEMBERING GEORGE M. LEADER

• Mr. CASEY. Mr. President, as this year ends, I wish to remember and honor George M. Leader, a former Governor of Pennsylvania, who passed away on May 9, 2013. Throughout his life, Governor Leader worked to give voice to the voiceless and protect some of the most vulnerable Pennsylvanians.

Governor Leader was raised on his parents' poultry farm and educated in a one room schoolhouse before going on to study philosophy, economics and political science at Gettysburg College. He served in the Navy during World War II and returned to open a chicken hatchery in York County, PA. He got his start in politics serving on the York County Democratic Committee then winning a seat vacated by his father to the State Senate. In 1954, he decided to run for Governor and won that election becoming, at age 37, the second youngest Governor in Pennsylvania.

While in office, Governor Leader enacted the Industrial Development Authority in 1956 which provided State financing in order to attract new and diverse industries. The program attracted 71 new businesses and created 12,000 new jobs within the first 30 months. Governor Leader also championed civil rights in all forms. He created the Fair Employment Practices Council to police employment discrimination, and fought for William and Daisy Meyers' family when they were threatened for moving into a white neighborhood. He required Pennsylvania schools to educate children with disabilities, which raised the enrollment by 250,000. He created the Pennsylvania Department of Labor and Industry's Vocational Rehabilitation Center, which was the first facility in the country that provided rehabilitation and job training for people with disabilities. He also established the State Office of Aging and began the inspection of nursing homes.

Governor Leader left office in 1959, but that did not end his service to the people of Pennsylvania. He established Leader Health Care Organization and later Country Meadows and Providence Place Retirement Communities to provide high quality retirement services for our older citizens.

Hubert Humphrey once said that the moral test of government is how it treats those in the dawn of life, those in the twilight of life and those in the shadows of life. Governor Leader not only passed this test, he set a standard for other elected officials to follow. My thoughts are with the Leader family during this holiday season and we thank George Leader for his life of

service to our Commonwealth and our country.●

MARIAN UNIVERSITY CYCLING TEAM

● Mr. DONNELLY. Mr. President, today, I wish to applaud the Marian University Knights on earning USA Cycling's No. 1 collegiate cycling team ranking for the 2012-2013 season, as well as winning the USA Cycling Collegiate Division I Track, Cyclo-cross, BMX, and road national championships during the 2012-2013 season.

Marian University established its cycling program in 1992. The program is committed to competing at the highest level and developing strong character in each team member through academic and athletic excellence. Since the inception of its competitive cycling program, the Marian University Knights have won 23 national championship titles in road, cyclo-cross, BMX, and track cycling.

Head coach Dean Peterson and his staff work tirelessly to promote the university's goals by bringing team-focused concepts to a sport that traditionally emphasizes the individual. The "Knights on Bikes" team includes both male and female student-athletes who travel together as a team during each season and to every national championship. In addition, Marian University has an indoor cycling center where even the coldest Midwest winter cannot prevent them from regularly training together.

The Marian University cycling team works to give back to the local and national cycling community as well as the Indianapolis area. Student-cyclists are required to contribute 10 hours each semester to community service. They work with the community in a variety of ways, including hosting informal riding clinics, cycling for charity, and participating in campus volunteer opportunities.

Congratulations to head coach Dean Peterson, assistant coach Nate Keck, athletic director Steve Downing, and all the student-cyclists on winning the USA Cycling Collegiate Division I road, track, and cyclo-cross national championships in 2012, and winning the road, track and cyclo-cross national championships again and for the first time the BMX national championship in 2013. In addition, congratulations to University president Daniel J. Elsener, executive vice president and provost Thomas J. Enneking, the Marian University student body, alumni, and friends. On behalf of the citizens of Indiana, I congratulate the Marian University Knights on the triumph of their competitive cycling program, and I wish them continued success in the future.●

MARIAN UNIVERSITY FOOTBALL NATIONAL CHAMPIONSHIP

● Mr. DONNELLY. Mr. President, today, I wish to congratulate the Marian University Knights on winning the 57th Annual National Association of Intercollegiate Athletics, NAIA, Football National Championship in 2012.

Marian University established its football program in 2006 and has since committed itself to competing at the highest level both academically and athletically. In 2011, the Marian Knights played well enough to be one of the final four teams in the NAIA championship tournament. In 2012, the Knights made it to the championship game, where they won 30-27 victory in overtime.

Congratulations to former head coach Ted Karras, Jr. and his entire coaching staff, athletic director Steve Downing, and all of the student athletes on winning the 57th annual NAIA Football National Championship on December 13, 2012. In addition, congratulations to university president Daniel J. Elsener, executive vice president and provost Thomas J. Enneking, the Marian University student body, alumni and friends.

On behalf of the citizens of Indiana, I sincerely congratulate the Marian University Knights on their successful football program, and I wish them continued success in the future under the new leadership of head football coach Mark Henninger.●

REMEMBERING CHARLIE ROOS

● Mr. UDALL of Colorado. Mr. President, today I wish to remember an extraordinary journalist and Coloradan, Charlie Roos. Charlie was a journalist and editorialist for some 60 years at the Denver Post and the Rocky Mountain News. He was a man of exceptional character, strong opinions and great wit—in short, he was a true Westerner. His writing was fair and objective, and he sought to hold all public officials accountable, no matter their political affiliations. This made his politics difficult to pigeonhole; he favored good governance and public service over partisanship.

Charlie grew up in Hiawatha, KS, and served our country during World War II. Following the war he went to Kansas University and graduated with Phi Beta Kappa honors. In 1946, his beloved wife Liza and daughter Mary moved with him to Denver where Charlie began his journalism career with the Denver Post. After many years covering State and national politics for the Post, he moved to the Rocky Mountain News where he remained until its closing in 2009. At the Rocky, Charlie served multiple roles including as a Washington, D.C., correspondent, political editor and weekly columnist. He continued to write about local and national politics on a personal blog

until his death on August 27 of this year.

He is survived by a daughter, Mary Roos Catton; sons, Billy and Bob Roos; grandchildren, Jane Johnson, Megan Feltes, Jasmine Hartman and Charlie Roos; and great grandchildren, Jordan and Mason Johnson; Samantha, Kyle and Asher Hartman; and Joe and Naomi Roos.

Charlie was a loyal and devoted husband, father, grandfather, and great grandfather. He was also a dedicated journalist, with a passion for reporting and telling the truth to the people of Colorado. Charlie loved politics, and he believed in a higher standard for those who hold the public's trust. His writing was steeped in the history of Colorado and the Nation, which helped make his columns touchstones in our political dialogue. Like many in this country, he was disappointed in recent years at the vitriol and extremism that has crept into our debates. He bemoaned the decline of respectful opposition. Colorado lost a wise voice with the passing of Charlie Roos. Many, including myself, lost a mentor. But we should use his example to remind ourselves that the American people deserve the best that we can give. Our actions will always be measured against the high bar he set.

I ask that my colleagues join me in remembering Charlie Roos for his passion for reporting, his political wisdom and his dedication to Colorado. He will be missed.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on the Judiciary.

(The message received today is printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 11:25 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker pro tempore has signed the following enrolled bills:

H.R. 185. An act to designate the United States courthouse located at 101 East Pecan Street in Sherman, Texas, as the "Paul Brown United States Courthouse".

H.R. 2251. An act to designate the United States courthouse and Federal building located at 118 South Mill Street, in Fergus

Falls, Minnesota, as the "Edward J. Devitt United States Courthouse and Federal Building".

H.R. 3588. An act to amend the Safe Drinking Water Act to exempt fire hydrants from the prohibition on the use of lead pipes, fittings, fixtures, solder, and flux.

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

ENROLLED BILL AND JOINT RESOLUTION SIGNED

At 4:31 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker pro tempore has signed the following enrolled bill and joint resolution:

H.R. 1402. An act to amend title 38, United States Code, to extend certain expiring provisions of law, and for other purposes.

H.J. Res. 59. Joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

The enrolled bill and joint resolution were subsequently signed by the President pro tempore (Mr. LEAHY).

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 1859. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

S. 1881. A bill to expand sanctions imposed with respect to Iran and to impose additional sanctions with respect to Iran, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3962. A communication from the Director, Issuances Staff, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Prior Label Approval System: Generic Label Approval" (RIN0583-AC59) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3963. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additive Regulations; Incorporation by Reference of the Food Chemicals Codex, 7th Edition" (Docket No. FDA-2010-F-0320) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3964. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pendimethalin; Pesticide Tolerances" (FRL No. 9904-04) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3965. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Endothall; Pesticide Tolerances" (FRL No. 9902-4) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3966. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Tall Oil, Polymer with Polyethylene Glycol and Succinic Anhydride Monopolyisobutylene derivs.; Tolerance Exemption" (FRL No. 9903-19) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3967. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mandipropamid; Pesticide Tolerances" (FRL No. 9903-57) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3968. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Indoxacarb; Pesticide Tolerances" (FRL No. 9903-92) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3969. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13405 with respect to Belarus; to the Committee on Banking, Housing, and Urban Affairs.

EC-3970. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2013-0002)) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3971. A communication from the Associate General Counsel for Regulations, Office of Housing-Federal Housing Commissioner, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Federal Housing Administration (FHA) Risk Management Initiatives: New Manual Underwriting Requirements" (RIN2502-AJ07) received in the Office of the President of the Senate on December 19, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3972. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Qualified Mortgage Definition for HUD Insured and Guaranteed Single Family Mortgages" (RIN2502-AJ18) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3973. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing-Federal Housing Commissioner, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Manufactured Home Construction and Safety Standards" (RIN2502-AI71) received in the

Office of the President of the Senate on December 18, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-3974. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Electric Reliability Organization Proposal to Retire Requirements in Reliability Standards" (Docket No. RM13-8-000) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Energy and Natural Resources.

EC-3975. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Regional Reliability Standard BAL-002-WECC-2-Contingency Reserve" (Docket No. RM13-13-000) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Energy and Natural Resources.

EC-3976. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Oregon; Revised Format of 40 CFR Part 52 for Materials Incorporated by Reference" (FRL No. 9900-70-Region 10) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Environment and Public Works.

EC-3977. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Disapproval, Approval and Promulgation of Air Quality Implementation Plan Revisions; Infrastructure Requirements for the 1997 and 2006 PM2.5 National Ambient Air Quality Standards; Prevention of Significant Deterioration; Wyoming" (FRL No. 9903-58-Region 8) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Environment and Public Works.

EC-3978. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Prevention of Significant Deterioration for Particulate Matter Less Than 2.5 Micrometers-Significant Impact Levels and Significant Monitoring Concentration: Removal of Vacated Elements" (FRL No. 9903-84-OAR) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Environment and Public Works.

EC-3979. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; State Boards Requirements" (FRL No. 9903-78-Region 3) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Environment and Public Works.

EC-3980. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Direct Final Approval of Hospital/Medical/Infectious Waste Incinerator Negative Declaration for Designated Facilities and Pollutants: Michigan and Wisconsin" (FRL No. 9903-33-Region 5) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Environment and Public Works.

EC-3981. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Volatile Organic Compound Emission Control Measures for Industrial Solvent Cleaning for Northwest Indiana" (FRL No. 9904-35-Region 5) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Environment and Public Works.

EC-3982. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; North Carolina; Transportation Conformity Memorandum of Agreement Update" (FRL No. 9904-43-Region 4) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Environment and Public Works.

EC-3983. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Indiana State Board Requirements" (FRL No. 9904-36-Region 5) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Environment and Public Works.

EC-3984. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Public Participation for Air Quality Permit Applications" (FRL No. 9904-03-Region 6) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Environment and Public Works.

EC-3985. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2014 Standard Mileage Rates" (Notice 2013-80) received in the Office of the President of the Senate on December 17, 2013; to the Committee on Finance.

EC-3986. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 3504 Agent Employment Tax Liability" (RIN1545-BI21) received in the Office of the President of the Senate on December 17, 2013; to the Committee on Finance.

EC-3987. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Medicare Competitive Acquisition Ombudsman's 2011 Annual Report to Congress; to the Committee on Finance.

EC-3988. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-132); to the Committee on Foreign Relations.

EC-3989. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-141); to the Committee on Foreign Relations.

EC-3990. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-129); to the Committee on Foreign Relations.

EC-3991. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-168); to the Committee on Foreign Relations.

EC-3992. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Chemical Weapons Convention and the Australia Group; to the Committee on Foreign Relations.

EC-3993. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, the report of a rule entitled "Amendment to International Traffic in Arms Regulations: Continued Implementation of Export Control Reform; Correction" (RIN1400-AD40) received in the Office of the President of the Senate on November 18, 2013; to the Committee on Foreign Relations.

EC-3994. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2013-0200-2013-0201); to the Committee on Foreign Relations.

EC-3995. A communication from the General Counsel, National Endowment for the Humanities, transmitting, pursuant to law, a report relative to a vacancy in the position of Chairperson, National Endowment for the Humanities, received in the Office of the President of the Senate on December 18, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-3996. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Annual Report to Congress on the Use of Mandatory Recall Authority Submitted Pursuant to Section 206 of the FDA Food Safety Modernization Act (FSMA)"; to the Committee on Health, Education, Labor, and Pensions.

EC-3997. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Medicaid Incentives for Prevention of Chronic Diseases Evaluation"; to the Committee on Health, Education, Labor, and Pensions.

EC-3998. A communication from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, the Performance and Accountability Report for Fiscal Years 2012 and 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-3999. A communication from the Secretary of Education, transmitting, pursuant to law, the Semiannual Report of the Office of the Inspector General for the period from April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-4000. A communication from the Secretary of Education, transmitting, pursuant to law, the Department's Semiannual Report to Congress on Audit Follow-up for the period of April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-4001. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department of Transportation's Semiannual Report of the Inspector

General for the period from April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-4002. A communication from the Chief Operating Officer/Acting Executive Director, U.S. Election Assistance Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-4003. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Audit of the District Department of Transportation's H Street Shuttle Grant Awards Issued in Fiscal Years 2008 and 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4004. A communication from the Secretary of Labor, transmitting, pursuant to law, the fiscal year 2013 Agency Financial Report for the Department of Labor; to the Committee on Homeland Security and Governmental Affairs.

EC-4005. A communication from the Acting Commissioner of Social Security, transmitting, pursuant to law, the Agency Financial Report for Fiscal Year 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-4006. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Agency Financial Report for Fiscal Year 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-4007. A communication from the General Attorney, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Safety Standard for Hand-Held Infant Carriers" (CPSC Docket No. CPSC-2012-0068) received in the Office of the President of the Senate on December 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC-4008. A communication from the Chairperson, U.S. Commission on Civil Rights, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2013; to the Committee on the Judiciary.

EC-4009. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Annual Report of the Office of Juvenile Justice and Delinquency Prevention for 2012; to the Committee on the Judiciary.

EC-4010. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "2012 Annual Report of the National Institute of Justice"; to the Committee on the Judiciary.

EC-4011. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on the Refugee Resettlement Program for Fiscal Year 2011"; to the Committee on the Judiciary.

EC-4012. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Uniform Resource Locator (URL) address for the Department of Veterans Affairs 2013 Performance and Accountability Report; to the Committee on Veterans' Affairs.

EC-4013. A communication from the President of the United States to the President Pro Tempore of the United States Senate, transmitting, consistent with the War Powers Act, a report relative to the deployment

of certain U.S. forces to South Sudan; to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-160. A resolution adopted by the Mayor and City Commission of the City of Miami Beach, Florida supporting the efforts of the Florida U.S. Congressional delegation to delay the effective date of the 2012 Biggert-Waters Flood Insurance Reform Act; to the Committee on Banking, Housing, and Urban Affairs.

POM-161. A resolution adopted by the Interstate Oil and Gas Compact Commission entitled "Recognition of State Regulation of Hydraulic Fracturing"; to the Committee on Energy and Natural Resources.

POM-162. A resolution adopted by the Interstate Oil and Gas Compact Commission supporting the reporting of chemicals intentionally used for hydraulic fracturing; to the Committee on Energy and Natural Resources.

POM-163. A resolution adopted by the American St. Regis Indian Republic Men's Counsel memorializing the exercising of the Counsel's sovereign will and protecting all aspects of its future; to the Committee on Energy and Natural Resources.

POM-164. A resolution adopted by the Caddo Bossier Port Commission, Shreveport, Louisiana relative to the U.S. Army Corps of Engineers maintaining the J. Bennett Johnston/Red River Waterway at a 9 ft. channel and 24/7/365 lock and dam operations; to the Committee on Environment and Public Works.

POM-165. A resolution adopted by the California State Lands Commission supporting the Lake Tahoe Restoration Act of 2013; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON of South Dakota, from the Committee on Banking, Housing, and Urban Affairs, with amendments:

S. 1376. A bill to improve the Federal Housing Administration and to ensure the solvency of the Mutual Mortgage Insurance Fund, and for other purposes (Rept. No. 113-129).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute and with a preamble:

S. Res. 157. A resolution expressing the sense of the Senate that telephone service must be improved in rural areas of the United States and that no entity may unreasonably discriminate against telephone users in those areas (Rept. No. 113-130).

By Mr. LEAHY, from the Committee on the Judiciary, with amendments:

S. 975. A bill to provide for the inclusion of court-appointed guardianship improvement and oversight activities under the Elder Justice Act of 2009.

From the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 1417. A bill to amend the Public Health Service Act to reauthorize programs under part A of title XI of such Act.

By Mr. WYDEN, from the Committee on Energy and Natural Resources, with amendments:

S. 1491. A bill to amend the Energy Independence and Security Act of 2007 to improve United States-Israel energy cooperation, and for other purposes.

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 1719. A bill to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S. 1870. An original bill to reauthorize and restructure adoption incentive payments, to better enable State child welfare agencies to prevent sex trafficking of children and serve the needs of children who are victims of sex trafficking, to increase the reliability of child support for children, and for other purposes.

S. 1871. An original bill to amend title XVIII of the Social Security Act to repeal the Medicare sustainable growth rate formula and to improve beneficiary access under the Medicare program, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted on December 19, 2012:

By Mr. LEAHY for the Committee on the Judiciary.

Peter Joseph Kadzik, of New York, to be an Assistant Attorney General.

Gary Blankinship, of Texas, to be United States Marshal for the Southern District of Texas for the term of four years.

Robert L. Hobbs, of Texas, to be United States Marshal for the Eastern District of Texas for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REID:

S. 1859. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; read the first time.

By Mr. HELLER:

S. 1860. A bill to reform the medical liability system, improve access to health care for rural and indigent patients, enhance access to affordable prescription drugs, and for other purposes; to the Committee on Finance.

By Mr. CORNYN (for himself and Mr. TOOMEY):

S. 1861. A bill to save taxpayer money and end bailouts of financial institutions by providing for a process to allow financial institutions to go bankrupt; to the Committee on the Judiciary.

By Mr. BLUNT (for himself and Mr. MENENDEZ):

S. 1862. A bill to grant the Congressional Gold Medal, collectively, to the Monuments

Men, in recognition of their heroic role in the preservation, protection, and restitution of monuments, works of art, and artifacts of cultural importance during and following World War II; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN:

S. 1863. A bill to establish in the Department of Veterans Affairs a continuing medical education program for licensed medical professionals to increase knowledge and recognition of medical conditions common to veterans and family members of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HARKIN:

S. 1864. A bill to require a demonstration program on the accession as Air Force officers of candidates with auditory impairments; to the Committee on Armed Services.

By Mr. BEGICH (for himself, Mr. COONS, Mr. BAUCUS, and Mr. TESTER):

S. 1865. A bill to amend the prices set for Federal Migratory Bird Hunting and Conservation Stamps and make limited waivers of stamp requirements for certain users; to the Committee on Environment and Public Works.

By Mr. MARKEY (for himself and Ms. WARREN):

S. 1866. A bill to provide for an extension of the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself and Mr. BLUMENTHAL):

S. 1867. A bill to provide protection for consumers who have prepaid cards, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. HIRONO (for herself, Mr. ROBERTS, Mr. SCHATZ, and Mr. MORAN):

S. 1868. A bill to provide for the conversion of temporary judgeships for the districts of Hawaii and Kansas to permanent judgeships; to the Committee on the Judiciary.

By Ms. AYOTTE (for herself, Mr. GRAHAM, and Mr. WICKER):

S. 1869. A bill to repeal section 403 of the Bipartisan Budget Act of 2013, relating to an annual adjustment of retired pay for members of the Armed Forces under the age of 62, and to provide an offset; to the Committee on Finance.

By Mr. BAUCUS:

S. 1870. An original bill to reauthorize and restructure adoption incentive payments, to better enable State child welfare agencies to prevent sex trafficking of children and serve the needs of children who are victims of sex trafficking, to increase the reliability of child support for children, and for other purposes; from the Committee on Finance; placed on the calendar.

By Mr. BAUCUS:

S. 1871. An original bill to amend title XVIII of the Social Security Act to repeal the Medicare sustainable growth rate formula and to improve beneficiary access under the Medicare program, and for other purposes; from the Committee on Finance; placed on the calendar.

By Mr. PRYOR:

S. 1872. A bill to provide that the annual adjustment of retired pay for members of the Armed Forces under the age of 62 under the Bipartisan Budget Act of 2013 shall not apply to members retired for disability and to retired pay used to compute certain Survivor Benefit Plan annuities; to the Committee on Armed Services.

By Mr. REED (for himself, Mr. DURBIN, and Ms. WARREN):

S. 1873. A bill to provide for institutional risk-sharing in the Federal student loan programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED:

S. 1874. A bill to amend the Higher Education Act of 1965 to strengthen Federal-State partnerships in postsecondary education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Mr. CRAPO):

S. 1875. A bill to provide for wildfire suppression operations, and for other purposes; to the Committee on the Budget.

By Mr. BAUCUS (for himself, Mr. HATCH, Mr. WYDEN, Mr. ROCKEFELLER, Mr. GRASSLEY, and Mr. CASEY):

S. 1876. A bill to reauthorize and restructure adoption incentive payments, and for other purposes; to the Committee on Finance.

By Mr. BAUCUS (for himself, Mr. HATCH, Mr. WYDEN, Mr. MENENDEZ, Mr. GRASSLEY, and Mr. ROCKEFELLER):

S. 1877. A bill to increase the reliability of child support for children, and for other purposes; to the Committee on Finance.

By Mr. BAUCUS (for himself, Mr. HATCH, Mr. WYDEN, Mr. ROCKEFELLER, Mr. GRASSLEY, Mr. BROWN, and Mr. CASEY):

S. 1878. A bill to better enable State child welfare agencies to prevent sex trafficking of children and serve the needs of children who are victims of sex trafficking, and for other purposes; to the Committee on Finance.

By Mr. FRANKEN (for himself and Mr. KIRK):

S. 1879. A bill to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to require group and individual health insurance coverage and group health plans to provide for coverage of oral anticancer drugs on terms no less favorable than the coverage provided for anticancer medications administered by a health care provider; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself, Mr. CHAMBLISS, Mr. ISAKSON, and Mr. PRYOR):

S. 1880. A bill to provide that the annual adjustment of retired pay for members of the Armed Forces under the age of 62 under the Bipartisan Budget Act of 2013 shall not apply to members retired for disability and to retired pay used to compute certain Survivor Benefit Plan annuities; to the Committee on Armed Services.

By Mr. MENENDEZ (for himself, Mr. KIRK, Mr. SCHUMER, Mr. GRAHAM, Mr. CARDIN, Mr. MCCAIN, Mr. CASEY, Mr. RUBIO, Mr. COONS, Mr. CORNYN, Mr. BLUMENTHAL, Ms. AYOTTE, Mr. BEGICH, Mr. CORKER, Mr. PRYOR, Ms. COLLINS, Ms. LANDRIEU, Mr. MORAN, Mrs. GILLIBRAND, Mr. ROBERTS, Mr. WARNER, Mr. JOHANNES, Mrs. HAGAN, Mr. CRUZ, Mr. DONNELLY, Mr. BLUNT, and Mr. BOOKER):

S. 1881. A bill to expand sanctions imposed with respect to Iran and to impose additional sanctions with respect to Iran, and for other purposes; read the first time.

ADDITIONAL COSPONSORS

S. 192

At the request of Mr. BARRASSO, the name of the Senator from Texas (Mr.

CRUZ) was added as a cosponsor of S. 192, a bill to enhance the energy security of United States allies, and for other purposes.

S. 250

At the request of Mr. SANDERS, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 250, a bill to amend the Internal Revenue Code of 1986 to modify the treatment of foreign corporations, and for other purposes.

S. 313

At the request of Mr. CASEY, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from Hawaii (Ms. HIRONO) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 468

At the request of Mr. ROCKEFELLER, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 468, a bill to protect the health care and pension benefits of our nation's miners.

S. 471

At the request of Mr. SANDERS, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 471, a bill to amend the Fair Credit Reporting Act to require the inclusion of credit scores with free annual credit reports provided to consumers, and for other purposes.

S. 641

At the request of Mr. WYDEN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 641, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 653

At the request of Mr. BLUNT, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 653, a bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 733

At the request of Mr. ALEXANDER, the name of the Senator from Wisconsin

(Ms. BALDWIN) was added as a cosponsor of S. 733, a bill to amend the Department of Energy High-End Computing Revitalization Act of 2004 to improve the high-end computing research and development program of the Department of Energy, and for other purposes.

S. 862

At the request of Ms. AYOTTE, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Virginia (Mr. Kaine) were added as cosponsors of S. 862, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate.

S. 917

At the request of Mr. CARDIN, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 917, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers.

S. 975

At the request of Ms. KLOBUCHAR, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 975, a bill to provide for the inclusion of court-appointed guardianship improvement and oversight activities under the Elder Justice Act of 2009.

S. 1011

At the request of Mr. JOHANNES, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1011, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

S. 1012

At the request of Mr. BLUNT, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1012, a bill to amend title XVIII of the Social Security Act to improve operations of recovery auditors under the Medicare integrity program, to increase transparency and accuracy in audits conducted by contractors, and for other purposes.

S. 1070

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1070, a bill to make it unlawful to alter or remove the unique equipment identification number of a mobile device.

S. 1091

At the request of Ms. MIKULSKI, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1091, a bill to provide for the issuance of an Alzheimer's Disease Research Semipostal Stamp.

S. 1171

At the request of Mr. MORAN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1171, a bill to amend the Controlled Substances Act to allow a veterinarian to transport and dispense controlled substances in the usual course of veterinary practice outside of the registered location.

S. 1183

At the request of Mr. THUNE, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1183, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 1249

At the request of Mr. BLUMENTHAL, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 1249, a bill to rename the Office to Monitor and Combat Trafficking of the Department of State the Bureau to Monitor and Combat Trafficking in Persons and to provide for an Assistant Secretary to head such Bureau, and for other purposes.

S. 1256

At the request of Mrs. FEINSTEIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1256, a bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antimicrobials used in the treatment of human and animal diseases.

S. 1291

At the request of Mr. REED, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1291, a bill to strengthen families' engagement in the education of their children.

S. 1302

At the request of Mr. HARKIN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1302, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide for cooperative and small employer charity pension plans.

S. 1322

At the request of Ms. KLOBUCHAR, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1322, a bill to amend the Controlled Substances Act relating to controlled substance analogues.

S. 1357

At the request of Mr. BAUCUS, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1357, a bill to extend the trade adjustment assistance program.

S. 1417

At the request of Mrs. HAGAN, the name of the Senator from Mississippi

(Mr. WICKER) was added as a cosponsor of S. 1417, a bill to amend the Public Health Service Act to reauthorize programs under part A of title XI of such Act.

S. 1456

At the request of Ms. AYOTTE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1456, a bill to award the Congressional Gold Medal to Shimon Peres.

S. 1459

At the request of Mr. KIRK, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1459, a bill to amend title 49, United States Code, to prohibit the transportation of horses in interstate transportation in a motor vehicle containing 2 or more levels stacked on top of one another.

S. 1614

At the request of Mr. BLUNT, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 1614, a bill to require Certificates of Citizenship and other Federal documents to reflect name and date of birth determinations made by a State court and for other purposes.

S. 1633

At the request of Ms. CANTWELL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1633, a bill to suspend temporarily the duty on certain footwear, and for other purposes.

S. 1688

At the request of Mr. KIRK, the names of the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. ROBERTS) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 1688, a bill to award the Congressional Gold Medal to the members of the Office of Strategic Services (OSS), collectively, in recognition of their superior service and major contributions during World War II.

S. 1692

At the request of Mrs. BOXER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1692, a bill to require the Secretary of Transportation to modify the final rule relating to flightcrew member duty and rest requirements for passenger operations of air carriers to apply to all-cargo operations of air carriers, and for other purposes.

S. 1697

At the request of Mr. HARKIN, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1697, a bill to support early learning.

S. 1707

At the request of Mr. HELLER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 1707, a bill to exclude con-

sideration as income under the United States Housing Act of 1937 payments of pensions made under section 1521 of title 38, United States Code, to veterans who are in need of regular aid and attendance, and for other purposes.

S. 1738

At the request of Mr. CORNYN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1738, a bill to provide justice for the victims of trafficking.

S. 1740

At the request of Ms. LANDRIEU, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 1740, a bill to authorize Department of Veterans Affairs major medical facility leases, and for other purposes.

S. 1756

At the request of Mr. BLUNT, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1756, a bill to amend section 403 of the Federal Food, Drug and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants, similar retail food establishments, and vending machines.

S. 1759

At the request of Mr. SANDERS, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1759, a bill to reauthorize the teaching health center program.

S. 1798

At the request of Mr. WARNER, the names of the Senator from Georgia (Mr. CHAMBLISS), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from New Mexico (Mr. UDALL) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of S. 1798, a bill to ensure that emergency services volunteers are not counted as full-time employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

S. 1799

At the request of Mr. COONS, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1799, a bill to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

S. 1827

At the request of Mr. MANCHIN, the names of the Senator from Texas (Mr. CRUZ), the Senator from Connecticut (Mr. MURPHY), the Senator from Washington (Mrs. MURRAY) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1827, a bill to award a Congressional Gold Medal to the American Fighter Aces, collectively, in recognition of their heroic military service and defense of our country's freedom throughout the history of aviation warfare.

S. 1828

At the request of Mr. DONNELLY, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1828, a bill to amend the Truth in Lending Act to modify the definitions of a mortgage originator and a high-cost mortgage.

S. 1837

At the request of Ms. WARREN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1837, a bill to amend the Fair Credit Reporting Act to prohibit the use of consumer credit checks against prospective and current employees for the purposes of making adverse employment decisions.

S. 1839

At the request of Mr. BEGICH, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1839, a bill to make certain luggage and travel articles eligible for duty-free treatment under the Generalized System of Preferences, and for other purposes.

S. 1844

At the request of Mrs. SHAHEEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1844, a bill to restore full military retirement benefits by closing corporate tax loopholes.

S. 1845

At the request of Mr. REED, the names of the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from California (Mrs. BOXER), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 1845, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. 1848

At the request of Mr. ROBERTS, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1848, a bill to amend section 1303(b)(3) of Public Law 111-148 concerning the notice requirements regarding the extent of health plan coverage of abortion and abortion premium surcharges.

S. RES. 318

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Res. 318, a resolution expressing the sense of the Senate regarding the critical need for political reform in Bangladesh, and for other purposes.

S. RES. 319

At the request of Mr. MURPHY, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. Res. 319, a resolution expressing support for the Ukrainian people in light of President Yanukovich's decision not to sign an Association Agreement with the European Union.

S. RES. 324

At the request of Mr. ROCKEFELLER, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Delaware (Mr. CARPER) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of S. Res. 324, a resolution expressing the sense of the Senate with respect to the tragic shooting at Los Angeles International Airport on November 1, 2013, of employees of the Transportation Security Administration.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID:

S. 1859. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1859

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the “Tax Extenders Act of 2013”.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title, etc.

TITLE I—INDIVIDUAL TAX EXTENDERS

Subtitle A—Extensions Relating to Certain Health Coverage

Sec. 101. Health care tax credit.

Sec. 102. TAA pre-certification rule for purposes of determining whether there is a 63-day lapse in creditable coverage.

Sec. 103. Extension of COBRA benefits for certain TAA-eligible individuals and PBGC recipients.

Subtitle B—General Extensions

Sec. 111. Extension of deduction for certain expenses of elementary and secondary school teachers.

Sec. 112. Extension of exclusion from gross income of discharge of qualified principal residence indebtedness.

Sec. 113. Extension of parity for exclusion from income for employer-provided mass transit and parking benefits.

Sec. 114. Extension of mortgage insurance premiums treated as qualified residence interest.

Sec. 115. Extension of deduction of State and local general sales taxes.

Sec. 116. Extension of special rule for contributions of capital gain real property made for conservation purposes.

Sec. 117. Extension of above-the-line deduction for qualified tuition and related expenses.

Sec. 118. Extension of tax-free distributions from individual retirement plans for charitable purposes.

TITLE II—BUSINESS TAX EXTENDERS

Sec. 201. Extension of research credit.

Sec. 202. Extension of temporary minimum low-income tax credit rate for non-federally subsidized new buildings.

Sec. 203. Extension of housing allowance exclusion for determining area median gross income for qualified residential rental project exempt facility bonds.

Sec. 204. Extension of Indian employment tax credit.

Sec. 205. Extension of new markets tax credit.

Sec. 206. Extension of railroad track maintenance credit.

Sec. 207. Extension of mine rescue team training credit.

Sec. 208. Extension of employer wage credit for employees who are active duty members of the uniformed services.

Sec. 209. Extension of work opportunity tax credit.

Sec. 210. Extension of qualified zone academy bonds.

Sec. 211. Extension of classification of certain race horses as 3-year property.

Sec. 212. Extension of 15-year straight-line cost recovery for qualified leasehold improvements, qualified restaurant buildings and improvements, and qualified retail improvements.

Sec. 213. Extension of 7-year recovery period for motorsports entertainment complexes.

Sec. 214. Extension of accelerated depreciation for business property on an Indian reservation.

Sec. 215. Extension of bonus depreciation.

Sec. 216. Extension of enhanced charitable deduction for contributions of food inventory.

Sec. 217. Extension of increased expensing limitations and treatment of certain real property as section 179 property.

Sec. 218. Extension of election to expense mine safety equipment.

Sec. 219. Extension of special expensing rules for certain film and television productions.

Sec. 220. Extension of deduction allowable with respect to income attributable to domestic production activities in Puerto Rico.

Sec. 221. Extension of modification of tax treatment of certain payments to controlling exempt organizations.

Sec. 222. Extension of treatment of certain dividends of regulated investment companies.

Sec. 223. Extension of RIC qualified investment entity treatment under FIRPTA.

Sec. 224. Extension of subpart F exception for active financing income.

Sec. 225. Extension of look-thru treatment of payments between related controlled foreign corporations under foreign personal holding company rules.

Sec. 226. Extension of temporary exclusion of 100 percent of gain on certain small business stock.

Sec. 227. Extension of basis adjustment to stock of S corporations making charitable contributions of property.

Sec. 228. Extension of reduction in S-corporation recognition period for built-in gains tax.

Sec. 229. Extension of empowerment zone tax incentives.

Sec. 230. Extension of temporary increase in limit on cover over of rum excise taxes to Puerto Rico and the Virgin Islands.

Sec. 231. Extension of American Samoa economic development credit.

TITLE III—ENERGY TAX EXTENDERS

Sec. 301. Extension of credit for energy-efficient existing homes.

Sec. 302. Extension of credit for alternative fuel vehicle refueling property.

Sec. 303. Extension of credit for 2- or 3-wheeled plug-in electric vehicles.

Sec. 304. Extension of second generation biofuel producer credit.

Sec. 305. Extension of incentives for biodiesel and renewable diesel.

Sec. 306. Extension of production credit for Indian coal facilities placed in service before 2009.

Sec. 307. Extension of credits with respect to facilities producing energy from certain renewable resources.

Sec. 308. Extension of credit for energy-efficient new homes.

Sec. 309. Extension of credits for energy-efficient appliances.

Sec. 310. Extension of special allowance for second generation biofuel plant property.

Sec. 311. Extension of placed in service date for election to expense certain refineries.

Sec. 312. Extension of energy efficient commercial buildings deduction.

Sec. 313. Extension of special rule for sales or dispositions to implement FERC or State electric restructuring policy for qualified electric utilities.

Sec. 314. Extension of alternative fuels excise tax credits.

Sec. 315. Extension of alternative fuels excise tax credits relating to liquefied hydrogen.

TITLE I—INDIVIDUAL TAX EXTENDERS

Subtitle A—Extensions Relating to Certain Health Coverage

SEC. 101. HEALTH CARE TAX CREDIT.

(a) IN GENERAL.—Subparagraph (B) of section 35(b)(1) is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to coverage months beginning after December 31, 2013.

SEC. 102. TAA PRE-CERTIFICATION RULE FOR PURPOSES OF DETERMINING WHETHER THERE IS A 63-DAY LAPSE IN CREDITABLE COVERAGE.

(a) IN GENERAL.—The following provisions are each amended by striking “January 1, 2014” and inserting “January 1, 2015”:

(1) Section 9801(c)(2)(D).

(2) Section 701(c)(2)(C) of the Employee Retirement Income Security Act of 1974.

(3) Section 2701(c)(2)(C) of the Public Health Service Act (as in effect for plan years beginning before January 1, 2014).

(4) Section 2704(c)(2)(C) of the Public Health Service Act (as in effect for plan years beginning on or after January 1, 2014).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2013.

SEC. 103. EXTENSION OF COBRA BENEFITS FOR CERTAIN TAA-ELIGIBLE INDIVIDUALS AND PBGC RECIPIENTS.

(a) IN GENERAL.—The following provisions are each amended by striking “January 1, 2014” and inserting “January 1, 2015”:

(1) Section 4980B(f)(2)(B)(i)(V).

(2) Section 4980B(f)(2)(B)(i)(VI).

(3) Section 602(2)(A)(v) of the Employee Retirement Income Security Act of 1974.

(4) Section 602(2)(A)(vi) of such Act.

(5) Section 2202(2)(A)(iv) of the Public Health Service Act.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to periods of coverage which would (without regard to the amendments made by this section) end on or after December 31, 2013.

Subtitle B—General Extensions

SEC. 111. EXTENSION OF DEDUCTION FOR CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.

(a) IN GENERAL.—Subparagraph (D) of section 62(a)(2) is amended by striking “or 2013” and inserting “2013, or 2014”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 112. EXTENSION OF EXCLUSION FROM GROSS INCOME OF DISCHARGE OF QUALIFIED PRINCIPAL RESIDENCE INDEBTEDNESS.

(a) IN GENERAL.—Subparagraph (E) of section 108(a)(1) is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to indebtedness discharged after December 31, 2013.

SEC. 113. EXTENSION OF PARITY FOR EXCLUSION FROM INCOME FOR EMPLOYER-PROVIDED MASS TRANSIT AND PARKING BENEFITS.

(a) IN GENERAL.—Paragraph (2) of section 132(f) is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to months after December 31, 2013.

SEC. 114. EXTENSION OF MORTGAGE INSURANCE PREMIUMS TREATED AS QUALIFIED RESIDENCE INTEREST.

(a) IN GENERAL.—Subclause (I) of section 163(h)(3)(E)(iv) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or accrued after December 31, 2013.

SEC. 115. EXTENSION OF DEDUCTION OF STATE AND LOCAL GENERAL SALES TAXES.

(a) IN GENERAL.—Subparagraph (I) of section 164(b)(5) is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 116. EXTENSION OF SPECIAL RULE FOR CONTRIBUTIONS OF CAPITAL GAIN REAL PROPERTY MADE FOR CONSERVATION PURPOSES.

(a) IN GENERAL.—Clause (vi) of section 170(b)(1)(E) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) CONTRIBUTIONS BY CERTAIN CORPORATE FARMERS AND RANCHERS.—Clause (iii) of section 170(b)(2)(B) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years beginning after December 31, 2013.

SEC. 117. EXTENSION OF ABOVE-THE-LINE DEDUCTION FOR QUALIFIED TUITION AND RELATED EXPENSES.

(a) IN GENERAL.—Subsection (e) of section 222 is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 118. EXTENSION OF TAX-FREE DISTRIBUTIONS FROM INDIVIDUAL RETIREMENT PLANS FOR CHARITABLE PURPOSES.

(a) IN GENERAL.—Subparagraph (F) of section 408(d)(8) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions made in taxable years beginning after December 31, 2013.

TITLE II—BUSINESS TAX EXTENDERS

SEC. 201. EXTENSION OF RESEARCH CREDIT.

(a) IN GENERAL.—Subparagraph (B) of section 41(h)(1) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) CONFORMING AMENDMENT.—Subparagraph (D) of section 45C(b)(1) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after December 31, 2013.

SEC. 202. EXTENSION OF TEMPORARY MINIMUM LOW-INCOME TAX CREDIT RATE FOR NON-FEDERALLY SUBSIDIZED NEW BUILDINGS.

(a) IN GENERAL.—Subparagraph (A) of section 42(b)(2) is amended by striking “before January 1, 2014” and inserting “before January 1, 2015”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2014.

SEC. 203. EXTENSION OF HOUSING ALLOWANCE EXCLUSION FOR DETERMINING AREA MEDIAN GROSS INCOME FOR QUALIFIED RESIDENTIAL RENTAL PROJECT EXEMPT FACILITY BONDS.

(a) IN GENERAL.—Subsection (b) of section 3005 of the Housing Assistance Tax Act of 2008 is amended by striking “January 1, 2014” each place it appears and inserting “January 1, 2015”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the enactment of section 3005 of the Housing Assistance Tax Act of 2008.

SEC. 204. EXTENSION OF INDIAN EMPLOYMENT TAX CREDIT.

(a) IN GENERAL.—Subsection (f) of section 45A is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 205. EXTENSION OF NEW MARKETS TAX CREDIT.

(a) IN GENERAL.—Subparagraph (G) of section 45D(f)(1) is amended by striking “and 2013” and inserting “2013, and 2014”.

(b) CARRYOVER OF UNUSED LIMITATION.—Paragraph (3) of section 45D(f) is amended by striking “2018” and inserting “2019”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar years beginning after December 31, 2013.

SEC. 206. EXTENSION OF RAILROAD TRACK MAINTENANCE CREDIT.

(a) IN GENERAL.—Subsection (f) of section 45G is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to expenditures paid or incurred in taxable years beginning after December 31, 2013.

SEC. 207. EXTENSION OF MINE RESCUE TEAM TRAINING CREDIT.

(a) IN GENERAL.—Subsection (e) of section 45N is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 208. EXTENSION OF EMPLOYER WAGE CREDIT FOR EMPLOYEES WHO ARE ACTIVE DUTY MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—Subsection (f) of section 45P is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments made after December 31, 2013.

SEC. 209. EXTENSION OF WORK OPPORTUNITY TAX CREDIT.

(a) IN GENERAL.—Subparagraph (B) of section 51(c)(4) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to individuals who begin work for the employer after December 31, 2013.

SEC. 210. EXTENSION OF QUALIFIED ZONE ACADEMY BONDS.

(a) EXTENSION.—

(1) IN GENERAL.—Paragraph (1) of section 54E(c) is amended by striking “and 2013” and inserting “2013, and 2014”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to obligations issued after December 31, 2013.

(b) TECHNICAL CORRECTION AND CONFORMING AMENDMENT.—

(1) IN GENERAL.—Clause (iii) of section 6431(f)(3)(A) is amended—

(A) by striking “2011” and inserting “years after 2010”, and

(B) by striking “of such allocation” and inserting “of any such allocation”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as if included in section 310 of the American Taxpayer Relief Act of 2012.

SEC. 211. EXTENSION OF CLASSIFICATION OF CERTAIN RACE HORSES AS 3-YEAR PROPERTY.

(a) IN GENERAL.—Clause (i) of section 168(e)(3)(A) is amended—

(1) by striking “January 1, 2014” in subclause (I) and inserting “January 1, 2015”, and

(2) by striking “December 31, 2013” in subclause (II) and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2013.

SEC. 212. EXTENSION OF 15-YEAR STRAIGHT-LINE COST RECOVERY FOR QUALIFIED LEASEHOLD IMPROVEMENTS, QUALIFIED RESTAURANT BUILDINGS AND IMPROVEMENTS, AND QUALIFIED RETAIL IMPROVEMENTS.

(a) IN GENERAL.—Clauses (iv), (v), and (ix) of section 168(e)(3)(E) are each amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2013.

SEC. 213. EXTENSION OF 7-YEAR RECOVERY PERIOD FOR MOTORSPORTS ENTERTAINMENT COMPLEXES.

(a) IN GENERAL.—Subparagraph (D) of section 168(i)(15) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

SEC. 214. EXTENSION OF ACCELERATED DEPRECIATION FOR BUSINESS PROPERTY ON AN INDIAN RESERVATION.

(a) IN GENERAL.—Paragraph (8) of section 168(j) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

SEC. 215. EXTENSION OF BONUS DEPRECIATION.

(a) IN GENERAL.—Paragraph (2) of section 168(k) is amended—

(1) by striking “January 1, 2015” in subparagraph (A)(iv) and inserting “January 1, 2016”, and

(2) by striking “January 1, 2014” each place it appears and inserting “January 1, 2015”.

(b) SPECIAL RULE FOR FEDERAL LONG-TERM CONTRACTS.—Clause (ii) of section 460(c)(6)(B) is amended by striking “January 1, 2014 (January 1, 2015)” and inserting “January 1, 2015 (January 1, 2016)”.

(c) EXTENSION OF ELECTION TO ACCELERATE THE AMT CREDIT IN LIEU OF BONUS DEPRECIATION.—

(1) IN GENERAL.—Subclause (II) of section 168(k)(4)(D)(iii) is amended by striking “2014” and inserting “2015”.

(2) ROUND 4 EXTENSION PROPERTY.—Paragraph (4) of section 168(k) is amended by adding at the end the following new subparagraph:

“(K) SPECIAL RULES FOR ROUND 4 EXTENSION PROPERTY.—

“(i) IN GENERAL.—In the case of round 4 extension property, this paragraph shall be applied without regard to—

“(I) the limitation described in subparagraph (B)(i) thereof, and

“(II) the business credit increase amount under subparagraph (E)(iii) thereof.

“(ii) TAXPAYERS PREVIOUSLY ELECTING ACCELERATION.—In the case of a taxpayer who made the election under subparagraph (A) for its first taxable year ending after March 31, 2008, a taxpayer who made the election under subparagraph (H)(ii) for its first taxable year ending after December 31, 2008, a taxpayer who made the election under subparagraph (I)(iii) for its first taxable year ending after December 31, 2010, or a taxpayer who made the election under subparagraph (J)(iii) for its first taxable year ending after December 31, 2012—

“(I) the taxpayer may elect not to have this paragraph apply to round 4 extension property, but

“(II) if the taxpayer does not make the election under subclause (I), in applying this paragraph to the taxpayer the bonus depreciation amount, maximum amount, and maximum increase amount shall be computed and applied to eligible qualified property which is round 4 extension property.

The amounts described in subclause (II) shall be computed separately from any amounts computed with respect to eligible qualified property which is not round 4 extension property.

“(iii) TAXPAYERS NOT PREVIOUSLY ELECTING ACCELERATION.—In the case of a taxpayer who neither made the election under subparagraph (A) for its first taxable year ending after March 31, 2008, nor made the election under subparagraph (H)(ii) for its first taxable year ending after December 31, 2008, nor made the election under subparagraph (I)(iii) for its first taxable year ending after December 31, 2010, nor made the election under subparagraph (J)(iii) for its first taxable year ending after December 31, 2012—

“(I) the taxpayer may elect to have this paragraph apply to its first taxable year ending after December 31, 2013, and each subsequent taxable year, and

“(II) if the taxpayer makes the election under subclause (I), this paragraph shall only apply to eligible qualified property which is round 4 extension property.

“(iv) ROUND 4 EXTENSION PROPERTY.—For purposes of this subparagraph, the term ‘round 4 extension property’ means property which is eligible qualified property solely by reason of the extension of the application of the special allowance under paragraph (1) pursuant to the amendments made by section 215(a) of the Tax Extenders Act of 2013 (and the application of such extension to this paragraph pursuant to the amendment made by section 215(c) of such Act).”.

(d) CONFORMING AMENDMENTS.—

(1) The heading for subsection (k) of section 168 is amended by striking “JANUARY 1, 2014” and inserting “JANUARY 1, 2015”.

(2) The heading for clause (ii) of section 168(k)(2)(B) is amended by striking “PRE-JANUARY 1, 2014” and inserting “PRE-JANUARY 1, 2015”.

(3) Subparagraph (C) of section 168(n)(2) is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(4) Subparagraph (D) of section 1400L(b)(2) is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(5) Subparagraph (B) of section 1400N(d)(3) is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2013, in taxable years ending after such date.

SEC. 216. EXTENSION OF ENHANCED CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF FOOD INVENTORY.

(a) IN GENERAL.—Clause (iv) of section 170(e)(3)(C) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made after December 31, 2013.

SEC. 217. EXTENSION OF INCREASED EXPENSING LIMITATIONS AND TREATMENT OF CERTAIN REAL PROPERTY AS SECTION 179 PROPERTY.

(a) IN GENERAL.—

(1) DOLLAR LIMITATION.—Section 179(b)(1) is amended—

(A) by striking “or 2013” in subparagraph (B) and inserting “2013, or 2014”, and

(B) by striking “2013” in subparagraph (C) and inserting “2014”.

(2) REDUCTION IN LIMITATION.—Section 179(b)(2) is amended—

(A) by striking “or 2013” in subparagraph (B) and inserting “2013, or 2014”, and

(B) by striking “2013” in subparagraph (C) and inserting “2014”.

(b) COMPUTER SOFTWARE.—Section 179(d)(1)(A)(ii) is amended by striking “2014” and inserting “2015”.

(c) ELECTION.—Section 179(c)(2) is amended by striking “2014” and inserting “2015”.

(d) SPECIAL RULES FOR TREATMENT OF QUALIFIED REAL PROPERTY.—

(1) IN GENERAL.—Section 179(f)(1) is amended by striking “or 2013” and inserting “2013, or 2014”.

(2) CARRYOVER LIMITATION.—

(A) IN GENERAL.—Section 179(f)(4) is amended by striking “2013” each place it appears and inserting “2014”.

(B) CONFORMING AMENDMENT.—The heading of subparagraph (C) of section 179(f)(4) is amended by striking “2011 AND 2012” and inserting “2011, 2012, AND 2013”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 218. EXTENSION OF ELECTION TO EXPENSE MINE SAFETY EQUIPMENT.

(a) IN GENERAL.—Subsection (g) of section 179E is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

SEC. 219. EXTENSION OF SPECIAL EXPENSING RULES FOR CERTAIN FILM AND TELEVISION PRODUCTIONS.

(a) IN GENERAL.—Subsection (f) of section 181 is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to productions commencing after December 31, 2013.

SEC. 220. EXTENSION OF DEDUCTION ALLOWABLE WITH RESPECT TO INCOME ATTRIBUTABLE TO DOMESTIC PRODUCTION ACTIVITIES IN PUERTO RICO.

(a) IN GENERAL.—Subparagraph (C) of section 199(d)(8) is amended—

(1) by striking “first 8 taxable years” and inserting “first 9 taxable years”, and

(2) by striking “January 1, 2014” and inserting “January 1, 2015”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 221. EXTENSION OF MODIFICATION OF TAX TREATMENT OF CERTAIN PAYMENTS TO CONTROLLING EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Clause (iv) of section 512(b)(13)(E) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments received or accrued after December 31, 2013.

SEC. 222. EXTENSION OF TREATMENT OF CERTAIN DIVIDENDS OF REGULATED INVESTMENT COMPANIES.

(a) IN GENERAL.—Paragraphs (1)(C)(v) and (2)(C)(v) of section 871(k) are each amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 223. EXTENSION OF RIC QUALIFIED INVESTMENT ENTITY TREATMENT UNDER FIRPTA.

(a) IN GENERAL.—Clause (ii) of section 897(h)(4)(A) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2014.

SEC. 224. EXTENSION OF SUBPART F EXCEPTION FOR ACTIVE FINANCING INCOME.

(a) EXEMPT INSURANCE INCOME.—Paragraph (10) of section 953(e) is amended—

(1) by striking “January 1, 2014” and inserting “January 1, 2015”, and

(2) by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) SPECIAL RULE FOR INCOME DERIVED IN THE ACTIVE CONDUCT OF BANKING, FINANCING, OR SIMILAR BUSINESSES.—Paragraph (9) of section 954(h) is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2013, and to taxable years of United States shareholders with or within which any such taxable year of such foreign corporation ends.

SEC. 225. EXTENSION OF LOOK-THRU TREATMENT OF PAYMENTS BETWEEN RELATED CONTROLLED FOREIGN CORPORATIONS UNDER FOREIGN PERSONAL HOLDING COMPANY RULES.

(a) IN GENERAL.—Subparagraph (C) of section 954(c)(6) is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2013, and to taxable years of United States shareholders with or within which such taxable years of foreign corporations end.

SEC. 226. EXTENSION OF TEMPORARY EXCLUSION OF 100 PERCENT OF GAIN ON CERTAIN SMALL BUSINESS STOCK.

(a) IN GENERAL.—Paragraph (4) of section 1202(a) is amended—

(1) by striking “January 1, 2014” and inserting “January 1, 2015”, and

(2) by striking “AND 2013” in the heading and inserting “2013, AND 2014”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to stock acquired after December 31, 2013.

SEC. 227. EXTENSION OF BASIS ADJUSTMENT TO STOCK OF S CORPORATIONS MAKING CHARITABLE CONTRIBUTIONS OF PROPERTY.

(a) IN GENERAL.—Paragraph (2) of section 1367(a) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made in taxable years beginning after December 31, 2013.

SEC. 228. EXTENSION OF REDUCTION IN S-CORPORATION RECOGNITION PERIOD FOR BUILT-IN GAINS TAX.

(a) IN GENERAL.—Subparagraph (C) of section 1374(d)(7) is amended—

(1) by striking “2012 or 2013” and inserting “2012, 2013, or 2014”, and

(2) by striking “2012 AND 2013” in the heading and inserting “2012, 2013, AND 2014”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 229. EXTENSION OF EMPOWERMENT ZONE TAX INCENTIVES.

(a) IN GENERAL.—Clause (i) of section 1391(d)(1)(A) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) TREATMENT OF CERTAIN TERMINATION DATES SPECIFIED IN NOMINATIONS.—In the case of a designation of an empowerment zone the nomination for which included a termination date which is contemporaneous with the date specified in subparagraph (A)(i) of section 1391(d)(1) of the Internal Revenue Code of 1986 (as in effect before the enactment of this Act), subparagraph (B) of such section shall not apply with respect to such designation if, after the date of the enactment of this section, the entity which made such nomination amends the nomination to provide for a new termination date in such manner as the Secretary of the Treasury (or the Secretary’s designee) may provide.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to periods after December 31, 2013.

SEC. 230. EXTENSION OF TEMPORARY INCREASE IN LIMIT ON COVER OVER OF RUM EXCISE TAXES TO PUERTO RICO AND THE VIRGIN ISLANDS.

(a) IN GENERAL.—Paragraph (1) of section 7652(f) is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distilled

spirits brought into the United States after December 31, 2013.

SEC. 231. EXTENSION OF AMERICAN SAMOA ECONOMIC DEVELOPMENT CREDIT.

(a) IN GENERAL.—Subsection (d) of section 119 of division A of the Tax Relief and Health Care Act of 2006 is amended—

(1) by striking “January 1, 2014” each place it appears and inserting “January 1, 2015”,

(2) by striking “first 8 taxable years” in paragraph (1) and inserting “first 9 taxable years”, and

(3) by striking “first 2 taxable years” in paragraph (2) and inserting “first 3 taxable years”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

TITLE III—ENERGY TAX EXTENDERS**SEC. 301. EXTENSION OF CREDIT FOR ENERGY-EFFICIENT EXISTING HOMES.**

(a) IN GENERAL.—Paragraph (2) of section 25C(g) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

SEC. 302. EXTENSION OF CREDIT FOR ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY.

(a) IN GENERAL.—Subsection (g) of section 30C is amended by striking “placed in service” and all that follows and inserting “placed in service after December 31, 2014”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

SEC. 303. EXTENSION OF CREDIT FOR 2- OR 3-WHEELED PLUG-IN ELECTRIC VEHICLES.

(a) IN GENERAL.—Subparagraph (E) of section 30D(g)(3) is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to vehicles acquired after December 31, 2013.

SEC. 304. EXTENSION OF SECOND GENERATION BIOFUEL PRODUCER CREDIT.

(a) IN GENERAL.—Clause (i) of section 40(b)(6)(J) is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(b) EFFECTIVE DATE.—The amendment made by this subsection shall apply to fuel sold or used after December 31, 2013.

SEC. 305. EXTENSION OF INCENTIVES FOR BIO-DIESEL AND RENEWABLE DIESEL.

(a) CREDITS FOR BIODIESEL AND RENEWABLE DIESEL USED AS FUEL.—Subsection (g) of section 40A is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EXCISE TAX CREDITS AND OUTLAY PAYMENTS FOR BIODIESEL AND RENEWABLE DIESEL FUEL MIXTURES.—

(1) Paragraph (6) of section 6426(c) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(2) Subparagraph (B) of section 6427(e)(6) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2013.

SEC. 306. EXTENSION OF PRODUCTION CREDIT FOR INDIAN COAL FACILITIES PLACED IN SERVICE BEFORE 2009.

(a) IN GENERAL.—Subparagraph (A) of section 45(e)(10) is amended by striking “8-year period” each place it appears and inserting “9-year period”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to coal produced after December 31, 2013.

SEC. 307. EXTENSION OF CREDITS WITH RESPECT TO FACILITIES PRODUCING ENERGY FROM CERTAIN RENEWABLE RESOURCES.

(a) IN GENERAL.—The following provisions of section 45(d) are each amended by striking “January 1, 2014” each place it appears and inserting “January 1, 2015”:

- (1) Paragraph (1).
- (2) Paragraph (2)(A).
- (3) Paragraph (3)(A).
- (4) Paragraph (4)(B).
- (5) Paragraph (6).
- (6) Paragraph (7).
- (7) Paragraph (9).
- (8) Paragraph (11)(B).

(b) EXTENSION OF ELECTION TO TREAT QUALIFIED FACILITIES AS ENERGY PROPERTY.—Clause (ii) of section 48(a)(5)(C) is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(c) EFFECTIVE DATES.—The amendments made by this section shall take effect on January 1, 2014.

SEC. 308. EXTENSION OF CREDIT FOR ENERGY-EFFICIENT NEW HOMES.

(a) IN GENERAL.—Subsection (g) of section 45L is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to homes acquired after December 31, 2013.

SEC. 309. EXTENSION OF CREDITS FOR ENERGY-EFFICIENT APPLIANCES.

(a) IN GENERAL.—Subsection (b) of section 45M is amended by striking “or 2013” each place it appears in paragraphs (1)(E), (2)(F), and (3)(F) and inserting “2013, or 2014”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to appliances produced after December 31, 2013.

SEC. 310. EXTENSION OF SPECIAL ALLOWANCE FOR SECOND GENERATION BIOFUEL PLANT PROPERTY.

(a) IN GENERAL.—Subparagraph (D) of section 168(l)(2) is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

SEC. 311. EXTENSION OF PLACED IN SERVICE DATE FOR ELECTION TO EXPENSE CERTAIN REFINERIES.

(a) IN GENERAL.—Subparagraph (B) of section 179C(c)(1) is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

SEC. 312. EXTENSION OF ENERGY EFFICIENT COMMERCIAL BUILDINGS DEDUCTION.

(a) IN GENERAL.—Subsection (h) of section 179D is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

SEC. 313. EXTENSION OF SPECIAL RULE FOR SALES OR DISPOSITIONS TO IMPLEMENT FERC OR STATE ELECTRIC RESTRUCTURING POLICY FOR QUALIFIED ELECTRIC UTILITIES.

(a) IN GENERAL.—Paragraph (3) of section 451(i) is amended by striking “January 1, 2014” and inserting “January 1, 2015”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to dispositions after December 31, 2013.

SEC. 314. EXTENSION OF ALTERNATIVE FUELS EXCISE TAX CREDITS.

(a) IN GENERAL.—Sections 6426(d)(5) and 6426(e)(3) are each amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(b) OUTLAY PAYMENTS FOR ALTERNATIVE FUELS.—Subparagraph (C) of section 6427(e)(6) is amended by striking “December 31, 2013” and inserting “December 31, 2014”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2013.

SEC. 315. EXTENSION OF ALTERNATIVE FUELS EXCISE TAX CREDITS RELATING TO LIQUEFIED HYDROGEN.

(a) IN GENERAL.—Sections 6426(d)(5) and 6426(e)(3), as amended by this Act, are each amended by striking “2014 (September 30, 2014 in the case of any sale or use involving liquefied hydrogen)” and inserting “2014”.

(b) OUTLAY PAYMENTS FOR ALTERNATIVE FUELS.—Paragraph (6) of section 6427(e) is amended—

(1) by striking “except as provided in subparagraph (D), any” in subparagraph (C), as amended by this Act, and inserting “any”, and

(2) by striking subparagraph (D) and redesignating subparagraph (E) as subparagraph (D).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fuels sold or used after September 30, 2014.

By Mr. CORNYN (for himself and Mr. TOOMEY):

S. 1861. A bill to save taxpayer money and end bailouts of financial institutions by providing for a process to allow financial institutions to go bankrupt; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1861

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Taxpayer Protection and Responsible Resolution Act”.

SEC. 2. REPEAL OF TITLE II OF DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT.

(a) IN GENERAL.—Title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111-203) is repealed and any Federal law amended by such title shall, on and after the date of enactment of this Act, be effective as if title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act had not been enacted.

(b) CONFORMING AMENDMENTS.—

(1) DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT.—The Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(A) in the table of contents, by striking all items relating to title II;

(B) in section 165(d)(6), by striking “, a receiver appointed under title II,”;

(C) in section 716(g), by striking “or a covered financial company under title II”;

(D) in section 1105(e)(5), by striking “amount of any securities issued under that chapter 31 for such purpose shall be treated in the same manner as securities issued under section 208(n)(5)(E)” and inserting “issuances of such securities under that chapter 31 for such purpose shall be treated as public debt transactions of the United States, and the proceeds from the sale of any

obligations acquired by the Secretary under this paragraph shall be deposited into the Treasury of the United States as miscellaneous receipts”; and

(E) in section 1106(c)(2)(A)—

(i) in clause (i), by inserting “, other than a covered financial corporation (as defined in section 101(9A) of title 11, United States Code),” after “company”; and

(ii) in clause (ii), by inserting “, other than a covered financial corporation (as defined in section 101(9A) of title 11, United States Code),” after “company”.

(2) FEDERAL DEPOSIT INSURANCE ACT.—Section 10(b)(3)(A) of the Federal Deposit Insurance Act (12 U.S.C. 1820(b)(3)(A)) is amended by striking “, or of such nonbank financial company supervised by the Board of Governors or bank holding company described in section 165(a) of the Financial Stability Act of 2010, for the purpose of implementing its authority to provide for orderly liquidation of any such company under title II of that Act”.

(3) FEDERAL RESERVE ACT.—Section 13(3) of the Federal Reserve Act (12 U.S.C. 343(3)) is amended—

(A) in subparagraph (B)—

(i) in clause (ii), by striking “, resolution under title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act, or” and inserting “or is subject to resolution under”; and

(ii) in clause (iii), by striking “, resolution under title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act, or” and inserting “or resolution under”; and

(B) by striking subparagraph (E).

SEC. 3. GENERAL PROVISIONS RELATING TO COVERED FINANCIAL CORPORATIONS.

(a) DEFINITION.—Section 101 of title 11, United States Code, is amended by inserting the following after paragraph (9):

“(9A) The term ‘covered financial corporation’ means any corporation incorporated or organized under any Federal or State law, other than a stockbroker, a commodity broker, or an entity of the kind specified in paragraph (2) or (3) of section 109(b), that is—

“(A) a bank holding company, as that term is defined in section 2(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(a)); or

“(B) predominantly engaged in activities that the Board of Governors of the Federal Reserve System has determined are financial in nature or incidental to such financial activity for purposes of section 4(k) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(k)).”

(b) APPLICABILITY OF CHAPTERS.—Section 103 of title 11, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “section 1161” and inserting “sections 1161 and 1401”; and

(B) by striking “or 13” and inserting “13, or 14”; and

(2) by adding at the end the following:

“(1) Chapter 14 of this title applies only in a case under this title concerning a covered financial corporation.

“(m) Except as otherwise provided in chapter 14 of this title, chapter 11 of this title applies in a case under chapter 14 of this title.”

(c) WHO MAY BE A DEBTOR.—Section 109 of title 11, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking “or” at the end;

(B) in paragraph (3)(B), by striking the period at the end and inserting “; or”;

(C) by adding at the end the following:

“(4) a covered financial corporation.”; and

(2) by adding at the end the following:

“(1) An entity may be a debtor under chapter 14 of this title only if the entity is a covered financial corporation.”.

SEC. 4. LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION.

(a) IN GENERAL.—Title 11, United States Code, is amended by inserting before chapter 15 the following:

“CHAPTER 14—LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION

“Sec.

“1401. Inapplicability of other sections.

“1402. Definitions for this chapter.

“1403. Commencement of a case concerning a covered financial corporation.

“1404. Regulators.

“1405. Special trustee and bridge company.

“1406. Special transfer of property of the estate.

“1407. Automatic stay; assumed debt.

“1408. Treatment of qualified financial contracts and affiliate contracts.

“1409. Licenses, permits, and registrations.

“1410. Exemption from securities laws.

“1411. Inapplicability of certain avoiding powers.

“§ 1401. Inapplicability of other sections

“Sections 321(c) and 322(b) do not apply in a case under this chapter.

“§ 1402. Definitions for this chapter

“In this chapter, the following definitions shall apply:

“(1) The term ‘Board’ means the Board of Governors of the Federal Reserve System.

“(2) The term ‘bridge company’ means a newly-formed corporation the equity securities of which are transferred to a special trustee under section 1406(a).

“(3) The term ‘capital structure debt’ means debt, other than a qualified financial contract, of the debtor for borrowed money with an original maturity of at least 1 year.

“(4) The term ‘contractual right’ means a contractual right as defined in section 555, 556, 559, or 560.

“(5) The term ‘qualified financial contract’ means any contract of a kind specified in paragraph (25), (38A), (47), or (53B) of section 101, section 741(7), or paragraph (4), (5), (11), or (13) of section 761.

“§ 1403. Commencement of a case concerning a covered financial corporation

“(a) A case under this chapter may be commenced by the filing of a petition with the bankruptcy court—

“(1) under section 301; or

“(2) by the Board, only if—

“(A) the Board certifies in the petition that it has determined that—

“(i) the covered financial corporation—

“(I) has incurred losses that will deplete all or substantially all of the capital of the covered financial corporation, and there is no reasonable prospect for the covered financial corporation to avoid such depletion;

“(II) is insolvent;

“(III) is not paying or is unable to pay the debts of the covered financial corporation (other than debts subject to a bona fide dispute as to liability or amount) as they become due; or

“(IV) is likely to be in a financial condition specified in subclause (I), (II), or (III) sufficiently soon such that the immediate commencement of a case under this chapter concerning the covered financial corporation is necessary to prevent imminent substantial harm to financial stability in the United States; and

“(ii) the commencement of a case under this chapter concerning the covered financial corporation and the effect of a transfer under section 1406 is necessary to prevent imminent substantial harm to financial stability in the United States; and

“(B) the bankruptcy court determines, after a hearing described in subsection (b), that the Board has shown by a preponderance of the evidence that the requirements under subparagraph (A) have been satisfied.

“(b)(1) A hearing described in this subsection is a hearing held not later than 12 hours after the Board makes a certification under subsection (a)(2)(A), with notice only to—

“(A) the covered financial corporation;

“(B) the Federal Deposit Insurance Corporation; and

“(C) the Secretary of the Treasury.

“(2) Only the Board and the entities listed in paragraph (1) may attend or participate in a hearing described in this subsection. Transcripts of such hearing shall be sealed until the end of the case.

“(c)(1) The covered financial corporation may file an appeal in the district court of a determination made by the bankruptcy court under subsection (a)(2)(B) not later than 12 hours after the bankruptcy court makes such determination, with notice only to the entities listed in subsection (b)(1) and the Board.

“(2) The district judge specified under section 298(c)(1) of title 28 for the judicial circuit in which the case is pending shall hear the appeal under paragraph (1) and review within 12 hours the determination of the bankruptcy court under subsection (a)(2)(B) for abuse of discretion.

“(d)(1) The commencement of a case under subsection (a)(1) constitutes an order for relief under this chapter.

“(2) In a case commenced under subsection (a)(2), the bankruptcy court shall immediately order relief under this chapter if—

“(A) the bankruptcy court makes a determination under subsection (a)(2)(B) that the requirements of subsection (a)(2)(A) have been satisfied; and

“(B)(i) the period for appeal under subsection (c)(1) has passed without an appeal having been filed; or

“(ii) the district court affirms the determination of the bankruptcy court under subsection (c)(2).

“(3) Notwithstanding paragraph (2), the bankruptcy court shall order relief in a case commenced under subsection (a)(2) if the debtor consents to the order.

“§ 1404. Regulators

“(a) The Board may raise and may appear and be heard on any issue in any case or proceeding under this title relevant to the regulation of the debtor by the Board or to financial stability in the United States.

“(b) The Federal Deposit Insurance Corporation may raise and may appear and be heard on any issue in any case or proceeding under this title in connection with a transfer under section 1406.

“§ 1405. Special trustee and bridge company

“(a) On request of the trustee or the Board, the court may order the trustee to appoint 1 special trustee and transfer to the special trustee all of the equity securities in a corporation to hold in trust for the sole benefit of the estate, if—

“(1) the corporation does not have any property, executory contracts, unexpired leases, or debts, other than any property acquired or executory contracts, unexpired leases, or debts assumed when acting as a transferee of a transfer under section 1406;

“(2) the equity securities of the corporation are property of the estate; and

“(3) the court approves—

“(A) the trust agreement governing the special trustee;

“(B) the governing documents of the corporation; and

“(C) the identity of—

“(i) the special trustee; and

“(ii) the directors and senior officers of the corporation.

“(b) The trust agreement governing the special trustee shall provide—

“(1) for the payment of the costs and expenses of the special trustee from the assets of the trust and not from the property of the estate;

“(2) that the special trustee provide—

“(A) periodic reporting to the estate; and

“(B) information about the bridge company as reasonably requested by a party in interest to prepare a disclosure statement for a plan providing for distribution of any securities of the bridge company, if such information is necessary to prepare such disclosure statement;

“(3) that the special trustee provide notice to and consult with parties in interest in the case in connection with—

“(A) any change in a director or senior officer of the bridge company;

“(B) any modification to the governing documents of the bridge company; and

“(C) any major corporate action of the bridge company, including—

“(i) recapitalization;

“(ii) a liquidity borrowing;

“(iii) termination of an intercompany debt or guarantee;

“(iv) a transfer of a substantial portion of the assets of the bridge company; or

“(v) the issuance or sale of any securities of the bridge company;

“(4) that the proceeds of the sale of any equity securities of the bridge company by the special trustee be held in trust for the benefit of or transferred to the estate; and

“(5) that the property held in trust by the special trustee is subject to distribution in accordance with the plan and subsection (c).

“(c) The special trustee shall distribute the assets held in trust in accordance with the plan on the effective date of the plan, after which time the office of the special trustee shall terminate, except as may be necessary to wind up and conclude the business and financial affairs of the trust.

“(d) After a transfer under section 1406, the special trustee shall be subject only to applicable nonbankruptcy law, and the actions and conduct of the special trustee shall no longer be subject to approval by the court in the case under this chapter.

“§ 1406. Special transfer of property of the estate

“(a) On request of the trustee or the Board, and after notice and hearing and not less than 24 hours after the commencement of the case, the court may order a transfer under this section of property of the estate to a bridge company. Except as provided under this section, the provisions of section 363 shall apply to a transfer under this section.

“(b) Unless the court orders otherwise, notice of a request for an order under subsection (a) shall consist of electronic or telephonic notice of not less than 24 hours to—

“(1) the debtor;

“(2) the trustee;

“(3) the holders of the 20 largest secured claims against the debtor;

“(4) the holders of the 20 largest unsecured claims against the debtor;

“(5) the Board;

“(6) the Federal Deposit Insurance Corporation;

“(7) the Secretary of the Treasury;

“(8) the United States trustee; and

“(9) each primary financial regulatory agency, as defined in section 2(12) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301(12)), with respect to any affiliate that is proposed to be transferred under this section.

“(c) The court may not order a transfer under this section unless the court determines, based upon a preponderance of the evidence, that—

“(1) the transfer under this section is necessary to prevent imminent substantial harm to financial stability in the United States;

“(2) the proposed transfer does not provide for the assumption of any capital structure debt by the bridge company;

“(3) the proposed transfer provides for the transfer of any accounts of depositors of the debtor that are insured by the Federal Deposit Insurance Company to the bridge company; and

“(4) the Board certifies to the court that the Board has determined that the bridge company provides adequate assurance of future performance of any executory contract or unexpired leased assumed and assigned to the bridge company, and of payment of any debt assumed by the bridge company, in the transfer under this section.

“§ 1407. Automatic stay; assumed debt

“(a)(1) A petition filed under section 301 or 1403 operates as a stay, applicable to all entities, of the termination or modification of any debt, contract, lease, or agreement described in paragraph (2), or of any right or obligation under any such debt, contract, lease or agreement, solely because of—

“(A) a default by the debtor under any such debt, contract, lease, or agreement; or

“(B) a provision in such debt, contract, lease, or agreement or in applicable nonbankruptcy law that is conditioned on—

“(i) the insolvency or financial condition of the debtor at any time before the closing of the case;

“(ii) the commencement of a case under this title concerning the debtor;

“(iii) the appointment of or taking possession by a trustee in a case under this title concerning the debtor or by a custodian before the commencement of the case; or

“(iv) a credit rating agency rating, or absence or withdrawal of a credit rating agency rating—

“(I) of the debtor at any time after the commencement of the case;

“(II) of an affiliate during the 48 hours after the commencement of the case; or

“(III) while the special trustee is a direct or indirect beneficial holder of more than 50 percent of the equity securities of the bridge company—

“(aa) of the bridge company; or

“(bb) of an affiliate, if all of the direct or indirect interests in the affiliate that are property of the estate are transferred under section 1406.

“(2) A debt, contract, lease, or agreement described in this paragraph is—

“(A) any debt (other than capital structure debt), executory contract (other than a qualified financial contract), or unexpired lease of the debtor;

“(B) any agreement under which the debtor issued or is obligated for debt (other than capital structure debt);

“(C) any debt, executory contract (other than a qualified financial contract), or unexpired lease of an affiliate; or

“(D) any agreement under which an affiliate issued or is obligated for debt.

“(3) The stay under this subsection terminates—

“(A) as to the debtor, upon the earliest of—

“(i) 48 hours after the commencement of the case;

“(ii) assumption of the debt, contract, or lease under an order authorizing a transfer under section 1406; or

“(iii) a determination by the court not to order a transfer under section 1406; and

“(B) as to an affiliate, upon the earliest of—

“(i) entry of an order authorizing a transfer under section 1406 in which the direct or indirect interests in the affiliate that are property of the estate are not transferred under section 1406;

“(ii) a determination by the court not to order a transfer under section 1406; or

“(iii) 48 hours after the commencement of the case, if the court has not ordered a transfer under section 1406.

“(4) Sections 362(d), 362(e), 362(f), and 362(g) apply to a stay under this subsection.

“(b) A debt, executory contract (other than a qualified financial contract), or unexpired lease of the debtor, or an agreement under which the debtor has issued or is obligated for any debt, may be assumed by a bridge company in a transfer under section 1406 notwithstanding any provision in an agreement or in applicable nonbankruptcy law that—

“(1) prohibits, restricts, or conditions the assignment of the debt, contract, lease, or agreement; or

“(2) terminates or modifies, or permits a party other than the debtor to terminate or modify, the debt, contract, lease, or agreement on account of—

“(A) the assignment of the debt, contract, lease, or agreement; or

“(B) a change in control of any party to the debt, contract, lease, or agreement.

“(c)(1) A debt, contract, lease, or agreement of the kind described in subsection (a)(2)(A) or (a)(2)(B) may not be terminated or modified, and any right or obligation under such debt, contract, lease, or agreement may not be terminated or modified, as to the bridge company solely because of a provision in the debt, contract, lease, or agreement or in applicable nonbankruptcy law—

“(A) of the kind described in subsection (a)(1)(B) as applied to the debtor;

“(B) that prohibits, restricts, or conditions the assignment of the debt, contract, lease, or agreement; or

“(C) that terminates or modifies, or permits a party other than the debtor to terminate or modify, the debt, contract, lease or agreement, on account of—

“(i) the assignment of the debt, contract, lease, or agreement; or

“(ii) a change in control of any party to the debt, contract, lease, or agreement.

“(2) If there has been a default by the debtor or of a provision other than the kind described in paragraph (1) in a debt, contract, lease or agreement of the kind described in subsection (a)(2)(A) or (a)(2)(B), the bridge company may assume such debt, contract, lease, or agreement only if the bridge company—

“(A) cures, or provides adequate assurance to the court in connection with a transfer under section 1406 that the bridge company will promptly cure, the default;

“(B) compensates, or provides adequate assurance to the court in connection with a transfer under section 1406 that the bridge company will promptly compensate, a party

other than the debtor to the debt, contract, lease, or agreement, for any actual pecuniary loss to the party resulting from the default; and

“(C) provides adequate assurance to the court in connection with a transfer under section 1406 of future performance under the debt, contract, lease, or agreement.

“§ 1408. Treatment of qualified financial contracts and affiliate contracts

“(a) Notwithstanding sections 362(b)(6), 362(b)(7), 362(b)(17), 362(b)(27), 555, 556, 559, 560, and 561, a petition filed under section 301 or 1403 operates as a stay, during the period specified in section 1407(a)(3)(A), applicable to all entities, of the exercise of a contractual right—

“(1) to cause the liquidation or termination of a qualified financial contract of the debtor or an affiliate; or

“(2) to offset or net out any termination value, payment amount, or other transfer obligation arising under or in connection with a qualified financial contract of the debtor or an affiliate; or

“(3) under any security agreement or arrangement or other credit enhancement forming a part of or related to a qualified financial contract of the debtor or an affiliate.

“(b)(1) During the period specified in section 1407(a)(3)(A), the trustee or the affiliate shall perform all payment and delivery obligations under a qualified financial contract of the debtor or the affiliate, respectively, that become due after the commencement of the case. The stay provided under subsection (a) terminates as to a qualified financial contract of the debtor or an affiliate immediately upon the failure of the trustee or the affiliate, respectively, to perform any such obligation during such period.

“(2) A counterparty to any qualified financial contract of the debtor that is assumed and assigned in a transfer under section 1406 may perform any unperformed payment or delivery obligation under the qualified financial contract promptly after the assumption and assignment with the same effect as if the counterparty had timely performed such obligations.

“(c) A qualified financial contract between an entity and the debtor may not be assigned to or assumed by the bridge company in a transfer under section 1406 unless—

“(1) all qualified financial contracts between the entity and the debtor are assigned to and assumed by the bridge company in the transfer under section 1406;

“(2) all claims of the entity against the debtor under any qualified financial contract between the entity and the debtor (other than any claim that, under the terms of the qualified financial contract, is subordinated to the claims of general unsecured creditors) are assigned to and assumed by the bridge company;

“(3) all claims of the debtor against the entity under any qualified financial contract between the entity and the debtor are assigned to and assumed by the bridge company; and

“(4) all property securing or any other credit enhancement furnished by the debtor for any qualified financial contract described in paragraph (1) or any claim described in paragraph (2) or (3) under any qualified financial contract between the entity and the debtor is assigned to and assumed by the bridge company.

“(d) Section 365(b)(1) does not apply to a default under a qualified financial contract of the debtor that is assumed and assigned in a transfer under section 1406 if the default—

“(1) is a breach of a provision of the kind specified in section 1407(a)(1)(B)(iv); and

“(2) in the case of a breach of a provision of the kind specified in section 1407(a)(1)(B)(iv)(III), occurs while the bridge company is a direct or indirect beneficial holder of more than 50 percent of the equity securities of the affiliate.

“(e) Notwithstanding any provision in a qualified financial contract or in applicable nonbankruptcy law, a qualified financial contract of the debtor that is assumed or assigned in a transfer under section 1406 may not be terminated or modified, and any right or obligation under the qualified financial contract may not be terminated or modified, for a breach of a provision of the kind specified in section 1407(b) at any time after the entry of an order under section 1406 until such time as the special trustee is no longer the direct or indirect beneficial holder of more than 50 percent of the equity securities of the bridge company.

“(f) Notwithstanding any provision in any agreement or in applicable nonbankruptcy law, an agreement of an affiliate (including an executory contract, unexpired lease, or agreement under which the affiliate issued or is obligated for debt), and any right or obligation under such agreement, may not be terminated or modified at any time after the commencement of the case solely because of a condition described in section 1407(b) if—

“(1) all direct or indirect interests in the affiliate that are property of the estate are transferred under section 1406 to the bridge company within the period specified in subsection (a);

“(2) the bridge company assumes—

“(A) any guarantee or other credit enhancement issued by the debtor relating to the agreement of the affiliate; and

“(B) any right of setoff, netting arrangement, or debt of the debtor that directly arises out of or directly relates to the guarantee or credit enhancement; and

“(3) any property of the estate that directly serves as collateral for the guarantee or credit enhancement is transferred to the bridge company.

“§ 1409. Licenses, permits, and registrations

“(a) Notwithstanding any otherwise applicable nonbankruptcy law, if a request is made under section 1406 for a transfer of property of the estate, any Federal, State, or local license, permit, or registration that the debtor or an affiliate had immediately before the commencement of the case and that is proposed to be transferred under section 1406 may not be terminated or modified at any time after the request solely on account of—

“(1) the insolvency or financial condition of the debtor at any time before the closing of the case;

“(2) the commencement of a case under this title concerning the debtor;

“(3) the appointment of or taking possession by a trustee in a case under this title concerning the debtor or by a custodian before the commencement of the case; or

“(4) a transfer under section 1406.

“(b) Notwithstanding any otherwise applicable nonbankruptcy law, any Federal, State, or local license, permit, or registration that the debtor had immediately before the commencement of the case that is included in a transfer under section 1406 shall vest in the bridge company.

“§ 1410. Exemption from securities laws

“For purposes of section 1145, a security of the bridge company shall be deemed to be a security of a successor to the debtor under a plan if the court approves the disclosure statement for the plan as providing adequate information (as defined in section 1125(a)) about the bridge company and the security.

“§ 1411. Inapplicability of certain avoiding powers

“Except with respect to a capital structure debt, a transfer made or an obligation incurred by the debtor, including any obligation released by the debtor or the estate, to or for the benefit of an affiliate in a transfer under section 1406, is not avoidable under section 544, 547, 548(a)(1)(B), or 549, or under any similar nonbankruptcy law.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for title 11, United States Code, is amended by inserting after the item relating to chapter 13 the following:

“14 Liquidation, reorganization, or recapitalization of a covered financial corporation 1401”.

SEC. 5. AMENDMENTS TO TITLE 28, UNITED STATES CODE.

(a) AMENDMENT TO CHAPTER 13.—Chapter 13 of title 28, United States Code, is amended by adding at the end the following:

“§ 298. Judge for a case under chapter 14 of title 11

“(a) Notwithstanding section 295, the Chief Justice of the United States shall designate not less than 1 district judge from each circuit to be available to hear an appeal under section 158(a) in a case under title 11 concerning a covered financial corporation or under section 1403(c) of title 11.

“(b)(1) Notwithstanding section 295, the Chief Justice of the United States shall designate a panel of not less than 10 bankruptcy judges, who are experts in cases under title 11 in which a financial institution is a debtor, to be available to hear a case under chapter 14 of title 11.

“(2) Notwithstanding section 295, a case under chapter 14 of title 11 shall be heard under section 157 by a bankruptcy judge designated under paragraph (1), who shall be assigned to hear such case by the chief judge of the court of appeals for the circuit embracing the district in which the case is pending.

“(3) If the bankruptcy judge designated and assigned to hear a case under paragraphs (1) and (2) is not assigned to the district in which the case is pending, the bankruptcy judge shall be temporarily assigned to the district.

“(c)(1) Notwithstanding section 295, an appeal under section 158(a) in a case under title 11 concerning a covered financial corporation or under section 1403(c) of title 11 shall be heard by a district judge who—

“(A) is the district judge designated under subsection (a) from the circuit in which the case is pending;

“(B) if more than 1 district judge has been designated under subsection (a) from the circuit in which the case is pending, is 1 such district judge who is designated by the chief judge of that circuit to hear the case; or

“(C) if none of the district judges designated under subsection (a) for the circuit in which the case is pending are immediately available, is designated under subsection (a) from another circuit and has been designated by the Chief Justice of the United States to hear the case.

“(2) If the district judge specified in paragraph (1) is not assigned to the district in which the case is pending, the district judge shall be temporarily assigned to the district.

“(d) A case under chapter 14 of title 11, and all proceedings in the case, shall take place in the district in which the case is pending.

“(e) In this section, the terms ‘covered financial corporation’ and ‘financial institution’ have the meaning given such terms in section 101 of title 11.”.

(b) AMENDMENT TO SECTION 1334.—Section 1334 of title 28, United States Code, is amended by adding at the end the following:

“(f) This section does not grant jurisdiction to the district courts after a transfer pursuant to an order under section 1406 of title 11—

“(1) of any proceeding related to a special trustee appointed, or to a bridge company formed, under section 1405 of title 11; or

“(2) over the property held in trust by the special trustee, the bridge company, or the property of the bridge company.”.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 28, United States Code, is amended by adding at the end the following:

“298. Judge for a case under chapter 14 of title 11.”.

SEC. 6. LIMITATION ON ADVANCES FROM A FEDERAL RESERVE BANK.

Section 10B(b) of the Federal Reserve Act (12 U.S.C. 347b(b)) is amended—

(1) by redesignating paragraph (5) as paragraph (6);

(2) by inserting after paragraph (4) the following:

“(5) LIMITATION ON ADVANCES TO COVERED FINANCIAL CORPORATIONS AND BRIDGE COMPANIES.—Notwithstanding paragraph (2), a Federal Reserve bank may not make advances to any covered financial corporation that is a debtor in a pending case under chapter 14 of title 11, United States Code, or to a bridge company, for the purpose of providing debtor-in-possession financing pursuant to section 364 of such title.”; and

(3) in paragraph (6), as redesignated—

(A) by redesignating subparagraphs (B) through (E) as subparagraphs (D) through (G), respectively; and

(B) by inserting after subparagraph (A) the following:

“(B) BRIDGE COMPANY.—The term ‘bridge company’ has the same meaning as in section 1402(2) of title 11, United States Code.

“(C) COVERED FINANCIAL CORPORATION.—The term ‘covered financial corporation’ has the same meaning as in section 101(9A) of title 11, United States Code.”.

By Mr. HARKIN:

S. 1864. A bill to require a demonstration program on the accession as Air Force officers of candidates with auditory impairments; to the Committee on Armed Services.

Mr. HARKIN. Mr. President, ensuring equal opportunities and equal rights for individuals with disabilities has been one of my highest priorities during my time in Congress. As the lead Senate sponsor of the Americans with Disabilities Act, I still remember the day that legislation was signed into law, July 26, 1990, as one of the proudest days of my legislative career.

The Americans with Disabilities Act is one of the landmark civil rights laws of the 20th century—a long overdue emancipation proclamation for Americans with disabilities. The ADA has played a huge role in making our country more accessible and more inclusive, in raising the expectations of people with disabilities about what they can hope to achieve at work and in life, and in inspiring Americans to view disability issues through the lens of equality and opportunity.

Before the ADA, life was very different for people with disabilities in

Iowa and across the country. Being an American with a disability meant not being able to ride on a bus because there was no lift, not being able to attend a concert or ballgame because there was no accessible seating, and not being able to cross the street in a wheelchair because there were no curb cuts. In short, it meant not being able to work or participate in community life. Discrimination was both commonplace and accepted.

Since then, we have made amazing progress. The ADA literally transformed the American landscape by requiring that architectural and communications barriers be removed and replaced with accessible features such as ramps, lifts, curb cuts, widening doorways, and closed captioning. More importantly, the ADA gave millions of Americans the opportunity to participate in their communities.

The ADA stands for a simple, universal proposition—that disability is a natural part of the human experience and that all people with disabilities have a right to make choices, pursue meaningful careers, and participate fully in all aspects of society.

One of the four great goals of the ADA is to assure equality of opportunity. The opportunity for an individual to be judged based on his or her talents, skills, and abilities rather than stigmatizing labels; to be included with non-disabled peers; and ultimately, the opportunity to be successful. That is the minimum that any individual with a disability should expect, and it is our responsibility to make that happen.

More than two years ago I met Keith Nolan, a young man who is deaf and whose life goal is to be a military officer. Keith enrolled in and completed the first two levels of Army ROTC in California.

As a ROTC cadet Keith participated in all classes, labs, and physical training. He had interpreters provided by his school program for classes and training, but not for physical training which he did without an interpreter. Still, he participated fully in a Fall Field Training Exercise where the cadets spent a weekend working on tactics. He also earned a German Army Forces Badge for Military Proficiency becoming the only cadet in his squad to get the highest decoration. Overall, he excelled in the ROTC program.

However, Keith was not allowed to continue in ROTC due to Department of Defense rules that exclude individuals who are deaf or hard of hearing. Keith has a master's degree, and if not for Department of Defense rules excluding individuals who are deaf, would have qualified for Officer Candidate School.

My experience with Keith, as well as my long-standing advocacy to provide to persons with disabilities the same rights as every other American, have

convinced me that individuals with disabilities can meaningfully contribute to our Armed Forces and should have the opportunity to do so.

I know that there is some hesitation among the service branches in having individuals who are deaf or hard of hearing serve in the active military. But I know, just as we have found under the ADA for the last 23 years, people with disabilities can accomplish great things if they are provided with the same opportunities the rest of us take for granted. Keith Nolan is one exceptional young man, the kind the military would be proud to have among its ranks and I bet there are probably a few other Keith Nolans out there eager to serve.

That is why today, on the day the Senate considers the National Defense Authorization Act, I am introducing legislation which would create a small demonstration program for 15–20 highly intelligent, deaf and hard of hearing men and women, in top physical condition, to enter the Air Force's Basic Officer Training course or the Commissioned Officer Training course at Maxwell AFB. The individuals who participate in this demonstration program will meet all the essential qualifications for accession as an officer in the Air Force—except for the one related to having a hearing impairment.

I had filed this legislation as an amendment to the Defense Authorization bill; unfortunately, because that amendment process was cut short, I was not able to have it considered. But I am filing this legislation today to make clear that I intend to press forward in this effort to create a demonstration program.

If this program is successful, as I believe it will be, then we will have created an opportunity for talented individuals like Keith Nolan in the military. We will have reiterated our commitment to equal opportunity for all Americans, including people with disabilities.

I hope my fellow Members will join me as cosponsors of this small, but important, demonstration program.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1864

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEMONSTRATION PROGRAM ON ACCESSION OF CANDIDATES WITH AUDITORY IMPAIRMENTS AS AIR FORCE OFFICERS.

(a) DEMONSTRATION PROGRAM REQUIRED.—Beginning not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall carry out a demonstration program to assess the feasibility and advisability of permitting individuals with auditory impairments (including

deafness) to access as officers of the Air Force.

(b) CANDIDATES.—

(1) NUMBER OF CANDIDATES.—The total number of individuals with auditory impairments who may participate in the demonstration program shall be not fewer than 15 individuals or more than 20 individuals.

(2) MIX AND RANGE OF AUDITORY IMPAIRMENTS.—The individuals who participate in the demonstration program shall include individuals who are deaf and individuals who have a range of other auditory impairments.

(3) QUALIFICATION FOR ACCESSION.—Any individual who is chosen to participate in the demonstration program shall meet all essential qualifications for accession as an officer in the Air Force, other than those related to having an auditory impairment.

(c) SELECTION OF PARTICIPANTS.—

(1) IN GENERAL.—The Secretary of the Air Force shall—

(A) publicize the demonstration program nationally, including to individuals who have auditory impairments and would be otherwise qualified for officer training;

(B) create a process whereby interested individuals can apply for the demonstration program; and

(C) select the participants for the demonstration program, from among the pool of applicants, based on the criteria in subsection (b).

(2) NO PRIOR SERVICE AS AIR FORCE OFFICERS.—Participants selected for the demonstration program shall be individuals who have not previously served as officers in the Air Force.

(d) BASIC OFFICER TRAINING.—

(1) IN GENERAL.—The participants in the demonstration program shall undergo, at the election of the Secretary of the Air Force, the Basic Officer Training course or the Commissioned Officer Training course at Maxwell Air Force Base, Alabama.

(2) NUMBER OF PARTICIPANTS.—Once individuals begin participating in the demonstration program, each Basic Officer Training course or Commissioned Officer Training course at Maxwell Air Force Base, Alabama, shall include not fewer than 4, or more than 6, participants in the demonstration program until all participants have completed such training.

(3) AUXILIARY AIDS AND SERVICES.—The Secretary of Defense shall ensure that participants in the demonstration program have the necessary auxiliary aids and services (as that term is defined in section 4 of the Americans With Disabilities Act of 1990 (42 U.S.C. 12103)) in order to fully participate in the demonstration program.

(e) COORDINATION.—

(1) SPECIAL ADVISOR.—The Secretary of the Air Force shall designate a special advisor to the demonstration program to act as a resource for participants in the demonstration program, as well as a liaison between participants in the demonstration program and those providing the officer training.

(2) QUALIFICATIONS.—The special advisor shall be a member of the Armed Forces on active duty—

(A) who—

(i) if a commissioned officer, shall be in grade O-3 or higher; or

(ii) if an enlisted member, shall be in grade E-5 or higher; and

(B) who is knowledgeable about issues involving, and accommodations for, individuals with auditory impairments (including deafness).

(3) **RESPONSIBILITIES.**—The special advisor shall be responsible for facilitating the officer training for participants in the demonstration program, intervening and resolving issues and accommodations during the training, and such other duties as the Secretary of the Air Force may assign to facilitate the success of the demonstration program and participants.

(f) **REPORT.**—Not later than two years after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the appropriate committees of Congress a report on the demonstration program. The report shall include the following:

(1) A description of the demonstration program and the participants in the demonstration program.

(2) The outcome of the demonstration program, including—

(A) the number of participants in the demonstration program that successfully completed the Basic Officer Training course or the Commissioned Officer Training course;

(B) the number of participants in the demonstration program that were recommended for continued military service;

(C) the issues that were encountered during the program; and

(D) such recommendation for modifications to the demonstration program as the Secretary considers appropriate to increase further inclusion of individuals with auditory disabilities serving as officers in the Air Force or other Armed Forces.

(3) Such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the demonstration program.

(g) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Health, Education, Labor, and Pensions, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

By Mr. REED (for himself, Mr. DURBIN, and Ms. WARREN):

S. 1873. A bill to provide for institutional risk-sharing in the Federal student loan programs; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, student loan debt continues to climb. According to an analysis by the Institute for College Access, average student loan debt has increased by 6 percent each year since 2008. In 2012, over 70 percent of college graduates had debt, owing an average of \$29,400.

This is a growing drag on our economy.

In this summer's National Association of Realtors survey, 49 percent of the respondents identified student loan debt as a huge obstacle to home ownership—more than those who identified having enough money for a down payment or having enough confidence in their job security.

It is clear that the more than \$1.2 trillion in outstanding student loan debt has serious implications for the broader economy.

We know that student loan borrowers are struggling. Default rates are on the

rise. 13.4 percent of borrowers entering repayment in 2009 defaulted within three years. The rate jumped to 14.7 percent for borrowers entering repayment in 2010.

We cannot tackle the student loan debt crisis without States and institutions stepping up and taking greater responsibility for college costs and student borrowing.

States are critical partners in making college accessible and affordable. However, state support for higher education has declined in recent years, contributing to rising tuition costs at public colleges and universities. According to the latest State Higher Education Finance report published by the State Higher Education Executive Officers, state spending per full-time equivalent student reached its lowest point in 25 years in 2011.

In the Partnerships for Affordability and Student Success, PASS, Act that I am introducing today, we will re-establish a robust, Federal-State partnership for college affordability and student success. I long worked to fund the Leveraging Educational Assistance Partnership, LEAP, program, an initiative that engaged the states in matching federal funds to provide need-based grants to students. LEAP was modest in scale. The legislation I am introducing today calls for a more ambitious and comprehensive Federal-State partnership for higher education.

The PASS Act will authorize \$1 billion for a State formula grant program. In order to participate, states must make a commitment to maintain their investment in higher education and must have a comprehensive plan for higher education with measurable goals for access, affordability, and student outcomes. At least 70 percent of the funding must be dedicated to need-based student financial aid. States also have the option of awarding grants to colleges and universities or partnerships between institutions of higher education and non-profit organizations to improve student outcomes, including enrollment, completion, and employment, and to develop innovative methods for reducing college costs. I am pleased to have the support of the National Association of State Student Grant and Aid Programs, the National Association of Independent Colleges and Universities, and U.S. PIRG in advancing this legislation.

Institutions also have a critical role to play in curbing student loan debt. To ensure that institutions have more skin in the game, so they provide a better and more affordable education to students, which will in turn help put the brakes on rising student loan defaults, I am proud to be introducing the Protect Student Borrowers Act with Senators DURBIN and WARREN.

The Protect Student Borrowers Act will hold colleges and universities accountable for student loan default by

requiring them to repay a percentage of defaulted loans. Only institutions that have 25 percent or more of their students borrow would be included in risk sharing based on their cohort default rate. Risk-sharing requirements would kick in when default rate exceeds 15 percent. As the institutional default rate rises, so too will the institution's risk-share payment.

The Protect Student Borrowers Act also provides incentives for institutions to take proactive steps to ease student loan debt burdens and reduce default rates. Colleges and universities can reduce or eliminate their payments if they implement a comprehensive student loan management plan. The Secretary may waive or reduce the payments for institutions whose mission is to serve low-income and minority students such as community colleges, Historically Black Institutions, or Hispanic-Serving Institutions, provided that they are making progress in their student loan management plans.

The risk-sharing payments will be invested in helping struggling borrowers, preventing future default and delinquency, and reducing shortfalls in the Pell Grant program.

With the stakes so high for students and taxpayers, it is only fair that institutions bear some of the risk in the student loan program.

We need to tackle student loan debt and college affordability from multiple angles. We need all stakeholders in the system to do their part. With the PASS Act and the Protect Student Borrowers Act, we are providing the resources and incentives for states and institutions to take more responsibility to address college affordability and student loan debt and improve student outcomes. I urge my colleagues to cosponsor these bills and look forward to working with them to include these and other key reforms in the upcoming reauthorization of the Higher Education Act.

By Mr. WYDEN (for himself and Mr. CRAPO):

S. 1875. A bill to provide for wildfire suppression operations, and for other purposes; to the Committee on the Budget.

Mr. WYDEN. Mr. President, today I am introducing the Wildfire Disaster Funding Act of 2013 to end the destructive cycle of underfunding wildfire prevention and then having to spend even greater amounts fighting wildfires than if our forests were properly managed.

For some time now, our country has witnessed tragic wildfire seasons that have put American lives and our treasured public lands in harm's way. Sadly, this year 19 firefighters lost their lives fighting the Yarnell Hill Fire in Arizona. Due to climate change, drought, and other factors, the risks from these infernos are likely to increase in the future.

Federal fire suppression spending has increased substantially over the past 20 years. In the case of the Forest Service, the proportion of their budget devoted to wildland fire management has increased steadily from 13 percent of the total budget in 1991 to 41 percent of the budget in 2013. Most recent fire seasons have cost upwards of \$1 billion, compared to \$200 million in the 1990's. This leads to an unfortunate new reality: our Forest Service is turning into the Fire Service.

In 8 of the past 10 years, the Forest Service has exceeded its budget for wildfire suppression, requiring the agency to conduct what is known as "fire borrowing" to cover wildfire suppression costs. "Fire robbery" would be a more accurate term because in many cases, the borrowed funds are never repaid. These transfers are incredibly disruptive and are undermining the core mission of the Forest Service.

What is worse, in order to fund the costs of fighting these infernos, the agencies responsible for fighting fires are underfunding the very programs designed to prevent fires. The 2013 President's Budget Request included significant cuts to hazardous fuels treatments for both the Department of the Interior, 50 percent cut, and the Forest Service, 30 percent cut.

Studies confirm that hazardous fuels treatments are effective at reducing fire risk and lowering costs. For example, a recent study published by Northern Arizona University's Ecological Restoration Institute concluded that treatments "... can reduce fire severity ...", and "... successfully reduce fire risk to communities."

It is clear that our Nation needs a new path forward on fire budgeting to make sure that there is adequate funding for fire prevention work. For much of 2013, I have been urging the Office of Management and Budget, OMB, to help the Congress develop a new path forward through oversight hearings, letters, and numerous discussions.

Therefore, today I am introducing the Wildfire Disaster Funding Act to provide a better path forward on wildfire funding and fire prevention.

This bill will establish parity for wildfire funding to how the Federal Government funds other major natural disasters such as floods and hurricanes. Specifically, the bill would move any spending above 70 percent of the 10-year rolling average for fire suppression outside of the agencies' baseline budget by making these additional costs eligible to be funded under a separate disaster account.

Based on Department of the Interior and Department of Agriculture analysis, 1 percent of wildland fires represent 30 percent of costs, so in essence my legislation would be moving the true emergency fire events to be funded under disaster programs, and the routine wildland firefighting costs—would

be funded through the normal budgeting and appropriations process.

Most importantly, this legislation would free up as much as \$412 million in discretionary funding to fund hazardous fuels projects and make sure urgently needed work is done in the forests to prevent wildland fires.

I am pleased to be joined by Senator CRAPO in introducing the bill today. This legislation also has the support of Secretary of Agriculture Tom Vilsack and Secretary of the Interior Sally Jewell. I look forward to working towards enactment of the Wildfire Disaster Funding Act in the 113th Congress through any possible avenue. Together, the Congress and the Administration must work to guarantee that our country has the necessary tools to both combat and prevent wildland fires.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SCHUMER. Mr. President, I ask unanimous consent the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on December 19, 2013, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. MENENDEZ. Mr. President, I ask unanimous consent that Krishna Patel, a detailee on Senator JOHNSON's banking committee staff, be granted floor privileges for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Mr. President, I ask unanimous consent that Elise Mellinger, a State Department Foreign Service officer currently serving as a Pearson fellow in my office, be granted the privilege of the floor for the duration of Senate consideration of H.R. 3304, the Fiscal Year 2014 National Defense Authorization Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HAGAN. Mr. President, I ask unanimous consent that privileges of the floor be granted to Margaret Lawryniewicz on December 19.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I ask unanimous consent that CDR Joe Carrigan, the defense legislative fellow assigned to my office, be granted floor privileges for the remainder of the 113th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, may I ask unanimous consent that a

military fellow with Senator MURRAY's office, Major James O'Brien, be granted floor privileges for today's session of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014—Continued

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, we all have various people from other departments and agencies in our government on occasion who help us in our offices. Being a member of the Armed Services Committee, I have had the pleasure to have a number of fine defense fellows serve in my office and help us prepare the Defense bill and deal with other issues of importance.

Commander Joe Carrigan is another one of these very fine fellows. He is one of the best we have ever had. He has a good strategic mind, he works extremely hard, he is always thoughtful, and he is a delight to have in the office.

We have been talking about our military personnel and their retirement benefits. Remember, unlike other government employees, they are on call anytime, any day, to be sent anyplace in the world at the very risk to their lives and physical well-being. In addition, they work long hours. They have no thought to object to being asked to work a weekend or a night or 24 hours without sleep to do some task they are called upon to do, and they get no overtime for it. It is just the way it is done in the military because when a challenge is out there, they act.

I know some point out the weaknesses in this large entity, the Defense Department, and some of the management problems that arise. But I have to say without any doubt whatsoever that the institution has quality people—people of integrity, men and women who love their country and serve their country and do whatever you ask them to do. I see that every day when we work with people such as Commander Carrigan. And he will be successful in whatever he does and in whatever his next assignment will be.

So as we wrap up this Defense bill, I would like to thank him for his service

and to thank all of our men and women in uniform who do their work, and I hope that we in the Congress can be worthy of their trust.

I yield the floor.

Mr. COATS. Mr. President, saner heads have prevailed. I think the news that we just received brought a much more reasonable way of moving forward rather than two more all-nighters with votes every 4 hours or so. It was not pleasing for anyone, particularly during the Christmas season. It was totally unnecessary to do this, had there not been some precipitating factors. I did not come down here to point fingers. There is frustration on both sides, frustrations on the Democratic side with Republicans—but I do not think it has been explained, what caused Republicans to become so concerned and so frustrated and frankly so angry over the way that the rules were broken to change the rules, something that has been precious to this body for its more than 200 years, and that is the uniqueness of the ability of a minority to have a say in legislation, to amend or at least to offer amendments. They may succeed, they may not succeed, but to have a voice.

I think those who have not served here in the past and have never been in the minority cannot begin to appreciate that right. I started in the House of Representatives where the majority rules. That is the way the Founding Fathers established that body. But they said they wanted the Senate to be different, a place where the passions could be cooled, where debate could be held, where amendments could be offered, where laws could be changed or modified. Members were given a 6-year term so they would not have the pressure of running for election in just months out or a year out; so they could step back and simply say let's look at the longer view, the larger view.

In my first time here in the Senate, that practice was led by the Democratic leaders and Republican leaders. The majority changed. I came here with a Democratic leader who was eminently fair to the minority and insisted, as did many Members, none more vividly and with emotion and commitment than did Robert Byrd, the Democrat from West Virginia, who probably knew more about procedures and the history of the Senate than all the other Senators combined. Read his volumes.

We would listen to Robert Byrd, respecting how he respected this institution. I experienced under Robert Byrd, then Republican Bob Dole, and then Tom Daschle, Democrat, Trent Lott, Republican—I experienced respect for the rights of the minority even though I was in the majority. They were sacrosanct. No one stood up and said let's take those rights away. Those who did were shot down by their own party. Our party made an attempt at that. Sense

and reason prevailed. It was imposed by those who had been here, saying you need to understand the unique role of the Senate that has been created by our Founding Fathers, enshrined in the Constitution, 225 years of tradition and history.

To have the majority leader, the Senator from Nevada, come here and say we are taking that away, what we had promised to do; that is, keep the rules—we are going to break them and we are going to impose on you because you are dragging out the time it takes to secure nominations. We are going to impose on you. We are going to take away your minority rights and we are going to rule by majority.

As I said, I understand the frustration that must have been felt on the other side of the aisle when Members would delay the confirmation of nominees. Why were Republicans doing that? They were doing that because the majority leader was using a technique to deny us amendments on any number of bills.

Everyone here has constituent interests, their own interests. They come to the Senate, they want to move forward with an agenda. When you are in the minority you know that the chances of passing that are slim unless you get support from the other side. That is why we cosponsor with Democrats when we want to try to move something, to see if they can convince their Members to join us. That is the way this place has always worked.

But under the process of the so-called filling of the tree—I know people in the world say what in the world are you talking about, filling the tree? It is a procedural method which denies the minority the right to offer amendments. I do not have the statistics in front of me, but the majority leader has imposed that time after time. So the frustration just kept building here, day after day, week after week, month after month, year after year, of Members who said: I came to the Senate. I don't have a voice. I do not have the ability to even bring up my amendment.

What are we afraid of, taking a vote? If you cannot take a vote and go home and explain your vote to people, then you should not be here. You vote for what you believe in. You vote for what you think your State and your constituents who sent you here believe in. Some you win, some you lose, but at least you have the opportunity to make your case.

So, month after month, year after year, under the leadership of Senator REID, increasingly that right has been taken away. The frustration boils up from our feeling like—forget it. Forget 225 years of history. Forget how the Founding Fathers decided to structure this democratic function. Forget how past leaders, Republicans and Democrats, held this as sacrosanct, a right for the minority, the minority voice.

Here is the party that says we got elected by a majority and therefore the minority has no say. Those who have not served in the minority will not understand the denial of the right to express your view and have it put before this body for a vote. You can get up and talk about it but you cannot get it to a vote, so talk is cheap. Until they experience that, I am afraid, they will not have an understanding of how we need to get back to what this body was intended to be.

I want my colleagues who have imposed this in support of the majority leader's tactics of denying Members the ability to offer an amendment regardless of what it is for—I want my colleagues to understand that is where the frustration came from. And that is why we are trying to use whatever rules we have left to send the message that you are stifling us. You are denying us the very right that we worked so very hard to come to have here.

I am making a plea, I guess, that we sit down and have an adult conversation about how to make this place more efficient, how to make it more effective but do so in a way that allows the minority the right to participate in the process.

Going through the exercise we have gone through for the last few weeks with votes every 2 hours, sleeping on cots in our office or sleeping on the couch, coming down here in the middle of the night to vote—if we are talking about something serious for the country that needs that kind of debate, I am not saying we shouldn't do that. If it is a defense bill or a critical issue, such as a fiscal issue or a foreign policy issue, that is what this place is all about. If it takes us well into the night on something substantive like that, then we want to preserve that. But it is over the nomination of a district judge—and the statistics show that the majority party has virtually gotten every one they wanted.

Just recently the Republicans said that somehow we have to send a message that we are being shut out, and we were shut out by a majority vote of the Democratic Party which basically told Republicans: Forget the history. Forget the past. Sit down. You have no role.

I hope we can get back from that because it is so important for the future of this country to have a deliberative body that has the time and opportunity to debate, to offer amendments, and to fashion legislation in a bipartisan fashion. Maybe we have learned that lesson; maybe we haven't. There is a lot of rancor here right now.

I am glad we came to an agreement to have two votes at 11:15 this evening, and then we will move the process to six votes tomorrow morning, and then we will be able to go home and enjoy Christmas with our families.

I think the solution to this is not to throw daggers at each other but to sit

down and think things through. Maybe we need to reach back to some of the writings of Robert Byrd. Maybe we need to reach back to some of the stirring words that were spoken by the majority telling their own Members: Don't go there. You are taking away the very essence of the U.S. Senate.

One of the Members on the Democratic side who has many years of experience here—many more than I—made that plea. Unfortunately, it wasn't listened to by Members in his caucus. I think if we could step back and we could look at the history of those in the majority doing everything they could to protect the rights of those in the minority, we would recognize that there is a better way to go forward than what we have done here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the quorum be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MANUFACTURING JOBS

Mr. COONS. Mr. President, I come to the floor once again to talk about manufacturing jobs. This week, under Senator AMY KLOBUCHAR's leadership, the Joint Economic Committee released a report that thoroughly and thoughtfully lays out why manufacturing jobs have such promise and how Congress can act to help spur manufacturing job creation now and into the future.

The report shows that today manufacturing jobs are high-quality jobs, that they pay better than jobs in any other sector in wages and benefits, and that they help create more local service sector jobs, that they contribute more to the local economy, and that manufacturers invest the most in private sector R&D of any sector in our country.

Manufacturing, as the Presiding Officer well knows, has long played an important role in our Nation's economy, has served as our economic backbone, and has built the American middle class. But over the past 60 years, manufacturing in our country has changed, gradually and then dramatically. As our economy and the world have changed, so has the nature of manufacturing and the playing field on which we can and must compete.

Due to global competition and the worst recession since the Great Depression, we lost 6 million manufacturing jobs in the United States in the first decade of this century. We are now on our way back, but we are well short of where we were in 2000. We have gained 550,000 manufacturing jobs over the last 3 years, and that gives me real

hope. In just the last 6 months, we have seen new signals that our manufacturing sector continues to be on the rebound.

A new report from the Institute for Supply Management shows the U.S. manufacturing sector grew last month at its fastest pace in 2½ years, and hiring has reached an 18-month high. The value of our manufacturing exports has grown 38 percent in the last 4 years, and those exports now account for nearly 3 million jobs on American shores.

But, as the Presiding Officer and I well know and as many of our colleagues know, we need to invest more in that success and in that growth, in the private sector and in the public sector.

Overall, this is great news, about the slow, but real, steady recovery of our manufacturing sector. The reason we are coming back is the United States is actually poised to compete in advanced manufacturing, in the manufacturing economy of this century. In the 21st century, manufacturing is fundamentally different than it was in our past. Rather than repeating the same simple tasks over and over, workers must now carry out far more complex and varying tasks. They need to be critical thinkers and problem solvers. They have to do math and communicate with each other in writing and as a team and work in ways simply not expected 20 or 30 years ago. Crucially, they need to understand the entire manufacturing process in a way that wasn't necessary before. Yes, there are machines doing a lot of work, but we need workers who can oversee them and understand them to keep our steady, growing benefits to increase productivity.

Manufacturers can't rely on someone from outside our country to fix a problem every time there is one. Today they rely on their workers to troubleshoot on the fly. Our workers need to continue to be some of the most productive in the world and, to do that, they need to be more skilled than ever, particularly because they are overseeing highly complex operations.

The manufacturing floor today, as this report reminds us, is no longer the dirty, dingy, dangerous manufacturing workplace of 150 years ago. Today it is clean, high tech, highly productive, and it needs a highly skilled workforce. We can win by training our workers for these jobs.

While some nations engage in a race to the bottom on environmental labor and wage standards, this isn't the playing field we can or should try to win. Fortunately, we already have the tools to lead the way in manufacturing, in an innovation-centered economy.

This Joint Economic Committee report outlines how low-energy costs, due to greatly expanded natural gas supplies, a highly skilled workforce rel-

ative to much of the rest of the world, and having still the world's best universities, all in combination give us a real fighting chance. American manufacturing, I am convinced, is poised for a takeoff.

Now we have this report from the Joint Economic Committee which shows us just that. It shows why we should remain optimistic about American manufacturing, if we can simply in this body harness the will to act. This report frankly lays out a lot of why we have created Manufacturing Jobs for America.

Manufacturing Jobs for America is a campaign. It is a campaign to build support for good manufacturing legislation that Democrats and Republicans can agree on. So far, 26 Democratic Senators have come together to contribute 44 bills to a conversation; 31 of those bills have already been introduced in this body, and almost half of them have bipartisan cosponsors. We are actively seeking Republican cosponsors on the rest.

Our goal overall is to generate more and work more closely with Republicans to build consensus for bills that can pass the Senate, pass the House, and go to the White House to become law. We want to see manufacturing bills that can really help put Americans back to work.

I am grateful for the leadership of Senator DEBBIE STABENOW who, along with her cochair, Senator LINDSEY GRAHAM, led the bipartisan manufacturing caucus that is helping take great ideas and bills generated through this initiative and turn them into solid, bipartisan bills.

This Joint Economic Committee report emphasizes that there are four key areas where we have to focus to create manufacturing jobs now and in the future and they are exactly the areas that the Manufacturing Jobs for America initiative centers on as well.

First, we have to strengthen America's workforce. Second, we have to fight for a more level global playing field so we can open markets abroad and compete successfully. Third, we need to make it easier for manufacturers—especially new and small businesses—to access capital, to invest in research and development as well as new equipment and products. Fourth, we can and should do more to ensure a coordinated, all-of-government effort in supporting manufacturing by insisting on a stronger, clearer national manufacturing strategy. Together, across these four areas, the bills in Manufacturing Jobs for America can have a real and substantial impact if they become law.

I believe in the power of this initiative because I have seen the potential of manufacturing up close. In my time in the private sector, I developed a fierce belief in how we can and must act here in Washington to support and

spur American private sector manufacturing. Before I came here, much of my work in the private sector was at a manufacturing company, a materials-based science company that makes hundreds of products. At one point I was part of a site location team that had to decide where to locate a new state-of-the-art semiconductor chip packaging manufacturing plant.

What made the difference? In the ultimate decision it was first and foremost we needed a skilled and reliable workforce. Second, we wanted the State, county, and city governments to be responsive and have made investments in infrastructure. While we also of course considered tax credits and training grants, the first two really were the main factors—the skills and capabilities of the workforce at all levels and the responsiveness of the local government, the State government, and the Federal Government in investing in infrastructure.

This experience taught me two things: that the advanced manufacturing sector can thrive in the United States—that facility was located in America, not overseas; and there is a critical role for government to play. So if this Congress makes a concerted, across-the-board push to help create manufacturing jobs in America, I am convinced we can lay a strong foundation for growth today and tomorrow. The opportunity is there, just in front of us. We just need to stop the endless partisan struggles that have dominated this Congress in the last few years and seize the very real, very positive opportunity in front of us—to lay out a bipartisan path forward to strengthen the manufacturing sector in our country.

Together, we can keep our factories humming and lead the way in new industries in the future. We just need the political will to try. That is what this effort, Manufacturing Jobs for America, is all about.

I am so grateful to Senator KLOBUCHAR and the Joint Economic Committee for the Manufacturing Jobs for The Future report and for the vision it lays out, and I appreciate the effort of all of my colleagues who contributed great and strong and clear ideas to this Manufacturing Jobs for America initiative.

With that, Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, the bill we are about to vote on is a good bill.

It is the product of an extensive bipartisan, bicameral agreement between the Armed Services Committees of the Senate and the House of Representatives. We have passed a defense bill every year for the last 51 years. This bill deserves to be the 52nd because, like our previous bills, it does the right thing for our troops, their families, and our Nation's security. It passed the House with a vote of 350 to 69, and it deserves an equally strong bipartisan vote in the Senate tonight.

Yesterday I praised the members of our committee, and I also noted the amazing work of our staff, and I am not going to repeat that.

This bill is not a Christmas gift to our troops and their families. Authorizing funding for our troops, supporting our troops and their families is what we owe them. It is the least we can do, for they are the gift—they are the gift to this country, to this Nation, and to all of its people.

I would like to describe some of the many important provisions in this bill.

The bill includes numerous provisions to sustain the compensation and quality of life that our service men and women and their families deserve as they face the hardships imposed by continuing military operations around the world. For example, our bill reauthorizes over 30 types of bonuses and special pays aimed at encouraging enlistment, re-enlistment, and continued service by Active Duty and Reserve component military personnel.

It authorizes \$25 million in supplemental impact aid to local educational agencies with military dependent children and \$5 million in impact aid for schools with military dependent children with severe disabilities.

It enhances DOD programs to assist veterans in their transition to civilian life and increase their opportunities for early employment by improving access to credentialing programs for civilian occupational specialties.

It requires the Secretary of Defense and the Secretary of Veterans Affairs to ensure that the electronic health records systems of the two Departments are interoperable and provide a single integrated display of data.

The bill also includes funding needed to provide our troops the equipment and support that they need for ongoing combat, counterinsurgency, and stability operations around the world. For example, our bill authorizes \$9.9 billion for U.S. Special Operations Command, including both base budget funding and OCO funding.

It authorizes nearly \$1 billion for counter-IED efforts, beginning to ramp down expenditures in this area, while ensuring that we make investments needed to protect our forces from roadside bombs.

It provides \$6.2 billion in funding to train and equip the Afghan National Army and Afghan Police, as requested

by the commander of U.S. forces in Afghanistan, so that we can complete the transition of security responsibility, as planned, by the end of 2014.

It authorizes the Secretary of Defense—upon a determination from the President that it is in the national security interests of the United States—to use up to \$150 million of amounts authorized for the Coalition Support Fund account in fiscal years 2013 and 2014 to support the border security operations of the Jordanian Armed Forces.

It extends global train and equip—section “1206”—authority through 2017 to help build the capacity of foreign force partners to conduct counterterrorism and stability operations.

The bill includes a compromise on Guantanamo, which eases the transfer of Gitmo detainees overseas, while retaining prohibitions on transfers to the United States. It includes 36 provisions to strengthen DOD's response to the problem of sexual assault in our military.

The bill includes hundreds of other important provisions to ensure that the Department can carry out its essential national defense missions. For example, Section 121 of the bill increases the cost cap for the Gerald R. Ford aircraft carrier program as requested by the Department of Defense and tightens cost controls on the program. In the absence of this provision, DOD would have to stop work on the aircraft carrier, resulting in the layoff of thousands of workers and an additional cost of up to \$1 billion dollars on the Ford and subsequent ships.

Section 352 of the bill requires DOD to eliminate the development and fielding of service-specific combat and camouflage utility uniforms and instead move to combat and camouflage uniforms that are used by all members of the Armed Forces. This provision addresses a finding by GAO that identified DOD's fragmented approach to developing and acquiring combat uniforms as a significant source of duplication and waste in the Department.

Section 904 of the bill requires the Secretary of Defense to streamline DOD management headquarters at all levels by changing or reducing the size of staffs, eliminating tiers of management, cutting functions that provide little or no added value, and consolidating overlapping and duplicative programs and offices. We expect this provision to save \$40 billion or more over the next 10 years.

Section 1024 of the bill allows the Secretary of the Navy to settle 20-year old litigation arising from the default termination of the contract for the production of the A-12 aircraft. Under the proposed settlement authorized by this provision the Navy will receive ships and aircraft worth almost \$400 million at no cost to the government.

Section 1098 of the bill authorizes the Department of Defense to transfer

unnneeded aircraft to the Forest Service, providing the Forest Service with much-needed replacements for aging wildfire suppression aircraft. This provision was based on a Senate floor amendment which we were unable to adopt even though it had been cleared on both sides.

Section 1302 of the bill authorizes the use of funds available under the Cooperative Threat Reduction—CTR—program to eliminate Syrian chemical weapons. This provision will give DOD the funding flexibility that it says it needs to carry out the destruction of these dangerous weapons, as provided by our agreements with the Russians and others.

Section 2807 of the bill requires that all future military construction projects funded using in-kind payments from partner nations under an international agreement be submitted for congressional authorization. That may not sound like a big deal, but this provision is the result of a yearlong investigation by the committee staff, in which we learned that DOD was using in-kind payments from our allies to fund questionable military construction projects without appropriate oversight.

Section 2941 through 2946 of the bill authorize a new land withdrawal to expand the Marine Corps training range at 29 Palms in California. This provision was the No. 1 legislative priority of the Marine Corps this year. As the Commandant of the Marine Corps explained in an August 29 letter to the committee, the Marine Corps has spent more than 6 years analyzing and preparing for this expansion to ensure that the Corps can meet its minimum training criteria for live fire and maneuver training. The Commandant's letter explains:

Although Twentynine Palms has served the Marine Corps well since the 1940s, it is currently inadequate to properly train our Marine Palms is my top legislative priority. Successful MEB training requires coordinated simultaneous air and ground live fire in concert with ground maneuvers over a 48–72 hour period involving 15,000 Marines. Although a MEB is our principal fighting force, we currently lack sufficient training space to train a MEB-sized unit. The Marine Corps proposes to correct this training and readiness shortfall by expanding Twentynine Palms through the withdrawal and acquisition of 168,000 acres in the Johnson Valley area.

These are just a few examples drawn from hundreds of provisions in this bill. As Gen Martin Dempsey, the Chairman of the Joint Chiefs of Staff, told us last week, the authorities included in this bill “are critical to the Nation's defense and urgently needed to ensure we all keep faith with the men and women, military and civilian, selflessly serving in our Armed Forces.”

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Has all time expired?

The ACTING PRESIDENT pro tempore. It has.

Mr. REID. I ask unanimous consent to withdraw the motion to concur with the amendment.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The motion is withdrawn.

The question is on agreeing to the motion to concur.

Mr. VITTER. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

The result was announced—yeas 84, nays 15, as follows:

[Rollcall Vote No. 284 Leg.]

YEAS—84

Alexander	Gillibrand	Menendez
Ayotte	Graham	Mikulski
Baldwin	Grassley	Moran
Baucus	Hagan	Murkowski
Begich	Harkin	Murphy
Bennet	Hatch	Murray
Blumenthal	Heinrich	Portman
Blunt	Heitkamp	Pryor
Booker	Heller	Reed
Boozman	Hirono	Reid
Boxer	Hoeven	Roberts
Brown	Inhofe	Rockefeller
Burr	Isakson	Rubio
Cantwell	Johanns	Schatz
Cardin	Johnson (SD)	Schumer
Carper	Johnson (WI)	Scott
Casey	Kaine	Shaheen
Chambliss	King	Stabenow
Coats	Kirk	Tester
Cochran	Klobuchar	Thune
Collins	Landrieu	Toomey
Coons	Leahy	Udall (CO)
Cornyn	Levin	Udall (NM)
Donnelly	Manchin	Vitter
Durbin	Markey	Warner
Feinstein	McCain	Warren
Fischer	McCaskill	Whitehouse
Franken	McConnell	Wicker

NAYS—15

Barrasso	Enzi	Risch
Coburn	Flake	Sanders
Corker	Lee	Sessions
Crapo	Merkley	Shelby
Cruz	Paul	Wyden

NOT VOTING—1

Nelson

The ACTING PRESIDENT pro tempore. The motion to concur in the House amendment to the Senate amendment to H.R. 3304 is agreed to.

Mr. REID. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Alejandro Nicholas Mayorkas, of the District of Columbia, to be Deputy Secretary of Homeland Security.

Harry Reid, Thomas R. Carper, Barbara Boxer, Mark Begich, Richard Blumenthal, Benjamin L. Cardin, Tom Udall, Debbie Stabenow, Sheldon Whitehouse, Bernard Sanders, Mazie Hirono, Christopher A. Coons, Jon Tester, Brian Schatz, Martin Heinrich, Claire McCaskill, Heidi Heitkamp, Kirsten E. Gillibrand.

The ACTING PRESIDENT pro tempore. Under the previous order, the mandatory quorum call under rule XXII is waived.

The question is, Is it the sense of the Senate that debate on the nomination of Alejandro Mayorkas, of the District of Columbia, to be Deputy Secretary of Homeland Security shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

The yeas and nays resulted—yeas 55, nays 45, as follows:

[Rollcall Vote No. 285 Ex.]

YEAS—55

Baldwin	Harkin	Nelson
Baucus	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Booker	Kaine	Sanders
Boxer	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Manchin	Udall (CO)
Coons	Markey	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murphy	
Hagan	Murray	

NAYS—45

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 55 and

the nays are 45. The motion is agreed to.

EXECUTIVE SESSION

NOMINATION OF ALEJANDRO NICHOLAS MAYORKAS TO BE DEPUTY SECRETARY OF HOMELAND SECURITY

The ACTING PRESIDENT pro tempore. Cloture having been invoked, the Senate will proceed to executive session and the clerk will report the nomination.

The legislative clerk read the nomination of Alejandro Nicholas Mayorkas, of the District of Columbia, to be Deputy Secretary of Homeland Security.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. KING). Under the previous order, the Senate will be in a period of morning business for debate only, with Senators permitted to speak for up to 10 minutes each.

PROVIDING FOR ENROLLMENT CORRECTIONS TO H.R. 3304

Mr. PRYOR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 71 which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 71), providing for corrections to the enrollment of the bill H.R. 3304.

There being no objection, the Senate proceeded to consider the resolution.

Mr. PRYOR. I ask unanimous consent that the concurrent resolution be read a third time and passed and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 71) was agreed to.

CLARIFYING THE NATIVE AMERICAN VETERANS' MEMORIAL ESTABLISHMENT ACT OF 1994

Mr. PRYOR. I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2319, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2319) to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994.

There being no objection, the Senate proceeded to consider the bill.

Mr. PRYOR. I further ask that the bill be read three times and passed and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2319) was ordered to a third reading, was read the third time, and passed.

CONVEYANCE OF CERTAIN PROPERTY IN ANCHORAGE, ALASKA

Mr. PRYOR. I ask unanimous consent that the Indian Affairs Committee be discharged from further consideration of H.R. 623 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 623) to provide for the conveyance of certain property located in Anchorage, Alaska, from the United States to the Alaska Native Tribal Health Consortium.

There being no objection, the Senate proceeded to consider the bill.

Mr. PRYOR. I further ask that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 623) was ordered to a third reading, was read the third time, and passed.

AMENDING THE ENERGY POLICY ACT OF 2005

Mr. PRYOR. Mr. President, I ask unanimous consent that the Energy Committee be discharged from further consideration of H.R. 767, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 767) to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project.

There being no objection, the Senate proceeded to consider the bill.

Mr. PRYOR. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 767) was ordered to a third reading, was read the third time, and passed.

ACCURACY FOR ADOPTEES ACT

Mr. PRYOR. Mr. President, I ask unanimous consent that the Judiciary

Committee be discharged from further consideration of S. 1614, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1614) to require Certificates of Citizenship and other Federal documents to reflect name and date of birth determinations made by a State court and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. PRYOR. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1614) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1614

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Accuracy for Adoptees Act".

SEC. 2. RECOGNITION OF STATE COURT DETERMINATIONS OF NAME AND BIRTH DATE.

Section 320 of the Immigration and Nationality Act (8 U.S.C. 1431) is amended by adding at the end the following:

"(c) A Certificate of Citizenship or other Federal document issued or requested to be amended under this section shall reflect the child's name and date of birth as indicated on a State court order, birth certificate, certificate of foreign birth, certificate of birth abroad, or similar State vital records document issued by the child's State of residence in the United States after the child has been adopted or readopted in that State."

MEASURES READ THE FIRST TIME—S. 1859 AND S. 1881

Mr. PRYOR. Mr. President, I understand that there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The legislative clerk read as follows:

A bill (S. 1859) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

A bill (S. 1881) to expand sanctions imposed with respect to Iran and to impose additional sanctions with respect to Iran, and for other purposes.

Mr. PRYOR. Mr. President, I now ask for a second reading, en bloc, and I object to my own request en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be read for the second time on the next legislative day.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro

tempore, pursuant to Public Law 106-398, as amended by Public Law 108-7, and upon the recommendation of the Republican leader, in consultation with the ranking members of the Senate Committee on Armed Services and the Senate Committee on Finance, reappoints the following individual to the United States-China Economic Security Review Commission: The Honorable James M. Talent of Missouri, vice Daniel Blumenthal, for a term expiring December 31, 2015.

ORDERS FOR FRIDAY, DECEMBER 20, 2013

Mr. PRYOR. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 a.m. on Friday, December 20, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate resume executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. PRYOR. Mr. President, there will be six rollcall votes at approximately 10:15 a.m. tomorrow.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. PRYOR. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 12:21 a.m., adjourned until Friday, December 20, 2013, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate on December 19, 2013:

THE JUDICIARY

GREGG JEFFREY COSTA, OF TEXAS, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT, VICE FORTUNATO P. BENAVIDES, RETIRED.

JULIE E. CARNES, OF GEORGIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT, VICE JAMES LARRY EDMONSON, RETIRED.

JAMES ALAN SOTO, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA, VICE DAVID C. BURY, RETIRED.

LEO T. SOROKIN, OF MASSACHUSETTS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS, VICE JOSEPH L. TAURO, RETIRED.

ELEANOR LOUISE ROSS, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA, VICE CHARLES A. PANNELL, JR., RETIRED.

LEIGH MARTIN MAY, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA, VICE BEVERLY B. MARTIN, ELEVATED.

M. HANNAH LAUCK, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA, VICE JAMES R. SPENCER, RETIRING.

MARK HOWARD COHEN, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA, VICE CLARENCE COOPER, RETIRED.

TANYA S. CHUTKAN, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA, VICE AN ADDITIONAL POSITION IN ACCORDANCE WITH 28 U.S.C. 133 (b)(1).

MICHAEL P. BOGGS, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA, VICE JULIE E. CARNES.

DISCHARGED NOMINATION

On December 17, 2013, the Senate Committee on Homeland Security and Governmental Affairs was discharged from further consideration of the following nomination under the authority of the order of the Senate of January 7, 2009 and the nomination was placed on the Executive Calendar:

*MICHAEL G. CARROLL, OF NEW YORK, TO BE INSPECTOR GENERAL, UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

*Nominee has committed to respond to requests to appear and testify before any duly constituted committee of the Senate.

EXTENSIONS OF REMARKS

TRIBUTE TO NORTHWEST HIGH
SCHOOL FOOTBALL TEAM**HON. JOHN K. DELANEY**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. DELANEY. Mr. Speaker, I rise today to honor Coach Mike Neubeiser and the Northwest High School football team of Germantown, Maryland, who won the Maryland Class 4A State football championship on Friday, December 6th.

With a 33–16 victory over Suitland High School, the Northwest Jaguars capped off a 12–2 season. This is Northwest's first state football championship since 2004 and the first state championship for a Montgomery County high school since 2008.

Even though Coach Neubeiser's team started the season with two losses in their first eight games, the Jaguars turned their season around to win the state title. This improbable turnaround proves that even when faced with adversity, Coach Neubeiser and his staff can inspire these young adults to accomplish great things. Thanks to his leadership, Northwest student-athletes have excelled both on the field and in the classroom. I wish the Northwest Jaguars the best of luck next season as they defend their title.

I ask that you and my other distinguished colleagues help me in honoring this significant accomplishment.

JONATHAN SEROTA YALE MODEL
CONGRESS SPEECH**HON. STEVE ISRAEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. ISRAEL. Mr. Speaker, I rise today, Mr. Speaker, to draw your attention to a speech given by one of my young constituents, Jonathan Serota of Brookville, NY. Jonathan ran for President of Yale Model Congress and spoke about the need for compromise and commitment to our country. His words are wise beyond his years and all of the members of this chamber would do well to hear them. I'd like to share them with you now and hereby insert Jonathan's speech as follows in the CONGRESSIONAL RECORD:

For 408 hours, the government of the United States of America shut down its facilities and closed its doors. Over the course of that tumultuous time, national parks, museums, and public grounds were barred to visitors. 800,000 Federal workers were sent home from their jobs, and many more were forced to work with delayed pay. Veterans, and active duty military per-

sonnel and their families were kept in a constant state of fear, worried about making ends meet. This period of panic was not caused by some foreign aggressor, some archenemy of state, or some ruthless tyrant. No, the crisis that shook the very faith that the American people had in their government, was caused by that very body itself. So who is to blame for the government shutdown? Shall we point fingers at Republicans? How about the Democrats? It must be someone's fault right? That IS what our political system has taught us isn't it? Well, it appears that recently, that is just what it has done. As the ominous clouds descended upon the capital in the early hours of October the 1st, the government shutdown that took place in the District of Columbia, and all across the country, had effects that will continue to be impactful for years to come.

Model Congress. The word 'model' implies a want or desire to replicate, to recreate and imitate. For years now, thousands of students have come to Yale and other conferences alike, and taken pride in acting as Senators, Representatives, Cabinet Members, and Presidents. We have touted our accomplishments on our resumes, shined our gavels and framed our certificates. My question to you tonight is: Do we really, want to model Congress? The body which we have all gathered here tonight to replicate has, over the past several years, produced a stalemate and inefficiency that has rarely been seen in the long and arduous history of both man and this nation. Complete ideological division, refusal to compromise, and the inability to put national interest above self interest has weakened our country, as well as its image both at home and abroad. Why is it as teenagers, we are able to sit down, talk, work out our problems, and come to productive agreements, but as adults, we put our fingers in our ears and stomp our feet on the ground until we get what we want? The roles seem to be backwards if you ask me.

People would like to have you believe that we are naive, we are inexperienced, and we know too little about the world to make decisions on our own. Well I argue the contrary. I think that they are too rigid, they are too closed minded, and they are too pleased with pushing the blame onto others, that they fail to see that the problem is caused by no one else but themselves.

Is this what America is about? Surely the land of the free and the home of the brave is not just some idealistic nonsense that we were told about in second grade, and then by the cruel hand of fate, forced to rule out as anything but true. The American ideal that we all hold dear to our hearts, the feeling of honor that sweeps over our senses and rushes down our spine when we publicly declare, "I am proud to be an American!" is only true because our government is about us, the people. We, the people, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity. We are that posterity.

We have come to this conference to argue for things which we are passionate about, and argue against those which we are passionately not about. We have come to this conference to test each other, and our ability to work together

to shape both foreign and domestic policy. We have come to this conference to gain experience, to gain knowledge, and to make progress not only for ourselves, but also for those who feel that their opinion doesn't matter. While most of us came here tonight with distinct political agendas, we have always been able to open our minds, challenge our beliefs, and move together in the hope that we may one day truly create what Ronald Reagan famously described as, "that shining city on a hill."

I love what we do here at Model Congress. If you ask me, I don't think we imitate Congress, we act better than it. We don't aspire to be like them, we aspire to be better than them. Here, at this conference, we have come together to act like the body of government that the founders intended. There are no special interest groups, no superpacs, no shady campaign deals, and no political parties. There is only the work we have set out to do, and the goals which we wish to achieve.

As I sat to write this speech, I decided that I wanted to talk about something that really mattered to us, the youth of America. Now, I could have simply gotten up here, shouted a couple of phrases like "legalize marijuana," "Make the playing field fairer," "lower taxes," "feed the hungry" and "help the poor." And while I'm sure that I would have gotten a couple of apathetic rounds of applause, I thought that it would be more prudent to get up here, and as I have, talk about something that we, both as citizens and as young adults, are frustrated with in the hopes of bringing about change.

If elected I vow to each and every one of you, that I will help us take those first frightening steps into the obscure and unsure future. I will do my best to lead this conference in a way so that Congressmen, Senators, Governors, and Presidents alike know that we won't accept anything less than that second grade idealistic dream, so that our peers both here and at home know that we mean business, and so that we may all realize that we must join hands and look into the unknown abyss that is our future, and conquer it with the fearless determination that is so quintessentially American.

With hope and faith, we move forward together. With knowledge and determination, we strive, to make a better tomorrow. May God Bless each and every one of you, and may God Bless the United States of America.

MAG STRITTMATTER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Mag Strittmatter for her outstanding service and commitment to our community.

It takes great strength to face the heart-breaking issues of poverty day after day, and even more strength to lead others in that fight. Leading The Action Center, Mag has that

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

strength in abundance. She has overseen a revolution in volunteer engagement at the Action Center, where more than 7,000 volunteers contribute annually for the good of the community. She has built on-going partnerships with Red Rocks Community College, Jeffco Human Services and the Metro Community Provider Network to bring resources to clients in one location. In her mentoring she can identify strengths and build the organization around them, with the deep wisdom to see that each person has an important role. Under her leadership, The Action Center's revenue increased by more than 600% since 2002. Directly affecting the community she serves in such a positive way.

I extend my deepest congratulations to Mag Strittmatter for her well deserved honor by the West Chamber serving Jefferson County. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

IN RECOGNITION OF RALPH WHITE

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. KEATING. Mr. Speaker, I, along with Representative KENNEDY, Representative MCGOVERN, Representative NEAL, and Representative TSONGAS rise today to recognize Mr. Ralph White, President of the Retired State, County and Municipal Employees Association of Massachusetts, upon his upcoming retirement.

Mr. White has diligently served the Association for the past forty-five years, and his leadership has guided this organization through many changes. Having retired at the age of thirty-eight from his position as a parole officer in the aftermath of a gunfire assault, Mr. White knew that there was still much for him to give to the Commonwealth. He then began his role of President of the Association. Throughout his tenure, he was instrumental in enacting many key reforms that benefit retirees. Such reforms included raising the pension cost-of-living ceiling, ensuring that retirees' and survivors' health insurance payments remained at a reasonable level, and improving protections for disability retirees. Mr. White has given a great deal to the Association and to the Commonwealth of Massachusetts, and his perseverance has touched many lives.

Mr. Speaker, I ask that my colleagues join us in thanking Mr. Ralph White for his many years of service.

HONORING THE BARBER SHOPPE IN KIRKLAND

HON. SUZAN K. DELBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Ms. DELBENE. Mr. Speaker, I rise today to honor the Barber Shoppe in Kirkland on fifty years of successful business. Since it opened in 1964, the Barber Shoppe has been pro-

viding the community with quality service and customer care. Their commitment to excellence has ensured that business stays steady in rough economic times and remains a local favorite.

I would like to give special recognition to Bill Bitz, the man who first started the business in the 1960's. Although Bill died last year at the age of 86, his legacy lives on at the Barber Shoppe. Bill instilled a special charm in the family-owned business that is behind its popularity.

Bill's daughter, Brenda Gordon, proudly took over the shop from her father when he retired. Gordon's training at Folks Barber College in Renton has helped her to continually enhance and improve the shop.

Although the shop now has a new building and a new name, it continues its legacy of classic comfort and high quality care. The Barber Shoppe serves as a role model for many other local businesses that hope to achieve a similar record of success.

I congratulate the Barber Shoppe on all of its accomplishments, and thank it for its contribution to the Kirkland community.

HONORING MR. RAYMOND THOMAS "R.T." RYBAK

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. ELLISON. Mr. Speaker, I rise today to recognize and honor the contributions of R.T. Rybak to the city of Minneapolis during his 12-year tenure as mayor, and to applaud his leadership in areas from education to government accountability to economic opportunity. Mayor Rybak has been an outstanding leader, a great public servant and a close friend.

R.T. Rybak, a Minneapolis native, began his distinguished career as a journalist for the Minneapolis Tribune. While working for various media outlets—including the Twin Cities Reader, Minnesota Public Radio, and Public Radio International—he was also an organizer who ran political campaigns and engaged in community activism. He campaigned for airport noise mitigation, sponsoring the famous "Pajama Protest" of 1999. Mayor Rybak's tactics have been inventive and inclusive, and his openness has made him a strong ally of communities often left out of the political process.

Mayor Rybak confronted a city with serious challenges: an increasing budget deficit, a stark achievement gap, pension issues, and public safety concerns. He went to work immediately, making difficult decisions to adjust taxes and budget priorities. Under his leadership, Minneapolis cut spending by 16 percent and paid down \$350 million of the city's debt, in spite of repeated state-level funding cuts. Faced with crises such as the 2007 collapse of the I-35W bridge, and the 2009 Great Recession, Mayor Rybak helped the city recover with poise and energy. He was a strong advocate for Minneapolis residents, while also using these opportunities to bolster mass transit infrastructure and to further diversify our economy. Minneapolis has recovered all 10,000 jobs lost in the recession, and added

an additional 5,000. The city now ranks first in the country for its low unemployment rate, and is less susceptible to future economic fluctuations.

Minneapolis is safer now than it has been in years. Most crimes have fallen to levels not seen in 35 years.

The people of Minneapolis are also more connected and informed. City-wide wireless internet, digital access to government information and services, and a forum for viewing city goals have made Minneapolis more open and accessible.

Mayor Rybak's advocacy for North Minneapolis, in particular, has been long overdue on the city's agenda. He increased city investment in addressing persistent gaps in education, housing, and economic opportunity that have faced North Minneapolis for decades. He championed programs that trained residents and placed them into good jobs, working with businesses to create sustainable, meaningful employment. He reduced foreclosures, and used city-owned land to promote affordable green housing. Mayor Rybak has laid the foundation for revitalizing North Minneapolis, and I am confident that our city's future leaders will follow his lead.

Mayor Rybak has also tackled the significant challenges facing Minneapolis schools. He started Minneapolis Promise, which provides young people with free college and career counseling and high-quality summer jobs. Since 2004, the STEP-UP internship program has given real-world job experience to over 18,000 Minneapolis youth. Rybak has led the effort to close one of the nation's widest achievement gaps by connecting schools, government agencies, non-profit organizations, and businesses to work together for our children's futures. This will be one of the lasting achievements he leaves with Minneapolis, as he continues the fight to close the achievement gap as the next Chief Executive of Generation Next.

Minneapolis will always be indebted to Mayor Rybak. From the balanced books of the city's treasurer, to the youth who can aspire to greater opportunity than their parents, to the residents headed to a secure job after months or years out of work, his achievements have improved Minneapolis and I thank him for his tireless service to our community.

LAKEWOOD HIGH SCHOOL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lakewood High School for their tremendous compassion and character shown during the floods that happened in the State of Colorado in September. This high school located in Lakewood, Colorado must be acknowledged because they showed incredible spirit and support to other schools around Colorado during a time of emergency.

After winning the Good Morning America Katy Perry contest, the students of Lakewood High School used their moment in the national

spotlight to direct national attention towards other students throughout the state affected by the floods. There are countless stories of different student groups and organizations within the school sending supplies, money and support to other students who were in need the most. This is exemplary of the character and compassion the faculty instills in the students at this high school.

I extend my deepest gratitude to Lakewood High School in their display of school spirit for their school and also for the State of Colorado. I am certain the students in this school will exhibit the same dedication and character in all of their future accomplishments.

HONORING MICHELLE "MISSY"
PALMISCIANO

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. ENGEL. Mr. Speaker, Michelle "Missy" Palmisciano is Founder and President of County Harvest—a non-profit food rescue organization she began in 2009 to ensure that good food otherwise being discarded was instead saved and delivered by volunteers to area soup kitchens, food pantries and homeless shelters.

With more than 200 volunteers, and relationships with dozens of County-based agencies and food donor businesses, Missy and her award-winning organization do more than 60 food rescue runs each week and have collected over 1 million pounds of food since County Harvest began feeding thousands of men, women and children every year. County Harvest continually seeks new food donors and agencies throughout Westchester County.

Missy is also a member of the Planning Board for the Village of Pelham Manor and an Advisory Board Member for Community Service Associates in Mt. Vernon. She has served as a Board Member for the Junior League of Pelham as co-chair of Community Outreach, member of the Prospect Hill Site Based Counsel, Board Member of Huguenot Nursery School and various committee roles supporting The Picture House and the Pelham Public Library's Novel Night.

She and her husband James have three children: daughters Jessica, and twins Allison and Sarah. She is being honored by the Pelham Civic Association for her extensive work in helping her community to be a better, and healthier, place to live. I salute her for her good works and wish her every success in her future endeavors.

RECOGNIZING THE FIFTIETH WEDDING ANNIVERSARY OF ROBERT AND CAROLYN BLACK OF VALPARAISO, FLORIDA

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to commemorate the Fiftieth Wedding

Anniversary of Robert and Carolyn Black of Valparaiso, Florida. A tireless and dedicated member of my staff who has been with me since the beginning of my time here in Congress, Bob is the epitome of an unwavering public servant, and I am grateful to have known him and his wife Carolyn for over twelve years. I am proud to honor the Blacks and congratulate them on this remarkable milestone.

Bob and Carolyn, both born into military families, have called many places home; however, it was each of their homes in Ohio in the 1960s that would prove to be particularly special to them. Their parents were both stationed at Wright-Patterson Air Force Base outside of Springfield, OH, and as neighbors, Carolyn was literally "the girl next door." Bob and Carolyn attended the same school, Greenon High. Bob's wit and intellect won over Carolyn's heart and became a perfect match to her grace and charm. As high school sweethearts, on November 23, 1963, Bob and Carolyn were married.

The son of an Air Force Pilot, Bob followed in his father's footsteps and was commissioned in the United States Air Force. Over the course of the last fifty years since their paths first crossed, Bob and Carolyn's journey would include assignments throughout the U.S. and around the world. Bob was steadfast in his commitment to support the varied missions of the United States, whether it be operating C-130s or C-141s, fulfilling his test pilot obligations, or commanding troops responsible for safe passage of everything from penguins to Presidents. Carolyn, having been daughter to a pilot herself, was equally steadfast in her commitment to the mission of a military wife and mother. She focused her troops on the active exploration of what each new location had to offer, the intentional effort to forge strong relationships with one another, and the importance of an open mind. It is unquestioned that the success of their partnership is possible because of the strength and love Bob and Carolyn share.

Bob's last assignment as the Vice Commander of the Air Force Development Test Center at Eglin Air Force Base, Florida brought them to the Gulf Coast in 1992. Bob retired from the Air Force as a Colonel in October 1994, though, with Carolyn's continued support, he continues to contribute to the defense of our country, including his role on my staff as my Senior Military Advisor.

Bob and Carolyn have accomplished much together, but their greatest achievement is their five daughters. They are the proud parents of Christine (and Brian McCann), Shana (and Christopher Swartz), Kelly (and Shawn Swartz), Sarah Kate, and Anna Lauren, and proud grandparents to Jack, Kate, Alden, and Bridget. All five daughters have continued their parent's commitment to family, community and compassion through their professions, such as nursing, medical research and specialty healthcare for Veterans as well as their personal endeavors such as programs for special needs children and Scouting leadership. Needless to say, Bob and Carolyn enjoy spending time with their family and the beauty of the Emerald Coast.

Mr. Speaker, on behalf of the United States Congress, I am humbled to recognize the

dedicated service of Bob and Carolyn to the Northwest Florida community and this great Nation. My wife, Vicki, and I congratulate the Blacks, our dear friends, on their Golden Anniversary and wish them and their family all of God's blessings. May He grant them many more years of good health and happiness.

THOMAS O. BOORMAN

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. McCLINTOCK. Mr. Speaker, I rise today to honor Thomas O. Boorman, a man who dedicated much of his life to serving others. Thomas spent four years serving on a mine sweeper in the Navy. He went on to serve for twenty-six years in the United States Air Force, flying over five hundred missions in a B-52.

Upon his retirement from military service, Thomas felt the call to continue serving his community. He first joined the Placer County Sheriffs office and then worked as a control officer at Folsom State Prison.

Thomas Boorman was an avid sportsman and adventurer and a devoted supporter of the Second Amendment. He would speak openly about his love for his country, his community and the unique freedoms that Americans enjoy. His commitment to our freedoms was consistently illustrated by his lifetime of military and public service. Please join me in honoring Thomas Boorman, a man of lifelong service who will be sorely missed by so many.

HONORING THE GLACIER PEAK
GIRLS CROSS COUNTRY TEAM

HON. SUZAN K. DeBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Ms. DeBENE. Mr. Speaker, I rise today to honor the 2013 Glacier Peak High School girls cross country team. On November 9, the Grizzlies repeated as 3A cross country state champions, and I would like to congratulate them on their impressive achievement.

The Grizzlies' championship title is the result of the hard work and strong effort of the entire team. I would like to give special recognition to senior Megan Davis, the team's top finisher at the state competition this year. Megan finished 12th overall with a time of 19:00.13. Beyond Davis, the team's success came from the efforts of freshmen Heidi Smith and Natalie Church, sophomore Charlie Sevenants, juniors Katherine Dittmann and Haley Longstreth, and senior Samantha Northrop.

The Glacier Peak girls cross country team has a legacy of success. Since it was established in 2007, the team has never finished any lower than seventh at the state competition, including three state championships in the past four years.

The Grizzlies' impressive record of success is a testament to their incredible work ethic

and the impressive coaching of Dan Parker. Coach Parker has provided the Grizzlies with the encouragement and training necessary for the team to continuously perform at such a high level of competition.

Again, I congratulate the Glacier Peak Girls Cross Country Team on all of their success. Their accomplishments and awards from this season are hard-earned and well-deserved.

CAROL SALZMAN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Carol Salzman for her outstanding service to our community.

Carol began her career as a critical care nurse at Exempla Lutheran Medical Center in 1978 and is now the executive director of the ELMC Foundation. Two signature fundraising events she created and leads are the White Rose Evening and the Leaves of Hope Run/Walk, which support Lutheran's hospice and cancer programs respectively. Carol has a passion for community health improvement and serves as the executive lead for Lutheran Medical Center's wellness efforts. She believes that through partnerships with Jefferson County Public Health and other community organization, we can address important community concerns like tobacco and obesity. Carol lives the wellness message and believes in it with all of her heart.

I extend my deepest congratulations to Carol Salzman for her well deserved honor by the West Chamber serving Jefferson County. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

ELAINE CHAPNICK

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. ENGEL. Mr. Speaker, Elaine Chapnick arrived in Larchmont in 1968 with her husband David and their two children, Adam and Melissa. She joined the League of Women Voters and volunteered to become Executive Director of the New York Council on Children's Television, working with the networks to promote better programming with less commercialism. She also spoke with parent groups throughout the Metropolitan area on how to manage television in their children's lives.

After teaching English for a year at a special fifth grade program at the Murray Avenue School she joined Caroline Silverstone to form a video production company. Their documentary projects included taping the Arts in the Schools program which Lincoln Center had introduced in the Mamaroneck schools. She then ran an after school video club at Chatsworth School.

When her children were in school full time she worked at Newsweek Broadcasting where

she developed a pilot children's public affairs program called Periscope. From there she went to the American Lung Association, initiated their anti-smoking campaign and became the Executive Director of Communications.

During this time she served on the Board of the Emelin Theater, on the Board of Larchmont Temple chairing the Adult Education Committee, the Board of LMC-TV that negotiated the original community cable agreement, the Board of Continuing Education, the School Board Selection Committee, and the Hispanic Resource Center, serving as Fund Chair and newsletter editor.

She represented the Village of Larchmont on the county's Community Development Block Grant Committee and was a member of the Board of Trustees of Barnard College where she chaired the Student Life Committee.

More recently she was a reporter covering the Larchmont Village Board meetings for the Larchmont Gazette, was a member of the Human Rights Committee which planned the last five Martin Luther King, Jr. events, serves on the Planned Parenthood Luncheon Planning Committee and is the President of the Larchmont/Mamaroneck Local Summit.

I congratulate Elaine Chapnick on receiving this year's Sunny Award, created in honor of former LMC-TV President Sunny Yeddis Goldberg, and given to individuals for their dedication and their outstanding contribution to our community.

TRIBUTE TO FRANK FLORES

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Ms. TITUS. Mr. Speaker, I rise today to pay tribute to the life of Frank Flores, known lovingly by his friends and family as "Apo," "Cabeza," or "Tagasi," who dedicated his life to his country and his family. Mr. Flores was born on October 25, 1950, in Guam. He graduated in 1968 from George Washington High School and enlisted in the United States Air Force and retired in October 1990 at Los Angeles Air Force Base (Space and Missile System Contracting Division) as a Master Sergeant. After his retirement from the Air Force, Mr. Flores continued his service to our country by joining the Veterans Administration, where he performed a number of duties to assist his fellow veterans. During his time at the VA, he rose from a GS 7 Trainee Veterans Benefits Counselor and retired as a GS 13 after just nine years. Mr. Flores served in a number of capacities, including as a Congressional Liaison Officer and as a Decision Review Officer. Following his retirement from the VA, Mr. Flores founded the Project Guiding Light Veterans Volunteer Advocacy Group, an organization focused on helping veterans navigate the benefits process at the VA. The group works closely with veterans and other Veterans Service Organizations to help veterans receive all of the benefits they have earned.

Mr. Flores worked extensively with the National Association of Chamorro Veterans in America (NOCVA), an organization seeking to

unite and organize Chamorro veterans across the United States to advocate on behalf of the Chamorro people. The organization, which was founded in 2011, has focused its efforts on honoring Chamorro veterans, and serving as their voice in Washington. The Chamorro ancestry traces back to Guam and the Northern Mariana Islands.

Mr. Flores spent his entire life serving others, and helped thousands of veterans through his tireless advocacy and dedication. His legacy will endure and serve as an example to us all.

REMEMBERING THE LIFE OF MAXIMILIAN BANDY

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mrs. BUSTOS. Mr. Speaker, I rise today to remember Maximilian Bandy of East Moline, Illinois who passed away on December 5th at the age of 87.

Max Bandy was born on February 1, 1926 in Centerville, Iowa, one of 11 children. After serving in the U.S. Army during the Korean War, Max worked at Case IH for over 40 years. He stayed active in his community as a union steward and later ran for Alderman of the 6th Ward. He was first elected in 1993 and remained on the City Council until 1999. Additionally, Max served on the board of the Florence Aldridge Child Development Center in East Moline.

Max loved being involved in his community, singing in his church choir and cheering on his Iowa Hawkeyes. He had a large family and was a very proud father, stepfather, uncle, grandfather and great-grandfather.

Mr. Speaker, I'd like to give my sincere condolences to Max Bandy's family and friends and honor his years of dedicated service to the people of East Moline.

HONORING JERRY FRIEDMAN

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. ENGEL. Mr. Speaker, Jerry Friedman is a wonderful example of someone who has continually given back to his community over the course of his 85 years.

Jerry was born in Brooklyn on December 9, 1928. He entered the service in 1948, and served in the Army Medical Corps before being discharged as a First Sergeant in 1953. In 1955 he married Lillian and they had two children, Lynn and Stuart, and are grandparents to Sophie and Benjamin.

The family moved to Co-op City and lived there for the next 42 years. There Jerry served on the Board of Directors for six years and was with the Boy Scouts for 20 years, becoming a Scout Master.

He has been a member of the Knights of Pythias for 25 years serving as Chancellor.

Jerry has a long work history with the Gateway Counseling Center where he worked with

consumer of mental health services. He was appointed to the Board of Visitors of the Bronx Psychiatric Center, a 360-bed facility accredited by the Joint Commission on Healthcare Organizations and affiliated with the Albert Einstein College of Medicine. Bronx Psychiatric Center has three inpatient services and a comprehensive outpatient program.

Jerry's photography hobby led to his pictures being shown at a variety of venues, including synagogues and senior citizen centers.

I wish Jerry the happiest of birthdays and thank him for his many years of service and his many contributions to the community.

DEAR JON

HON. E. SCOTT RIGELL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. RIGELL. Mr. Speaker, I rise today on behalf of Albert Caswell, who has written a poem in honor of Staff Sergeant Jonathan Dozier of the United States Army. Staff Sergeant Dozier was killed in Sinsil, Iraq on January 9, 2008, while serving his country. He was a highly decorated soldier, earning the Bronze Star and Purple Heart for his heroic sacrifice and for his commitment to his fellow Americans. He is survived by his wife Amy, their daughter Emma and his sister Jennifer. As we come upon this holiday season, may we remember Staff Sergeant Dozier and his family, as well as all our veterans and military personnel who have sacrificed so much for this great nation.

DEAR JON

IN HONOR OF AN AMERICAN HERO WHO GAVE
THAT LAST FULL MEASURE OF DEVOTION SSG
JONATHAN KILIAN DOZIER 3RD SQUAD, 2ND
CAVALRY SCOUT SNIPER THE UNITED STATES
ARMY

DEAR JON

Dear!
Dear Jon!
Rest my precious son!
Your war is over,
your fight is won!
And now,
as an Angel in The Army of our Lord your
new charge has begun!
As your soul went Airborne,
with your new wings oh high as won!
To watch over us from dusk to dawn!
To fight the darkness whenever it so forms!
And Jonathan we will miss you so,
now that you are gone!
Dear Jon!
But your life,
and your times within our hearts now so
lives on!
To remind us all,
of America's Best with hearts so very warm!
Dear Jon!
And oh Jon,
what a truly great American Hero you are
my son!
Dear Jon. . . .
for your life was short but like a shining star
shines on!
Of such selflessness,
who our Nation has so blessed!
As Strength In Honor was but your life's
quest!
As your fine soul was built upon the bedrock
of morality,

not to rest!
But For The Greater Good,
as you so gave all that you so could!
That Last Full Measure!
One's Life,
The Greatest of all Treasures!
As the Angels wept!
As they so saw what your fine soul would so
except!

Dear Jon!
For you were Army Strong,
chapter and verse, your song!
Because you stood for Something,
from dusk to dawn!
Airborne!
Ah,
but with such pride that patch was worn!
A Soldier's Soldier!
A Scout Sniper,
who out into the darkness moved on!
A team leader,
from where such inspiration was so formed!
All on your lonesome on the edge!
As you were gone!
Bolder than Bolder!
Bad To The Bone,
damn right just like your Dad a BULLDOZIER
who the word courage owned!

A perfect soldier,
who our Lord God soul now so owns!
Dear Jon!
Rest my son!
And your fine wife Amy and daughter Emma,
miss you so with each new morning sun!
Looking into Emma's face,
as it's you we so see my son!
As your beautiful Sister Jennifer's heartache
and tears have begun!
As she carries you in her heart and etched
upon her arm!
And your Mother and Father's pain cannot
so be undone!

Until,
they all so meet you up in Heaven one fine
day Dear!

Dear Jon!
And across Chesapeake this night,
as they lay their heads down to rest . . .
There comes a gentle rain from Heaven up
above,
are but our Lord's gift!

Are his tears to so ease your pain,
that which you are all so left with, all of his
love's!

Until one fine day you all so meet up in
Heaven above!

And you won't have to cry no more!

In life!

Could we?

Would we?

Would we ever the strength to so find?

To live such a selfless life as Jonathan's all
in time!

To fight the darkness and not ask why . . .

Dear Jon!

And now we lay your fine body down to rest!
As all of our tears begin to crest!

For you were one of those the most brilliant,
the best of the best!

Dear Jon!

You have died,

but you are not gone!

All in our souls you live on!

Amen!

BARBARA BROHL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Barbara Brohl for her outstanding service to our community.

As an RTD Board member, Barbara introduced a workforce development program for transit projects promoting the introduction of women in non-traditional positions. Barbara is continuously active in the community—from her "Newborns in Need" baby showers, to her mentoring programs, to the organizations she supports—including The Gathering Place and the Hispanic Advisory Council for Florence Crittenton, an alternative high school for pregnant and parenting teens.

I extend my deepest congratulations to Barbara Brohl for her well deserved honor by the West Chamber serving Jefferson County. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING JOE RUGGIERO

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. ENGEL. Mr. Speaker, Joe Ruggiero, the Chief of the Pelham Manor Fire Department, is a lifelong resident of Pelham whose professional commitment to Pelham as a decorated Firefighter and Chief equals his charitable contributions to the countless number of children and their families he has helped.

Joe has dedicated decades using hockey to have a positive impact on community kids. After creating Learn to Play clinics in the Westchester area, he volunteered to coach in Pelham Youth Hockey's in house and travel programs. Joe continues to make significant contributions to Pelham and the tristate area with his volunteer coaching and administrative league duties with the New York Raptors, a unique program that focuses on providing mentally and physically challenged hockey players with the opportunities to play hockey with games and events that had never been offered to them before.

Because of his extraordinary contributions, he was recently presented at Madison Square Garden with the prestigious 2013 Emile Francis Award for "tireless efforts, sacrifices, dedication and service to youth hockey." His dedicated commitment for the past 29 years does not stop on the ice as he has been a dedicated member of various charities and altruistic causes and programs such as Ice Hockey in Harlem, Pelham Civic Association's Scholarship committee and as a volunteer with the local Recreation Department.

He and his wife Marcia reside in Pelham, with their three children, Jillian, Christopher, and Alexander, who all were educated in the Pelham School system. I congratulate Joe on his being honored by the Pelham Civic Association for his many years and many contributions to the betterment of life in his community.

EAGLE SCOUT CHANDLER
PRYMOWICZ

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. BARLETTA. Mr. Speaker, I rise to honor Eagle Scout Chandler Prymowicz of Nanticoke, Pennsylvania who earned every possible merit badge recognized by the Boy Scouts of America.

At age 10, Chandler joined Boy Scout Troop 418 in Nanticoke. From his first day as a member of this organization, he was determined to earn every merit badge possible. To accomplish his goal, Chandler attended out of state merit badge colleges, volunteered as a camp counselor at Camp Minsi, and attended Jamboree in 2010. Even after reaching the rank of Eagle Scout at the age of 14, he continued to pursue this aspiration. On October 28th, 2013, Chandler completed the Sustainability merit badge, earning him a total of 137 merit badges and 12 palms. Only one out of every 225,000 Boy Scouts is able to achieve this feat. Although he will age out of the Boy Scouts this month, Chandler will stay involved in Scouting by becoming an assistant leader of Troop 418.

Mr. Speaker, for his determination and dedication to earn every available scouting badge, I commend Eagle Scout Chandler Prymowicz and wish him the best in his future endeavors.

MARO DIMMER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Maro Dimmer for her outstanding service and commitment to our community.

For over 27 years Maro and her husband Ed Dimmer have successfully grown Rheinlander bakery in Olde Town Arvada into the community jewel it is today. The bakery operates with the mission to give back to the community by donating 10 percent of its profits for charitable activities. Maro is instrumental in running the bakery's fundraising events, including the annual King Cakes for A Cause, a benefit for the Red Cross Disaster Relief Fund. With the celebration of Rheinlander's 50th year in business, the bakery raised over ten thousand dollars in their Bake Out Hunger Campaign, benefiting the Arvada Community Food Bank. Maro is a huge advocate of small business development and actively mentors bakeries in the Metro Denver area in addition to her own employees, teaching about inventory, margins, marketing and longevity.

I extend my deepest congratulations to Maro Dimmer for her well deserved honor by the West Chamber serving Jefferson County. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

QUINTEN CURTIS

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. MEADOWS. Mr. Speaker, I rise today to recognize Quinten Curtis, a 4th grade student from Granite Falls, North Carolina, who has truly demonstrated the spirit of Christmas this season. When his mother, Becky, asked for his Christmas list, Quinten requested two things: a clarinet and 100 cans of food for the South Caldwell Christian Ministries.

Quinten has proved that every one of us can have an impact on our community. His dedication to helping others is truly exemplary and he is a role model for children and adults alike. Quentin set a goal of donating 100 cans by Christmas, but so far has collected more than six times that amount. His selflessness is contagious and has motivated others in his community to participate, collecting donations at the First United Methodist Church.

Quinten's generosity is an inspiration to us all this holiday season, exhibiting the true meaning of Christmas.

HONORING WILLIAM ABRAMSON

HON. ELIOT ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. ENGEL. Mr. Speaker, William Abramson was born and raised in the Bronx and today is being honored by the Riverdale Jewish Community Relations Council with the Community Builder Award for his commitment to the community.

His commitment is impressive. Bill was President of the Board of Directors of the Riverdale YM-YWHA for four years and is now the Chairman of the Board. He is a Past President of the Benjamin Franklin Reformed Democratic Club and is presently a member of the Van Courtland Park Conservancy.

He served as Chairman of Community Board No. 8 in the Bronx for three years, and was the impetus for the creation of the 197-A plan, a system by which city agencies and local groups inspire area growth. He received the 2000 David Rockefeller Fellowship for helping to develop top private sector leaders and engage them in New York City's public arena. He is also Vice President of the Union Square Partnership, and a member of The Greenwich Village Chelsea Chamber of Commerce and Village Alliance.

He has been selected several times as "Commander for the Day" by the Policeman's Association and "Principal for a Day" by PEN-CIL. Mayor Bloomberg appointed Bill to the Workforce Investment Board, where he is on the Strategic Planning Committee.

Bill is an adjunct professor at New York University, teaching Facility Management and Leadership in Management. Bill has served as president of his condominium board in Riverdale for over five years. He has done numerous residential and commercial deals, serving on Real Estate Board of New York's, REBNY,

Residential Rental Committee, and REBNY's Retail Committees.

Bill is committed to making a positive difference in his community, the places he works at, and the people he works with and for. It is my pleasure to join with the Riverdale Jewish Community Relations Council in honoring Bill Abramson with the Community Builders Award for his years of dedicated service to his community and his city.

HONORING HIS EMINENCE
FRANCIS EUGENE CARDINAL
GEORGE, O.M.I., ON THE 50TH AN-
NIVERSARY OF HIS ORDINATION

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Francis Cardinal George on the 50th anniversary of his Ordination to the Priesthood. Yesterday I joined more than 100 bishops from around the world and hundreds of members of the Chicago Archdiocese in congratulating Cardinal George as he celebrated this milestone with a Mass at Holy Name Cathedral in Chicago, Illinois where he has served as leader of the Archdiocese for almost 17 years. Francis Eugene George was born in 1937 to Francis and Julia George on Chicago's Northwest side. He grew up there with his older sister Margaret and attended St. Pascal School. At the age of 13 he was diagnosed with polio, and to this day wears a leg brace to support the muscles that were damaged by his battle with the illness.

But George persevered and kept his faith, enrolling at St. Henry Preparatory Seminary in Belleville, Illinois, an affiliated high school with the Missionary Oblates of Mary Immaculate. He would eventually join the Missionary Oblates and would make his solemn vow as a member of the order. George was ordained a priest in 1963 at St. Pascal Church where his Catholic education had started as a boy. The following year he received a degree in theology from the University of Ottawa, his first of many degrees including a doctorate in Philosophy from Tulane University and a doctorate in Sacred Theology from the Pontifical Urbaniana University.

After spending time as a professor, George continued to serve his order when he became the Vicar General for the Oblates of Mary Immaculate. For 12 years, he traveled to missions in some of the poorest regions of Africa, Latin America and Asia. In 1990 Pope John Paul II appointed George as the fifth Bishop of the Diocese of Yakima, Washington. In 1996 he was appointed the ninth Archbishop of Portland in Oregon when he was installed by Pope John Paul II at the Cathedral of the Immaculate Conception. George would serve there for less than a year before he was appointed by Pope John Paul II to the vacant See of Chicago. He was the first native Chicagoan to be appointed as the Archbishop of Chicago, which serves 2.2 million Catholics in 356 different parishes. Within the first year of his service in Chicago, George was elevated to the honor of Cardinal.

For almost 17 years Cardinal George has led his people in the Chicago Archdiocese with his unmatched intellect and warmth. At Mass yesterday, Archbishop Joseph Kurtz, president of the U.S. Conference of Catholic Bishops, very aptly described George as "intelligent and articulate, courageous and curious, humble, zealous." Kurtz continued, "Like Pope Francis, we see in you a generous heart and zealous missionary spirit . . . a humble man of vision."

Today I express my admiration for Cardinal George's devotion to the Archdiocese of Chicago and the entire community, and honor his lifetime of achievements. I ask my colleagues to join me in wishing Francis Cardinal George well as he celebrates the 50th anniversary of his ordination, and to thank him for his inspiring service.

LORETTA DITIRRO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Loretta DiTirro for her outstanding service and commitment to our community.

Loretta is an extremely passionate and persuasive individual, especially when it comes to community. She was instrumental in changing the name of the Wheat Ridge Business Association, to help give more definition to the purpose and future of the group. Loretta ensures that the Wheat Ridge business members are well informed and well connected to the community at large, and she drove the membership from 30 to 200 members. She hosts events in her home to raise money for the Feed the Future Backpack Program, giving back to the children of her community. She opened up her garden for the Inaugural Wheat Ridge Garden Tour, and recruits volunteers for the historic Wheat Ridge Carnation Festival. As an influential leader and organizer, she is a valuable asset to the Wheat Ridge and Jefferson County communities.

I extend my deepest congratulations to Loretta DiTirro for her well deserved honor by the West Chamber serving Jefferson County. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

IN HONOR OF MRS. EVELYN STEVENS

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. ADERHOLT. Mr. Speaker, it is my privilege today to honor Mrs. Evelyn Stevens, a member of my staff for almost seventeen years. Evelyn is retiring this year after over 34 years of service to the U.S. House of Representatives.

Evelyn began working for my predecessor, Congressman Tom Beville, in 1979 and has

worked continuously since then with passion and dedication for the constituents of the current Fourth Congressional District of Alabama. It would be difficult to count the number of constituents that she has helped during her tenure with the Fourth District of Alabama.

Evelyn was married for almost 40 years to Milton "Bud" Stevens and has two daughters, Renita Rigney and Amelia Sutter. She has five grandchildren and ten great-grandchildren with two more great-grandchildren soon to be born. She enjoys traveling with her daughters and takes the time to visit a different baseball stadium in the country during a trip they take every year. Evelyn is also an avid bowler, bowling every Tuesday evening with her team.

Few people can look back on their life and see that they have contributed so much to the well-being of their fellow citizens and their country. Evelyn Stevens is one of those people.

On behalf of myself and all the people of Alabama's Fourth Congressional District, I can never thank her enough for her hard work and dedication to serving the people of Alabama and the United States of America.

May God bless Evelyn in the years to come.

PERSONAL EXPLANATION

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. BILIRAKIS. Mr. Speaker, on Thursday, December 12, 2013, I missed rollcall vote No. 641 for unavoidable reasons. Had I been present, I would have voted as follows: Rollcall No. 641: "aye" (On passage of H. Res. 441.)

COLLEEN JORGENSEN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Colleen Jorgensen for her outstanding service and commitment to our community.

Despite facing numerous public education funding cuts, Colleen found a way to launch a campaign to make Red Rocks Community College "green," resulting in reduced paper consumption, in a recycling program, and a boiler system that reduced 30 percent of carbon emissions. She has translated the value of mentorship into Community Learning Centers, the Gateway program, and a shadowing program for potential Principal Investigators. Colleen stays active in her greater community by serving on numerous boards and area chambers. Colleen's creativity and innovation in education has left a lasting impact on thousands of college students, hundreds of colleagues and the business community.

I extend my deepest congratulations to Colleen Jorgensen for her well deserved honor by the West Chamber serving Jefferson County. I have no doubt she will exhibit the same dedi-

cation and character in all her future accomplishments.

BURMA

HON. JOSEPH R. PITTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. PITTS. Mr. Speaker, despite U.S. officials continuing to celebrate the alleged "opening" of Burma and planning projects such as bringing electricity to the entire country, we need to stop and listen to the people of Burma. The ethnic groups have a different story to tell, one which does not support U.S. agencies' narrative. Ethnic minorities are not celebrating this alleged "opening." Instead, they continue to be forced to defend themselves from offensive attacks by the Burma army and regime.

Some officials in Washington act as if democracy has suddenly infused all levels of government and all policies in Burma, including by welcoming and feting Shwe Mann, the 3rd ranking official in the "former" dictatorship who is now serving as the Speaker of the Combined House of Parliament. The people of Burma are still fighting for freedom of speech, conscience, belief, and association. Political prisoners still languish in prison, the Muslim minority has been brutally attacked by factions of the Buddhist majority with nary an outcry by Aung San Suu Kyi or other democratically elected leaders, and Kachin women and girls are still raped by soldiers bent on purifying minority bloodlines. How can a government that continues to implement policies that directly contradict democratic principles be so embraced by the international community, including by U.S. officials?

What is wrong with this picture? The Administration is supporting those in favor of removing a dictatorship in one country while embracing a brutal dictatorship in another country. How is it that in one area of the world, our government has provided training and weapons to groups working against a dictatorship—even as some members of the opposition may have direct links to Al Qaeda—while in Burma, we have turned our backs on a population that has longed for democracy, freedom, and the protection of basic rights?

These inconsistent policies are deeply disturbing. "Former" dictators who truly desired to establish a democracy would stop using forced labor in military projects; would end horrific attacks against the Kachin, Northern Shan and Taang communities; would cease rearming, rebuilding, and resupplying their bases in ethnic territories; and would discontinue using bait and switch tactics in negotiations.

In recent negotiations between the Burma Government and the ethnic groups, the Government acts as if the ethnic groups should prove that they are trustworthy in terms of any ceasefire agreement. I would strongly posit that it's the other way around: the Government of Burma must prove its trustworthiness to the ethnic groups by ending its aggression before any ceasefire occurs. The ethnic minorities have simply defended their people and states

when under attacks initiated by the Burma government. It is time for those attacks to stop, it is time for the Burma Army to withdraw from the ethnic areas, and it is time for the international community to stop indirectly facilitating the blatant racism in Burma by normalizing every relationship with the regime Burma and instead express exceptional disappointment with the failure to move forward towards honest political dialogue and true democracy.

I call on the Government of Burma to prove its commitment to democracy and peace by unconditionally and immediately ending the horrific attacks against ethnic minorities and fully withdrawing from their territories. Earn the trust of the people by showing, over the long term, that you truly have turned 180 degrees and will implement democratic principles instead of imposing a dictatorship on the population.

I call on the Obama Administration to embrace the reality in Burma. Listen to what the people who live inside Burma say they desire. They want to live in peace, but that will not happen until the Burma Government and Army stop their attacks against the ethnic groups and enact a nationwide ceasefire. The U.S. Administration needs to stop its direct and indirect support for the Burma Government and Army by discontinuing assistance until specific benchmarks are met, by delaying any Pentagon training until all attacks against minorities cease, and by ensuring the ethnic nationality groups are given a full and equal place at the table to help decide the future of their country.

To the ethnic nationalities of Burma—stand your ground. You deserve to have your rights and freedoms protected and you deserve an equal place at the table to decide the future of your country.

RECOGNIZING THE ACCOMPLISHMENTS OF LIBERTY HIGH SCHOOL AND THE WORLD OF WONDERS SCIENCE PROGRAM

HON. JERRY McNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. McNERNEY. Mr. Speaker, I rise today to recognize Liberty High School in Brentwood, California. Liberty High School was the recipient of the Lawrence Livermore National Security's (LLNS) Community Gift Program for the school's AP Environmental Science and Calculus Classes. These classes engage students in science through a water quality monitoring project that allows students to sample, analyze, and interpret water quality data for Marsh Creek.

I also want to recognize the World of Wonders Science Museum in Lodi, California, which also was a recipient of the LLNS Community Gift Program. This museum offers hands-on, science-based exhibits and programs to disadvantaged schools within San Joaquin County.

Engaging young people in science, technology, math, and education programs is key to ensuring that the United States remains a world leader in technology advancements and

innovation. We must challenge our children intellectually and find ways to keep them interested in making our world a better place.

It is in the classroom, the home, and our community that children are inspired to learn and explore. Liberty High School and the World of Wonders Science Museum represent what can be accomplished when all partners involved work together.

I urge my colleagues to join me in recognizing Liberty High School and the World of Wonders Science Museum for earning a competitive grant and for the work they do with children in our community.

HONORING MARTHA LOPEZ

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. ENGEL. Mr. Speaker, Martha Lopez arrived here from Mexico City when she was 15, attended and graduated from Mamaroneck High School. She went on to get her B.A. in Sociology from Lehman College and a Master's degree in Social Work from Columbia University.

She worked for the Washingtonville Housing Alliance for more than 17 years as the assistant director. While there she involved herself in a variety of community activities including as a Founding Member of the Board of Directors of KEEPS, an after-school program for children in Mamaroneck, and as a Founding Member and Chair of Voz y Vida at St. Vito's Church which helps Hispanic families adjust to the United States and easing the problems of day laborers in Mamaroneck. Voz y Vida received the Martin Luther King Award from the Mamaroneck Tri-Commission Human Rights Committee in 1993.

She is also a member of the Westchester Hispanic Advisory Board, Secretary to the Board of Directors, Emelin Theater, and Co-founding the Hispanic Resource Center of Larchmont/Mamaroneck and served for two years its president.

She received the Dr. Martin Luther King Human Rights Award, for her efforts on behalf of immigrants.

In 2001 Martha was named Director for Hispanic Affairs for Westchester County, serving as a bridge between government programs and services and the Westchester Hispanic community.

In 2010 Martha oversaw the village-wide educational campaign that complied with the Federal Voting Rights Case settlement of Port Chester.

She is presently Bilingual Election Inspector Coordinator with Westchester County Board of Elections where she manages a county-wide training program for more than 200 bilingual (English-Spanish) election inspectors.

She and her husband Dennis Hanratty, Executive Director of Mount Vernon United Tenants, have two children. Louis and Jason.

Martha Lopez has compiled an extraordinary record of accomplishments for the Hispanic community and for Westchester County and I am proud to join with the Hispanic Democrats of Westchester in honoring her.

TRIBUTE TO LESLIE A. MILLIN

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mrs. CHRISTENSEN. Mr. Speaker, I rise to honor the memory of Leslie A. Millin, Sr. a former Director of Personnel for the Government of the U.S. Virgin Islands, who recently passed away after a long illness. Leslie A. Millin was a career public servant, a community activist and a man committed to our territory.

He will be remembered for his hard work and dedication to civil service and his commitment to improving the quality of life, not just for government employees, but for all Virgin Islanders.

Leslie Millin, Sr. was first appointed to Director of Personnel, by our first elected governor, the Honorable Melvin E. Evans in 1972. Under his directorship, a voluntary Health Insurance Plan was established. He continued his service during the administration of former Governor Juan Luis, and was the last Personnel Director to administer both the Government Employees Retirement System and the Personnel System of the Virgin Islands government. Under the administration of the Honorable Roy L. Schneider, he served as Director of Human Resources and Comptroller of the Department of Public Works.

Leslie Millin, Sr. came from a family for whom public service was first nature. He is the grandson of the first female Virgin Islands Senator Lucinda Millin, the son of the third elect Lieutenant Governor Henry A. Millin and the brother of sitting Virgin Islands senator Janet Millin Young and the father of current Commissioner of Property and Procurement Lynn Millin Maduro.

As we remember Leslie Millin, Sr.'s example of public service, I offer my condolences to his wife, Daisy-Mae, his sister, Senator Janet Millin Young, his children, to include Commissioner Lynn Millin Maduro and his many other relatives, friends and colleagues who are all saddened by his passing. On behalf of my family and staff, I extend my sympathies. May he rest in peace.

HONORING CHIEF MARK MCCORMICK

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Chief Mark McCormick, who is retiring after more than 20 years of service with the Santa Rosa Fire Department.

Mark has been a member of the Santa Rosa Fire Department for more than 20 years, during which time he has served our community in a number of capacities. He has served as a Firefighter, Fire Captain, Fire Inspector as well as the Department's Deputy Fire Chief and City Fire Marshal. Mr. McCormick was appointed Fire Chief on September 1st, 2011.

His long and storied career began 32 years ago when he served his country in the United States Air Force in Anchorage, Alaska. After being honorably discharged from the Air Force, he began his post-military career in firefighting with both the City of Corona and the Orange County Fire Departments prior to moving to Santa Rosa in 1991.

During his tenure with the SFRD Mark saw many successes, including the expansion of the department's service territory with the construction of Fire Station-10 and Station-11. In addition, Mr. McCormick was instrumental in the development of a funding plan for the relocation of Fire Station-5 to Fountaingrove Parkway, which is within a significant Wildland Urban Interface fire zone within the City. Mark also oversaw the implementation of a residential sprinkler ordinance as well as major improvements in public safety communications ensuring that all police and fire communications functioned in all buildings, large and small. These efforts are first hand proof that Chief McCormick's top priority was always the safety of his community.

In addition to his work as a public servant, Mark is a former President of the Santa Rosa Firefighters, IAFF Local 1401 where he served on their Executive Board for eight years. In 2003, Mark was honored by labor and management as the Santa Rosa Firefighter of the Year.

Mr. Speaker, Mark McCormick has spent more than two decades serving his country and community. It is appropriate that we honor him today for his public service and to wish him well upon his retirement.

HONORING REV. EDWARD
MULRAINE

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. ENGEL. Mr. Speaker, Houses of Worship in the United States have played a major role in our communities, offering solace, support, and sustenance, both physical and moral, to all. In Mount Vernon, the Unity Baptist Tabernacle, under the guidance of the Rev. Edward Mulraine fulfills all those roles, and today we are celebrating Rev. Mulraine's tenth Pastoral Anniversary in guiding the membership of his church.

Rev. Mulraine has accomplished much in that time to help his Church, his Ministry and his Community.

He established a Men's Fellowship Choir, a Prayer Ministry, a Senior Ministry, and the Gospel Pearls. He expanded the Church's Ministry through radio station WVOV and the Internet. He instituted Women as Deacons and Unity Baptist Tabernacle saw its first Women Deacons in 2011. Unity Tabernacle now teaches Weekly Bible Study and has a Drama Ministry and a Catering Ministry.

More pragmatically Rev. Mulraine raised the funds for a new computer center which now has 14 brand new computers, installed new air conditioning in the Dining Hall, painted the sanctuary and redid the Church roof, and is paying off the \$300,000 mortgage.

Beyond his church and ministry, Rev. Mulraine has aided his community by getting pedestrian crossing light on local streets, marching against violence, and protesting cuts to Day Care and Mount Vernon Hospital. He established the Annual Church Trip and Fellowship to South Carolina, started Home Coming after Summer Break, and fought for funds for the South Street Park.

Rev. Mulraine, and all of Mount Vernon, today celebrate his tenth anniversary as Minister of the Unity Baptist Tabernacle. I am proud to join in this celebration of a man who has made a great difference in his Church, his Ministry and his Community.

IN HONOR OF LIEUTENANT NANCY
THURNAUER

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. COURTNEY. Mr. Speaker, I rise today to pay tribute to Lieutenant Nancy Thurnauer who is set to retire from the Coventry Police Department at the end of December 2013. Affectionately known as Officer Nancy, she has spent the last thirty-two years serving the Town of Coventry.

Lieutenant Nancy Thurnauer began her career with the Coventry Police Department on September 14, 1981 as a dispatcher. She became a sworn officer in August 1985 and was promoted to the rank of Lieutenant in February of 1998. She often worked with children, and spent a number of years teaching D.A.R.E. in the Coventry School system. Frequently praised for her compassion for others, Officer Nancy was beloved by many in Coventry. She received numerous commendations and heartfelt letters of gratitude from those she had helped.

In 2008, Lieutenant Thurnauer played a crucial role in negotiating the surrender and apprehension of an armed assailant who had just committed a murder and was holding a child, refusing to surrender. Her courage and skill earned her the Department's Police Service Cross.

I ask that my colleagues join with me in honoring the career of Lieutenant Nancy Thurnauer. I wish her the best of luck with all her future endeavors. I have no doubt that she will remain an active member of her community in Coventry.

ACADIANA HIGH SCHOOL
WRECKIN' RAMS CROWNED
STATE CHAMPIONS

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. BOUSTANY. Mr. Speaker, I rise today to congratulate the Acadiana High School Wreckin' Rams football team for recently being crowned Class 5A state champions by the Louisiana High School Athletic Association on December 14, 2013, in New Orleans. This

team put on a show for the ages as it amassed a state finals rushing record of 634 yards night en route to its 77-41 win over the Parkway High Panthers in the state championship game. The 77 points by the Rams was a Class 5A record, including 42 points in the first half.

The game was a shootout with teams trading possessions frequently. Acadiana High School attributed its success to the veer offense which combined a strong offensive line with a formidable ground game. Evidenced by the fact four of the team's running backs gained over 140 yards under the bright lights of the Mercedes-Benz Superdome, the offensive scheme was a success.

This was Acadiana High School's third state championship. I'd like to congratulate Coach Ted Davidson, finals' Most Outstanding Player Edward Cormier, and the entire Wreckin' Rams team on their victory. This team made its community proud by the way it simply dominated its competition en route to becoming state champions.

I look forward to next year's football season and wish the Wreckin' Rams team good luck in defending its crown.

BARBARA SCRIPPS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Barbara Scripps for her outstanding service to our community.

In addition to running her own accounting firm in Evergreen for over twenty years, Barbara never hesitates to take the role of the leader on multiple non-profit boards, creating a trajectory to get things done. With her participation, community boards have undergone positive, significant financial changes and growth. As current president of the Evergreen Rotary Club she is helping to implement a fundraising strategy transition. She is a long-serving board member of both Evergreen Country Day School and Mt. Evans Hospice, and she saw the Center for Arts Evergreen through its creation of a visual arts center, and continues to serve on that board. The Colorado CPA Society recognized Barbara with an award as a "CPA Making A Difference", based on her strong support for her community.

I extend my deepest congratulations to Barbara Scripps for her well deserved honor by the West Chamber serving Jefferson County. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING SUSAN SOBEL

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. ENGEL. Mr. Speaker, Susan Sobel, the District Manager of the Yonkers Field Office of

the Social Security Administration is retiring after 35 years of service to the people on the New York area.

Susan began her career in November 1977 as a claims representative trainee in the Hunts Point Field Office and in 1982, she was promoted to operations supervisor in the East Bronx Field Office. In 1988, she participated in the New York Region Staff Development Program as a field services specialist in the New York Regional Office.

Over the years, Susan held positions of increasing responsibility, including social insurance program analyst in the New York Office of the Regional Commissioner and Assistant District Manager in the Yonkers Field Office. In September 2002, she received a temporary promotion to District Manager of the White Plains office and, in June 2003, she was named District Manager of the Yonkers Field office.

Throughout her career, Susan received numerous awards, including a Commissioner's Citation team award in 2001 and Deputy Commissioner's Citations in 2004 and 2005.

She was noted for her attention to detail and her dedication to the Social Security Administration and its mission. I worked with her on several occasions and was impressed by her ability and her attention to detail. I want to personally thank her for her years of dedicated service.

Susan and her husband Ron, who is also retiring from the SSA, plan to spend time celebrating family and friendships, travelling and exploring. I wish them the very best in their retirement years.

VERMILION CATHOLIC HIGH SCHOOL CAPTURES STATE 1A CROWN

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. BOUSTANY. Mr. Speaker, I rise today to congratulate the Vermilion Catholic High School Screamin' Eagles of Abbeville for recently winning Louisiana's Class 1A state championship over the Saint Frederick Catholic High School Warriors on December 14, 2013, in the Mercedes-Benz Superdome in New Orleans. With a convincing 63-18 win, there was no doubt which team deserved to be crowned state champions.

The Vermilion Screamin' Eagles team capped off its perfect 10-0 season with an offensive display that kept fans on the edge of their seats. After trailing 3-0 early in the game, the Screamin' Eagles answered by scoring 42 of the next 49 points. It was too much for Saint Frederick to overcome as Vermilion continued its scoring barrage on offense and special teams while its defense refused to give the Warriors an opening. Vermilion used a balanced attack as it passed for 269 yards while rushing for another 216 yards. Recording 16 first downs was key to establishing a new Class 1A championship record for most points in a game.

Congratulations to Coach Russell Kuhns and his team as this state championship

comes on the ten year anniversary of the Class 1A crown Vermilion won in 2003.

I look forward to next year's football season and wish the Screamin' Eagles team good luck in defending its crown.

ANN DEMERS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Ann Demers for her outstanding service to our community.

As a Special Needs teacher in Jefferson County Ann always gave above and beyond. Eventually becoming a school psychologist, she led training for the Second Step Curriculum and was a member of the Crisis Response Team during the Columbine High School tragedy. Ann is involved in her neighborhood, church, and family, organizing community events and service activities. She created a church community service group known as the Red Tent Ladies, and once she started on the Ralston House Board they saw exponential growth. Her spirit and dedication are truly inspiring.

I extend my deepest congratulations to Ann Demers for her well deserved honor by the West Chamber serving Jefferson County. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING AUDREY SMITH-JOHNSON

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. ENGEL. Mr. Speaker, Audrey Smith-Johnson was born in Yonkers and attended Yonkers Public Schools, and graduated from Tefft Business School. As a high school student, she volunteered at the Yonkers YWCA and was a Candy Striper at St Joseph Hospital. But it was while working various positions at a temp agency that she found her passion in real estate. She received her Real Estate Certificate and has been working in that field for 28 years.

But she has another calling, and that is as a member of her community. In July, 2005, she joined Community Sunset Temple #1132, Daughters of Elks, IBPOE Elks of the World. She was promptly elected as Doorkeeper and in 2006 she was elected as the Treasurer. There she has embraced in all facets of Elksdom. Some of the positions she holds are: Assistant Vice Loyal Daughter of Unity Past Daughter Rulers Council (Westchester & Rockland), she is a member of the New York State Daughters of Elks—Royal Court Department, Treasurer/Financial Secretary of the Past State President Circle of Westchester, Rockland and Sullivan Counties. This year she is the Chairperson of the Mid-Winter Conference for The New York State IBPOE of W.

She also belongs to the Yonkers African-American Heritage Committee, a not-for-profit community based organization that partners with several other such organizations, such as: Sister To Sister, YMCA, YWCA and The Yonkers Public Library. Mrs. Johnson joined the YAAHC in 2005, and was named Financial Secretary, a job she has kept, along with several appointed positions such as: Chairperson-Nominating Committee, Joint-Chair-Scholarship Committee and Assistant Corresponding Secretary.

In May 2009, Senior Center #9, located at Terrace City Lodge #1499 appointed her Communication/Publicity Director.

She and her husband, John (Worshipful Master of James H. Farrell #34, PH) have been married for 31 years. They have two children, Mrs. LaTasha Pagan and John, Jr., and a granddaughter Karissma. She is also a mother and grandmother to her extended family—Ms. Capricia McClellan and her children and her grandchildren.

I am proud to join the Luther V. Garrison Sr. Masonic Foundation in honoring Audrey Smith-Johnson as Woman of the Year for her many contributions to her community.

HONORING THE MARIA KONOPNICKA POLISH LANGUAGE SCHOOL OF CHICAGO AND OAK LAWN, ILLINOIS ON ITS 40TH ANNIVERSARY

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize the Maria Konopnicka Polish Language School in Chicago and Oak Lawn, Illinois. This year the school will celebrate its 40th anniversary.

Chicagoland is home to the largest population of people of Polish descent living outside of Poland. The Polish Language School, named for the great Polish poet, novelist, and activist, Maria Konopnicka, serves this population by offering kindergarten through high school students the opportunity to connect with and explore their Polish heritage. For forty years the school has excelled in teaching its students Polish language, history, and culture. Thousands of children have learned about Polish cultural heritage as well as the role Poles play in the United States and the world community, now and in the future. With its emphasis on civic responsibility, the school shapes students dedicated to supporting and improving Chicago's communities, and I am proud to have it in my district.

While the school stresses the importance of its students, the community surrounding the school appreciates the hard work and dedication of all the staff at the Maria Konopnicka Polish Language School. Parents and students understand the school's success is thanks to the unceasing devotion of teachers and administrative staff who work relentlessly for the benefit of the students.

Mr. Speaker, I ask my colleagues to join me in recognizing the outstanding faculties and students, both past and present, at the Maria

Konopnicka Polish Language School, and congratulating them on this special 40th anniversary. May the school continue to exhibit excellence in teaching students about Polish cultural heritage and language for years to come.

HONORING THE BEAR CREEK BOYS SOCCER TEAM

HON. SUZAN K. DELBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Ms. DELBENE. Mr. Speaker, I rise today to honor the 2013 Bear Creek High School boys soccer team. On November 23, the Bear Creek Grizzlies won the 1B/2B state championship, ending their impressive season with a record of 21–2–0. I congratulate them on this impressive achievement.

This championship victory was especially fulfilling for Bear Creek High School because it settled a rivalry between them and Grace Academy. The Grizzlies' only two losses during the season were to Grace Academy, with both of those games ending in 0–0 draws and decided by penalty kicks. Tied 0–0 at halftime, the Grizzlies would not let history repeat again, and they came together to win the state championship game by a score of 2–0.

I would like to give special recognition to Jesse Leuenberger and Nathan Sim who scored the two goals of the state final. Goalkeeper Blake Denniston also played a pivotal role in the final game, earning a shutout in the championship game.

The Grizzlies' defense racked up 16 shutouts this season and the offense outscored its opponents by 87–7.

The Grizzlies' impressive record this season is also a testament to the team's high level of coaching. Coach Chad Pohlman provided the boys with encouragement and training necessary to achieve this notable feat.

Again, I congratulate the Bear Creek boys soccer team on all of their success. Their accomplishments and success are hard-earned and well-deserved.

IN RECOGNITION OF ANGELA SANFILIPPO AND J.J. BARTLETT

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. KEATING. Mr. Speaker, I rise today to recognize Ms. Angela Sanfilippo and Mr. J.J. Bartlett, this year's recipients of the Offshore Mariners' Wives "Friends of the Fishing Industry" awards.

In late 1994, a group of people got together and formed an organization called the Massachusetts Fishermen's Partnership. The name was fitting, as it truly has been an organization or partnership of as many as eighteen distinct fishing organizations from throughout the state. The group's founders soon recognized the strong need for comprehensive health care for fishermen and their families.

One of the original founding members of the MFP and one of this year's award recipients is

Mrs. Angela Sanfilippo. Ms. Sanfilippo is well known throughout the industry. For thirty-seven years she has been a constant crusader for the fishermen of Gloucester in her role as the President of the Gloucester Fishermen's Wives Association. She has battled to prevent the drilling for oil on Georges Bank and to keep The Stellwagen Bank National Marine Sanctuary open to fishing, both commercial and recreational. Her many years of dedicated service to the local fishing industry have been invaluable to its success.

This year's second recipient of the "Friend of the Fishing Industry Award" was Mr. J.J. Bartlett. For twenty years he has served as the focal point of the "Fishing Partnership's Health Plan" and has worked tirelessly on creating and providing affordable, comprehensive health care for fishing industry families. In 2008 the Boston Business Journal named him a "40 under 40" honoree, and in 2009 he testified on rural health issues and hard to reach populations at the request of the White House Office of Health Reform. The Fishing Partnership under the guidance of Mr. Bartlett now provides access to professional counseling, assistance with health insurance applications, and offering Safety at Sea Training. The Fishing Partnership has now become the Human Resources Department for the Massachusetts fishing community.

Mr. Speaker, I am proud to honor Ms. Angela Sanfilippo and Mr. J.J. Bartlett, this year's recipients of the Offshore Mariners' Wives "Friends of the Fishing Industry" awards. I ask that my colleagues join me in thanking them for their service to the local Massachusetts fishing industry.

MICHELLE CLAYMORE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Michelle Claymore for her outstanding service and commitment to our community.

Michelle Claymore's enthusiasm for Jefferson County's economic vitality is both evident and contagious. She helped set in motion the AddOne campaign, improving the economy one job at a time, and has attracted, expanded and retained employment through her role as the Vice President of the Jefferson County Economic Development Corporation for the past 18 years. Michelle's innovative business incentive structure was instrumental in attracting the Coleman Company's corporate headquarters to relocate to Jefferson County in 2011. Understanding the importance of professional development, she started and runs the first nationally accredited economic development training program in Colorado. The program has trained over 200 students so far. Her passion for the county, its businesses and its citizens knows no bounds.

I extend my deepest congratulations to Michelle Claymore for her well deserved honor by the West Chamber serving Jefferson County. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

TRIBUTE TO FORT HILL HIGH SCHOOL FOOTBALL TEAM

HON. JOHN K. DELANEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. DELANEY. Mr. Speaker, I rise today to honor Coach Todd Appel and the Fort Hill High School football team of Cumberland, Maryland, who won the Maryland Class 1A State football championship on Saturday, December 7th.

With a 25–0 victory over Douglass High School, the Fort Hill Sentinels capped off a perfect 14–0 season. This is Fort Hill's third state football championship in their school's history and the first since 1997. Throughout the 2013 regular season and playoffs, the Sentinels dominated their opponents. In the playoffs, competing against the best teams in the state, the Sentinels outscored their opponents by an impressive 162–13 margin.

In his sixth year as head coach, Coach Appel has compiled a 66–11 record. Throughout this success, Coach Appel has proven to be not just a great coach, but a trusted mentor to many young adults in Allegany County. Thanks to his leadership, Fort Hill student-athletes have excelled both on the field and in the classroom. I wish the Fort Hill Sentinels the best of luck next season as they defend their title.

I ask that you and my other distinguished colleagues help me in honoring this significant accomplishment.

HONORING RONALD SOBEL

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 19, 2013

Mr. ENGEL. Mr. Speaker, Ronald Sobel, Area Director for Area I, is retiring from the Social Security Administration (SSA) after more than forty-two years of helping people.

Ron began his career in August 1971 as a claims representative in the East New York, Brooklyn field office and in 1974 was promoted to operations supervisor in another Brooklyn office, later transferring to the North Bronx.

Over the years, Ron was promoted to positions of increasing responsibility, including operations officer in Jackson Heights, Queens, labor relations specialist in the Office of the Assistant Regional Commissioner for Management and Budget, and Assistant District Manager in the White Plains and East Bronx, Field Offices.

In 1993, Ron was named District Manager of the South Bronx Field Office and in 2009 he was promoted to his current position of Area Director for Area I.

Ron was an active member of the New York Region Management Society for thirty-seven years, serving as its President for four years. Throughout his career, Ron has received numerous awards, including a Regional Commissioner's Citation team award in 2007, individual and team Commissioner's Citations in

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2007 and 2001, and a Deputy Commissioner's Citation team award in 2004.

Ron's retirement plans include enjoying time with his family, including a new grand-

daughter, and friends. He and his wife Susan will explore New York City, vacation in Florida, visit Europe, and travel to wherever the road leads them.

I want to thank Ron for his many years of service to the people of New York City in one of our vital governmental agencies. The help he brought to them will live on for years.

SENATE—Friday, December 20, 2013

The Senate met at 9 a.m. and was called to order by the President pro tempore (Mr. LEAHY.)

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, who has blessed us with every spiritual blessing in heavenly places, we give reverence to Your holy Name. Thank You for choosing us to labor for liberty during these challenging times. Lord, keep us from the temptations that would thwart our effectiveness as You deliver us from evil. Use our lawmakers to lift the burdens of the lost, last, lonely, and least, bringing deliverance to captives and permitting the oppressed to be unshackled. Dwell in the hearts of our Senators, enabling them to be rooted and grounded in Your love.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The majority whip is recognized.

SCHEDULE

Mr. DURBIN. Mr. President, Senator REID, the majority leader, is absent today. I will be acting in his place. Senator REID called me this morning. He sounded good. We look forward to his speedy recovery.

Following my remarks and those of the Republican leader, the Senate will resume executive session to consider the nomination of Alejandro Mayorkas to be Deputy Secretary of Homeland Security postcloture.

The next hour will be equally divided and controlled between Senators CARPER and COBURN. There will be six roll-call votes at approximately 10:15 a.m.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION**NOMINATION OF ALEJANDRO NICHOLAS MAYORKAS TO BE DEPUTY SECRETARY OF HOMELAND SECURITY**

The PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination which the clerk will report.

The bill clerk read the nomination of Alejandro Nicholas Mayorkas, of the District of Columbia, to be Deputy Secretary of Homeland Security.

The PRESIDENT pro tempore. Under the previous order, there will be 1 hour of debate on the nomination equally divided and controlled between the Senator from Delaware Mr. CARPER and the Senator from Oklahoma, Mr. COBURN or their designees.

Who seeks recognition? The Senator from Delaware.

Mr. CARPER. Mr. President, I will speak very briefly. Then I would like to yield to Senator LEAHY for some comments he would like to make on the President's nominee to be our next Deputy Secretary of Homeland Security. The Senator has known Mr. Mayorkas for a number of years, worked very closely with him through his committee's oversight of the EB-5 program.

I am delighted he is going to take the floor and move from presiding to speaking. I am happy to yield to the Senator from Vermont.

The PRESIDING OFFICER (Ms. HIRONO.) The Senator from Vermont.

Mr. LEAHY. I thank my friend from Delaware. You know, the Department of Homeland Security is the leading agency for many of the pressing issues facing our Nation, from providing disaster relief to protecting our borders. The agency needs a full complement of leaders. That is why I am glad the Senate is considering the nomination of Alejandro Mayorkas to be Deputy Secretary of Homeland Security.

I want to thank the chairman of the Homeland Security and Governmental Affairs Committee, Senator CARPER, for pushing forward with this nomination. Alejandro Mayorkas currently serves as the Director of USCIS, the U.S. Citizenship and Immigration Services, the agency that makes the immigration system work.

Director Mayorkas has made it, by every analysis, a stronger and better functioning agency. It is unfortunate that in these partisan times Director Mayorkas' nomination has been the subject of unfair and partisan attacks.

It is wrong that some have tried to create controversy about him even before his confirmation hearing occurred in the Homeland Security and Governmental Affairs Committee.

The attacks were made even less credible by the conduct of the former DHS deputy inspector general who was forced to resign in the face of allegations of serious misconduct, a person who frankly has no credibility in my mind because of the egregious and inexcusable things he did while serving in this role.

This former deputy inspector general, Charles Edwards, on the eve of Director Mayorkas' confirmation hearing authorized the transmittal of an email to a Republican Senate office that contained sensitive information about an ongoing investigation involving Director Mayorkas.

One thing that both Republicans and Democrats should agree upon is that this conduct is wrong. I believe it is a clear violation of the law. It is something that should be condemned no matter who did it. Of course, the timing of the transmittal raised serious questions about the motivation for its disclosure.

Inspectors general are supposed to be way above politics. Well, guess what happened? The email authorized by this former and now disgraced deputy inspector general was published shortly after its transmittal on the Web site of a Republican candidate for Governor. Come on. This is wrong. Why would a Virginia gubernatorial candidate care about an investigation being conducted by the Office of Inspector General for the Department of Homeland Security? Well, because some of the anonymous allegations repeated in that email by the Office of Inspector General involved claims that Director Mayorkas intervened in an immigration matter for Terry McAuliffe, the governor-elect of Virginia. It was obvious this was done for political motives, not to make Homeland Security a better department.

Director Mayorkas, to his credit, has always put the interests of USCIS ahead of his own. He has made tough decisions to make that agency better. Sometimes tough decisions are not popular but needed. He made the decisions that were best for the country. He has brought significant resources to bear in the EB-5 Regional Center program.

Incidentally, the recommendations that he made to improve the EB-5 program were in a bill before the Senate Judiciary Committee on comprehensive immigration reform, a bill that

passed the Senate in June. Every single Republican, and every single Democrat, voted for those recommendations in the committee. Now, we have been waiting for the House to pass this important legislation. But in the meantime, Director Mayorkas has worked to ensure the program's integrity. He has acted to make sure the agency's decisions are correct under the controlling law and regulations. The suggestion that Director Mayorkas would risk his reputation and his credibility by improperly intervening in a single immigration case, out of thousands his agency handles every year, is absurd.

I remember during the consideration of comprehensive immigration reform in the Judiciary Committee—the former ranking member, Senator SESSIONS, praised my amendment to improve the EB-5 program following the recommendations of Director Mayorkas. These reforms contained a host of improvements to provide USCIS with strong oversight tools, security enhancements, and anti-fraud provisions. In fact, 68 Senators, Republicans and Democrats, voted for the comprehensive reform bill which had the EB-5 program improvements in it. Now, some have said here on the floor yesterday that we could make reforms to the EB-5 program this very day.

I would respond that the Senate voted for it earlier this year. I appreciate those Senators who want these EB-5 reforms for having voted for them back in June. I have seen no evidence that those Senators, who put such faith in the former Deputy Inspector General's flawed investigation, have asked the tough questions necessary to test the integrity of that investigation.

Instead of considering the circumstances of the disgraced former Deputy Inspector General's disclosure, and taking the opportunity to ask tough questions of Director Mayorkas at his confirmation hearing, Republican Senators on the Homeland Security and Governmental Affairs Committee instead decided to boycott that hearing. And when Chairman CARPER scheduled a Committee business meeting to vote on Director Mayorkas' nomination, all Republican senators but two failed to attend that meeting. This is unfortunate and in my view, an abdication of our responsibility to evaluate the President's nominees.

As senators, we are obligated to ask the tough questions of all nominees, but it is also important that we carefully consider the source and motivations behind any allegations against those nominees. Regarding the immigration case about which Director Mayorkas is accused of acting improperly, it is clear in emails that he wrote, which have been publicly disclosed, that he asserts his inability to become involved in any specific case. The emails that have been disclosed paint a picture of an agency director who took

great pains to avoid any appearance of favoritism or impropriety.

I would urge my colleagues to review carefully, and in context, that which has been disclosed. Furthermore, the Senate should consider the reliability of those who refused to meet with Democratic staff on the Homeland Security and Governmental Affairs Committee to discuss their allegations.

Come on. Let's stop playing political games with this. We have a good person, a person we should be thankful is willing to serve this country, a person who has been the subject of lies and smears. Director Mayorkas will serve the Department of Homeland Security, and the American people, honorably. Let's vindicate this person. Let's put him to work for the good of the country.

I thank the distinguished chairman from Delaware for his work on this.

Mr. CARPER. I thank the Senator as chairman of the Judiciary Committee for the many years working on the EB-5 program to make sure it fulfills its potential.

How much time do I have remaining?

The PRESIDING OFFICER. Twenty-three minutes.

Mr. CARPER. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, the unfortunate thing is we have a disagreement on the precedents of the Senate. We just had the President pro tempore of the Senate say that there were lies and smears. Not one member of the minority voted against Mr. Mayorkas in his confirmation hearing.

They all voted "present." The reason they did that was for a very important reason. The President pro tempore of the Senate did not mention the fact that there still—regardless of all of those things, there is still an ongoing investigation.

Never before in the history of the Senate has a position at this level been approved with an ongoing investigation. Facts are stubborn. I would like for him to tell me what the lies and smears are, that he claims, politically we have made. We have made no such claims.

What we have said is the ICE review of this program said it should be eliminated. It happened to have been authored by the President pro tempore. We had the majority whip on Wednesday night saying the following:

My colleague, Senator Tom Carper, chairman of this committee has gone to extraordinary lengths to investigate every allegation—

Is that right? Every allegation? They do not even know what the allegations are because we are not privy to them.—to answer every question, and to be there to work with the other side of the aisle to try to resolve any problems that they have with this nomination. Sadly, it has not been

successful because we do not know what the claims are. We think we know. We also have the chairman of the committee, before he ever heard the specifics of any complaint by whistleblowers demeaning those very whistleblowers and describing their words as "rumors and innuendo"—people who put their jobs on the line to report.

Then he claims they will not meet with him, even though he has asked them to meet twice. I cannot blame them, because he has already dismissed any credibility that they have.

We should wait for this investigation to be completed. I know we are not going to; we are going to roll this right through here. It is a disservice to Mr. Mayorkas. It is a disservice to the American people. It is a disservice to this body. All that I have heard from people who know Mr. Mayorkas are positive things. It is positive, but a legitimate investigation is ongoing.

I would make this other point: The administration knew that there was an ongoing IG investigation, and it failed to inform the chairman and failed to inform the ranking member when they sent his nomination over. Why is that? Why would they not tell us that? Was it just an oversight, or did they intend for us not to know?

The worst thing that comes about because of this nomination moving forward is the relationship and the trust that has gone from our committee. The difficulties going forward will be major because things have been implied that I, personally, am doing things for a political purpose rather than from a principled basis. There is no nominee who is under an investigation that I will ever meet with before that investigation is cleared.

The other claim that has been made is we wouldn't meet with Mr. Mayorkas because we didn't want to know the truth. The fact is we didn't want to prejudice our position without the knowledge of the facts, but that has not kept some in this body from claiming we had a motive other than what we have stated. Therefore, all our motives, rather than finding out the truth, our motives are that it has to be political.

I reject that. I take great offense at that.

I have no doubt that Mr. Mayorkas will be confirmed today.

The question I have is if, in fact, the IG investigation finds credible findings of wrongdoing or undue influence or impropriety, what then? How effective is this going to be?

I am not saying they will find it; I don't know. But we certainly know. The extent of the chairman's investigation is meeting with the nominee—and I am sure he is an honorable man. But my duty as a Senator is to know the facts, not to know my feelings, and we can't do that at this time. We are precluded from doing that.

Therefore, we are going to approve someone without full knowledge. We

will not be able to ably give our advice and consent because we know there are unanswered questions. If those unanswered questions fall to the side that says Mr. Mayorkas has done nothing wrong, then he will be there, but he will be there in less full power and less confidence than he would have had otherwise.

There have been 20 nominees that have come through our committee. I have voted against only one—only one. I have been a good partner for the administration in moving their nominees. But to ask us to ignore what might be potential critical information is to ask us to abandon our duty of advice and consent.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. I yield 5 minutes to the Senator from Louisiana, Ms. LANDRIEU.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. It is unfortunate that this situation has occurred. What is most unfortunate is it casts a poor light on a very extraordinary individual, someone who I have had the privilege to know very well for the last several years. It pains me and many Members of this body who know Ali Mayorkas personally and know of his extraordinary service to the United States of America to date that his name would be dragged through the mud like this.

I know the Senator from Oklahoma has been sincere in many of his efforts to streamline our government, to make it more efficient. While there have been individuals on the other side who have used the seats they have been privileged to gain in not the most admirable way, he is not one of them. I do not have any poor feelings or disappointment in him personally.

I think what has happened is a complete breakdown of trust on all sides, which has caused very extraordinary measures to be taken, because from our perspective, from my perspective, if a candidate such as this who has already been confirmed twice by the Senate, who served our country already as a U.S. attorney with the highest credentials prosecuting criminal cases and criminal activity that Senator COBURN and Senator CARPER have spent a career themselves pushing back so our government can be better, more transparent, and more honest, then I don't know where we go from here. I truly don't.

I do know this gentleman was willing to meet with anyone to try to clear up any misinformation. In fact, several Republicans, at my request—my specific personal request—met with him and came away with amazing opinions, high opinions of him when they asked him questions and he answered.

There is a lot of evidence to suggest the "investigation" against him is

bogus, is being conducted for inappropriate reasons. Sometimes these things happen in government, and it is our job to sort through.

Senator CARPER as chairman—I know because I serve on the committee as well—tried for months and months to get meetings to try to clear this up. We couldn't move forward in any way.

Should this man's name be ruined because there is not cooperation in the Senate for the first time in many decades? I have been here almost 20 years. I have never seen it like this and it is not this gentleman's fault.

I know his wife. I know his two girls. They have been to my office. I know his family. I have met his brothers. This is very painful to his family, and it is just not responsible.

It is not only about Director Mayorkas—Ali Mayorkas and his family, the Mayorkas family—it is about thousands of good people out there who would love to serve in this government despite the fact that many people on the other side think it is the worst thing ever created in the history of man. That is their view. It happens to be one of the greatest creations of man, with divine help, but we cannot convince them of that.

There are thousands of people who would want to serve in our government. But after listening to speeches that Mr. COBURN just gave or Mr. GRASSLEY, the Senator from Iowa, or the Senator from Oklahoma or others, who would want to put their families through this? No one.

Just because there is a group of people over there who despise the government—for whatever reason, I don't know—they shouldn't take their anger out on the individuals trying to make it better and fix what is broken. The EB-5 Program was broken way before Director Mayorkas had the responsibility to try to fix it, and he is only one human being. We all have the responsibility to fix this program.

To blame him and to drag his family through this after an extraordinary career prosecuting crime, I understand—and Senator CARPER will speak more to this—but when the people he worked with in the past needed someone to head something such as the integrity committee, they would choose him quite often. He has run the integrity committees in places where he has worked. That is a great honor.

In conclusion, now he comes up in one of the most important departments of the whole government, Homeland Security—which TOM CARPER authorizes as chair, and I fund to the best of my ability, with all sorts of attacks to our budget, to try to provide resources to this agency—and this gentleman whom we should be thanking every day for wanting to step up and take this job has to be dragged through this.

I make no apologies for the rules changes that made this possible. I am

sorry we were unable to convince people on the other side of his outstanding integrity and that the investigation against him is bogus, personal, and should be dismissed. The IG who was in charge of it has resigned under a cloud. That doesn't seem to make any difference to them.

I am proud to put my name and my vote behind this nominee who I know will do an exceedingly fabulous job for this country in a very important role we need.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. I wish to thank the Senator from Louisiana for that heartfelt, passionate endorsement of Ali Mayorkas' nomination.

How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 16 minutes remaining.

Mr. CARPER. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. I appreciate the comments of my colleague from Louisiana. It goes right to the point. She may be 100 percent right, but we do not know the facts. What we have is testimony from a lot of people that he is a fine man, but we don't know the facts. We say we do, but we don't. Therefore, we are asking this body to make a judgment without the knowledge. It goes against the very charge we have for advice and consent.

We besmirch all of the 650 people who work for this IG—who has not been associated with this case in over a month, in terms of personally directing it. We besmirch all those other people.

Were there credible accusations made? There must have been. There must have been. Maybe they are not accurate. They are allegations, but they should be cleared up and they should be cleared up for Mr. Mayorkas' sake so that when he takes this position, it is not under a cloud and he is totally exonerated. But we are going to go ahead anyway. Regardless of our experience, facts still count.

I have raised three daughters. They are in their forties and late thirties, and I love them dearly. They have great integrity, but they have made mistakes in their lives. They have made poor judgments. It does not mean they are not great individuals, but they have made mistakes.

What the Senator is saying is cover your ears and cover your eyes and don't see mistakes that were made. Make the judgment without that knowledge. I have no doubt the words my colleague from Louisiana spoke were true in terms of her experience, but the Senator wasn't there. The Senator didn't know.

There are six individuals who have put their jobs on the line to make allegations that have to be disproved by

nonbiased people who work at the inspector general's office.

What we are saying today is, You are not capable. You don't have the quality or the integrity to make a fair decision on this issue and so we are going to vote with that. It is amazing how good we are at looking into the crystal ball to know the truth without knowing the facts.

The vote is going to be based on the faith that we think Mr. Mayorkas has done nothing wrong. I hope that is true. I would have loved to be able to have voted for him knowing the facts, fulfilling my constitutional duty, but the Senator precludes that. I have no choice but to oppose the nomination, not because I don't know Mr. Mayorkas but because I don't have the facts.

I yield back the remainder of my time.

Mr. CARPER. Madam President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 15½ minutes remaining.

The Senator from Delaware.

Mr. CARPER. Our leadership is the most important element of any organization, be it a public or private organization, a business, school, a military unit, an athletic team. Leadership is key in everything.

The Department of Homeland Security, which protects us from all kinds of attacks—foreign and domestic, man-made and natural—needs leadership. They need confirmed Senate leadership. They haven't had it for months.

I am going to thank my colleagues who voted this week to confirm Jeh Johnson's nomination as the Secretary of this Department. He will be sworn in next week, thank God. He needs a team. On top of that team he needs Ali Mayorkas to be the Deputy Secretary.

Those are not only my words or the words of Senator LANDRIEU or Senator LEAHY or Senator FEINSTEIN. We received dozens of letters from people who know him. We know these names. We know their faces. We know their reputation. Some are Democrat and some are Republican. A number of them have helped lead the Department of Homeland Security—lead it.

This is a vacancy we are trying to fill. Jane Holl Lute is the last Deputy who stepped down 6 or 8 months ago. She literally oversaw his work and she was his boss, if you will. She thinks the world of him, not only in a role he served but as a guy who can step in and fill the shoes she used to fill.

I want to talk about this investigation. There are two tracks we are going down here. One is an investigation that was launched in September of 2012 by the IG—the OIG for the Department of Homeland Security—in 2012, 15 months ago. How did we find out about it? We found out about it through a leak, information leaked by the office to our friends on the other side 3 days before the hearing was supposed to occur.

We asked to talk to folks who came forward as whistleblowers. We asked for them to talk to the minority. We have asked and asked and asked and have never been given the chance to talk to them to find out what are their allegations, what is their story. Let's hear it. By the same token, they have refused to turn to the one person who knows the most about what is going on in this agency for the last 4 years—Ali Mayorkas—to say: You have been accused of this. Under our system of justice in this country the accused actually has a chance to defend himself, and when he did—we had a hearing—they didn't show up. They won't meet with him either.

So here is the situation. We have people who may be very good people. We don't know them, we don't know their names, and we don't know what they are saying. We just know we haven't had a chance to meet with them, and we know the one guy who is being accused here hasn't had a chance to give his story to those who are accusing him. Is that fair? I don't think so. I don't think so.

So we had that hearing at the end of July and no Republicans came. We put every tough question we could to Mr. Mayorkas, under oath, and he came through. He said about this case involving Terry McAuliffe that Mr. McAuliffe and his company wanted something; they didn't get it. The guy who really made the decision, who works for Ali Mayorkas, basically said—Mr. Rhew—that he made the decision. He made the decision. He was not pressured to make the decision. He ruled against Terry McAuliffe's company. End of case.

Here we are at the end of July. We have the hearing and the Republicans don't come. Dr. COBURN joined me in a letter to the Inspector General and said: Please, provide the resources to expedite and make a priority of this investigation. They were 9 months into that investigation at that time. That was the end of July. In August, we reached out and said, through staff: What kind of assets, what kind of priority are you giving this case? They had three people working on it. They have 650 employees in this office—650—and they had 3 full-time people working on it, an investigator and two research assistants. So we go into August, and they say we need a couple more months. A couple more months was October. Dr. COBURN and I sent another letter to the IG and said: How are we doing? Let's provide some priority to this, and let's get to the bottom of this.

That was in October. Two weeks ago, minority staff and majority staff from the committee had a phone conversation with the OIG's office and said: How are we doing? They said: There is no evidence of any criminal wrongdoing by anybody—not by Mr.

Mayorkas, not by anybody at DHS—but we are not done yet. We need several more months. Maybe come back in February or March.

In the meantime, the Department of Homeland Security doesn't have the leadership it needs—at least confirmed by us. How long are we going to wait? The terrorists aren't going to wait. The ones in foreign countries aren't going to wait. The ones in this country aren't going to wait. We need leadership. It is the key for everything—everything.

There is another audit that has been going on as well by the IG—the same IG—of the EB-5 program. I'm an old Governor—here we have an old State treasurer. We used to get audits all the time in State government. Auditors came in to do audits. It drove me crazy when the auditor would come in, make an audit for sometime in the past, and refuse to acknowledge that the department or the agency being audited had actually fixed those problems and submitted an audit that pretends like nothing is different. You have seen this. Senator DURBIN has seen this. I have seen this. It drove me crazy.

We have an audit that is going to be released, I think publicly in a day or 2, that has been shared with us in the Senate this week, and there are really four recommendations. As it turns out, of those four recommendations one of them needs the Congress to do something. We need to pass a law. Ali Mayorkas, 18 months ago said to the Judiciary Committee—to Senator LEAHY, Senator GRASSLEY: In order for us to make sure there is not fraud in the EB-5 program, to make sure there are not national security concerns, we need you—Congress—to do something about it.

When they reauthorized the EB-5 program in 2012, guess what. They didn't take his recommendations—none of them. This year we were doing immigration reform in committee—Senator DURBIN was one of the key players there—and when we did it, PAT LEAHY, chairman of the committee, made sure those recommendations were actually included in the immigration reform law—the recommendations from Ali Mayorkas—and they are in the immigration reform bill. We voted for them. It is over in the House now. It is sitting there gathering dust, unfortunately.

If Senator LEAHY doesn't introduce as a stand-alone bill those provisions allowing the EB-5 program to have the kind of governance it needs through the USCIS agency, if he doesn't do it, I said to him, I will introduce the legislation myself. I hope we will have a lot of cosponsors.

There are four recommendations. One of them needs us to do something in order for it to occur. The other two are either acknowledged, completed or done. On the other one, we just are in disagreement. It is outside the scope of the law. That is the audit. That is the audit.

So, my friends, I just want to say this: This is not a criminal investigation. The things Terry McAuliffe and his company sought were denied. The one person within the agency who has actually worked on these investigations and worked on these EB-5 programs has come forward and said: Look, Mayorkas did nothing wrong. I decided. I decided against Mr. McAuliffe's company and Mr. Mayorkas stayed out of my way.

We have endorsements. We don't know who the detractors are of Mr. Mayorkas. I wish we did, and I wish we had a chance to talk to them. We are never going to have a chance. I wish my friends on the other side had taken the time to talk to Mr. Mayorkas to say: Listen, this is what you are accused of. The Democrats don't know what you are accused of, but this is what we have been told by these six people. What is your story? What is your story?

Whatever happened to the Golden Rule? What happened to the idea that justice delayed is justice denied? You know, Mr. Mayorkas, as Senator LANDRIEU said, has a wife, they have two kids. They have a life to live. We have put them through hell for months. What kind of message does this send to other people, other agency leaders who go in and take on an agency that is in trouble, that has problems and needs to be fixed, needs to be shaken up? That person goes in and does it and gets whistleblowers or complaints out of it as a result? What do we say to other leaders who go into agencies that are in trouble and need to be shaken up, to those who are willing to get people to do things differently? What do we say to them? Don't do it; don't rock the boat; just let things slide? Is that the message we want to send? I don't think so.

We will not have a chance on this side to hear from those six people, but I tell you the other people who work in that agency had a chance to say something about the way they feel about how their agency is going. As my colleagues know, every year we get a report from a nonprofit organization that looks at 300 Federal agencies and asks the questions: How is morale? How do you feel about the work you are doing? One of those 300 was this agency led by Ali Mayorkas, the U.S. Citizenship and Immigration Services. The Department of Homeland Security, again this year—we just got the results this week, and again this year, the worst morale in the Federal Government of any department—in our government, the worst morale. But guess what. There is one agency in this department that stood up, that stood out, because out of those 300 agencies, No. 76—the top 25 percent—No. 76 was this agency led by Mr. Mayorkas.

Another question asked of the employees: Do you feel better or worse

about your senior leadership this year than last year? Since 2009, since he took over this organization in 2009, Madam President, guess what. Satisfaction with senior leadership increased by more than 20 percent. They feel better. They feel better about the senior leadership with Mr. Mayorkas than they did without his leadership.

Something is going on in that agency, folks. We are not getting the full story, but that survey that we got this week says a lot.

Mr. DURBIN. Will the Senator yield for a question?

Mr. CARPER. Please.

Mr. DURBIN. Through the Chair, I want to ask a question of the Senator from Delaware because he has touched on an issue that is important to everyone, but especially to this Senator from Illinois.

It was 12 years ago when I introduced the DREAM Act, and it was a little over a year ago the President issued an executive order which said they would defer the deportation of those eligible under the DREAM Act, but there was also a little wrinkle to it. They said the fees we were going to collect under this DACA, they called it—this executive order—had to pay for the administration of this executive order. This is extraordinary. We were basically saying this was a pay-as-you-go effort that has drawn more than 600,000 applications and over 450,000 approvals. This went right through Mr. Mayorkas's responsibility and jurisdiction.

So I would say to the Senator from Delaware, not only is the morale good in his agency, but the job they have done is extraordinary. They were given an extraordinary responsibility, and they rose to the challenge and handled it professionally. I can tell you, with firsthand knowledge, having met with him, watched him, this man is a capable administrator, and the people who work for him—clearly, as a result of this survey—are very happy with his performance.

I would just say to the Senator from Delaware, what absolutely confuses, mystifies, and infuriates me, is the notion that unidentified people will make nonspecific charges against this man, and he is supposed to wait for month after weary month? If we talk about the basic standard of justice in America, when the government makes a charge against someone, there is a complaint—a bill of particulars. You know what the charge is, and fairness and justice requires that you can confront your accusers and hear from them the information and evidence against you.

In this situation, as best I can understand—and what my colleague has said repeatedly on the floor, I say to the chairman—is that this never took place. You have waited month after weary month for these accusers to come forward and at least tell Mr.

Mayorkas what they think he has done wrong. Their silence, their refusal to do so, speaks volumes to me.

I am sorry they didn't make their report more fully, but I think, as I said the other night on the floor, you are an honorable person. I know you, and I have worked with you for over 30 years both in the House and in the Senate. When I hear you say on the floor you do your best to be fair and bipartisan in everything, and when I hear you stand on the floor and say this man has been treated unfairly, he deserves his chance, that is what I need to hear.

I would just ask the Senator from Delaware: Has he had a chance to confront his accusers? Has your committee had a chance to even know the allegations against him at this point?

Mr. CARPER. The answer, Madam President, sadly, is no, we have not. No, we have not.

Mrs. FEINSTEIN. Madam President, I wish to speak in support of President Obama's nominee for Deputy Secretary of the Department of Homeland Security, DHS, Alejandro Mayorkas. I have known Ali for many years and am proud to have recommended him to President Clinton for the position of U.S. attorney for the Central District of California, as well as to President Obama for his current position as Director of U.S. Citizenship and Immigration Services, USCIS.

The role of Deputy Secretary within the Department of Homeland Security is an important one. The Deputy Secretary is charged with overseeing the agency's efforts to counter terrorism and enhance the security and management of our borders, while facilitating trade and travel and enforcing our immigration laws. Additionally, the Deputy Secretary assists in the safeguarding and security of cyber space and provides support for national and economic security in times of disaster, in coordination with Federal, State, local, international, and private sector partners.

Mr. Mayorkas is extremely well qualified for this position and brings to this office a diverse background and set of experiences in both the private and public sectors. I am confident he will do an outstanding job as Deputy Secretary for the Department of Homeland Security, and he has my enthusiastic and unwavering support.

Born in Havana, Cuba, Mr. Mayorkas earned his B.A. with distinction from the University of California, Berkeley, in 1981. He earned his law degree from Loyola Law School in 1985. Those who have enjoyed the opportunity to work with him regard him as being highly intelligent, thoughtful, kind and compassionate, and dedicated to doing the right thing.

From 1989 to 1998, Mr. Mayorkas served as an assistant U.S. attorney for the Central District of California, where he prosecuted a wide array of

Federal crimes, specializing in the prosecution of white collar-crime. Federal law enforcement agencies recognized his success with multiple awards. For example, he received commendations from FBI Director Louis Freeh for his successful prosecution of Operation PolarCap, the largest money laundering case in the Nation at the time.

He continued to distinguish himself by becoming the first U.S. attorney in the Central District of California to be appointed from within the office. Mr. Mayorkas created the Civil Rights Section in the office to prosecute hate crimes and other acts of intolerance and discrimination more effectively. He developed an innovative program to address violent crime by targeting criminals' possession of firearms, prosecuting street gangs, and at the same time developing afterschool programs to help at-risk youth discover and realize their potential. He uniquely demonstrated the ability to simultaneously be firm with criminals, protective of the innocent, and supportive and empowering to our future leaders.

As supported by the many law enforcement and community awards he received during his tenure as U.S. attorney, Mr. Mayorkas' accomplishments extended beyond his district. He successfully expanded his office's community outreach programs and cooperation with international players in the fight against crime. He directly resolved cases while also overseeing hundreds of attorneys addressing immigration matters, which included complex and sensitive prosecution of individuals and rings producing false immigration documents, illegal reentry cases, and alien smuggling conspiracies.

The Administrator for the Drug Enforcement Administration, Michele Leonhart, noted that "he was instrumental in broadening collaboration between law enforcement agencies to address violent crime and expanded cooperation with other nations to address the growing threat of transnational crime." Combined with his prosecuting white collar crime, public corruption, computer-related crime, and international money laundering, she wrote that such a "broad base of experience . . . provides him with a unique perspective on threats to national security."

Mr. Mayorkas further developed his sharp legal skills and management experience as a Partner at O'Melveny & Myers, from 2001 to 2009, where he represented companies in high-profile and sensitive government enforcement cases. He was recognized by his worldwide firm with an annual award for "leadership, excellence and citizenship," and was named by the National Law Journal as one of the "50 Most Influential Minority Lawyers in America" in 2008.

Since his confirmation as Director of USCIS 4 years ago in 2009, he has continued to exert his positive influence through leadership, excellence, and citizenship in accomplishing the agency's mission. He has improved the immigration services and policies of USCIS by realigning its priorities for a modern-day America that seeks to preserve its legacy as a nation of immigrants while ensuring national security and public safety—no easy task.

Throughout his current role as Director of USCIS, he has successfully preserved and increased the integrity of our immigration laws by decreasing fraud and bringing accountability to our immigration system. For example, Mr. Mayorkas has worked to secure our Nation's criminal and immigration laws in the face of increasing gang and border violence.

As technology advances, so too have our needs to prevent fraud and to safeguard immigration documents from tampering; Mr. Mayorkas has confronted that challenge by enhancing the scope and frequency of national security vetting of applicants for immigration benefits and by redesigning immigration documentation with enhanced security features.

Simultaneously, Mr. Mayorkas has led USCIS in the other half of its mission—to preserve the role of America as a just nation that treats immigrants at our shores humanely and with an eye towards the potential they bring to our nation.

He ensured the prompt review of applications of victims of trafficking and domestic violence so that they may begin to pick up the pieces and move forward in their lives. Mr. Mayorkas has also improved the immigration program for victims of crime who cooperate with law enforcement in investigation and prosecutions.

To combat notario fraud and other unscrupulous practices that undermine the integrity of the immigration system, Mr. Mayorkas launched the unauthorized practice of immigration law initiative. It is a nationwide collaborative effort with Federal, State, and municipal agencies and enforcement authorities that works to raise awareness among immigrant communities and to investigate and prosecute wrongdoers.

After the 2010 earthquake in Haiti, he developed and implemented a humanitarian parole program on an emergency basis to save orphans and unite children with their adoptive families here.

Significantly, upon President Obama's directive to grant deferred action to immigrants who were brought to this country as children and who seek to legally remain in the United States, Mr. Mayorkas swiftly implemented the deferred action for childhood arrivals initiative in 60 days. In less than 1 year, over half a million people have applied to remain in the

United States, the only home they have known.

He also boldly realigned the agency's organizational structure, including 246 offices and facilities worldwide, to more accurately serve key priorities and achieve efficiency. For example, his stringent budget reviews resulted in cost-saving measures of \$160 million in budget cuts for the fiscal year 2010.

I recognize that my colleagues have raised concerns about the EB-5 program in connection with Mr. Mayorkas' nomination.

I actually believe that Mr. Mayorkas' actions to improve the integrity of the EB-5 program are a reason to support his nomination. They show that, when Mr. Mayorkas sees a systemic issue requiring action, he will figure out what to do and then do everything possible within the confines of the law to fix it.

As my colleagues know, the EB-5 program essentially allows a foreign investor to obtain a conditional green card by investing \$500,000 or \$1 million in a U.S. business. The conditions can be removed if, after 2 years, the individual shows 10 jobs have been created by the investment.

Because of the various economic issues involved in adjudicating EB-5 applications—which can run for thousands of pages—the EB-5 program has been called the most complex program USCIS administers.

I will say up front: I have my own serious concerns about this program. I am concerned about the potential for fraud, against both foreign and domestic investors. I am concerned that a business created with this money may not turn out to be legitimate, and as chairman of the Intelligence Committee, I know that certain immigration programs may be ripe for exploitation.

I look forward to the opportunity, before the EB-5 program requires our reauthorization in 2015, to bolstering the security of this program.

But none of that has anything to do with this nomination. Mr. Mayorkas was required by law, as Director of USCIS, to administer the EB-5 program.

As Director, Mr. Mayorkas saw flaws in the program—flaws in the agency's ability to vet participants in the program, and flaws in the agency's ability to do the economic analysis necessary. So, Mr. Mayorkas set about fixing them. For example:

Routine security checks of foreign investor applicants and principals of regional centers are now done.

Regional centers now annually must show they meet the eligibility requirements and update USCIS on new lines of business. More vetting is conducted with these annual filings.

Mr. Mayorkas brought on financial experts and business lawyers, who help review business documents associated with applications.

The program has been moved entirely to DC with specialized adjudicatory officers and antifraud staff. The program is now close to the investigative, intelligence, and financial communities that help detect suspicious financial activity.

I agree with many on the Democratic and Republican sides of the aisle that the EB-5 program must be reformed. I supported Chairman LEAHY's amendment to the immigration bill to do that, and I believe further legislative action will be needed to make sure that, if this program is reauthorized, it is secure.

But I also believe that Mr. Mayorkas has performed his job as Director of USCIS admirably, including by making the EB-5 program more secure. That is a reason to support his nomination.

Let me conclude by saying that this nominee has my strong support. He is a fine individual whom I have known for a very long time. He impressed me as U.S. attorney, and he has continued to do so as Director of USCIS.

He understands the immigration system and the many other issues, like transnational drug trafficking and national security, that the leaders of the Department of Homeland Security must face. And I believe he will make an outstanding Deputy Secretary.

I recognize there is an investigation by the inspector general's office at DHS, but the OIG confirmed that "there is no indication of criminal activity" on Mr. Mayorkas' part. There has been a significant delay in this investigation, and it now appears from press reports that the inspector general, who himself was being investigated, has resigned.

DHS needs its leaders confirmed. It cannot wait for months and months, which it has done already. I do not believe that in this case—which involves a distinguished nominee who has my confidence—that confirmation should be delayed. Rather, we need to confirm a leader who understands our complicated immigration laws and policies and who can knowledgeably help us navigate and ultimately implement comprehensive immigration reform. He has this needed knowledge and ability.

I urge my colleagues to support Mr. Mayorkas.

Mr. LEAHY. Madam President, the Department of Homeland Security is the leading agency for some of the most pressing issues facing our Nation, from providing disaster relief to protecting our borders. To serve the American people, this agency needs a full complement of leaders, and that is why I am glad the Senate is considering the nomination of Alejandro Mayorkas to be Deputy Secretary of Homeland Security. I commend Senator CARPER, chairman of the Homeland Security and Governmental Affairs Committee, for making his nomination to this important position a priority for the com-

mittee and getting his nomination to the Senate.

Alejandro Mayorkas currently serves as Director of U.S. Citizenship and Immigration Services, USCIS. This is the agency that makes our immigration system work, and Director Mayorkas has made it a stronger, better functioning agency. His expertise on immigration issues will help him in his new role, where he is sure to improve coordination within the Department. Those Senators who claim to care about protecting our borders and improving our broken immigration system should support this nomination, just as they should call on the House to pass comprehensive immigration reform as we did here in the Senate earlier this year.

It is unfortunate that Director Mayorkas' nomination has been the subject of unfair and partisan attacks, and it is wrong that some tried to create controversy about Director Mayorkas even before his confirmation hearing occurred in the Senate Homeland Security and Governmental Affairs Committee. The attacks mounted against Director Mayorkas are made even less credible by the conduct of the former DHS deputy inspector general, who was forced to resign in the face of allegations of serious misconduct.

On the eve of Director Mayorkas' confirmation hearing, this former deputy inspector general, Charles Edwards, authorized the transmittal of an email to a Republican Senate office that contained sensitive information about an ongoing investigation involving Director Mayorkas. The timing of its transmittal raised serious questions about the motivation for its disclosure. Then, the email authorized by the former deputy inspector general was published shortly after its transmittal on the web site of a Republican candidate for Governor of Virginia. Why would a Virginia gubernatorial candidate care about an investigation being conducted by the Office of Inspector General for the Department of Homeland Security? Because some of the anonymous allegations repeated in that email by the Office of Inspector General involved claims that Director Mayorkas intervened in an immigration matter for Terry McAuliffe, the Governor-elect of Virginia. What is worse, the former inspector general had received these anonymous allegations in September of 2012, yet only disclosed them publicly just days before Director Mayorkas was scheduled to appear before the Homeland Security and Governmental Affairs Committee.

Director Mayorkas' professional integrity further undermines these bogus allegations. Alejandro Mayorkas served as an assistant U.S. attorney and as the U.S. attorney for Southern California, posts he held during the course of a decade. Where he has made

mistakes, he has taken responsibility. In my experiences with him while he has served as Director of USCIS, Director Mayorkas has put the interests of USCIS and those it serves at the forefront. He has made tough decisions to make that agency better—decisions that are sometimes not popular with agency employees but decisions that put the institution first. He has brought significant resources to bear on the EB-5 regional center program, a program that a bipartisan majority of this Senate supported when we passed comprehensive immigration reform in June. While the House has failed to pass this important legislation that includes meaningful improvements to the EB-5 program, Director Mayorkas did not let up on his efforts to ensure the program's integrity. He has acted to make sure the agency's decisions are correct under the controlling law and regulations. The suggestion that Director Mayorkas would risk his reputation and his credibility by improperly intervening in a single immigration case, out of thousands his agency handles every year, is absurd.

Those who have concerns about the integrity of the EB-5 regional center should remember that in May of this year, the Senate Judiciary Committee unanimously approved broad reforms to the EB-5 program during the committee's consideration of comprehensive immigration reform. These reforms, which received praise from the Judiciary Committee's former ranking member, Senator SESSIONS, contained a host of improvements recommended by Director Mayorkas and other administration officials to provide strong oversight tools, security enhancements, and antifraud provisions. In June, 68 Senators voted in favor of the comprehensive reform bill, of which my EB-5 reforms were a part. Senators on both sides of the aisle who have supported this program know it creates jobs in American communities and is an important and viable source of capital investment for many American entrepreneurs. Senator GRASSLEY said on the Senate floor earlier this week that we could make reforms to this program "this very day." I would respond that the Senate has voted to make them already this year, and I was glad to have his support for my strong reforms in the Senate Judiciary Committee.

Those who say that the Senate should not approve Director Mayorkas' nomination because a scandal-plagued and now-resigned deputy inspector general sat on allegations made against Director Mayorkas for 10 months before disclosing them in a highly improper way days before Director Mayorkas' confirmation hearing should carefully consider whether these circumstances merit our faith that the investigation is truly impartial or legitimate. I have seen no evidence that those Senators who put

such faith in the former deputy inspector general's flawed investigation have asked the tough questions necessary to test the integrity of that investigation. Instead of considering the circumstances of the former deputy inspector general's disclosure, and taking the opportunity to ask tough questions of Director Mayorkas at his confirmation hearing, Republican Senators on the Homeland Security and Governmental Affairs Committee decided to boycott that hearing. And when Chairman CARPER scheduled a committee business meeting to vote on Director Mayorkas' nomination, all Republican Senators but two failed to attend that meeting. This is unfortunate and, in my view, an abdication of our responsibility to evaluate the President's nominees independently.

As Senators, we are obligated to ask the tough questions of all nominees, but it is also important that we carefully consider the source and motivations behind any allegations against those nominees.

Regarding the immigration case about which Director Mayorkas is accused of acting improperly, it is clear in emails that he wrote which have been publicly disclosed, that he asserts his inability to become involved in any specific case. The emails that have been disclosed paint a picture of an agency director who took great pains to avoid any appearance of favoritism or impropriety. I would urge my colleagues to review carefully, and in context, that which has been disclosed. Finally, it is troubling that the individuals who have brought allegations to Republican Senators against this nominee would not even agree to meet with Chairman CARPER or his staff. The Senate should consider the reliability of those who have made allegations but are unwilling to let those allegations be fully considered.

I have every reason to believe that Director Mayorkas will serve the Department of Homeland Security and the American people honorably. I have no doubt about the quality of his character or his integrity as a public official. And I regret that his nomination has been so needlessly politicized. Alejandro Mayorkas deserves an up-or-down vote and the support of the Senate.

Mr. CARPER. Madam President, how much time remains?

The PRESIDING OFFICER. The Senator has 1½ minutes remaining.

Mr. CARPER. Madam President, my friend Senator DURBIN, from Springfield, IL, Land of Lincoln, reminds me as I close here this morning of something Lincoln once said. He was meeting with his Cabinet during the heart of the Civil War. Things had started to turn for the better for the Union. The Union leader on the military side was a guy named Grant. He allegedly liked to drink, a lot. Some of the folks on the

President's cabinet didn't like him. They said: Mr. President, we need to get rid of Grant. He is not the kind of guy we want to have leading our forces.

Grant had led a reversal of fortune, so that the Union having been on the losing side ended up on the winning side again and again. Lincoln looked at his Cabinet, and he said these words, and I paraphrase them: Find out what Grant is drinking, and give it to the rest of my generals.

Rather than criticize or hang out to dry a leader of an agency who has turned it around, who enjoys the broad support of the folks within his agency; rather than criticize him and finding fault and leaving him out there unable to defend himself against unknown accusations, we should find out—in the words of Lincoln—what Grant is drinking. In this case we should find out what Mayorkas is doing, what has he done to turn around an agency and make sure the other people who come into positions of authority are taking of the same beverage.

With that, I yield back the remainder of my time, and I yield the floor.

Mr. DURBIN. Madam President, the unanimous consent agreement is that we would move to this vote on the Mayorkas nomination following the debate. This debate has ended a little earlier than we anticipated. This first roll-call, we are going to accommodate Members and leave it open so they have a chance. But because most are anxious, we are hoping Members come to the floor early, vote, and we can start the series of votes agreed to.

Mr. COBURN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Alejandro Nicholas Mayorkas, of the District of Columbia, to be Deputy Secretary of Homeland Security?

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. REID) would vote "aye."

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Arizona (Mr. FLAKE), the Senator from Georgia (Mr. ISAKSON), and the Senator from Nebraska (Mr. JOHANNES).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 41, as follows:

[Rollcall Vote No. 286 Ex.]

YEAS—54

Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Coons	Manchin	Udall (CO)
Donnelly	Markey	Udall (NM)
Durbin	McCaskill	Warner
Feinstein	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Mikulski	Wyden

NAYS—41

Ayotte	Enzi	Murkowski
Barrasso	Fischer	Paul
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Johnson (WI)	Shelby
Collins	Kirk	Thune
Corker	Lee	Toomey
Cornyn	McCain	Vitter
Crapo	McConnell	Wicker
Cruz	Moran	

NOT VOTING—5

Alexander	Isakson	Reid
Flake	Johanns	

The nomination was confirmed.

Mr. DURBIN. Madam President, I ask unanimous consent that the remaining mandatory quorums with respect to these nominations required under rule XXII be waived; further, that all remaining votes be 10-minute votes.

I urge my colleagues to stay on the floor so we can hold to the 10-minute deadlines. People have planes to catch.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

NOMINATION OF BRIAN J. DAVIS

Mr. GRASSLEY. Madam President, today we consider the nomination of Brian Davis to be a District Court Judge for the Middle District of Florida. I will vote for him today (although there has been some controversy surrounding his nomination). I wish to take a minute to discuss the nomination.

Judge Davis made a number of controversial remarks a few years ago. During his hearing last Congress, Judge Davis was asked to provide some clarification regarding those comments. After carefully reviewing his answers from the hearing, many of us concluded that they didn't provide the clarity that we had hoped he would provide. For that reason, following his hearing, I asked Judge Davis some follow-up questions for the RECORD, hoping to get the clarity, in writing, that I didn't hear him provide during his hearing.

Unfortunately, after reviewing his written answers, I concluded that Judge Davis didn't fully appreciate why many found his comments so troubling. For instance, when I asked him

about these statements he wrote that a "number of my statements could be misunderstood", but he neither apologized for them nor said anything to demonstrate that he fully appreciated why his comments were so problematic.

As a result, in the last Congress I reluctantly opposed his nomination.

Judge Davis, of course, was renominated this Congress. On September 12th, he submitted a letter to the Florida Senators.

In that letter, Judge Davis apologized for his comments—without qualification.

He wrote, "I believe that several of the statements I made in the past were inappropriate and improper." He went on to write, "I apologize for any inappropriate statements and deeply recognize the harm that they could cause if they gave the misimpression that I am anything other than impartial or that I maintain any bias or prejudice."

As I wrote to Judge Davis in a follow-up letter on September 25th, unlike the last Congress, I believe the apology Judge Davis transmitted on September 12 for those comments was without qualification. Therefore, in my view, it demonstrated both courage and humility.

In my letter to Judge Davis, I asked him simply to confirm that he was apologizing for his comments regarding Dr. Henry Foster, Dr. Joycelyn Elders, and Justice Thomas.

In a follow-up letter he wrote to me on September 26, he confirmed those were the "inappropriate comments" he referenced in his letter to the Florida Senators.

I ask consent that both my letter to Judge Davis, and his response, be made part of the RECORD.

I have given this nomination a great deal of consideration. I believe Judge Davis has taken steps this Congress that, in my view, he didn't appear willing to take last Congress. Taking this into consideration, together with the fact that he enjoys the support of his home State Senators, I am willing to give Judge Davis the benefit of the doubt and will support his nomination today.

I yield the floor.

Washington, DC, September 25, 2013.

Judge BRIAN J. DAVIS,
Nassau County Courthouse,
Fernandina Beach, FL.

DEAR JUDGE DAVIS: I write to follow up on your September 12th letter to Senators Nelson and Rubio, copying me and Chairman Leahy, regarding concerns with your record Members of the Senate Judiciary Committee, including me, raised last Congress.

As you alluded in your letter, during your hearing last Congress, Senator Lee asked you a number of questions regarding various remarks and speeches you made throughout your career. After carefully reviewing the answers you gave during the hearing, I concluded your responses lacked the breadth and clarity I had hoped you would provide when afforded the opportunity. For instance,

you conceded that some comments were "inappropriate," but then stated "they were inappropriate for the reason that an impression could be gotten from them that somehow the court maintained a racial prejudice." That response troubled me because it did not appear to fully recognize the reason some find those comments concerning. Specifically, the comments appeared quite plainly to assign a racial motivation to those who opposed particular nominees on purely policy grounds.

Consequently, following your hearing I sent you a number of follow up questions for the record. Again, I was hopeful to receive some clarity regarding those comments. But after carefully reviewing your responses, I reluctantly reached the conclusion that you still did not fully appreciate why some viewed your comments as inappropriate. For instance, I asked about your comments regarding President Clinton's nomination of Dr. Henry Foster's nomination to be surgeon general. But rather than concede what appears to be apparent by the words you used, you answered instead that the comments were inappropriate because they "could be interpreted" in a particular way, and therefore that you lacked impartiality. In my view, your answers to several other questions lacked clarity in a similar fashion. For these reasons, among several others, reluctantly I opposed your nomination last Congress.

With this background, I received your letter of September 12th, 2013. In your letter you wrote, without qualification, "I believe that several of the statements I made in the past were inappropriate and improper." You went on to write, "I apologize for any inappropriate statements and deeply recognize the harm that they could cause if they gave the misimpression that I am anything other than impartial or that I maintain any bias or prejudice." I note that these two statements represent a step that you did not appear willing to take last Congress. In my view, this demonstrates both courage and humility. Thank you for that letter.

As your nomination is now again pending before the Committee, I write to seek one further clarification. As I noted, you wrote in your recent letter that you apologize for "any inappropriate statements," but you did not specify the statements to which you referred. I want to confirm that you are referring to your comments regarding Dr. Henry Foster, Dr. Joycelyn Elders, and Justice Thomas.

Thank you in advance for your prompt reply.

Sincerely,

CHARLES E. GRASSLEY,

Ranking Member,

U.S. Senate Committee on the Judiciary.

CIRCUIT COURT,

FOURTH JUDICIAL

CIRCUIT OF FLORIDA,

Fernandina Beach, FL, September 26, 2013.

Senator Charles E. Grassley,

Ranking Member, U.S. Senate Committee on the Judiciary, Washington, DC.

DEAR SENATOR GRASSLEY: Thank you for your letter of September 25, 2013, and the opportunity to further clarify my views.

I understand your concerns, and please know that my appreciation of the inappropriateness of statements I have made in speeches include those referenced in your letter regarding Dr. Foster, Dr. Elders and Justice Thomas.

Thank you for your continued consideration of my nomination.

Sincerely,

BRIAN J. DAVIS.

NOMINATION OF JOHN KOSKINEN

Mr. HATCH. Madam President, I wish to speak on the nomination of John Koskinen to be the next Commissioner of the Internal Revenue Service.

I want to say upfront that I support Mr. Koskinen's nomination as I believe he is a qualified candidate for this position and he deserves to be confirmed.

However, I do have to say that I am disappointed in the process by which his nomination has been moved through the Senate, both in the Finance Committee and here on the floor. There is simply no reason for the Senate to rush to confirm Mr. Koskinen, and there is ample reason for us to take our time.

It goes without saying that the IRS is one of the most powerful agencies in our government. It is both feared and loathed by people throughout the country. That being the case, it is absolutely essential that all the actions of the IRS and its leadership are above board.

That is the only way for the agency to maintain its credibility.

That is the only way an agency this powerful can maintain the trust of the American people.

The American people should be able to trust that the IRS will enforce our Nation's tax laws without bias or prejudice. If that trust is broken, it damages the credibility of our entire government.

Needless to say, over the last few years, the IRS hasn't done a good job of maintaining that trust and, as a result, it has eroded its own credibility.

I am talking, of course, about the IRS political targeting scandal currently under investigation in the Finance Committee.

If there is one thing that everyone should agree on, it is that the IRS should enforce the tax laws as they are written by Congress without consideration of political views. Sadly, it appears that, for a time, not everyone at the IRS shared that view.

When this scandal first came to light, there was condemnation on all sides and everyone—regardless of party affiliation—wanted to get to the bottom of it.

President Obama, for example, said "I have got no patience with it, I will not tolerate it, and we will make sure that we find out exactly what happened on this."

Majority Leader REID expressed similar views here on the floor, stating: "I have full confidence in the ability of Senator BAUCUS and the Finance Committee to get to the bottom of this matter and recommend appropriate action."

I hope that hasn't changed.

I hope that the effort to rush Mr. Koskinen's nomination through the Senate is not part of an effort to sweep the Finance Committee's investigation under a rug and hope it disappears.

As I said, there is no reason for us to move so quickly on this nomination.

By waiting until our investigation has concluded, we can ensure that the next commissioner—presumably Mr. Koskinen—will begin their time with the benefit of the findings of the investigation. This would put him in a better position to fix the problems we have uncovered and to move the agency forward. In addition, it would ensure that he has the confidence of Members of both parties, which is vital with an agency of this size and stature.

I am encouraged by Mr. Koskinen's commitment to continue the cooperation the Finance Committee has enjoyed so far in its investigation, as well as his commitment to working with Congress to fix the IRS's many problems.

I plan on holding him to his promise.

The confirmation of a new IRS Commissioner should not be a partisan issue.

My fear is that, by including Mr. Koskinen in the current partisan fight over executive branch nominees, the Senate Democratic leadership is injecting partisanship where none should exist. This further undermines the IRS as an agency, not to mention Mr. Koskinen's future leadership of the agency.

This is not a time that we should be undermining the IRS. In addition to restoring the agency's damaged credibility—which I believe should be the next commissioner's top priority—there are a number of other challenges facing this agency.

For example, there is the IRS's significant role in the implementation of ObamaCare. As we have seen thus far, this presents a number of difficulties, both in terms of operation and enforcement.

Both the IRS's inspector general and insurers throughout the country have questioned whether the agency is capable of administering the Affordable Care Act's premium subsidy program without massive amounts of fraud or improper payments.

On top of that, there are the proposed IRS and Treasury regulations addressing the political activities of tax-exempt organizations. Given the IRS's recent problems in dealing with these types of organizations, many of us have reason to be skeptical that the agency can promulgate such rules without further bias or prejudice.

On all these issues, Mr. Koskinen has committed to working with Congress, and with Members of both parties.

I hope that he lives up to this commitment.

It is essential that he does so, because, as I said, the IRS is an agency rife with problems, most of which are self-inflicted. These problems are not simply going to go away when a new Commissioner is confirmed, and they aren't going to be solved if the agency

ignores the input and inquiries from Members of Congress.

Once again, I support Mr. Koskinen's confirmation. I just wish we had gone a different route with regard to his nomination in the Senate.

NOMINATION OF JANET YELLEN

Mrs. FEINSTEIN. Madam President, today I wish to express my support for Vice Chairman Janet Yellen, nominee for Chairman of the Federal Reserve.

Dr. Yellen has dedicated her life to understanding the complex and evolving field of economics, and her background makes her an ideal candidate to replace Chairman Ben Bernanke and continue the Fed's efforts to boost economic growth, increase the pace of job creation, and ultimately reduce the crushing unemployment that has been a drag on our recovery.

Dr. Yellen's academic credentials and experience in economics are first rate.

She graduated *summa cum laude* from Brown University in 1967 and later earned a doctorate in economics from Yale University in 1971.

She began her teaching career as an assistant professor at Harvard University, where she taught from 1971 to 1976.

In 1977 and 1978 she began her public service as an economist at the Federal Reserve Board of Governors.

In 1980, Dr. Yellen headed west to my home State of California to become an assistant professor at the University of California, Berkeley. She rose to professor emeritus of business and economics and was twice awarded teacher of the year at Berkeley's distinguished Haas School of Business.

During her time at Berkeley and elsewhere, Dr. Yellen published numerous research works, including the well-regarded "Waiting for Work," a comprehensive study of unemployment she completed with her husband, the economist George Akerlof.

Dr. Yellen's research has been published in the *Journal of Economics*, *Business Economics*, and the *Brookings Papers on Economic Policy*, amongst others.

Her research has primarily focused on unemployment, monetary policy, and international trade—a perspective that will be vitally important as the Fed works to solve the complex issues facing the global economy.

In 1997, she left the Federal Reserve to chair the Council of Economic Advisers during the Clinton administration.

Before her appointment to Vice Chairman of the Fed she led the Federal Reserve Bank of San Francisco, keeping watch over financial conditions in the region as well as providing counsel on the direction of monetary policy.

In 2010, she was appointed by the president and confirmed by the Senate to be Vice Chairman of the Federal Reserve where she has ably served. She

has been intimately involved with the Fed's interest rate policy and its continuation of the unprecedented program of quantitative easing.

I believe that this extensive experience working on monetary policy issues at the Federal Reserve will make for a seamless transition to Chairman and provide stability to financial markets.

Recently, a lot of attention is being paid to the issue of growing income inequality in our country.

Over the last few decades, middle-class incomes have stagnated while incomes for high earners have enjoyed a stratospheric rise. Increasingly, the owners of capital are reaping a greater and greater share of the profits, while hard working Americans struggle to keep up.

If this trend continues, it will make for a more volatile economy and put middle and lower income families in increasing financial strain.

Most importantly, if income inequality is really a product of inequality of opportunity, then the United States will no longer deliver on its most fundamental promise, one that serves as the foundation for our social contract.

To me, that outcome is unacceptable, and our leading economic thinkers should be working night and day to ensure that every hard-working American has the opportunity to be successful in this country.

The most direct way to address income inequality is to increase the rate of job creation in the United States. We have made significant progress in the recovery from the great recession, but the recovery has not been robust enough to translate into a robust labor market which increases wages for all Americans.

Dr. Yellen has demonstrated a consistent ability to balance the Fed's mission of increasing employment and maintaining stable inflation. Her academic work suggests that she is keenly aware of the devastating impact of persistently high unemployment, both for families and the economy writ large.

With her keen understanding of economics and a rigorous analytical process and a distinguished career in academia, Dr. Yellen is the right person to lead the Fed at this time.

And let me just say, a woman as Chairman of the Federal Reserve—a talented and extraordinarily well qualified woman—is a positive thing.

I enthusiastically support her nomination, and I encourage my colleagues to do the same.

CLOTURE MOTION

The PRESIDING OFFICER. The pending cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of John Andrew Koskinen, of the District of Columbia, to be Commissioner of Internal Revenue.

Harry Reid, Max Baucus, Barbara Boxer, Mark Begich, Richard Blumenthal, Benjamin L. Cardin, Tom Udall, Debbie Stabenow, Sheldon Whitehouse, Bernard Sanders, Christopher A. Coons, Mazie Hirono, Kirsten E. Gillibrand, Jon Tester, Brian Schatz, Martin Heinrich, Claire McCaskill, Joe Donnelly, Heidi Heitkamp.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of John Andrew Koskinen, of the District of Columbia, to be Commissioner of Internal Revenue shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. REID) would vote "aye."

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Arizona (Mr. FLAKE), the Senator from Georgia (Mr. ISAKSON), and the Senator from Nebraska (Mr. JOHANNIS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 56, nays 39, as follows:

[Rollcall Vote No. 287 Ex.]

YEAS—56

Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Hatch	Nelson
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Booker	Hirono	Rockefeller
Boxer	Johnson (SD)	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Landrieu	Stabenow
Casey	Leahy	Tester
Collins	Levin	Udall (CO)
Coons	Manchin	Udall (NM)
Donnelly	Markley	Warner
Durbin	McCaskill	Warren
Feinstein	Menendez	Whitehouse
Franken	Merkley	Wyden
Gillibrand	Mikulski	

NAYS—39

Ayotte	Coburn	Fischer
Barrasso	Cochran	Graham
Blunt	Corker	Grassley
Boozman	Cornyn	Heller
Burr	Crapo	Hoeben
Chambliss	Cruz	Inhofe
Coats	Enzi	Johnson (WI)

Kirk	Paul	Sessions
Lee	Portman	Shelby
McCain	Risch	Thune
McConnell	Roberts	Toomey
Moran	Rubio	Vitter
Murkowski	Scott	Wicker

NOT VOTING—5

Alexander	Isakson	Reid
Flake	Johanns	

The PRESIDING OFFICER. On this vote the yeas are 56, the nays are 39.

The motion is agreed to.

The Senator from Illinois.

Mr. DURBIN. Madam President, that 10-minute rollcall took 18 minutes. If people stay on the floor we can move these a lot quicker.

NOMINATION OF JOHN ANDREW KOSKINEN TO BE COMMISSIONER OF INTERNAL REVENUE

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of John Andrew Koskinen, of the District of Columbia, to be Commissioner of Internal Revenue.

The PRESIDING OFFICER. Under the previous order, all postcloture time is yielded back.

The question is, Will the Senate advise and consent to the nomination of John Andrew Koskinen, of the District of Columbia, to be Commissioner of Internal Revenue?

Mr. MCCAIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. REID) would vote "aye."

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Arizona (Mr. FLAKE), the Senator from Georgia (Mr. ISAKSON), and the Senator from Nebraska (Mr. JOHANNIS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 59, nays 36, as follows:

[Rollcall Vote No. 288 Ex.]

YEAS—59

Baldwin	Carper	Harkin
Baucus	Casey	Hatch
Begich	Collins	Heinrich
Bennet	Coons	Heitkamp
Blumenthal	Corker	Hirono
Booker	Donnelly	Johnson (SD)
Boxer	Durbin	Kaine
Brown	Feinstein	King
Burr	Franken	Klobuchar
Cantwell	Gillibrand	Landrieu
Cardin	Hagan	Leahy

Levin	Nelson	Stabenow
Manchin	Portman	Tester
Markey	Pryor	Udall (CO)
McCaskill	Reed	Udall (NM)
Menendez	Rockefeller	Warner
Merkley	Sanders	Warren
Mikulski	Schatz	Whitehouse
Murphy	Schumer	Wyden
Murray	Shaheen	

NAYS—36

Ayotte	Fischer	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Risch
Boozman	Heller	Roberts
Chambliss	Hoeben	Rubio
Coats	Inhofe	Scott
Coburn	Johnson (WI)	Sessions
Cochran	Kirk	Shelby
Cornyn	Lee	Thune
Crapo	McCain	Toomey
Cruz	McConnell	Vitter
Enzi	Moran	Wicker

NOT VOTING—5

Alexander	Isakson	Reid
Flake	Johanns	

The nomination was confirmed.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Madam President, the last rollcall vote took 11½ minutes. Thank you all for your cooperation.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Brian J. Davis, of Florida, to be United States District Judge for the Middle District of Florida.

Harry Reid, Sherrod Brown, Richard J. Durbin, Christopher Murphy, Robert Menendez, Christopher A. Coons, Angus S. King, Jr., Martin Heinrich, Amy Klobuchar, Dianne Feinstein, Tom Udall, Kirsten E. Gillibrand, Bernard Sanders, Barbara Boxer, Brian Schatz, Robert P. Casey, Jr., Thomas R. Carper, Benjamin L. Cardin, Michael F. Bennet.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Brian J. Davis, of Florida, to be United States District Judge for the Middle District of Florida, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CHAMBLISS (when his name was called). "Present."

Mr. HATCH (when his name was called). "Present."

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. REID) would vote "aye."

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), the Senator from Arizona (Mr. FLAKE), the Senator from Georgia (Mr. ISAKSON), and the Senator from Nebraska (Mr. JOHANNIS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 56, nays 36, as follows:

[Rollcall Vote No. 289 Ex.]

YEAS—56

Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Collins	Manchin	Udall (CO)
Coons	Markey	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Mikulski	
Gillibrand	Murkowski	

NAYS—36

Ayotte	Fischer	Paul
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Heller	Roberts
Burr	Hoeven	Rubio
Coats	Inhofe	Scott
Cochran	Johnson (WI)	Sessions
Corker	Kirk	Shelby
Cornyn	Lee	Thune
Crapo	McCain	Toomey
Cruz	McConnell	Vitter
Enzi	Moran	Wicker

ANSWERED "PRESENT"—2

Chambliss Hatch

NOT VOTING—6

Alexander	Flake	Johannis
Coburn	Isakson	Reid

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays are 36, with two Senators responding "present."

The motion is agreed to.

NOMINATION OF BRIAN J. DAVIS TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Brian J. Davis, of Florida, to be United States District Judge for the Middle District of Florida.

The PRESIDING OFFICER. Under the previous order, all postcloture time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Brian J. Davis, of Florida, to be United States District Judge for the Middle District of Florida?

Mr. CHAMBLISS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. REID) would vote "yea."

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), the Senator from Arizona (Mr. FLAKE), the Senator from Georgia (Mr. ISAKSON), and the Senator from Nebraska (Mr. JOHANNIS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 26, as follows:

[Rollcall Vote No. 290 Ex.]

YEAS—68

Ayotte	Grassley	Murphy
Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Hatch	Portman
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Booker	Heller	Rockefeller
Boxer	Hirono	Rubio
Brown	Johnson (SD)	Sanders
Burr	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Kirk	Sessions
Carper	Klobuchar	Shaheen
Casey	Landrieu	Stabenow
Chambliss	Leahy	Tester
Collins	Levin	Thune
Coons	Manchin	Udall (CO)
Donnelly	Markey	Udall (NM)
Durbin	McCaskill	Warner
Feinstein	Menendez	Warren
Franken	Merkley	Whitehouse
Gillibrand	Mikulski	Wyden
Graham	Murkowski	

NAYS—26

Barrasso	Enzi	Paul
Blunt	Fischer	Risch
Boozman	Hoeven	Roberts
Coats	Inhofe	Scott
Cochran	Johnson (WI)	Shelby
Corker	Lee	Toomey
Cornyn	McCain	Vitter
Crapo	McConnell	Wicker
Cruz	Moran	

NOT VOTING—6

Alexander	Flake	Johannis
Coburn	Isakson	Reid

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Janet L. Yellen, of California, to be Chairman of the Board of Governors of the Federal Reserve System.

Harry Reid, Tim Johnson, Barbara Boxer, Mark Begich, Richard Blumenthal, Benjamin L. Cardin, Tom Udall, Debbie Stabenow, Sheldon Whitehouse, Bernard Sanders, Mazie Hirono, Jon Tester, Brian Schatz, Martin Heinrich, Claire McCaskill, Heidi Heitkamp, Kirsten E. Gillibrand.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call under rule XXII has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Janet Yellen, of California, to be Chairman of the Board of Governors of the Federal Reserve System, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Nevada (Mr. REID) is necessarily absent.

I further announce that, if present and voting, the Senator from Nevada (Mr. REID) would vote "yea."

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), the Senator from Arizona (Mr. FLAKE), the Senator from Georgia (Mr. ISAKSON), the Senator from Nebraska (Mr. JOHANNIS), and the Senator from Georgia (Mr. CHAMBLISS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay."

The PRESIDING OFFICER (Mr. KAINE). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 59, nays 34, as follows:

[Rollcall Vote No. 291 Ex.]

YEAS—59

Baldwin	Hagan	Murkowski
Baucus	Harkin	Murphy
Begich	Hatch	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Pryor
Booker	Hirono	Reed
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Kirk	Schumer
Carper	Klobuchar	Shaheen
Casey	Landrieu	Stabenow
Collins	Leahy	Tester
Coons	Levin	Udall (CO)
Corker	Manchin	Udall (NM)
Donnelly	Markey	Warner
Durbin	McCaskill	Warren
Feinstein	Menendez	Whitehouse
Franken	Merkley	Wyden
Gillibrand	Mikulski	

NAYS—34

Ayotte	Boozman	Cochran
Barrasso	Burr	Cornyn
Blunt	Coats	Crapo

Cruz
Enzi
Fischer
Graham
Grassley
Heller
Hoeven
Inhofe
Johnson (WI)

Lee
McCain
McConnell
Moran
Paul
Portman
Risch
Roberts
Rubio

Scott
Sessions
Shelby
Thune
Toomey
Vitter
Wicker

NOT VOTING—7

Alexander
Chambliss
Coburn

Flake
Isakson
Johanns

The PRESIDING OFFICER. On this vote the yeas are 59, the nays are 34.

The motion is agreed to.

NOMINATION OF JANET L. YELLEN TO BE CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

The PRESIDING OFFICER. Under the previous order, all time on the Yellen nomination is yielded back. The vote will occur on this nomination on January 6, 2014.

The clerk will report the nomination.

The legislative clerk read as follows:

Janet L. Yellen, of California, to be Chairman of the Board of Governors of the Federal Reserve System for a term of four years.

The PRESIDING OFFICER. The Senator from Illinois.

LEGISLATIVE SESSION

Mr. DURBIN. Mr. President, I ask unanimous consent the Senate proceed to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

EMERGENCY UNEMPLOYMENT COMPENSATION EXTENSION ACT—MOTION TO PROCEED

Mr. DURBIN. Mr. President, I move to proceed to Calendar No. 265, S. 1845.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 265, S. 1845, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

CLOTURE MOTION

Mr. DURBIN. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 265, S. 1845, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

Jack Reed, Richard J. Durbin, Martin Heinrich, Thomas R. Carper, Charles E.

Schumer, Dianne Feinstein, Patty Murray, Bernard Sanders, Angus S. King, Jr., Al Franken, Tom Harkin, Jeff Merkley, Elizabeth Warren, Sheldon Whitehouse, Barbara Boxer, Richard Blumenthal, Sherrod Brown.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New York.

UNANIMOUS CONSENT REQUEST—S. 1882

Mr. SCHUMER. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. 1882, a bill to extend the exclusion from income for employer-provided mass transit and parking benefits; that the bill be read three times and passed; and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. HATCH. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I appreciate my colleague's commitment to this particular issue. However, this is just one of many tax provisions which will expire at the end of the year.

In the past, the senior Senator from New York supported the extension of numerous provisions, as have I, particularly the State and local sales tax deduction in his case. I can only wonder if he is signaling that the State and local sales tax provision, along with all the others which are expiring, are no longer a priority for him.

In any event, the Senate Finance Committee has jurisdiction over all the tax extenders, including the one being offered here today. As of yet, the committee has not been able to fully consider and report a tax extenders bill. As a senior member of the Senate Finance Committee himself, I would hope my colleague would want to work with other members of the committee to preserve its jurisdiction.

Since the House of Representatives has been out for 1 week, my colleague's request—even if agreed to in the Senate—would not result in extending the mass transit provision. Finance Committee Republicans stand ready to work with our Democratic colleagues when we return in a couple of weeks, and the House will be back then too. If we want to enact this extension into law, rather than just sending out talking points, we ought to engage in regular order when we get back.

On that basis, I ask unanimous consent to modify my colleague's unanimous consent request.

I ask unanimous consent that the request be modified to refer this bill to the Finance Committee so it can be properly considered through regular order.

The PRESIDING OFFICER. Does the Senator from New York accept the modification request?

Mr. SCHUMER. I object.

The PRESIDING OFFICER. Is there objection to the original request?

Mr. HATCH. I object.

The PRESIDING OFFICER. Objection is noted.

The Senator from New York.

Mr. SCHUMER. Mr. President, I thank my colleague. We are good friends and I know his heart is in the right place. I would just make a couple of quick points before I get into a little bit of the substance, and I will be brief.

The reason this extender has special weight and deserves being brought up today is the following: Most of the tax extenders—and I certainly support a large number of them—can be put into law retroactively with little harm done. Since most of them affect people's tax returns in 2015 if the law is changed, say, January or February of 2014, it doesn't affect this because the tax deduction would actually be filed before April 2015.

The one problem with the mass transit benefit is it is much harder to make retroactive. People try and we tried last year. We did it retroactively. But since the benefit goes each month to the commuter from his or her employer, retroactivity doesn't work quite as well.

That is why I felt it was important to try to get this passed now, so perhaps when the House returned immediately—there is good bipartisan support for this in the House support as well—they might enact it and we would not have to wait for the Finance Committee to go through a large number of other tax extenders hearings and whatever, because the longer it is retroactive, the harder it is.

I certainly appreciate my colleague's objection. I am going to fight very hard to try to get this done in January when we return. I would just make these following points about the benefit.

It is a win-win. It is a win for our mass transit commuters because then they get the same benefit—no more, no less—than those who drive to work and park. It was an anomaly in the law, pointed out by my late colleague, friend, and mentor, Senator Moynihan, that it was unfair to give people who drive their cars to work double the tax benefit of mass transit commuters. It is only fair to make them equal.

Right now, the law will raise the parking-driving benefit—those who drive to work—at the rate of inflation to \$250. That is a good thing and I am all for that. But if the law is not renewed before December 31, the mass transit benefit, which I have worked

hard to make equal to the park-and-drive benefit, will revert back to \$130 a month, which is a lot less and unfair.

The second benefit is to people who drive. You say why would they benefit? They are getting theirs. The bottom line is, for every person who takes mass transit and doesn't take his or her car to work, that reduces congestion on the roads. So even if you never want to ride the train or the bus to work, you should be for this.

Finally, I would say the following: It benefits our environment. We all know that mass transit pollutes the air a lot less than people driving individual cars. In many places it is not possible to use mass transit, but in more and more parts of the country it is and we ought to be encouraging that. To have this benefit expire is bad, bad for people who take mass transit. Obviously there are a lot of them in my State—700,000—who get this benefit. It is bad for those who drive and bad for the clean air that we wish to breathe.

I will continue my quest because I think it is only fair and only right and it is good for all of America. As my colleague noted, it is a tax break. We generally can find more agreement on tax breaks than many other issues—fiscal and tax issues in this Congress. I will continue my quest to have this renewed as soon as possible, and I think it is not unfair to do it ahead of the other tax breaks because of the unique way that this benefit functions and how it is harder—not impossible but harder to enact retroactively.

Mr. President, I wish you, the entire staff who has done a great job here through the year, and all of my colleagues as well as those here in the gallery, a merry Christmas, a happy new year—not least of whom is my good friend and colleague from Utah who I know has a big and happy family. I wish them a merry Christmas and a happy new year as well.

I yield the floor, I guess with just about almost certainty for the last time in 2013.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I appreciate my colleague from New York. He is a great Senator. I understand his concern here, but we ought to do this in accordance with regular order, especially on the Finance Committee, to get to where we work on these matters and get them done in an exigent and good way, and I will certainly try to work with my colleague throughout this process.

Mr. President, I also would like to wish everybody who serves in this body a merry Christmas and a happy new year. This is a wonderful time of the year. We all feel pretty good today, having finally gotten through most of the work that we needed to get through.

Mr. SCHUMER. I thank my colleague.

OBAMACARE

Mr. HATCH. Mr. President, I rise today to discuss the debacle that is the so-called Affordable Care Act. I don't think there is anyone in this Chamber, Republican or Democrat, who would dispute that thus far the implementation of this law has been a disaster, particularly with regard to the healthcare.gov Web site and the President's promise that "if you like your health care plan, you can keep it."

The administration has admitted that it bungled the rollout and has tried to cover up for what PolitiFact dubbed "the lie of the year," by passing the buck to States and insurers as to whether individuals would be able to keep their plans for the next year.

Let's be clear about this. ObamaCare's problems are deeply rooted in its DNA, and they are far larger, far bigger than just a Web site. Is the Web site causing the cost of health insurance premiums to go up dramatically? Is the Web site causing businesses to force more and more employees to work part-time? Is the Web site sending out cancellation notices to patients and consumers, telling them that their health care plans are no longer available? Of course not. Yet as the functionality of the Web site continues to improve, the administration is starting to talk as if every problem with the law has been fixed and that all the other issues are going to simply dissolve.

We know that is not the case. In reality the problems with ObamaCare are only beginning. I would like to take a few minutes to discuss some of the problems we are going to be seeing in the future as the President's health law continues to be implemented. I have to say that when it comes to ObamaCare, it is a little difficult to make predictions. That is because the administration has gone to great lengths to muddy the waters with delayed deadlines and unilateral policy changes. However, I think we can look through the opaque waters and identify at least six general areas where we can expect to see major problems in the coming months. These are six areas among many, but these are six I want to talk about today.

No. 1, we are going to continue to see problems with the implementation of ObamaCare. Like I said, there have undoubtedly been improvements to the Web site. They should be able to resolve that problem. It is a technical problem. It is a shame it was not resolved to begin with. It is a shame that enough time wasn't given to resolve it, but there still are issues that are far from resolved besides that.

Let's just look at the enrollment in the exchanges to see how things are going. As of November 30, roughly 365,000 individuals enrolled in health insurance coverage through the State and Federal exchanges. That is a small

improvement from the numbers that we saw at the end of October but still far short of the benchmarks that the Department of Health and Human Services had set for enrollment in the exchanges. Originally, HHS touted a goal of enrolling 7 million people in the exchanges by March of 2014. According to a memo obtained by the Associated press, HHS projected that on the way to reaching that goal of 7 million enrollees, they would enroll roughly half a million people in the first month. Yet after 2 months they were still more than 100,000 people short of that one-month benchmark, which is not a high benchmark in my opinion.

The same memo projected that they would have 3.3 million enrollees by the end of 2013. Yet, if they are going to reach that goal, they will have to enroll nearly 10 times as many people as they have enrolled so far in just the next week and a half.

Sure, many of these enrollment problems are due to a poorly designed and poorly executed Web site, but even with the Web site's improvements, it would take a substantial miracle for the administration to meet its enrollment goals for the coming months.

There are other significant problems to be concerned about, most notably those associated with the premium subsidy program administered by the IRS.

Earlier this month the Treasury Inspector General for Tax Administration issued a report that found that the IRS has an inadequate system in place for preventing fraudulent premium subsidy payments from occurring and that people's personal information will likely be at risk. That is the Inspector General for Tax Administration. That is not Republicans. There are real questions as to whether the IRS can effectively verify the income of those applying for these subsidies. I have also raised the concern on a number of occasions.

Similar tax subsidy programs, including, for example, the Earned Income Tax Credit, EITC, that are paid out before they are verified, have improper payment rates as high as 25 percent. Think of that.

If we see the same improper payment rate on these ObamaCare subsidies as we do on the EITC, it will end up costing taxpayers hundreds of billions of dollars over the next 10 years. As I have said in the past, the ObamaCare premium subsidies with the lack of security and safeguards are a fraudster's dream. We have warned the administration, and I personally warned the administration.

The administration may claim that with the recent improvement to the healthcare.gov Web site all is now right with the world. However, as you can see, there are a number of administrative problems that, even with a functional Web site, have yet to be resolved.

No. 2, Americans will be left without coverage due to the problems with ObamaCare. As a result of the dismal rollout of ObamaCare, many Americans, particularly those who have tried to enroll in the exchanges, could very well end up being uninsured for a time. Maybe a significant time.

Last week an article appeared in the Washington Post that told the stories of people who were forced out of their existing health plans due to ObamaCare's coverage mandates but are unable to sign up for the new plans on the exchange due to the failings of the Web site. The deadline for signing up for coverage that starts on January 1, 2014, is December 23, 2013. Anyone who has been kicked off their plan who is unable to sign up before that date, which is just a few days away, will find themselves facing a gap in medical coverage.

For the chronically ill or for people with expensive medical conditions, this gap in coverage will be particularly acute. These people are, according to the Washington Post, "ObamaCare's biggest losers." Yet, ostensibly, these are the very people that this law was enacted for and supposed to help.

Another reason countless Americans may end up seeing gaps in coverage is simply because they will be unable to navigate the ever-changing landscape that is ObamaCare's dates and deadlines. Due to the failures of the rollout, the administration has delayed or shifted virtually every deadline associated with obtaining and paying for coverage. For example, like I said, the deadline for enrolling in insurance coverage that starts on January 1 is December 23, just a few days away. The deadline for actually getting the first premium payment to insurers is December 31. Both of these dates have been moved at least once already and could be moved again. They probably will be. On top of that, the administration has issued statements "encouraging" insurers to extend their own deadlines for payment and enrollment.

This is on top of the delays in the employer mandate, the SHOP exchanges, and the countless other provisions we have seen delayed or extended over the past year.

People are bound to be confused by all of these changes. It is nearly impossible for anyone, let alone those with serious medical conditions, to keep track of the ever-changing deadlines the administration keeps issuing. With no clarity as to when people should sign up and who they should pay and when, it is a virtual certainty that many consumers will find themselves uncovered for a period of time through no fault of their own.

The administration added to all of this uncertainty last night with the announcement it was going to allow people with canceled insurance plans to either buy catastrophic plans or avoid

the requirement that they buy health insurance altogether. It has been less than a full day, and already this decision is causing confusion among insurers. It will almost certainly do the same for consumers.

It seems the Obama administration is making all of this up as they go along. Undoubtedly, many people will suffer the consequences of this ineptitude. The administration should be ashamed of the way this is bollixed up and messed up, and it is just going to get worse.

No. 3, there will continue to be spikes in premiums and other costs. We have already seen what is happening to the price of insurance in the individual market. Thanks to ObamaCare, millions of people have already lost their existing health insurance and have found that their options on the exchanges come with much higher premiums. This sticker shock has been widely reported. But that is not the end of the crisis problem.

Unfortunately, many people are also finding that their out-of-pocket costs will be dramatically increased thanks to higher copayments and prescription drug costs, included in plans on the exchanges. In many cases, it is difficult for patients to determine which medications are covered on the ObamaCare plans.

Unlike in Medicare Part D, the ObamaCare Web site does not have a plan finder that would enable consumers to search for plans based on coverage. These new costs are particularly high when compared with the insurance plans that were recently canceled.

But it is not just happening in the individual market. These price spikes are also hitting people with employer-provided insurance. According to a recent poll by the Associated Press, nearly half of Americans with job-based or other private insurance say their policies will be changing next year, mostly for the worse. So 69 percent say that the cost of their insurance will be going up; 59 percent say their annual deductibles or copayments are increasing. The Affordable Care Act did little to reign in the actual cost of health care.

When you add in the costs associated with the law's mandates and regulations, costs are going up, particularly for small businesses, our main job creators.

A recent survey of small business owners by the National Federation of Independent Business confirmed that this is already starting to happen. In the survey, 64 percent of small businesses reported that they paid more for employee health insurance premiums in 2013 than they did in 2012. Small business owners consistently cite the rising cost of health care as their top business concern.

This brings us to the next obvious prediction, No. 4. Millions of people

will lose their existing employer-provided health insurance. Once again, we are all too familiar with President Obama's infamous promise, "If you like your health care plan, you can keep it," but little has been said about the threats ObamaCare's mandates pose to people who get their health insurance from their employers.

Put simply, the health law was designed specifically to invalidate existing health care plans—those deemed inadequate by the drafters of the law—in order to force people into more expensive plans with expanded coverage they don't necessarily want or need. This applies to both individual market plans and employer-provided plans alike. The administration's own estimates, published in the Federal Register, predicted that tens of millions of Americans with employer-sponsored—keep in mind, employer-sponsored—insurance will see their plans invalidated by the so-called Affordable Care Act's mandates and regulations.

According to a recent analysis by the American Enterprise Institute, as many as 50 to 100 million insurance policies in the employer-provided insurance market will see their plans canceled next fall when all business plans must be fully compliant with ObamaCare's insurance mandates. At that point businesses will have to face a difficult choice: Offer a more expensive health care plan to their employees or send employees into the exchanges. As we have already seen, that is not a great place to be.

No. 5, health insurers will either leave the market or face bankruptcy. One of the foundational assumptions made by the drafters of the Affordable Care Act was that the costs to insurers of providing vastly expanded coverage would be offset when more young and healthy patients are brought into the risk pools. Indeed, this is almost the entire basis for the individual mandate. The problem is that so far this doesn't seem to be happening, and I doubt it ever will. There is good reason to question whether it ever will. With the ever-increasing cost of insurance as a direct result of ObamaCare, there will likely be many who opt to stay out of the market altogether.

There is ample data right now to support this conclusion. For example, in a poll released earlier this month from the Harvard Institute of Politics, those in the millennial generation—the very people whom proponents of ObamaCare desperately need to add to the insurance pool—were shown to be highly skeptical of the law. In the poll, a majority of 18- to 29-year-olds disapproved of the Affordable Care Act and said it will increase their personal health care costs. Only 18 percent of respondents in that age group said they thought the law would improve their health care.

Clearly, the authors of ObamaCare thought that the individual mandate,

along with the strong sense of civic duty, would coerce people into acting against their own interests and paying expanded costs for coverage they don't necessarily want or need; however, in the real world where people weigh costs and benefits before making a decision, millions of people are more likely to pay a fine instead of entering a skewed and unstable insurance market where costs are forever going up. A lot of these young people will not even pay the fine because there is no penalty for not doing so.

Without a greatly expanded risk pool of younger and healthier consumers, it is not going to be worth it for many insurers to stay in the market. Those insurers who do stay and try to stick it out will do so at greater risk to their financial future.

Insurers are not the only ones facing a dismal economic outlook as a result of ObamaCare, which brings me to my final prediction. Remember, I am just limiting it to six today. I will have more later.

No. 6, ObamaCare will continue to be a drag on business and our overall economy. It isn't just patients and consumers who are suffering under ObamaCare; employers are also facing difficulties as a direct result of ObamaCare. As I have discussed here on the floor at length in anticipation of the employer mandate, businesses all across the country have either reduced employment or have stopped hiring. Workers who had full-time jobs before the passage of ObamaCare are finding themselves moved into part-time work because under the law employers will be forced to provide coverage for full-time workers.

Even the unions, which were among the largest and biggest supporters of the health law when it was being debated in Congress, have come out and said the law is destroying the 40-hour workweek for American workers.

Last week the National Association of Manufacturers released its quarterly survey of its members which showed overwhelmingly that the President's health care law is having a negative impact on the manufacturing sector. According to that survey, more than 20 percent of manufacturers have cut or decelerated their business investment as a result of ObamaCare. Nearly one-quarter of them have either reduced employment or ceased hiring. Roughly one-third of them say they have reduced their business outlook for 2014 as a result of the so-called Affordable Care Act. And more than 77 percent—nearly 8 in 10—of manufacturers cited rising health insurance costs as a primary business challenge.

In other words, at a time when our economy is growing at a sluggish pace and job growth remains lackluster, the President and Democrats in Congress continue to support a health care law that is making America a much more

difficult place to do business and to find and keep a job. It is only going to get worse as this wears on. These are just some of the problems we are going to see in the coming months as a direct result of ObamaCare, and they are not going to go away so long as the Affordable Care Act remains in place.

As I see it, with 2013 coming to a close, the President and his allies here in Congress are at a crossroads. As I see it, they have two choices: They can continue to double down on the same failed policy that is increasing the cost of health insurance in this country and causing millions of people to lose their existing coverage and will continue to wreak havoc well into the future or they can, for once, try to work with Republicans on replacing this failure with something that has a real chance of success. I hope that eventually my colleagues will choose the latter, but needless to say I don't think I can keep my hopes up.

Last but not least, I hope this is not leading to a throwing of the hands in the air, admitting this doesn't work, and then saying we have to go to socialized medicine, or what many call a single-payer system. If we do that, I have to tell you, we will never get out from under this mess.

We had a system that was working pretty well. There were up to 30 million people who did not have coverage. Why didn't we just concentrate governmentally on helping the 30 million people rather than doing this colossally bad bill that we are all going to rue the day we did? I am so concerned about it.

There are ways we can work together. I really believe we have to find some folks on the other side of the aisle who really understand this and who really understand that they are getting killed by this bill. Hopefully, we can find some folks who will sit down and work with people like myself. I have been instrumental in an awful lot of health care legislation over the last 37 years. Hopefully, we can work together in order to get this terrible problem resolved. I am concerned about it.

Health care should never have been a partisan issue, and in this case it is a totally partisan issue. Every Democrat in the House and Senate voted for it. Not a single Republican in the House or Senate voted for it. We all voted against it, knowing in advance that it would be a disaster. Frankly, I would like to get rid of the disaster, and I hope we can find some colleagues on the other side who will be willing to work to do that.

I hope the President will wake up. I think he thinks he is going to double down and fight for this, when, in fact, it is killing his reputation and the Democratic Party's reputation as well.

We clearly can't keep going the way we are.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. I ask unanimous consent to be able to engage the Senator from New Hampshire in a colloquy for about 20 minutes. I would appreciate it if the Presiding Officer would let us know when the 20 minutes has expired. I would like to discuss the military retiree position and the budget with Senator AYOTTE when she gets here.

The PRESIDING OFFICER. Without objection, it is so ordered.

MILITARY RETIREMENT

Mr. GRAHAM. The Presiding Officer is from Virginia, and I know he understands military men and women very well. It is a very patriotic State when it comes to their military footprint. I am confident that he and I—and others—will be able to fix the problem that occurred in the budget agreement.

Let me say about the agreement itself that I do appreciate the fact that we were able to find a bipartisan way forward to relieve sequestration from the military and nonmilitary for a couple of years. That is just a drop in the bucket as far as what we have to do to repair the military. GDP spending on the military is moving toward an all-time low over a 10-year period with sequestration. The historical average has been well over 4 percent, and we are going to hit below 3 percent if we continue sequestration. That is an issue for another day.

The budget agreement called for relieving sequestration in the pay-fors. Quite frankly, they were not big. They did not change the course of the country. They are not what the Senator from Virginia and I hoped for. We would have liked to have done entitlement reform. I would like to do Tax Code simplification. I am willing to eliminate deductions in the Tax Code and take some of the money to pay down the debt, even though some folks on my side say we have to put it all in tax reductions. And I think the Senator from Virginia would be willing to engage in commonsense entitlement reform to keep us from becoming Greece.

This was the best deal we could get. It didn't do the big deal, but it did provide some budget relief for a 2-year period, and it was about \$60-something billion; I can't remember the number.

The bottom line is that one of the ways you paid for relieving pressure on the defense budget and nondefense spending was there was a provision

that will affect military retirees, which nobody will own, that got into the budget agreement.

I am on the Budget Committee. I was not consulted about the agreement; I read about it in the paper. There is a fine line between having a bunch of people involved who kind of keep things from never developing to produce a product and having a handful of people doing something in a small room, not vetted.

So the bottom line is that \$6.3 billion of the pay-fors came from adjusting military retirement cost-of-living allowances for those who have served our military for 20 years and are therefore eligible for retirement. What they did was they took the COLA and reduced it by 1 percent for every military retiree until they reach the age of 62.

The President, to his credit, has called for an adjusting CPI, the way COLAs are calculated, for everybody—for civilians, military, Social Security—to make it more consistent with sustainable inflationary increases. This didn't adjust the COLA, it left the formula as it is; it just reduced the military retiree's COLA by 1 percent until the military retiree reaches age 62, and that is the only group in the country that had that happen. So \$6.3 billion is taken away from men and women who have served for 20 years, and no one else had the pleasure of that experience.

Civilian employees, new hires, had to contribute additional funds to the Federal retirement system to help pay for the deal, but it only affected new retirees; the people who are in the system were grandfathered. The only group that Congress found fit to single out for the retroactive application was the retiree community.

All I can say is that military pay—retirement, pension pay, health care benefits are going to be subject to being reviewed and they will be subject to reform, because a larger portion of our budget in DOD is personnel costs. The Congress, in its wisdom, set up a commission to look at this issue. They are supposed to report back in 2014—now maybe it is as late as 2015—about how to reform military pay and benefits as part of an overall restructuring of the Pentagon.

One thing Congress put into the commission's charter was that they had to grandfather people who are currently in the system. In the budget agreement we singled out military retirees for a 1-percent reduction of their COLA and nobody was grandfathered—\$6.3 billion coming out of the pockets of those who have served. For an E-7 who is going to retire at 40 and has his or her COLA reduced to age 62, it is between \$71,984 or \$80,000, depending on who you talk to, in loss and benefits. And the E-7 receives in retirement pay after 20 years of faithful service about \$25,000 a year—not exactly becoming independently wealthy.

We have one of the leading voices on this issue, Senator AYOTTE from New Hampshire, who took up this challenge and came up with some solutions early on and has been a great voice about how unfair this is. So I will yield to the Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I thank my colleague from South Carolina.

I picked up an editorial this morning from the Washington Post that calls the cuts to the cost-of-living adjustments to military retirees minuscule and demeans this criticism. It calls the cuts teensy-weensy.

I don't understand why anyone would want to support a measure that singles out—in other words, under this budget agreement, the group that got the cuts to their current benefits are those who have sacrificed the most for our country. To call this minuscule or teensy-weensy—I don't think it is so minuscule, as the Senator from South Carolina said, to an E-7 who makes about \$25,000 a year in retirement and will lose close to \$72,000 from the time he or she retires at 40 until they are 62. That is about 3 years of their retirement. That is not minuscule in a working family.

This is not a minor situation. It is not minuscule to our veterans, those wounded warriors who have given the most, and who have, unfortunately, suffered so much.

Mr. GRAHAM. Mr. President, will the Senator yield?

Ms. AYOTTE. I yield.

Mr. GRAHAM. This applies to disabled retirees as well, right?

Ms. AYOTTE. It does. We have all visited Walter Reed and we have all met our wounded warriors who are heroes. They have sacrificed more than we could ever ask anyone to sacrifice for our Nation. Some of them don't have arms, legs. They receive a medical retirement because of their service and their disability as a result of the service they have rendered so gravely for our country, and they get cut under this too. I don't think the cut to them is teensy-weensy or minuscule. Only in Washington would this be minimized in terms of how people are viewed as minuscule or teensy-weensy in light of the service they have given to our country. I thought this description of it was wrong and offensive and demoralizing in terms of the message it sends to our men and women in uniform.

I think the encouraging part of where we are right now is that so many in this body have come forward and said we need to fix this and recognize this does have an unfair impact on our military retirees and, of course, those who have received a medical retirement.

Whether I disagreed with my colleagues voting for the agreement, regardless of where my colleagues stand on the agreement, I think it is time for us to come together on a bipartisan basis and do the right thing and fix

this on behalf of our men and women in uniform, especially our wounded warriors.

Obviously, this body realizes this is not minuscule and this is not teensy-weensy in terms of the impact on our heroes and those who have sacrificed so much for our country. I am very encouraged to see so many of my colleagues over the last couple of days coming forward with different ideas about how we can fix this and do the right thing on behalf of our men and women in uniform.

I have introduced a piece of legislation that would come up with billions of dollars for a pay-for to fix this. I know others have different ideas. But I know this: We can put politics aside. We can fix this for our men and women in uniform.

After we go home for the holidays, I think when we come back in January, this should be a No. 1 priority in this body, which is to do the right thing for our military retirees, for those who are our wounded warriors. The number of people I have seen speak out on this issue in the last few days gives me encouragement that we will be able to do this and do it quickly on their behalf, to right this wrong. Some of them are 19 years in. Maybe they have done multiple tours in Afghanistan and are thinking of retiring. We need to let them know we understand their sacrifice, we should not have singled them out, we will get this right, and that we understand that of all the people who should not have been singled out in this agreement are those who take the bullets for us and whose families have had to go through multiple deployments.

I think about the fact that when someone has done a 20-year military career and one has had multiple deployments, the spouse can't have the same kind of career as if they were able to live in one place. They sacrifice so much because they are traveling around the world and the retirement they receive obviously recognizes that.

So as we leave for the holidays, I hope when we get back, we get this right, we take this up, we honor the service of our men and women in uniform and do what is right.

Mr. GRAHAM. Senator AYOTTE mentioned this Washington Post editorial. The Washington Post is, in my view, a very good newspaper. I like the editorial board. They have been right on Syria and a lot of other issues. Sometimes we disagree, that is for sure. But this one editorial has gotten my attention to the point that I have to respond and, quite frankly, ask my friends at the Washington Post to reevaluate their position and think a little bit about what they are saying in their editorial when it comes to military retirees.

As she said, the editorial says this is a "teensy-weensy" small cut. I said

that we were screwing the military retirement community and maybe a better way of saying it was we are disrespecting the military retiree community, because when I said we were screwing the military retirees, it was sort of like the financial package. They are having to give up retirement benefits—the COLA reductions—that not one other person in the entire country has to go through. And it is not teensy-weensy. When it is 1 percent calculated from 40 to 62, it is \$71,000 to \$80,000; if you are an officer, \$100,000. Again, you get about \$25,000 in retirement when you are an E-7; some in the thirties if you are an O-5. But to get that you have to serve your country for 20 years, uprooting your family—probably the average number of moves has to be five or six. If you have been on Active Duty since 9/11, God knows how many times you have been to Iraq and Afghanistan and other places.

Here is the deal: Your children are not subject to being drafted. Why? Because we abolished the draft, and we put in place an all-volunteer force, and part of the deal was that we would take care of the military member and their family in an appropriate way if they would bear that burden for the rest of us.

Are these people really living large off the rest of us? Should we be offended at this “great deal” we are giving these people who retire at 40 or 45 or 38? You know, the “My God, aren’t they just sort of taking the rest of us for a ride” attitude really offends the hell out of me.

To get that \$25,000 in retirement for the rest of your life—and I hope you live to be 80, or you just name the number—you had to work for it, you had to risk your life for it, you had to ask of your children something that most people do not have to ask; that is, move and leave your friends every couple years. You had to do things for the rest of us that, apparently, we do not appreciate anymore at the Washington Post.

I do not know what the editorial board’s makeup is. They are all patriotic, I am sure good people, and if they have veterans down there, boy, you let your fellow veteran down by approaching this issue in such a harsh, insensitive way. Their response was: No, the military retiree is not getting screwed. This is just a small step to something larger.

What they are trying to do—which offends me—is, one, they do not know what they are talking about, which is unusual for the Washington Post. Do not confuse my disgust with the singling out of military retirees in a retroactive fashion to pay for a budget deal that does not do a whole lot to change the course of the country with my desire and willingness to reform military pay and pension benefits in the future through a logical process.

Now, that offends me. That is pretty clever.

So can you be for reform and be disgusted at the same time? Yes. And here is the good news. Very few U.S. Senators are taking the Washington Post tactic that these people deserve more cuts—not less—singled out. I think the Washington Post is on an island of its own, at least I hope so.

People who voted yes—Senator MCCAIN, God knows he has earned his retirement; Senator CHAMBLISS; Senator ISAKSON—have come up with a way to fix this, and all three of them will say: I will embrace military pay and pension benefit reform in the future. I am not just going to single out the military retiree and reduce their COLA when no one else gets that reduction retroactively, violating their own commission charter.

Senator SHAHEEN on the other side wants to fix it. Senator MURRAY wants to fix it. I am really pleased that a lot of people have said: Now that I understand how this works, we need to fix it.

I have not even mentioned the fact that it does apply to disabled retirees. If you had your legs blown off in Afghanistan, it might be pretty hard to get another job. Your COLA is reduced too.

What do you say to those people? Thank you? Itsy-bitsy, teensy-weensy? Really? But they did not mention in the editorial that it applies to the disabled retiree. Mr. President, \$600 million of the \$6 billion comes from that community.

Here is my point: It is not so much that we were insensitive. It just shows me how far we have fallen as a nation and how comfortable we are for other people to do the fighting and we see these folks almost as the hired help, even though we profusely praise them, and we should. We welcome them home when they come back. We cheer when they go away. We trip over ourselves as politicians to show our love and affection. The average person at the airport says: Thank you for your service. We are well-meaning people. But to believe that somehow they are being fairly treated in this budget deal and really we are just not doing enough from the Washington Post’s perspective, I think loses sight of what they have done for the rest of us.

Let’s say we never reformed a penny of military retirement in the future and we left it as it is. About \$1.734 million is the package over the lifetime from the 20-year retirement point to death, which the average could be 40 years. We need to look at that. But let’s say we did not change a penny. Over a 40-year period, at \$25,000 a year, do you begrudge these people this package? After 20 years of service, they are now in their forties, their late thirties—the average is probably in the mid forties—they have to start over again. Go do that. Not so easy. And

somehow we are suggesting that we are being too generous?

Would you send your kid? If I gave you \$1.74 million over the next 40 years, is that worth it for you to have your kid sent over to Afghanistan or Iraq, if they did not want to go? That is what this is about.

So to my friends at the Washington Post, I do not know what happened here. I do not know how you could justify and defend this provision in the budget agreement that nobody wants to claim credit for. Again, I will reform military pay and pension benefits through the commission process prospectively, but I will not sit on the sidelines and watch these people, yes, get screwed financially but, more than that, be disrespected.

To my House and Senate colleagues, Republican and Democrats, we created this problem together. We will have to fix it together. And to the military retiree community, the disabled retiree, I am confident that Republicans and Democrats will right this wrong.

Having said that, there will come a day when we will sit down and look long and hard about the sustainable nature of personnel costs—TRICARE reform—pay and pension reform—but we are going to do it understanding you have a special place in our heart, but when it comes to balancing the budget and writing the Department of Defense long-term financial obligations, that we will look at this in a professional manner, and we will do it in the way least intrusive, and we will give people notice. We will not change the deal.

Can you imagine what it is like to have fought since 9/11; you are getting ready to retire in 2016, after 20 years of faithful service—or maybe longer—you are from your last deployment in Afghanistan; you have been to Iraq a couple times, Afghanistan a couple times; you had a couple buddies die; you have missed countless birthdays and Christmases, and every time a strange car pulls up into the driveway, your spouse loses their breath, and you read that this is what the Congress is doing to you—changing the deal? You did your part of the deal, but all of a sudden we decide to change the deal because we have to find some money around this place to pay for a budget deal that does not do a whole lot for the long-term indebtedness of the country. And when we look to find money, we saw you as a source of money—not as the patriot, not as the front-line defender of freedom, not as the volunteer who took the burden off our backs and gave our families a pass. Shame on us all.

But the way you fix it is you fix it. To my friends at the Washington Post, Bowles-Simpson never said as part of their efforts to balance the budget—and I embrace their process—that we would eliminate military retiree COLAs as a recommendation. They set

a target goal of saving \$70 billion over 10 years from a Federal workforce entitlement task force to be set up to look at civilians and the military who work for the Federal Government, and they created the task force with a target goal of achieving \$70 billion as a contribution toward reforming entitlements on that side of the ledger.

They gave examples of what the task force might look at: Use the highest 5 years of earnings to calculate civil service pension benefits for new retirees, rather than the highest 3 years. That could save \$5 billion. Defer cost-of-living adjustments, as we are talking about here. That could save \$5 billion. Adjust the ratio of employer-employee contributions to Federal employee pension plans to equalize contributions, \$4 billion. These are examples of things to look at—not Bowles-Simpson recommendations. The recommendation of Bowles-Simpson was to find \$70 billion from military and civilian retirement programs over 10 years through a task force.

What did the Congress do? We set up a commission—rather than a task force—to do exactly what Bowles-Simpson said to do. And to our wisdom, we told the commission, when it comes to the military, grandfather those who are currently in the system. That made sense to me. But under the budget agreement, we violated our own instructions to the commission by getting \$6.3 billion from the military retirement community retroactively, from everybody in the system up to age 62, and only them. The civilian workforce had to make a contribution only for new hires.

If that is OK with the Washington Post, then I would suggest you have lost your way down there. I hope I never get so smart that taking \$72,000, \$80,000, \$100,000—whatever the number is; the bottom line is, the minimum was \$72,000 out of the E-7 cost-of-living adjustment; 3 years of their retirement—I hope I never get so smart about the budget that I find that to be itsy-bitsy, teensy-weensy. I hope I never get so callous that I could sit on the sidelines and allow the military retirement community to be singled out, unlike anybody else in the Nation, to find \$6.3 billion when we are looking for money.

The bottom line is we will find the \$6.3 billion. We are going to find it in a more acceptable way. And there will come a day when we reform benefits, but we are going to do it consistent with the charter that the Congress has created.

To our military community, you need to fight. You need to show up during the holiday break, and you need to remind all of us—just not Members of Congress—you need to toot your horn a little bit because it is so darn hard for you to do. You should humbly ask the U.S. House and Senate to reconsider

this. You should humbly ask that the pay you received has been earned, and to change the deal in midstream is wrong. And you should remind us that: I have lived up to my end of the bargain. I am only asking that you live up to your end of the bargain. We need your voice.

So to the Senator from Virginia, who is presiding over the Senate, I know you will be part of the solution. There is a sweeping movement here in the Senate to try to find a way to right what I think is an injustice. Reform will come with it. But it sure as hell is not going to come this way.

I yield the floor. Merry Christmas.

UNANIMOUS CONSENT REQUEST— EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, first I wish to thank my colleagues from New Hampshire and South Carolina.

There is at least an opportunity or a tradition at the end of a calendar year that we take the nominations pending in the Senate, both in committee and on the calendar, and literally return them to the White House. That means that in the beginning of the next year, we start over. It may mean a hearing, it may mean postponement, but we lose all we have achieved up to this point. We absolutely have to start over. I would argue at this point that we seriously consider changing that tradition, and I will make a unanimous consent request to change it.

There are some 238 total nominees who are at issue here. Eighty-three are on the Executive Calendar and 155 are pending in committee—nominations sent by the White House to Capitol Hill which have either been lost—not lost in committee but held in committee—or sent to the calendar. Of the group I have just mentioned, of the 238, 47 are judicial nominations, 36 are Ambassadors—and I have read through the list of countries here and they range from some of the smaller ones to larger countries as well—and 86 are nominees to Cabinet-level agencies. So it is a wide spectrum of appointments that have been sent for Senate consideration to Capitol Hill.

We are embroiled in an internal debate about the rules of the Senate concerning the filibuster and nominations. It is one that has not been resolved to the satisfaction of either side of the aisle, but we have labored through it over the last several weeks and will when we return.

I am going to make a unanimous consent request that those nominations—all of them; the military nominations as well as others—be held here on the calendar and in committee and not be returned to the White House, thereby requiring we repeat everything we have done in this previous year. We don't get high marks at the end of this year for our legislative performance, and to

throw aside all of the effort that has been put into these nominees and require the White House to start over is literally a waste of time and unfortunate for these nominees, many of whom have been waiting for a long period of time for consideration and a vote by the Senate.

This is a chance, with this unanimous consent request, to get the next year off to a good start, where we can take what has been done with nominees, use it, take those nominations that are on the calendar, move forward; they will still be subject to an up-or-down vote. The Senate has to work its will, and that will not be compromised at all by the unanimous consent request I am making, but I am hoping we can get it through so that when we return on January 6, we will have an opportunity to move with a little more dispatch and a little more productivity in the Senate.

As in executive session, I ask unanimous consent that all nominations received by the Senate during the 113th Congress, first session, remain in status quo, notwithstanding the provisions of rule XXXI, paragraph 6, of the Standing Rules of the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. GRAHAM. Yes. Reserving the right to object, to my good friend from Illinois, all I can say is that the normal way the Senate has operated for a couple of hundred years has been destroyed this year, and asking that normalcy come about now is beyond the pale, but we are where we are. So I object.

However, I urge the Senate to act to confirm the many military nominations pending for the Army, Navy, Air Force, and Coast Guard. So I object, with that understanding.

The PRESIDING OFFICER. Objection is heard.

Mr. DURBIN. Mr. President, I understand we are at a point of great emotions and feelings, stress in the Senate over the change in the rules about the use of the filibuster in the Senate. Unfortunately, it appears that we are going to stay in that state for at least a short period of time, and I am not holding my colleague from South Carolina accountable for that. I believe what he has done is reflect the feelings on that side of the aisle, not just his personal feelings. However, I believe he has made a valuable suggestion.

NATIVE AMERICAN MEMORIAL AMENDMENTS ACT

Mr. SCHATZ. Mr. President, last night the Senate passed the Native American Memorial Amendments Act of 2013. The bill now heads to the President for his signature. I introduced the Native American Memorial Amendments Act in May. I have worked with

Representative MULLIN since he introduced an identical bill in the House in June.

This bill is needed to facilitate construction of a long-awaited Native American Veterans' Memorial on the National Mall. This memorial has languished for almost 20 years since the passage of the original Native American Veterans' Memorial Establishment Act. This legislation builds off of the great work of Senator McCAIN, who introduced the initial bill to authorize the Native American Veterans' Memorial, and Senator Inouye, who as the Indian Affairs Committee chairman worked to enact the law in 1994.

My bill also continues Senator Akaka's great legislative effort to fulfill the promise of this memorial. Native Americans, including Native Hawaiians, Alaska Natives, and American Indians, serve and have always served at a higher rate in the Armed Forces than any other group of Americans per capita.

In every conflict since the Revolutionary War, Native Americans have answered the call to serve and defend our country. I introduced my bill so our Nation can recognize Native Americans' service and patriotism with a fitting memorial. A memorial to Native veterans will make sure future generations learn about the sacrifices Native Americans have made in service to our Nation.

It will commemorate their exceptional commitment to the principles of freedom and democracy. Last month, Congress awarded its highest honor, the Congressional Gold Medal, to the American Indians we know as code talkers. These brave men played a critical, and for too long unacknowledged, role in both World Wars. The celebration of our legendary code talkers in Emancipation Hall at the U.S. Capitol was a historic and proud moment.

But it is regrettable that most of the 216 honored did not live to see their heroic contributions acknowledged. Congress was decades late in recognizing the Native American code talker's work when we needed them most. We cannot make that mistake again. I believe now is the perfect time to move forward on a lasting tribute to all Native veterans, including the extraordinary contribution of Native Hawaiians.

My home State of Hawaii is second to none when it comes to patriotism, public service, and personal sacrifice. The heroic deeds of Anthony T. Kaho'ohanohano from Wailuku, Maui, prove just how true this is. He joined the Army to fight in combat in the Korean war.

He was assigned to Company H, 17th Infantry Regiment, 7th Infantry Division. Private First Class Kaho'ohanohano displayed extraordinary heroism near Chopra-Ri, Korea, on September 1, 1951. Due to the en-

emy's overwhelming numbers, troops were forced to execute a limited withdrawal. As the men fell back, Kaho'ohanohano ordered his squad to take up more defensible positions. He provided cover fire for them.

Although painfully wounded in the shoulder during the initial enemy assault, he gathered a supply of grenades and ammunition and returned to his original position to face the enemy alone. Kaho'ohanohano delivered deadly, accurate fire onto the advancing enemy. After going through all of his ammunition, he engaged the enemy in hand-to-hand combat until he paid the ultimate price fighting to protect his fellow soldiers.

President Obama awarded U.S. Army Private First Class Kaho'ohanohano the Presidential Medal of Honor, our Nation's highest military honor, posthumously. Private First Class Kaho'ohanohano, the thousands of Native Hawaiians, and Native Americans who have served our country with such honor deserve a memorial on the National Mall.

My Native American Memorial Amendments Act that passed last night will allow for a privately funded memorial to be located on grounds under the jurisdiction of the National Museum of the American Indian. The museum will have the much needed flexibility to raise funds and take on a more active role in planning and construction.

The Native American Memorial Amendments Act of 2013 was endorsed by the National Congress of the American Indians, Alaska Federation of Natives, the Council for Native Hawaiian Advancement, the largest three Native American membership organizations in the country. The National Museum of the American Indian and the National Park Service are in agreement as well.

I wish to thank the strong support of the bipartisan cosponsors of this bill: Senators BARRASSO, BEGICH, HEITKAMP, INHOFE, MURKOWSKI, TESTER, THUNE, and WYDEN. I also wish to thank especially chairwoman MARIA CANTWELL for her work to ensure the passage of this bill. It is long past time for our Nation to honor the uncommon contributions of Native Hawaiians, Native Alaskans and American Indians and other Native veterans. These brave men and women have served during war and peace to preserve our freedoms in remarkable high numbers. The valor of our Native American veterans, their dedication to duty and remarkable record of military service must forever be remembered. This memorial will do just that.

I yield the floor.

BIPARTISAN BUDGET RESOLUTION

PAYMENTS IN LIEU OF TAXES

Mr. BAUCUS. Madam President, I come to the floor today with my friend

Chairman WYDEN to express support for extending natural resource programs that are critical to communities across the country. This week the Senate passed a bipartisan budget resolution. In January we will return to consider legislation to fund the government for the rest of the fiscal year.

This past October, Congress was able to extend critical payments to forested counties under the Secure Rural Schools, SRS, program for 1-year in a bipartisan fashion. Irrespective of the appropriations bill that we may take up in January, we now need to do the same for counties eligible for payments under the Payment in Lieu of Taxes Program, or PILT. PILT is a permanently authorized program created in 1976 that since 2008 has received direct spending. It is an essential source of funding for local governments that cannot collect taxes from Federal land within their borders.

A long-term solution to provide stable direct funding for PILT and other natural resource programs that buttress rural economies, like SRS and the Land and Water Conservation Fund, is our common goal. In the meantime, we remain committed to extending direct spending on PILT and look forward to finding an opportunity to do so in the first half of 2014. Does the distinguished senator from Oregon wish to express himself on these points?

Mr. WYDEN. Madam President, I wish to associate myself with the comment of my friend from Montana and affirm that I too share the commitments he described. These payments extend a vital lifeline to counties across America, many of which are perched on the edge of financial disaster. Securing that funding has been a top priority for me this Congress. I am pleased that Congress found a way to continue its commitment to the Secure Rural Schools Program thanks to the helium bill that I worked on with colleagues in the Senate Energy and Natural Resources Committee. There is still work to do for the 1,850 PILT-eligible counties, and I look forward to working with the majority leader and Chairman BAUCUS—who are both longtime champions of PILT—and other supportive colleagues to find a short-term extension and also a long-term solution for these communities.

FARM BILL CONFERENCE

Mr. LEAHY. Madam President, while the days are limited before the end of 2013, the Farm Bill Conference Committee presses on, working together in a bipartisan fashion to resolve differences and to take the steps necessary to enact a comprehensive and balanced farm bill. Under the leadership of Chairwoman STABENOW and Chairman LUCAS, it now appears we are on target to complete our work on this bill early in the New Year.

Nonetheless, it has now been more than 440 days since the farm bill first expired. Farms are businesses, and farmers in Vermont and across the country are desperate to have a new farm bill enacted to give them the much-needed certainty for their planting and other farm decisions. Since the 2008 farm bill expired last year, we have seen parts of the country ravaged by blizzards that wiped out cattle herds while commodity prices slump. More than 20 programs, including the Organic Certification Cost Share Program, the Beginning Farmer and Rancher Development Grant Program, livestock disaster, renewable energy programs, and assistance for rural small business owners have been stranded without updated charters, and the USDA has had to press the pause button since these programs are stuck with no authorized funding. Those who participate in these programs are left hanging. That is as unwise as it is unfair.

Last week the House of Representatives quickly took up and passed a short-term extension of the farm bill with very little debate and has asked the Senate to do the same. I have heard a lot of concern here in the Senate that this short, 1-month extension could allow direct payment subsidies to continue for another full year. We have already agreed on a bipartisan and bicameral basis to get rid of these unnecessary and expensive direct payment subsidies to agribusiness, so we should not fall into this trap of extending them for a full year. That would be unacceptable, and, according to Secretary Vilsack, unnecessary.

Secretary Vilsack has indicated that if Congress completes the farm bill in early January, which can be done based on progress we have already made, we will not see the negative effects of the expiration of the dairy title, and implementation of the law should go smoothly. This is a reassuring, positive signal from the Secretary that consumers and our dairy farmers will not see the spikes in the cost of milk that we had all feared last New Year's Eve.

Of course, if the House of Representatives really wanted to get a farm bill done sooner, they would have kept the House in session this week instead of recessing for the year. Instead, they pushed forward a counterproductive short-term extension to make it seem that they are doing something for farmers. This comes after the House leadership spent much of the past 2 years dragging their feet on farm policy and reforms, while the Senate has now passed two overwhelmingly bipartisan and reform-oriented farm bills.

While we had first hoped to complete this work in 2012, the farm bill was pushed back to 2013, and it will soon become the 2014 farm bill. Over the last 2 years, the need for this comprehensive legislation has only grown. We

have all heard stories from our home States about the real impacts caused by the failure of Congress to pass a new farm bill and the continued uncertainty for farmers and those who rely on USDA's nutrition programs. I regret that far too many hungry and food insecure families across America have to wonder whether this most basic assistance will still be in place to offer support in the new year. I have always been a strong proponent of nutrition assistance programs and the doors they open and will continue to oppose drastic and draconian cuts and damaging changes to these programs.

I look forward to returning in January and sitting down with the Conference Committee to work through the final details of this bill. We cannot delay any longer, and I am pleased that Chairwoman STABENOW and Chairman LUCAS have come together in a bipartisan way to move the farm bill forward. As a past chairman of the Senate Agriculture Committee, and a seven-time farm bill conferee, I know the challenges they have faced. I look forward to helping with the final steps in conferencing this legislation—a bill that touches every American. Its passage will strengthen the Nation and grow our economy.

The Farm Bill has long stood as a model of bipartisan consensus. I look forward to the Senate and House reaching a final bipartisan agreement that will move the bill forward to the President's desk.

JUDICIAL NOMINATIONS IN 2013

Mr. LEAHY. Madam President, Republicans are once again—for the fifth year in a row—rejecting the long-standing Senate practice of scheduling confirmation votes on consensus nominees before the end of the session. Rather than working in a bipartisan fashion to confirm consensus nominees to fill judgeships as we wind down for the year, Senate Republicans have deliberately refused to agree to vote on consensus nominees who could and should be confirmed without delay. The result is that we will spend a significant portion of the next year on the Senate floor doing work that should have been completed this year. And now the Republican abuse of Senate rules has further escalated—Republicans have, for the first time ever, refused to allow any currently pending judicial nominees to be held over so that they could be ready for immediate action next year. For purely political reasons, Senate Republicans are forcing us to duplicate work next year that we have already completed in 2013. It is a waste of taxpayer dollars and valuable resources that could be spent addressing the difficult issues facing our Nation.

As it stands, nine judicial nominations pending on the Senate Executive

Calendar—all reported by the Judiciary Committee unanimously or with significant bipartisan support—are being returned to the President. Another 15 judicial nominees who could have been reported to the full Senate and confirmed by the end of this year had Senate Republicans not blocked the Judiciary Committee's ability to meet to report these nominees to the full Senate are being returned to the President. Another 31 judicial nominees pending in the Senate Judiciary Committee will also be returned to the President. Each of these nominations represents a significant amount of work by the nominees themselves, the White House, the Department of Justice, and Senate staff on both sides of the aisle. The only judicial nomination not being returned to the President is Robert Wilkins' nomination to the U.S. Court of Appeals for the D.C. Circuit because the procedural posture of his nomination enables the Senate to hold his nomination over until next year. I am pleased that Judge Wilkins' nomination will not be returned, which allows for quick action next year, but there is no good reason to return any of the other 55 judicial nominations pending in the Senate.

Senate Republicans' persistent obstruction over the last 5 years has led to record-high vacancies in Federal courts throughout the country. At the end of 2009, Senate Republicans left 10 nominations on the Executive Calendar without a vote. Two of those nominations were returned to the President, and it subsequently took 9 months for the Senate to take action on the other eight. This resulted in the lowest 1-year confirmation total in at least 35 years. At the end of 2010 and again in 2011, Senate Republicans left 19 nominations on the Senate Executive Calendar. It then took nearly half the following years for the Senate to confirm these nominees. Last year they blocked 11 judicial nominees from votes and refused to expedite consideration of others who had already had hearings. And this year, they have escalated their obstruction and delay of judicial nominations by indiscriminately requiring that nominees be sent back to the President at the end of this first session of the 113th Congress, the effect of which is to needlessly cause delay in the Senate's ability to process these nominations and prevent more judges from getting to work for the American people.

Senate Republicans will argue that the change in Senate precedent a few weeks ago on nominations is the cause of their refusal to cooperate, but history shows that this is simply not true. The truth is, from the first day President Obama took office, Senate Republicans pursued a path of delay and obstruction on judicial nominees that departed dramatically from Senate tradition. That it took 5 years into this

Presidency for the rules to change has been the result of certain Senators, including me, who have been reluctant to change prior Senate practice. But once the government stops functioning, the right course of action is to do what needs to be done so that the American people have a government that works to make their lives better. The American people do not want to hear about tit-for-tat politics or their representatives playing the blame game. They are tired of Congress wasting time and resources when there is so much to be done. They want their representatives to work, vote, and fulfill their constitutional obligations. They want their representatives to fulfill their duty of advice and consent so that our courts have the necessary judges to provide speedy, quality justice.

The reality, unfortunately, falls short of the American peoples' expectation. During 2013, the same obstruction that has plagued the Senate during the first term of the Obama administration continued to delay the rate of confirmations to appointments on the Federal bench. The 113th Congress began with a high level of vacancies on the Federal Judiciary. As of January 2013, there were 77 vacancies in the Federal judiciary, and, of these, the Administrative Office of the U.S. Courts determined 27 of them to be "judicial emergencies." Over the course of 2013, the number of vacancies has hovered around 90. Right now, at the end of the fifth year of the Obama administration, there are a total of 88 judicial vacancies, 36 of which are judicial emergency vacancies. In stark contrast, at the end of the fifth year of the Bush administration, there were less than 50 judicial vacancies, and only 16 of those were judicial emergency vacancies.

As the year closes, judicial vacancies remain at crisis levels. However, despite these high levels, Republican obstructionism continues to impose severe delays on the confirmations process, particularly in those States that faced significant obstruction from Republican home State Senators, such as Arizona and Texas.

A year after the American people voted to reelect President Obama, Senate Republicans decided to escalate their obstruction to an unimaginable level this year, preventing the President from filling any of the three vacancies on what is often considered the second most important court in the Nation—the U.S. Court of Appeals for the D.C. Circuit. Senate Republicans chose to filibuster all three nominees to that court without even considering their qualifications. This type of wholesale obstruction was simply unacceptable.

Republicans attempted to justify their opposition to filling any of the three vacancies on the D.C. Circuit by arguing that the court's caseload did not warrant the appointments. We all

knew that this was a transparent attempt to prevent a Democratic President from appointing judges to this court. In 2003, the Senate unanimously confirmed John Roberts by voice vote to be the ninth judge on the D.C. Circuit—at a time when its caseload was lower than it is today. In fact, his confirmation marked the lowest caseload level per judge on the D.C. Circuit in 20 years. Not a single Senate Republican raised any concerns about whether the caseload warranted his confirmation, and during the Bush administration, they voted to confirm four judges to the D.C. Circuit, providing the court with 11 active judges. In light of this double standard, I finally agreed that past precedent had to be revisited because a faction of the minority party should not be permitted to nullify an election by blocking the President's nominees without regard to their qualifications.

I am pleased to say that in the last few weeks, after taking action, we were finally able to confirm Patricia Millett and Nina Pillard—two highly qualified attorneys—to the 9th and 10th seats on the D.C. Circuit. With the confirmation of these two women, there will now be five women and five men actively serving as judges on the D.C. Circuit—this is a historic first for any Federal appellate court. I am, however, disappointed that Senate Republicans refused to allow us to take a vote on Judge Robert Wilkins, another well qualified nominee whose confirmation would enable the D.C. Circuit to function at full strength, with 11 judges. I am hopeful that we will have a vote on his nomination early next year.

Other historic firsts for women serving on our Federal judiciary also occurred this year. In April, Jane Kelly became the first woman from Iowa to sit on the U.S. Court of Appeals for the Eighth Circuit, and, in May, Shelly Dick was confirmed as the first woman to serve on the U.S. District Court for the Middle District of Louisiana. Late last week, after the majority leader was forced to file cloture over Republican opposition to moving forward on district court nominees, three more nominees were confirmed to serve as the first women on their respective courts: Elizabeth Wolford, to be U.S. district judge for the Western District of New York; Landya McCafferty, to be U.S. district judge for the District of New Hampshire; and Susan Watters to be U.S. district judge for the District of Montana.

After an extraordinarily long delay of nearly 22 months since his nomination, we were also finally able to confirm Brian Davis to fill a judicial emergency vacancy on the U.S. District Court for the Middle District of Florida. I am disappointed that it required overcoming a Republican filibuster on his nomination. He is a superb nominee. The ABA Standing Committee on

the Federal Judiciary has unanimously rated him to be "well qualified" to serve on the Federal bench. For the past 20 years he has served as a State court judge, where he has presided over 600 cases in both civil and criminal matters that have gone to verdict or judgment. Prior to becoming a State court judge, he served for a total of 9 years as a state prosecutor, including 3 years as chief assistant State attorney. Judge Davis also has experience in private practice, where he was a partner at the law firm of Terrell Hogan. He will make a fine Federal judge.

I am pleased that despite continued Republican attempts to block or delay confirmation of judicial nominees, we were able to continue to move forward on these and other nominees this year. I have heard, however, some suggestion that Republicans will now seek to delay judicial nominations by exploiting a Senate tradition known as the "blue slip." The Constitution requires that judicial appointments be made "with the Advice and Consent of the Senate." For nearly 100 years, chairmen of the Senate Judiciary Committee have sought to give meaning to this constitutional edict by a blue slip policy to ensure that Senators are given an opportunity to advise the President about potential judicial nominees before they are nominated to fill lifetime positions in their home State. A blue slip is a piece of paper sent by the chairman to home State Senators asking that it be signed and returned with an indication of whether they approve of or oppose the judicial nomination made by the President.

Over the years, other chairmen have taken a more flexible view of the blue slips, but during my chairmanship of the Senate Judiciary Committee, I have protected the rights of Senators—whether Republican or Democrat—to be meaningfully consulted. Honoring the blue slip policy allows judicial nominations to move forward in committee only after receiving positive blue slips from home State Senators. Another improvement I made when I first became chairman of the Senate Judiciary Committee in 2001 was to make home State Senators more accountable for their blue slip decisions by making the process transparent for the first time. I will continue to honor the blue slip policy as it currently stands, but I hope that Republicans will not abuse this tradition and force me to reconsider.

As we approach the new year, I hope that reasonable Republicans will join us in restoring the Senate's ability to fulfill its constitutional duties and do its work for the American people.

NATIONAL DEFENSE
AUTHORIZATION ACT

Mr. NELSON. Madam President, the Fiscal Year 2014 National Defense Authorization Act makes essential improvements for the well-being of the men and women serving in our armed services. It also seeks to ease the transition from active duty to veteran status for servicemembers by calling on the Department of Defense and the Department of Veterans' Affairs to fix the lack of communication between their electronic health records. This provision and countless others are why I was pleased to see this legislation pass last night with overwhelming bipartisan support. Unfortunately I was unable to record my vote but had I been in the Chamber I would have voted in favor of this important piece of legislation. I supported this legislation when it was reported out of the Armed Services Committee. I would also like to thank Senator LEVIN and Senator INHOFE for their tireless efforts to complete this bill and fulfill our commitments to the men and women serving our country.

Mr. WARNER. Madam President, I would like to call attention to a provision within the National Defense Authorization Act for Fiscal Year 2014.

I would like to thank Chairman LEVIN, Ranking Member INHOFE, Chairman MCKEON, and Ranking Member SMITH, for including in this year's National Defense Authorization Act my amendment, with Senators COLLINS, KAINE, and GRASSLEY, to expand whistleblower and enhance protections for servicemembers who alert authorities to misconduct that includes sexual assaults and other sexual misconduct. I would like to thank my colleagues, Senators COLLINS, KAINE and GRASSLEY, for their partnership in winning this breakthrough in newly-strengthened free speech rights for our troops when they defend accountability in the military services. It is important to be clear about a cornerstone of our amendment, which is the guaranteed right to an administrative due process hearing in all whistleblower retaliation cases. New subsection f(3)(B) provides that if the Secretary does not make a finding of illegal retaliation and order corrective action, the case shall be forwarded to the appropriate Board for Corrections of Military Records to receive a mandatory administrative due process hearing, "when appropriate." There should not be any confusion. It is always appropriate to forward the case for hearing if jurisdiction exists for whistleblower retaliation alleged in the servicemember's complaint. It is only inappropriate if another provision of law provides the relevant rights, procedures and remedies to resolve the complaint, such as when the alleged misconduct is sexual harassment per se as opposed to whistleblower retaliation for disclosing sexual harassment.

Mr. UDALL of Colorado. Madam President, I rise today to welcome the

final passage of the 2014 National Defense Authorization Act—frequently referred to as the NDAA. I would like to thank Armed Services Committee Chairman LEVIN and Ranking Member INHOFE, as well as Chairman MCKEON and Ranking Member SMITH in the House of Representatives, for their tireless and collaborative efforts in securing this critical piece of legislation. Although the NDAA did not go through the optimal amendment process, its passage today extends the necessary authorities to implement our national security strategy and support and protect Colorado's military community. As we head into the second session of the 113th Congress, I hope that we will remain mindful of the importance of a full and robust debate and ensure that the 2015 NDAA is open to amendments on the floor of the Senate.

As the chairman of the Strategic Forces Subcommittee, I also want to thank my friend and colleague on the committee, Ranking Member SESSIONS. Senator SESSIONS has a long tenure on the subcommittee, and I have benefited from his experience. I am grateful for the collegiality he has shown over the past year, and I look forward to starting our work together again in the next session.

I would also like to recognize the staff of the subcommittee for their tremendous support and dedication. For Senator SESSIONS and his subcommittee staff, I want to thank Dr. Robert Soofer, who advises on nuclear and missile defense matters, and Daniel Lerner, who advises on space, intelligence and cybersecurity. I also want to thank both Pete Landrum, Senator SESSIONS' senior defense policy adviser and Casey Howard, my military legislative assistant. On my subcommittee staff, Jonathan Epstein, deserves great credit for his work on nuclear weapons, space, and a host of other issues. Richard Fieldhouse, who advises on missile defense, and Kirk McConnell, who assists me on cyber and intelligence, also have my thanks and respect. Finally, special thanks to Lauren Gillis, the subcommittee's staff assistant, for her countless hours of preparation for our hearings, working with witnesses, and organizing our subcommittee markup.

In closing, I would like to highlight one provision of the 2014 NDAA, section 3112, which establishes an Office of Cost Analysis and Program Evaluation in the National Nuclear Security Administration, NNSA. I want to be clear that the establishment of this new office was not meant to in any way alter the responsibilities and oversight of the Naval Reactors Program—a division of the NNSA that has a long track record of producing high quality projects on time and within budget. The Naval Reactors Program has traditionally been semi-independent within the NNSA, being dual hatted with fleet activities of the Navy, whose overall

responsibilities are found and carried out under Executive Order No. 12344. While section 3112 speaks to the NNSA as a whole, it was not our intent to include the Naval Reactors Program under the purview of the new Office of Cost Analysis and Program Evaluation. During the next session, I will work with my colleagues in both the House and the Senate to correct this provision and reflect that intent.

Mr. GRASSLEY. Madam President, it is a great pleasure to thank my colleagues, Senators WARNER, COLLINS, and KAINE, for their partnership in winning this breakthrough in newly-strengthened whistleblower protections for our troops. It is important to be clear about a cornerstone of our amendment, which is the guaranteed right to an administrative due process hearing in all whistleblower retaliation cases. New subsection f(3)(B) provides that if the Secretary does not make a finding of illegal retaliation and order corrective action, the case shall be forwarded to the appropriate Board for Corrections of Military Records to receive a mandatory administrative due process hearing, "when appropriate." There should not be any confusion. It is always appropriate to forward the case for hearing if jurisdiction exists for whistleblower retaliation alleged in the servicemember's complaint. It is only inappropriate if another provision of law provides the relevant rights, procedures and remedies to resolve the complaint, such as when the alleged misconduct is sexual harassment per se as opposed to whistleblower retaliation for disclosing sexual harassment.

BANGLADESH ELECTIONS

Mr. DURBIN. Madam President, last week Senators ENZI, MURPHY and I introduced a resolution on the political tensions in Bangladesh as that country prepares for a national election on January 5.

Since then, Senators BOXER, BOOZMAN, SHAHEEN, KAINE, BLUNT, and MENENDEZ have also cosponsored and yesterday the Senate Foreign Relations Committee voted unanimously in support of the measure.

The resolution calls for peaceful political dialogue between the country's various political factions in the hopes that the election will go forward in a credible and peaceful manner.

With so much else going on in the world from Ukraine to Iran, one might wonder why focus on elections in Bangladesh?

My interest is in part due to the role of Nobel Prize, Presidential Medal of Freedom, and Congressional Gold Medal winner Professor Mohammad Yunus, whom many may know from his pioneering work to help the world's poor through microfinance programs.

Professor Yunus has done so much to help the poor of Bangladesh and the

world, particularly poor women, that former Senator Bob Bennett and I, as well as Congressman RUSH HOLT, led an effort several years ago to award him the Congressional Gold Medal. That bill passed both chambers of Congress in 2010, and earlier this year we gave him this award in the Capitol Rotunda.

It was a deeply moving event.

Sadly—and almost inexplicably—during the same period that Bangladesh was in such an international spotlight, its government pursued a mean-spirited and bewildering effort to undermine the Grameen Bank's independence and remove Professor Yunus from his leadership role.

I and others wrote repeatedly to Bangladeshi Prime Minister Sheikh Hasina urging her to not take such destructive and counterproductive measures.

Last year, Senator BOXER led a letter with all 17 women of the Senate to Hasina that called on the Bangladeshi government to stop interfering in the management of Grameen Bank.

Those Senators pointed out that its 8.3 million borrowers are mostly women who gain financial independence and help support their families through its important programs.

I am sorry to report that the Government of Bangladesh ignored all such calls and just last month essentially imposed state control over the bank.

Yunus responded by saying, "Grameen Bank was created as a bank owned by poor women, and managed by poor women. Its legal structure did not allow any government interference of any kind, except for regulatory oversight." The government-imposed changes, "fundamentally changing the character of the bank. With these amendments, the government has opened the door for its ultimate destruction. What a shame for the nation, and the whole world!"

So understandably this Senate resolution calls on the government of Bangladesh to restore the independence of the Grameen Bank.

There is more at stake in Bangladesh that should be of concern to the United States and the world.

You see, Bangladesh is a relatively stable, moderate, Muslim democracy with the world's seventh largest population and the world's fourth largest Muslim population.

And despite many difficult years since its independence from Pakistan in 1971, it has often stood out as an example of a moderate and diverse Muslim democracy—one that deserves the world's attention and support.

Yet, tragically, as Bangladesh nears another national election, it has experienced considerable political unrest with hundreds perishing in violent clashes.

The country's opposition coalition has called for numerous nationwide strikes and transportation blockades,

resulting in further violence, instability, and the disruption of students' abilities to attend school.

Last week United Nations Assistant Secretary General Oscar Fernandez Taranco visited Bangladesh to try and foster political dialogue between Bangladesh's political parties and leaders to bring a halt to the violence and allow for a credible and peaceful election period.

His efforts are to be supported, and this resolution reaffirms his call for peaceful political dialogue.

The squabbles between Bangladesh's political parties distract from the real progress that has been made—and should continue to be made—in alleviating the country's widespread poverty.

For example, between 2005 and 2010 Bangladesh reduced its poverty rate from 40 to 31 percent of the population.

This is where the country's political leadership should continue to focus, not on perpetuating personal animosities between the two main political parties.

So our resolution states the obvious:

It condemns the political violence.

It urges the country's political leaders to engage directly in a dialogue toward free, fair, and credible elections; it expresses great concern about the country's political deadlock that distracts from so many other pressing problems; and it urges the Government of Bangladesh to ensure judicial independence, end harassment of human rights activists, and restore the independence of the Grameen Bank.

The United States relationship with Bangladesh is strong and includes considerable trade and cooperation on such issues as counterterrorism, counter-piracy, food security, and regional stability.

Peaceful democratic elections and greater respect for the Grameen Bank will only further those ties.

I urge the full Senate to pass this resolution before we adjourn.

PEPFAR

Mr. COBURN. Madam President, PEPFAR has been and remains one of the most successful foreign policy achievements of the United States in the 21st century. This unprecedented humanitarian effort has touched millions, either through providing life-saving HIV/AIDS treatment, keeping together families impacted by the disease, caring for orphans, or improving the lives of others affected and infected by this horrible disease as well as tuberculosis and malaria. In an era of war abroad and deep political divisions at home, this program is one that has bipartisan support here and has generated good will toward the United States abroad. Every American should be proud of the success of this initiative as it represents what is great

about our Nation and has restored hope for so many.

The Senate Foreign Relations Committee worked hard to get S. 1545, the PEPFAR Stewardship and Oversight Act, through this Chamber. I thank Chairman MENENDEZ and Ranking Member CORKER for their cooperation and attentiveness in the process. This bill, which became law on December 2, is a positive step toward increasing program transparency and accountability in PEPFAR's annual report. It also renews and strengthens several components of the last reauthorization, including Global Fund governance provisions and the requirement that more than 50 percent of PEPFAR's appropriations to be spent on treatment and essential medical care.

This latter component, the treatment spending requirement, is one of the key accountability provisions my colleagues and I fought for in the past. In short, PEPFAR is required to spend at least 50 percent of its appropriations on essential medical treatment and care. Members on both sides of the aisle voted for authorizations with this treatment floor. Congress sought to prevent the program from straying from its core mission of treating and caring for patients. If PEPFAR were to lose sight of this goal, the result would not just be a waste of money, it would be lives lost on account of mission creep. We cannot let PEPFAR become another well-intentioned but unfruitful and nebulous international development program.

This statutory treatment floor has changed somewhat over the last decade, but the purpose has remained the same throughout: to focus more than half of PEPFAR's total appropriations on essential treatment and medical care. Unfortunately, as I will discuss in a moment, the Office of the U.S. Global Coordinator, OGAC, at the Department of State has not been following this law. Rather, it has excluded a significant portion of its appropriations from the calculation and is now spending less than is statutorily required on treatment and care.

The original PEPFAR authorization in 2003, P.L. 108-25, first included a treatment spending floor that said, "Not less than 55 percent of the amounts appropriated pursuant to the authorization of appropriations . . . shall be expended for therapeutic medical care of individuals infected with HIV, of which such amount at least 75 percent should be expended for the purchase and distribution of antiretroviral pharmaceuticals and at least 25 percent should be for related care."

Similarly, the full reauthorization of PEPFAR in 2008, P.L. 110-293, included a treatment requirement that said, "More than half of the amounts appropriated for bilateral global HIV/AIDS assistance . . . shall be expended for . . . (1) antiretroviral treatment for

HIV/AIDS; (2) clinical monitoring of HIV-seropositive people not in need of antiretroviral treatment; (3) care for associated opportunistic infections; (4) nutrition and food support for people living with HIV/AIDS; and (5) other essential HIV/AIDS-related medical care for people living with HIV/AIDS."

This version expanded somewhat on the original category of "therapeutic medical care," but Congress maintained a minimum percentage of appropriations intended for direct care and treatment services.

Lastly, the recent PEPFAR legislation, S.1545, now P.L. 113-56, reiterates and even clarifies the treatment requirement further. This new law says more than half of the funds appropriated for activities under section 104A of the Foreign Assistance Act—which contains all of PEPFAR's functions ranging from drug treatment to training health professionals and capacity building—need to be going to these five categories of essential medical treatment and care.

None of these definitions from laws in 2003, 2008, or 2013 has allowed for an exclusion of certain components of PEPFAR's funding from the treatment calculation. No appropriations bill has implemented an exception to the calculation. The charge and requirement has always been to examine total PEPFAR appropriations in a given year and ensure at least half goes to services in these five categories.

As I said previously, PEPFAR management has not been abiding by the letter of the law. The Office of the U.S. Global AIDS Coordinator at the Department of State has been excluding several spending categories from the treatment and care calculation. A smaller denominator makes it easier for the program to meet the treatment calculation. In reality, hundreds of millions of dollars more should be going to treatment and care if the law were followed. Millions more patients could be receiving lifesaving antiretroviral treatment.

A Government Accountability Office report released in March 2013 highlighted how OGAC has been excluding a significant portion of PEPFAR appropriations, categorized as "Other" activities, from this calculation. In fiscal year 2008, this "Other" category accounted for about 15 percent of PEPFAR country budgets, or \$574 million. By fiscal year 2012, the category increased to 21 percent of PEPFAR country budgets, or \$710 million. Over the same timeframe, total spending on treatment and care decreased from \$1.8 billion to \$1.4 billion.

This "Other" category includes spending for health systems strengthening, strategic information, management and operations, and laboratory strengthening. OGAC told GAO it had excluded the "Other" category based on OGAC's interpretation of the intent

of the treatment spending requirement. They have also not included any of OGAC's administrative costs.

As one directly involved with PEPFAR throughout my time in the Senate, I can say firmly the treatment spending requirement was intended for all of PEPFAR's appropriations, not just a portion.

PEPFAR's operational plan for fiscal year 2011 shows that PEPFAR received about \$5.0 billion for all bilateral activities, including headquarters administrative costs. To be meeting the treatment spending requirement as written, PEPFAR should have planned to spend about \$2.5 billion on treatment and care. Instead, it spent \$1.6 billion. That figure about \$900 million short of what should be going to direct treatment and care services that fit the categories already in law.

I understand the need for PEPFAR to invest in some capacity building and other ancillary development. A nation needs labs to check HIV test results, for example. Labs and clinics need health professionals, and a host government needs to be able to track the program results. However, we have seen time and again how development programs get off track, lose focus, and fail to meet their goals. They spend money on activities that are noble but ineffective. For example, in 2012, the U.S. Agency for International Development used millions of dollars to fund an economic development program in Morocco that included pottery classes, even though Moroccans have been making pottery for thousands of years. Not only so, but the classes were poorly designed. The instructor only used materials not available in Morocco, and the class's translator was not fluent in English. Ultimately, the development program failed.

To prevent mission creep and failure, Congress put a treatment and care requirement in law to ensure more than half of go to direct treatment and care services, which have a clear and measurable impact on the lives of those living with this HIV/AIDS.

I call on PEPFAR to follow the letter of the law when it comes to spending on treatment and care. All PEPFAR appropriations should be entered into the denominator of this equation. No funding will be lost from doing so. Rather, hundreds of millions of additional dollars will be going to essential treatment and care. Millions of new patients could start receiving new life.

I will continue to monitor whether PEPFAR is following this definition in the future. Given that 26 million people worldwide need antiretroviral treatment, we cannot afford to let PEPFAR get off track.

Mr. CORKER. Mr. President, first, I want to say I appreciate Senator COBURN's work on the PEPFAR Program. He has been a tireless advocate and has made this program better,

more efficient, and more focused. PEPFAR has saved millions of lives since President Bush signed it into law in 2003. I was pleased to work with Chairman MENENDEZ and our colleagues in the House on legislation, the PEPFAR Stewardship and Oversight Act, which continues its important work, and I truly appreciate the support Senator COBURN offered to this critical effort. PEPFAR is the single most successful program to date to address the HIV/AIDS epidemic in Africa and the largest commitment by any nation to combat a single disease internationally. In fact, due to PEPFAR, almost 6 million people are receiving life-sustaining antiretroviral treatment, millions have avoided infection, and more than 11 million pregnant women received HIV testing and counseling last year. PEPFAR has also provided care and support to nearly 15 million people, including more than 4.5 million orphans and vulnerable children. This is significant progress, but there is still work to do. The PEPFAR Stewardship and Oversight Act renews Congress's commitment to this vital program and ensures this work will continue our progress towards an AIDS-free generation.

As my colleague Senator COBURN has stated, a provision in the PEPFAR Stewardship and Oversight Act extends authority from the Tom Lantos and Henry J. Hyde U.S. Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 that requires "more than half of the amounts appropriated for bilateral global HIV/AIDS assistance" be spent on programs that provide treatment and care to HIV/AIDS patients. We included an extension of this authority in the 2013 bill because it is important to ensure the program remains focused on treating and caring for patients. The plain language of the provision requires the "more than half" calculation to be made on all "amounts appropriated or otherwise made available to carry out the provisions of section 104A of the Foreign Assistance Act of 1961." We expect this requirement to be followed going forward.

I look forward to working with Senator COBURN and the Office of the Global AIDS Coordinator to ensure that the provision as intended by Congress is properly carried out.

Mr. CORKER. Mr. President, the Globe Fund to Fight AIDS, Tuberculosis and Malaria has recently made significant improvements and reforms, including building new data collection and reporting mechanisms. S. 1545, the PEPFAR Stewardship and Oversight Act, takes advantage of these reforms and provides for additional public reporting from the Global Fund on import duties and taxes on Global Fund services and commodities under section 4(b)(1)(F). This reporting is intended to identify discriminatory duties and taxes levied upon the Global

Fund, and therefore should not be construed to require the reporting of de minimus administrative charges or nondiscriminatory fees. In addition, in order to allow the Global Fund time to develop the data collection systems required to implement this reporting, it is our intention that these requirements become fully effective as soon as is practicable, but no later than the end of the 2015 fiscal year. In the meantime, the Global Fund's efforts to meet the requirements of section 4(b)(1)(F) with additional reporting on these matters should be sufficient to meet the requirements in our legislation.

Mr. MENENDEZ. Mr. President, I thank the ranking member for his comments and work on this legislation. The reforms being made by the Global Fund are important and we both share the view that the reporting requirements for the Global Fund on import duties and taxes ought to be understood to provide flexibility until the end of the 2015 fiscal year.

NATIONAL PEDIATRIC RESEARCH NETWORK ACT

Mr. BROWN. Madam President, I wish to praise the passage of the National Pediatric Research Network Act, signed into law by President Obama on November 27, 2013. I was proud to introduce this bipartisan legislation along with my colleague and friend Senator WICKER.

I am a longtime supporter of expanded pediatric medical research and, as a member of the House and later of the Senate, have fought to increase funding to carry out these essential efforts. This bipartisan bill promises to build on the important body of work in pediatric research that the National Institutes of Health, NIH, already supports.

This law authorizes the NIH to establish a number of multi-institution consortia conducting high-impact research into the most challenging pediatric issues of our day. These research networks will allow for the participation of multiple institutions through the use of a "hub and spoke" arrangement, with one or more central pediatric medical centers collaborating with other supporting sites.

Network applicants can focus on any type of pediatric research agenda, from basic laboratory research through later stage translational research and clinical investigations on a variety of pediatric disorders and diseases.

Importantly, the act will bridge the research gap between pediatric and adult conditions. Only 5 to 10 percent of the NIH's annual research budget is devoted to pediatric research, despite children comprising approximately 20 percent of the U.S. population.

Additionally, this act promises to strengthen our collective focus on pediatric rare diseases or conditions, such

as spinal muscular atrophy, muscular dystrophy, Down syndrome, and Fragile X.

We are all aware that the NIH faces tight budgets and that these fiscal challenges are not going away overnight. Thus, Members on both sides of the aisle came together in support of this research model to promote efficiency and the sharing of resources. Modeled after the successful Cancer Centers and other successful networked initiatives, this law reflects the current fiscal climate and seeks to do more with less.

The National Pediatric Research Network Act could not have been enacted without the support of thousands of families, care providers, pediatric researchers and research institutions across the country. I would especially like to thank FightSMA and the Coalition for Pediatric Medical Research for organizing a grassroots effort that led to strong bipartisan support in both houses of Congress, and to Cincinnati Children's Hospital Medical Center, Nationwide Children's Hospital in Columbus, and Akron Children's Hospital for their endorsement and hard work in support of the bill.

The legislation received the strong support of Parent Project Muscular Dystrophy, the Children's Hospital Association, Federation of Pediatric Organizations, Kakkis EveryLife Foundation, National Down Syndrome Society, and the National Organization for Rare Disorders.

Finally, I would like to recognize Madison Reed, a valiant Ohio teenager living with SMA, for sharing her story with me when I visited Nationwide Children's Hospital earlier this year. The National Pediatric Research Network Act has given hope to thousands of families like hers, across Ohio and the country, that collaborative pediatric research will speed knowledge from bench to bedside, allowing young people with medical concerns to lead healthier and fuller lives.

TRIBUTE TO JACK HANNA

Mr. PORTMAN. Madam President, today I wish to honor "Jungle" Jack Hanna for his 35 years of service to the Columbus Zoo and Aquarium. Jack is a world-renowned conservationist, author, television personality, lifelong adventurer, and champion of the Columbus Zoo.

In 1978, Jack Hanna joined a small zoo in Columbus, Ohio as the executive director. The challenges he faced as director were staggering. The zoo was outdated, the animals had little contact with the outside world, and the attendance was low. Jack worked to increase attendance by offering educational and entertainment programs at the zoo. Under his leadership, the Columbus Zoo and Aquarium became the world-class facility it is today. The

Columbus Zoo is a state-of-the-art park with exceptional attractions such as Zoombezi Bay waterpark and Jungle Jack's Landing. The park has also expanded its reach outside of Columbus to include The Wilds near Cambridge, OH.

Jack's work as a conservationist has saved endangered animals and habitats around the globe. He helped found Partners in Conservation, and is an active supporter of St. Jude Children's Research Hospital, the Mountain Gorilla Veterinary Project, and the SeaWorld Busch Gardens Conservation Fund.

Jack was named director emeritus in 1992 of the Columbus Zoo but has continued to spur economic development and promote central Ohio since that time. Jack has made countless television appearances since 1983 on shows such as "Good Morning America," the "Late Show with David Letterman," FOX News programs, and CNN News programs. We still watch him today on his latest syndicated TV series, "Jack Hanna's Into the Wild."

I have had the opportunity to meet with Jack over the years and have witnessed his genuine love of animals and wildlife firsthand. He is a passionate advocate for conservation, and his skill for sharing the majesty of nature has opened the minds of millions of readers, viewers, and listeners.

The Columbus Zoo is an asset to central Ohio because of Jack Hanna's work and inspiration. I congratulate him on his service to our State.

TRIBUTE TO NICHOLE DISTEFANO

Mrs. McCASKILL. Madam President, as we come to the end of 2013, I wish to pay tribute to a friend and a stellar long-term staff member of mine, Nichole Distefano. Nichole left my office earlier this year to pursue an exceptional opportunity with the Environmental Protection Agency. She spent more than 6 years as an indispensable member of my Washington, DC, staff and was an exceptional member of staffs of mine going back to 2004.

Nichole is affectionately known as "H" in our office, initially because of the "h" in her first name and later for reasons best not shared on the Senate floor but related to her tenacity and direct nature. Nichole was the absolute rock and foundation of our legislative staff during her tenure.

She was, in fact, the first legislative aide that I hired. It did not matter—although it was a shock to some—that she had no previous experience in DC. I knew she would dive right into her responsibilities with attention to detail and skill. In fact, within 2 years on the staff, she assumed responsibility for my government reform portfolio, which encompassed the issues that I focused on most intently during my first 6 years in the Senate. During that time

we promoted her four times and continually increased her responsibility. In each case, she performed beyond even my highest expectations. There was no challenge and no issue Nichole could not tackle.

Nichole's policy accomplishments are too many to number. She was our lead staffer on earmark reform work; whistleblower legislation for both Federal employees and contractors; our complex regulatory reform efforts; everything and anything that had to do with empowering our inspectors general. She led all the office work on screening policies at the airports along with handling innumerable challenging situations with the GSA in regards to Missouri and was the lead staffer in writing bills to curb some of the excesses that we discovered in that Agency. She also patiently waded through all of the difficult policy and politics of energy issues, including the challenging and politically sensitive debate on cap and trade. There was no detail too small for Nichole to master and no nuance she could not grasp. One of her earliest policy responsibilities had to do with an energy issue much smaller than cap and trade, however. She prepared legislation dealing with the measurement of gasoline as it relates to temperature—hot gas was not the most exciting issue. It involved no bright lights and no headlines, just hard, complicated, solid, public policy work—the exact kind of thing Nichole thrived at. Those issues that take more than a cut-and-paste memo were Nichole's specialty.

I have known Nichole since she was 8 years old, as the granddaughter of a strong public servant, Carole Roper Park Vaughn, who served with me in the Missouri State Legislature. As Nichole ran around Carole's Jefferson City office, Carole helped instill in her that leadership spark. In 2004, when I ran for Governor, I hired Nichole for the first time to help run our Kansas City volunteer crew. By the end, most people on staff thought she was the one really running our KC office—and for all intents and purposes, she was.

By our 2006 Senate race, she became my rural outreach director, helping us find some of the gems of our campaign, like Sweet Corn Charlie. On both campaigns she was always willing to do whatever was needed at any level from literally boosting me up onto an RV so we could grab a picture of our "McCaskill for Senate"-wrapped RV in front of my family's old flour mill in Houston, MO, to walking into a field office unannounced one day and saying she was there to go door-to-door, despite her senior role on the campaign.

She is a take-charge kind of woman but taking charge by immersing herself in a subject. That became her trademark. We all grew to expect her remarkable technical competence on very complicated issues and her penchant for digging deeper to find the real

answer. Of course, at times, she let her desire to dig deep bleed into her personal life, too. Just ask her new husband Ryan what her first two responses to his marriage proposal were: "Are you serious?"

Because of this knack for asking the right questions and learning the detailed answers, I always listened to what she had to say—I did not always agree, of course, but listened nonetheless. As one of her male colleagues said, "She looks tiny and sweet, but everyone is a little terrified of her because she's tougher and smarter than most everyone out there." And have no doubt, when Nichole believes something, she will let you know, and she will fight for it. I cherish this attribute because in this kind of job you need people who aren't just smart, aren't just aggressive, but who are real and honest.

Now no one stays terrified of Nichole for too long because they figure out how genuine she is, and funny too. The gifted members of our staffs are both intense and blessed with great humor.

Our legislative correspondents have been lucky to have her as a mentor, as well—someone who expects a high level of performance, gives praise when it is due, and encourages professional development. It is no accident that one of the first LCs to work for her grew into one of my staff's most important legislative assistants today.

It is always bittersweet for me when these kinds of junctures happen—these times when you want your staff to blast forward and make you proud as much as you want them to stay—because they have been so essential to your work.

With Nichole now working as a senior advisor within the Office of Congressional and Intergovernmental Relations at the EPA, she is providing the kind of public service that embraces intellect, curiosity, and precision. It is why they brought her on, of course. They quickly saw what we already knew. They are benefiting greatly from her deep vein of common sense and her refusal to stop working until she has asked every question and gotten every answer.

I am proud to say thank you to Nichole Distefano as 2013 comes to an end, to express my deep gratitude for all she has done for me, for Missouri, and for our great Nation over so many years. I am proud to see her continue to grow and excel. I know she is doing exceptional things in her new position. She is my friend. She is a rock. And I miss her.

REMEMBERING PETTY OFFICER OBENDORF

Ms. MURKOWSKI. Madam President, I am here today to pay tribute to the life of PO3 Travis Obendorf, a Coast Guard boatswain mate, who passed

away on December 18, 2013, from injuries he sustained during the successful rescue of 22 individuals from the disabled fishing vessel *Alaska Mist* in the Bering Sea on November 11, 2013.

Petty Officer Obendorf, whose nickname was "Obie," gave the ultimate sacrifice for his Nation, and in doing so he assisted in the rescue of 22 mariners who otherwise may have been lost to the sea.

Petty Officer Obendorf was a native of Idaho Falls, ID. He enlisted in the Coast Guard in 2004 and quickly became a leader within his boot camp platoon. He proudly served aboard the Coast Guard cutters *Alert* and *Waesche* and deployed to Bahrain as member of Coast Guard Patrol Forces Southwest Asia. He also served at Coast Guard Station Boston, MA.

Upon reporting aboard Coast Guard cutter *Waesche* on 26 June 2013, Petty Officer Obendorf quickly integrated into the Deck Division and began rapidly pursuing his qualifications. During *Waesche*'s shakedown cruise prior to an Alaska deployment, Petty Officer Obendorf qualified as a helmsman and lookout and made significant progress in all other qualification areas. One month into *Waesche*'s August to November 2013 Alaska deployment, Petty Officer Obendorf qualified in basic and advanced damage control, as boatswain's mate of the watch, helicopter tie-down crewmember, and boat crewmember on all three of *Waesche*'s cutter boats. Less than a month later, Petty Officer Obendorf added boarding team member and antiterrorism force protection watch stander to his list of qualifications. Petty Officer Obendorf's rapid qualification in a wide variety of watch stations resulted in him being significantly involved in almost all aspects of *Waesche*'s operations. His efforts as a boat crew and boarding team member were critical in the *Waesche*'s execution of over 40 fisheries and recreational law enforcement boardings during the 2013 Alaska deployment.

When *Waesche* was diverted for the search and rescue case involving fishing vessel *Alaska Mist*, Petty Officer Obendorf was selected as a boat crewmember for what would be a challenging rescue operation. Petty Officer Obendorf immediately began assisting his shipmates and preparing for the operation, which would involve removing 14 nonessential *Alaska Mist* personnel as well as passing a towing line to the vessel in order to take it in tow.

Once on scene, *Waesche* launched Petty Officer Obendorf and the rest of the boat crew aboard a Coast Guard small boat to begin the rescue operation. As the Coast Guard small boat came alongside *Alaska Mist*, one boat crewmember went aboard the vessel to brief the crew and rig the rescue ladder. Once this was complete, Petty Officer Obendorf began guiding *Alaska Mist* crewmembers down the ladder and

into the Coast Guard small boat. Petty Officer Obendorf showed exceptional skill and focus as he timed the rolls of both vessels and a significant swell to ensure the safety of the crewmembers descending the ladder. Despite deteriorating weather conditions, Petty Officer Obendorf courageously and successfully guided five *Alaska Mist* crewmembers to safety.

The Coast Guard small boat returned to *Waesche* with the first group of passengers and entered the stern notch with Petty Officer Obendorf positioned on the bow to assist in securing the boat for recovery. During the recovery evolution, Petty Officer Obendorf received a severe head injury. *Waesche* completed the operation, ultimately rescuing 22 people and towing the fishing vessel to safety, but despite the lifesaving first aid of his shipmates and the excellent care of two medical centers, Petty Officer Obendorf succumbed to his injuries on 18 December 2013.

Petty Officer Obendorf will surely be missed by his family, loved ones, and shipmates. I am thankful for his service and honored by his sacrifice.

TRIBUTE TO NELLIE FREEMAN

Mr. CARDIN. Madam President, staff turnover is part of life in the Senate, just as it is in any other institution. But some departures are particularly bittersweet. Today is the last day Helen Eleanor Freeman will be working in my office; she is retiring after more than 23 years of faithful—and joyful service—to me and to former Senator Paul Sarbanes, to the Senate, and to the people of Maryland.

Her name is Helen Eleanor Freeman, but throughout the Senate and beyond Capitol Hill, everyone knows her as Nellie. She is an avid volleyball player and her recreational activity led, through another player, to her first job in the Senate, with Senator Sarbanes, in 1989. When Senator Sarbanes retired and I was elected to replace him, he was adamant that I must hire Nellie as I filled out my Senate staff. He told me, “There is no one quite like Nellie,” and over the past 7 years I have been fortunate to have Nellie on my staff, I certainly have come to agree with that assessment. Nellie is unique. She is the “glue” that holds our office together. While I am happy for her, I am sad she will be leaving the office and I know the rest of my staff shares that assessment.

Nellie is an avid fan of the local teams, especially the Baltimore Orioles. So I will use a sports analogy from baseball. Nellie is like the super utility infielder—the person who can play any position well, the consummate team player. Name just about any task or function in the office, and Nellie has performed it—manning the phones, sorting and responding to constituent correspondence, helping to se-

lect, train, and supervise the interns—you name it and Nellie has done it.

So there are the official duties and there are the unofficial duties. With regard to the unofficial duties, Nellie has been the go-to person when it comes to organizing office parties to celebrate birthdays, afterhours social events, staff book clubs, and so forth. That is the “glue” I was talking about a moment ago. The Senate can be a difficult place in which to work, both for Senators and staff. Nellie has played a critical role in helping my staff feel more like a welcoming family and that redounds not only to my benefit, but to the benefit of the Senate.

Nellie is unfailingly calm, courteous, solicitous, kind, and happy. Her personality shines through and her cheerfulness is infectious, much appreciated, and an example for all of us. Nellie makes friends with everyone: constituents, colleagues, other Senate staff, Senators. She makes it easier and more pleasant for everyone to work here. That is no small accomplishment.

Nellie is retiring today, but she is far from having a “retiring” personality so I know she will remain as busy and engaged as ever. She has volleyball and book clubs and volunteer activities and the Orioles. During the season, I didn’t need to read the sports page to determine whether the Orioles had won the night before. If they had won, Nellie would be at work in the morning resplendent in black and orange attire.

Most of all, Nellie has her beloved husband Bob Ham and the rest of her large family—her parents Bob and Molly Freeman; her siblings David, Mary, Emily, and Teddy; in-laws Jessica, Andy, and Nadia; and her nieces and nephews Rachel, Zach, Francesca, Koby, Saul, Ben, Molly, and Amelie and most of them live in the area. It is a big, raucous family filled with the same love and good cheer Nellie exudes.

So to Nellie Freeman on the occasion of her retirement after more than 23 years of serving the people of Maryland and all Americans, thank you for your exemplary service and, above all, thank you for your friendship. Go O’s!

ADDITIONAL STATEMENTS

JUVENILE JUSTICE REFORM SUCCESS

• Mr. MURPHY. Madam President, as a longtime advocate for youth in the juvenile justice system during my time in the Connecticut State Legislature and in Congress, I congratulate my home State of Connecticut on new evidence that its major juvenile justice reforms over the past 10 years have been a resounding success. These reforms are based on the principle that children are fundamentally different from adults, and they should not be

criminalized just like adult offenders. While other States have begun to recognize this principle and put it into practice, my home State has led the way. I am proud to note that Connecticut has achieved the largest reduction in its confinement of minors of any state in the United States over the last decade.

Like many other States, Connecticut adopted tough-on-crime policies that drastically increased the number of children locked up through its juvenile court system in the 1990s and early 2000s. But in the mid-2000s, the State recognized that these policies were ineffective, costly, and worst of all, ended up harming children more than helping them. Connecticut began to reform its juvenile system, passing a law in 2005 that prohibited the detention of youth for violating a court order in any status offense case.

Then, in 2007, Connecticut passed *Raise the Age*, a law that has ended the prosecution of most 16- and 17-year-old teenagers in the adult criminal system and returned them to the juvenile system where they belong. Not an easy victory, *Raise the Age* took more than a decade of efforts by children and families, youth advocates, and State legislators to pass and fully implement.

Together with other State reforms, the status offense change and *Raise the Age* have led Connecticut to cut its rate of juvenile incarceration by 60 percent between 2001 and 2011. This drop—documented in a report by the National Juvenile Justice Network and the Texas Public Policy Foundation entitled “The Comeback and Coming-from-Behind States: An Update on Youth Incarceration in the United States” and released just this week—is the largest in the Nation. More than any other State, Connecticut has succeeded in locking up fewer children and turning to more effective policies instead, such as relying increasingly on community-based treatment and cutting back on law enforcement referrals for school discipline issues.

One of the key architects of the *Raise the Age* effort in Connecticut was Liz Ryan, a nationally known and leading juvenile justice advocate. Liz is the president and CEO of the Campaign for Youth Justice, an organization she founded in 2005, around the same time that advocates in Connecticut first formed the Connecticut Juvenile Justice Alliance, CTJJA. Liz consulted with the founders of CTJJA to mobilize the *Raise the Age* campaign, and our State was one of the first to receive her expertise and support.

Throughout her career, Liz has worked tirelessly to build and strengthen the juvenile justice field by guiding and supporting other advocates and organizations. She serves on the National Juvenile Justice & Delinquency Prevention Coalition, cochairs the Act 4 Juvenile Justice campaign,

and serves on the working groups for the National Girls Institute and the National Center for Youth in Custody. Along with these advocacy organizations, Liz has worked closely with us in Congress to raise the profile of juvenile justice issues and push for greater reform.

Unfortunately for the many who have worked with Liz over the years, she is now stepping down from her current role. While she is irreplaceable and will certainly remain involved in the advocacy field, I congratulate her on the work she has accomplished over the course of several decades. On behalf of those of us in Connecticut, I also thank Liz for her commitment to our State's reform efforts. As was said best by the director of CTJJA, Abby Anderson, "If movements have best friends, Liz is the best friend of the Connecticut juvenile justice reform movement."

Connecticut's success in improving how it treats its youth is an example for the rest of the country. More and more evidence shows that my home State should be a model for other States as they look to reduce costs and improve outcomes for children. I will continue to highlight Connecticut's success and to expand its best practices at the Federal level so that we can help support other States make these same commonsense and humane reforms.●

BATAAN CORREGIDOR MEMORIAL BRIDGE

● Mr. BLUMENTHAL. Madam President, today I wish to commemorate the dedication of Bataan Corregidor Memorial Bridge in Weatogue, CT, earlier this month.

Crossing over the Farmington River in Connecticut, this bridge will now honor the patriotism and courage of the brave men from Connecticut and across the nation who fought in the Battles of Bataan and Corregidor in 1942 in the Pacific during World War II. From January to April 1942, American and Filipino forces fought Japanese soldiers along the Bataan Peninsula and the island of Corregidor in the Philippines. When both fell to the Japanese, an estimated 10,000 American and Filipino troops were killed and 20,000 wounded. Another 15,000 American and 60,000 Filipino troops were taken prisoner and forced to endure the Bataan Death March.

Dan Crowley of Simsbury and Darrel Stark of Stafford Springs, who were there in combat, are the last two surviving residents of Connecticut who fought in these historic battles in the United States Army following the attack on Pearl Harbor. After Mr. Crowley fought in the Battle of Bataan, he refused to surrender and swam to the island of Corregidor where he was later taken prisoner by the Japanese and endured 42 months in Japanese prison

camp. His story is one of many heroic accounts from this theater during World War II.

The moving dedication ceremony included a flyover, musical performances, blessing of the bridge, ribbon cutting, and a stirring, closing bugle taps. I deeply appreciate the work of Mr. Crowley, State Senator Kevin Witkos, and the Connecticut Department of Transportation in creating this important symbol of our Nation's stalwart gratitude for the tremendous sacrifices of countless men during this series of battles. The Bataan Corregidor Memorial Bridge is vivid in its simplicity and elemental strength. It is not a grand structure, but like the men whose unimaginable courage we celebrate, it is there in its simple, physical strength.

We can never forget the service of the Greatest Generation, who protected our freedom and liberty—all who lost their lives and those who lived to pay tribute to their fellow comrades. This bridge will always be a memorial—a living memorial—used every day by all of us who will continue to remember and thank the brave patriots who fought so gallantly at Bataan and Corregidor.●

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1961. An act to amend title 46, United States Code, to extend the exemption from the fire-retardant materials construction requirement for vessels operating within the Boundary Line; to the Committee on Commerce, Science, and Transportation.

H.R. 3102. An act to amend the Food and Nutrition Act of 2008; and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 3174. An act to authorize the Secretary of Transportation to obligate funds for emergency relief projects arising from damage caused by severe weather events in 2013, and for other purposes; to the Committee on Environment and Public Works.

H.R. 3350. An act to authorize health insurance issuers to continue to offer for sale current individual health insurance coverage in satisfaction of the minimum essential health insurance coverage requirement, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 3521. An act to authorize Department of Veterans Affairs major medical facility leases, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1859. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

S. 1881. A bill to expand sanctions imposed with respect to Iran and to impose additional sanctions with respect to Iran, and for other purposes.

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 180. An act to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

H.R. 520. An act to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes.

H.R. 723. An act to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 2019. An act to eliminate taxpayer financing of political party conventions and reprogram savings to provide for a 10-year pediatric research initiative through the Common Fund administered by the National Institutes of Health, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4014. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Emergency Rule Extension, Georges Bank Yellowtail Flounder and White Hake Catch Limits and GOM Cod Carryover Revisions" (RIN0648-BC97) received in the Office of the President of the Senate on November 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4015. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for the State of New Jersey" (RIN0648-XC998) received in the Office of the President of the Senate on December 18, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4016. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D Airspace; Kwajalein Island, Marshall Islands, RMI" ((RIN2120-AA66) (Docket No. FAA-2013-0817)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4017. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United

States; Atlantic Herring Fishery; Removal of 2,000-lb (907.2-kg) Herring Trip Limit in Atlantic Herring Management Area 2" (RIN0648-XC894) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4018. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska" (RIN0648-XC926) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4019. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Bluefish Fishery; Quota Transfer" (RIN0648-XC921) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4020. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska" (RIN0648-XC929) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4021. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Snapper-Grouper Fishery of the South Atlantic; Reopening of the Commercial Harvest of Gray Triggerfish in the South Atlantic" (RIN0648-XC900) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4022. A communication from the Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Adjustments for the Common Pool Fishery" (RIN0648-XC897) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4023. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Monkfish Fisheries Management Plan; Reallocation of 2013 Monkfish Research Set-Aside Days-at-Sea" (RIN0648-XC884) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4024. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for the State of New York" (RIN0648-XC878) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4025. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Herring Fishery; Sub-Annual Catch Limit (ACL) Harvested for Management Area 3" (RIN0648-XC906) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4026. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Commercial Accountability Measure and Closure for South Atlantic Blue Runner" (RIN0648-XC871) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4027. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole for Vessels Participating in the BSAI Trawl Limited Access Fishery in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XC977) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4028. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Pacific Tuna Fisheries; 2013 Bigeye Tuna Longline Fishery Closure in the Eastern Pacific Ocean" (RIN0648-XC922) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4029. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Tilefish Fishery; 2014 Tilefish Fishing Quota Specification" (RIN0648-XC887) received in the Office of the President of the Senate on November 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4030. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XC944) received in the Office of the President of the Senate on November 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4031. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XC943) received in the Office of the President of the Senate on November 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4032. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule en-

titled "Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XC945) received in the Office of the President of the Senate on November 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4033. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XC946) received in the Office of the President of the Senate on November 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4034. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Accessibility of User Interfaces, and Video Programming Guides and Menus; Accessible Emergency Information, and Apparatus Requirements for Emergency Information and Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010" (FCC 13-138) received in the Office of the President of the Senate on November 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4035. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (42); Amdt. No. 3558" (RIN2120-AA65) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4036. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (130); Amdt. No. 3556" (RIN2120-AA65) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4037. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (66); Amdt. No. 3555" (RIN2120-AA65) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4038. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (20); Amdt. No. 3560" (RIN2120-AA65) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4039. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (12); Amdt. No. 3561" (RIN2120-AA65) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4040. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (30); Amdt. No. 3559" (RIN2120-AA65) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4041. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Minor Editorial Corrections and Clarifications" (RIN2137-AF03) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4042. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Curtis, NE" (RIN2120-AA66) (Docket No. FAA-2013-0608) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4043. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Ennis, MT" (RIN2120-AA66) (Docket No. FAA-2013-0280) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4044. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Cut Bank, MT" (RIN2120-AA66) (Docket No. FAA-2013-0664) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4045. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Glasgow, MT" (RIN2120-AA66) (Docket No. FAA-2013-0529) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4046. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Prineville, OR" (RIN2120-AA66) (Docket No. FAA-2013-0576) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4047. A communication from the Paralegal Specialist, Federal Aviation Adminis-

tration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Salmon, ID" (RIN2120-AA66) (Docket No. FAA-2013-0531) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4048. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Rome, OR" (RIN2120-AA66) (Docket No. FAA-2013-0533) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4049. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Cut Bank, MT" (RIN2120-AA66) (Docket No. FAA-2013-0532) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4050. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Carlsbad, NM" (RIN2120-AA66) (Docket No. FAA-2013-0173) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4051. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Kankakee, IL" (RIN2120-AA66) (Docket No. FAA-2013-0176) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4052. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Wadena, MN" (RIN2120-AA66) (Docket No. FAA-2013-0172) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4053. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Washington, KS" (RIN2120-AA66) (Docket No. FAA-2013-0584) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4054. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; St. George, UT" (RIN2120-AA66) (Docket No. FAA-2013-0600) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4055. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Mandan, ND" (RIN2120-AA66) (Docket

et No. FAA-2013-0275) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4056. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; White Mountain, AK" (RIN2120-AA66) (Docket No. FAA-2013-2012-1185) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4057. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Cody, WY" (RIN2120-AA66) (Docket No. FAA-2013-0517) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4058. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Glasgow, MT" (RIN2120-AA66) (Docket No. FAA-2013-0529) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4059. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Akutan, AK" (RIN2120-AA66) (Docket No. FAA-2013-0516) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4060. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Comanche, TX" (RIN2120-AA66) (Docket No. FAA-2013-0775) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4061. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction" (RIN0648-XC885) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4062. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D Airspace; Mesquite, TX" (RIN2120-AA66) (Docket No. FAA-2012-0580) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4063. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D and E Airspace; Kenai, AK" (RIN2120-AA66) (Docket No. FAA-2012-1174) received in the

EC-4088. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of

EC-4135. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives:

DG Flugzeugbau GmbH Gliders" ((RIN2120-AA64) (Docket No. FAA-2013-0927)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4136. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Agusta S.p.A. (Type Certificate currently held by AugustaWestland)" ((RIN2120-AA64) (Docket No. FAA-2012-0529)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4137. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2013-0)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4138. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; DG Flugzeugbau GmbH Gliders" ((RIN2120-AA64) (Docket No. FAA-2013-0929)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4139. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; MD Helicopters, Inc., Helicopters" ((RIN2120-AA64) (Docket No. FAA-2013-0401)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4140. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; MD Helicopters, Inc., (MDHI) Helicopters" ((RIN2120-AA64) (Docket No. FAA-2013-0486)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4141. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE SYSTEMS (OPERATIONS LIMITED) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2013-0631)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4142. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; ATR—GIE Avions de Transport Regional Airplanes" ((RIN2120-AA64) (Docket No. FAA-2013-0624)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4143. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Guides for Private Voca-

tional and Distance Education Schools" (16 CFR Part 254) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4144. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled, "Fundamental Properties of Asphalts and Modified Asphalts—III"; to the Committee on Commerce, Science, and Transportation.

EC-4145. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Takes of Marine Mammals Incidental to Specified Activities; U.S. Navy Training and Testing Activities in the Atlantic Fleet Training and Testing Study Area" (RIN0648-BC53) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4146. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the Commission's ninth annual report on ethanol market concentration; to the Committee on Commerce, Science, and Transportation.

EC-4147. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Qualification, Service, and Use of Crewmembers and Aircraft Dispatchers" ((RIN2120-AJ00) (Docket No. FAA-2008-0677)) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Commerce, Science, and Transportation.

EC-4148. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Helicopters" ((RIN2120-AA64) (Docket No. FAA-2013-0487)) received in the Office of the President of the Senate on December 16, 2013; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 1271. A bill to direct the President to establish guidelines for the United States foreign assistance programs, and for other purposes (Rept. No. 113-131).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHUMER:

S. 1882. A bill to amend the Internal Revenue Code of 1986 to extend parity for exclusion from income for employer-provided mass transit and parking benefits; to the Committee on Finance.

By Mrs. HAGAN:

S. 1883. A bill to extend duty-free treatment for certain trousers, breeches, or shorts imported from Nicaragua, and for other purposes; to the Committee on Finance.

By Mr. MERKLEY:

S. 1884. A bill to establish a Pay It Forward model for funding postsecondary education;

to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. CARDIN, and Mr. CORKER):

S. 1885. A bill to place conditions on assistance to the Government of Burma; to the Committee on Foreign Relations.

By Mr. MERKLEY (for himself, Mrs. SHAHEEN, Mr. UDALL of Colorado, Mr. KING, Ms. HEITKAMP, and Ms. LANDRIEU):

S. 1886. A bill to ensure that individuals who attempted to, or who are enrolled in, qualified health plans offered through an Exchange have continuity of coverage and to require Exchanges to make coverage under qualified health plans retroactive to January 1, 2014; to the Committee on Finance.

By Mrs. MCCASKILL:

S. 1887. A bill to clarify terms of cooperation between the Consumer Product Safety Commission and foreign government agencies in order to improve safety of imported products, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN:

S. 1888. A bill to facilitate a land exchange involving certain National Forest System land in the Inyo National Forest, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself and Mr. HATCH):

S. 1889. A bill to direct the United States Sentencing Commission with respect to penalties for the unlawful production of a controlled substance on Federal property or intentional trespass on the property of another that causes environmental damage; to the Committee on the Judiciary.

By Mr. COCHRAN:

S. 1890. A bill to ensure that decisions by the Secretary of Education to award grants or other assistance to States or local educational agencies are not contingent upon the adoption of specific educational curricula; to the Committee on Health, Education, Labor, and Pensions.

By Ms. AYOTTE (for herself and Mr. JOHANNES):

S. 1891. A bill to require a study and report by the Comptroller General regarding the restart provision of the Hours of Service Rules for Commercial Truck Drivers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. COLLINS (for herself and Mr. KING):

S. 1892. A bill to direct the Secretary of Veterans Affairs to establish a registry of certain veterans who were stationed at or underwent training at Canadian Forces Base Gagetown, New Brunswick, Canada, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. AYOTTE:

S. 1893. A bill to require the Transportation Security Administration to implement best practices and improve transparency with regard to technology acquisition programs, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COCHRAN (for himself, Mr. BARRASSO, Mr. BURR, Mr. CHAMBLISS, Mr. ENZI, Mr. INHOFE, Mr. ROBERTS, and Mr. WICKER):

S. 1894. A bill to provide for the repeal of the Patient Protection and Affordable Care Act if it is determined that the Act has resulted in increasing the number of uninsured individuals; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PRYOR (for himself and Mr. BOOZMAN):

S. Res. 325. A resolution designating the week of December 22 through December 28, 2013, as "National Toy Week"; considered and agreed to.

By Mrs. SHAHEEN (for herself and Ms. AYOTTE):

S. Res. 326. A resolution congratulating the 2013 Southern New Hampshire University men's soccer team on winning the National Collegiate Athletic Association Division II Men's Soccer Championship; considered and agreed to.

By Mr. MORAN (for himself and Mr. ROBERTS):

S. Res. 327. A resolution congratulating Sporting Kansas City for an outstanding 2013 season in Major League Soccer and for winning the Major League Soccer Cup 2013; considered and agreed to.

By Mr. DURBIN:

S. Con. Res. 30. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives; considered and agreed to.

ADDITIONAL COSPONSORS

S. 313

At the request of Mr. CASEY, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 456

At the request of Mrs. MURRAY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 456, a bill to direct the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education.

At the request of Ms. HIRONO, her name was added as a cosponsor of S. 456, *supra*.

S. 876

At the request of Mr. BLUMENTHAL, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 876, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend public safety officers' death benefits to fire police officers.

S. 896

At the request of Ms. HIRONO, her name was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 913

At the request of Mrs. SHAHEEN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 913, a bill to amend the National Oilheat Research Alliance Act of 2000 to reauthorize and improve that Act, and for other purposes.

S. 1143

At the request of Mr. MORAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1143, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 1269

At the request of Ms. HIRONO, her name was added as a cosponsor of S. 1269, a bill to amend the Workforce Investment Act of 1998 to support community college and industry partnerships, and for other purposes.

S. 1291

At the request of Ms. HIRONO, her name was added as a cosponsor of S. 1291, a bill to strengthen families' engagement in the education of their children.

S. 1391

At the request of Mr. HARKIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1391, a bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal employment discrimination and retaliation claims, and for other purposes.

S. 1406

At the request of Ms. AYOTTE, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1406, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1491

At the request of Mr. COONS, his name was added as a cosponsor of S. 1491, a bill to amend the Energy Independence and Security Act of 2007 to improve United States-Israel energy cooperation, and for other purposes.

S. 1523

At the request of Ms. HIRONO, her name was added as a cosponsor of S. 1523, a bill to amend the Internal Revenue Code to make permanent qualified school construction bonds and qualified zone academy bonds, to treat qualified zone academy bonds as specified tax credit bonds, and to modify the private business contribution requirement for qualified zone academy bonds.

S. 1599

At the request of Mr. LEAHY, the name of the Senator from Iowa (Mr.

HARKIN) was added as a cosponsor of S. 1599, a bill to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

S. 1645

At the request of Mr. BROWN, the names of the Senator from Florida (Mr. NELSON) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 1645, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 1710

At the request of Mr. WHITEHOUSE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1710, a bill to require Amtrak to propose a pet policy that allows passengers to transport domesticated cats and dogs on certain Amtrak trains, and for other purposes.

S. 1723

At the request of Mr. VITTER, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 1723, a bill to clarify that the anti-kickback laws apply to qualified health plans, the federally-facilitated marketplaces, and other plans and programs under title I of the Patient Protection and Affordable Care Act, and for other purposes.

S. 1827

At the request of Mr. MANCHIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1827, a bill to award a Congressional Gold Medal to the American Fighter Aces, collectively, in recognition of their heroic military service and defense of our country's freedom throughout the history of aviation warfare.

S. 1837

At the request of Ms. WARREN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1837, a bill to amend the Fair Credit Reporting Act to prohibit the use of consumer credit checks against prospective and current employees for the purposes of making adverse employment decisions.

S. 1844

At the request of Mrs. SHAHEEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1844, a bill to restore full military retirement benefits by closing corporate tax loopholes.

S. 1845

At the request of Mr. REED, the names of the Senator from Delaware (Mr. CARPER), the Senator from Oregon (Mr. MERKLEY), the Senator from Hawaii (Mr. SCHATZ) and the Senator from Massachusetts (Ms. WARREN) were

added as cosponsors of S. 1845, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. 1848

At the request of Mr. ROBERTS, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S. 1848, a bill to amend section 1303(b)(3) of Public Law 111-148 concerning the notice requirements regarding the extent of health plan coverage of abortion and abortion premium surcharges.

S. 1867

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1867, a bill to provide protection for consumers who have prepaid cards, and for other purposes.

S. 1880

At the request of Mrs. MURRAY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1880, a bill to provide that the annual adjustment of retired pay for members of the Armed Forces under the age of 62 under the Bipartisan Budget Act of 2013 shall not apply to members retired for disability and to retired pay used to compute certain Survivor Benefit Plan annuities.

S. 1881

At the request of Mr. MENENDEZ, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from West Virginia (Mr. MANCHIN), the Senator from Indiana (Mr. COATS), the Senator from Louisiana (Mr. VITTER), the Senator from Idaho (Mr. RISCH), the Senator from Georgia (Mr. ISAKSON) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 1881, a bill to expand sanctions imposed with respect to Iran and to impose additional sanctions with respect to Iran, and for other purposes.

S. RES. 75

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 1888. A bill to facilitate a land exchange involving certain National Forest System land in the Inyo National Forest, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Inyo National Forest Land Exchange Act.

This legislation will facilitate a land exchange between the operators of the

Mammoth Mountain Ski Area in the Eastern Sierra Nevada region of California and the Inyo National Forest. Enactment of this bill will allow the ski resort to redevelop the parcel of land it currently leases from Forest Service, while providing the Forest Service with a combination of high resource value lands and a cash payment equal to the value of the exchanged land.

Since the Mammoth Mountain Ski Area, LLC, MMSA, began operations in 1953, Mammoth Mountain has grown to be one of the most popular ski areas in the United States, attracting up to two million visitors a year.

However, the Main Lodge area, which is located on approximately 21 acres of land leased by MMSA, has become outdated and inadequate to meet visitor needs. The Main Lodge building and Mammoth Mountain Inn are now more than 50 years old and require significant improvements and upgrades. Insufficient employee housing, parking and guest amenities must be corrected and skier staging and lift line queuing areas must be modernized. In order to make the necessary long-term investments, resort operators are seeking fee title to the land and have been working with the Inyo National Forest since 1998 to complete a land exchange.

Equal-value land exchanges involving Forest Service land are permitted under the Exchange Act. However, the typical land exchange procedures do not conform well to this particular exchange due to the complexity, size and scarcity of large, high resource value parcels in the Inyo National Forest. Consequently, this legislation would authorize a one-time exception to the Exchange Act to accomplish the proposed land exchange. Specifically, the bill would require the Secretary of Agriculture to acquire two parcels of private land outside, totaling approximately 1,500 acres, the boundary the Inyo National Forest in exchange for the conveyance of the 21 acre parcel within the forest currently leased to MMSA; accept a cash equalization payment in excess of the 25 percent value of the federal lands to fully compensate the Forest Service for the exchanged lands; and use the cash payment to acquire land or interests in land for additions to the National Forest System as such lands become available.

This bill will provide both economic and environmental benefits. The new construction that this bill will help facilitate will not only create new construction jobs during renovations, but will also allow the Ski Area to expand and improve its operations, creating more sustainable and permanent jobs. Additionally, the land MMSA will be transferring to the Forest Service includes high resource value lands that have long been desired for protection by local environmentalists and the

Forest Service. This includes lands within the view shed of the Mono Basin National Scenic Area, the first designated National Scenic Area and a place of incredible natural beauty.

This legislation has bipartisan support. The bill was first introduced by Rep. BUCK MCKEON in June 2011 and passed the House in April 2012 by a vote of 376-2. It was reintroduced by Rep. PAUL COOK earlier this year with the support of both Democratic and Republican cosponsors and passed the House a second time on December 3, 2013.

Local government and community organizations also support this legislation, including the Mono County Board of Supervisors, the Mammoth Lakes Town Council, the Mammoth Lakes Chamber of Commerce, Mammoth Lakes Tourism, the Mono Lake Committee, and the Eastern Sierra Land Trust.

This trade has long been supported by noted environmentalists, including the late Andrea Mead Lawrence, after whom Congress earlier this year named a mountain in the nearby Sierra Nevada.

I urge my colleagues to support this legislation. Enactment of this bill will ensure the long term success of one of the Nation's top ski resorts and benefit the local and regional economy, while allowing the Forest Service to acquire high resource value lands that will be enjoyed by Americans for generations to come.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1888

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Inyo National Forest Land Exchange Act".

SEC. 2. PURPOSE.

The purpose of this Act is to modify the use of land exchange authorities available to the Secretary of Agriculture as of the date of enactment of this Act with respect to certain land in the Inyo National Forest, California.

SEC. 3. DEFINITIONS.

In this section:

(1) **FEDERAL LAND.**—The term "Federal land" means certain National Forest System land located within the boundaries of the Inyo National Forest, California, as depicted on the map entitled "Federal Parcel" and dated June 2011.

(2) **NON-FEDERAL LAND.**—The term "non-Federal land" means certain non-Federal land in California located outside the boundaries of the Inyo National Forest, California, as depicted on the maps entitled "DWP Parcel-Interagency Visitor Center Parcel" and "DWP Parcel-Town of Bishop Parcel" and dated June 2011.

(3) **SECRETARY.**—The term "Secretary" means the Secretary of Agriculture.

SEC. 4. SPECIAL RULES FOR INYO NATIONAL FOREST LAND EXCHANGE.

(a) **AUTHORITY TO ACCEPT LAND OUTSIDE BOUNDARIES OF INYO NATIONAL FOREST.**—In

any land exchange involving the conveyance of the Federal land, the Secretary may accept the conveyance of the non-Federal land in exchange for the conveyance of the Federal land, if the Secretary determines that acquisition of the non-Federal land is desirable for National Forest System purposes.

(b) CASH EQUALIZATION PAYMENT; USE.—

(1) IN GENERAL.—In an exchange of land under subsection (a), the Secretary may accept a cash equalization payment in excess of 25 percent of the value of the Federal land.

(2) DISPOSITION AND USE OF FUNDS.—Any cash equalization payment received by the Secretary under this subsection shall be—

(A) deposited into the fund established under Public Law 90-171 (commonly known as the “Sisk Act”) (16 U.S.C. 484a); and

(B) available to the Secretary for the acquisition of land or interests in land for addition to the National Forest System.

(c) NO NEW LAND EXCHANGE AUTHORITY.—Nothing in this section grants the Secretary new land exchange authority.

By Mrs. FEINSTEIN (for herself and Mr. HATCH):

S. 1889. A bill to direct the United States Sentencing Commission with respect to penalties for the unlawful production of a controlled substance on Federal property or intentional trespass on the property of another that causes environmental damage; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to introduce the Protecting Lands Against Narcotics Trafficking or PLANT Act of 2013 with my colleague and friend, Senator ORRIN HATCH.

This bill, which is similar to House legislation introduced by Representative JARED HUFFMAN, will help curb the severe environmental damage caused by illegal marijuana grows. I thank my friend and fellow Californian, Representative HUFFMAN, for his leadership on this issue.

Across our Nation, but especially in California, drug traffickers cultivate marijuana with zero regard for the environmental destruction it causes. Motivated solely by profits, these criminals illegally divert streams, poison wildlife, pollute watersheds and destroy the natural heritage that we have worked so hard to protect.

Recognizing the destructive ecological impact of illegal marijuana cultivation, this legislation directs the United States Sentencing Commission to review and amend Federal sentencing guidelines to account for the environmental crimes drug traffickers commit on public and trespassed lands.

Specifically, the bill instructs the Sentencing Commission to put in place sentencing guidelines that increase penalties for individuals who engage in any of the following activities while cultivating illegal drugs on Federal lands or while trespassing on another person's property:

Use of poisons or hazardous chemicals, such as pesticides and rodenticides; the diversion, redirection, obstruction, draining or impoundment of local aquifers, rivers or bodies of

water; or significant removal of vegetation or clear cutting of timber.

In addition to environmental concerns, this legislation addresses the safety of our public lands. It directs the Sentencing Commission to provide guidelines increasing penalties on drug traffickers who use or possess a firearm while producing illegal drugs on federal or trespassed lands.

Last year alone, over 900,000 marijuana plants were eradicated at 471 sites on National Forest Lands. Sadly, this represents only a fraction of the total marijuana illegally grown in our National Parks, Forests and other public lands. In California, Operation Pristine, a recent effort to combat the environmental damage caused by illegal marijuana production, resulted in the removal of over 8,700 tons of trash including pesticides, batteries, fertilizers and propane tanks from environmentally sensitive lands.

Drug traffickers often use illegal pesticides smuggled in from Mexico, such as carbofuran, which contaminate California's water resources. They also use pesticides and rodenticides in an illegal manner, often on protected lands. These poisons are having a devastating impact on California's wildlife, including the Pacific Fisher, a member of the Weasel family being considered for listing as an endangered species.

Taxpayers are also being hit hard by the millions of dollars needed to clean up the environmental damage caused by illegal marijuana grows. Estimates put the cost of reclaiming land damaged by illicit marijuana growth at approximately \$15,000 per acre. As you might expect, drug traffickers are not setting aside funds for this work, and the cost is passed on to the American people.

Illicit marijuana cultivation also damages the economy and hurts legitimate businesses. Timber companies, farmers and ranchers have had their operations disrupted by criminals growing marijuana illegally. Marijuana growers on agricultural lands, particularly in the Central Valley, divert thousands of gallons of scarce water from legitimate agriculture. In 2013 alone, California has identified over 1,800 grow sites in the Central Valley, including 406 in Tulare County and 537 in Fresno as of November.

As Chairman of the Senate Caucus on International Narcotics Control and also as a Senator who has worked to safeguard our country's natural resources, I believe that we cannot allow drug traffickers to destroy our public lands, pollute our waters and kill our wildlife with impunity. It is time that sentencing guidelines take into account the environmental damage that drug traffickers all too often cause. This legislation, directing the Sentencing Commission to review and amend its guidelines, will do just that.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1889

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Protecting Lands Against Narcotics Trafficking Act of 2013” or the “PLANT Act”.

SEC. 2. CONTROLLED SUBSTANCES ACT PENALTY AMENDMENTS.

(a) CULTIVATING OR MANUFACTURING CONTROLLED SUBSTANCES ON FEDERAL PROPERTY.—Section 401(b)(5) of the Controlled Substances Act (21 U.S.C. 841(b)(5)) is amended, in the matter preceding subparagraph (A), by striking “as provided in this subsection” and inserting “for not more than 10 years, in addition to any other term of imprisonment imposed under this subsection”.

(b) USE OF HAZARDOUS SUBSTANCES.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall amend and review the Federal Sentencing Guidelines and policy statements to ensure that the guidelines provide for a penalty enhancement of not less than 1 offense level for a violation of section 401(a) of the Controlled Substances Act (21 U.S.C. 841(a)) while on Federal property or intentionally trespassing on the property of another if the offense—

(1) includes the use of a poison, chemical, or other hazardous substance to cultivate or manufacture controlled substances on Federal property;

(2) creates a hazard to humans, wildlife, or domestic animals;

(3) degrades or harms the environment or natural resources; or

(4) pollutes an aquifer, spring, stream, river, or body of water.

(c) STREAM DIVERSION OR CLEAR CUTTING ON FEDERAL PROPERTY.—

(1) PROHIBITION ON STREAM DIVERSION OR CLEAR CUTTING ON FEDERAL PROPERTY.—Section 401(b) of the Controlled Substances Act (21 U.S.C. 841(b)), as amended by subsection (a), is amended by adding at the end the following:

“(8) DESTRUCTION OF BODIES OF WATER.—Any person who violates subsection (a) in a manner that diverts, redirects, obstructs, or drains an aquifer, spring, stream, river, or body of water or clear cuts timber while cultivating or manufacturing a controlled substance on Federal property or while intentionally trespassing on the property of another shall be fined in accordance with title 18, United States Code.”.

(2) FEDERAL SENTENCING GUIDELINES ENHANCEMENT.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and amend the Federal Sentencing Guidelines and policy statements to ensure that the guidelines provide for a penalty enhancement of not less than 1 offense level for a violation of section 401(a) of the Controlled Substances Act (21 U.S.C. 841(a)) if the offense involves the diversion, redirection, obstruction, or draining of an aquifer, spring, stream, river, or body of water or the clear cut of timber while cultivating or manufacturing a controlled substance on Federal property or while intentionally trespassing on the property of another.

(d) BOOBY TRAPS ON FEDERAL LAND.—Section 401(d)(1) of the Controlled Substances Act (21 U.S.C. 841(d)(1)) is amended by inserting “cultivated,” after “is being”.

(e) USE OR POSSESSION OF FIREARMS IN CONNECTION WITH DRUG OFFENSES ON FEDERAL LANDS.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and amend the Federal Sentencing Guidelines and policy statements to ensure that the guidelines provide for a penalty enhancement of not less than 1 offense level for a violation of section 401(a) of the Controlled Substances Act (21 U.S.C. 841(a)) if the offense involves the possession of a firearm while cultivating or manufacturing controlled substances on Federal lands or intentionally trespassing on the property of another.

By Ms. COLLINS (for herself and Mr. KING):

S. 1892. A bill to direct the Secretary of Veterans Affairs to establish a registry of certain veterans who were stationed at or underwent training at Canadian Forces Base Gagetown, New Brunswick, Canada, and for other purposes; to the Committee on Veterans' Affairs.

Ms. COLLINS. Mr. President, today I am introducing a bill addressing an issue important to Maine veterans who served at Canadian Forces Base, CFB, Gagetown. Veterans who served there may have suffered from adverse health impacts due to exposure to the herbicide Agent Orange, which was used at CFB Gagetown in 1966 and 1967. This bill would require the Secretary of Veterans Affairs, VA, to establish a registry of U.S. veterans who served or trained at CFB Gagetown between 1956 and 2006 and have subsequently experienced health issues, which may have resulted from exposure to these chemicals. It also directs the VA to commission an independent study investigating any possible linkage between the spraying of Agent Orange at CFB Gagetown and subsequent health problems among the American soldiers who served or trained there. The legislation I am offering with Senator KING is similar to another bill that has been introduced by Congressman MIKE MICHAUD in the House of Representatives.

Protecting the health of those who have served our Nation is a solemn responsibility. I have heard from veterans in Maine about how they have suffered from diabetes, cancers, and respiratory illnesses. Many of these veterans fear their illnesses are linked to the use of Agent Orange in the 1960s. These veterans, however, have had difficulty in persuading the VA that their health problems are related to this chemical exposure.

By requiring the VA to establish a registry of these veterans, we recognize these widespread concerns and provide veterans with a way to make their claims known to the VA and to identify commonalities among their shared experiences. It also provides the VA

with the ability to reach out to veterans on this issue of critical importance.

Last month, I personally raised this issue with the Canadian Minister of Defence. Many Canadian veterans who served or trained at CFB Gagetown voiced similar concerns with their government. He described how the Government of Canada found a way to appropriately compensate service members affected by the toxic chemicals used at Gagetown. Ultimately, the Canadian government approved one-time ex gratia payments of \$20,000 for qualifying veterans who demonstrated that they were at CFB Gagetown during the days when the toxic agents were sprayed.

A crucial provision in this legislation requires the VA to commission an independent study that investigates the connection between health problems and exposure to Agent Orange at CFB Gagetown. Previously, I requested that the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry conduct an investigation into whether Maine veterans were exposed to toxic chemicals while training at CFB Gagetown. A significant deficiency with the CDC report, however, was that it relied solely on existing Canadian government studies on this subject rather than conducting interviews of those who trained there. Many Maine veterans feel strongly that they suffered negative consequences from exposure to Agent Orange while training at Gagetown. The United States Government should conduct its own independent study with interviews.

This legislation keeps faith with our veterans by demonstrating that our government takes the allegations of exposure to Agent Orange seriously. The bill will help identify and bring together the shared experience of those who trained at CFB Gagetown. This bill will make it easier for the VA to conduct outreach on this issue pending any new developments. I look forward to working with Senator KING and all of my colleagues to pass this important bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 325—DESIGNATING THE WEEK OF DECEMBER 22 THROUGH DECEMBER 28, 2013, AS “NATIONAL TOY WEEK”

Mr. PRYOR (for himself and Mr. BOOZMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 325

Whereas the goal of “National Toy Week” is to recognize toys as the “tools of play”, enriching the lives of young people for generations;

Whereas through play, children develop active minds, active bodies, and necessary social skills;

Whereas National Toy Week encourages recognition of play as a universal pastime that gives children of all ages the opportunity to spend time together and have fun;

Whereas according to the Toy Industry Association, the toy industry supports over 600,000 full-time jobs, accounting for more than \$26,000,000,000 in wages;

Whereas the toy industry is estimated to have an economic impact of over \$75,000,000,000 in 2013 alone; and

Whereas throughout the history of the toy industry, such industry has provided a wealth of creativity and innovation across the United States: Now, therefore, be it;

Resolved, That the Senate—

(1) designates the week of December 22 through December 28, 2013, as “National Toy Week”;

(2) recognizes the necessary role of toys and play in the development of children across the United States;

(3) recognizes that, for 97 years, the toy industry has promoted fun and safe play; and

(4) encourages the people of the United States to observe the week by enjoying toys and play.

SENATE RESOLUTION 326—CONGRATULATING THE 2013 SOUTHERN NEW HAMPSHIRE UNIVERSITY MEN'S SOCCER TEAM ON WINNING THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION II MEN'S SOCCER CHAMPIONSHIP

Mrs. SHAHEEN (for herself and Ms. AYOTTE) submitted the following resolution; which was considered and agreed to:

S. RES. 326

Whereas, on December 7, 2013, the Southern New Hampshire University (SNHU) men's soccer team, known as the Penmen, won the National Collegiate Athletic Association (NCAA) Division II national championship in Evans, Georgia, becoming the second men's soccer team in the history of SNHU to win a national title;

Whereas, with their victory over the Carson-Newman University Eagles, the Penmen capped off a 23-game unbeaten streak as they ended their season with 22 wins, 1 loss, and 1 draw, tying the SNHU men's soccer program's record for most wins in a season;

Whereas the State of New Hampshire and the City of Manchester are immensely proud of the SNHU men's soccer team, and recognize the teamwork and dedication required to win a national championship;

Whereas the student-athletes of SNHU demonstrate the same dedication to their studies as they do to athletics, having previously received the USA Today NCAA Foundation Academic Achievement Award in recognition of the high graduation rate of SNHU student-athletes;

Whereas the SNHU men's soccer team was honored in 2013 with the Northeast-10 Team Academic Excellence Award for having the highest team grade point average in the Northeast-10 Conference for men's soccer, and SNHU sophomore Brad Campion received the Elite 89 award for the highest cumulative grade point average at the 2013 NCAA Division II Men's Soccer Championship;

Whereas SNHU men's soccer head coach Marc Hubbard, a native of Durham, New Hampshire, has led the Penmen to NCAA tournament berths in each of his 6 seasons as a coach, in addition to 2 Northeast-10 regular season and tournament titles, and has twice

been honored as the Northeast-10 Coach of the Year;

Whereas assistant coaches Josh Taylor, Rich Weinrebe, Dave Williams, and Phil Tuttle leveraged their years of experience playing and coaching the game of soccer to support Coach Hubbard and the team;

Whereas the 2013 Southern New Hampshire University men's soccer team is comprised of—

(1) 1 graduate student: Callum Williams;

(2) 4 seniors: Dom DiMaggio, Christian Rodriguez, Pierre Omanga, and Brian Francolini;

(3) 9 juniors: Yannick Kabala, Joe Mahr, Mohamed Toufik, Danilo Andrade, Kenny Doublette, Kyle Logan, Miguel Carneiro, Keegan Campbell, and Chris Pereira;

(4) 7 sophomores: Myles Groenloh, Jonathan Lupinelli, Brad Campion, Ryan Simpson, Sebastian Stezewski, Julian Omeally, and Dominic Samuel; and

(5) 5 freshmen: Andrew Pesci, Ryan Reynolds, Nate Fournier, Curtis Pereira, and Eddie Legg;

Whereas 4 members of the 2013 SNHU men's soccer team hail from the State of New Hampshire; and

Whereas the SNHU men's soccer team should be recognized for both its athletic and scholastic accomplishments: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Southern New Hampshire University men's soccer team on winning the National Collegiate Athletic Association Division II Men's Soccer Championship;

(2) recognizes the positive environment of scholastic and athletic achievement fostered at Southern New Hampshire University; and

(3) requests the Secretary of the Senate to transmit an enrolled copy of this resolution for appropriate display to—

(A) Southern New Hampshire University;

(B) Paul J. LeBlanc, the president of Southern New Hampshire University; and

(C) Marc Hubbard, the head coach of the Southern New Hampshire University men's soccer team.

SENATE RESOLUTION 327—CONGRATULATING SPORTING KANSAS CITY FOR AN OUTSTANDING 2013 SEASON IN MAJOR LEAGUE SOCCER AND FOR WINNING THE MAJOR LEAGUE SOCCER CUP 2013

Mr. MORAN (for himself and Mr. ROBERTS) submitted the following resolution; which was considered and agreed to:

S. RES. 327

Whereas on December 7, 2013, Sporting Kansas City won the Major League Soccer Cup 2013 by defeating Real Salt Lake in a penalty shootout, after 120 minutes of play concluded with a draw;

Whereas the Major League Soccer Cup 2013 occurred in a sold-out stadium of 21,650 people at Sporting Park, in Kansas City, Kansas;

Whereas the recorded temperature at the kickoff of the Major League Soccer Cup 2013 was 20 degrees Fahrenheit, the coldest kickoff-temperature of any game in the history of Major League Soccer;

Whereas Sporting Kansas City defender Aurelien Collin was named the Major League Soccer Cup Most Valuable Player;

Whereas Sporting Kansas City finished the Major League Soccer regular season of 2013 in second place, a single win short of secur-

ing the Major League Soccer Supporters' Shield, with a record of 17 wins, 10 losses, and 7 draws;

Whereas Sporting Park, in Kansas City, Kansas, has hosted the qualifying matches for the 2014 FIFA World Cup, the Confederation of North, Central American and Caribbean Association Football Gold Cup, the 2013 Major League Soccer All-Star Game, and the Major League Soccer Cup 2013;

Whereas several Sporting Kansas City players represent the United States in international soccer games;

Whereas Sporting Kansas City will play as one of the soccer clubs representing the United States in the 2014–2015 Confederation of North, Central American and Caribbean Association Football Champions League;

Whereas Sporting Kansas City manager Peter Vermes was elected to the National Soccer Hall of Fame in 2013;

Whereas Kansas City has a rich soccer history, participating as the Kansas City Wiz in the first season of Major League Soccer in 1996;

Whereas Kansas City locals Neal Patterson, Cliff Illig, Pat Curran, Greg Maday, and Robb Heineman own Sporting Kansas City;

Whereas Sporting Kansas City supporters are passionate, numerous, and diverse, and belong to associations that include La Barra KC, the Kansas City Cauldron, the Brookside Elite, the Fountain City Ultras, the Mass St. Mob, the King City Yardbirds, the Sporting Militia, the Omaha Boys, Northland Noise, the Trenches of SKC, JPOP, the Ladies of SKC, KC Futbol Misfits, the Wedge, Ad Astra KC, Wichita Wanderers, 417 Loyal, Aggievillains, CoMo Cauldron, and the Kansas City Chapter of the American Outlaws; and

Whereas Sporting Kansas City players Matt Besler, Seth Sinovic, Christian Duke, Jon Kempin, and Kevin Ellis are natives of the Kansas City area and grew up playing soccer in the community: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and extends congratulations to Sporting Kansas City for winning the Major League Soccer Cup 2013; and

(2) commends the players, manager, coaches, owners, support staff, and club supporters whose efforts and spirit made the 2013 season a historic success.

SENATE CONCURRENT RESOLUTION 30—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. DURBIN submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 30

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, December 20, 2013, through Tuesday, December 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 11:45 a.m. on Friday, January 3, 2014, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Monday, December 23, 2013, through Tuesday, December 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand ad-

journing until 11:00 a.m. on Friday, January 3, 2014, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

Sec. 2. (a) The Majority Leader of the Senate or his designee, after consultation with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by the Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

Sec. 3. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by the Speaker or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 460 through and including Calendar No. 477, and all nominations on the Secretary's desk in the Air Force, Army, and Navy; that the nominations be confirmed en bloc, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

NOMINATIONS

IN THE AIR FORCE

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Paul S. Dwan

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brigadier General Catherine A. Chilton

Brigadier General Stayce D. Harris

Brigadier General William B. Waldrop, Jr.

Brigadier General Tommy J. Williams

The following named officer for appointment in the Reserve of the Air Force to the

grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Josef F. Schmid, III

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Colonel Talantino C. Angelosante
Colonel James R. Barkley
Colonel Thomas G. Clark
Colonel Michael J. Cole
Colonel Samuel C. Mahaney
Colonel Brett J. McMullen
Colonel Jose R. Monteagudo
Colonel Randall A. Ogden
Colonel John P. Stokes
Colonel Stephen D. Vautrain

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203 and 12212:

To be brigadier general

Col. Stephen E. Rader

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203 and 12212:

To be brigadier general

Col. Michael T. McGuire

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. John W. Raymond

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brigadier General Charles A. Flynn

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. David G. Perkins

The following named officers for appointment to the grade indicated in the United States Army under title 10, U.S.C., section 624:

To be brigadier general

Colonel James T. Iacocca
Colonel Daniel G. Mitchell
Colonel Kurt L. Sonntag

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203 and 12211:

To be brigadier general

Col. Anthony L. Hall

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., sections 624, 3037 and 3064:

To be brigadier general, judge advocate general's corps

Col. Paul S. Wilson

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of im-

portance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Robert S. Ferrell

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Joseph Anderson

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (1h) Rebecca J. McCormick-Boyle

The following named officer for appointment as Vice Chief of Naval Operations and appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5035:

To be admiral

Vice Adm. Michelle J. Howard

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be admiral

Adm. Mark E. Ferguson, III

The following named officer for appointment in the Reserve of the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Joseph P. Mulloy

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN949 AIR FORCE nominations (40) beginning STANTON J. J. APPLONIE, and ending RICHARD J. ZAVADIL, which nominations were received by the Senate and appeared in the Congressional Record of October 30, 2013.

PN950 AIR FORCE nominations (61) beginning JAMES D. ATHNOS, and ending STEPHEN M. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of October 30, 2013.

PN951 AIR FORCE nominations (114) beginning PAIGE T. ABBOTT, and ending RENO JOSEPH ZISA, which nominations were received by the Senate and appeared in the Congressional Record of October 30, 2013.

PN965 AIR FORCE nominations (4) beginning SCOTT A. HABER, and ending YVES P. LEBLANC, which nominations were received by the Senate and appeared in the Congressional Record of November 7, 2013.

IN THE ARMY

PN934 ARMY nomination of Jesus M. Munozlasalle, which was received by the Senate and appeared in the Congressional Record of October 28, 2013.

PN935 ARMY nominations (18) beginning WAYNE J. AARON, and ending ANN H. ZGRODNIK, which nominations were received by the Senate and appeared in the Congressional Record of October 28, 2013.

PN936 ARMY nominations (2) beginning JOHN R. DOOLITTLE, II, and ending BAUCUM W. FULK, which nominations were received by the Senate and appeared in the Congressional Record of October 28, 2013.

PN952 ARMY nominations (5) beginning STEVEN T. GREINER, and ending CHERYL D. SOFALY, which nominations were received by the Senate and appeared in the Congressional Record of October 30, 2013.

PN953 ARMY nominations (3) beginning STANLEY T. BREUER, and ending DEYDRE S. TEYHEN, which nominations were received by the Senate and appeared in the Congressional Record of October 30, 2013.

PN954 ARMY nominations (34) beginning KIMBERLEE A. AIELLO, and ending JEFFREY S. YARVIS, which nominations were received by the Senate and appeared in the Congressional Record of October 30, 2013.

PN955 ARMY nominations (23) beginning ROBIN M. ADAMSMASSENBURG, and ending VERONICA A. VILLAFRANCA, which nominations were received by the Senate and appeared in the Congressional Record of October 30, 2013.

PN998 ARMY nominations (5) beginning DAVID A. CENITI, and ending EDWARD M. REILLY, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2013.

PN1026 ARMY nominations (40) beginning NACY J. ALOUISE, and ending D011605, which nominations were received by the Senate and appeared in the Congressional Record of December 12, 2013.

IN THE NAVY

PN987 NAVY nomination of Corey N. Doolittle, which was received by the Senate and appeared in the Congressional Record of November 13, 2013.

PN988 NAVY nominations (38) beginning CHRISTOPHER W. ACOR, and ending AMANDA H. ZAWORA, which nominations were received by the Senate and appeared in the Congressional Record of November 13, 2013.

PN999 NAVY nomination of Julie A. Meier, which was received by the Senate and appeared in the Congressional Record of November 19, 2013.

PN1000 NAVY nomination of Krysten J. Pelstring, which was received by the Senate and appeared in the Congressional Record of November 19, 2013.

PN1027 NAVY nomination of Michael R. Saum, which was received by the Senate and appeared in the Congressional Record of December 12, 2013.

NOMINATIONS DISCHARGED

Mr. DURBIN. Mr. President, I ask unanimous consent that the commerce committee be discharged from further consideration of PN 877 and 878; that the nominations be confirmed; the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; and that the President be immediately notified of the Senate's actions and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE U.S. COAST GUARD

The following named officer for appointment in the United States Coast Guard Reserve to the grade indicated under title 10, U.S.C., section 12203a:

To be rear admiral (lower half)

Capt. Francis S. Pelkowski

The following named officers for appointment in the United States Coast Guard to the grade indicated under title 14, U.S.C. section 271(e):

To be rear admiral (lh)

Capt. Meridith L. Austin
Capt. Peter W. Gautier
Capt. Michael J. Haycock
Capt. James M. Heinz
Capt. Kevin E. Lunday
Capt. Todd A. Sokalzuk
Capt. Paul F. Thomas

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

AMENDING THE DISTRICT OF COLUMBIA HOME RULE ACT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 3343, which was received from the House and is at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3343) to amend the District of Columbia Home Rule Act to clarify the rules regarding the determination of the compensation of the Chief Financial Officer of the District of Columbia.

There being no objection, the Senate proceeded to the bill.

Mr. DURBIN. I ask unanimous consent that the bill be read three times and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3343) was ordered to a third reading, was read the third time, and passed.

FEDERAL ELECTION CAMPAIGN ADMINISTRATIVE FINES PROGRAM EXTENSION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 3487, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3487) to amend the Federal Election Campaign Act to extend through 2018 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission, to expand such authority to certain other violations, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. DURBIN. I ask unanimous consent that the bill be read three times and passed, that the motion to reconsider be made, and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3487) was ordered to a third reading, was read the third time, and passed.

CONDEMNING THE GOVERNMENT OF IRAN

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 269, S. Res. 75.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 75) condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations with an amendment and an amendment to the preamble.

(Omit the part in boldface brackets and insert the part printed in italic.

(Strike the preamble and insert the part printed in italic.)

S. RES. 75

[Whereas, in 1982, 1984, 1988, 1990, 1992, 1994, 1996, 2000, 2006, 2008, 2009, 2012, and 2013, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha'i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i Faith;

Whereas the United States Commission on International Religious Freedom 2012 Report stated, "The Baha'i community has long been subject to particularly severe religious freedom violations in Iran. Baha'is, who number at least 300,000, are viewed as 'heretics' by Iranian authorities and may face repression on the grounds of apostasy.";

Whereas the United States Commission on International Religious Freedom 2012 Report stated, "Since 1979, Iranian government authorities have killed more than 200 Baha'i leaders in Iran and dismissed more than 10,000 from government and university jobs.";

Whereas the United States Commission on International Religious Freedom 2012 Report stated, "Baha'is may not establish places of worship, schools, or any independent religious associations in Iran.";

Whereas the United States Commission on International Religious Freedom 2012 Report stated, "Baha'is are barred from the military and denied government jobs and pensions as well as the right to inherit property. Their marriages and divorces also are not recognized, and they have difficulty obtaining death certificates. Baha'i cemeteries, holy places, and community properties are often seized or desecrated, and many important religious sites have been destroyed.";

Whereas the United States Commission on International Religious Freedom 2012 Report stated, "The Baha'i community faces severe economic pressure, including denials of jobs in both the public and private sectors and of business licenses. Iranian authorities often pressure employers of Baha'is to dismiss them from employment in the private sector.";

Whereas the Department of State 2011 International Religious Freedom Report stated, "The government prohibits Baha'is from teaching and practicing their faith and subjects them to many forms of discrimination that followers of other religions do not face.";

Whereas the Department of State 2011 International Religious Freedom Report stated, "According to [Iranian] law, Baha'i blood is considered 'mobah', meaning it can be spilled with impunity.";

Whereas the Department of State 2011 International Religious Freedom Report stated that "members of religious minorities, with the exception of Baha'is, can serve in lower ranks of government employment", and "Baha'is are barred from all leadership positions in the government and military";

Whereas the Department of State 2011 International Religious Freedom Report stated, "Baha'is suffered frequent government harassment and persecution, and their property rights generally were disregarded. The government raided Baha'i homes and businesses and confiscated large amounts of private and commercial property, as well as religious materials belonging to Baha'is.";

Whereas the Department of State 2011 International Religious Freedom Report stated, "Baha'is also are required to register with the police.";

Whereas the Department of State 2011 International Religious Freedom Report stated that "[p]ublic and private universities continued to deny admittance to and expelled Baha'i students" and "[d]uring the year, at least 30 Baha'is were barred or expelled from universities on political or religious grounds";

Whereas the Department of State 2011 International Religious Freedom Report stated, "Baha'is are regularly denied compensation for injury or criminal victimization.";

Whereas, on March 6, 2012, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/HRC/19/66), which stated that "the Special Rapporteur continues to be alarmed by communications that demonstrate the systemic and systematic persecution of members of unrecognized religious communities, particularly the Baha'i community, in violation of international conventions" and expressed concern regarding "an intensive defamation campaign meant to incite discrimination and hate against Baha'is";

Whereas, on May 23, 2012, the United Nations Secretary-General issued a report (A/HRC/19/82), which stated that "the Special Rapporteur on freedom of religion or belief . . . pointed out that the Islamic Republic of Iran had a policy of systematic persecution of persons belonging to the Baha'i faith, excluding them from the application of freedom of religion or belief by simply denying that their faith had the status of a religion";

Whereas, on August 22, 2012, the United Nations Secretary-General issued a report (A/67/327), which stated, "The international community continues to express concerns about the very serious discrimination against ethnic and religious minorities in law and in practice, in particular the Baha'i community. The Special Rapporteur on the situation of human rights in the Islamic Republic of Iran expressed alarm about the systemic and systematic persecution of members of the Baha'i community, including severe socioeconomic pressure and arrests and detention. He also deplored the Government's tolerance of an intensive defamation campaign

aimed at inciting discrimination and hate against Baha'is.”;

Whereas, on September 13, 2012, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/67/369), which stated, “Reports and interviews submitted to the Special Rapporteur also continue to portray a disturbing trend with regard to religious freedom in the country. Members of both recognized and unrecognized religions have reported various levels of intimidation, arrest, detention and interrogation that focus on their religious beliefs.”, and stated, “At the time of drafting the report, 105 members of the Baha'i community were reported to be in detention.”;

Whereas, on November 27, 2012, the Third Committee of the United Nations General Assembly adopted a draft resolution (A/C.3/67/L.51), which noted, “[I]ncreased persecution and human rights violations against persons belonging to unrecognized religious minorities, particularly members of the Baha'i faith and their defenders, including escalating attacks, an increase in the number of arrests and detentions, the restriction of access to higher education on the basis of religion, the sentencing of twelve Baha'is associated with Baha'i educational institutions to lengthy prison terms, the continued denial of access to employment in the public sector, additional restrictions on participation in the private sector, and the de facto criminalization of membership in the Baha'i faith.”;

Whereas, on December 20, 2012, the United Nations General Assembly adopted a resolution (A/RES/67/182), which called upon the government of Iran “[t]o eliminate discrimination against, and exclusion of . . . members of the Baha'i Faith, regarding access to higher education, and to eliminate the criminalization of efforts to provide higher education to Baha'i youth denied access to Iranian universities,” and “to accord all Baha'is, including those imprisoned because of their beliefs, the due process of law and the rights that they are constitutionally guaranteed”;

Whereas, on February 28, 2013, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/HRC/22/56), which stated, “110 Baha'is are currently detained in Iran for exercising their faith, including two women, Mrs. Zohreh Nikayin and Mrs. Taraneh Torabi, who are reportedly nursing infants in prison.”;

Whereas, in March and May of 2008, intelligence officials of the Government of Iran in Mashhad and Tehran arrested and imprisoned Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm, the seven members of the ad hoc leadership group for the Baha'i community in Iran;

Whereas, in August 2010, the Revolutionary Court in Tehran sentenced the seven Baha'i leaders to 20-year prison terms on charges of “spying for Israel, insulting religious sanctities, propaganda against the regime and spreading corruption on earth”;

Whereas the lawyer for these seven leaders, Mrs. Shirin Ebadi, the Nobel Laureate, was denied meaningful or timely access to the prisoners and their files, and her successors as defense counsel were provided extremely limited access;

Whereas these seven Baha'i leaders were targeted solely on the basis of their religion;

Whereas, beginning in May 2011, Government of Iran officials in four cities conducted sweeping raids on the homes of doz-

ens of individuals associated with the Baha'i Institute for Higher Education (BIHE) and arrested and detained several educators associated with BIHE;

Whereas, in October 2011, the Revolutionary Court in Tehran sentenced seven of these BIHE instructors and administrators, Mr. Vahid Mahmoudi, Mr. Kamran Mortezaie, Mr. Mahmoud Badavam, Ms. Nooshin Khadem, Mr. Farhad Sedghi, Mr. Riaz Sobhani, and Mr. Ramin Zibaie, to prison terms for the crime of “membership of the deviant sect of Baha'ism, with the goal of taking action against the security of the country, in order to further the aims of the deviant sect and those of organizations outside the country”;

Whereas six of these educators remain imprisoned, with Mr. Mortezaie serving a 5-year prison term and Mr. Badavam, Ms. Khadem, Mr. Sedghi, Mr. Sobhani, and Mr. Zibaie serving 4-year prison terms;

Whereas, since October 2011, four other BIHE educators have been arrested and imprisoned, with Ms. Faran Hessami, Mr. Kamran Rahimian, and Mr. Shahin Negari serving 4-year prison terms, and Mr. Kayvan Rahimian serving a 5-year prison term;

Whereas the efforts of the Government of Iran to collect information on individual Baha'is have recently intensified as evidenced by a letter, dated November 5, 2011, from the Director of the Department of Education in the county of Shahriar in the province of Tehran, instructing the directors of schools in his jurisdiction to “subtly and in a confidential manner” collect information on Baha'i students;

Whereas the Baha'i community continues to undergo intense economic and social pressure, including an ongoing campaign in the town of Semnan, where the Government of Iran has harassed and detained Baha'is, closed 17 Baha'i owned businesses in the last three years, and imprisoned several members of the community, including three mothers along with their infants;

Whereas ordinary Iranian citizens who belong to the Baha'i Faith are disproportionately targeted, interrogated, and detained under the pretext of national security;

Whereas the Government of Iran is party to the International Covenants on Human Rights and is in violation of its obligations under the Covenants; and

Whereas the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) authorizes the President and the Secretary of State to impose sanctions on individuals “responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members on or after June 12, 2009”: Now, therefore, be it]

Whereas, in 1982, 1984, 1988, 1990, 1992, 1994, 1996, 2000, 2006, 2008, 2009, 2012, and 2013, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha'i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i Faith;

Whereas the United States Commission on International Religious Freedom 2013 Report stated that “[t]he Baha'i community has long been subject to particularly severe religious freedom violations,” and that “[s]ince 1979, the government has killed more than 200 Baha'i leaders in Iran and dismissed more than 10,000 from government and university jobs,” in addition to prohibiting them from establishing “places of worship, schools, or any independent religious associations”;

Whereas the United States Commission on International Religious Freedom 2013 Report found that Baha'i marriages and divorces are not recognized and Baha'i holy places and community properties are often seized or destroyed, and stated, “The Baha'i community faces severe economic pressure, including denials of jobs in both the public and private sectors and of business licenses. Iranian authorities often pressure employers of Baha'is to dismiss them from private sector employment.”;

Whereas the Department of State 2012 International Religious Freedom Report stated that the Government of Iran “prohibits Baha'is from teaching and practicing their faith and subjects them to many forms of discrimination not faced by members of other religious groups” and “requires Baha'is to register with the police”;

Whereas the Department of State 2012 International Religious Freedom Report stated that “[t]he government raided Baha'i homes and businesses and confiscated large amounts of private and commercial property, as well as religious materials,” and found that “Baha'is are regularly denied compensation for injury or criminal victimization”;

Whereas the Department of State 2012 International Religious Freedom Report stated that “[t]he government, since the Islamic Revolution, formally denies Baha'i students access to higher education,” and “[p]ublic and private universities continued to deny admittance and expel Baha'i students”;

Whereas, on May 23, 2012, the United Nations Secretary-General issued a report (A/HRC/19/82), which stated that “the Special Rapporteur on freedom of religion or belief . . . pointed out that the Islamic Republic of Iran had a policy of systematic persecution of persons belonging to the Baha'i faith, excluding them from the application of freedom of religion or belief by simply denying that their faith had the status of a religion”;

Whereas, on November 27, 2012, the Third Committee of the United Nations General Assembly adopted a draft resolution (A/C.3/67/L.51), which noted, “[I]ncreased persecution and human rights violations against persons belonging to unrecognized religious minorities, particularly members of the Baha'i [Faith and their defenders, including escalating attacks, an increase in the number of arrests and detentions, the restriction of access to higher education on the basis of religion, the sentencing of twelve Baha'is associated with Baha'i educational institutions to lengthy prison terms, the continued denial of access to employment in the public sector, additional restrictions on participation in the private sector, and the de facto criminalization of membership in the Baha'i [Faith.”;

Whereas, on December 20, 2012, the United Nations General Assembly adopted a resolution (A/RES/67/182), which called upon the government of Iran “[t]o eliminate discrimination against, and exclusion of . . . members of the Baha'i Faith, regarding access to higher education, and to eliminate the criminalization of efforts to provide higher education to Baha'i youth denied access to Iranian universities,” and “to accord all Baha'is, including those imprisoned because of their beliefs, the due process of law and the rights that they are constitutionally guaranteed”;

Whereas, on February 28, 2013, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/HRC/22/56), which stated that “110 Baha'is are currently detained in Iran for exercising their faith,” and found that Baha'is in the cities of Semnan, Gorgan, and Hamadan have especially faced increasing persecution over the last three years, including raids, arrests, physical violence, arson, vandalism to

their homes, business, and grave sites, and government closings of Baha'i-owned businesses;

Whereas, on February 28, 2013, the United Nations Secretary-General issued a report (A/HRC/22/48), which stated, "An ongoing anti-Baha'i media campaign resulted in increasing attacks on its members and their properties. This national campaign that consists of [a]nti-Baha'i pamphlets, posters, seminars and the broadcasting of anti-Baha'i speeches on radio networks appears to be tacitly condoned by the authorities. In addition, anti-Baha'i speeches [were] reportedly delivered to different audiences including schools, youth organizations and the general public.";

Whereas, on October 4, 2013, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/68/503), which stated, "The Special Rapporteur continues to observe what appears to be an escalating pattern of systematic human rights violations targeting members of the Baha'i community, who face arbitrary detention, torture and ill-treatment, national security charges for active involvement in religious affairs, restrictions on religious practice, denial of higher education, obstacles to State employment and abuses within schools.";

Whereas, in March and May of 2008, intelligence officials of the Government of Iran in Mashhad and Tehran arrested and imprisoned Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm, the seven members of the ad hoc leadership group for the Baha'i community in Iran, known as the Yaran-i-Iran, or "friends of Iran";

Whereas, in August 2010, the Revolutionary Court in Tehran sentenced the seven Baha'i leaders to 20-year prison terms, the longest sentences given to any current prisoners of conscience in Iran, on charges of "spying for Israel, insulting religious sanctities, propaganda against the regime and spreading corruption on earth";

Whereas the lawyer for these seven leaders, Mrs. Shirin Ebadi, the Nobel Laureate, was denied meaningful or timely access to the prisoners and their files, and her colleagues and successors as defense counsel were provided extremely limited access, and Ms. Ebadi stated that there was no evidence to sustain the charges against the seven;

Whereas, on May 13, 2013, four United Nations human rights experts, the Special Rapporteur on the situation of human rights in Iran, Ahmed Shaheed, the head of the Working Group on Arbitrary Detention, El Hadji Malick Sow, the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt, and the Independent Expert on Minorities issues, Rita Izásk, released a statement "call[ing] on the Iranian authorities for the immediate release of seven Baha'i community leaders, known as the Yaran, nearing the fifth anniversary of their arrests, whose detentions were declared arbitrary by the UN Working Group on Arbitrary Detention, on 20 November 2008";

Whereas, beginning in May 2011, Government of Iran officials in four cities conducted sweeping raids on the homes of dozens of individuals associated with the Baha'i Institute for Higher Education (BIHE) and arrested and detained several educators associated with BIHE;

Whereas, in October 2011, the Revolutionary Court in Tehran sentenced seven of these BIHE instructors and administrators, Mr. Vahid Mahmoudi, Mr. Kamran Mortezaie, Mr. Mahmoud Badavam, Ms. Nooshin Khadem, Mr. Farhad Sedghi, Mr. Riaz Sobhani, and Mr. Ramin Zibaie, to prison terms for the crime of "membership of the deviant sect of Baha'ism, with the goal of taking action against the secu-

rity of the country, in order to further the aims of the deviant sect and those of organizations outside the country," with six of them remaining imprisoned;

Whereas, since October 2011, six other BIHE educators have been arrested and imprisoned, with Ms. Faran Hessami, Mr. Kamran Rahimian, and Mr. Shahin Negari serving 4-year prison terms, and Mr. Kayvan Rahimian, Dr. Foad Moghaddam, and Mr. Amanollah Mostaghim serving 5-year prison terms;

Whereas the efforts of the Government of Iran to collect information on individual Baha'is have recently intensified as evidenced by a letter, dated November 5, 2011, from the Director of the Department of Education in the county of Shahriar in the province of Tehran, instructing the directors of schools in his jurisdiction to "subtly and in a confidential manner" collect information on Baha'i students;

Whereas, since September 2013, the Government of Iran has imprisoned four Baha'i mothers, Taraneh Torabi, Zohreh Nikayin, Neda Majidi, and Elham Rouzbehi, along with their infant children, and Ms. Torabi, Ms. Nikayin, and Ms. Rouzbehi remain imprisoned with their children;

Whereas, on August 24, 2013, Mr. Ataollah Rezvani, an active member of the Baha'i community of Bandar Abbas, Iran, was found shot in his car on the outskirts of the city, in what may be a religiously motivated murder during a time of increased pressure on Iran's religious minorities and a surge in anti-Baha'i rhetoric by various clerics;

Whereas, in September 2013, the Government of Iran released a number of prisoners of conscience, and none of the prisoners released were known to be Baha'is;

Whereas the Government of Iran is party to the International Covenants on Human Rights and is in violation of its obligations under the Covenants; and

Whereas the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) authorizes the President and the Secretary of State to impose sanctions on individuals "responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members on or after June 12, 2009": Now, therefore, be it

Resolved, That the Senate—

(1) condemns the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights;

(2) calls on the Government of Iran to immediately release the seven imprisoned leaders, the [ten] twelve imprisoned educators, and all other prisoners held solely on account of their religion;

(3) calls on the President and Secretary of State, in cooperation with responsible nations, to immediately condemn the Government of Iran's continued violation of human rights and demand the immediate release of prisoners held solely on account of their religion; and

(4) urges the President and Secretary of State to utilize all available authorities, including the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, to impose sanctions on officials of the Government of Iran and other individuals directly responsible for serious human rights abuses, including abuses against the Baha'i community of Iran.

Mr. DURBIN. I further ask that the committee-reported amendment to the resolution be agreed to; the resolution, as amended, be agreed to, the committee-reported amendment to the pre-

amble be agreed to; the preamble, as amended, be agreed to; and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

The committee amendment was agreed to.

The resolution (S. Res. 75), as amended, was agreed to.

The committee amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The resolution (S. Res. 75), as amended, was agreed to.

The preamble, as amended, was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 75

Whereas, in 1982, 1984, 1988, 1990, 1992, 1994, 1996, 2000, 2006, 2008, 2009, 2012, and 2013, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha'i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i Faith;

Whereas the United States Commission on International Religious Freedom 2013 Report stated that "[t]he Baha'i community has long been subject to particularly severe religious freedom violations," and that "[s]ince 1979, the government has killed more than 200 Baha'i leaders in Iran and dismissed more than 10,000 from government and university jobs," in addition to prohibiting them from establishing "places of worship, schools, or any independent religious associations";

Whereas the United States Commission on International Religious Freedom 2013 Report found that Baha'i marriages and divorces are not recognized and Baha'i holy places and community properties are often seized or destroyed, and stated, "The Baha'i community faces severe economic pressure, including denials of jobs in both the public and private sectors and of business licenses. Iranian authorities often pressure employers of Baha'is to dismiss them from private sector employment.";

Whereas the Department of State 2012 International Religious Freedom Report stated that the Government of Iran "prohibits Baha'is from teaching and practicing their faith and subjects them to many forms of discrimination not faced by members of other religious groups" and "requires Baha'is to register with the police";

Whereas the Department of State 2012 International Religious Freedom Report stated that "[t]he government raided Baha'i homes and businesses and confiscated large amounts of private and commercial property, as well as religious materials," and found that "Baha'is are regularly denied compensation for injury or criminal victimization";

Whereas the Department of State 2012 International Religious Freedom Report stated that "[t]he government, since the Islamic Revolution, formally denies Baha'i students access to higher education," and "[p]ublic and private universities continued to deny admittance and expel Baha'i students";

Whereas, on May 23, 2012, the United Nations Secretary-General issued a report (A/

HRC/19/82), which stated that “the Special Rapporteur on freedom of religion or belief . . . pointed out that the Islamic Republic of Iran had a policy of systematic persecution of persons belonging to the Baha’i faith, excluding them from the application of freedom of religion or belief by simply denying that their faith had the status of a religion”;

Whereas, on November 27, 2012, the Third Committee of the United Nations General Assembly adopted a draft resolution (A/C.3/67/L.51), which noted, “[I]ncreased persecution and human rights violations against persons belonging to unrecognized religious minorities, particularly members of the Baha’i [F]aith and their defenders, including escalating attacks, an increase in the number of arrests and detentions, the restriction of access to higher education on the basis of religion, the sentencing of twelve Baha’is associated with Baha’i educational institutions to lengthy prison terms, the continued denial of access to employment in the public sector, additional restrictions on participation in the private sector, and the de facto criminalization of membership in the Baha’i [F]aith.”;

Whereas, on December 20, 2012, the United Nations General Assembly adopted a resolution (A/RES/67/182), which called upon the government of Iran “[t]o eliminate discrimination against, and exclusion of . . . members of the Baha’i Faith, regarding access to higher education, and to eliminate the criminalization of efforts to provide higher education to Baha’i youth denied access to Iranian universities,” and “to accord all Baha’is, including those imprisoned because of their beliefs, the due process of law and the rights that they are constitutionally guaranteed”;

Whereas, on February 28, 2013, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/HRC/22/56), which stated that “110 Bahai’s are currently detained in Iran for exercising their faith,” and found that Baha’is in the cities of Semnan, Gorgan, and Hamadan have especially faced increasing persecution over the last three years, including raids, arrests, physical violence, arson, vandalism to their homes, business, and grave sites, and government closings of Baha’i-owned businesses;

Whereas, on February 28, 2013, the United Nations Secretary-General issued a report (A/HRC/22/48), which stated, “An ongoing anti-Baha’i media campaign resulted in increasing attacks on its members and their properties. This national campaign that consists of [a]nti-Baha’i pamphlets, posters, seminars and the broadcasting of anti-Baha’i speeches on radio networks appears to be tacitly condoned by the authorities. In addition, anti-Baha’i speeches [were] reportedly delivered to different audiences including schools, youth organizations and the general public.”;

Whereas, on October 4, 2013, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran issued a report (A/68/503), which stated, “The Special Rapporteur continues to observe what appears to be an escalating pattern of systematic human rights violations targeting members of the Baha’i community, who face arbitrary detention, torture and ill-treatment, national security charges for active involvement in religious affairs, restrictions on religious practice, denial of higher education, obstacles to State employment and abuses within schools.”;

Whereas, in March and May of 2008, intelligence officials of the Government of Iran in

Mashhad and Tehran arrested and imprisoned Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm, the seven members of the ad hoc leadership group for the Baha’i community in Iran, known as the Yaran-i-Iran, or “friends of Iran”;

Whereas, in August 2010, the Revolutionary Court in Tehran sentenced the seven Baha’i leaders to 20-year prison terms, the longest sentences given to any current prisoners of conscience in Iran, on charges of “spying for Israel, insulting religious sanctities, propaganda against the regime and spreading corruption on earth”;

Whereas the lawyer for these seven leaders, Mrs. Shirin Ebadi, the Nobel Laureate, was denied meaningful or timely access to the prisoners and their files, and her colleagues and successors as defense counsel were provided extremely limited access, and Ms. Ebadi stated that there was no evidence to sustain the charges against the seven;

Whereas, on May 13, 2013, four United Nations human rights experts, the Special Rapporteur on the situation of human rights in Iran, Ahmed Shaheed, the head of the Working Group on Arbitrary Detention, El Hadji Malick Sow, the Special Rapporteur on freedom of religion or belief, Heiner Bielefeldt, and the Independent Expert on Minorities issues, Rita Izask, released a statement “call[ing] on the Iranian authorities for the immediate release of seven Baha’i community leaders, known as the Yaran, nearing the fifth anniversary of their arrests, whose detentions were declared arbitrary by the UN Working Group on Arbitrary Detention, on 20 November 2008”;

Whereas, beginning in May 2011, Government of Iran officials in four cities conducted sweeping raids on the homes of dozens of individuals associated with the Baha’i Institute for Higher Education (BIHE) and arrested and detained several educators associated with BIHE;

Whereas, in October 2011, the Revolutionary Court in Tehran sentenced seven of these BIHE instructors and administrators, Mr. Vahid Mahmoudi, Mr. Kamran Mortezaie, Mr. Mahmoud Badavam, Ms. Nooshin Khadem, Mr. Farhad Sedghi, Mr. Riaz Sobhani, and Mr. Ramin Zibaie, to prison terms for the crime of “membership of the deviant sect of Baha’ism, with the goal of taking action against the security of the country, in order to further the aims of the deviant sect and those of organizations outside the country,” with six of them remaining imprisoned;

Whereas, since October 2011, six other BIHE educators have been arrested and imprisoned, with Ms. Faran Hessami, Mr. Kamran Rahimian, and Mr. Shahin Negari serving 4-year prison terms, and Mr. Kayvan Rahimian, Dr. Foad Moghaddam, and Mr. Amanollah Mostaghim serving 5-year prison terms;

Whereas the efforts of the Government of Iran to collect information on individual Baha’is have recently intensified as evidenced by a letter, dated November 5, 2011, from the Director of the Department of Education in the county of Shahriar in the province of Tehran, instructing the directors of schools in his jurisdiction to “subtly and in a confidential manner” collect information on Baha’i students;

Whereas, since September 2013, the Government of Iran has imprisoned four Baha’i mothers, Taraneh Torabi, Zohreh Nikayin, Neda Majidi, and Elham Rouzbehi, along

with their infant children, and Ms. Torabi, Ms. Nikayin, and Ms. Rouzbehi remain imprisoned with their children;

Whereas, on August 24, 2013, Mr. Ataollah Rezvani, an active member of the Baha’i community of Bandar Abbas, Iran, was found shot in his car on the outskirts of the city, in what may be a religiously motivated murder during a time of increased pressure on Iran’s religious minorities and a surge in anti-Baha’i rhetoric by various clerics;

Whereas, in September 2013, the Government of Iran released a number of prisoners of conscience, and none of the prisoners released were known to be Baha’is;

Whereas the Government of Iran is party to the International Covenants on Human Rights and is in violation of its obligations under the Covenants; and

Whereas the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) authorizes the President and the Secretary of State to impose sanctions on individuals “responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members on or after June 12, 2009”: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the Government of Iran for its state-sponsored persecution of its Baha’i minority and its continued violation of the International Covenants on Human Rights;

(2) calls on the Government of Iran to immediately release the seven imprisoned leaders, the twelve imprisoned educators, and all other prisoners held solely on account of their religion;

(3) calls on the President and Secretary of State, in cooperation with responsible nations, to immediately condemn the Government of Iran’s continued violation of human rights and demand the immediate release of prisoners held solely on account of their religion; and

(4) urges the President and Secretary of State to utilize all available authorities, including the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, to impose sanctions on officials of the Government of Iran and other individuals directly responsible for serious human rights abuses, including abuses against the Baha’i community of Iran.

RESOLUTIONS SUBMITTED TODAY

Mr. DURBIN. Madam President, I ask unanimous consent the Senate proceed to the immediate consideration en bloc of the following resolutions, submitted earlier today: S. Res. 325, S. Res. 326, and S. Res. 327.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the measures en bloc.

Mr. DURBIN. I ask unanimous consent the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid upon the table en bloc, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today’s RECORD under “Submitted Resolutions.”)

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. DURBIN. I ask unanimous consent the Senate proceed to S. Con. Res. 30, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 30) providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. I ask unanimous consent the consent the resolution be agreed to, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 30) was agreed to, as follows:

S. CON. RES. 30

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, December 20, 2013, through Tuesday, December 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 11:45 a.m. on Friday, January 3, 2014, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Monday, December 23, 2013, through Tuesday, December 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 11 a.m. on Friday, January 3, 2014, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Majority Leader of the Senate or his designee, after consultation with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by the Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by the Speaker or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

MEASURES PLACED ON THE CALENDAR—S. 1859 and S. 1881

Mr. DURBIN. I understand there are two bills at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 1859) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

A bill (S. 1881) to expand sanctions imposed with respect to Iran and to impose additional sanctions with respect to Iran, and for other purposes.

Mr. DURBIN. I object to any further proceedings with respect to these bills en bloc.

The PRESIDING OFFICER. Objection is heard. The bills will be placed on the calendar.

MEASURE READ FOR THE FIRST TIME—H.R. 2019

Mr. DURBIN. Madam President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (H.R. 2019) to eliminate taxpayer financing of political party conventions and reprogram savings to provide for a 10-year pediatric research initiative through the Common Fund administered by the National Institutes of Health, and for other purposes.

Mr. DURBIN. Madam President, I now ask for a second reading, and in order to place the bill on the calendar under rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

MEASURES INDEFINITELY POSTPONED—H. Con. Res. 72 and H.R. 219

Mr. DURBIN. Madam President, I ask unanimous consent that the following items be indefinitely postponed, H. Con. Res. 72 and H. Res. 219.

The PRESIDING OFFICER. Without objection, it is so ordered.

SIGNING AUTHORITY

Mr. DURBIN. Madam President, I ask unanimous consent that during the adjournment or recess of the Senate from Friday, December 20 to Monday, January 6, the majority leader and Senators WARNER and ROCKEFELLER be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE MAJORITY LEADER

Mr. DURBIN. Madam President, as I mentioned earlier today, I spoke with Majority Leader REID this morning. He sounds hale and hearty and anxious to get home and then back to work. We look forward to that happening when he returns to his desk early in the new year in 2014.

CLOSING THE FIRST SESSION OF THE 113TH CONGRESS

Mr. DURBIN. Madam President, there are many traditions around this holiday season that I cherish, but I must confess that the tradition of spending Christmas Eve or New Year's Eve on the floor of the Senate is not one of those traditions. Happily, this year we won't be repeating that practice from previous years. We are leaving here shortly—some have already—to spend the holidays at home with family.

As we close this first session of the 113th Congress, I wish to personally thank our majority leader Senator HARRY REID—and let me add his wife Landra—for their leadership and their resolve that helps to make this Senate work.

I also thank the minority leader Senator MITCH MCCONNELL. Although we may disagree on many issues and have our debates on the floor of the Senate, I have a great respect for my colleagues and particularly their leader Senator MCCONNELL. We all know we can't do this work alone. It takes a lot of dedicated people to keep the Senate functioning.

On behalf of Leader REID, I wish to acknowledge and thank the Senate Parliamentarians and clerical staff and doorkeepers. I also thank the cloakroom staffs, the members of our floor staffs who put in even longer than usual hours these past few weeks, and all of the Senate staffers, Democratic and Republican.

I thank the Capitol Police officers for keeping us safe. We have to remember they risk their lives every day for us and all the people who work and visit this great Capitol.

A special thanks to our Senate pages. We ask a lot of them—long hours for a lot of young people. We want them to know that their work is greatly appreciated. We wish them the best of luck. They will be coming back in January to finish their current assignment as pages. I hope they have a great time at home with their families. Perhaps someday they will return here, maybe as Senators themselves.

Part of the magic of this holiday season is that it enables many of us, even just for a few moments, to consider a new world, to look at it with a little less cynicism. I hope all of my colleagues will have a few moments like that in the coming holidays, and I hope we are all going to come back and try

to preserve some small measure of good will and make it part of our life's work in the next year of the Senate session.

The budget agreement we passed this week was a good beginning to a less partisan, more productive Senate. I hope that is a portent of good things to come.

There is a lot more we need to do. The American people are still counting on us to work together on measures that will help to create good jobs and strengthen America's economy, strengthen working families in Wisconsin and Illinois and all across America.

And particularly at this Christmas-time, let's remember the message of Pope Francis and religious leaders all over the world: to remember the needy and the help they need that we can provide and must provide in this caring world.

We all only serve in this body for a finite period of time. After we are gone, we want to look back on our service in the Senate and we all want to be able to say: I was part of something important. I helped meet the great challenges of my time, and I helped to preserve the American dream. I hope that is part of our new year's resolve on both sides of the aisle.

SENATE AGENDA

When we return in January, the Senate will continue working on nominations, starting with confirmation of Janet Yellen to head the Federal Reserve when we vote on January 6. Our first order of legislative business will be to vote to extend unemployment benefits for those who have exhausted their benefits and still can't find work through no fault of their own. This is a matter of simple fairness. It affects more than 1 million Americans and their families. We will not give up on them and on our responsibility to help them through this difficult time.

In closing, let me wish all of my fellow Senators and our staffs, those who transcribe our remarks, and many others who make the Senate work every single day, as well as our fellow Americans, a Merry Christmas, Happy Holidays, and a Happy New Year.

ORDERS FOR TUESDAY, DECEMBER 24, 2013 THROUGH MONDAY, JANUARY 6, 2014

Mr. DURBIN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn and convene for pro forma sessions only with no business conducted on the following dates and times and that following each pro forma session, the Senate adjourn until the next pro forma session, unless the Senate receives a message from the House that it has adopted S. Con. Res. 30, the adjournment resolution: Tuesday, December 24, at 12 noon; Friday, December 27,

at 12 noon; Tuesday, December 31, at 12 noon; and Friday, January 3, at 11:45 a.m.; and that when the Senate adjourns on Friday, January 3, 2014, it stand adjourned until 2 p.m., on Monday, January 6, 2014; further, that if the Senate receives a message that the House has adopted S. Con. Res. 30, the Senate adjourn until Friday, January 3, at 11:45 a.m. for a pro forma session only with no business conducted, and that following the pro forma session, the Senate adjourn until 2 p.m., on Monday, January 6, 2014; that on Monday, January 6, 2014, following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate resume consideration of the motion to proceed to S. 1845, the unemployment insurance extension, with Senators permitted to speak for up to 10 minutes each; further, that at 3 p.m., the Senate proceed to executive session to resume consideration of Executive Calendar No. 452, the nomination of Janet Yellen to be Chairman of the Federal Reserve System, with the time until 5:30 p.m. equally divided and controlled in the usual form prior to a vote on confirmation of the Yellen nomination; and, finally, that following the vote on confirmation of the Yellen nomination, the Senate resume legislative session and proceed to vote on cloture on the motion to proceed to S. 1845, the unemployment insurance extension bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DURBIN. Madam President, there will be two rollcall votes beginning at 5:30 p.m., on Monday, January 6.

CONDITIONAL ADJOURNMENT UNTIL TUESDAY, DECEMBER 24, 2013

Mr. DURBIN. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 2:10 p.m., conditionally adjourned until Tuesday, December 24, 2013, at 12 noon.

DISCHARGED NOMINATIONS

The Senate Committee on Commerce, Science, and Transportation was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

COAST GUARD NOMINATION OF CAPT. FRANCIS S. PELKOWSKI, TO BE REAR ADMIRAL (LOWER HALF).
COAST GUARD NOMINATIONS BEGINNING WITH CAPT. MEREDITH L. AUSTIN AND ENDING WITH CAPT. PAUL F.

THOMAS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 19, 2013.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 20, 2013:

THE JUDICIARY

BRIAN J. DAVIS, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA.

DEPARTMENT OF HOMELAND SECURITY

ALEJANDRO NICHOLAS MAYORKAS, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY SECRETARY OF HOMELAND SECURITY.

DEPARTMENT OF THE TREASURY

JOHN ANDREW KOSKINEN, OF THE DISTRICT OF COLUMBIA, TO BE COMMISSIONER OF INTERNAL REVENUE FOR THE TERM EXPIRING NOVEMBER 12, 2017.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. PAUL S. DWAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL CATHERINE A. CHILTON
BRIGADIER GENERAL STAYCE D. HARRIS
BRIGADIER GENERAL WILLIAM B. WALDROP, JR.
BRIGADIER GENERAL TOMMY J. WILLIAMS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JOSEF F. SCHMID III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COLONEL TALENTINO C. ANGELOSANTE
COLONEL JAMES R. BARKLEY
COLONEL THOMAS G. CLARK
COLONEL MICHAEL J. COLE
COLONEL SAMUEL C. MAHANAY
COLONEL BRETT J. MCMULLEN
COLONEL JOSE R. MONTEAGUDO
COLONEL RANDALL A. OGDEN
COLONEL JOHN P. STOKES
COLONEL STEPHEN D. VAUTRAIN

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. STEPHEN E. RADER

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. MICHAEL T. MCGUIRE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN W. RAYMOND

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL CHARLES A. FLYNN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. DAVID G. PERKINS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL JAMES T. IACocca

COLONEL DANIEL G. MITCHELL
COLONEL KURT L. SONNTAG

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. ANTHONY L. HALL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624, 3037 AND 3064:

To be brigadier general, judge advocate general's corps

COL. PAUL S. WILSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT S. FERRELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOSEPH ANDERSON

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) REBECCA J. MCCORMICK-BOYLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF NAVAL OPERATIONS AND APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5035:

To be admiral

VICE ADM. MICHELLE J. HOWARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

ADM. MARK E. FERGUSON III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JOSEPH P. MULLOY

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH STANTON J. J. APPLONIE AND ENDING WITH RICHARD J. ZAVADIL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 30, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH JAMES D. ATHNOS AND ENDING WITH STEPHEN M. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 30, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH PAIGE T. ABBOTT AND ENDING WITH RENO JOSEPH ZISA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 30, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH SCOTT A. HABER AND ENDING WITH YVES P. LEBLANC, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 7, 2013.

IN THE ARMY

ARMY NOMINATION OF JESUS M. MUNOZLASALLE, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH WAYNE J. AARON AND ENDING WITH ANN H. ZGRODNIK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 28, 2013.

ARMY NOMINATIONS BEGINNING WITH JOHN R. DOOLITTLE II AND ENDING WITH BAUCUM W. FULK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 28, 2013.

ARMY NOMINATIONS BEGINNING WITH STEVEN T. GREINER AND ENDING WITH CHERYL D. SOFALY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 30, 2013.

ARMY NOMINATIONS BEGINNING WITH STANLEY T. BREUER AND ENDING WITH DEYDRE S. TEYHEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 30, 2013.

ARMY NOMINATIONS BEGINNING WITH KIMBERLEE A. AIELLO AND ENDING WITH JEFFREY S. YARVIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 30, 2013.

ARMY NOMINATIONS BEGINNING WITH ROBIN M. ADAMSMASSENBERG AND ENDING WITH VERONICA A. VILLAFRANCA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 30, 2013.

ARMY NOMINATIONS BEGINNING WITH DAVID A. CENITI AND ENDING WITH EDWARD M. REILLY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 19, 2013.

ARMY NOMINATIONS BEGINNING WITH NACY J. ALOUISE AND ENDING WITH D011605, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 12, 2013.

IN THE NAVY

NAVY NOMINATION OF COREY N. DOOLITTLE, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH CHRISTOPHER W. ACOR AND ENDING WITH AMANDA H. ZAWORA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2013.

NAVY NOMINATION OF JULIE A. MEIER, TO BE COMMANDER.

NAVY NOMINATION OF KRYSTEN J. PELSTRING, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF MICHAEL R. SAUM, TO BE CAPTAIN.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203A:

To be rear admiral (lower half)

CAPT. FRANCIS S. PELKOWSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C. SECTION 271(E):

To be rear admiral (lh)

CAPT. MEREDITH L. AUSTIN

CAPT. PETER W. GAUTIER

CAPT. MICHAEL J. HAYCOCK

CAPT. JAMES M. HEINZ

CAPT. KEVIN E. LUNDAY

CAPT. TODD A. SOKALZUK

CAPT. PAUL F. THOMAS

HOUSE OF REPRESENTATIVES—Monday, December 23, 2013

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. UPTON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
December 23, 2013.

I hereby appoint the Honorable FRED UPTON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

Reverend Eugene Hemrick, Catholic University of America, Washington, D.C., offered the following prayer:

Lord, we thank You for yet another year and the awesome blessings You have showered on us.

We pray that as we enter 2014 You will bless this Congress with unity, creativity, and the American spirit that has made our country great.

We pray especially for the next generation who will inherit the works of the U.S. Congress.

May You bless it with heartfelt concern for the world they will live in: a world of peace, justice, and in awe of the God who created us.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 6(a) of House Resolution 438, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from California (Mr. DENHAM) come forward and lead the House in the Pledge of Allegiance.

Mr. DENHAM led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 20, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 20, 2013 at 3:07 p.m.:

That the Senate passed without amendment H.R. 3343.

That the Senate passed without amendment H.R. 3487.

That the Senate agreed to S. Con. Res. 30.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 20, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 20, 2013 at 9:50 a.m.:

That the Senate concurs in the House amendment to the Senate amendment H. R. 3304.

That the Senate passed S. 1614.

That the Senate agreed to without amendment H. Con. Res. 71.

That the Senate passed without amendment H.R. 623.

That the Senate passed without amendment H.R. 767.

That the Senate passed without amendment H.R. 2319.

Appointments: US-China Economic Security Review Commission.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 19, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 19, 2013 at 11:37 a.m.:

That the Senate concurs in the House amendment to the Senate amendment H.J. Res. 59.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill and joint resolution were signed by Speaker pro tempore THORNBERRY on Thursday, December 19, 2013:

H.R. 1402, to amend title 38, United States Code, to extend certain expiring provisions of law, and for other purposes.

H.J. Res. 59, making continuing appropriations for fiscal year 2014, and for other purposes.

ACCURACY FOR ADOPTEES ACT

Mr. DENHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1614) to require Certificates of Citizenship and other Federal documents to reflect name and date of birth determinations made by a State court and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the bill is as follows:

S. 1614

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Accuracy for Adoptees Act".

SEC. 2. RECOGNITION OF STATE COURT DETERMINATIONS OF NAME AND BIRTH DATE.

Section 320 of the Immigration and Nationality Act (8 U.S.C. 1431) is amended by adding at the end the following:

"(c) A Certificate of Citizenship or other Federal document issued or requested to be amended under this section shall reflect the child's name and date of birth as indicated on a State court order, birth certificate, certificate of foreign birth, certificate of birth abroad, or similar State vital records document issued by the child's State of residence in the United States after the child has been adopted or readopted in that State."

The bill was ordered to be read a third time, was read the third time,

and passed, and a motion to reconsider was laid on the table.

ENROLLED BILL AND JOINT RESOLUTION

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker pro tempore, Mr. THORNBERRY:

H.R. 1402. An act to amend title 38, United States Code, to extend certain expiring provisions of law, and for other purposes.

H.J. Res. 59. Joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 6(b) of House Resolution 438, the House stands adjourned until noon on Thursday, December 26, 2013.

Thereupon (at 10 o'clock and 5 minutes a.m.), under its previous order, the House adjourned until Thursday, December 26, 2013, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4314. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Indiana State Board Requirements [EPA-R05-OAR-2012-0988; FRL-9904-36-Region 5] received December 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4315. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Volatile Organic Compound Emission Control Measures for Industrial Solvent Cleaning for Northwest Indiana [EPA-R05-OAR-2012-0453; FRL-9904-35-Region 5] received December 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4316. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; North Carolina; Transportation Conformity Memorandum of Agreement Update [EPA-R04-OAR-2013-0629; FRL-9904-43-Region 4] received December 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4317. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Texas; Public Participation for Air Quality Permit Applications [EPA-R06-OAR-2010-0612; FRL-9904-03-Region 6] received December 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4318. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Endothall; Pesticide Tolerances [EPA-HQ-OPP-2012-0431; FRL-9402-4] received December 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4319. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Indoxacarb; Pesticide Tolerances [EPA-HQ-OPP-2012-0420; FRL-9903-92] received December 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4320. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Mandipropamid; Pesticide Tolerances [EPA-HQ-OPP-2012-0980; FRL-9903-57] received December 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4321. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pendimethalin; Pesticide Tolerances [EPA-HQ-OPP-2013-0071; FRL-9904-04] received December 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4322. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Tall Oil, Polymer with Polyethylene Glycol and Succinic Anhydride Monopolyisobutylene derivs.; Tolerance Exemption [EPA-HQ-OPP-2013-0525; FRL-9903-19] received December 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4323. A letter from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Electronic Reliability Organization Proposal to Retire Requirements in Reliability Standards [Docket No.: RM13-8-000; Order No. 788] received December 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4324. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-139, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4325. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-138, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4326. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-168, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4327. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-129, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4328. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-174, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4329. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-131, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4330. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-148, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4331. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-145, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4332. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-105, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4333. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-149, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4334. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-134, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4335. A communication from the President of the United States, transmitting a letter informing the Congress that approximately 45 U.S. Armed Forces personnel were deployed to South Sudan to support the security of U.S. personnel and the Embassy; (H. Doc. No. 113-80); to the Committee on Foreign Affairs and ordered to be printed.

4336. A communication from the President of the United States, transmitting a letter informing the Congress that additional U.S. military personnel were deployed to South Sudan to support U.S. personnel and our Embassy; (H. Doc. No. 113-81); to the Committee on Foreign Affairs and ordered to be printed.

4337. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting a report concerning the update Morganza to the Gulf of Mexico, Louisiana, hurricane and storm damage risk reduction project; (H. Doc. No. 113-79); to the Committee on Transportation and Infrastructure and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[The following actions occurred on December 20, 2013]

Mr. GOODLATTE: Committee on the Judiciary. Activity Report of the Committee on the Judiciary for the Period January 3, 2013 through December 15, 2013 (Rept. 113-301). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas. Committee on Science, Space, and Technology. First Annual Report of Activities of the Committee on Science, Space, and Technology for the One Hundred Thirteenth Congress. (Rept. 113-302). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on the Oversight and Government Reform. Activities of the Committee on Oversight and Government Reform, One Hundred Thirteenth Congress, First Session (Rept. 113-303). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAVES of Missouri: Committee on Small Business. Annual Report on the Activity of the Committee on Small Business, First Session of the 113th Congress (Rept. 113-304). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. Activity Report of the Committee on Energy and Commerce for the First Session, One Hundred Thirteenth Congress (Rept. 113-305). Referred to the Committee of the Whole House on the state of the Union.

[Filed December 23, 2013]

Mr. RYAN of Wisconsin: Committee on the Budget. Activities and Summary Report of the Committee on the Budget, One Hundred Thirteenth Congress, First Session (Rept. 113-306). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. Report on Legislative and Oversight Activities of the Committee on Natural Resources During the One Hundred Thirteenth Congress, First Session (Rept. 113-307). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. BROWNLEY of California:

H.R. 3804. A bill to repeal the annual adjustment of retired pay and retainer pay amounts for retired members of the Armed Forces under age 62; to the Committee on Armed Services.

By Ms. HANABUSA:

H.R. 3805. A bill to provide for the redesignation of the Asia-Pacific Center for Security Studies as the Daniel K. Inouye Asia-Pacific Center for Security Studies; to the Committee on Armed Services.

By Mr. MEADOWS:

H.R. 3806. A bill to authorize payment of funds in accordance with the agreement entered into by the Tennessee Valley Authority, the State of North Carolina, Swain County, North Carolina, and the United States Department of the Interior; to the Committee on Natural Resources.

By Mr. POE of Texas (for himself and Mr. JONES):

H.R. 3807. A bill to repeal the annual adjustment of retired pay and retainer pay amounts for retired members of the Armed Forces under age 62, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Foreign Affairs, Natural Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VAN HOLLEN:

H.R. 3808. A bill to provide that the annual adjustment of retired pay for members of the Armed Forces under the age of 62 under the Bipartisan Budget Act of 2013 shall not apply to members retired for disability and to retired pay used to compute certain Survivor Benefit Plan annuities; to the Committee on Armed Services, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. BROWNLEY of California:

H.R. 3804.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8

By Ms. HANABUSA:

H.R. 3805.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution

By Mr. MEADOWS:

H.R. 3806.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1:

Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. POE of Texas:

H.R. 3807.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 12

By Mr. VAN HOLLEN:

H.R. 3808.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and dis-

ciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 147: Mr. CRAMER.

H.R. 494: Mr. KELLY of Pennsylvania.

H.R. 713: Mr. MARINO, Mr. DOYLE, and Mr. ENYART.

H.R. 961: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 1599: Ms. MOORE.

H.R. 1795: Mr. CARTWRIGHT.

H.R. 1821: Mr. COHEN.

H.R. 2178: Ms. WILSON of Florida.

H.R. 2237: Mr. PRICE of North Carolina.

H.R. 2308: Mr. CARTWRIGHT.

H.R. 2368: Ms. SHEA-PORTER.

H.R. 2529: Mr. CARTWRIGHT.

H.R. 2682: Ms. ROS-LEHTINEN.

H.R. 2807: Mr. WESTMORELAND.

H.R. 2939: Mr. CARTWRIGHT and Mr. SHERMAN.

H.R. 3178: Mr. PIERLUISI.

H.R. 3469: Mr. CARSON of Indiana.

H.R. 3479: Mr. WESTMORELAND.

H.R. 3530: Ms. NORTON.

H.R. 3546: Ms. VELÁZQUEZ, Ms. PINGREE of Maine, Mr. RYAN of Ohio, Ms. BONAMICI, Mr. KENNEDY, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 3583: Ms. JACKSON LEE.

H.R. 3685: Mr. MULVANEY, Mr. McCAUL, Mr. CARTER, Mr. GRIFFITH of Virginia, Mr. RUIZ, and Mr. MASSIE.

H.R. 3698: Mr. JOYCE, Mr. GRIMM, Mr. MEEHAN, Mr. TONKO, Mr. KING of New York, Ms. CLARKE of New York, Mr. NADLER, Mr. RANGEL, Ms. SCHWARTZ, Mrs. CAROLYN B. MALONEY of New York, Mr. HIGGINS, Mr. HUELSKAMP, Mr. CRAMER, and Mr. HARPER.

H.R. 3708: Mr. ROGERS of Alabama, Mr. HUELSKAMP, Mr. YOUNG of Alaska, Mr. COLLINS of New York, Mr. WESTMORELAND, and Mr. MARCHANT.

H.R. 3732: Mr. JONES and Mr. WESTMORELAND.

H.R. 3788: Ms. HERRERA BEUTLER, Mr. AMODEI, Mr. STIVERS, Mrs. CAPITO, and Mr. FLEMING.

H.R. 3789: Mr. GRAVES of Georgia, Mr. ELLISON, Mr. KIND, Mr. AMODEI, Mr. RENACCI, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FOSTER, Mrs. NEGRETE MCLEOD, Mr. JOYCE, and Mr. KLINE.

H.R. 3790: Mr. ELLISON, Mr. KIND, Mr. COSTA, Mr. RENACCI, Mrs. NEGRETE MCLEOD, Mr. JOYCE, Mr. REED, and Mr. TIPTON.

H. Con. Res. 16: Mr. GERLACH, Mr. PASCRELL, Ms. KAPTUR, and Mr. HURT.

H. Res. 72: Ms. SCHWARTZ.

EXTENSIONS OF REMARKS

TO CONGRATULATE LANGHORNE
BOROUGH MAYOR CHRIS BLAYDON

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 23, 2013

Mr. FITZPATRICK. Mr. Speaker, I rise today to congratulate Langhorne Borough's Mayor Chris Blaydon on a long career of public service. Mayor Chris Blaydon and his wife, Mary, have lived in Bucks County for 50 years. In that time, he has helped shape the community as a volunteer, borough councilman, mayor, and 30-year member of the borough Shadetree Commission. We sincerely commend him for his honorable service to our community as well as to our Nation as a U.S. Air Force pilot and later, as a Pan America pilot. Because of his appreciation for the historical significance of Bucks County, for the last 37 years, he has participated in the re-enactment of Gen. George Washington's crossing of the Delaware River on December 26, 1776 during the Battle of Trenton. Therefore, as Chris Blaydon concludes his mayoral career, we thank and wish him good health and many new adventures.

HONORING DEVLIN L. HODGES

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 23, 2013

Mr. ENGEL. Mr. Speaker, Devlin L. Hodges came to Yonkers from Richmond, Va., where he was born via New York City. While in New York, in 1975, he became a Police Department Associate and was assigned to the Lower East Side of Manhattan during one of the worst times in the city's crime era. After three years he joined the New York State Department of Correctional Services and two years later joined the City's Department of Corrections.

There he blossomed, becoming a Captain in 1988, and an Assistant Deputy Warden before retiring in 1998. He currently is a Security Officer with the Jewish Home and Healthcare Organization.

He is a member of the James H. Farrell Lodge of the Masons since 1994, starting as a Junior Steward and then appointed as Secretary of the Lodge. In 2007 he was elected to the esteemed office of Worshipful Master and while serving in that capacity he was elected President of the Masters and Wardens Council of the Third Masonic District.

From there he returned to the office of Secretary of the Lodge, a position he has held since.

In 2008 he received his thirty-second degree of Freemasonry when he became a

member of Pentecost Consistory #98 of the Ancient and Accepted Scottish Rite Masons, Prince Hall Affiliated of the Northern Jurisdiction. In 2009 he was appointed District Deputy Grand Lecturer of the Most Worshipful Prince Hall Grand Lodge of the Most Ancient and Honorable Fraternity and Accepted Masons, serving in that position since.

He has served in many positions of responsibility in the Masons and it is through his leadership that the Luther V. Garrison, Sr. Masonic Foundation was formed. He has served as president of the Foundation from its founding in 2008.

Devlin Hodges has served his community wisely and well for many years and I am proud to join the Luther V. Garrison, Sr. Foundation in honoring him as Man of the Year.

HONORING SCARSDALE MEDICAL
GROUP

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 23, 2013

Mr. ENGEL. Mr. Speaker, the Scarsdale Medical Group began in 1957 when Kenneth Roth, MD, joined Herman Tarnower, MD, and John Cannon MD, both of whom had been associated since World War II, to start a practice of medicine in Scarsdale Village.

After his return from military service in the late 1950s, Tarnower purchased land near the "five corners" in Scarsdale and erected a two-story medical building at 259 Heathcote Road. He envisioned a six-member medical group of internists with varying subspecialties. The building was finished in 1960 and its roster of six physicians was completed by July 1961, with the addition of Roderick A. Granzen, MD, and James L. Carvelas, MD—internists who had been in practice in White Plains—and Marvin M. Lipman, MD, fresh out of a research fellowship.

That nucleus remained intact for nearly 15 years, when three more doctors joined. In 1980, tragedy struck when Tarnower, who had achieved international fame as the author of *The Scarsdale Medical Diet*, was murdered.

Over the following years five of the original members left and five others joined. Of the original members only Dr. Lipman remains.

With the start of this century SMG grew exponentially, adding 31 physicians in 10 years.

By 2007, the need for expansion was acute. Space was leased on Mamaroneck Avenue in Harrison, allowing the Heathcote Road property to be temporarily vacated for needed repairs.

SMG's growth was steered by a committee of several members of the partnership and the executive director, Maria Trusa. She joined SMG in 1987 as a medical assistant, advanced to manager by 1992, and was named Executive Director.

Over the 57 years, SMG has served Scarsdale and the surrounding community, growing from the original six physicians to its present complement of 39. SMG expanded to treat patients after hours and on weekends and holidays. For urgent care, no appointment is necessary. SMG renders primary care, plus dermatology, neurology, nutrition and podiatry services as well as virtually all of the subspecialties of internal medicine, and obstetrics/gynecology services.

In 2012, SMG was awarded the designation of Medical Home by the Agency for Healthcare Research and Quality of the Department of Health and Human Services.

I congratulate the Scarsdale Medical Group on its decades of medical service to the community and celebrate the reopening of their Heathcote Road offices, allowing even more services for Scarsdale and its environs.

HONORING JEFFREY A. MOERDLER

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 23, 2013

Mr. ENGEL. Mr. Speaker, Jeffrey A. Moerdler is being honored by the Riverdale Jewish Community Relations Council for his extraordinary work on behalf of Riverdale's Jewish community, including his 27 years of service on the Riverdale Y Board, his past service as President of the Y, more recently of the Y's President's Advisory Council, and his work as a Vice President of the Riverdale Jewish Community Council.

More significant on a basic level is his commitment to Hatzalah, the largest volunteer ambulance service in the United States, as an Emergency Medical Technician responding to 150–200 emergency medical calls per year, principally in Riverdale. He is also a Coordinator (co-president) of the Riverdale Hatzalah chapter and is a member of the Executive Board of the Citywide Hatzalah organization. He was part of the aid response when Captain "Sully" Sullenberger landed his airplane in the Hudson River. Most significantly, he has six "saves," four in cardiac arrests and two in chokings, as well as having participated in the delivery of one baby in the field.

In his day job, Mr. Moerdler is head of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.'s Real Estate and Communications practices in New York. He has been recognized as a New York Super Lawyer for real estate in the New York Times every year since 2006 and in Best Lawyers in America for Real Estate in 2013–14.

He is a Commissioner of the Port Authority of New York and New Jersey, Vice Chair of its Audit and Security Committees and its Insurance Working Group, and takes an active role

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

as the lead board member on many of its largest real estate transactions at the World Trade Center site.

Plus, he does a substantial amount of pro bono legal work for a variety of Jewish and community service organizations.

Jeffrey Moerdler has demonstrated an extraordinary commitment to his community and his fellow human beings for three decades. I am proud to join with the Riverdale Jewish Community Relations Council in honoring him with its Community Service Award.

HONORING WAKEFIELD TAX-
PAYERS & CIVIC LEAGUE 100TH
ANNIVERSARY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 23, 2013

Mr. ENGEL. Mr. Speaker, citizens groups are the backbone of a democracy, banding together to make their lives, their neighborhoods, their country a better place.

I am privileged to have one such extraordinary group in my district, the Wakefield Taxpayers and Civic League, which is celebrating its 100th anniversary. It was formed in 1913 to "maintain the integrity of the community" and is one of the oldest such organizations in New York City.

The League involves itself in improving their community by, for example, getting the outer walls of P.S.W. 1 repaired; getting the retaining wall abutting a playground on Carpenter Avenue, in danger of falling, fixed; advocated successfully for the closing of 'topless' bars in a residential neighborhood; initiated a study to change zoning regulations that allowed motels to be built in residential areas; and fought illegal construction and illegal rentals in two- and three-family homes.

The League maintains a lively and deep interest in politics and I have appeared before them many times seeking their endorsement, as have any other person seriously seeking to represent them.

Wakefield is a beautiful community because its residents work hard to keep it so. The League works closely with the District Attorney's Crime Assistance unit and has a Wakefield Civilian patrol to deter crime. It has stopped crimes in progress, alerted the Fire Department to fires, and saves lives by bringing medical attention to accident scenes.

The Wakefield Taxpayers and Civic League is a model of what citizens can accomplish by working together in their neighborhoods. I am proud to be associated with them and congratulate them for 100 years of building and maintaining a model community.

HONORING HITCHCOCK
PRESBYTERIAN CHURCH

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 23, 2013

Mr. ENGEL. Mr. Speaker, Houses of Worship have been central to American commu-

nities since the founding of our country. One such House of Worship, the Hitchcock Presbyterian Church in Scarsdale, is now celebrating its centenary.

In 1913, a group of 19 gathered to worship in a portable chapel borrowed from the Presbytery of Hudson River and set on the corner of Walworth Avenue and Fenimore Road. The Reverend George Smyth helped that group organize Hitchcock Presbyterian Church, build a sanctuary, organize the Sunday School, Women's Guild, Missionary Society and Women's Prayer Group.

In 1949 Dr. Smyth retired and the Reverend Dr. Robert W. Youngs was installed as senior pastor. By then increased attendance necessitated two worship services each Sunday.

In 1959 the Reverend James S. Stewart became senior pastor and served until 1972. During these years the Weekday School was begun and the three women's organizations merged to form the Guild, and in 1991 became the Presbyterian Women of Hitchcock.

The Reverend J. Scottie Griffin became senior pastor in July 1975 and served until 1982. The growing Asian population in this area stimulated the development of the Living in America program to serve the international community.

In September 1983 the Reverend Robert S. MacLennan became senior pastor and served until December 31, 1992. During his ministry there was increased dialogue with the local Jewish community. In 1984 Special Ministries to Japanese, an interdenominational ministry to Japanese-speaking people in the metropolitan area, began holding Japanese language worship once a month.

In 1986 a fire destroyed the sanctuary building but not the program or the mission of Hitchcock Church. The rebuilding was completed and a sanctuary dedicated on October 7, 1990.

In May, 1995 the Reverend Donald J. Steele became the pastor. During his 10 year ministry, the church became very active in mission work and supported "Beyond Borders"—a literacy program in Haiti.

The congregation called The Rev. Dr. John W. Miller of Dallas as new pastor and he began his ministry in 2008.

I congratulate the Hitchcock Presbyterian Church on the celebration of 100 years of serving its congregants. The church has contributed enormously to its worshippers and I wish it many more years in our community.

HONORING THE ACHIEVEMENTS OF
BEAR CREEK HIGH SCHOOL'S
STUDENT JOURNALISTS

HON. JERRY McNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 23, 2013

Mr. McNERNEY. Mr. Speaker, I would like to take this opportunity to honor Bear Creek High School's newspaper, The Bruin Voice, which has been recognized as the best in the Nation. The Bruin Voice recently won the prestigious National Scholastic Press Association's Pacemaker Award for excellence, in addition to receiving Best in Show for its coverage of student protests.

The student journalists at Bear Creek High School put a tremendous amount of effort toward producing a newspaper of outstanding quality. They have displayed exceptional writing and reporting skills and have produced compelling editorials and cartoons. The accomplishments of Bear Creek High School's student journalists are emblematic of their pursuit of excellence and commitment to their fellow students, faculty and our community.

I urge my colleagues to join me in recognizing Bear Creek High School's journalism students, and their extraordinary dedication to producing an award-winning newspaper.

HONORING EILEEN MASON

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 23, 2013

Mr. ENGEL. Mr. Speaker, Eileen Mason arrived in Larchmont in 1968 in pursuit of a good local school for her three year-old daughter, Alison, and later a son, Gregory. Eileen was very active in the PTA. As Health and Safety Chair at the Murray Avenue School, she spearheaded the drive which although failing to reinstall the traffic light, resulted in the school system's first school crossing guard.

From 1972 to 1983 she worked to create after school clubs for "latch-key kids" and help mainstream students with disabilities. In 1980, she was chair of the Middle States High School Evaluation team for School and Community.

Eileen became interested in the cable franchise proposals in the late 'seventies while doing publicity for several local organizations including the Girl Scouts, The Garden Club of Larchmont, the Woman's Club of Larchmont and the PTA. Offering news to the community has been the focus of her thirty years with LMC-TV.

Her own original programs started with "It's Your Community" and the establishment of water control measures at the Reservoir and coastal zone management and environmental concerns. She produced a series on Save the Sound, a Connecticut organization based in Stamford, as well as programs for the Federated Conservationists of Westchester County.

Other organizations benefitting from her coverage are the League of Woman Voters, Summit, Cancer Support Team, Girl Scouts, Kemper Memorial Park Preservation, Hispanic Resource Center, Mamaroneck Library's Children's Department and Larchmont Public Library's Friends, Rye Arts Center, Memorial Day and Holocaust Memorial events.

For the past twelve years she has produced monthly programs for Larchmont-Mamaroneck Interfaith Council. I congratulate Eileen Mason who is being awarded the Special Recognition Award for her extraordinary contributions to LMC-TV productions as a volunteer.

HONORING ALPHA EPSILON PI
INTERNATIONAL FRATERNITY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 23, 2013

Mr. ENGEL. Mr. Speaker, I extend my congratulations to the Alpha Epsilon Pi International Fraternity on the celebration of its centenary. With more than 177 active chapters across the United States, Canada, the United Kingdom, France, and Israel, and over 9,000 undergraduate brothers, there is certainly much to celebrate.

The fraternity is celebrating the largest event in its history—the Centennial Celebration on August 8th honoring the first 100 years of its existence and its success in cultivating generations of Jewish leaders on college campuses across the world.

The first 100 years are said to be the hardest, but the success of Alpha Epsilon Pi is a wonderful start.

I wish the fraternity every success in the future and look forward to seeing more leaders from Alpha Epsilon Pi take their place in the world.

AEPI was founded in 1913 at New York University, initially as a brotherhood of young men from similar backgrounds, but expanded in time with the goal of giving them the best college and fraternity experience. Since then approximately 100,000 men have been members of the fraternity.

More important is the leadership training provided by AEPI. Its members include Wolf Blitzer, Mark Zuckerberg, former Florida Congressman Ron Klein, National Hockey League Commissioner Gary Bettman, James Brooks, a producer/director of The Simpsons, Paul Simon and Art Garfunkel, and architect Frank Gehry, plus numberless more.

Celebrating a Centennial is a rare event. AEPI has contributed to the nation and the world for 100 years and if past performance is any indication, this will continue for many generations to come.

HONORING YONKERS COMMISSION
ON HUMAN RIGHTS

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 23, 2013

Mr. ENGEL. Mr. Speaker, the Yonkers Commission on Human Rights is celebrating 50 years of working to affirm the rights of all citizens to full equality before the law as part of its commitment to eliminating racism and to empowering women.

The Commission on Human Rights was created on October 1, 1963, by the City of Yonkers with a charter that delineated the need for protection from human rights violations and the essence of human rights education for Yonkers residents and businesses alike.

The organization actively promotes human rights awareness and outreach in the Yonkers community through special events and activities, serving as a model for dialogue, discus-

sion and coalition building to eliminate racism and intergroup hostilities.

The Yonkers Human Rights Commission fosters mutual respect and understanding among all racial, religious, and ethnic groups in the community, and strives to eliminate all forms of discrimination based on sex or age. It undertakes studies that aid in improving relationships among groups. It inquires into incidents of tension and conflict among or between various racial, religious, and nationality groups, and takes action to ease such tensions and conflicts.

The Human Rights Commission not only seeks to alleviate tensions but to actively promote goodwill among neighbors and communities.

For a half century the Yonkers Human Rights Commission has worked for equality for all in employment, housing, public accommodation, credit, and education. It is an outstanding example of what can be accomplished locally to enhance all of our lives. I am proud to celebrate the 50th anniversary of the Yonkers Commission on Human Rights, and congratulate it for the work done for our community.

HONORING AUDREY SMITH-
JOHNSON

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 23, 2013

Mr. ENGEL. Mr. Speaker, Audrey Smith-Johnson was born in Yonkers and attended Yonkers Public Schools, and graduated from Tefft Business School. As a high school student, she volunteered at the Yonkers YWCA and was a Candy Striper at St. Joseph Hospital. But it was while working various positions at a temp agency that she found her passion in real estate. She received her Real Estate Certificate and has been working in that field for 28 years.

But she has another calling, and that is as a member of her community. In July, 2005, she joined Community Sunset Temple #1132, Daughters of Elks, LBPOE Elks of the World. She was promptly elected as Doorkeeper and in 2006 she was elected as the Treasurer. There she has embraced in all facets of Elksdom. Some of the positions she holds are: Assistant Vice Loyal Daughter of Unity Past Daughter Rulers Council (Westchester & Rockland), she is a member of the New York State Daughters of Elks—Royal Court Department, Treasurer/Financial Secretary of the Past State President Circle of Westchester, Rockland and Sullivan Counties. This year she is the Chairperson of the Mid-Winter Conference for The New York State 1B POE of W.

She also belongs to the Yonkers African-American Heritage Committee, a not-for-profit community based organization that partners with several other such organizations, such as: Sister To Sister, YMCA, YWCA and The Yonkers Public Library. Mrs. Johnson joined the YAAHC in 2005, and was named Financial Secretary, a job she has kept, along with several appointed positions such as: Chairperson-Nominating Committee, Joint-Chair-Scholar-

ship Committee and Assistant Corresponding Secretary.

In May 2009, Senior Center #9, located at Terrace City Lodge #1499 appointed her Communication/Publicity Director.

She and her husband, John (Worshipful Master of James H. Farrell #34, PH) have been married for 31 years. They have two children, Mrs. LaTasha Pagan and John, Jr., and a granddaughter Karissma. She is also a mother and grandmother to her extended family—Ms. Capricia McClellan and her children and her grandchildren.

I am proud to join the Luther V. Garrison Sr. Masonic Foundation in honoring Audrey Smith-Johnson as Woman of the Year for her many contributions to her community.

REV. EDWARD MULRAINE

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 23, 2013

Mr. ENGEL. Mr. Speaker, Houses of Worship in the United States have played a major role in our communities, offering solace, support, and sustenance, both physical and moral, to all. In Mount Vernon, the Unity Baptist Tabernacle, under the guidance of the Rev. Edward Mulraine fulfils all those roles, and today we are celebrating Rev. Mulraine's tenth Pastoral Anniversary in guiding the membership of his church.

Rev. Mulraine has accomplished much in that time to help his Church, his Ministry and his Community.

He established a Men's Fellowship Choir, a Prayer Ministry, a Senior Ministry, and the Gospel Pearls. He expanded the Church's Ministry through radio station WVOV and the Internet. He instituted Women as Deacons and Unity Baptist Tabernacle saw its first Women Deacons in 2011. Unity Tabernacle now teaches Weekly Bible Study and has a Drama Ministry and a Catering Ministry.

More pragmatically Rev. Mulraine raised the funds for a new computer center which now has 14 brand new computers, installed new air conditioning in the Dining Hall, painted the sanctuary and redid the Church roof, and is paying off the \$300,000 mortgage.

Beyond his church and ministry, Rev. Mulraine has aided his community by getting pedestrian crossing lights on local streets, marching against violence, and protesting cuts to Day Care and Mount Vernon Hospital. He established the Annual Church Trip and Fellowship to South Carolina, started Home Coming after Summer Break, and fought for funds for the South Street Park.

Rev. Mulraine, and all of Mount Vernon, today celebrate his tenth anniversary as Minister of the Unity Baptist Tabernacle. I am proud to join in this celebration of a man who has made a great difference in his Church, his Ministry and his Community.

December 23, 2013

EXTENSIONS OF REMARKS, Vol. 159, Pt. 13

19515

TO CONGRATULATE SADIE R.
GOLDMAN ON HER 100TH BIRTH-
DAY

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 23, 2013

Mr. FITZPATRICK. Mr. Speaker, I rise today
to congratulate Sadie "Honey" Goldman on

her 100th birthday. Mrs. Goldman was born on
December 27, 1913 in Philadelphia, Pennsyl-
vania to Solomon and Selina Hart. She mar-
ried Irvin J. Goldman and both became loving
parents to Philip and Beverly. Alongside her
husband, Honey enjoyed working in the family
business at Gold Electric Service Inc. in Phila-
delphia as well as setting time aside for her
knitting and sewing. She has been blessed
with seven grandchildren and five great-grand-
children. Through her life, she has continued

to pass on love, guidance, and wisdom from
one generation to the next. I wish her a very
happy birthday and good health and happi-
ness.

SENATE—Tuesday, December 24, 2013

The Senate met at 12 and 1 second p.m. and was called to order by the Honorable CARL LEVIN, a Senator from the State of Michigan.

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APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 24, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CARL LEVIN, a Senator from the State of Michigan, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. LEVIN thereupon assumed the chair as Acting President pro tempore.

CONDITIONAL ADJOURNMENT
UNTIL FRIDAY, DECEMBER 27, 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 12 noon, on Friday, December 27, 2013, unless it receives a message that the House has adopted S. Con. Res. 30, in which case the Senate stands adjourned until 11:45 a.m., on Friday, January 3, 2014.

Thereupon, the Senate, at 12 and 46 seconds p.m., conditionally adjourned until Friday, December 27, 2013, at 12 noon.

HOUSE OF REPRESENTATIVES—Thursday, December 26, 2013

The House met at noon and was called to order by the Speaker pro tempore (Mr. UPTON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
December 26, 2013.

I hereby appoint the Honorable FRED UPTON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

Reverend David Godleski, S.J., U.S. Jesuit Conference, Washington, D.C., offered the following prayer:

Gracious and life-giving God, we come before You this day in the midst of the holiday season, a time for joyful gatherings with friends, family members and other loved ones and a time for recalling the blessings we have received. We are mindful and grateful for the many gifts You have bestowed on us, both as individuals and as a Nation, especially the gift of freedom, the gift of our abundant natural resources and the gift of opportunities to pursue our hopes and aspirations.

We pray for Your continued blessings on our country and on those in positions of leadership and governance, especially in this House of Representatives. Bless all its Members with wisdom and understanding to discern how best to serve the people of these United States—to promote the common good, to provide for our Nation's security, and to work for justice and peace for all people.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 6(a) of House Resolution 438, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Maryland (Mr. HOYER) come forward and lead the House in the Pledge of Allegiance.

Mr. HOYER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following privileged concurrent resolution (S. Con. Res. 30) providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

The Clerk read the concurrent resolution, as follows:

S. CON. RES. 30

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Friday, December 20, 2013, through Tuesday, December 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 11:45 a.m. on Friday, January 3, 2014, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Monday, December 23, 2013, through Tuesday, December 31, 2013, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 11:00 a.m. on Friday, January 3, 2014, or until the time of any reassembly pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Majority Leader of the Senate or his designee, after consultation with the Minority Leader of the Senate, shall notify the Members of the Senate to reassemble at such place and time he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the Senate adjourns on a motion offered pursuant to this subsection by the Majority Leader or his designee, the Senate shall again stand adjourned pursuant to the first section of this concurrent resolution.

SEC. 3. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by the Speaker or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

The SPEAKER pro tempore. Without objection, the concurrent resolution is concurred in.

Mr. HOYER. Mr. Speaker, reserving the right to object, arguably, Mr. Speaker, this Congress is the least pro-

ductive one in which I have served over the last 33 years. Both from a humanitarian standpoint and an economic one, this Congress has earned the disdain of the American people irrespective of their party affiliation.

I rise, Mr. Speaker, specifically to express my and the Democratic minority's strong objection to adjourning this first session of the 113th Congress without extending unemployment insurance eligibility for the 1.3 million Americans, including 20,000 military veterans, who will lose that support in just 48 hours. This number will increase by 73,000 people, on average, every week that we continue to block an extension.

That is both a moral outrage and another congressionally inflicted blow to our economy, and it is unprecedented. Whenever unemployment levels have been as they are today, the Congress has extended benefits.

It is, sadly, consistent with our failure to pass meaningful jobs legislation proposed by the President.

It is, sadly, consistent with our failure to pass comprehensive immigration reform, which is broadly supported by business, labor, farmers, farm workers, and an overwhelming number of religious leaders and members of the faith community.

It is, sadly, consistent with our failure to pass a farm bill, which could give confidence to those in dire need of help putting food on their families' tables that this Congress will not abandon them; and ironically, Mr. Speaker, we do so at the very time that our Nation celebrates a message of giving and hope.

All this we leave undone after passing a so-called budget "compromise," whose only virtue was that it was slightly better than the draconian and the irrational sequester—condemned on both sides of the aisle as unworkable, unrealistic, and ill-conceived. So, it is a so-called "compromise" that will be tested in just a few short weeks and which failed to assure that America will pay its bills in the months ahead.

Mr. Speaker, if I thought objecting to this motion to adjourn by unanimous consent would lead to an extension of unemployment for the 1.3 million Americans who have been unable to find work or to a House leadership bringing to the floor issues that I have listed, I would object to this House adjourning with so much of the people's work undone, but sadly, Mr. Speaker, such an objection would have no such

effect. I and my party deeply regret that reality.

Mr. Speaker, we will return in January of 2014, urging our Republican colleagues to address the needs of so many millions of Americans who want us to do the work they sent us here to do.

Therefore, Mr. Speaker, sadly, I withdraw my reservation.

The SPEAKER pro tempore. Without objection, the concurrent resolution is concurred in.

There was no objection.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bills were signed by Speaker pro tempore UPTON on Monday, December 23, 2013:

H.R. 623, to provide for the conveyance of certain property located in Anchorage, Alaska, from the United States to the Alaskan Native Tribal Health Consortium;

H.R. 767, to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project;

H.R. 2319, to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994;

H.R. 3304, to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes;

H.R. 3343, to amend the District of Columbia Home Rule Act to clarify the rules regarding the determination of the compensation of the chief financial officer of the District of Columbia;

H.R. 3487, to amend the Federal Election Campaign Act to extend through 2018 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission, to expand such authority to certain other violations, and for other purposes.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore Mr. UPTON.

H.R. 623. An act to provide for the conveyance of certain property located in Anchorage, Alaska, from the United States to the Alaska Native Tribal Health Consortium.

H.R. 767. An act to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project.

H.R. 2319. An act to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994.

H.R. 3304. An act to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

H.R. 3343. An act to amend the District of Columbia Home Rule Act to clarify the rules regarding the determination of the compensation of the Chief Financial Officer of the District of Columbia.

H.R. 3487. An act to amend the Federal Election Campaign Act to extend through 2018 the authority of the Federal Election Commission to impose civil money penalties on the basis of the schedule of penalties established and published by the Commission, to expand such authority to certain other violations, and for other purposes.

BILLS AND A JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 19, 2013, she presented to the President of the United States, for his approval, the following bills and joint resolution:

H.J. Res 59. Making continuing appropriations for fiscal year 2014, and for other purposes.

H.R. 1402. To amend title 38, United States Code, to extend certain expiring provisions of law, and for other purposes.

H.R. 3588. To amend the Safe Drinking Water Act to exempt fire hydrants from the prohibition on the use of lead pipes, fittings, fixtures, solder, and flux.

H.R. 2251. To designate the United States courthouse and Federal building located at 118 South Mill Street, in Fergus Falls, Minnesota, as the "Edward J. Devitt United States Courthouse and Federal Building".

H.R. 185. To designate the United States courthouse located at 101 East Pecan Street in Sherman, Texas, as the "Paul Brown United States Courthouse".

ADJOURNMENT

The SPEAKER pro tempore. Without objection, pursuant to Senate Concurrent Resolution 30, 113th Congress, the House stands adjourned until 11 a.m. on Friday, January 3, 2014.

There was no objection.

Thereupon (at 12 o'clock and 10 minutes p.m.), under its previous order, the House adjourned until Friday, January 3, 2014, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4338. A letter from the Director, Issuances Staff, Department of Agriculture, transmitting the Department's final rule — Prior Label Approval System: Generic Label Approval [Docket No.: 99-021F; FDMS Docket Number: FSIS-2005-0016] (RIN: 0583-AC59) received December 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4339. A letter from the Secretary, Department of Homeland Security, transmitting a letter to report a violation of the

Antideficiency Act in the Coast Guard Acquisition, Construction and Improvement Appropriation; to the Committee on Appropriations.

4340. A letter from the Secretary, Department of Homeland Security, transmitting a report of a violation of the Antideficiency Act which occurred in the Coast Guard Operating Expenses appropriation; to the Committee on Appropriations.

4341. A letter from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Truth in Lending (Regulation Z) received December 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4342. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Federal Housing Administration (FHA) Risk Management Initiatives: New Manual Underwriting Requirements [Docket No.: FR-5595-N-01] (RIN: 2502-AJ07) received December 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4343. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Qualified Mortgage Definition for HUD Insured and Guaranteed Single Family Mortgages [Docket No.: FR 5707-F-02] (RIN: 2502-AJ18) received December 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4344. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Manufactured Home Construction and Safety Standards [Docket No.: FR-5221-F-02] (RIN: 2502-AI71) received December 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4345. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to VEB Leasing JSC of Moscow, Russia; to the Committee on Financial Services.

4346. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to The Milestone Aviation Group Limited (Milestone) of Dublin, Ireland; to the Committee on Financial Services.

4347. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, "Medicaid Incentives for Prevention of Chronic Diseases Evaluation: Initial Report to Congress"; to the Committee on Energy and Commerce.

4348. A letter from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Revisions to Auxiliary Installations, Replacement Facilities, and Siting and Maintenance Regulations [Docket Nos.: RM12-11-000 and RM12-11-001; Order No. 790] received December 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4349. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-70, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4350. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-68, Notice of Proposed

Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4351. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 11-13 informing of an intent to sign the Memorandum of Understanding with the Ministry of Defense of the United Kingdom of Great Britain and Northern Ireland; to the Committee on Foreign Affairs.

4352. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Certification Related to Condition 27(C)(i) of Senate Executive Resolution 75 to Advise and Consent to the Ratification of the Chemical Weapons Convention, Subject to Certain Conditions; to the Committee on Foreign Affairs.

4353. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Continued Implementation of Export Control Reform; Correction (RIN: 1400-AD40) received December 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

4354. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting a report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zabloci Act; to the Committee on Foreign Affairs.

4355. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Emirates Airline of Dubai, United Arab Emirates; to the Committee on Financial Services.

4356. A letter from the Chairman, Broadcasting Board of Governors, transmitting the semiannual report on the activities of the Office of Inspector General for the period from April 1, 2013 to September 30, 2013, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

4357. A letter from the Secretary, Department of Agriculture, transmitting the Inspector General's semiannual report to Congress for the reporting period ending September 30, 2013; to the Committee on Oversight and Government Reform.

4358. A letter from the Secretary, Department of Education, transmitting the forty-ninth Semiannual Report to Congress on Audit Follow-up, covering the six month period ending September 30, 2013 in compliance with the Inspector General Act Amendments of 1988; to the Committee on Oversight and Government Reform.

4359. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Fiscal Year (FY) 2013 Agency Financial Report; to the Committee on Oversight and Government Reform.

4360. A letter from the Secretary, Department of Transportation, transmitting Agency Financial Report for Fiscal Year 2013; to the Committee on Oversight and Government Reform.

4361. A letter from the Secretary, Department of Veterans Affairs, transmitting the Inspector General's semiannual report to Congress for the reporting period April 1, 2013 through September 30, 2013; to the Committee on Oversight and Government Reform.

4362. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's semiannual report from the Office of the Inspector General during the 6-month period ending September 30, 2013; to the Committee on Oversight and Government Reform.

4363. A letter from the Board Chair and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's Performance and Accountability Report for Fiscal Year 2013; to the Committee on Oversight and Government Reform.

4364. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's report "Clean Record Settlement Agreements and the Law"; to the Committee on Oversight and Government Reform.

4365. A letter from the General Counsel, National Endowment for the Humanities, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

4366. A letter from the Chairman and General Counsel, National Labor Relations Board, transmitting the Board's semiannual report from the office of the Inspector General for the period April 1, 2013 through September 30, 2013; to the Committee on Oversight and Government Reform.

4367. A letter from the Chairman, National Transportation Safety Board, transmitting the Board's Performance and Accountability report for fiscal years 2012 and 2013; to the Committee on Oversight and Government Reform.

4368. A letter from the Director, Office of Personnel Management, transmitting the Office's FY 2013 Agency Financial Report; to the Committee on Oversight and Government Reform.

4369. A letter from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting the Corporation's Annual Management Report for FY 2013; to the Committee on Oversight and Government Reform.

4370. A letter from the Director, Trade and Development Agency, transmitting the Agency's Performance and Accountability Report including audited financial statements for fiscal year 2013; to the Committee on Oversight and Government Reform.

4371. A letter from the Chief, Branch of Permits and Regulations, Division of Migratory Bird Management, Department of the Interior, transmitting the Administration's final rule — Eagle Permits; Changes in the Regulations Governing Eagle Permitting [Docket No.: FWS-R9-MB-2011-0054; FF09M21200-134-FXMB1231099BPP0] (RIN: 1018-AX91) received December 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4372. A letter from the Chief, Branch of Permits and Regulations, Division of Migratory Bird Management, Department of the Interior, transmitting the Department's final rule — Migratory Bird Permits; Delegating Falconry Permitting Authority to 17 States [Docket No.: FWS-HQ-MD-2013-0110; FF09M21200-134-FXMB1231099BPP0] (RIN: 1018-BA01) received December 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4373. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 120306154-2241-02] (RIN: 0648-XD009) received December 19, 2013, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Natural Resources.

4374. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fraser River Sockeye and Pink Salmon Fisheries; Inseason Orders (RIN: 0648-XC965) received December 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4375. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions #12 Through #34 [Docket No.: 130108020-3409-01] (RIN: 0648-XC964) received December 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4376. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Commercial Accountability Measure and Closure for South Atlantic Vermilion Snapper [Docket No.: 130312235-3658-02] (RIN: 0648-XC984) received December 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4377. A communication from the President of the United States, transmitting a notification to designate Curacao as a beneficiary country for the purposes of the Caribbean Basin Economic Recovery Act, as amended by the Caribbean Basin Trade Partnership Act; to the Committee on Ways and Means.

4378. A letter from the Secretary, Department of Health and Human Services, transmitting the Medicare Competitive Acquisition Ombudsman's 2011 Report to Congress; jointly to the Committees on Education and the Workforce and Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Mr. COSTA introduced a bill (H.R. 3809) to amend the Internal Revenue Code of 1986 to treat certain population census tracts for which information is not available as low-income communities for purposes of the new markets tax credit; which was referred to the Committee on Ways and Means.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

Mr. COSTA:

H.R. 3809.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 1763: Ms. ROS-LEHTINEN.

H.R. 3658: Mr. WILLIAMS, Mr. WEBER of Texas, Mr. CUELLAR, Mr. HINOJOSA, Mr. NUNES, Ms. KAPTUR, Mr. NUNNELEE, Mr. ADERHOLT, Mrs. ROBY, Mr. LARSON of Connecticut, Mr. SCHOCK, Mrs. BLACKBURN, Mr. CRENSHAW, and Ms. SPEIER.

H.R. 3793: Mr. PRICE of North Carolina, Ms. FRANKEL of Florida, Mr. HORSFORD, Mr. HINOJOSA, Mr. FOSTER, and Mr. PETERS of California.

SENATE—Friday, January 3, 2014

The Senate met at 11:46 a.m., and was called to order by the Honorable HARRY REID, a Senator from the State of Nevada.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 3, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HARRY REID, a Senator from the State of Nevada, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. REID thereupon assumed the chair as Acting President pro tempore.

NOMINATIONS RETURNED TO THE PRESIDENT

Friday, January 3, 2014

The following nominations transmitted by the President of the United States to the Senate during the first session of the 113th Congress, and upon which no action was had at the time of the sine die adjournment of the Senate, failed of confirmation under the provisions of Rule XXXI, paragraph 6, of the Standing Rules of the Senate.

AFRICAN DEVELOPMENT FOUNDATION

LINDA THOMAS-GREENFIELD, AN ASSISTANT SECRETARY OF STATE (AFRICAN AFFAIRS), TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR THE REMAINDER OF THE TERM EXPIRING SEPTEMBER 27, 2015.

CENTRAL INTELLIGENCE

CAROLINE DIANE KRASS, OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL OF THE CENTRAL INTELLIGENCE AGENCY.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

RICHARD J. ENGLER, OF NEW JERSEY, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS.

COMMODITY FUTURES TRADING COMMISSION

J. CHRISTOPHER GIANCARLO, OF NEW JERSEY, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING APRIL 13, 2014.

TIMOTHY G. MASSAD, OF CONNECTICUT, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2017.

TIMOTHY G. MASSAD, OF CONNECTICUT, TO BE CHAIRMAN OF THE COMMODITY FUTURES TRADING COMMISSION.

CONSUMER PRODUCT SAFETY COMMISSION

JOSEPH P. MOHOROVIC, OF ILLINOIS, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR A TERM OF SEVEN YEARS FROM OCTOBER 27, 2012.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

MARK D. GEARAN, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR

NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING DECEMBER 1, 2015.

CORPORATION FOR PUBLIC BROADCASTING

DAVID J. ARROYO, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2016.

DEPARTMENT OF AGRICULTURE

JON M. HOLLADAY, OF VIRGINIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF AGRICULTURE.

DEPARTMENT OF COMMERCE

KATHRYN D. SULLIVAN, OF OHIO, TO BE UNDER SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE.
ROY K. J. WILLIAMS, OF OHIO, TO BE ASSISTANT SECRETARY OF COMMERCE FOR ECONOMIC DEVELOPMENT.
KELLY R. WELSH, OF ILLINOIS, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE.

ARUN MADHAVAN KUMAR, OF CALIFORNIA, TO BE ASSISTANT SECRETARY OF COMMERCE AND DIRECTOR GENERAL OF THE UNITED STATES AND FOREIGN COMMERCIAL SERVICE.

STEFAN M. SELIG, OF NEW YORK, TO BE UNDER SECRETARY OF COMMERCE FOR INTERNATIONAL TRADE.

DEPARTMENT OF DEFENSE

JESSICA GARFOLA WRIGHT, OF PENNSYLVANIA, TO BE UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS.

JO ANN ROONEY, OF MASSACHUSETTS, TO BE UNDER SECRETARY OF THE NAVY.

JAMIE MICHAEL MORIN, OF MICHIGAN, TO BE DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION, DEPARTMENT OF DEFENSE.

WILLIAM A. LAPLANTE, JR., OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE.

BRAD R. CARSON, OF OKLAHOMA, TO BE UNDER SECRETARY OF THE ARMY.

DEPARTMENT OF EDUCATION

JAMES COLE, JR., OF NEW YORK, TO BE GENERAL COUNSEL, DEPARTMENT OF EDUCATION.

MICHAEL KEITH YUDIN, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY FOR SPECIAL EDUCATION AND REHABILITATIVE SERVICES, DEPARTMENT OF EDUCATION.

JAMES H. SHELTON III, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY SECRETARY OF EDUCATION.

THEODORE REED MITCHELL, OF CALIFORNIA, TO BE UNDER SECRETARY OF EDUCATION.

MASSIE RITSCH, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY FOR COMMUNICATIONS AND OUTREACH, DEPARTMENT OF EDUCATION.

ERICKA M. MILLER, OF VIRGINIA, TO BE ASSISTANT SECRETARY FOR POSTSECONDARY EDUCATION, DEPARTMENT OF EDUCATION.

DEPARTMENT OF ENERGY

ELIZABETH M. ROBINSON, OF WASHINGTON, TO BE UNDER SECRETARY OF ENERGY.

FRANK G. KLOTZ, OF VIRGINIA, TO BE UNDER SECRETARY FOR NUCLEAR SECURITY.

STEVEN CROLEY, OF MICHIGAN, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF ENERGY.

CHRISTOPHER SMITH, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF ENERGY (FOSSIL ENERGY).

JOSEPH S. HEZIR, OF VIRGINIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF ENERGY.

JONATHAN ELKIND, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF ENERGY (INTERNATIONAL AFFAIRS).

ELLEN DUDLEY WILLIAMS, OF MARYLAND, TO BE DIRECTOR OF THE ADVANCED RESEARCH PROJECTS AGENCY-ENERGY, DEPARTMENT OF ENERGY.

MADelyn R. CREEDON, OF INDIANA, TO BE PRINCIPAL DEPUTY ADMINISTRATOR, NATIONAL NUCLEAR SECURITY ADMINISTRATION.

FRANKLIN M. ORR, JR., OF CALIFORNIA, TO BE UNDER SECRETARY FOR SCIENCE, DEPARTMENT OF ENERGY.

MARC A. KASTNER, OF MASSACHUSETTS, TO BE DIRECTOR OF THE OFFICE OF SCIENCE, DEPARTMENT OF ENERGY.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

YVETTE ROUBIDEAUX, OF MARYLAND, TO BE DIRECTOR OF THE INDIAN HEALTH SERVICE, DEPARTMENT OF HEALTH AND HUMAN SERVICES, FOR THE TERM OF FOUR YEARS.

RICHARD G. FRANK, OF MASSACHUSETTS, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES.

DEPARTMENT OF HOMELAND SECURITY

R. GIL KERLIKOWSKIE, OF THE DISTRICT OF COLUMBIA, TO BE COMMISSIONER OF CUSTOMS, DEPARTMENT OF HOMELAND SECURITY.

SUZANNE ELEANOR SPAULDING, OF VIRGINIA, TO BE UNDER SECRETARY, DEPARTMENT OF HOMELAND SECURITY.

JOHN ROTH, OF MICHIGAN, TO BE INSPECTOR GENERAL, DEPARTMENT OF HOMELAND SECURITY.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

KATHERINE M. O'REGAN, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

DEPARTMENT OF JUSTICE

GARY BLANKINSHIP, OF TEXAS, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS.

ROBERT L. HOBBS, OF TEXAS, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS.

AMOS ROJAS, JR., OF FLORIDA, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF FLORIDA FOR THE TERM OF FOUR YEARS.

PETER C. TOBIN, OF OHIO, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF OHIO FOR A TERM OF FOUR YEARS.

PETER JOSEPH KADZIK, OF NEW YORK, TO BE AN ASSISTANT ATTORNEY GENERAL.

JOHN P. CARLIN, OF NEW YORK, TO BE AN ASSISTANT ATTORNEY GENERAL.

LESLIE RAGON CALDWELL, OF NEW YORK, TO BE AN ASSISTANT ATTORNEY GENERAL.

KEVIN W. TECHAU, OF IOWA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF IOWA FOR THE TERM OF FOUR YEARS.

DEBO P. ADEGBILE, OF NEW YORK, TO BE AN ASSISTANT ATTORNEY GENERAL.

ANDREW MARK LUGER, OF MINNESOTA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF MINNESOTA FOR THE TERM OF FOUR YEARS.

DAMON PAUL MARTINEZ, OF NEW MEXICO, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF NEW MEXICO FOR THE TERM OF FOUR YEARS.

DEPARTMENT OF LABOR

DAVID WEIL, OF MASSACHUSETTS, TO BE ADMINISTRATOR OF THE WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR.

PORTIA Y. WU, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF LABOR.

DEPARTMENT OF STATE

CARLOS PASCUAL, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE (ENERGY RESOURCES).

ROSE EILENE GOTTEMÖLLER, OF VIRGINIA, TO BE UNDER SECRETARY OF STATE FOR ARMS CONTROL AND INTERNATIONAL SECURITY.

KEITH MICHAEL HARPER, OF MARYLAND, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS UNITED STATES REPRESENTATIVE TO THE UN HUMAN RIGHTS COUNCIL.

MICHAEL A. HAMMER, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CHILE.

BRIAN A. NICHOLS, OF RHODE ISLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PERU.

MARK BRADLEY CHILDRESS, OF VIRGINIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNITED REPUBLIC OF TANZANIA.

TOMASZ P. MALINOWSKI, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR.

CARLOS ROBERTO MORENO, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BELIZE.

JOHN HOOVER, OF MASSACHUSETTS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SIERRA LEONE.

CRYSTAL NIX-HINES, OF CALIFORNIA, FOR THE RANK OF AMBASSADOR DURING HER TENURE OF SERVICE AS THE UNITED STATES PERMANENT REPRESENTATIVE TO THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION.

ADAM M. SCHEINMAN, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE SPECIAL REPRESENTATIVE OF THE PRESIDENT FOR NUCLEAR NONPROLIFERATION, WITH THE RANK OF AMBASSADOR.

FRANK A. ROSE, OF MASSACHUSETTS, TO BE AN ASSISTANT SECRETARY OF STATE (VERIFICATION AND COMPLIANCE).

TIMOTHY M. BROAS, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THE NETHERLANDS.

DONALD LU, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ALBANIA.

ROBERT A. SHERMAN, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PORTUGUESE REPUBLIC.

JOHN L. ESTRADA, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TRINIDAD AND TOBAGO.

NOAH BRYSON MAMET, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ARGENTINE REPUBLIC.

THOMAS FREDERICK DAUGHTON, OF ARIZONA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NAMIBIA.

MICHAEL STEPHEN HOZA, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CAMEROON.

EUNICE S. REDDICK, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NIGER.

KAREN CLARK STANTON, OF MICHIGAN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC REPUBLIC OF TIMOR-LESTE.

AMY JANE HYATT, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PALAU.

MATTHEW T. HARRINGTON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF LESOTHO.

PAMELA K. HAMAMOTO, OF HAWAII, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE OFFICE OF THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS IN GENEVA, WITH THE RANK OF AMBASSADOR.

SARAH SEWALL, OF MASSACHUSETTS, TO BE AN UNDER SECRETARY OF STATE (CIVILIAN SECURITY, DEMOCRACY, AND HUMAN RIGHTS).

DWIGHT L. BUSH, SR., OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF MOROCCO.

LARRY EDWARD ANDRE, JR., OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ISLAMIC REPUBLIC OF MAURITANIA.

HELEN MEAGHER LA LIME, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ANGOLA.

LUIS G. MORENO, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO JAMAICA.

GEORGE JAMES TSUNIS, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF NORWAY.

PUNEET TALWAR, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE (POLITICAL-MILITARY AFFAIRS).

MICHAEL ANDERSON LAWSON, OF CALIFORNIA, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE COUNCIL OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.

DANIEL W. YOHANNES, OF COLORADO, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT, WITH THE RANK OF AMBASSADOR.

ANTHONY LUZZATTO GARDNER, OF NEW YORK, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE EUROPEAN UNION, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

ELIZABETH FRAWLEY BAGLEY, OF THE DISTRICT OF COLUMBIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-EIGHTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

BARBARA LEE, OF CALIFORNIA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-EIGHTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

MARK MEADOWS, OF NORTH CAROLINA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-EIGHTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

THEODORE STRICKLAND, OF OHIO, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-EIGHTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

STEPHEN N. ZACK, OF FLORIDA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-EIGHTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

CYNTHIA H. AKUETTEH, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE GABONESE REPUBLIC, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE DEMOCRATIC REPUBLIC OF SAO TOME AND PRINCIPE.

ERIC T. SCHULTZ, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ZAMBIA.

RICHARD STENGEL, OF NEW YORK, TO BE UNDER SECRETARY OF STATE FOR PUBLIC DIPLOMACY.

BRUCE HEYMAN, OF ILLINOIS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO CANADA.

KEVIN WHITAKER, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF COLOMBIA.

CATHERINE ANN NOVELLI, OF VIRGINIA, TO BE AN UNDER SECRETARY OF STATE (ECONOMIC GROWTH, ENERGY, AND THE ENVIRONMENT).

ARNOLD A. CHACON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE DIRECTOR GENERAL OF THE FOREIGN SERVICE.

DANIEL BENNETT SMITH, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (INTELLIGENCE AND RESEARCH).

CHARLES HAMMERMAN RIVKIN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE (ECONOMIC AND BUSINESS AFFAIRS).

ROBERT C. BARBER, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ICELAND.

BATHSHEBA NELL CROCKER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE (INTERNATIONAL ORGANIZATION AFFAIRS).

MARK GILBERT, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO NEW ZEALAND.

TINA S. KAIDANOW, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE COORDINATOR FOR COUNTERTERRORISM, WITH THE RANK AND STATUS OF AMBASSADOR AT LARGE.

COLLEEN BRADLEY BELL, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO HUNGARY.

JOSEPH WILLIAM WESTPHAL, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF SAUDI ARABIA.

MARK GILBERT, OF THE DISTRICT OF COLUMBIA, TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE INDEPENDENT STATE OF SAMOA.

MAUREN ELIZABETH CORMACK, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BOSNIA AND HERZEGOVINA.

PETER A. SELFRIDGE, OF MINNESOTA, TO BE CHIEF OF PROTOCOL, AND TO HAVE THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE.

DOUGLAS ALAN SILLIMAN, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE STATE OF KUWAIT.

ROBERT A. WOOD, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS U.S. REPRESENTATIVE TO THE CONFERENCE ON DISARMAMENT.

DEPARTMENT OF THE INTERIOR

VINCENT G. LOGAN, OF NEW YORK, TO BE SPECIAL TRUSTEE, OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS, DEPARTMENT OF THE INTERIOR.

MICHAEL L. CONNOR, OF NEW MEXICO, TO BE DEPUTY SECRETARY OF THE INTERIOR.

ESTHER PUAKELA KIA'AINA, OF HAWAII, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR.

RHEA SUN SUH, OF COLORADO, TO BE ASSISTANT SECRETARY FOR FISH AND WILDLIFE.

JANICE MARION SCHNEIDER, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR.

TOMMY PORT BEAUDREAU, OF ALASKA, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR.

NEIL GREGORY KORNZE, OF NEVADA, TO BE DIRECTOR OF THE BUREAU OF LAND MANAGEMENT.

DEPARTMENT OF THE TREASURY

SARAH BLOOM RASKIN, OF MARYLAND, TO BE DEPUTY SECRETARY OF THE TREASURY.

KAREN DYNAN, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

NANI A. COLORETTI, OF CALIFORNIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF THE TREASURY.

DEPARTMENT OF TRANSPORTATION

PAUL NATHAN JAENICHEN, SR., OF KENTUCKY, TO BE ADMINISTRATOR OF THE MARITIME ADMINISTRATION.

KATHRYN B. THOMSON, OF VIRGINIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF TRANSPORTATION.

DEBRA L. MILLER, OF KANSAS, TO BE A MEMBER OF THE SURFACE TRANSPORTATION BOARD FOR A TERM EXPIRING DECEMBER 31, 2017.

DEPARTMENT OF VETERANS AFFAIRS

CONSTANCE B. TOBIAS, OF MARYLAND, TO BE CHAIRMAN OF THE BOARD OF VETERANS' APPEALS FOR A TERM OF SIX YEARS.

LINDA A. SCHWARTZ, OF CONNECTICUT, TO BE ASSISTANT SECRETARY OF VETERANS AFFAIRS.

SLOAN D. GIBSON, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY SECRETARY OF VETERANS AFFAIRS.

HELEN TIERNEY, OF VIRGINIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF VETERANS AFFAIRS.

ELECTION ASSISTANCE COMMISSION

THOMAS HICKS, OF VIRGINIA, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2013.

THOMAS HICKS, OF VIRGINIA, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2017.

MYRNA PEREZ, OF TEXAS, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2015.

ENVIRONMENTAL PROTECTION AGENCY

KENNETH J. KOPOCIS, OF VIRGINIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

VICTORIA MARIE BAECHER WASSMER, OF ILLINOIS, TO BE CHIEF FINANCIAL OFFICER, ENVIRONMENTAL PROTECTION AGENCY.

THOMAS A. BURKE, OF MARYLAND, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

CATHERINE ANN NOVELLI, OF VIRGINIA, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT.

EXECUTIVE OFFICE OF THE PRESIDENT

ROBERT MICHAEL SIMON, OF MARYLAND, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY.

JO EMILY HANDELSMAN, OF CONNECTICUT, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY.

EXPORT-IMPORT BANK OF THE UNITED STATES

WANDA FELTON, OF NEW YORK, TO BE FIRST VICE PRESIDENT OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2017.

FEDERAL TRADE COMMISSION

TERRELL MCSWEENEY, OF THE DISTRICT OF COLUMBIA, TO BE A FEDERAL TRADE COMMISSIONER FOR THE UNEXPIRED TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2010.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

VICKI MILES-LAGRANGE, OF OKLAHOMA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2015.

INTER-AMERICAN DEVELOPMENT BANK

MARK E. LOPES, OF ARIZONA, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTER-AMERICAN DEVELOPMENT BANK FOR A TERM OF THREE YEARS.

INTER-AMERICAN FOUNDATION

MARK E. LOPES, OF ARIZONA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING SEPTEMBER 20, 2016.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

CATHERINE ANN NOVELLI, OF VIRGINIA, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF FIVE YEARS; UNITED STATES ALTERNATE GOVERNOR OF THE INTER-AMERICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS.

INTERNATIONAL MONETARY FUND

JANET L. YELLEN, OF CALIFORNIA, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE INTERNATIONAL MONETARY FUND FOR A TERM OF FIVE YEARS.

LEGAL SERVICES CORPORATION

GLORIA VALENCIA-WEBER, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014.

ROBERT JAMES GREY, JR., OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014.

LAURIE I. MIKVA, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2013.

LAURIE I. MIKVA, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2016.

JOHN GERSON LEVI, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014.

MARTHA L. MINOW, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014.

JOSEPH PIUS PIETRZYK, OF OHIO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014.

CHARLES NORMAN WILTSE KECKLER, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2016.

HARRY JAMES FRANKLYN KORRELL III, OF WASHINGTON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014.

VICTOR B. MADDOX, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2016.

METROPOLITAN WASHINGTON AIRPORTS
AUTHORITY

RICHARD A. KENNEDY, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM EXPIRING MAY 30, 2016.

MILLENNIUM CHALLENGE CORPORATION

SUSAN MCCUE, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION FOR A TERM OF THREE YEARS.

DANA J. HYDE, OF MARYLAND, TO BE CHIEF EXECUTIVE OFFICER, MILLENNIUM CHALLENGE CORPORATION.

MORRIS K. UDALL AND STEWART L. UDALL
FOUNDATION

MARK THOMAS NETHERY, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2018.

CHARLES P. ROSE, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING MAY 26, 2019.

ANNE J. UDALL, OF OREGON, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2016.

CAMILLA C. FEIBELMAN, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING APRIL 15, 2017.

NATIONAL AERONAUTICS AND SPACE
ADMINISTRATION

DAVID RADZANOWSKI, OF THE DISTRICT OF COLUMBIA, TO BE CHIEF FINANCIAL OFFICER, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

NATIONAL FOUNDATION ON THE ARTS AND THE
HUMANITIES

PATRICIA NELSON LIMERICK, OF COLORADO, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018.

SHELLY COLLEEN LOWE, OF ARIZONA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018.

THOMAS EDGAR ROTHMAN, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2016.

NATIONAL MEDIATION BOARD

NICHOLAS CHRISTOPHER GEALE, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2013.

NATIONAL SCIENCE FOUNDATION

FRANCE A. CORDOVA, OF NEW MEXICO, TO BE DIRECTOR OF THE NATIONAL SCIENCE FOUNDATION FOR A TERM OF SIX YEARS.

OCCUPATIONAL SAFETY AND HEALTH REVIEW
COMMISSION

HEATHER L. MACDOUGALL, OF FLORIDA, TO BE A MEMBER OF THE OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM EXPIRING APRIL 27, 2017.

PEACE CORPS

CAROLYN HESSLER RADELET, OF VIRGINIA, TO BE DIRECTOR OF THE PEACE CORPS.

POSTAL REGULATORY COMMISSION

NANCI E. LANGLEY, OF HAWAII, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR A TERM EXPIRING NOVEMBER 22, 2018.

TONY HAMMOND, OF MISSOURI, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR A TERM EXPIRING OCTOBER 14, 2018.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT
BOARD

ELISEBETH COLLINS COOK, OF VIRGINIA, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2020.

PUBLIC HEALTH SERVICE

VIVEK HALLEGGERE MURTHY, OF MASSACHUSETTS, TO BE MEDICAL DIRECTOR IN THE REGULAR CORPS OF THE PUBLIC HEALTH SERVICE, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW AND REGULATIONS, AND TO BE SURGEON GENERAL OF THE PUBLIC HEALTH SERVICE FOR A TERM OF FOUR YEARS.

RAILROAD RETIREMENT BOARD

STEVEN JOEL ANTHONY, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE RAILROAD RETIREMENT BOARD FOR A TERM EXPIRING AUGUST 28, 2018.

SECURITIES INVESTOR PROTECTION
CORPORATION

LESLIE E. BAINS, OF NEW YORK, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2015.

SOCIAL SECURITY ADMINISTRATION

HENRY J. AARON, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE SOCIAL SECURITY ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 30, 2014.

HENRY J. AARON, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE SOCIAL SECURITY ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 30, 2020.

SOCIAL SECURITY ADVISORY BOARD

LANHEE J. CHEN, OF CALIFORNIA, TO BE A MEMBER OF THE SOCIAL SECURITY ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 30, 2018.

ALAN L. COHEN, OF VIRGINIA, TO BE A MEMBER OF THE SOCIAL SECURITY ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 30, 2016.

THE JUDICIARY

JILL A. PRYOR, OF GEORGIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT.

ROSEMARY MARQUEZ, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA.

WILLIAM L. THOMAS, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA.

CAROLYN B. MCHUGH, OF UTAH, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT.

PAMELA L. REEVES, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TENNESSEE.

TIMOTHY L. BROOKS, OF ARKANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF ARKANSAS.

JEFFREY ALKER MEYER, OF CONNECTICUT, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF CONNECTICUT.

JAMES DONATO, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA.

BETH LABSON FREEMAN, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA.

JENNIFER PRESCOD MAY-PARKER, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NORTH CAROLINA.

PEDRO A. DELGADO HERNANDEZ, OF PUERTO RICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF PUERTO RICO.

BRUCE HOWE HENDRICKS, OF SOUTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA.

ALISON RENEE LEE, OF SOUTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA.

WILLIAM WARD NOOTER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

VINCE GIRDHARI CHHABRIA, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA.

MATTHEW FREDERICK LEITMAN, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN.

JUDITH ELLEN LEVY, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN.

LAURIE J. MICHELSON, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN.

JAMES MAXWELL MOODY, JR., OF ARKANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF ARKANSAS.

LINDA VIVIENNE PARKER, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN.

MICHELLE T. FRIEDLAND, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT.

NANCY L. MORITZ, OF KANSAS, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT.

JOHN B. OWENS, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT.

CHRISTOPHER REID COOPER, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA.

DANIEL D. CRABTREE, OF KANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF KANSAS.

SHERYL H. LIPMAN, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TENNESSEE.

GERALD AUSTIN MCHUGH, JR., OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

M. DOUGLAS HARPOOL, OF MISSOURI, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF MISSOURI.

EDWARD G. SMITH, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

CYNTHIA ANN BASHANT, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA.

STANLEY ALLEN BASTIAN, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WASHINGTON.

DIANE J. HUMETWEA, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA.

JON DAVID LEVY, OF MAINE, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MAINE.

STEVEN PAUL LOGAN, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA.

DOUGLAS L. RAYES, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA.

MANISH S. SHAH, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS.

JOHN JOSEPH TUCHI, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA.

DAVID JEREMIAH BARRON, OF MASSACHUSETTS, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIRST CIRCUIT.

MARK G. MASTROIANNI, OF MASSACHUSETTS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS.

INDIRA TALWANI, OF MASSACHUSETTS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS.

THEODORE DAVID CHUANG, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND.

GEORGE JARROD HAZEL, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND.

ROBIN S. ROSENBAUM, OF FLORIDA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT.

JAMES D. PETERSON, OF WISCONSIN, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WISCONSIN.

NANCY J. ROSENSTENGEL, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ILLINOIS.

RONNIE L. WHITE, OF MISSOURI, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MISSOURI.

SHERRY MOORE TRAFFORD, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

STEVEN M. WELLNER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

GREGG JEFFREY COSTA, OF TEXAS, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT.

JULIE E. CARNES, OF GEORGIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT.

JAMES ALAN SOTO, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA.

LEO T. SOROKIN, OF MASSACHUSETTS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS.

ELEANOR LOUISE ROSS, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA.

LEIGH MARTIN MAY, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA.

M. HANNAH LAUCK, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA.

MARK HOWARD COHEN, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA.

TANYA S. CHUTKAN, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA.

MICHAEL P. BOGGS, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA.

UNITED NATIONS

LESLIE BERGER KIERNAN, OF MARYLAND, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO

THE UNITED NATIONS FOR U. N. MANAGEMENT AND REFORM, WITH THE RANK OF AMBASSADOR.

LESLIE BERGER KIERNAN, OF MARYLAND, TO BE ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING HER TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR U. N. MANAGEMENT AND REFORM.

UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

ALFREDO J. BALSERA, OF FLORIDA, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2014.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

MICHAEL G. CARROLL, OF NEW YORK, TO BE INSPECTOR GENERAL, UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

UNITED STATES INTERNATIONAL TRADE COMMISSION

RHONDA K. SCHMIDTLEIN, OF MISSOURI, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR A TERM EXPIRING DECEMBER 16, 2021.

UNITED STATES POSTAL SERVICE

STEPHEN CRAWFORD, OF MARYLAND, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 8, 2015.

DAVID MICHAEL BENNETT, OF NORTH CAROLINA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2018.

JAMES C. MILLER, III, OF VIRGINIA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR THE TERM EXPIRING DECEMBER 8, 2017.

UNITED STATES TAX COURT

L. PAIGE MARVEL, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS.

TAMARA WENDA ASHFORD, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS.

IN THE AIR FORCE

AIR FORCE NOMINATION OF COLONEL SCOTT C. LONG, TO BE BRIGADIER GENERAL.

AIR FORCE NOMINATION OF COL. ROOSEVELT ALLEN, JR., TO BE MAJOR GENERAL.

AIR FORCE NOMINATION OF COL. LISA L. TURNER, TO BE BRIGADIER GENERAL.

AIR FORCE NOMINATION OF COL. ROBERT I. MILLER, TO BE BRIGADIER GENERAL.

AIR FORCE NOMINATION OF BRIG. GEN. CHRISTOPHER F. BURNE, TO BE LIEUTENANT GENERAL.

IN THE ARMY

ARMY NOMINATIONS BEGINNING WITH COLONEL CHRISTIAN A. ROFRANO AND ENDING WITH COLONEL TIMOTHY J. SHERIFF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

ARMY NOMINATION OF BRIGADIER GENERAL MATTHEW T. QUINN, TO BE MAJOR GENERAL.

ARMY NOMINATION OF COLONEL JOSEPH J. HECK, TO BE BRIGADIER GENERAL.

ARMY NOMINATIONS BEGINNING WITH COLONEL DAVID W. RIGGINS AND ENDING WITH COLONEL ROBERT J. ULSES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 27, 2013.

ARMY NOMINATION OF BRIG. GEN. JOHN L. GRONSKI, TO BE MAJOR GENERAL.

ARMY NOMINATION OF BRIG. GEN. MARGARET C. WILMOTH, TO BE MAJOR GENERAL.

ARMY NOMINATION OF MAJ. GEN. BENNET S. SACOLICK, TO BE LIEUTENANT GENERAL.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF MAJ. GEN. CHARLES M. GURGANUS, TO BE LIEUTENANT GENERAL.

IN THE NAVY

NAVY NOMINATION OF CAPT. DANIEL J. ZINDER, TO BE REAR ADMIRAL (LOWER HALF).

IN THE AIR FORCE

AIR FORCE NOMINATION OF ROBERT KENNETH HENDERSON, TO BE COLONEL.

AIR FORCE NOMINATION OF BRANDON K. DOAN, TO BE COLONEL.

IN THE ARMY

ARMY NOMINATION OF JASON R. PURVIS, TO BE MAJOR.

ARMY NOMINATION OF RODNEY E. GARFIELD, TO BE COLONEL.

ARMY NOMINATION OF CLARENCE E. DINGMAN, TO BE MAJOR.

ARMY NOMINATION OF PAUL A. THOMAS, TO BE MAJOR.

ARMY NOMINATION OF RANDOLPH S. WARDLE, TO BE COLONEL.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JULIE ANN KOENEN AND ENDING WITH BRIAN KEITH WOODY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2013.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH BEATA ANGELICA AND ENDING WITH BENJAMIN BEARDSLEY DILLE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2013.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JAMES BENJAMIN GREEN AND ENDING WITH GEOFFREY W. WIGGIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH KATE E. ADDISON AND ENDING WITH WILLIAM F. ZEMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 6, 2013.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH MATTHEW D. LOWE AND ENDING WITH WILBUR G. ZEHR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 23, 2013.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH SCOTT THOMAS BRUNS AND ENDING WITH JANELLE WEYER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2013.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH KATHLEEN M. ADAMS AND ENDING WITH SEAN YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 9, 2013.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH KEVIN TIMOTHY COVERT AND ENDING WITH PAUL WULFSBERG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 11, 2013.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH CHRISTOPHER DAVID FREDERICK AND ENDING WITH JULIO MALDONADO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 25, 2013.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH GERALD MICHAEL FEIERSTEIN AND ENDING WITH DAVID MICHAEL SATTERFIELD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 21, 2013.

HOUSE OF REPRESENTATIVES—Friday, January 3, 2014

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. PETRI).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 3, 2014.

I hereby appoint the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: God of the universe, we give You thanks for giving us another day.

In the final hour of the first session of the 113th Congress, we give You thanks for Your faithfulness to our Nation. There have been many struggles, many sorrows, and yet we are still here and able to give You thanks that millions of our citizens live free.

May the work of the second session issue forth to the benefit of our Nation and its citizens; and where the efforts of this Congress have fallen short, we ask Your forgiveness and the forgiveness of all Americans.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 6(a) of House Resolution 438, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 2 minutes a.m.), the House stood in recess.

□ 1155

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PETRI) at 11 o'clock and 55 minutes a.m.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 23, 2013, she presented to the President of the United States, for his approval, the following bills:

H.R. 3304. To authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

H.R. 623. To provide for the conveyance of certain property located in Anchorage, Alaska, from the United States to the Alaska Native Tribal Health Consortium.

H.R. 767. To amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project.

H.R. 2319. To clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994.

H.R. 3343. To amend the District of Columbia Home Rule Act to clarify the rules regarding the determination of the compensation of the Chief Financial Officer of the District of Columbia.

H.R. 3487. To amend the Federal Election Campaign Act to extend through 2018 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission, to expand such authority to certain other violations, and for other purposes.

SINE DIE ADJOURNMENT

The SPEAKER pro tempore. Pursuant to the 20th amendment to the Constitution, the Chair declares the first session of the 113th Congress adjourned sine die.

Accordingly (at 11 o'clock and 56 minutes a.m.), the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4379. A letter from the Secretary, Department of Health and Human Services, trans-

mitting the fifth annual report on the Prevention and Reduction of Underage Drinking; to the Committee on Energy and Commerce.

4380. A letter from the Assistant Attorney General for Administration, Department of Justice, transmitting the Department's Fiscal Year 2013 Financial Report; to the Committee on Oversight and Government Reform.

4381. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "Audit of the District Department of Transportation's H Street Shuttle Service Grant Awards Issued in Fiscal Years 2008 and 2010"; to the Committee on Oversight and Government Reform.

4382. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's FY 2011 Annual Report to Congress on the Child Support Program; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

(The following actions occurred on December 27, 2013)

Mr. LUCAS: Committee on Agriculture. Report on Activities During the 113th Congress First Session (Rept. 113-308). Referred to the Committee of the Whole House on the state of the Union.

Mr. McKEON: Committee on Armed Services. First Annual Report on the Activities of the Committee on Armed Services for the One Hundred Thirteenth Congress (Rept. 113-309). Referred to the Committee of the Whole House on the state of the Union.

(The following actions occurred on December 30, 2013)

Mr. ROGERS of Michigan: Permanent Select Committee on Intelligence. Annual Report on the Activity of the House Permanent Select Committee on Intelligence, One Hundred Thirteenth Congress (Rept. 113-310). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. First Annual Activity Report of the Committee on Financial Services for the Period Jan. 3, 2013 through Jan. 2, 2014 (Rept. 113-311). Referred to the Committee of the Whole House on the state of the Union.

(The following actions occurred on January 2, 2014)

Mrs. MILLER of Michigan: Committee on House Administration. First Annual Report on the Activities of the Committee on House Administration of the House of Representatives, One Hundred Thirteenth Congress, First Session (Rept. 113-312). Referred to the Committee of the Whole House on the state of the Union.

(The following action occurred on December 31, 2013)

Mr. KLINE: Committee on Education and the Workforce. Report on the Activities of

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the Committee on Education and the Workforce for the First Session of the 113th Congress (Rept. 113-313). Referred to the Committee of the Whole House on the state of the Union.

Mr. McCAUL: Committee on Homeland Security. Report on Legislative and Oversight Activities of the House Committee on Homeland Security, One Hundred Thirteenth Congress, First Session (Rept. 113-314). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Kentucky: Committee on Appropriations. Annual Report on Activities of the Committee on Appropriations, One Hundred Thirteenth Congress, First Session (Rept. 113-315). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. Summary on the Activities of the Committee on Transportation and Infrastructure for the 113th Congress (Rept. 113-316). Referred to the Committee of the Whole House on the state of the Union.

Mr. SESSIONS: Committee on Rules. Survey of Activities of the House Committee on Rules, First Session, 113th Congress (Rept. 113-317). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROYCE: Committee on Foreign Affairs. Legislative Review and Oversight Activities of the Committee on Foreign Affairs, One Hundred Thirteenth Congress (Rept. 113-318). Referred to the Committee of the Whole House on the state of the Union.

Mr. CAMP: Committee on Ways and Means. Report on the Legislative and Oversight Activities of the Committee on Ways and Means During the 113th Congress (Rept. 113-319). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Mr. HUNTER introduced a bill (H.R. 3810) to provide for the conveyance of the Mt. Soledad Veterans Memorial in San Diego, California; which was referred to the Committee on Armed Services, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

Mr. HUNTER:

H.R. 3810.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority for the Mount Soledad Veterans Memorial Preservation Act is found in Section 3, Clause 2 of Article IV, which states in part that "the Congress shall have power to dispose of and make all needful Rules and Regulations respecting the Territory and other Property belonging to the United States." Constitutional authority is also found in Clause 18 of Article I, Section 8, which states that Congress has the authority to "make all Laws which shall be necessary and proper for car-

rying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 223: Mr. POCAN.

H.R. 1331: Ms. BORDALLO.

H.R. 1528: Mr. SCOTT of Virginia, Mr. WESTMORELAND, Mr. PRICE of North Carolina, and Mr. GALLEGO.

H.R. 2037: Mr. MICHAUD.

H.R. 2644: Ms. SHEA-PORTER.

H.R. 2921: Mr. HURT.

H.R. 2945: Mr. CARTWRIGHT and Mr. FATTAH.

H.R. 3327: Mr. CARTWRIGHT.

H.R. 3494: Mr. ELLISON, Mr. PRICE of North Carolina, and Mr. WAXMAN.

H.R. 3546: Ms. NORTON and Mr. VARGAS.

H.R. 3650: Mr. ELLISON.

H.R. 3717: Mr. THOMPSON of Pennsylvania, Mr. LOEBACK, and Mr. FITZPATRICK.

H.R. 3731: Mr. WESTMORELAND, Mr. COOK, Mr. LAMALFA, and Mr. JOYCE.

H.R. 3787: Mr. MULLIN, Mr. COLE, Ms. JENKINS, Mr. BRIDENSTINE, Mr. STIVERS, Mr. HUIZENGA of Michigan, Mr. LANCE, and Mr. FLEISCHMANN.

H.R. 3788: Mr. UPTON.

H.R. 3789: Mr. DUFFY.

H.R. 3790: Mr. SWALWELL of California.

H.R. 3793: Mr. CARTWRIGHT and Mr. SCOTT of Virginia.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 2014

Mr. SMITH of Washington. Mr. Speaker, on Tuesday, December 10, 2013, I was unable to be present for recorded votes. Had I been present, I would have voted “yes” on rollcall vote No. 630 (on the motion to suspend the rules and pass H.R. 3521, as amended) and “yes” on rollcall vote No. 631 (on the motion to suspend the rules and pass H.R. 1402, as amended).

TO COMMEMORATE THE 80TH
BIRTHDAY OF MR. JAMES B.
HUMPHREYS

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, January 3, 2014

Mr. FITZPATRICK. Mr. Speaker, today I'd like to recognize the accomplishments of my constituent, Mr. James B. Humphreys, in light of the celebration of his 80th birthday on December 28th, 2013. Mr. Humphreys is a notable example of a hardworking community leader in Pennsylvania's 8th District, who is motivated to help make Bucks County the best place to live, work and raise a family.

As a Bristol resident and board member for “Visit Bucks County,” Mr. Humphreys has helped to increase visitation by bringing awareness to the long standing heritage, historical sites, and attractions that Bucks County has to offer. Tourism is a significant economic driver for our area, as it supports more than 11,000 jobs in the county each year. Because of people like Mr. Humphreys, thousands of visitors come to see our beautiful county.

Aside from his work with “Visit Bucks County,” many people in Bristol know and appreciate Mr. Humphreys because he is an up-standing citizen and a true patriot. I wish him many more years of health, happiness and success. Thanks for all you've done for our community—have a wonderful 80th birthday!

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.
